

## Matthias Joseph Scheeben and the Controversy over the *Debitum Peccati*

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IN 1954, the Second International Mariological Congress celebrated the centennial of Pio Nono's Apostolic Constitution *Ineffabilis Deus* in Rome, and over the next four years, the Academia Mariana Internationalis published its proceedings in eighteen volumes bound as twenty-two books.<sup>1</sup> Saying so will mark me as a Tridentine alarmist, but I think it fair to admit that the briefest perusal of these volumes will sound the depths of the great 'Marian silence' that descended upon theology after the Second Vatican Council. Although many people have a great hunger for Marian doctrine, and books both academic and popular are published apace, very little in contemporary Catholic theology can match the depth or richness of Mariology in the 1950s. There were vast dogmatic treatises, such as Roschini's three-volume *Mariologia*, a wealth of specialized historical monographs on now-forgotten Mariological pioneers, and a wealth of articles on almost every possible aspect of Mariology from almost everyone who was anyone in the world of Catholic theology.<sup>2</sup> As a case in point, the

<sup>1</sup> *Virgo Immaculata: Acta Congressus Mariologici-Mariani Romae Anno MCMLIV Celebrati*, 18 vols. in 22 tomes (Rome: Academia Mariana Internationalis, 1955–58). Similar volumes representative of the state of the art are the proceedings of the First International Mariological Congress in 1950, *Alma Socia Christi*, 13 vols. in 15 tomes (Rome: Academia Mariana Internationalis, 1951–53). These two sets are the indispensable starting points for anyone interested in Mariology before the Second Vatican Council. A smaller, more general, all-English set is Juniper Carol, ed., *Mariology*, 3 vols. (Milwaukee: Bruce Publishing, 1954–56).

<sup>2</sup> Gabriel M. Roschini, O.S.M., *Mariologia*, 2d revised edition, 3 vols. (Rome: Angelus Belardetti, 1947). Other important Mariologies of this period include those of Benoît Henri Merkelbach, O.P., *Mariologia* (Paris: Desclée de Brouwer,

eleventh volume of the proceedings of the Second International Mariological Congress was devoted entirely to a controversy that had been raging across several theological journals—the controversy over Mary’s *debitum peccati*—and the table of contents reads like a who’s who of Mariology in the 1950s. Pride of place went to Jean-François Bonnefoy, the great Franciscan theologian, and he was followed by José Delgado Varela, O. de M., Alejandro de Villalmonste, O.F.M.Cap., Isidro de Guerra Lazpiur, O.F.M., Pedro de Alcántara Martínez, O.F.M., José de Aldama, S.J., and Gabriele Roschini, O.S.M., among others. The volume concluded with a solemn disputation introduced by Charles Boyer, S.J., and conducted with no fewer than twenty-five theologians participating in thirty-three stages. In addition to many of the theologians who contributed articles to this volume, the disputation included the Dominicans Réginald Garrigou-Lagrange, Rosarius Gagnebet, and Aloisius Ciappi, as well as the great Scotist textual scholar Carolus Balić. Nor did the contributors ignore Matthias Scheeben’s contributions to this controversy. Charles Feckes, the Scheebenist from Cologne, contributed an article on his master’s understanding of the *debitum peccati*, and Thomas Plassmann, a Franciscan heavily influenced by the great Romantic, participated in the solemn disputation.<sup>3</sup>

Matthias Scheeben’s contributions to Mariology are well known—if not always read—especially his notion of the Blessed Virgin’s ‘bridal motherhood’ (*gottesbräutliche Mutterschaft*). Now, after Scheeben’s brilliant theological syntheses have gone unread for almost half a century, Aidan Nichols has reminded English readers of Scheeben’s great originality. The Dominican theologian praises Scheeben’s highly holistic sense of the theological tradition and personal theology of the “unique meta-order Incarnation,” but he saves the best wine—Scheeben’s Mariology—for last.<sup>4</sup> Nichols provides an able summary of Scheeben’s teaching about the

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1939); Réginald Garrigou-Lagrange, O.P., *Mariologie. La Mère du Sauveur et notre vie intérieure* (Paris: Les Editions du Cerf, 1948); Juniper Carol, O.F.M., *Fundamentals of Mariology* (New York: Benzinger Bros., 1956); and Juan Alfaro, S.J., *Adnotationes in tractatum de Beata Virgine Maria* (Rome: Pontificia Universitas Gregoriana, 1958). I will provide references for various historical studies and *ex professo* treatments of the *debitum peccati* at appropriate points throughout this essay.

<sup>3</sup> Charles Feckes, “Quid Scheeben de B.V. Mariae debito contrahendi maculam senserit,” in *Virgo Immaculata*, vol. 11 (1957), 333–42; Thomas Plassmann, O.F.M., “Uno eodemque decreto. Maria Immaculata praedestinata in Sacra Pagina,” in *Virgo Immaculata*, vol. 3 (1955), 174–97. The solemn disputation in which Plassmann and the other theologians participated can be found in *Virgo Immaculata*, vol. 11 (1957), 456–99.

<sup>4</sup> Aidan Nichols, O.P., *Romance and System: The Theological Synthesis of Matthias Joseph Scheeben* (Denver, CO: Augustine Institute Press, 2010).

Virgin and makes a valiant attempt to unpack much of his rather compact presentation of the basic elements of Mariology. To do so with Scheeben's views on the *debitum peccati* is an especially onerous task, as his views on this highly technical controversy are difficult to characterize—to say the least. Scheeben professed himself dissatisfied with the arguments provided by many Mariologists before him, and he attempted to provide an alternative to the typical formulations of the problem, although later Mariologists have disagreed whether Scheeben proved successful in the task he set for himself. Charles Feckes, for example, thought that Scheeben's position was not merely original, but brilliant. Juniper Carol, on the other hand, claims, "The only originality in Scheeben's theory is to be found in the fact that he *deduces* it from his peculiar doctrine concerning the so-called 'bridal motherhood' of Mary."<sup>5</sup> Otherwise, Carol remarks, Scheeben's view is "substantially the same" as that proposed by the Jesuit Martín de Esparza Artieda (†1689), except that Scheeben uses the term *debitum materiale* whereas the Jesuit used the term *debitum extrinsecum*.<sup>6</sup> One feels, when presented with such an arcane objection, that one has a lot to learn before passing judgment on either Scheeben or his critics. I will attempt to do so nonetheless, although I beg the reader's patience as I try to untangle this rather complicated controversy. In what follows, I will outline the basic positions taken by various theologians on the *debitum peccati* and show to the best of my ability how Scheeben understood his position in light of his predecessors'. I will point out what he borrowed from the Mariologists of the baroque age, and what he might have learned from them. In doing so, I hope to show that Scheeben's contribution to the debate is quite creative although it largely fails to meet the standards set by the Mariologists of the sixteenth, seventeenth, and eighteenth centuries.

### I. The Immaculate Conception and the *Debitum Peccati*

If any topic should be tossed in the dustbin of decadent scholasticism, the controversy over Mary's *debitum peccati* might well be the leading candidate, for rarely has there been a debate so complex for which the payoff

<sup>5</sup> Juniper Carol, O.F.M., *A History of the Controversy over the "Debitum Peccati"* (St. Bonaventure, NY: Franciscan Institute Publications, 1978), 188–89. Anyone familiar with these debates will note how heavily I depend upon Carol's immense bibliographic research.

<sup>6</sup> Martín de Esparza Artieda, S.J., *Immaculata Conceptio B. M. Virginis deducta ex origine peccati originalis* (Rome, 1655), cited by Carol, *History*, 189. I have not been able to find a copy of this book, and a quick run through his *Cursus theologicus* (Lyons: Petri Bordae, Joannis & Petri Arnaud, 1685) did not turn up any significant Mariological reflections.

appears to be so small.<sup>7</sup> Even the theologian steeped in scholasticism will find his head spun round and round by the technicalities to which early modern Mariologists subjected the Blessed Virgin Mary. One is tempted to feel sorry for the lowly handmaid as she undergoes yet another operation, under the care of a steady stream of doctors, who, although unfailingly attentive, lie in wait to pierce her heart with yet another distinction. In truth, however, the debate about Mary's *debitum peccati* takes us deep into the heart of our understanding of the Incarnation and original sin, and it raises several important methodological questions about the theological role of counterfactuals. If, at root, it raises questions about the devotion that we owe the Blessed Virgin, and indeed the adoration we owe her divine Son, the *debitum peccati* can hardly be ignored, even if it remains, like Mariology itself, a somewhat specialized taste in Roman Catholic theology.

Since Pius IX promulgated *Ineffabilis Deus* in 1854, Catholic theologians have followed the line of reasoning on the Immaculate Conception first laid down—or at the very least clarified—by Blessed John Duns Scotus.<sup>8</sup> The formal definition of the dogma is as follows: “We define that God has revealed the doctrine that holds the most Blessed Virgin Mary, in the first instance of her conception, by a singular grace and privilege granted by Almighty God, in view of the merits of Jesus Christ, the Savior of the human race, was preserved free from all stain of original sin, is a doctrine revealed by God and therefore to be believed firmly and

<sup>7</sup> Historical and theological studies of the *debitum peccati* are legion. In addition to Carol's *History*, among the most important general treatments include Enrique del Sdo. Corazón, O.C.D., “La Inmaculada en la tradición teológica española: la sentencia sobre el *debitum peccati*: 1595–1660,” *La Ciencia Tomista* 81 (1954): 513–64; Alejandro de Villalmonste, O.F.M.Cap., “La Inmaculada y el débito del pecado,” *Verdad y Vida* 12 (1954): 49–111; J. M. Alonso, C.M.F., “De quolibet debito a B. M. Virgine prorsus excludendo,” *Ephemerides Mariologicae* 4 (1954): 201–42 (this is but one of many articles Alonso has written on the *debitum*); Jean-François Bonnefoy, O.F.M., “Quelques théories modernes du ‘debitum peccati,’” *Ephemerides Mariologicae* 4 (1954): 269–331; idem, “La negación del ‘debitum peccati’ en María,” *Verdad y Vida* 12 (1954): 102–71; Ovid Casado, C.M.F., “La Inmaculada Concepción y su problemática lapsaria en la mariología española de 1600 a 1655. Estudio de teología positiva,” *Ephemerides Mariologicae* 7 (1957): 5–96; idem, *Mariología clásica española*, 2 vols. (Madrid, 1958); J. M. Delgado Varela, O. de M., “Exención de débito según los mariólogos españoles de 1600 a 1650,” *Ephemerides Mariologicae* 1 (1951): 501–26; and B. Ocerinjáuregui, O.F.M., “Exención del débito y del fomes peccati en la Virgen María,” *Verdad y Vida* 5 (1947): 419–51.

<sup>8</sup> The *locus classicus* is Duns Scotus, *Ordinatio* III, d. 3, q. 1, in *B. Ioannis Duns Scoti Opera Omnia* IX (Vatican City: Typis Vaticanis, 2005), 169–91, especially 174–75, 176–78, nn. 17, 21–25.

constantly by all the faithful.”<sup>9</sup> Of course, there is much of interest in *Ineffabilis Deus* aside from this formal definition, and a great deal of the debate that followed in its wake takes up various aspects of the Apostolic Constitution, especially as it adopts and shapes earlier papal and conciliar teaching on the special privileges of the Blessed Virgin Mary. Following Scheeben, however, we will focus primarily on the dogmatic definition. Borrowing (but modifying) a list from Juniper Carol, I would highlight six points of the dogma.<sup>10</sup> It is *de fide*:

1. that Our Lady was immune from all stain of original sin;
2. that God granted the Virgin this immunity at the very first instant of her conception;
3. that the Virgin’s immunity was due to God’s singular grace and privilege;
4. that her immunity was granted in view of the merits of Jesus Christ;
5. that her immunity was granted by way of preservation; and
6. that Our Lady was therefore saved by Christ.<sup>11</sup>

The Church, however, has not defined the following points:

<sup>9</sup> Pius IX, Bulla “Ineffabilis Deus,” 8 Dec. 1854: “Declaramus, pronuntiamus et definimus doctrinam quae tenet beatissimam Virginem Mariam in primo instanti suae conceptionis fuisse singulari Omnipotentis Dei gratia et privilegio, intuitu meritorum Christi Jesu Salvatoris humani generis, ab omni originalis culpae labe praeservatam immunem, esse a Deo revelatam, atque idcirco ab omnibus fidelibus firmiter constanterque credendam” (DS 2803).

<sup>10</sup> Juniper Carol, O.F.M., “Reflections on the Problem of Mary’s Preservative Redemption,” *Marian Studies* 30 (1979): 19–88, at 21–22.

<sup>11</sup> Carol feels that it is *de fide* that Mary was *redeemed* by Christ, although strictly speaking the text mentions Christ not as Redeemer but as Savior. Many, if not most, theologians consider the two concepts to be identical, and a case can be made that the best way to interpret the text is as if it said *Christi Jesu Redemptoris*, since these are the words of the text of Alexander VII, Breve “Sollicitudo omnium ecclesiarum,” 8 Dec. 1661 (DS 2015). The Mariologist Juan Alfaro feels that Mary’s redemption is at least *proxima fidei*. Cf. J. Alfaro, “La fórmula definitoria de la Inmaculada Concepción,” in *Virgo Immaculata*, vol. 2 (1956), 201–75, at 270–71. Still, a case can be made that the Apostolic Constitution changed the title *Redemptoris* to *Salvatoris* precisely to include the position of several theologians who argued that Christ preserved Mary from contracting the stain of original sin by His glorification rather than by His Passion as such. Indeed, the Church has never felt a need to reduce Christ’s mediation to redemption alone, however much individual theologians have been tempted to do so.

1. the specific parameters of the original sin from which Mary was preserved immune;<sup>12</sup>
2. whether the expression ‘all stain’ (*omni labe*) includes immunity from the *infectio carnis*, from the *debitum peccati*, or from concupiscence;
3. whether the phrase ‘by a singular grace’ (*singulari gratia*) is to be understood in the sense of a special ‘exclusive’ grace, as sanctifying grace, or as a divine favor;
4. whether the word ‘privilege’ is to be understood in the sense of a ‘dispensation’ or an ‘exemption’ from the law;
5. whether God foresaw Christ’s merits *post praevisum lapsum*;<sup>13</sup>
6. whether God’s foreknowledge of Christ’s merits was by His *scientia simplicis intelligentiae*, *scientia visionis*, or *scientia media sive conditionata*;<sup>14</sup>
7. whether Christ saved His mother *per modum glorificationis*, *per modum redemptionis*, *per modum satisfactionis*, and/or *per modum sacrificii*;<sup>15</sup> nor
8. whether the word ‘revealed’ is to be understood formally or virtually.<sup>16</sup>

<sup>12</sup> As Allan Wolter remarks, to interpret Mary’s privilege fully, a theologian must adopt some definite theory about the nature of original sin but, while the Church has corrected several erroneous theories about its transmission and consequences, she has never defined its precise nature. Allan Wolter, O.F.M., “The Theology of the Immaculate Conception in Light of ‘Ineffabilis Deus,’” *Marian Studies* 5 (1954): 19–72, at 21. It might be noted here that theologians often presented their views on original sin in light of several other complex issues, such as the possibility of a *natura pura*, the nature of final ends, etc.

<sup>13</sup> Later in this essay I will say more about the celebrated controversy between Thomists and Scotists about whether the Word was predestined ‘before’ or ‘after’ God foresaw the Fall.

<sup>14</sup> I have added number 6 to Carol’s list, since theologians of the baroque era almost always interpreted Mary’s predestination in light of these categories, which designate God’s knowledge of all possibles in Himself, His knowledge of all things that He does in fact create, and His knowledge of future contingent acts of free agents. As a corollary to the sixth and seventh items on the list, we might note that *Ineffabilis Deus* does not define at what moment in the *signa rationis* Mary was predestined to the Divine Maternity.

<sup>15</sup> Here, too, I have modified Carol’s list in light of his mistaken claim that Christ’s meditation must be thought of as redemption *per se*. Baroque theologians taught several theories about how Christ saved Mary by His glory, redemption, satisfaction, and/or sacrifice. Of course, much hangs on how one defines each of these terms, and whether Christ redeemed the Blessed Virgin *sensu proprio*. I will return to this issue in the final section of this essay.

<sup>16</sup> The methodological issues undergirding this question are extremely complex, encompassing questions about the scientific nature of theology, the development

Theologians who tackle the Immaculate Conception professionally have generally interpreted the topics on the first list in light of the topics on the second, and Scheeben is no exception this to rule. The debate about the *debitum peccati* is, of course, a debate about how to interpret the *omni labe* of the formal definition, although the debate precedes Pio Nono's dogmatic definition by several centuries. Although I will touch upon most of the aspects of this debate in passing, it bears noting that Scheeben's *ex professo* treatment of the *debitum peccati* is principally concerned with the third, fourth, fifth, and seventh items on the second list.

So, if one accepts that the Blessed Virgin Mary was conceived immaculately, the field for theological reflection is still rather wide, and we can get a sense of this latitude by exploring the various options the theologian has in explaining the second item on the second list: the *debitum peccati*. The Roman Catholic theologian might, for example, argue that the Blessed Virgin, who as a child of Adam still stood in need of the Savior, inherited the 'debt' (*debitum*) of original sin without inheriting its 'stain.' This indeed

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of doctrine, and modern Biblical hermeneutics. In the lead up to the formal definition of the dogma, Perrone had already noted that Dominican theologians such as Torquemada, Cajetan, or Melchior Cano rejected the Immaculate Conception because it could not be deduced with metaphysical necessity from some other truth revealed in Scripture or tradition. In other words, these Dominicans rightly noted that Scotus's teaching on the Immaculate Conception, which was based on an argument *ex convenientia*, seemed to imply that theology could not be a science based solely on 'conclusions.' That *Ineffabilis Deus* used Genesis 3:15 as its 'proof-text' only heightened the methodological difficulties. For a review of the difficulties of squaring *Ineffabilis Deus* with developments in Biblical hermeneutics, see the competing accounts of Gabriel M. Roschini, O.S.M., "Sull'interpretazione patristica del protoevangelo (Gen. 3, 15)," *Marianum* 6 (1944): 76–96; Heinrich Lennerz, S.J., "Concensus Patrum in interpretatione mariologica Gen 3:15?" *Gregorianum* 27 (1946): 300–318; Tibertius Gallus, S.J., *Interpretatio Mariologica Protoevangelii (Gen. 3, 15) tempore postpatristico usque ad Concilium Tridentinum* (Rome: Orbis Catholicus, 1949); idem, *Interpretatio Mariologica Protoevangelii posttridentina usque ad definitionem Immaculatae Conceptionis*, 2 vols. (Rome: Edizioni di storia e letteratura, 1953–54); Jean-François Bonnefoy, O.E.M., *Le Mystère de Marie selon le Protévangile et l'Apocalypse* (Paris: J.Vrin, 1949); and Dominic Unger, O.F.M.Cap., *The First Gospel: Genesis 3:15* (St. Bonaventure, NY: The Franciscan Institute, 1954). (This last work has an extensive annotated bibliography on the problem.) For a quick survey of similar questions about *Ineffabilis Deus* and the development of doctrine, see Allan Wolter, O.F.M., "The Theology of the Immaculate Conception in Light of 'Ineffabilis Deus,'" *Marian Studies* 5 (1954): 19–72, esp. 30–61. For background on the modern theologies of dogmatic development, see the excellent work of Guy Mansini, O.S.B., "What is a Dogma?" *The Meaning and Truth of Dogma in Edouard Le Roy and His Scholastic Opponents* (Rome: Editrice Pontificia Università Gregoriana, 1985).

is the classical 'debitist' position, first advanced by defenders of the Immaculate Conception in the thirteenth and fourteenth centuries. It simply foregoes specifying the nature of this debt, and is sometimes referred to as a *debitum simpliciter*. Many theologians, however, have attempted to specify the nature of this debt in order to better understand the blessed Virgin's singular grace and privilege, her predestination, and ultimately her relationship to her divine Son. If, they say, we understand the *debitum peccati* as the universal necessity to contract original sin, it can be said to have two conditions. In the first place, anyone conceived in the normal manner is said to fall under this necessity because Adam is the natural head of the human family. In the second, anyone so conceived is said to be included by divine decree in the very act of disobedience by which Adam lost the grace given to him in Paradise, because Adam is not merely the natural but also the moral head of the human family. The first condition imposes original sin upon Adam's descendants by a 'remote necessity' (*debitum remotum*), while the second imposes it upon them by a 'proximate necessity' (*debitum proximum*).

Thus a Roman Catholic theologian might argue that Mary, because she was conceived in the normal manner of all men and women, *should* have contracted original sin, but did not, because God, by way of a special dispensation, suspended the law that requires all men and women to be included in the will of Adam. The Blessed Virgin would then be said to have inherited a 'proximate debt' to Adam on account of being conceived by a normal act of seminal generation. In such a model, Mary is included in the will of Adam—she is subject to the universal law of original sin just like anyone else—but God suspends the application of the law so that she may be conceived immaculately. On the other hand, a theologian might argue that God exempted Mary from being included in the will of Adam, thereby preserving her from contracting original sin, although she still suffers the effects of the Fall because she is a child of Adam. The Blessed Virgin would then be said to have inherited only a 'remote debt' from Adam. Being conceived by an act of seminal generation, Mary still falls under the universal necessity to contract original sin; she is not, however, included in the will of Adam. One maintains no more than that Mary *would* have contracted original sin had she not been preserved. In a nutshell, if one asserts that Mary inherits a 'proximate debt,' she is included in the will of Adam, but the penalty is suspended, while if one asserts that Mary inherits a 'remote debt,' she is not included in the will of Adam, and so does not incur the penalty. Stated positively, one might say that in the first case, God preserves Mary from the stain of original sin, even though she remains under its necessity, being conceived according to the normal manner and being included in the will of Adam, while



in the second case, God preserves Mary from the proximate necessity of contracting original sin, such that she is never included in the will of Adam, even though she remains under a remote necessity, inasmuch as she is still conceived in a normal manner. The operative distinction in this case is between Adam's natural and moral headship. Later we will spend some time discussing whether this distinction amounts to the sort of unnecessary hairsplitting that often burdens scholastic theology. For now, it suffices to note that Scheeben found it very important.

A theologian might also argue that God preserved Mary from every debt of original sin, whether proximate or remote. In this fourth and final position, God predestined Mary independently of Adam's sin, and so preserved Our Lady not only from original sin but also from the necessity of contracting it. The advocate of the *nullum debitum* or 'exemptionist' position still maintains that Mary, being conceived in the manner of all human persons, is a true child of Adam, and further that her salvation is owed to the grace of Christ. She participates in the suffering of her Son, but she is under no strict necessity to do so. Although the 'exemptionist' position is most often associated with Franciscan theologians, it claims adherents from a number of religious orders. Of course, its Scotistic pedigree must be acknowledged, since it applies the reasoning of the Marian Doctor's account of Christ's predestination to his famous *argumentum ex convenientia* for the Immaculate Conception, in which Mary is 'redeemed' in "the most perfect manner."<sup>17</sup> At root, theologians who argue that Mary is preserved from any manner of necessity to contract sin will deny that seminal generation imposes any necessity to contract original sin upon children so conceived, but is merely a *conditio sine qua non* of incurring original sin. In other words, conception after the normal fashion gives rise to no more than the *possibility* of contracting original sin.

So—just in case you have not been keeping score—there are four basic positions a Catholic theologian may take with respect to the *debitum peccati*. He may: (1) simply assert Mary's need for Christ's grace without

<sup>17</sup> This somewhat Scotist wording was adopted by Pius XII, Litt. Encycl. "Fulgens corona," 8 Sept. 1953: "Neque asseverari potest hac de causa minui Redemptionem Christi, quasi iam non ad universam pertineat Adami subolem; atque adeo aliquid de ipsius Divini Redemptoris munere ac dignitate detrahi. Etenim si rem funditus diligenterque perspicimus, facile cernimus Christum Dominum perfectissimo quodam modo divinam Matrem suam revera redemisse, cum, ipsius meritorum intuitu, eadem a Deo praeservata esset a quavis hereditaria peccati labe immunis. Quamobrem infinita Iesu Christi dignitas eiusque universalis Redemptionis munus hoc doctrinae capite non extenuatur vel remittitur, sed augetur quam maxime" (DS 3909).

specifying the nature of the debt (*debitum simpliciter*); (2) assert that Mary has a proximate debt, falling under the natural and moral headship of Adam (*debitum proximum*); (3) assert that Mary has a remote debt, falling only under the natural headship of Adam (*debitum remotum*); or (4) assert that Mary has no debt to sin whatsoever (*nullam debitum*). Sometimes the *debitum proximum* is called a *debitum personale* or a *debitum intrinsecum*. Sometimes the *debitum remotum* is identified with or subdivided into other forms, such as a *debitum naturale*, a *debitum radicale*, a *debitum materiale*, or a *debitum extrinsecum*, or at the very far end of the spectrum, a *debitum conditionatum*, a *debitum virtuale*, or a *potestas peccandi*.<sup>18</sup> I will outline several variants of these positions in the course of this essay. We need not follow all of these forking paths. Beyond the *debitum simpliciter*, perhaps the best way to remember the most important variants of these basic Marian counterfactuals is this: *debitum proximum* (should have), *debitum remotum* (would have), *potestas peccandi* (could have), following the American rather than the British usage of the auxiliary verbs.<sup>19</sup> A quick reminder, though: in contemporary Roman Catholic theology, all of these positions are explanations of the Immaculate Conception. Of course, the theologian who denies that the Blessed Virgin was conceived immaculately retreats into ‘maculism’ and so places himself beyond the pale of Catholic theology.

## II. Matthias Joseph Scheeben on the *Debitum Peccati*

Scheeben presents his account of the *debitum peccati* as an interpretation of *Ineffabilis Deus*, and I think it will be helpful to follow him in this respect.<sup>20</sup> As almost every commentator has noted, Scheeben’s account is rather difficult to follow.<sup>21</sup> He moves very quickly through several sets of distinctions as he provides both a theological and a historical summary of the controversy in light of *Ineffabilis Deus*. Scheeben seems to have assumed that any reader should be readily acquainted with the dozens—if not hundreds—of theologians who are now quite less well known than

<sup>18</sup> This is only the beginning of the seemingly endless way theologians have divided the *debitum*. Some, unhappy with the language of ‘proximate’ and ‘remote’ necessity, have suggested ‘moral’ and ‘physical,’ ‘actual’ and ‘virtual,’ and so on. Carol judges most of these to be unnecessarily subtle shadings of the more common language of ‘proximate’ and ‘remote’ necessity, although I am inclined to think, with Scheeben, that the subtle shadings matter.

<sup>19</sup> In this way of simplifying the debate, I differ from Juniper Carol. See footnote 28 for Carol’s presentation.

<sup>20</sup> Matthias Joseph Scheeben, *Handbuch der Katholischen Dogmatik* V/2, §279a in *Gesammelte Schriften* VI/2 (Freiburg: Verlag Herder, 1954), 387–99.

<sup>21</sup> Carol, for example, remarks that Scheeben’s “characteristically involved style makes it somewhat difficult to categorize him properly.” Carol, *History*, 186.

they were in Scheeben's day or, for that matter, than they were during the 1950s. I obviously cannot claim to know these sources as well as Scheeben did, and I cannot claim to understand his argument perfectly, so the interpretation that follows should be considered tentative at best.

The subject of *Ineffabilis Deus*, according to Scheeben, is Mary considered first and foremost as a *person*.<sup>22</sup> The Apostolic Constitution, he says, has nothing to do with Mary's conception considered actively, as the generative actions of Joachim and Anne, or even passively insofar as Mary is considered the fruit of her saintly parents. Rather, Mary's person has its origin "in the same principle" (*in demselben Prinzip*) from which the privilege of her Immaculate Conception springs, because she owes her existence to the creation and infusion of her soul by God.<sup>23</sup> This singular grace and Mary's origin from God are connected "formally" (*formell*), so much so that the two actions, conception and redemption, can be said to be one divine action. Indeed, Scheeben is so taken with this mystery that he thinks we might well speak of Mary's *conceptio divina* or *conceptio a Deo* in addition to her *conceptio humana sive ab homine*. Mary's conception is immaculate not only because it proceeds from God, but also because it makes her holy and immaculate in her very origin. It secures her against any stain or stigma associated with human intercourse after the fall. The first thing we should note about Scheeben's presentation of the *debitum peccati* is his emphasis on Mary's *person*. One of the things that we will soon see is that Scheeben wants to recast the distinction between the *debitum remotum* and the *debitum proximum* in terms of Mary's person. By doing so, he is laying the foundation for deducing his notion of the *debitum* from Mary's predestination to be the bridal Mother of God. Two things should be kept in mind before proceeding. First, Scheeben believes that Mary's preservation from the stain of sin is *formally* sanctifying. In the terms of our second list above, he wants to make it clear that the singular grace by which God establishes Mary as Mother of God is not a mere favor. When the Blessed Virgin is conceived immaculately, God does not

<sup>22</sup> As Bachelet himself noted, the bishops expressly wanted the wording of *Ineffabilis Deus* to exclude any possible revival of the old scholastic debates about whether the Virgin's body or soul was the subject of the privilege. F.X. Bachelet, S.J., "Immaculée Conception," in DTC VII/1 (Paris: Letouzey et Ané, 1921), cols. 846–1218, at 1203. On Bachelet, see the bitter review of Jean-François Bonnefoy, O.F.M., "Quelques théories modernes du 'debitum peccati,'" *Ephemerides Mariologicae* 4 (1954): 269–331. For a detailed account of the history of the dogmatic definition, see Vincenzo Sardi, *La solenne definizione del dogma dell'Immacolato Concepimento di Maria Santissima: Atti e documenti*, 2 vols. (Roma: Tipografia Vaticana, 1904–5).

<sup>23</sup> *Handbuch* V/2, p. 391, n. 1670.

merely *protect* her from the stain of sin, He engenders a *positive* reality. If we see the Blessed Virgin's sanctity as a mere *negation* of original sin, and not as a true *supernatural* radiance, we will fail to understand the nature of this mystery and so be led into a series of mistaken views about the Mother of God. Secondly, we must always bear in mind that Mary's purity is not the result of liberation from a sin that she has already contracted, but rather is properly *preservative*.

With these two qualifications in mind, Scheeben interprets the words *ab omni originalis culpae labe praeservatam immunem* to indicate that Mary was preserved from all stain of original sin before it could have any effect. In this respect, the sanctifying grace that God granted to Mary in the very first instant of her existence excludes original sin entirely. Mary is not only preserved from all defects and blemishes belonging to original sin materially, she receives original sanctity and justice at her conception. But, Scheeben quickly adds, these words of the definition in no way require us to deny that Mary sinned in Adam "ideally" (*ideell*).<sup>24</sup> It is important to recognize that Mary can still be implicated in Adam's personal sin, which affects his posterity as the head influences the members, and that she still in some respects can be said to fall under the shadow of sin. She can suffer, for example, and die. At this point, the pressing issue for Scheeben is not whether Mary might be subject to any debt or law consequent upon the sin of Adam, but rather whether its stain is effectively communicated to her, and indeed this is the classic form of the Immaculate Conception that one finds in most late nineteenth- and early twentieth-century manuals of dogmatic theology: by the Immaculate Conception we mean that, while Mary was preserved from the *stain* of original sin, she still remained under its *debt* insofar as she stood in need of the merits of Jesus Christ. So far, so good.

The words *intuitu meritorum Christi Jesu Salvatoris humani generis* indicate the ground on which the granting of this privilege is based. As Scheeben says, "Mary also stood in need of this merit of redemption in order to obtain freedom from this stain, and because of this, in her case the necessity of being subject to this stigma would have existed, had not Christ gained her freedom from it. Thus Mary's freedom from the stain of sin always bears the essential mark of a liberating, saving, or redeeming action."<sup>25</sup> Although

<sup>24</sup> *Handbuch* V/2, p. 392, n. 1672.

<sup>25</sup> *Handbuch* V/2, p. 393, n. 1674: "Maria auch des Heilsverdienstes des Erlösers *bedurft* habe, um jene Freiheit von der Makel zu erlangen, und daß folglich bei ihr die *Notwendigkeit* bestand, der Makel zu verfallen, wofern Christus ihr nicht die Freiheit von derselben verdient hätte. Darum hat die Bewahrung vor der Makel immerhin wesentlich den Charakter einer *befreienden, rettenden oder erlösenden Tätigkeit*."

Christ does not save Mary from an evil that had already attacked her, He still saves her from the necessity of incurring that evil. The evil from which Christ protects the Blessed Virgin is neither vague nor indefinite. It does not menace her from the outside or from some vaguely defined future in which she might sin; the issue at stake in the debate about Mary's *debitum peccati* is her salvation from a necessity that binds her by the very fact of her being human, that is, by the existing 'laws' consequent upon her origin in and solidarity with her tainted ancestor Adam. The *debitum peccati*, while not a 'necessity' in the strict sense, is still a legal or quasi-legal 'liability' (*obnoxium*), a 'necessity of incurring the stain' (*debitum incurrendi maculam*), a 'stain contracted or drawn from one's nature' (*contrahendi trahendi cum natura maculam*), or simply a 'being born with the stain' (*nascendi cum macula*).<sup>26</sup>

Scheeben notes that theologians disagreed about how to explain these terms. Proponents of the *debitum proximum* argued that Mary, considered as a child of Adam, was deprived of the grace of original sanctity and justice on account of the *debitum incurrendi maculam*, but that, considered in terms of her person, this necessity was offset by the grace of redemption such that the forfeited sanctity and justice were thereby granted to Mary in the first moment of her existence. In the more traditional way of presenting the *debitum proximum*, Mary thus falls under the will of Adam and can be said in a sense to fall under the shadow of his sin, insofar as God was under no obligation to give her that grace. According to proponents of the *debitum proximum*, the chief difference between Mary and the other offspring of Adam is that God granted her the grace of redemption before the stain of sin could be incurred. In other words, the grace that preserved the Blessed Virgin from the stain of sin is anterior to the stain, but posterior to the debt of incurring it. Mary does indeed fall under the law of sin as a child of Adam and Eve, but God does not pronounce the penalty due to her according to that law. She *should* have incurred the punishment under the law, but she does not. Her preservative redemption, we might say, is best thought of as an act of supreme *mercy*.

Proponents of the *debitum remotum*, on the other hand, felt that this understanding of the *debitum* placed, as Scheeben wittily has it, the *new* Eve in a state of dependence on the *old* Adam.<sup>27</sup> The Blessed Virgin, they felt, fell under the law of sin only in the most attenuated fashion. Scheeben himself identifies several variations of the *debitum remotum*. One group—Scheeben does not name names—reduced Mary's implication in the law of Adam to a nominal participation, indeed to a mere condition, such that

<sup>26</sup> This list is from *Handbuch* V/2, p. 393, n. 1675.

<sup>27</sup> *Handbuch* V/2, p. 394, n. 1677.

the *debitum would* have been incurred had it not been prevented by an infusion of grace. In this case, such preventative grace is anterior to the ‘fulfillment’ of the debt, although the debt remains in principle. This is one classic form of the *debitum remotum* called the *debitum conditionatum*. It maintains no more than that Mary *would* have contracted original sin had she not been prevented from incurring its debt. A second group, closely related to the first, rejected Mary’s implication in the law of Adam even nominally, maintaining that *debitum* could have been operative had not God prevented its application by a special privilege. This second group, in other words, stands against the first group much as the proponents of the *debitum remotum* stand against the proponents of the *debitum proximum*. In this case, the grace whereby God preserves the Blessed Virgin is altogether anterior to the incurring of the debt. At best, one might say that Mary has a mere *potestas* (or *potentia*) *peccandi* based upon her human nature, that is, that she *could* have contracted the debt had God not prevented her from doing so by a special privilege. This variant is generally considered the most attenuated form of the *debitum remotum*, at least if one does not include the various *nullum debitum* positions in this category.

These various oppositions can often be quite confusing, since theologians use the phrase *debitum remotum* to cover a wide variety of positions: some as a mere conditional, some as the ‘condition’ of human nature under sin, and some as the ‘condition’ of human nature considered abstractly, that is, as having the power to sin.<sup>28</sup> For this reason, Scheeben notes that the *debitum remotum* can also be considered in terms of the way in which God grants the singular privilege of the Immaculate Conception. Some theologians maintain that Mary was not subject to the necessity of incurring the stain of sin because, since she was set apart from Adam, the law could not rightfully extend to her person. Here, Scheeben says, somewhat subtly, that while this debt is still a remote debt, insofar as

<sup>28</sup> Carol, *History*, 7, distinguishes the ‘conditional form’ of the *debitum* from the *debitum conditionatum*, stating that the simple conditional (i.e., if Mary had not been preserved, she would have contracted original sin) differs in significant logical respects from the *debitum conditionatum* strictly considered (i.e., if Mary had not been preserved, she *should* have contracted original sin). In this respect, these two conditional forms mirror the *debitum remotum* and the *debitum proximum* without explicitly stating the relationship Mary bears to Adam’s natural and moral headship, or whether her singular privilege is best thought of as a dispensation or as an exemption from the laws of solidarity. I am not always sure that the theologians of the past, such as Robert Grosseteste or John Duns Scotus, deployed such phrases with the same self-consciousness as later theologians, and I am not always sure that all later theologians have either; it seems to me that several theologians speak of the simple conditional form as a *debitum conditionatum*.

it has been turned away from Mary's person and limited to its principles, the singular grace of Mary's conception does not in itself limit the power of original sin to include her nature. In somewhat simpler terms, we might say that the *debitum remotum* implies that Mary would have fallen under the law, but was granted a *dispensation*. In any event, other theologians, Scheeben says, interpret Mary's unique privilege as an *exemption* from the law of Adam and thus make her entirely independent of him. In this form of the *debitum remotum*, the law could not justly extend to Mary's person or nature at all, and the necessity of contracting sin has been limited so radically that the only sense in which these theologians accepted a debt of incurring the stain is that God did not withhold from her the ability to participate in its effects voluntarily. Here, note that Scheeben presents the *nullam debitum*, or the 'exemptionist' position, as the most attenuated form of the *debitum remotum* insofar as Mary can still participate in the Passion and death of Her Son. Finally, Scheeben notes that the *debitum remotum* can also be presented under a twofold form according to the manner in which one conceives Mary's predestination in light of Christ's own predestination. Some theologians, he maintains, believe that Mary is predestined *in concreto* as Mother of the Redeemer of sinful mankind, such that Christ's death operated for her as merit, but not as satisfaction, strictly speaking. Others, however, claim that Mary is predestined with Christ absolutely prior to the prevision of sin and thus independently of Christ's redeeming death. As we shall see, this additional distinction will be very important for understanding Scheeben's contributions to this rather technical controversy in Roman Catholic theology—as well as his own failure to understand some other, equally important, contributions.

Scheeben, then, has outlined a series of classic oppositions in modern Mariology: First, the *debitum peccati simpliciter* can be divided into a *debitum proximum* and a *debitum remotum*. Secondly, the *debitum remotum* can be divided into a *debitum conditionatum* and a simple conditional (or *potestas peccandi*). Thirdly, the *debitum remotum* can also be divided according to whether Mary is granted a dispensation from the law to which she was subject as a child of Adam or whether she is exempt from that law altogether. And fourthly, the *debitum remotum* can be divided into whether one considers it in terms of Mary's predestination *absolute* or in *concreto*. Not all of these positions are mutually exclusive, nor is this (exhausting) list actually exhaustive.<sup>29</sup> For our purposes, we might note that Scheeben has

<sup>29</sup> Scheeben's presentation appears to imply that the distinction between considering Mary's grace as a dispensation and as an exemption is simply another way of expressing the difference between the *debitum conditionatum* and the *potestas peccandi*. Strictly speaking, one does not need to identify these categories; in fact, as I

conveniently omitted the *debitum simpliciter*, the first position I outlined above, presumably because it does not allow him to set his massive theological erudition into motion. He has also folded the *nullum debitum*, the fourth position above, into his discussion of the *debitum remotum*. If we consider the second list above, we might say that Scheeben, after dividing the second item on the list, the *debitum simpliciter*, into the *debitum proximum* and the *debitum remotum*, and then dividing the *debitum remotum* into the *debitum conditionatum* and a simple conditional, has divided the *debitum remotum* according to the fourth distinction, namely whether one understands Mary's privilege as a dispensation or an exemption; according to the fifth, whether Christ's merits are foreseen *post praevisum lapsum*, and (as a corollary to the treatment of Mary's predestination), according to the seventh, that is, whether Christ saved His mother *per modum glorificationis*, *per modum redemptionis*, *per modum satisfactionis*, or *per modum sacrificii*.

It is important to bear in mind that here Scheeben is presenting not merely the various views on the *debitum peccati*, but indeed a schematic history of the controversy itself. So Scheeben claims that the opinion that favored the *debitum proximum* prevailed until the seventeenth century, although the opinion that favored a *debitum remotum* gained ground after the Council of Trent. In fact, Scheeben is so impressed by the Council's declaration on Mary that he feels it necessary to point out that *Ineffabilis Deus* does not deny every form of the *debitum proximum*. Indeed, he sees the bull as a necessary corrective to excessive formulations of the *debitum remotum*, especially those that might cause one to doubt whether Mary's preservation from original sin was a real liberation. The *debitum remotum*, which Scheeben attributes to Eadmer in embryo, but more properly to Ambrosius Catharinus and the school of Toledo, can at best be defended only in its first form, in light of the merits of Christ's redemption. According to Scheeben, proponents of the second form of the *debitum remotum*, which depends upon Mary's absolute predestination, deny that her grace is a grace of redemption, and so run afoul of the dogmatic definition. In fact, Scheeben even evinces concern that the first form of the *debitum remotum* only maintains the grace of redemption under duress.

Among this welter of theological opinions, then, Scheeben opines that only two are serious contenders: a *debitum proximum* or a *debitum remotum* considered in terms of Mary's predestination *in concreto*. Given the way in which he has set out the controversy over the *debitum peccati*, it is not difficult to see why Scheeben favors these two positions: both emphasize

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hope to show later in this essay, this confusion is caused by an equivocation in the word *debitum*.



Mary's *person*. Variations on the *debitum remotum* that treat Mary only under the aspect of her human nature, or which treat her predestination apart from the concrete order of salvation history, are all so many abstractions according to Scheeben. Although he does not quite put it this way, Scheeben might be seen to anticipate a point made by many modern Mariologists, namely, that debts, even metaphysical ones, concern *persons*, not *natures*. Scheeben, however, professes himself dissatisfied with both positions, at least in the way that theologians have often presented them, and feels that the theologian can avoid their difficulties if he carefully considers Mary's preservative grace in light of her predestination as Mother of God, an approach, he says, that will yield an "easier" (*leichtere*) formulation of the *debitum peccati*.<sup>30</sup>

Now Scheeben has reached the point to which all of his reflections have tended. The words *singulari Omnipotentis Dei gratia et privilegio* bring us finally to the special character of Mary's privilege, and indeed to the essential mark of her person (*Personalcharakter*). For the conception of Mary, according to Scheeben, stands between that of ordinary mortals and that of Christ's own blessed humanity. Like all ordinary human persons, Mary owes the formation of her body to natural propagation and she owes her personhood to the infusion of her soul into her body by God. Like Christ, however, Mary's soul and body were sanctified in a wholly supernatural manner at the very moment of their union. In Christ's conception, the *debitum peccati* was radically and essentially excluded, since it is formally incompatible with the holiness of His divine person. Conversely, in Mary's conception, the *debitum peccati* is excluded not essentially, but rather by a special grace of election and by Mary's predestination as Mother of God. For Scheeben, the divine conception of Mary's soul is related by analogy to the formation of the sacred flesh during Christ's own conception, since it is the action of the Holy Spirit which effects both. For this reason, Scheeben says,

[a]s long as Mary's original destiny as Mother of God is thought of only in a general way, it cannot be said that it demanded, essentially and unconditionally, a permanent freedom from all original and personal sin that might have preceded her maternity and thus that it contained a metaphysically valid proof of this very privilege. On the other hand, the fittingness of this privilege can be seen at once to be absolutely necessary if, as I have already explained, Mary's original destiny as Mother of God is thought positively in its concrete *Gestalt*, the essential mark of her person, namely, a bridal, spiritual, and matrimonial

<sup>30</sup> *Handbuch* V/2, p. 395, n. 1678.

grace of a maternity that is accomplished in and with the creation of Mary's person, indeed in the union of Mary with God and Christ.<sup>31</sup>

It is only from the vista afforded by Mary's bridal motherhood that the grace of her Immaculate Conception can be properly related to the merits of Christ. Only here, Scheeben says, can we see that Mary is predestined not *abstractly* as the Mother of Christ, but *concretely* as the Mother of the Redeemer, and thus she could and indeed should obtain these graces by the merits of her Son. In this way, the freedom from sin granted to Mary in light of Christ's merits rests on an intimate union with God and Christ that embraces Mary's entire being in the very first moment of her creation, such that she cannot be said, either chronologically or naturally, to belong more to Adam than to God and Christ. In fact, God created Mary as a daughter of Adam for the sole purpose that she was to be the Mother of the Redeemer, and as such her bodily relationship to Adam is already and always subservient to both her bodily relationship to her Son and her matrimonial relationship to God.

Mary's bodily relationship to Adam, in short, cannot assert itself in any way. It is held in check, even "paralyzed" (*paralysiert*) by her ontologically prior relationship to Christ. The grace of redemption consequently not only precludes Mary incurring of the stain of sin, it even cancels in Mary any share in humanity's common debt to Adam. Although it may be said that Adam sinned *for* Mary, in the sense that he forfeited and lost for her the original justice that she would have inherited had he not sinned, it cannot be said in any way that Mary sinned *in* Adam. Mary rather was born in Christ and thereby preserved by a singular grace and privilege from the necessity and indeed even the concrete possibility of sinning. Thus, Scheeben concludes:

The person of Mary, considered materially, abstractly, and *secundum quid*, that is to say, according to her natural origin and being as the product of

<sup>31</sup> *Handbuch* V/2, p. 397, n. 1682: "Solange man indes die ursprüngliche Bestimmung Mariens zur Mutter Gottes nur in dieser Allgemeinheit auffaßt, läßt sich nicht gerade sagen, daß dieselbe wesentlich und unbedingt eine *stete*, dem effektiven Eintritt der Mutterschaft vorausgehende Reinheit von aller ererbten oder persönlichen Sünde fordere und mithin einen *metaphysisch stringenten Beweis* für dieses Privilegium enthalte. Dagegen erscheint die Konvenienz sofort als eine *stringente Notwendigkeit*, wenn man die ursprüngliche Bestimmung Mariens zur Mutter Gottes ausdrücklich *in der konkreten Gestalt* auffaßt, wie sie oben beim *Personalcharakter* Mariens als *gratia maternitatis* erklärt wurde, nämlich als eine mit und in der Erschaffung der Person Mariens vollzogene bräutliche, d. h. geistig-matrimoniale Assoziation und Angliederung derselben an Gott und Christus" [emphasis in the original].

natural propagation, or according to the nature she shares with other human beings and by which she is related to Adam, is subject to the law and community of sin and is liable to be bound by it. However, considered formally, concretely and *simpliciter*, that is to say, according to the essential supernatural mark of her person, or as this uniquely consecrated person, as the product of a special creative decree of God, she is exempted from that law, and its bonds have no hold upon her.<sup>32</sup>

Scheeben thus offers three disjunctive pairs to replace the more typical language in which the controversy over the *debitum peccati* had been framed: *materiale/formale*, *abstractum/concretum*, and *secundum quid/simpliciter*. It appears that Scheeben believes the pairs apposite, if not synonymous. The first disjunction, in which Mary's person is considered materially, abstractly, and *secundum quid*, is meant to take account of the truth contained in the more traditional language of the *debitum proximum*. The second disjunction, however, limits this debt so that it is rendered not only ineffective but indeed powerless to affect Mary's person formally, concretely, and *simpliciter*. God annuls the law that binds Adam's posterity in Mary's case not because she does not need redemption, but because she is predestined to be the Mother of the Redeemer. Mary is not, in other words, merely a product of the first Adam, but she is more properly the fruit of the heavenly Adam, and for this reason, Scheeben concludes that the debt that should be excluded from Mary is formal, but not proximate, and the debt under which she falls is material, but not remote.

A few things might be said about Scheeben's solution. Its most obvious aspect is Scheeben's rejection of the traditional way of casting the difference between proximate and remote debt in terms of the difference between moral and natural headship. If we define debt in the typical way, as Mary's need of a Redeemer, it certainly seems that if we deny a *debitum personale*, we deny the very fact of her personal redemption. This indeed is the most forceful argument against the *debitum remotum*, and it appears that Scheeben largely agrees with this criticism. Inasmuch as the debt is a real debt, it must concern Mary's person, and so Scheeben first

<sup>32</sup> *Handbuch* V/2, p. 399, n. 1685: "Die Person Mariens sei allerdings *in sich selbst, materiell, abstrakt* und *secundum quid* betrachtet, d. h. *nach ihrem menschlichen Ursprung und Wesen als Produkt der natürlichen Zeugung*, oder nach ihrer *Natur*, welche sie mit den anderen Menschen gemein hat und durch welche sie mit Adam zusammenhängt, dem Gesetze der Gemeinschaft der Sünde unterworfen und die Verstrickung in dieselbe ausgesetzt. Aber *formell, konkret*, und *schlechthin* betrachtet, d. h., nach ihrem *übernatürlichen Personalcharakter* oder als *diese bestimmte gottgeweihte Person, als welche sie Produkt eines besonderen schöpferischen Ratschlusses Gottes ist*, sei sie jenem Gesetze entzogen und der Verstrickung in die Sünde unzugänglich" [emphasis in the original].

recasts the traditional distinction in terms of Mary's person considered *simpliciter* and *secundum quid*. Formally, Mary is excluded from any debt of sin, on account of predestination to bridal motherhood. In the concrete order, she can in no way be said to sin in Adam. She is, in other words, wholly free from inclusion in his moral headship. Materially, however, Mary does indeed lose the original justice that was Adam's, and she loses this in her person, but she loses original justice, not because she sinned in Adam, but because Adam sins for her. In other words, it is Mary's person that is subject to the debt of sin (as in the *debitum proximum*) and not merely her nature (as in the rejected forms of the *debitum remotum*). And yet, Mary's person suffers from the loss of original justice (as in the acceptable forms of the *debitum remotum*), but without being included in the will of Adam (as in the *debitum proximum*).

So, according to Scheeben, in the *debitum proximum*, Mary stands under the debt as a person, and grace intervenes to prevent the incurring of the stain. For the first form of the *debitum remotum*, Mary's *nature* stands under the debt and grace intervenes before she can incur the debt as a person, and for that reason she does not incur the stain. Scheeben's proposed solution, in a nutshell, is to synthesize the best aspects of both theories. In his account of the *debitum*, Mary stands under the debt as a person considered *materially*, and the grace of Christ's concrete redemption intervenes to exempt Mary from incurring the debt in her person considered *formally*, and for that reason, she does not incur the stain. The debt is proximate, and not remote, insofar as it concerns Mary's person (and not her nature), but the singular grace and privilege of her Immaculate Conception constitutes a personal exemption so profound that she cannot in any sense be said to be dependent upon the sin of Adam, even remotely. Like the Subtle Doctor, then, Scheeben wishes to assert that Mary's predestination as Mother of God is ontologically prior to the permission of sin; like the Angelic Doctor, Scheeben wishes to present Mary's active holiness and supernatural radiance wholly in terms of Christ's redemption. Scheeben has asserted that Mary's predestination as bridal Mother is prior to her inclusion in the sin of Adam. That inclusion, however, while truly personal, is subverted, indeed, turned to the good, insofar as Mary truly participates in the economy of redemption in a positive and voluntary manner.

No less an authority than Juniper Carol objects to Scheeben's formulation. "Does the *debitum materiale* introduced by our distinguished theologian," he asks, "constitute a *real, true* debt of sin, or are we dealing here with a verbal artifice calculated to evade the troublesome theological difficulties involved, and also a clever ruse to conciliate both sides of the controversy? This question, which has long haunted us, is not so easily

answered. The author's own apparent contradictions heighten the difficulty."<sup>33</sup> One cannot be faulted for thinking that Scheeben falls into the very problem of which Thomists accuse the followers of Scotus. Does Scheeben's formulation make Mary's person subject to two separate divine decrees, one that includes her under the *debitum* and one that does not? Does God exclude Mary formally from sin in a logically prior decree, but include her in the sin of Adam materially in a logically subsequent one? Juniper Carol seems to think so. How, he asks, can Scheeben affirm that Christ's merits obliterated both the necessity and the possibility of her sinning—"Has any anti-debitist spoken more clearly?"—while also claiming that Mary lost original justice—"Is there any truer *debitum* than that?"<sup>34</sup> It would appear that the contradiction is manifest, but Scheeben is not without the means to answer these objections. In fact, these are the very sorts of objections that overpopulate the Mariological literature of the seventeenth and eighteenth centuries. In order to evaluate this charge, we need to look a bit more closely at the history of the controversy over the *debitum peccati*.

### III. The *Debitum* Controversy: What Scheeben Left Unsaid

Mariology has a complex history, and Scheeben's presentation of it can easily cow the contemporary theologian unfamiliar with its complexities. If my summary, plodding though it may be, seems to leave much unsaid, it is only because Scheeben's presentation of this material is brisk—to say the least—and he simply presumes that the reader knows these distinctions and their history, so much so that he rarely even mentions the theologians associated with them. When he does grace us with a name, the reference is often quite cursory, as when he drops the names of Ambrosius Catharinus and the "school of Toledo" as if they should be perfectly obvious to the reader. Scheeben's judgments also follow quickly, and sometimes, I fear, too quickly. With this in mind, the reader should be warned of two dangers. First, Scheeben provides only the most cursory explanation of the technical terms used in this debate, and one can be easily misled by his rather loose usage if he is not aware of the general history of the debate about the *debitum peccati*. Secondly, Scheeben does not indicate to the reader that the meanings of these terms change as debates about the Immaculate Conception are transformed into debates about the *debitum peccati* itself. For our purposes, it is sufficient to point out that this controversy is actually much more complex than Scheeben's summary lets on. If we explore its sources

<sup>33</sup> Carol, *History*, 187.

<sup>34</sup> *Ibid.*, 187–88.

a bit more thoroughly, we will be able to explain some of Scheeben's more obscure references, but we will also be able to better understand his position in light of a much larger, but now largely forgotten, context. In fact, as I hope to show in the following section, numerous Mariologists of the baroque age advanced positions that look very much like Scheeben's own, and they often did so with far more complex and far-reaching arguments. Indeed, many notions that contemporary theologians believe to be unique to Scheeben, such as his presentations of Mary's predestination, *Personal-charakter*, or her role in the 'unique meta-order of the Incarnation,' have seventeenth-century antecedents. A brief look at the history of the controversy over the *debitum peccati*, then, will put us in a better position to evaluate Scheeben's contribution to this debate.

Like many theologians of the nineteenth and twentieth centuries, Scheeben seems to have seen the debate largely in terms set out by Cajetan and Ambrosius Catharinus. By presenting the debate about the *debitum peccati* in the rather attenuated forms of Cajetan and Catharinus, however, Scheeben has unintentionally set himself the task of working a field that had already been well plowed, a fact that should be apparent to anyone who has read even a small amount of Mariological literature. *Pace* Scheeben, the first theologian to speak of Mary's *debitum peccati* explicitly is the anonymous author, most likely a Franciscan associated with John Peter Olivi (†1298), who penned Ms. D.6 359, held at the Biblioteca Nazionale in Florence, between 1294 and 1296.<sup>35</sup> In fact, the full range of positions on the *debitum peccati* had already been expressed in the first half of the fourteenth century, although hardly in the developed forms in which we see them in baroque Mariology. After Robert Grosseteste (†1253), Franciscans such as William of Ware (fl. 1290s) and John Duns Scotus (†1308) generally used a simple conditional form. Grosseteste, for example, taught that Mary's soul was purified at her conception not from a sin that was present, but from a sin that *would* have been present had she not been purified.<sup>36</sup> Just after Scotus, Franciscans such as John de Basso-

<sup>35</sup> On this manuscript, see Jean-François Bonnefoy, O.F.M., *Le Vén. Jean Duns Scot, docteur de l'Immaculée-Conception. Son milieu, sa doctrine, son influence* (Rome: Casa Editrice Herder, 1960), 260. It was first noted by Victorinus Doucet, O.F.M., "P. J. Olivi et l'Immaculée Conception" *Archivum Franciscanum Historicum* 26 (1933): 562.

<sup>36</sup> Servus Gieben, O.F.M.Cap., "Robert Grosseteste and the Immaculate Conception, with the text of the Sermon *Tota pulchra es*," *Collectanea Franciscana* 27 (1958): 221–27. Cf. William of Ware, "Quaestio: Utrum B.V. concepta fuerit in originali peccato," in *Quaestiones disputate de Immaculata Conceptione B. Mariae Virginis* (Ad Claras Aquas, 1904). Strictly speaking, the simple conditional form, before any other qualification, does not require one to hold any position in the controversy over the *debitum peccati*, and Franciscans have appealed to the authority of Duns

lis (†1333) and Francesco Rubio (†1334) already speak of a *debitum virtuale*; the Carmelite John Baconthorpe (†1346) holds a *debitum remotum*; the Augustinian Thomas of Strausbourg (†1357) teaches a *potentia naturalis*; and the martyr St. Peter Paschasius (†1300) argues that God predestined Mary before all creatures and so placed her completely outside the reach of sin. In this respect, the Mercedarian martyr is often thought to be the first person to teach the *nullum debitum*, or ‘exemptionist’ position explicitly.

The debate between Juan Segovia (†1458) and Juan de Torquemada, O.P. (†1468) at the Council of Basil (1431–48) is the real point of departure for the controversy over the *debitum peccati*.<sup>37</sup> Whereas previous authors had debated whether Mary’s soul was sanctified or preserved from sin, Segovia was the first theologian to outline a comprehensive argument for the Immaculate Conception. His argument can be summarized in seven points:<sup>38</sup>

1. Three conditions must be met to contract original sin: (a) Adam must sin, (b) a person must descend from Adam via seminal generation, and (c) the person must be included in Adam’s sin by a law of solidarity established by God Himself.
2. The *debitum peccati* depends exclusively on the person’s inclusion in the sin of Adam; if he or she is excluded, no *debitum* obtains.
3. Mary is predestined *ante praevisum lapsum*; hence, she is not included in Adam’s sin.
4. Mary, predestined together with Her Son, forms one principle of redemption for all of Adam’s children.

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Scotus for the entire range of ‘debitist’ and ‘exemptionist’ positions. Carolus Balić, O.F.M., *De debito peccati originalis in B. Virgine Maria investigationes de doctrina quam tenuit Joannes Duns Scotus* (Rome: Officium Libri Catholici, 1941). Bonnefoy provides the point of departure for modern interpretations of Duns Scotus. For Jean-François Bonnefoy, O.F.M., see the sources in footnote 7.

<sup>37</sup> Juan de Segovia, *Septem allegationes et totidem avisamenta pro informatione patrum Concilii Basileensis*, ed. Pedro de Alva y Astorga (Bruxellis: Typis & sumptibus Balthazaris Vivien, 1664 [Reprinted, Bruxelles: Culture et civilization, 1965]).

<sup>38</sup> Here, too, I have modified Carol’s list. Cf. Carol, *History*, 19–23. On the debate between Segovia and Torquemada, see Giacinto Ameri, O.F.M., *Doctrina theologorum de Immaculata B. V. Mariae Conceptione tempore Concilii Basileensis* (Rome: Academia Mariana Internationalis, 1954); and Pedro de Alcántara Martínez, O.F.M., “La redención y el débito de María según Juan de Segovia y Juan de Torquemada,” *Revista Española de Teología* 16 (1956): 3–51.

5. Mary's role in the redemption of Adam's children is not merely passive but active: she is both *Theotokos* and Dispensatrix of All Grace.
6. Since Mary is an active Co-Redemptrix and principle, with her Son, of our spiritual life, she cannot have been spiritually dead in Adam. Indeed, Adam received Christ's grace through Mary.
7. Since Mary descends from Adam nonetheless, it was possible that Mary could have contracted original sin, had she not been preserved by Christ's grace. A *potestas peccandi* thus suffices to explain Mary's redemption through the merits of her Son.

Keep in mind that Segovia's argument was meant to establish the Immaculate Conception. His opponent, Juan de Torquemada, O.P., did not argue against a particular form of the *debitum peccati*: he argued against the Immaculate Conception itself.<sup>39</sup> In fact, Carol can say that Torquemada's critique constitutes an "exhaustive encyclopedia" against the Immaculate Conception.<sup>40</sup> With that in mind, Torquemada rebuts Segovia point by point:

1. Only two conditions must be met to contract original sin: (a) Adam must sin, and (b) a person must descend from Adam via seminal generation.
2. There is no law that connects the former to the latter; if there were, God would oblige us to sin.
3. Christ is not predestined *ante praevisum lapsum*, nor is Mary.
4. Christ, and Christ alone, is the principle of our redemption.
5. Mary has no role in our redemption except to be *Theotokos*; consequently, she cannot be Co-Redemptrix.
6. Since Mary is not the spiritual mother of Adam, there is no reason to exclude her from his sin. Indeed, the grace of Adam's original justice, not being redemptive, is the *gratia Dei*, not *gratia Christi*.
7. The claim that Mary contracted sin *de jure* (*de debito*) but not *de facto* is meaningless. Since Mary descends from Adam, Mary contracted original sin. In fact, if she had not, she could not have been redeemed by Christ.

<sup>39</sup> Juan de Torquemada, O.P., *Tractatus de veritate conceptionis beatissime virginis, pro facienda relatione coram patribus Concilii Basilee* (Rome: Apud Antonium Bladum Asulanem, 1547 [Reprinted, Bruxelles: Culture et civilization, 1965]).

<sup>40</sup> Carol, *History*, 21.



Several things might be pointed out about Torquemada's rebuttal. Of principal importance is his rather skillful deconstruction of the juridical tones of the *debitum*. How, he asks, can we say that God established a law including all in Adam's sin? If this were true, Mary would have violated God's law by failing to contract sin. Truth be told, Torquemada's objection is too clever by half. Of course it is ridiculous to claim that the 'law' obliges the person to sin—that much is obvious—but certainly the Dominican does not deny that penalties can be justly meted out to those who sin. Similarly, Torquemada's argument against the juridical understanding of God's law, though it would prove to be very influential among Dominicans who rejected the Immaculate Conception, has not proven particularly effective against other conceptions of the *debitum*—as we shall see later. Torquemada also advanced a theological argument: God, he argued, could hardly be said to have shed His blood to redeem a person whose preservation from sin He had decreed from all eternity. Although Torquemada did not address the *signa rationis* of God's decree, we will see that this debate would prove to have a very complicated history indeed.

Although Segovia and Torquemada prepared their treatises for the Council of Basel, the fathers at the council did not resolve the issue of the Immaculate Conception, and so their treatises languished until the sixteenth and seventeenth centuries, when theologians adapted their arguments for use in the later controversy over the *debitum peccati*. Still, much was clarified about the doctrine of the Immaculate Conception in the conciliar age. Many theologians discussed the problem in the lead up to the Fifth Lateran Council (1512–17), but a formal definition of Mary's immunity from sin would not be forthcoming until the Council of Trent (1546–63). That council's teaching, though, is admittedly oblique, since it does no more than declare that it does not intend to include the Virgin Mary in its discussion of the universality of sin.<sup>41</sup> The council does, however, reaffirm the apostolic constitutions on the Immaculate Conception of Pope Sixtus IV, *Cum praeexcelsa* and *Grave nimis*.<sup>42</sup> What we see at

<sup>41</sup> Conc. Tridentinum, Sessio V, 17 June 1546: Decretum de peccato originali: "Declarat tamen haec ipsa sancta Synodus, non esse suae intentionis, comprehendere in hoc decreto, ubi de peccato originali agitur, beatam et immaculatam Virginem Mariam Dei genetricem, sed observandas esse constitutiones felicitis recordationis Sixti Papae IV" (DS 1516).

<sup>42</sup> Sixtus IV, Const. "Cum praeexcelsa," 27 Feb 1477 (DS 1400). In light of the controversy that would soon follow in Seville, Toledo, and Alcalá, the warnings of Sixtus IV in *Grave nimis* were indeed prescient. Const. "Grave nimis," 4 Sept. 1483: "Sane cum s. Romana Ecclesia de intemeratae semperque Virginis Mariae conceptione publice festum solemniter celebret, et speciale ac proprium super hoc officium ordinaverit: nonnulli, ut accepimus, diversorum ordinum praedicatorum in suis

the council, however, is that the theological argument had shifted since the Council of Basel. This is nowhere more apparent than in the respective positions of two of the figures who immediately preceded the Council of Trent, the Dominicans Tommaso da Vio (1469–1534), or Cajetan, and Lancelotto Politi (1483–1553), or Ambrosius Catharinus. For Cajetan, Mary's 'total' preservation from original sin is a heretical position.<sup>43</sup> For Cajetan, a 'total' preservation would mean that Mary was conceived (1) without the *caro infecta*; (2) without a *debitum personale*; and (3) without concupiscence. Indeed, for Cajetan, redemption implies redemption from all three of these conditions. The fathers, he pointedly remarks, make no distinction between original sin and some *debitum*—note Cajetan's similarity to Torquemada—so it must be said that Mary, even if she is preserved from personal sin, comes into existence with an infected flesh and a *debitum proximum* that is itself the 'beginning' of original sin. If the *caro infecta* is, at the very least, an instrumental cause in the transmission of original sin, then Mary could be sanctified neither *in instante infusionis*, much less *ante infusionem animae*. In this respect, Cajetan's theology of the *debitum* stands at the juncture between medieval debates about the sanctification of Mary's soul and the modern debate about the *debitum peccati*. His own notion of the *debitum personale* is meant to shore up the older Augustinian notion of the *caro infecta*, even as he argues for the need of Mary's soul to be sanctified. Of course, if God preserves no more than the soul of the Virgin, her body remains subject to the penalties of sin. Cajetan's views were hotly contested by his confrere Catharinus, whose views evolved from a slight worry about Cajetan's formulations to outright hostility to his views.<sup>44</sup>

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sermonibus ad populum publice per diversas civitates et terras affirmare hactenus non erubuerunt, et quotidie praedicare non cessant, omnes illos, qui tenent aut asserunt, eandem gloriosam et immaculatam Dei genitricem absque originali peccati macula fuisse conceptam, mortaliter peccare, vel esse haereticos, eiusdem immaculae conceptionis officium celebrantes, audientesque sermones illorum, qui eam sine huiusmodi macula conceptam esse affirmant, peccare graviter. Nos igitur huiusmodi temerariis ausibus . . . obviare volentes motu proprio, non ad alicuius Nobis super hoc oblatae petitionis instantiam, sed de Nostram mera deliberatione et certa scientia, huiusmodi assertiones" (DS 1425–1426). To be fair, Sixtus IV also condemned those who charged deniers of the Immaculate Conception with heresy, since the Magisterium had not solemnly declared the dogma.

<sup>43</sup> The chief texts of Cajetan are his commentary on the *Summa theologiae* I–II, q. 81, a. 3, and *De Conceptione B. Mariae Virginis ad Leonem Decimum Pontificem Maximum* [in *Opuscula omnia*, tom. 2 (Venice: Apud haeredes Iacobi Iuntae, 1588)]. The chief secondary source for this debate is Giacinto Bosco, O.P., *L'Immacolata Concezione nel pensiero del Gaetano e del Caterino* (Florence: Edizioni "Il Rosario," 1950).

<sup>44</sup> Ambrosius Catharinus, O.P., *Annotationes in commentaria Cajetani* (Lyons: Apud Mathiam Bonhomme, 1542); idem, *Disputatio pro veritate Immaculae Conceptionis*

Catharinus, at the beginning of this controversy, agreed that Mary should have incurred the stain of sin, and so professed himself in favor of a *debitum proximum*, although he did not believe that Mary came into existence with the *caro infecta* as a penalty for sin. Since he was less concerned to connect sin and concupiscence to seminal generation, Catharinus wound up advancing a position that looked not unlike Segovia's—although the Dominican most likely did not know of Segovia's arguments directly. Like Segovia, Catharinus felt that the person, in order to contract or incur original sin, must be included in Adam's sin by a law of solidarity established by God Himself. Mary, however, being exempt from this pact, could not have been included in the will of Adam. For this reason, at most she incurs a *debitum remotum*, and whatever *debitum* she may have inherited by way of seminal generation from Adam was 'cancelled' by the sublime graces of her predestination to the divine maternity. To put it in simpler terms, no penalty (as such) is befitting the dignity of the Mother God. How indeed can one claim that God penalizes Mary's body for sins that her soul never committed? As many Scotists would later point out, Catharinus lays the foundation for the 'exemptionist' argument, but he refuses to build upon it and indeed shies away from what appear to be the necessary consequences of his thought.<sup>45</sup>

Whatever one makes of the myth that the council fathers piously consulted the *Summa theologiae* during their disputations, in this respect at least, Ambrosius Catharinus won the day. After Trent the debate shifted decisively from a debate between maculists and immaculists to a debate between those who felt a *debitum proximum* was necessary to secure the Blessed Virgin's redemption, those who felt a *debitum remotum* was sufficient, and those who increasingly argued that Mary was wholly free of any *debitum peccati* whatsoever. The historical touchstone for these debates was a series of doctrinal conflicts that started when a Dominican, whose name is lost to history, preached against the Immaculate Conception in Seville on September 8, 1613. Not surprisingly, a number of pious Franciscans objected, and by 1615 the entire town was embroiled in controversy, with disputations,

*beatissimae Virginis Mariae* (Rome: Excudebat Antonius Bladus, 1551). For a modern edition of Catharinus's most "Scotistic" work, see F. M. Paolini, O.F.M., ed., *De eximia praedestinatione Christi Fratris Ambrosii Catharini Politi, O.P.* (Bastia: Typis Imprimerie Moderne, 1937). On Catharinus, see Domenico Scaramuzzi, O.F.M., "Le idee scotiste di un grande teologo domenicano del 1500: Ambrogio Catarino," *Studi Francescani* 4 (1932): 269–319; 5 (1933): 197–217.

<sup>45</sup> Hieronymus Montefortino, O.F.M., "Dissertatio Theologica fueritne beatissima semper Virgo Maria immunis a debito contrahendi peccatum originale?" in *Joannis Duns Scoti Summa theologica*, tom. 5, after qu. 27, art. 5 (Rome: Ex Typographia Sallustiana, 1903 [1737]), 318–22.

demonstrations, festivities, poems composed pro and con, musical ditties, etc.<sup>46</sup> In 1615, Franciscan theologians bearing a letter from the Archbishop of Seville, en route to Madrid to ask King Philip III to request a papal intervention, stopped in Toledo to inform its theologians of the controversy and to garner support for the cause. This led to a public disputation on the *debitum peccati* that sparked a controversy so wide ranging that theologians referred to it for more than a century. For our purposes, it is not necessary to outline the *dramatis personae* of this controversy, but only to note that the “Toledo affair” made the controversy over the *debitum peccati* one of the most important theological debates of the seventeenth century. Judging by the number of monographs published on the subject and the intense passions expressed in them, the *debitum peccati* might very well have been the successor to the infamous *de auxiliis* controversy as the most hotly debated topic of the day. A number of rather important consequences followed upon the Toledo affair. First, the Toledo affair led to the popularization of the *nullum debitum* position beyond the Franciscans and Mercedarians.<sup>47</sup> It led many theologians, such as the Carmelite Juan Lezana (†1659), the Jesuit Ferdinand Chirinus de Salazar (†1646), and the Augustinian Aegidius of the Presentation (†1626), to write immense treatises on the subject that would lay the groundwork of much of the later debate.<sup>48</sup> Secondly, although a small number of Thomists, such as the Carmelite Dominic of St. Teresa (†1660), appeared to argue against the Immaculate Conception, the Toledo affair did

<sup>46</sup> For competing accounts of the “Toledo Affair,” compare Enrique del Sdo. Corazón, O.C.D., “La Inmaculada en la tradición teológica española,” at 521–28; Benito Prada, C.M.F., “Las disputas teológicas de Toledo y Alcalá y el decreto de la Inquisición Española sobre el débito,” *Ephemerides Mariologicae* 3 (1953): 501–51; Pedro de Alcántara Martínez, O.F.M., “La redención preservative y el débito remoto,” *Salmanticensis* 1 (1954): 301–42; and Jean-François Bonnefoy, O.F.M., “Sevilla por la Inmaculada en 1614–1617,” *Archivo Ibero Americano* 15 (1955): 7–33.

<sup>47</sup> Nichols glosses Scheeben’s reference to the Toledo School as the “(Jesuit) School of Toledo” (*Romance and System*, 459), but this is clearly a mistake. The Toledo tribunal that served as a touchstone for much of seventeenth- and early eighteenth-century Mariology concerned the statements of Franciscan theologians at Toledo, not Jesuits, and the most important Jesuits that argued against the *debitum* were not from Toledo.

<sup>48</sup> Ionne Baptista de Lezana, O.Carm., *Liber apologeticus pro Immaculata Deiparae Virginis Mariae Conceptione* (Madrid: Apud viduam Alphonsi Martin, 1616); Aegidius a Presentatione, O.S.A., *De Immaculata B. Virginis Conceptione* (Coimbra: Apud Didacam Gomez de Loureyro Academiae Typographum, 1617); Chirinus de Salazar, S.J., *Pro Immaculata Deiparae Virginis Conceptione defensio* (Alcalá: Ex Officina Ioannis Gratiani, 1618). Salazar, in fact, wrote a number of fascinating Mariological works. See, for example, the ‘hypermystical’ readings of Mary in his *Expositio in Proverbia Salomonis*, 2 vols. (Paris: Ex Officina Hieronymus Drouart,

much to solidify the teaching of the Council of Trent and give the debate its decidedly 'modern' cast.<sup>49</sup>

It is impossible to summarize the Mariological works that followed the affair at Toledo. A brief look at a few shows that many of Scheeben's favorite themes are already present among the best of the baroque writers on Mary, who developed them with far greater precision and amplitude than Scheeben. The Jesuits, generally eclectic, proposed theories of the *debitum proximum* or *debitum remotum*, although a few exemptionists can be found among their ranks. Still, the theologians of the Society of Jesus emphasized Mary's co-redemption more than other schools. Many of them also incorporated theories of the *scientia media* into their Mariological syntheses. On the other hand, Mercedarians, such as Sylvester de Saavedra (†1643) and Juan de Prudencio (†1657), tended to explain God's predestination of Mary in terms of His *scientia simplicis intelligentiae*, and so might be seen to anticipate several modern ways of framing the question. If any school adopted a party line, it was the Franciscans, who by the end of the seventeenth century were almost without exception exemptionists. In fact, by the middle of the seventeenth century, Scotists such as Francisco Castillo Velasco (†1641), Angelo Volpi (†1647), and Tomás Francés Urrutigoyti (†1682) had interpreted the conditional form of the *debitum* as an implicit argument for the 'exemptionist' position. To do so, they did no more than interpret Scotus's teaching of the Immaculate Conception in light of his argument concerning the predestination of Christ. In Scheeben's terms, these Franciscans entered the stream represented by Catharinus, but since their original impetus was provided by Scotus's own insights—and because they were under no obligation to try to present those insights in Thomistic terms—they were free to develop the 'exemptionist' tradition in a more far-reaching way.<sup>50</sup> Not only did they reject a *debitum peccati*, proximate or

1637) or *Canticum Canticonum Salomonis allegorico sono & prophetica, mystica, hypermystica expositio productum*, 2 vols. (Lyons: Sumptibus Petri Prost, 1642).

<sup>49</sup> Dominic of St. Teresa, O.C.D., *Collegii Salmanticensis FF Discalceatorum Cursus Theologicus*, tom. 4, tr. 13, disp. 15 (Venice: Bricconci, 1678), 492–578. This is the most extensive treatment between Salazar and Montalbanus. Opponents suspected Fr. Dominic of arguing against the Immaculate Conception, and the *disputatio* was turned over to the Inquisition. Although the Carmelite theologian issued a thorough *defensorium*, the tribunal asked that the offending *disputatio* be removed from subsequent editions of the *Cursus*. Although Fr. Dominic's position that Mary was in fact an 'enemy of God' before her redemption would be effectively ruled out of bounds by *Ineffabilis Deus*, Carol (*History*, 105) credits him with "thoroughly" demolishing the arguments for the *debitum remotum*.

<sup>50</sup> Scheeben appears to distance the later Scotist tradition from the teachings of Scotus himself, remarking that the Subtle Doctor never applied his arguments

remote; they may be credited as the first explorers of the positive nature of Mary's preservative redemption. Indeed, *pace* Nichols, Franciscan theologians of the seventeenth and eighteenth centuries pioneered what he calls the 'Sophiological' reading of the Blessed Virgin Mary. Angelo Volpi, for example, argued that Mary belonged to the unique 'hypostatic' order.<sup>51</sup> Indeed, Franciscan theologians, developing Scotus's insights about the predestination of Christ, tended to relate the grace of Mary's predestination not to Christ's Passion, but rather to His glorification as such.<sup>52</sup> One sees this argument rather dramatically developed in Tomás Francisco Urrutigoyti.<sup>53</sup> Similarly, Francisco del Castillo Velasco and other Franciscans argued that one could not be subject to a *debitum peccati* and a *debitum*

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about the predestination of Christ to Mary. (Cf. *Handbuch* V/2, §279b, pp. 417–20, nn. 1709–13.) Be that as it may, Scheeben provides no real reason why this couldn't be done.

<sup>51</sup> Angelo Volpi, O.F.M., *Sacrae Theologiae Summa Ioannis Duns Scoti Doctoris Subtilissimi*, tom. 3, part 4, disp. 72, art. 1 (Naples: Apud Lazarum Scorigium, 1646), 295–96: "Scotus in 3. dis. 16 in calce respondet omnia haec divinitus ex parte conceptionis Christi, & Mariae relata ad inferiorem ordinem naturae praesertim corruptae miraculosè esse credenda. Similiter miraculosa simpliciter in sua causa, quae illum supremum hypostaticae unionis fundat ordinem." On Volpi, see Giovanni M. Conti, O.F.M.Conv., *La predestinazione e la divina maternità di Maria secondo il P. M<sup>o</sup>. Angelo Volpi O.F.M.Conv. grande teologo scotista del seicento (†1647)* (Rome: Pontificia Facoltà Teologica O.F.M. Conv., 1947); idem, *L'assunzione di Maria nell'Opera Mariologica del Angelo Volpi celebre teologo scotista del seicento* (Rome: Miscellanea Franciscana, 1947); Antonio Di Monda, O.F.M.Conv., "L'Immacolata nell'opera mariologica dello scotista Angelo Volpi, O.F.M.Conv. (d. 1647)," in *Virgo Immaculata*, vol. 7/2 (1957), 241–73.

<sup>52</sup> By the seventeenth century, this is practically a common teaching of the Scotist tradition. Compare, for example, Juan de Rada, O.F.M., *Controversiarum theologiarum inter S. Thomam et Scotum super Tertium Sententiarum Librum IIIa*, controv. 5, art. 3 (Venetiis: Apud Ioannem Guerilium, 1618), 219; Filippo Fabri, O.F.M., *Disputationes Theologicae in Tertium Sententiarum*, dist. 7, qu. 3, disp. 20 (Venice: Ex Officina Bartholomaei Ginami, 1613), 111; Angelo Volpi, O.F.M., *Sacrae Theologiae Summa Ioannis Duns Scoti Doctoris Subtilissimi*, tom. 1, part 4, disp. 5, art. 3 (Naples: Apud Lazarum Scorigium, 1642), 70; Bartolomeo Mastri, O.F.M.Conv., *Disputationes Theologicae in Tertium Librum Sententiarum*, disp. 4, qu. 1, art. 2 (Venice: Apud Valuasensem, 1661), 303; and Lorenzo Brancati de Laurea, O.F.M.Conv., *Commentaria in III Librum Sententiarum*, tom. 1, art. 2–3 (Rome: H. Manelphii, 1682), 260.

<sup>53</sup> Tomás Francisco Urrutigoyti, O.F.M., *Certamen scholasticum expositivum argumentum pro Deipara ejusque Immaculata Conceptione* (Lyons: Sumptibus P. Borde, 1660). On Urrutigoyti, see Pedro de Alcántara Martínez, O.F.M., "La redención de María según el P. Tomás Francés de Urrutigoyti," *Verdad y Vida* 9 (1951): 47–84; and José de Pijoan, O.F.M., "La Inmaculada Concepción en Francisco Guerra y Tomás Francés Urrutigoyti," in *Virgo Immaculata*, vol. 7/2 (1957), 182–208.

*gratiae* simultaneously.<sup>54</sup> The most detailed presentation of this position, and indeed arguably the most extensive treatment of the Immaculate Conception ever, can be found in the vast three-volume *Opus theologicum* of the Capuchin Salvator Montalbanus de Sambuca (†1722).<sup>55</sup> Picking up a trend initiated by earlier Franciscans, Montalbanus argued against the *debitum remotum* by remarking that a hypothetical debt cannot be contracted at all and argued against the *debitum proximum* that it is by nature incompatible with grace. It is thus impossible, he argued, for anyone conceived immaculately to be under any necessity to contract sin, just as Adam, being created in sanctifying grace, was under no actual necessity until he sinned. In this respect, Montalbanus argued that all one needs, strictly speaking, to account for Mary's preservative redemption is the future contingent possibility that Mary might have sinned had she not been preserved. After Montalbanus, these arguments become canonical for Franciscans, who begin to devote more attention to working out the various aspects of Mary's unique preservative redemption, as we see in the case of Carlos del Moral (†1731), who provided a complex discussion of Mary's threefold *praeservatio radicalis*, *praeservatio formalis*, and *praeservatio perfectissime consummata* in light of the predestination and Passion of Our Lord.<sup>56</sup> In such systems, Mary participates in Christ's Passion and death directly, as it were, with no sin, original

<sup>54</sup> Francisco del Castillo Velasco, O.F.M., *Subtillissimi Scoti Doctorum super III Sententiarum librum*, tom. 1, disp. 3, qu. 1 (Antwerp: Apud Petrum Bellerum, 1641), 530: "Respondetur nihilominus, quia sicut in ipsis non sunt simul pro eodem instanti gratia et peccatum, sed in instanti in quo est gratia verificatur modo non est peccatum, sed ante hoc instans erat; ita similiter neque in illo instanti est debitum, sed ante illud instans erat. In conceptione autem Virginis non possumus plura instantia considerare sicut in baptizatis, sed tantum unicum instans, in quo non possunt contradictoria verificari." For a modern variation on this argument, Allan Wolter has proposed a *debitum iustitiae*. Cf. Allan Wolter, O.F.M., "The Theology of the Immaculate Conception in Light of 'Ineffabilis Deus,'" *Marian Studies* 5 (1954): 19–72, at 68–69.

<sup>55</sup> Salvator Montalbanus de Sambuca, O.F.M.Cap., *Opus theologicum tribus distinctum tomis in quibus efficacissime ostenditur Immaculatam Dei Genitricem utpote praeservative redemptam, fuisse prorsus immune ab omni debito tum contrahendi originale peccatum, tum ipsius fomitem incurrendi*, 3 vols. (Palermo: Typis Gasparis Bayona, 1723). On Montalbanus, see Rainero de Nava, O.F.M.Cap., "La redención de Maria según P. Montalbán," *Estudios Franciscanos* 55 (1954): 255–79.

<sup>56</sup> Carolus del Moral, O.F.M., *Fons illimis theologiae Scoticae Marianaе*, tom. 2, tract. 3, disp. 1, qu. 2, art. 3 (Madrid: Ex Typographia Thomae Rodriguez, 1730), 67–71. On Carolus del Moral, see Isidro de Guerra Lazpiur, O.F.M., *Integralis conceptus maternitatis divinae juxta Carolum del Moral* (Rome: Academia Mariana Internationalis, 1953); idem, "La gracia inicial de la Inmaculada en la Mariología de Carlos del Moral," *Verdad y Vida* 12 (1954): 203–29; idem, "La Virgen Santísima cabeza secundaria del cuerpo místico de Cristo en la Mariología de

or actual, to dull her union with her Son. We need not belabor these points here; suffice it to say, Franciscan theologians extended Mariology to quite striking lengths.

It is difficult to say whether Scheeben intentionally minimized the importance of the great Scotist commentators in his own theology. Scheeben was probably only dimly aware of their influence himself, since the Dominican and Jesuit traditions, with which he was more familiar, had made a series of rather important concessions to Scotism over the centuries and did not always bother themselves with reading such works in detail. In any event, many of the high points of the controversy over Mary's *debitum peccati* go unmentioned by Scheeben, who generally marginalizes Franciscan sources other than Scotus and rarely acknowledges the debts he owes to earlier Jesuit writers. That said, Scheeben's brief historical account can be misleading. When he says, for example, that moderate opponents of the Immaculate Conception since the time of Cajetan maintained a *debitum incurrendi maculam* in order to maintain that Mary's sanctification truly resulted from Christ's redemption, he obscures one very important point: the technical phrases in this controversy were introduced not in debates about the *debitum peccati* but in debates about the Immaculate Conception. The debate between Cajetan and Catharinus, like the debate between Torquemada and Segovia in the previous century, largely concerned the need to include the *caro infecta* as a condition of redemption. Not to put too fine a point on things: Cajetan was a maculist, and Catharinus, for his part, a proponent of an attenuated *debitum remotum*. The language of the *debitum proximum* was proposed in order to prove that Mary was *not* immaculately conceived.<sup>57</sup>

This is a point that is far too important to gloss over. In the seventeenth century, theologians were already pointing out that the theologians of the Middle Ages, when they spoke of a *debitum peccati*, really meant what modern theologians called a *debitum proximum*. The *debitum remotum*, they argued, was little more than a clever way to reconcile Mary's Immaculate Conception with her passive redemption. Such a debt, as has been pointed out by a long line of commentators, cannot be

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Carlos del Moral, O.F.M., "Estudios Marianos 18 (1957): 231–58; and idem, "El débito de pecado y la redención de la Virgen Inmaculada en la mariología de Carlos del Moral," in *Virgo Immaculata*, vol. 11 (1957), 137–88.

<sup>57</sup> I am somewhat nonplussed by Aidan Nichols's remark (*Romance and System*, 457) that Cajetan introduced the terminology of the *debitum peccati* into theology in order to rally his Dominican confreres to support the Immaculate Conception. Suffice it to say, this is not the usual presentation of Cajetan's position in the scholarly literature, which generally presents him as a 'moderate' opponent of the doctrine.



a real debt.<sup>58</sup> At best, it is merely a nominal debt, or a *debitum conditionatum*, but such an abstract conditional should more rightly be expressed as a *potestas peccandi*. In other words, the *debitum* was a necessity for those who supported the Immaculate Conception during the Middle Ages. Its role was to guarantee that Mary was redeemed in the most perfect manner while denying that she contracted sin. For this reason, those who denied the Immaculate Conception believed the *debitum* to be a fiction or a theological grotesquerie. As more theologians outside of the Franciscans and Mercedarians began to accept the arguments for the Immaculate Conception, the *debitum* continued to play the role it had for the immaculists of the Middle Ages—even as they subjected it to countless refinements—while the traditions that had done the most to support the Immaculate Conception adopted the arguments of the medieval maculists against the *debitum* in order to advance the ‘exemptionist’ position. As Carol remarks in his discussion of Torquemada, “Ironically enough, it was not the defenders of Mary’s original purity, but rather its opponents, who unwittingly furnished us with some of the most cogent arguments against the theory of the *debitum peccati* in Our Lady.”<sup>59</sup>

Scheeben is similarly misleading when he says that all theologians before the definition of the dogma in 1854, even those who taught the Immaculate Conception, agreed that a *debitum* must be accepted in one form or another in order to safeguard Mary’s grace of redemption. While it is true that all theologians agreed that *some* debt was necessary, many still denied the notion of a *debitum peccati*.<sup>60</sup> Several theologians asserted

<sup>58</sup> Carol, *History*, 5, argues that a debt, properly speaking, “presupposes that a person depends upon the physical and moral headship of Adam.” Carol follows a long line of theologians who have argued that a *debitum remotum* or *debitum naturale* is not a debt at all. Compare, for example, Ionne Baptista de Lezana, O.Carm., *Liber apologeticus pro Immaculata Deiparae Virginis Mariae Conceptione*, cap. 32 (Madrid: Apud viduam Alphonsi Martin, 1616), 143–144r; Ambrosius de Peñalosa, S.J., *Vindiciae Deiparae Virginis de peccato originali et debito illius contrahendi rigore theologico praestructae et a nemine hactenus ex professo discussae*, disp. 3, cap. 4 (Antwerp: Apud Hieronymum Vendussium, 1650), 92–96; Ioannis Eusebius Nieremberg, S.J., *Opera parthenica de supereximia et omnimoda puritate Matris Dei*, par. 4, sect. 5 (Lyons: Sumptibus Claudii Bourgeat & Mich. Lietard, 1659), 509–11; and Carolus del Moral, *Fons illimis theologiae Scoticae Marianae*, tom. 2, tract. 3, disp. 1, qu. 1, art. 1 (Madrid: Ex Typographia Thomae Rodriguez, 1730), 3–22.

<sup>59</sup> Carol, *History*, 23.

<sup>60</sup> Scheeben tends to ignore the *nullum debitum*, as he presents the positions of Ambrosius Catharinus and the Franciscan School of Toledo as the end of the spectrum. I am inclined to think that the Franciscans at Toledo taught exemptionism, although several theologians have claimed that they taught an attenuated form of the *debitum remotum*. As Scheeben links them with Catharinus, it

that the Blessed Virgin's only 'debt' was a *debitum gratiae*. If we fail to note this point, we will quite seriously misunderstand a great deal of the very best Mariological literature. In this respect, Scheeben looks quite like F. X. Bachelet, S.J., who would later claim that the only two positions were those arguing for proximate and remote debt respectively, even though he clearly knew of the works of Jesuit exemptionists such as Juan Perlín (†1638), Ambrosius de Peñalosa (†1656), and Joseph Eusebius Nieremberg (†1658)—even Montalbanus.<sup>61</sup> Whether this reduction betrays bias or ignorance I cannot say, but it is a common feature of nineteenth- and early twentieth-century treatments of the *debitum*.

Scheeben's distinction between the *gratia Creatoris* and the *gratia Redemptoris* obscures—whether willfully or not, I do not know—the fact that, for most of the participants in the celebrated controversy over the predestination of Christ, the operative distinction is between the *gratia Glorificatoris* and the *gratia Redemptoris*. Here, after struggling mightily to recast largely Scotistic arguments in Thomistic terms, Scheeben finally introduces a distinction that truly begs the question, for he attempts to exclude the Scotist position by defining predestination solely in terms of redemption, when this is exactly the issue under debate. At the very least, *Ineffabilis Deus* cannot be interpreted in this exclusive sense—a point I will address in the final section of this article. Scheeben, however, seems to have been only dimly aware of the fact that Scotists ably answered these doubts for some time. Montalbanus, for example, takes care to note that the first logical instant in which God predestines Christ and Mary independently of sin, although it abstracts from the modalities of subsequent *signa*, contains the subsequent *signa* and their modalities *virtualiter*, such that all of them together form one total, integrated plan.<sup>62</sup>

Perhaps the most serious weakness of Scheeben's account is that he does not attempt to differentiate the various notions of *debitum* offered by previous theologians. Although he rightly noted that the *debitum* was not

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seems that he believed them to have taught a *debitum remotum*. In fact, Scheeben's prejudices generally prevent him from recognizing a *debitum gratiae* as the Franciscans present it.

<sup>61</sup> F. X. Bachelet, S.J., "Immaculée Conception," cols. 1156–60.

<sup>62</sup> Montalbanus, *Opus theologicum*, tom. 2, tract. 3, disp. 4, qu. 3, cap. 8, 440. This, of course, is a fairly common move among Scotists. Filippo Fabri argues that subsequent *signa* are still contained in and embraced by Christ's 'total' predestination. Fabri, *Disputationes Theologicae in Tertium Sententiarum*, dist. 7, qu. 3, disp. 20 (Venice: Ex Officina Bartholomaei Ginami, 1613), 111. Juan de Rada remarks that the Incarnation of the Word is a particular act of divine providence that includes *omnia media ad decreti executionem*. Rada, *S. Thomam et Scotum super Tertium Sententiarum Librum*, controv. 5, art. 3 (Venice: Apud Ioannem Guerilium, 1618), 220.

a strict necessity to commit sin, he rather hastily describes it as a quasi-legal 'liability' (*obnoxium*), a 'necessity of incurring the stain' (*debitum incurrendi maculam*), a 'stain contracted or drawn from one's nature' (*contrahendi trahendi cum natura maculam*), or a 'being born with the stain' (*nascendi cum macula*). It is not clear to me whether these terms and phrases are meant to be vaguely synonymous or whether Scheeben simply adduced them as various ways in which previous theologians had defined the *debitum peccati*. Perhaps Scheeben was satisfied to note that the *debitum* could not be a strict necessity, but this is a rather pedestrian point. When we look at the remaining phrases, it is clear that the theologian who wishes to impose some order upon them needs to provide a fairly sophisticated account of how original sin is naturally 'incurred' or 'contracted.' Indeed, the very difference implied by the quasi-legal 'liability' (*obnoxium*) and the various forms by which one is said to be born with, contract, or incur the stain highlights one of the chief ambiguities of the *debitum peccati* controversy itself, namely, whether the debt is thought primarily in terms of Mary's nature or her will. In this respect at least, Scheeben's account is vastly inferior to many early modern and contemporary accounts of the *debitum peccati*. A common feature of works in the wake of Salazar, for example, is the careful delineation of the relationship between the *debitum peccati* and 'necessity.'<sup>63</sup> Aloysius Novarini, *Cler. Reg.* (†1650) anticipated aspects of modern arguments about the ambiguities of juridic and nomological definitions of the *debitum* in the seventeenth century. As Novarini cleverly remarks, water does not have a *debitum* to be dry, nor does fire have a *debitum* to be wet. Indeed (he asks), did Adam or the angels have a *debitum peccati* before their fall?<sup>64</sup>

Just as Scheeben does not give a full account of the history of the controversy over the *debitum* from Scotus to Cajetan, he seems to flag as he tracks sources after Bartolomé Medina (†1580) and Francisco Suárez (†1617). Chalk it up to Romantic prejudice, but Scheeben, who otherwise shows such a capacious and tolerant attitude, looks down on the "arbitrary" and "tasteless" Mariology of the baroque age, which he characterizes as

<sup>63</sup> See, for example, Sylvestre de Saavedra, O. de M., *Sacra Deipara seu de eminentissima dignitate Dei Genetricis immaculatissime*, vest. 2, disp. 19, sect. 5 (Lyons: Sumptibus Laurentii Anisson, 1655), 397–98; or Dominic of St. Teresa, O.C.D., *Collegii Salmanticensis FE Discalceatorum Cursus Theologicus*, tom. 4, tr. 13, disp. 15 (Venice: Bricconci, 1678), 496–97. For an especially expansive treatment, see Montalbanus, *Opus theologicum*, tom. 1, 265–328.

<sup>64</sup> Aloysius Novarini, *Cler. Reg.*, *Electa Sacra, in quibus qua ex Linguarum Fontibus . . . subque Virginea Umbra ita Virgines Mariae laudes exhibentur*, lib. 4, excurs. 18 (Lyons: Petri Prost, Philippi Borde & Lautentii Arnauld, 1647), 65–67.

lacking “sincerity” and “tact.”<sup>65</sup> Truth be told, one can hardly secure an adequate assessment of the Marian literature of the seventeenth and early eighteenth centuries if one singles out Pietro Spinelli, S.J. (†1615), Pierre Bérulle (†1629), Giambattista Novati, Cler. Reg. (†1648), Theophilus Raynauld, S.J. (†1663), Jacques-Bénigne Bossuet (†1704), and Virgil Sedlmayr, O.S.B. (†1772) for distinction. These authors may be representative of general trends, but they can hardly be thought to represent the best Mariological literature of the baroque age. Among Jesuit authors, with whom Scheeben is most comfortable, the highly influential treatise of Salazar goes unnoticed, and although Scheeben rightly notes the importance of Suárez in the previous century, his appeal to the popular works of Peter Canisius (†1597) and Christopher de Vega (†1672) among the Jesuits, or St. Bernardino (†1380) and Juan Cartagena (†1617) among the Franciscans, must be seen as slights, however unintentional, of the real masters of baroque Mariology, namely the Franciscans Volpi and Urrutigoiti, the Jesuits Perlín, Peñalosa, and Nieremberg, and the Mercedarians Saavedra and Prudencio. Scheeben mentions Philip of the Holy Trinity (†1671), indeed a talented theologian in his own right, but without mentioning far more important contributions by other Carmelites, especially Lezana, who is arguably the first theologian to devote an entire monograph to the problem of the *debitum*, or Dominic of St. Teresa, the author of the ill-fated, but influential, treatment of the Immaculate Conception in the Salmanticenses. Arguably the two most important Mariologists of the eighteenth century, if not in the history of theology, the Franciscans Carolus del Moral and Salvator Montalbanus de Sambuca, are unknown to him.

Now, I am inclined to think that Scheeben’s arguments in favor of a proximate debt, but against a remote debt, are persuasive, at least insofar as they highlight the need to think of Mary’s debt in terms of her person. At the same time, I am inclined to find the arguments in favor of a proximate debt unbecoming of the *active* role the Mother of God plays in salvation history. In this respect, I think Scheeben’s intuitions are sound, even penetrating. But the Mariologists of the baroque age anticipated these intuitions

<sup>65</sup> *Handbuch* V/2, § 274, p. 336, n. 1561: “Das 17. Jahrhundert brachte eine Unzahl mariologischer Werke . . . , großenteils in wissenschaftlicher Form, aber vielfach nicht ebenso mit wissenschaftlichem Ernst und Bedacht geschrieben, von denen die uns nicht zu Gesicht gekommenen Schriften von *Spinelli* (Thronus Dei) und *Novatus* (De eminentia Deiparae) durch Gediegenheit hervorrage sollen. Dagegen repräsentiert die *Theologia Mariana* des Jesuiten *Christoph. de Vega* so recht die in jener Zeit bei vielen blühende exzentrische Zopftheologie, die sich alle möglichen Willkürlichkeiten und Geschmacklosigkeiten erlaubt und mit neuen grotesken Gedanken kokettiert, weshalb die neuen Auflagen dieses Werkes in unserem Jahrhundert ein großer Anachronismus sind.”

and developed the arguments in support of them more fully than Scheeben. Among the Jesuits, Suárez, Gregory of Valencia (†1603), and Gabriel Vásquez (†1604) are the most prominent theologians who argued against the *debitum remotum* in favor of a *debitum proximum* on the grounds that a *debitum remotum* was not sufficient to secure Mary's redemption *sensu proprio*.<sup>66</sup> Like Scheeben, Gregory of Valencia and the Dominican Bartolomé Medina thought that the 'exemptionist' position was rash, if not heretical.<sup>67</sup> On the other hand, Jesuits such as Perlín, Peñalosa, and Nieremberg also argued that the *debitum remotum* was a harmful fiction, but they hoped to advance the 'exemptionist' position.<sup>68</sup> Not surprising, other Jesuits, such as Didachus Granado (†1632) and Juan de Lugo (†1660) divided the *debitum* into more exotic forms in order to overcome the divide between the *debitum proximum* and the *debitum remotum*.<sup>69</sup> Vast numbers of theologians offered extensive theologies of Mary's co-redemption that emphasized the priority of her active redemption in the matter of the *debitum*. Many of Scheeben's 'Sophiological' arguments about the Blessed Virgin Mary, for example, were anticipated by Salazar's argument that God ordained Mary's entire existence to grace and glory, such that her passive redemption is wholly taken up in her active co-redemption.<sup>70</sup> In all

<sup>66</sup> Francisco Suárez, S.J., *In Tertiam Partem D. Thomae*, qu. 27, disp. 2, sect. 2, in *Opera omnia*, vol. 19 (Paris: Apud Ludovicum Vivès, 1856), 28–29; Gabriel Vásquez, S.J., *Commentariorum ac Disputationum in Tertiam Partem S. Thomae*, tom. 2, disp. 116, cap. 5 (Ingolstadt: Ex Officina Typographica Ederiana, 1612), 20–22; Gregory of Valencia, S.J., *Commentariorum Theologiconum*, tom. 2, disp. 6, qu. 11 (Lyons: Sumptibus Horatij Cardon, 1619), cols. 557–74.

<sup>67</sup> Bartolomé Medina, O.P., *Expositio in Tertiam Partem D. Thomae*, qu. 27, art. 2 (Salamanca: Typis haeredum Mathiae Gastii, 1580), 589–96, at 592b: "Primo conclusio. Haereticum dogma est, si quis dixerit beatam Virginem sic fuisse a peccato originali praeservatam, ut nihil illius incurreret."

<sup>68</sup> Juan Perlín, S.J., *Apologia scholastica sive controversia theologica, pro Magnae Matris ab originali debito immunitate*, dist. 1, cap. 2 (Lyons: Sumptibus Iacobi, Andreae, & Matthaei Prost, 1630), 7–8; Ambrosius de Peñalosa, S.J., *Vindiciae Deiparae Virginis de peccato originali et debito illius contrahendi rigore theologico praestructae et a nemine hactenus ex professo discussae*, disp. 1, cap. 4 (Antwerp: Apud Hieronymum Vendusium, 1650), 50–52; Ioannis Eusebius Nieremberg, S.J., *Opera parthenica de supereximia et omnimoda puritate Matris Dei*, par. 4, sect. 6 (Lyons: Sumptibus Claudii Bourgeat & Mich. Lietard, 1659), 511–12.

<sup>69</sup> Didachus [Iacobo] Granado, S.J., *De Immaculata B. V. Dei Genetricis Mariae Conceptione*, disp. 3, cap. 22, sect. 2 (Seville: Apud Franciscum de Lyra, 1617), 90v–92; Ioannis de Lugo, S.J., *Disputationes Scholasticae de Incarnatione Dominica*, disp. 7, sect. 3 (Lyons: Sumptibus Philippi Borde, Laurentii Arnaul, & Claudii Rigaud, 1653), 129–33.

<sup>70</sup> Chirinus de Salazar, S.J., *Pro Immaculata Deiparae Virginis Conceptione defensio*, cap. 24, sect. 9 (Alcalá: Ex Officina Ioannis Gratiani, 1618), 184–85.

of these concerns, Scheeben inherits a long tradition of reflection, and his position on the *debitum peccati* maps fairly directly onto an earlier tradition, especially among the Jesuits. Although a detailed analysis of such influence is beyond the scope of this article, I should note that it makes perfect sense that many Jesuits would attempt to mediate or overcome the divide between the *debitum remotum* and the *debitum proximum*, since many prominent Jesuit theologians had advanced starkly differing views on the controversy, and these theologians are the very theologians whom Scheeben's own tutors in Mariology would have known best.

Almost every Mariologist of the baroque age was also concerned to spell out the exact relationship between Christ's and Mary's predestination in relation to sin. Much of the modern debate about the *debitum peccati* concerns the degree to which Mary can be said to be redeemed *sensu proprio*.<sup>71</sup> Part of the confusion, of course, can be laid at Scotus's feet, since he did nothing to clarify what he meant when he declared that Mary depended more on Christ, as she was redeemed in a most perfect manner. At root, it seems difficult to make sense of the "preservative redemption" implied by the Immaculate Conception, since the notion of redemption seems by definition to imply that the person redeemed has fallen victim to sin. Some theologians, such as the Jesuit Augustine Bernal (†1642) or the Carmelite Peter of St. John (†1682), have simply bitten the bullet and claimed that Mary was not redeemed.<sup>72</sup> In such readings, Mary is saved and preserved by the grace of Christ, but, never having been a slave to Satan, strictly speaking she has no need of being redeemed. Of course, most of the theologians who argued for an 'exemptionist' position or the *debitum conditionatum* still argued that Mary's preservative 'redemption' did not rest on a *debitum peccati* but on a *debitum gratiae*. Here, much of the debate concerned whether Mary's redemption was *sensu vero et proprio* or merely *sensu improprio*. The Jesuit Francisco de la Torre (†1584), for example, argued that all that is necessary for Mary to be 'redeemed' broadly speaking is Christ's preservative graces.<sup>73</sup> Salazar argued that redemption

<sup>71</sup> Juniper Carol, O.F.M., "The Problem of Mary's Preservative Redemption," *passim*.

<sup>72</sup> Augustine Bernal, S.J., *Disputationes de divini Verbi Incarnatione*, disp. 10, sect. 3, no. 32 (Zaragoza: Typis et sumptibus Regii Nosocomi, 1639); Petrus a S. Joanne, O.C.D., *Maria stellis coronata*, Ms. Bibl. Desierto de las Palmas (1675). I have not seen either of these two works, although I suspect their arguments are clear enough from the premises. Both are cited by Carol, "The Problem of Mary's Preservative Redemption," 24. For the latter work, Carol depends upon a book by Ildefonso de la Inmaculada, O.C.D., *De Immaculata B. V. Mariae Conceptione apud Carmeli Teresiani Ordinem* (Rome: Ephemerides Carmeliticae, 1956), 136.

<sup>73</sup> Francisco de la Torre, S.J., *Epistola de definitione propria peccati originalis ex Dionysio Areopagita, & de Conceptione virginis & matris Dei sine peccato ex scriptura Angelicae*

requires only a *potestas peccandi*.<sup>74</sup> Both of these eminent Jesuits also distinguish between Christ's elevating and redeeming merits. Franciscans such as Montalbanus also expanded the notion of Christ's merits to include the 'total' Incarnation from conception to glorification, and so could claim that Mary was 'redeemed' apart from the Passion. In this sense, they said, Mary was redeemed *sensu improprio*.<sup>75</sup>

A cursory glance at the Mariological literature of the seventeenth and eighteenth centuries also indicates the wealth of topics that Scheeben did not integrate into his discussion of the *debitum peccati*, such as the *signa rationis* of God's decrees; protological concerns about original justice, *natura pura*, and original sin; distinctions between God's *scientia simplicis intelligentiae*, *scientia visionis*, and *scientia media*; and the voluminous debates, to which Scheeben only briefly alludes, about the predestination of Christ *ante praevisum lapsum*. Scheeben, of course, has quite profound and creative treatments of most—if not all—of these topics: he simply does not integrate them into his treatment of the *debitum peccati* or, for some of the topics, does so only in the most cursory of ways, and his outline *aim* history simply cannot do justice to the full scope of arguments about the *debitum peccati*. This should not reflect poorly on Scheeben, of course. The ever-shifting terms of this long controversy are related to a series of such complex doctrines that it is nigh impossible to summarize any of the book-length treatments of the subject in the early modern period. At the end of the day, the treatments of Mary's Immaculate Conception by Lezana, Salazar, Montalbanus, or del Moral simply cannot be reduced to mere 'positions' or 'types,' not even by a theological genius of the stature of Matthias Scheeben.

Although my quick historical summary of the controversy cannot claim to be any better than Scheeben's, I hope it is sufficient to have demonstrated two things. First, much of our confusion about the controversy stems from an equivocation in the term *debitum* itself. Secondly, theologians have deployed these terms in an almost kaleidoscopic display, and their meanings shift quite dramatically as the theological controversy shifts from a debate about the Immaculate Conception in the thirteenth century to a debate about the *debitum* necessary to establish the Blessed Virgin's dependence on Christ after the promulgation of the dogma six centuries later. Even if we

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*Salutationis & testimoniis antiquorum Patrum* (Ingolstadt: Ex Officina Davidis Sartorii, 1581), 26–27. Here, it might be noted that proponents of the *nullum debitum* often found inspiration in the Areopagite's notion of preservative grace.

<sup>74</sup> Chirinus de Salazar, S.J., *Pro Immaculata Deiparae Virginis Conceptione defensio*, cap. 24, sect. 4 (Alcalá: Ex Officina Ioannis Gratiani, 1618), 172.

<sup>75</sup> Montalbanus, O.F.M.Cap., *Opus theologicum*, tom. 2, tract. 3, disp. 4, qu. 3, cap. 9, 445–48.

make allowances for the change in the way the technical phrases are deployed, especially after the Council of Trent, it is ultimately misleading to present the great variety of early modern Mariological positions in terms of the positions of Cajetan and Catharinus. Even if we modify the technical phrases used by these two great doctors to represent arguments that would be deployed in favor of the *debitum proximum* and the *debitum remotum* after the promulgation of the dogma of Mary's Immaculate Conception, we cannot responsibly ignore the other forms of (far more developed) theological reasoning that were brought to bear on this discussion.

### **The *Debitum Peccati* after Scheeben: A Concluding Note**

*Ineffabilis Deus*, like many teachings of the Magisterium, is broadly inclusive. While the bull adopts several arguments of Scotistic origin, especially the designation of Mary as *proprium Dei opus primum*, if anything it minimizes the modern Scotist aspects of the dogma and presents the Immaculate Conception in a form amenable to all traditions. All four of the basic positions that I outlined above, after all, remain viable options in Roman Catholic theology. The only position *Ineffabilis Deus* formally excludes is maculism. This openness led to a revival of interest in Mariology after the promulgation of the dogma in 1854, and almost all of the theories to which I alluded in the last section found ardent supporters between 1854 and the promulgation of the Blessed Virgin's Assumption in 1950. When we look at developments in Mariology after Scheeben, however, we see that, although all of his concerns were echoed in twentieth-century treatments of the *debitum*, almost no theologian adopted Scheeben's solution to the problem.<sup>76</sup> If we look back to the great Mariological debates of the 1950s, we will see that many of Scheeben's best insights led theologians to assert positions for which Scheeben himself cared very little. In fact, far more theologians advanced the 'exemptionist' position or inclined toward the most attenuated forms of the *debitum remotum*, such as the *debitum conditionatum* or the *potestas peccandi*, the very positions that Scheeben wished to exclude as legitimate solutions to the problem. In order to understand this phenomenon, we need to look at two questions to which Scheeben only alluded, namely, the questions of whether God foresaw Christ's merits *post praevisum lapsum*, and whether

<sup>76</sup> Few modern theologians beyond Feckes and Plassmann followed Scheeben's presentation of the *debitum materiale*, although one notable exception was Schillebeeckx. Cf. H. Schillebeeckx, O.P., "Mutua correlatio inter redemptionem objectivam eamque subjectivam B. M. Virginis in ordine ad ejus maternitatem erga Christum et nos, ut principium fundamentale Mariologiae," in *Virgo Immaculata*, vol. 9 (1957), 305–21, at 308.



Christ saved His Mother *per modum glorificationis, per modum redemptionis, per modum satisfactionis, and/or per modum sacrificii*.

When Scheeben warned against the absolute predestination of Mary, he was following a hoary Thomist tradition. In fact, Scheeben's reduction of Christ's saving action to redemption, his claim that all graces after the fall of Adam are the graces of Christ, and his general rhetorical opposition of 'absolute' predestination to the 'concrete' facts of salvation history are standard *loci* in the longstanding debates about whether Christ was predestined *ante praevisum lapsum* or *post praevisum lapsum*. Although this debate is typically miscast as a debate about whether the Word would have become incarnate even if Adam had not sinned, it is more properly considered a debate about whether Jesus Christ is the (secondary) final cause of creation. I trust this old debate between Thomists and Scotists is familiar enough to readers of *Nova et Vêtera* that I need not rehearse it in detail here.<sup>77</sup> Suffice it to say that many of the debates in the *debitum peccati* controversy mirror the debates about the predestination of Christ, and many of the same theologians who wrote *ex professo* treatments of the former also wrote about the latter. In fact, Scheeben's own treatment of these issues follows a tradition in the Society of Jesus articulated most forcefully by Toletus and Vásquez, whose appeals to the 'concrete' order of salvation history were aimed squarely at the two traditions in early modern theology that could claim to be these Jesuits' chief rivals, namely Cajetanian Thomism and Scotism.<sup>78</sup> In other words, the Jesuit theologians who attacked Scotus's views as 'heretical' also attacked Dominican theologians for conceding too much to the Subtle Doctor. Sometimes in the heat of battle, these fervent Jesuits forgot that no less an authority than Thomas Aquinas judged the so-called 'Scotist' position on the predestination of Christ to be reasonable.<sup>79</sup> In any event, much of how

<sup>77</sup> Here, too, Juniper Carol provides excellent bibliographical material. Juniper Carol, O.F.M., *Why Jesus Christ? Thomistic, Scotistic and Conciliatory Perspectives* (Manassas, VA: Trinity Communications, 1986). Carol builds primarily upon the vast work of Francesco Risi, Ord. of St. John of God, *Sul motivo della Incarnazione della Verbo*, 4 vols. (Brescia: Tipografia Mucchetti & Riva, 1897–98). In some respects, Risi's four-volume work remains unsurpassed; he located and analyzed texts, for example, that no one, not even Carol, has discussed in the century since the publication of his work.

<sup>78</sup> Francisco de Toledo, S.J., *Ennaratio in Summam Theologiae S. Thomae Aquinatis*, tom. 3, qu. 1, art. 3 (Rome: Typis S. Congregationis de Propaganda Fide, 1870), 50; Gabriel Vasquez, S.J., *Commentariorum ac disputationum in Tertiam Partem S. Thomae tomus primus*, disp. 10, cap. 4 (Ingolstadt: Andreas Angermarius, 1610), 211–14.

<sup>79</sup> St. Thomas Aquinas, *Scriptum super Sententiis*, dist. 1, qu. 1, art. 3: "Alii vero dicunt, quod cum per incarnationem filii Dei non solum liberatio a peccato, sed etiam

one views the *debitum peccati* in light of this question depends upon how one defines ‘redemption,’ and this brings us back to the difficulty of interpreting the words *intuitu meritorum Christi Jesu Salvatoris humani generis*. Must we say that Mary is ‘redeemed’ rather than ‘saved’? If one says that Mary must be redeemed, how does her so-called ‘preservative redemption’ merit the name? Is Mary redeemed *sensu proprio*? Does redemption *sensu proprio* commit one to a view that Christ saved His mother per modum glorificationis, per modum redemptionis, per modum satisfactionis, or per modum sacrificii?

Strange as it may seem, *Ineffabilis Deus* led to a backlash against Duns Scotus among non-Franciscan writers. Six decades after the dogma’s promulgation, Norbert del Prado, O.P., could still repeat the Cajetanian maxim that Mary’s ‘total preservation’ from original sin was contrary to the Catholic faith.<sup>80</sup> Even as late as the 1950s, there were theologians who claimed that *Ineffabilis Deus* officially sanctioned the *debitum peccati*, and so made the *nullum debitum* position heretical.<sup>81</sup> These theologians argued that since the very existence of Christ and His mother depended

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humanae naturae exaltatio, et totius universi consummatio facta sit; etiam peccato non existente, propter has causas incarnatio fuisset: et hoc etiam probabiliter sustineri potest.” Compare *Summa theologiae* III, q. 1, a. 3.

<sup>80</sup> Norbert del Prado, O.P., *Divus Thomas et Bulla dogmatica Ineffabilis Deus* (Freiburg: Ex typis Consociationis sancti Pauli, 1919), 119: “Praeservatio totalis B.V. Mariae a peccato originali videtur esse contraria fidei catholicae.” Compare P. Marín-Solá, O.P., *L’Évolution homogène du Dogme catholique*, 2d ed. (Fribourg: Librairie de l’Oeuvre de Saint-Paul, 1924), II, p. 323, n. 209: “Une Immaculée exempte de tout le contenu du péché original, exempte, en d’autres termes, de toute *debitum*, est évidemment une Immaculée qui *n’a été rachetée*, d’acune manière, pas même redemption préservatrice. Or une Immaculée, sans aucune distinction, est erronée, sinon hérétique” [emphasis in the original]. This rhetoric continued to be influential for decades among Thomists, as we witness in Charles Journet, *Esquisse du développement du dogme marial* (Paris: Editions Alsatia, 1954), 131–33, where he claims that Duns Scotus denies that Mary was redeemed by Christ. I suspect that this was one of the reasons that Réginald Garrigou-Lagrange, O.P. said, “It is Scotus’s glory to have shown the supreme fittingness of the Immaculate Conception, and Thomists should consider it a point of honor to admit that their adversary was right in this matter.” Bonnefoy was less patient. “Eh! bien, non!” Cf. “Quelques théories,” 281.

<sup>81</sup> G. M. Roschini, O.S.M., “Il problema del ‘debitum peccati’ in Maria Santissima,” in *Virgo Immaculata*, vol. 11 (1957), 343–55, at 353. Compare these remarks to the same author’s *Mariologia*, tom. 2, part 2, p. 90; or Emile Suaras, O.P., “Contenido doctrinal del misterio de la Inmaculada,” *Estudios Marianos* 15 (1955): 9–52, at 26, 28–31. Roschini gave voice to this common prejudice when he said of the Immaculate Conception, “In hac re valde exaggeratum est et adhuc valde exaggeratur meritum Scoti.” Cf. Roschini, O.S.M., *Mariologia*, tom. 1, part 2, p. 264.

upon God's previous foreknowledge of sin, that *Ineffabilis Deus* excluded not only exemptionism but also a Scotist view of the predestination of Christ. Fervent debitists who denied that Mary was predestined independently of sin, such as Norbert del Prado, O.P., Francisco Marín-Solá, O.P., Emile Suaras, O.P., and Charles Journet, insisted that a strict *debitum personale et proximum* was necessary to secure Mary's redemption by Christ *sensu proprio*. They also insisted that Mary's need of redemption in no way affected her singular purity. Of course, to assert that the *debitum* involves a moral disorder is directly opposed to the teaching of the Church. If the *debitum* does not involve a moral disorder, from what exactly was Mary redeemed *sensu proprio*? This objection highlights one very important ambiguity in many accounts of the *debitum*—such as Scheeben's—that wish to incorporate what they take to be true in the *debitum proximum* and *debitum remotum*: such accounts seem to argue that a person can stand under a debt and be free from it at the same time.

As we note this logical contradiction, perhaps we should remind ourselves why theologians such as Scheeben wished to reconcile or synthesize these two positions. For many theologians, a *debitum remotum* simply cannot provide the basis for Mary's *personal* redemption by Christ and cannot ensure that her redemption is a *true* redemption. Indeed, as we saw above, Scheeben himself gives voice to both of these concerns. Still, many theologians of no less talent feel that the *debitum proximum*, while it secures Mary's redemption, fails to protect her singular freedom and innocence.<sup>82</sup> Here, though, I think we might see the trouble advancing upon Scheeben's—or indeed any—attempt to reconcile these two notions of the *debitum peccati*. How do we speak of a *debitum* that is *personal*, which nonetheless involves neither inclusion in Adam's fall nor inclusion in the moral disorder that results from it? Doesn't this make the debt remote, rather than proximate? Doesn't this open Scheeben to the very arguments that he himself advanced against the *debitum remotum*, or—to even greater devastation—the voluminous arguments marshaled against it by baroque theologians themselves?

Debitists like Scheeben clearly felt that, in interpreting *Ineffabilis Deus* to imply that Christ saves Mary *per modum redemptionis*, they were safeguarding Christ's status as the unique Mediator between God and humankind. It is not clear to me, however, how the predestination of Christ and Mary independently of sin detracts one whit from Christ's status as the unique Mediator. No one denies that Christ is predestined

<sup>82</sup> See, for example, Llamera's response to Suaras. Marceliano Llamera, O.P., "El problema del débito y la redención preservativa de María," *Estudios Marianos* 15 (1955): 170–223.

to be the Savior of the human race, but nowhere does *Ineffabilis Deus* say that the Incarnation was conditioned by sin.<sup>83</sup> The argument assumes that the bull supports the Thomist position on Christ's predestination only because it interprets Christ's merits solely *per modum redemptionis*, but, as we have already seen, there is a rather extensive tradition that does not regard this as the only acceptable view of the matter. In fact, Franciscan theologians such as Pedro de Alcántara Martínez, Alejandro de Villalmonste, and Crisóstomo de Pamplona continued to reject the claim that *Ineffabilis Deus* excluded any notion of Mary's absolute predestination with some vigor in the 1950s.<sup>84</sup> Like Scheeben, these Scotists generally argued that the *debitum remotum* was a harmful fiction, at least insofar as its attenuated forms could still be called 'debts.' Many Scotists after *Ineffabilis Deus* simply argued that the *debitum conditionatum* and the *potestas peccandi* could not be called 'debts' at all. In either case, the Scotist tradi-

<sup>83</sup> Carol (*History*, 177–78) argues that the text refers to the Incarnation as the “first work of God’s goodness” (*primum suae bonitatis opus*), although strictly speaking the text says that the Incarnation was decreed to fulfill or “complete” the “even more profound mystery of the first work of God’s goodness.” Carol seems to distort the meaning of the text here: it seems the more natural reading is that the first work of God’s goodness is the creation of the world, and that the Incarnation brings creation into the fullness of God’s original plan. In this respect, the text sounds quite frankly Cajetanian, at least to the degree that it implies the triple order of nature, grace, and the hypostatic union. Still, one might argue, as indeed Carol does, that the Incarnation is the first work of God’s goodness *in actu primo*, which the Redemption brings to completion *in actu secundo*. Indeed, no theologian can legitimately maintain that the creation is an “even more profound mystery” than the Incarnation. Although the bull is somewhat vague on this point—perhaps purposefully so—it seems amenable to each of the major positions on the predestination of Christ as well as each major position on the Immaculate Conception. In any event, it is difficult to square a robust debitist reading with the passages in the bull that maintain Mary was “never subject to the law of sin” and flourished “outside the ordinary and established laws.” Note, too, the force with which the bull interprets the classic Augustinian *locus*: whenever there is a question of sin, no mention is to be made of the Virgin who received grace enough *ad vincendum omni ex parte peccatum*.

<sup>84</sup> Pedro de Alcántara Martínez, O.F.M., “La redención preservativa de María,” *Ephemerides Mariologicae* 4 (1954): 243–67; idem, “La redención de María y los méritos de Cristo,” *Estudios Franciscanos* 55 (1954): 195–253; Alejandro de Villalmonste, O.F.M.Cap., “La Inmaculada y el débito del pecado,” *Verdad y Vida* 12 (1954): 49–101; Crisóstomo de Pamplona, O.F.M.Cap., “La redención preservativa de María y el requisito esencial de la preservación,” *Estudios Marianos* 15 (1955): 153–67. For the state of the art of Capuchin Mariology in the 1950s, see Melchior a Pobladora, O.F.M.Cap., ed. *Regina Immaculata: Studia a Sodalibus Capuccinis Scripta Occasione Primi Centenarii a Proclamatione Dogmatica Immaculae Conceptionis* (Rome: Institutum Historicum Ordinis Fr. Min. Capuccinorum, 1955).

tion tended to accept the arguments for the *debitum proximum* against the *debitum remotum*, and then eliminated the *debitum proximum* in favor of a *nullum debitum* or a *debitum gratiae*. By redrawing the map in this way, the Scotist tradition sometimes accepted the *debitum conditionatum* and the *potestas peccandi* as variants on the ‘exemptionist’ position. In such cases, they argued that Mary has neither ‘need’ nor ‘liability’ to contract sin unless two conditions are met: she loses the grace entitled to her as a daughter of Adam, and she fails to be given grace by God at her conception. In other words, that she loses the grace of original justice does not in any way ‘obligate’ Mary to sin; it merely makes sin possible. If we implicitly assign blame to Mary, if she herself is responsible in any way for losing the grace of original justice, we admit that she was subject, at least temporarily, to inappropriate *passiones*, and we thereby deny that Mary was redeemed in the most perfect manner and deny that she participated in Christ’s redemption in the most perfect manner.<sup>85</sup>

Still, if one accepts that Mary was redeemed *sensu proprio*, the very meaning of the word seems to imply that the Virgin be saved from sin *de facto* or *de jure*. Of course, the bull defines as dogma the position that Mary was never captive to sin *de facto*. Must she then be included in Adam *de jure*, and so fall under the *debitum peccati*? Carol, it must be admitted, struggles with this argument. On the one hand, he ardently supports the absolute predestination of Mary, but, quite against the grain of the general Scotist tradition, he tries to argue that God willed Christ’s passibility and even death before the prevision of sin.<sup>86</sup> As a result, Carol himself prefers to say that Mary was redeemed *sensu proprio* by an analogy of proper proportionality.<sup>87</sup> If one wishes to keep the notion of a preservative ‘redemption,’ it seems to me the easiest response is to say no more than Mary’s ‘redemption,’ being most sublime and perfect, is redemption *sensu proprio*, and that when we use the term to refer to our own redemption, naturally enough, we do so only by an analogy of attribution. In other words, if we wish to keep the term ‘redemption,’ we should also allow for the possibility that Mary’s redemption is redemption *simpliciter* and our redemption is redemption *secundum quid*. This need not trouble us in the

<sup>85</sup> For F. O’Neill, Mary has no *debitum passibilitatis*: God’s singular grace ensures that she cannot fail in her mission. As a result, she neither ‘contracts’ original sin nor ‘contracts’ suffering and death, just as Christ Himself cannot be sad to contract suffering and death. Like her Son, Mary ‘assumes’ suffering and death as part of her mission as Mother of God and co-Redemptrix. Cf. F. O’Neill, “The Blessed Virgin Mary and the Alleged Debt of Sin,” *Irish Ecclesiastical Record* 22 (1923): 70–83.

<sup>86</sup> Carol, *Why Jesus Christ?* 133–35.

<sup>87</sup> Carol, “The Problem of Mary’s Preservative Redemption,” 30.

least, for the Blessed Virgin, predestined in one and the same decree as her Son, as *proprium opus Dei primum*, belongs indeed to the hypostatic order, and so possesses a dignity than which a greater cannot be thought. Why indeed would her redemption, which was most sublime and perfect, be otherwise? The only ‘necessities’ that impinge upon her are the necessities of fulfilling her mission as Mother of God. That said, some modern theologians, such as the prominent Mercedarian Mariologist Bienvenido Lahoz Láinez, have argued that we need not say that Mary is ‘redeemed’ at all.<sup>88</sup> It seems to me, at least, in light of the general tenor of the Scotist tradition, that one could very well say that Mary was preserved by Christ’s merits, but prescinding from His passibility as such, such that she was saved *per modum glorificationis*.

Indeed, we might very well have to jettison the term *debitum*—or at the very least purge our theological lexicon of several of its customary meanings. The lay theologian William Marshner, for example, feels that much of the confusion that surrounds contemporary debates about the *debitum peccati* arises from two sources: equivocations in the term *debitum* and failures to understand the logic of counterfactuals. In the first case, Marshner points out that *debitum* can have civil, juridical, moral, natural, and merely counterfactual nuances.<sup>89</sup> While the roots of the term are found in the civil order, and applied by extension to the juridical and moral orders, Marshner quickly dismisses such jurido-deontic treatments of the *debitum* as being inadmissible to the case of Mary. In short, he argues, there is no ‘law’ that mandates that Mary *should* sin, nor even any that would subject her to the just punishments due to sin. As he cleverly remarks, if the transmission of original sin is governed in any way by ‘laws,’ these could not be the sorts of laws that one might actually disobey, and so the analogy fails. That said, if by *debitum* we mean something like a regularity of nature, in the way that we speak of something ‘having to happen’ when sufficient conditions arise, we get closer to the true sense of the term but produce some odd results, philosophically speaking. Such nomological *debita*, however, lead to the contradiction of saying that something that did not happen was ‘necessitated’ nevertheless, a position

<sup>88</sup> Bienvenido Lahoz, O. de M., “La Santísima Trinidad y la Santísima Virgen,” *Estudios* 1 (1945): 66–144, at 141: “Salta a la vista que lo mismo el espíritu que la letra de las palabras de la definición ‘ab omni originalis culpae immunem’ excluyen de la Santísima Virgen toda relación de pecado, y por ende, todo débito y necesidad de redención.” Carol does not note that Lahoz goes on to argue a position that looks like those of the baroque Scotists, namely, that Christ’s merits can be “más amplios y profundos que los puramente redentivos.”

<sup>89</sup> William Marshner, “A Critique of Marian Counterfactual Formulae: A Report of Results,” *Marian Studies* 30 (1979): 108–39, at 113–14.

that Marshner judges to be “preposterous.” Consequently, Marshner thinks that many of the confusions that surround the debate about the *debitum peccati* can be cleared up if we recognize that we use the term *debitum* “doxastically,” that is, to express what ought to follow logically from one of our beliefs about the world. In Marshner’s doxastic treatment of the *debitum*, when we say that Mary ‘ought to have’ contracted original sin, we do no more than assert that, in light of its universality, Mary’s contraction of original sin was to be expected. The fact that she did not contract original sin is the counter-example by which our belief that she *would* or *should* have contracted original sin is falsified. Marshner goes on to demonstrate that, once this doxastic use of the *debitum* is granted, a strict application of the logic of counterfactual requires one to deny all forms of the *debitum proximum* and *debitum remotum* as meaningless or tautological. Marshner does admit the possibility of a coherent account of the *debitum peccati* that is nomological, as long as Mary is neither obligated nor necessitated to sin. In this case, all that one needs for such a nomological *debitum* is the assumption that Mary’s case is sufficiently like ours to justify the inference that a sufficient condition for the contraction of original sin did not in fact obtain in her case. Such, for Marshner, is what the *debitum conditionatum* wishes to express, although calling this a ‘debt’ or ‘necessity’ is misleading at best.<sup>90</sup>

If we retain the *debitum conditionatum* but reject that it is a *debitum* in anything but name, it might be worth noting that the two living scholastic traditions that reject both *debita* are also the two traditions that have had, *pace* Nichols, quite a lot to say about the unique meta-order of the Incarnation, namely, Scotism and Cajetanian Thomism. Cajetan and his followers famously posited a threefold order of nature, grace, and the hypostatic union in their attempt to absorb John Duns Scotus’s insights on the predestination of Christ without subscribing to the Franciscan’s position on the ‘motive’ of the Incarnation. Followers of Scotus, on the other hand, in order to advance the ‘exemptionist’ position in the *debitum peccati* controversy, taught that Mary belonged to the hypostatic order. I believe that Scheeben’s uneasy relationship with these two traditions causes him no small amount of confusion, especially in the way he presents the

<sup>90</sup> Marshner thinks enough of this alternative to the strict *nullum debitum* that he subjects to a thorough refutation in the remainder of the article. I do not think that Marshner’s demolition of the *debitum conditionatum* is strictly valid, but I do think that he gives us ample reason to see it as little more than a weakly expressed variation on the *nullum debitum*, much in the way that the simple conditionals of Grosseteste and Scotus can be expressed more strongly in full-bodied arguments for the *debitum gratiae*.

controversy over Mary's *debitum peccati*. In any case, both Scotism and Strict Observance Thomism provide interesting solutions to the dilemmas posed by Scheeben. If we treat Mary as a natural child of Adam, one is led along the path that leads from Cajetan to Réginald Garrigou-Lagrange, who asserts a *debitum conditionatum*.<sup>91</sup> Is the *natura pura* that undergirds Cajetan's threefold order abstract? Yes. Must we deny it on that account? No. Inasmuch as it allows us to understand the mystery of Mary's dependence on Christ in a truly *metaphysical* fashion, the modern form of the *debitum conditionatum* is not only acceptable but salutary. Now, what the *debitum conditionatum* expresses abstractly through the analysis of the order of nature, the exemptionist position expresses concretely from the vantage of final causality. The astute reader might note that on this interpretation, the only thing that separates the strict Cajetanian position from the historical position of Blessed John Duns Scotus is maculism itself. Remove maculism—as *Ineffabilis Deus* obliges us—and the *natura pura* by which we conceive Mary's relation to Adam leads straight to the classical *debitum conditionatum*. This simple conditional, however 'abstract,' still tells us quite a bit about the *concrete* order of redemption. That is an argument for another essay; for now, we need only to remark that the modern theologian most faithful to the historical position of John Duns Scotus is in fact Réginald Garrigou-Lagrange.

Scheeben could have followed either of these paths. His theology includes aspects from each, but his inability to distinguish them, at least on this issue, seems to involve him in unnecessary confusions. That Scheeben's theology is undergoing something of a renaissance is of course a great good thing. We can do much worse than to read the great Romantic's theology. Seen in a broad light, it develops much of what was great in the positive theology of the baroque age and so anticipates the return to the fathers espoused by many of the brightest lights of twentieth-century theology. Scheeben the Romantic, however, anticipated another trend in twentieth-century theology that is less than salutary, namely, the denigration of the great baroque commentarial traditions. Despite his wide reading in scholastic theology, he simply does not do justice to this particular portion of our Catholic tradition. But then again, who does? At the very least, I hope this essay has shown that, however profound and creative Scheeben's Mariology might be, it is but a channel to much wider and adventurous seas. N.V

<sup>91</sup> Réginald Garrigou-Lagrange, O.P., {Appendix: De sollemni disputatione circa debitum peccati originalis in beata Virgine Maria} in *Virgo Immaculata*, vol. 11 (1957), 456–99, at 459.