CHAPTER TWO

MOLINA’S FUNDAMENTAL MORAL THEOLOGY

1. Introduction

This chapter presents Molina’s theological framework in two sections. The first section explains the genesis of the book De Iustitia et Iure. In doing so it helps understand the way in which Molina’s moral reasoning progresses, a way that is neither that of Aquinas, with which we are more familiarized, nor that of our times, but a middle development between both. The book is neither medieval, nor modern. The genesis of the book explains its structure, the way in which a disputatio—the basic unit of argumentation—was developed, and the particularities of this genre in moral theology.

The second section, much longer than the first, is an account of Molina’s fundamental moral theology. It contains his explanations on law—natural and positive—and others aspects of Molina’s fundamental moral theology not explicitly discussed in the work, but present in it.

2. De Iustitiae et Iure

2.1. Genesis of the Book:
Teaching Methods and New Literary Genres

Molina’s work is the result of his teaching experience in Coimbra and especially in Evora, and the result of a vast project. Molina had been allowed to abandon teaching in order to prepare his works for publication. Of his vast project only a small part was published during his lifetime: the Concordia, the commentary on the Prima and the three initial volumes of De Iustitiae et Iure that contained the first two treatises. The final volume that contained the last three treatises was published shortly after his death. The first volume of De Iustitiae et Iure was published in Cuenca in 1593. The second and third volumes were published in 1597 and 1600. The rest of the work was prepared for publication after Molina’s death and published in Antwerp in 1609. Partial or complete
editions of the work appeared during the seventeenth century in Venice, Mainz, Cologne and Lyons. The last complete edition of the book is that of Cologne of 1733.1

Since *De Iustitia et Iure* is the result of his lectures, it is therefore important to understand the teaching methods of the time. This will enable us to understand the genesis of this book, what it says and the way it proceeds.

During the Middle Ages and through the sixteenth century, teaching began with the *lectio*. The teacher would literally read from a book to his students. The reading was interspersed with comments of the professor that the students usually wrote down. A book was usually the subject matter of a course. To give a course was *legere librum*.2 The *lectio* was just the beginning of the process. The reading and the professor’s commentary upon it raised *quaestiones*. How was the text or a comment about it to be understood? These questions resulted in discussions. Hence comes the term *disputatio*.3

The disputation was a long established way of teaching, widely used in European universities. It was at the University of Paris that disputations, as all other methods of active learning, were most developed in the sixteenth century. The ensemble of pedagogical methods used in Paris was called the *modus parisiensis*. The first Jesuits studied in Paris, and cherished their education there. When in 1548 the first Jesuit school was established in Messina, it explicitly adopted this *modus parisiensis* as a pedagogical model. So successful was the practice of applying these methods of higher education to all stages of education that those disputations and all type of students’ competitions became a veritable hallmark of Jesuit education.4 When the final version of the *Ratio Studiorum* was published in 1599, the disputation, along with the *lectio* and the *repetitio*, was a key pedagogical instrument.5

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2 In his letter to Acquaviva, Molina says: “Aora a diez y nueve años se me ordenó leíese un curso de artes […] Poco después de aver leído este curso […] A catorce años que leo theologia en Evora.” Stegmüller. 883–884.


5 “Disputations are to be scheduled once a week when there are only a few in the