

ADAM CONTZEN

TEN BOOKS OF POLITICS

BOOK SIX

On Ecclesiastical Magistracy

CONTENTS

Chapter I. Magistrates Must Be Instructed without Flattery	5
Chapter II. That a Magistrate Is Necessary for the State	8
Chapter III. Magistracy Is Twofold: Ecclesiastical and Civil	14
Chapter IV. The Christian Sacrifice and Its Rationale	22
Chapter V. On the Primary Office of the Christian Priesthood and the Truth of the Most Holy Eucharist	32
Chapter VI. That the Office of Psalm-Singing in the Church Was Entrusted to Clerics and Must Be Cultivated Holily	40
Chapter VII. That the Canonical Hours and Vigils Were, and Are, Customary in the Church	50
Chapter VIII. That Ecclesiastics Can Be Judges of Civil Matters and Controversies	53
Chapter IX. Against the Sectarians, the Civil Jurisdiction of Prelates Is Defended	60
Chapter X. The Praiseworthy Life of Ecclesiastics Is Commended	67
Chapter XI. That the Reformation of the Clergy According to the Apostolic Standard Must Be Earnestly Urged	79
Chapter XII. The Easiest Method of Reformation Is the Selection of Those to Be Ordained	81
Chapter XIII. The Learning and Other Endowments of Those to Be Ordained	102
Chapter XIV. Visitations Ought to Be Frequent	110
Chapter XV. The Method of Visitation Prescribed in the Fourth Council of Milan	113
Chapter XVI. The Offenses of Clerics Are to Be Punished More Severely Than Those of Laymen	115
Chapter XVII. Common Life Contributes Very Greatly to the Good Morals of Ecclesiastics	120
Chapter XVIII. Chapters Were Instituted for the Sake of Discipline, and Their Constitution	126
Chapter XIX. The Various Orders of Ecclesiastics	133
Chapter XX. On the Roman Pontiff	134
Chapter XXI. Many Unjustly Secede from the Ancient Church out of Hatred for the Roman Pontiff	139
Chapter XXII. The Other Causes for Which They Have Departed from Us Are Unjust	146

Chapter XXIII. The Angel of Revelation 14:6 Is Not Luther, nor Should Luther Be Heard against the Pontiff	147
Chapter XXIV. The Roman Pontiff Is Not Described by the Words of Daniel 7:21 and 8:23	152
Chapter XXV. The Pope Does Not Think That He Can Change Times and Laws	162
Chapter XXVI. “They Will Be Delivered into His Hands for a Time, Times, and Half a Time” Does Not Pertain to the Pontiff	165
Chapter XXVII. Daniel Does Not Prophecy Concerning the Pontiff in Chapter 8, Verse 23	170
Chapter XXVIII. What Is Said in Daniel 11:31 and the Following Verses Does Not Pertain to the Pontiff	174
Chapter XXIX. The Pontiff Is Not Rightly Accused from the Statement That Antichrist Will Be among the Desires of Women	181
Chapter XXX. The God Maozim Is Not the Sacrifice of the Mass	183
Chapter XXXI. The Kings of the South Will Not Fight against the Pope	185
Chapter XXXII. The Pontiff Will Not Set Up His Tent between Two Seas and Capture Egypt	188
Chapter XXXIII. The Apocalyptic Beasts of Chapter 13 Do Not Pertain to the Pontiff	189
Chapter XXXIV. Concerning the Same Beasts, from Revelation 13, Beginning with Verse 11	192
Chapter XXXV. Cardinals Are Joined to the Pontiff for Counsels and Government	195
Chapter XXXVI. The Dignity of the Patriarchs Is Next to the Pontifical Dignity, Followed by That of Primates and Archbishops	202
Chapter XXXVII. Concerning the Opinion of the Sectarians Who Either Admit or Reject the Hierarchical Order	208
Chapter XXXVIII. The Offices of Metropolitans, Archbishops, Bishops, and Chorepiscopi Are Necessary and Useful for Morals and the State	214
Chapter XXXIX. The Office of Bishops Is Supremely Necessary and Varied; Their Dignity, and So Forth	218
Chapter XL. The Duties of Provosts, Deans, Primicerii, and Others	222
Chapter XLI. Praiseworthy Institutes of Canons in the Church, and Salutory Laws Concerning Them	227
Chapter XLII. Great Wealth of the Churches Is Useful to Religion and the State	241
Chapter XLIII. Against the Objections Commonly Raised against the Wealth of Churches	250
Chapter XLIV. That the Multitude of the Clergy Is to Be Approved	253

Chapter XLV. Parishes Are to Be Increased and Adorned	257
Chapter XLVI. That the Various Institutes of Monks Are Useful to the State; Their Measure and Method	266
Chapter XLVII. Communities of Sacred Virgins, Their Laws and Government	274
Chapter XLVIII. Epilogue and Exhortation to the Clergy to Pursue the Perfect Observance of the Gospel's Precepts	298

CHAPTER I

Magistrates Must Be Instructed without Flattery

§ 1. Laws were treated in the preceding book, and their necessity, utility, and force were explained; but without an eminent magistrate the support furnished by laws is weak. Laws are inanimate instruments of peace and happiness; magistrates are living instruments, which administer the state by the use and application of the laws, protect the good, and correct the bad. But those who cannot be corrected, in whom there is nothing capable of good hope, they remove from the midst of mortals--persons who would do worse things than those which occur--so that, in the one way in which they can, they may cease to be bad. Without a magistrate, therefore, laws have no efficacy and inspire no fear; good laws prudently administered by a good magistrate make a state most happy.

For this reason I undertake to set forth the magistrate's dignity, authority, and office. Here I see the rock upon which many political writers have struck--namely, the desire to flatter. For they have wished either to please some king or to commend themselves to the leading men, and they have written things which are accustomed to delight kings and princes more than to instruct and improve them. "In their malice they gladden the king, and in their lies the princes." Many exalt the magistrate's power beyond truth and beyond measure; others even praise vices extravagantly. The slanderer says that good is evil; the lover delights in the vices themselves. Both evils are in the flatterer, whose error is therefore most difficult to cure because it is akin to truth: for since flatterers are the worst of enemies, they seem to be the most benevolent of friends; certainly they are the most agreeable. Flattery not only imitates friendship but conquers and surpasses it: it is received by open and favorably disposed ears and descends into the deepest recesses of the heart, pleasing by the very thing by which it harms.

§ 2. At the outset, therefore, I have resolved to walk upon the straightest road and to offer nothing to the ears of kings and princes except what is true and salutary, altogether unconcerned about how each thing is received. For to put anything into the ears of powerful men profits neither those who are led astray by deceptive praise nor him who, a fawning enemy in place of a friend, makes human beings--weak in judgment by nature--still more foolish.

§ 3. Nothing is more hostile to pontiffs, kings, and powerful men than flattery. For as rust is the peculiar defect of iron, the woodworm of wood, sourness of wine, and mold of bread, so flattery is the peculiar vice of courts. Hence even its name has been taken, so that *adulatores* are called, as it were, *adaulatores*--court-attendants--who overthrow the resources of kings more by sycophancy than enemies do by the sword. This poison is powerful and effective because it is admitted most eagerly into the heart and feeds upon its innermost parts. It also inflates minds and distends them with windy swelling, so that they commonly depart from themselves. Hence the most shameful of human beings wished themselves to be believed gods, as did Alexander the Great and the Roman emperors. Flattery made others savage, as Constantius, whom sycophants made cruel. It makes others foolish in great fortune, as Valens, when they repeatedly called his rustic expressions "Ciceronian flowerets." Finally, it makes everyone inhuman, morose, irascible, and eager for vengeance.

Rome flattered Caligula servilely. By blandishments they wished to please a stupid and cruel prince, but the result was that he learned to despise flatteries and, when he interpreted them otherwise, punished them with death. Dio relates in his *Caligula*: "But when at one time the people shouted, 'Young Augustus,' he thought an injury had been inflicted upon him and ordered very many to be killed. Some of them he ordered to be dragged away from the spectacles and others to be seized as they left the theater, for he was often accustomed to do this." The prince's ears had thus grown accustomed to the most pleasing things, so that pleasing words were received as harsh ones. By the same plague they destroyed Vitellius. "The most intimate of Vitellius's friends," says Tacitus, "kept away those who would have given good counsel, the prince's ears having been so formed that he received harsh things that were useful, and nothing except what was pleasing and would harm him."

§ 4. Nor do flatterers obtain lasting fruit from sycophancy, because, since no one is content with one flatterer, his favor must flourish for only a short time. New men entice minds to themselves by more exquisite blandishment, and swift disgust follows things which have greatly delighted them. Then the nature of dissimulation is *ἐφήμερος*, “for a day”; but flattery is the most destructive of dissimulations. Nor has anyone thus far been a flatterer of such talent that it did not readily become apparent that he was mocking powerful men. For if they commend things that are not praiseworthy or magnify middling things, they cannot remain hidden for long from the prince unless he is a beast. And although human beings readily allow themselves to be deceived by these men, nevertheless, once flattery has been discovered, they hate it. Elagabalus moved the whole empire to laughter when he smothered parasites with roses or bound them to a waterwheel, so that through pleasures he might kill those who assailed the lives of princes through luxuries.

But if a prince is nevertheless so dull and so much a lover of himself that he cannot recognize those *συγκατανευσιφάγους*, “fellow-feeders by assent,” and *ψωμοκόλακας*, “bread-flatterers,” who for their belly’s sake assent to everything, their colleagues and fellow-parasites will nevertheless easily expose them. For nowhere is flattery more recognized and ridiculed than in courts, where witty men also complain that people sin against an eleventh commandment of the Decalogue: “Thou shalt not flatter.”

[Printed page 372]

Although that vice is most shameful in every class of human beings, it is truly monstrous in priests, whom the sacred canons teach that it is much better to suffer punishment for truth than to receive a benefice for flattery: cause 11, question 3, *Nemo peritorum*. St. Gregory attacks flatterers most gravely in book 18 of the *Moralia*, part 4, chapter 3: “There are some” (distinction 46) “who, while they extol the misdeeds of human beings with praises, increase the things which they ought to have rebuked. Hence it is said through the Prophet: ‘Woe to those who sew little cushions under every elbow of the hand and make pillows under the head of every age.’ A little cushion is placed for this purpose, that one may rest more softly. Therefore, whoever flatters those who act badly places a cushion under the head or elbow of one who lies down, so that he who ought to have been rebuked for his fault may, supported by praises in that very fault, rest softly. Hence it is written again: ‘He was building the wall, but they were coating it.’ By the name of a wall the hardness of sin is designated. To build a wall, therefore, is for someone to construct against himself the obstacles of sin. But those who flatter the perpetrators of sins coat the wall, so that the thing which the former, by acting perversely, build, the latter, by flattering, may render as it were shining. But the holy man, just as he does not think evil concerning the good, so refuses to judge good concerning the evil, saying, ‘Far be it from me that I should judge you righteous; until I fail, I shall not depart from my innocence.’”

The Fourth Council of Carthage, canon 56, joins flattering clerics with traitors: “A cleric who is discovered to devote himself to flatteries and betrayals shall be degraded from office.”

§ 5. Remedies must always be ready at hand for magistrates, and defenses against the flattering doctrines of political writers. For unless they perceive this danger, they will turn away even the counsels of good men; for good counsels are not easily given to a foolish prince or one ensnared by flatteries. The first remedy, therefore, is to be unwilling to be praised. Pescennius Niger said, not altogether imprudently, that while alive he wished to please, but when dead to be praised. The second is this: if this vice has not yet been shaken from the mind, the prince should nevertheless strive to advance so that he willingly hears truths and indicates that he understands and detests mocking encomia. He will recognize clearly that he is being ridiculed if they praise evil things, if they disguise vices under the name of virtues, and if they admire the prince’s error. Was he drunk? They raise his affability to heaven. Did he grow angry? They proclaim his magnanimity and his clemency because he did not rage. Did he deceive someone? They cry out that it was prudence. Believe that the man who is a zealous praiser of your offenses will dare great crimes together with you.

Who would not marvel at the folly of Dionysius of Syracuse, a most cunning man, from whom flatterers were called *κόλακες*? When the flatterers saw that he was growing blind, they too pretended to be blind: they struck against doorposts and walls and eagerly wished to be led by the hand by him to their couches. Wretched were those upon

whom tyranny imposed the necessity of such foul flattery; most wretched was the man himself who wished to be mocked in this way.

Next, he will recognize mockery in praises if they pursue true goods with an encomium greater than they deserve; if they make a god from a human being. Such was that flatterer who said:

All night it rains; the spectacles return in the morning:

Caesar holds an empire divided with Jupiter.

Third, if they offer an occasion for sinning. Alexander the Great lived in such a way that he was held most shameful by all. Yet Eudaemonicus, his sycophant, in order to show him ἀναμάρτητον, free from sin and altogether immune from every fault, was accustomed to admonish him that at last he should commit some evil. Behold how monstrous is the desire to flatter. The flattery of Anaxarchus belongs here, when he said that whatever the king did was right and lawful. Laertius, book 9, chapter 10. The man who advises these things is a traitor; the man who instills in a prince confidence in evils wishes to harm him.

Fourth, when they praise and ask; for that is accustomed to be the aim of court dogs, who flatter with the tail while you throw out a morsel, but when you have given it they go away; if you ask it back, they snarl. You will never give when flattery precedes, for he will think that you have given to your pride, not to him, since you had to be made senseless before you gave. But if he speaks more humanely about you because of his own art, he will give thanks to his art, not to your munificence.

§ 6. Another remedy is that you show openly that these men are hateful to you. And so they must be assailed with words, as Alexander Severus wished them to be cast aside and received with a guffaw. More high-spiritedly, Ladislaus, king of Poland, caressed them with slaps, with the excellent saying, “I strike back those who strike me.” Vitellius also furnished a remarkable example. After Galba had been killed, Vitellius later found more than one hundred and twenty petitions from men demanding rewards for some notable service on that day. Behold flattery offering itself for sale to the new prince. But what did Vitellius do? He ordered all of them to be sought out and killed--not from regard for Galba, but according to the traditional custom of princes: protection for the present, vengeance for the future. Therefore, O prince, I wish a great and constant hatred of these men to be impressed upon you, and I desire your palace to be purged of them as of mice.

Never believe that those will be faithful to you who either praise your sin or are ready to sin for your sake, who accommodate philosophy, politics, jurisprudence, and theology to your will. Accustom yourself, O prince, to hearing truths, and store these things, such as they are, in your mind. He who willingly hears truths offers great hope of right deeds. For τὸ κατόρθωμα ἐστὶν ἀληθείας ἔγγονον. Every duty arises from truth.

CHAPTER II

That a Magistrate Is Necessary for the State

§ 1. No state can exist without an order of commanding and obeying, just as a human being will not exist unless the members are joined to one another in their natural order, are fitted to one another, and sustain one another by reciprocal assistance and influence. Therefore, without a magistrate the law is, as I have said, inanimate; but that man spoke truly:

Ἰσχυρὸς ὁ νόμος, ἣν ἄρχοντ' ἔχη.

The law is strong if it has a ruler.

For the whole mass of laws, without this bond and, as it were, cement, is nothing but a ruin. Domestic examples show us this. If the master's stern countenance is absent from the school, if the little servants know that the father of the household has departed from the house, if neither a censor nor a steward acts as his deputy, everything is changed; the insolence of one man, suppressed by reverence, immediately puts itself forth. What, then, happens in a kingdom, where not merely many but very often most, and sometimes all, are bad? Therefore Aristotle truly says in book 6 of the *Politics*, chapter 8, ἄνευ τῶν ἀναγκαίων ἀρχῶν ἀδύνατον οἰκεῖσθαι πόλεις--without the necessary offices, it is impossible for cities to be inhabited--and Cicero in book 3 of *On the Laws* says that there is need of magistrates, because without them a city cannot be rightly constituted. This is so true that those who wage war upon the magistracy can in no way do so without another magistracy. The plebeian Romans refuse the authority of the consuls and nobility and withdraw to the Aventine Hill, but they can do nothing without a new magistracy

[Printed page 373]

against the old one: they create tribunes and impose laws upon the Fathers. So necessary, indeed, is a magistrate in the state that it is better for there to be a bad one than none.

§ 2. Although this is so, there are nevertheless not lacking in our age--into which all accursed things have flowed--those who have attempted to oppose so evident a light of nature and experience, and to overthrow the entire order of things by a criminal opinion. In former times the Donatists, although they had previously appealed from the Church to the emperors, afterwards rejected every authority of the magistrate. Now the Libertines and Anabaptists introduce all the confusion of anarchy. The Libertines do so because they deny every law and every sin, for they assert that everything is done by God. The Anabaptists invent the claim that the magistracy is opposed to Christian liberty.

But Holy Scripture refutes them, for it commands every soul to be subject to the higher powers, which it would not command unless it willed powers to exist. It calls them *διακόνους*, ministers of God, and *λειτουργοὺς θεοῦ*, servants of God, Romans 13:4, 6--indeed, gods. Then, in Matthew 22:21, Christ the Lord commands obedience to Caesar's laws, although Caesar was impious; Paul at Titus 3:1 and Peter in his First Epistle, chapter 2, verse 13, proclaimed what they had received from the Lord's mouth. Hence magistrates and kings are called the Church's nursing fathers and defenders. God sends them as his servants and ministers: Moses, Joshua, Jephthah, Samson, Samuel, David, Solomon, Asa, Jehoshaphat, Hezekiah, and the Maccabees. For Psalms 2:11, Isaiah 60:3, Proverbs 8:15, Isaiah 10:5, Jeremiah 27:6, and Daniel 2:34 bear witness to these things for us. He also commands us to pray for them, 1 Timothy 2:2. Many theologians and jurisconsults have disputed against the Libertines, and the whole world opposes them. Yet those who deny that laws bind the consciences of subjects secretly defend them, as I taught in the book on laws.

§ 3. This is also consonant with natural reason; for unless there is a magistrate, no one will have care of the whole state at once, but its parts here and there will be administered only piecemeal for the advantage of a few. But because haters of magistrates--and therefore of all order and good--disturbers of peace and patrons of robberies, creep up upon the

simple and attempt to overthrow the state by sophistries, their frauds must be laid open. For even today there are not lacking those who urge country people, agitated by some commotion, to turn their weapons against their lords. Nor would they act more timidly than Müntzer if only a hope of success appeared. But what can be brought forward for so remarkable a paradox?

§ 4. First, they assail kings in this manner: Christ alone is king in the New Testament; therefore it is unworthy that a human being be joined to God as a colleague. **Οὐκ ἀγαθὸν πολυκοιρανίη· εἷς κοίρανος ἔστω.** “The rule of many is not good; let there be one lord.” **Εἷς βασιλεύς,** “one king.”

But if the power of kings must be eliminated by that argument, nothing prevents children from also fleeing the honor owed to parents and servants the services owed to masters. For one God is said to be Father and Lord. Christ is king, but a king **μέγας, κράτιστος**, great and most powerful, the King of kings and Lord of those who exercise lordship; all pious kings obey him, and by him all impious kings will be condemned. He is the priest, and yet he did not remove the offices of other priests who serve him. This argument has been taken from the foul cesspools of the Calvinists, who reason thus: Christ is the one pontiff, the sole mediator; therefore there is no other pontiff or mediator. For it is transferred from those claims to these others on an exactly equal basis of reasoning. But if they distinguished between him who is king by nature, the supreme pontiff in office and dignity, and the mediator who has perfectly reconciled us and paid the price, and those who, inferior in infinitely many ways, are called pontiffs and mediators, there would long ago have been no dispute.

§ 5. They say that in Genesis 49:10 political kingship was to endure until Christ, and therefore was taken away at his coming. For Christ fled when a kingdom was offered to him, John 6; and when he was asked to judge between brothers, he rejected the jurisdiction, Luke 12:14. Indeed, he expressly denied that his kingdom was of this world, and, not without just rebuke, denied secular power to the disciples when they ambitiously sought it.

These things too were fashioned from the same mud. For sayings originally uttered by the leading sectarians against the power of ecclesiastics were twisted by their disciples against secular power. Both groups acted impiously and seditiously. For all the deeds of Christ have not necessarily been proposed for all to imitate. Christ lived a celibate and poor life, yet neither the Libertines nor the Anabaptists judged that by Christ's example a law of poverty or celibacy had been imposed upon them.

§ 6. They also deny that any pious man can undertake or govern a state, for in Judges 9 the olive tree refused to leave its fatness and the vine its sweet wine in order to be promoted among the trees, but the bramble accepted the kingdom. Hence Satan is the prince of the world, John 12:3 and 16:11.

This is a great injury to pious kings: to impose upon all magistrates the things which were said concerning a rebellious and impious people and a most cruel tyrant, a killer of his brothers. Nor is Satan king of any kingdom; rather, he is king over all the children of pride, king of the world--that is, of the body of the impious. No right over anyone and no power has been given to the devil; instead, by persuading to evil and dissuading from good he usurps a right for himself. This fruit too has sprouted from the bastard shoot of the new heresy. Luther said many things against princes. Aretius the Calvinist pronounced that the ornaments of empire were affixed by the devil. He said that persecution extends as widely as the Roman Empire.

§ 7. Finally, they put forward liberty. The human being was created free by God; why, therefore, is he oppressed by servitude to a king? First Corinthians 7:23: “Do not become servants of human beings.” And Romans 13:8: “Owe nothing to anyone.” A magistrate was imposed upon the imperfect Jews because they were children needing a pedagogue, but an anointing teaches Christians all things. Therefore the magistrate must not be obeyed. All these arguments tend toward this: that each person may live by his own choice and that there may be neither coercion of the harmful nor vengeance for injuries--as though the highest liberty were not to obey a lawful magistrate, that is, the divine ordinance.

And these were the beginnings of Europe's disturbance by civil wars and discords. For we have seen men learned in letters, who boasted that they were advocates of piety and justice, teach in public writings--a thing belonging to savage nations--that hands could be laid upon magistrates. How much more prudently, and how much more agreeably to peace, reason, and the laws of God, Aristotle judged that the man who cursed a magistrate should be heavily fined, because he was held to have offended not so much against the magistrate as against the state. Right must therefore be heard, and it must be held as certain that the magistrate is sacrosanct and must be obeyed, and that every injury inflicted upon him is graver. For the laws rightly call every injury inflicted upon a magistrate atrocious. **II**, book 47, title 10, law 7, *Atroce[m] autem iniuriam*: "Labeo says that an injury becomes atrocious either because of the person, the time, or the thing itself. Because of the person, an injury becomes more atrocious when it is done to a magistrate, a parent, or a patron. Because of time, if an injury was done at the games and in public view, or in solitude.

[Printed page 374]

He says that it makes a great difference because one done in public view is more atrocious. Because of the thing, Labeo says an injury is held atrocious, for example, if a wound was inflicted or someone's face was struck."

The reason is taken from natural law, because all owe singular honor to a magistrate; then, because he is the minister of justice and must therefore undergo the hostility of many, for which reason the state has armed him with a bodyguard; finally, because when his authority is violated the public safety is endangered.

I do not see, therefore, how anyone can rise against magistrates--unless he seeks his own safety from confusion--when he sees that in the Old Testament priest succeeded priest and king succeeded king, and that now each has been transferred into another priesthood and kingship. Among other nations the right of magistrates has rested upon that common law which they call the law of nations. Yet God sometimes establishes a presiding magistrate immediately by himself, and sometimes through an assembly and the public meetings of princes or peoples. Irenaeus speaks truly in book 5, chapter 24: "By the command of him by whose command human beings are born, kings also are established who are suited to those who are governed by them at that time."

And these things are against the despisers of magistrates and of the divine ordinance. No less must the flatterers of magistrates be restrained: they grant kings some things which are owed to them, but other things that are *ὑπέρογκα*, over-swollen and too exalted. True reverence is owed to them, as is a testimony of love and honorable opinion. For the king's reputation and honor are necessary for protecting the state. Yet the misdeeds of an impious king must not be approved. For Samuel honored Saul before the people only when induced by great entreaties. The king's dignity and power demand this, and therefore an attack by a curse upon the prince's majesty is avenged by death. Next, kings must be obeyed unless they command crimes. Assistance also is owed to the king, not only when he needs money and a soldier but also when he is in danger. Indeed, one's life must be laid down for the person of the prince if that person is endangered to the public harm. It belongs here that they should not inflict loss upon him and should not aid his enemies, either in deed or counsel. These things, and matters connected with them, are truly owed to the prince.

Flattery has invented other things: that whatever the king commands is right and lawful; that all things belong to the king; that the government of one--namely, monarchy--is the sole form arising from nature, whereas in all the others human beings have deviated from the straight path of nature; and that those who introduced the rule of aristocrats or of the people in human affairs erred no less than those who introduced presbyterianism in divine affairs. Thus says that new-fledged petty parasite William Barrett in book 1 of *The Right of the King*, chapter 1. Although this error may appear speculative, if it is accepted it will disturb every kingdom; for wherever there is another form of government, the state is accused of having departed from natural law.

§ 8. But he surpassed the talents of all sycophants when he permitted an unrestricted tyranny to kings, whom alone he allows to be rulers by natural law. For he judges that the right of the king which Samuel sets forth in 1 Kings, chapter 8, is a true right. Thus in book 1, chapter 1: "The right of the king is set down expressly and deliberately by Samuel in 1 Kings, chapter 8, where kingship itself is instituted and inaugurated. Nor does the man of God instruct a tyrant or an

unjust king, as Becanus rashly holds with Calvin; for in the following chapter he intimates to Saul himself that the very things which he recounts fully and explicitly in that same chapter as to be exacted by the king and endured by the people can be arrogated and appropriated to himself by the king through princely right: ‘And to whom will all the best things of Israel belong? Will they not belong to you?’ and so forth. Yet to say or think that the Prophet wished or endeavored to entice him toward tyranny is sacrilege. Nor does Becanus appear to have paid sufficient attention to the king’s right or dignity when he denies to the king the things granted by the Prophet, especially since it is not doubtful, by almost the common consent of theologians as well as jurisconsults, that all these things belong to the prince, and, among them, the best things mentioned by the Prophet, provided that what is just and equitable is observed; nor do they savor of tyranny unless the burden is immoderate.

“For who denies to the king horsemen, tribunes, centurions, and servants of different kinds, noble as well as plebeian, and that they should be maintained at the expense of the subjects, at least in a new principate? Likewise, that he can impose tributes and taxes under the name of tithes, by which his dignity is sustained and public expenditures are discharged? But when Samuel predicts that the Jews will earnestly pray to be freed from these things, this is the meaning: when you perceive that the royal pomp will be burdensome to you because of the aforesaid charges--as is fitting to its rank--whereas I administered the governorship without ostentation--as befits a priest--and without expense, and did not inconvenience you even in the smallest matter, then you will cry to God, but he will not hear you. The reason is that you asked for a king, who must be supported in keeping with his dignity.

“But let us examine briefly, if you please, the things here called royal rights, and compare them with those which in empires and kingdoms of the Christian faith are imposed and exacted from the nobility without the calumny of tyranny. First, that the king should have a royal retinue: nothing is more becoming or more honorable to the attendants themselves. Hence arises the origin of secular dignities, their subordination, and the distinction of their names.

“Second--which is especially exposed to calumny--‘he will give your fields,’ and so forth, ‘to his servants.’ That the king’s servants should be maintained and supported is just and equitable. But where nothing is masterless and a kingdom must be founded by a new right, a despotic right must necessarily yield to the royal right, unless the subjects themselves voluntarily confer what is just. Third, ‘he will tithe your crops.’ In place of this, landed dues are paid under the name of tribute; and in another form, according to the differing condition of the kingdom, princes who were not avaricious have decreed not a tenth but an eighth: the law *Praestatione*, Code, *On Taxes*. In some places, even in our own times, a tenth itself is imposed, namely upon things sold and exchanged and also upon provisions; elsewhere another tax, but one no smaller, is imposed according to the variety of kingdoms, as are customs duties, tolls, and other things of this kind, while the right of the fisc remains unimpaired.

“Fourth, ‘he will put your servants and asses to his work,’ and so forth, ‘and you will be his servants.’ The kinds of these are the burdens which we call public services, and in accordance with the divine concession they are threefold: real, personal, and mixed. Real services are those rendered to the prince by means of the subjects’ property, as by draught animals, wagons, and so forth. Personal services are those furnished by the persons themselves, as to serve at court or elsewhere at certain times. Mixed services consist of both, as when someone serves or accompanies the prince at his own expense upon a journey or to war, and so forth.

“Tyranny can therefore be avoided and equity observed in these things--and it will always be observed--if these four things are not wanting in royal impositions: if there is a just cause for imposing them; if the burden is proportionate to the tax; if the payment is adjusted to each person’s means, so that the poor are not compelled to contribute by lot more than those who are richer; and if it is not prolonged beyond necessity. Nor do the theologians dissent. Although all these things, therefore, have been decreed by human law, they are nevertheless owed by divine right, because by the same right the power is ordained. Hence the divine writings say: ‘Give the census to Caesar’; ‘Render tribute to whom tribute is owed, and taxes to whom taxes are owed.’”

But many things teach, and many persons--not only Becanus and Calvin--maintain, that this supposed right of the king is not equitable and not granted, but usurped. Let us draw back for a little while that royal dog, that new Aristippus creeping into courts.

§ 9. First, the words themselves show that it is not a lawful right but a depraved one, for they are of such a kind as to display tyrannical rapacity. For although our translator has rendered it most excellently “the right of the king,” and τὸ δικαίωμα,

[Printed page 375]

nevertheless the Prophet did not judge it true right and equity but that which the king would employ. For משפט signifies not only right, judgment, power, and norm, but also custom, state, condition, manner, example, crime, and punishment. But let us hear the words, verse 11: המלך משפט יהיה וזה.

And he said: This will be the right, state, and condition of the king who will rule over you. He will take your sons and place them in his chariots, and he will make horsemen for himself and forerunners of his four-horse chariots. He will appoint for himself tribunes and centurions, plowmen of his fields, reapers of his crops, and makers of his weapons and chariots. He will also make your daughters his perfumers, cooks, and bakers. He will likewise take your fields, vineyards, and best olive groves and give them to his servants. He will also tithe your crops and the revenues of your vineyards, to give them to his eunuchs and servants. He will also take away your servants, handmaids, best young men, and asses and put them to his work. He will likewise tithe your flocks, and you will be his servants. And on that day you will cry out from before your king, whom you chose for yourselves; and the Lord will not hear you on that day, because you asked for a king for yourselves.

God clearly taught us that this is not a lawful right, for he prescribed a different one in Deuteronomy 17:

When you have entered the land which the Lord your God will give you, and possess it and dwell in it, and say, “I shall set a king over me, as all the nations round about have,” you shall set up the man whom the Lord your God chooses from among your brothers. You shall not be able to make a man of another nation king, one who is not your brother. And when he has been appointed, he shall not multiply horses for himself, nor lead the people back into Egypt, supported by the number of his cavalry, especially since the Lord commanded you never again to return by the same road. He shall not have very many wives who entice his mind, nor immense weights of silver and gold. But after he has sat upon the throne of his kingdom, he shall copy out for himself the Deuteronomy of this law in a volume, receiving the exemplar from the priests of the Levitical tribe; and he shall have it with him and read it all the days of his life, so that he may learn to fear the Lord his God and to guard his words and ceremonies which have been commanded in the law. Nor shall his heart be raised in pride above his brothers, nor shall he turn aside to the right or left, so that he himself and his son may reign for a long time over Israel.

He shall not multiply horses for himself, for that pomp must greatly burden the people, just as happens also when kings indulge the treasury too greatly. Then he is not to multiply numerous wives, for the multitude and intolerable luxury of queens is burdensome to subjects. Finally, he shall read and observe the book of the law; but thrift and brotherly charity are prescribed in it, and acts of plunder are forbidden, however just and specious the names for plundering which they receive.

Certain words indicate open tyranny, verse 17: “And you will be his servants. And on that day you will cry out from before your king, whom you chose for yourselves; and the Lord will not hear you on that day.” The cry of oppressed subjects--oppressed not by war but by the king’s rapacity--signifies not a just and paternal prince who, with a good affection, takes counsel for subjects as for children, but a harsh exactor who makes slaves from free persons and rules with the tears of many of his people. Servitude is the ultimate evil; but your kings will use you as servants, while you, voluntarily, though you are free, bring a master upon yourselves. When necessity was throwing Pompey into the power of the boy-king and the hand of the half-man, he did not forget himself, but complained that the very meeting was a compact of servitude. Whoever enters a tyrant’s palace is his servant, even if he came free. No one doubts that

this is tyrannical. Nor does he speak according to the common usage by which some eastern peoples called themselves servants, but concerning that harsh servitude which they bore unwillingly.

Yet the flatterer excuses that right: horsemen, tribunes, centurions, and attendants must be maintained. We do not deny that this is so. But these things were also necessary in an aristocracy and in popular government if war had to be waged, and in peace, so that they might be prepared for wars. Here, however, the Prophet speaks about pomp which is superfluous and burdensome to peoples. Moderate pomp is not condemned--pomp suited to majesty and protection which cannot burden the people, for what suffices for moderation can generally be collected from many light tolls.

He offers no excuse concerning the daughters, although to take freeborn virgins as servants of royal luxuries is contrary to right. Let the king use the service of freeborn women if any wish, for pay or in hope of favor, to expend their labor. Therefore, he is speaking about injury; otherwise it is not tyranny, nor even harshness, that persons who voluntarily offer themselves for service at courts and seek rewards should be employed there. Experience teaches that very many aspire to such service even today. Here, however, freeborn women are taken like slaves as perfumers, cooks, and bakers, and with such bitterness that they and their parents cry out from before the king.

He says it is equitable that the king's servants be supported; but where nothing is masterless and a kingdom must be founded by a new right, a despotic right must necessarily yield to the royal right.

Right reason, and indeed justice, counsels that the royal household be supported. But let the household be moderate, not excessively large, not clothed too expensively, and not nourished delicately. Let no fields, olive groves, or best vineyards be given to it, but an honorable wage; or, in turn, let its members guard the king without pay.

But if subjects are unwilling to contribute for the protection and dignity of the king, he will nevertheless not be able to seize the fields or vineyards of private persons. Then, if so great a door is opened to the supreme power, there will be no end to plundering. Who doubts that Ahab was punished because he took Naboth's vineyard against its owner's will? But we are disputing about the meaning of Scripture. The Prophet Samuel by no means threatens that, if the subjects refuse to give what is just, the king will procure it for himself. For when the Jews sought a king according to the custom of neighboring nations, they did not deny him his just ornaments. Rather, this is the punishment--so that the flatterers, informers, calumniators, and inventors of pleasures belonging to the king may know that they are to be enriched from the resources of the provincials.

Fourth, he also asserts that tithes are lawful, indeed that certain princes took eighths, and that this is a right of the kingdom. But the right of tithes is another dispute. It is not a sin, but altogether just and according to nature, that people contribute tithes and other aids. Here, however, the tithes are given to the most wicked of human beings, eunuchs--and tithes from so fertile a kingdom! Malevolent and avaricious eunuchs, when they attained favor with princes, were a certain plague of the state; among so many myriads scarcely ten were good. Castrated men were prohibited in Judaea, and so the foreigners who were fattened by tithes were eunuchs.

Nor is it relevant that he proposes four things in these matters for avoiding tyranny: (1) that there be a just cause for imposing; (2) that the burden be proportionate to the tax; (3) that payment be adjusted to means; and (4) that it not be prolonged beyond necessity. Those things are most true, but the Holy Spirit speaks of the things on account of which they will cry to God and will be servants. Yet no one will cry out if tributes are to be given justly, proportionately, according to means, and for a necessary cause. For this is the safety of a well-constituted state. Nor could anyone have been burdened if Judaea had sustained a moderate court for the king,

[Printed page 376]

since it had previously supported very many kings. Moreover, the things which had to be done in time of war ought no less to have been exacted by the commanders and judges. Justice and equity demonstrate how narrowly the power of kings has in truth been confined.

CHAPTER III

Magistracy Is Twofold: Ecclesiastical and Civil

§ 1. Just as the nature of the human being consists of soul and body, so too there are two principles by which, according to nature, he is directed and led to his proper ends. The first is political power, which God willed to exist for the safety of bodies, peace, and the natural honorable conduct of life; the second is spiritual power, which raises the soul toward divine and supernatural things.

§ 2. The rivalry between priesthood and kingship is ancient. Many, admiring or flattering royal majesty, place the scepter before the miter; wiser and more eminent men, remote from every suspicion of flattery, prefer the priesthood. The rights of kings are great. In the king is the fountain of dignities and the image of the highest glory. Cyril says in *On the Right Faith in Christ*: “To them it is said, ‘You are gods, and all of you sons of the Most High.’” They sit upon God’s throne, are avengers, and bear the sword; they are the Lord’s anointed, lights of the Church, sacrosanct, together with the very many other things which eternal Majesty has sanctioned for the stability of human majesty.

Nevertheless, the priesthood is greater than kingship, for to it it was said: “Whatever you loose upon earth will be loosed also in heaven, and whatever you bind upon earth will be bound also in heaven.” The priest, therefore, will loose or bind the king, and the priest’s judgment will be ratified in heaven before God. Ambrose, bishop of Milan, who was praised for the lot of a priest and for the judgment of a good king, testifies that kings are not exempt from that jurisdiction. Nor do those deny it who transferred the dignity of the old priesthood to the curia and royal diadem, for they have arrogated this power to themselves and to their churches, as they call them. I shall treat that matter when I discuss political magistracy; now I shall set forth the difference between the two powers and the eminence of the spiritual power.

§ 3. The first difference between sacred and civil power is seen in the end of each. The end of the ecclesiastical magistrate is to lead subjects to piety, religion, and supernatural happiness, and that by virtue of his office and a singular obligation. The political magistrate looks to peace, public tranquillity, and moral virtue. Yet because he is sometimes a Christian, he must refer all those things to God’s glory and eternal salvation. Therefore these powers must be joined with the greatest zeal, so that by mutual assistance they may make good citizens. Hence the ecclesiastical magistrate will make provision in every way for public quiet, and the prince will remove from the midst those things which obstruct religion, such as blasphemies, the frenzies of the circus, and the obscenities of the theater.

Next, they also have a different efficient cause. For although both kingship and priesthood are from God, there is nevertheless generally a difference in the manner of conferral. The people, or the whole state, confers civil jurisdiction; although that right resides in a few, the few nevertheless received it from the whole state. The right of the priesthood is greater and more divine than to be conferred by the people or a prince. The right of civil power arises from nature and is assigned by the state to one or more persons; but among sacred prelates the person is designated by human beings and the power is conferred by God.

§ 4. They differ in the manner of governing and in the means tending toward their different ends. The pontiff, by teaching, exhorting, and proposing eternal rewards, calls people away from vices and leads them to virtue. The emperor also employs these means, but uses command more than admonition. The reason for the difference is that civil power in itself regards external acts only; ecclesiastical power presses upon minds and inward piety. Hence civil punishments are generally external, such as infamy, exile, and death; ecclesiastical punishments are mostly internal, such as excommunication and irregularity, which pertain to souls, although it employs external punishments too.

§ 5. If civil and spiritual power are compared with one another, civil power has a prerogative in certain things; spiritual power is more excellent absolutely. If contention is absent from either side, this readily becomes clear.

Civil power has certain things which are not fitting for sacred power. The first of these is the insignia and display of majesty and the multitude of guards. For a bishop is not to be approved if he proceeds with royal or princely splendor, unless he is also a prince.

The second is that civil authority has a right over bodies--to cut them down and kill them. Spiritual authority, however, cannot exceed paternal correction in punishments of the body. Of itself it has no power to kill, mutilate, torture, cut to pieces with whips, punish by exile, or consign someone to a severe and perpetual prison. For these are works of the corporeal sword. Thus Gregory writes to John, bishop of Constantinople, in book 2, epistle 52: "Your Fraternity knows well what the canons say concerning bishops who wish to be feared through blows. For we have been made shepherds, not strikers; and the eminent preacher says, 'Reprove, entreat, rebuke, in all patience and doctrine.' But this preaching which exacts faith by blows is new and unheard of."

Moderate correction is nevertheless permitted; persons are rightly chastised with blows, prisons, and exiles according to the prescription of the canons when their deserts so require. But when this power exercises graver punishments, it has been received from the secular power and employs the secular hand.

The third is that kings have power even over priests themselves unless they are exempt, as they now are in fact and by law. I shall speak about this later, when I treat exemption.

§ 6. Spiritual power is absolutely more worthy and more excellent than civil power. For it is architectonic, and civil power is subordinated to it, since the end of sacred power is far more excellent. Therefore Christ, the king of the daughter of Sion, the meek king, always exercised the former power, but scarcely ever the political power.

§ 7. The prerogative of sacred power is manifold.

The first dignity is certainly attributed to the priesthood by the judgments of all nations; its cause is that the priest is placed as an intermediary between God and the people. Hence too the priest is protected more by divine power than by his own power. Thus an otherwise atheistic writer and denier of divine providence judges concerning this matter; looking upon the effect, he did not know the cause. Machiavelli says in chapter 11 of his *Prince*: "Now there remains for us only to discuss the pontifical and sacred principate. All difficulties surround it before it is possessed. For it is sought either through the favor of virtue or of fortune; yet it is preserved by the effort of neither. It is maintained by institutions which have now grown old by antiquity in religion itself, and the force and nature of all these is so great that they preserve their princes in authority, however they conduct themselves or order their life. These alone among all persons possess dominion,

[Printed page 377]

"yet do not defend it. They also possess peoples subjected to them, but no care of governing those peoples touches them. Although their provinces are undefended, there is no one who takes them away. Likewise, although the peoples under their administration perceive themselves neglected, they give it no consideration. So far are they from thinking that they should withdraw or free themselves from these princes that they are not even able to do so. These alone among all persons, therefore, possess secure and happy dominions."

Yet amid his calumnies and impiety these words shine forth: that they are ruled by a heavenly divinity and that God bears them on high.

Indeed, not only the true and Christian priesthood possesses this praise and power, but also that of the Jews, which was held in great honor because it was a type and image of that supercelestial light which Christ--the true priest according to the order of Melchizedek and the true king of the Church--introduced through himself and through his legates and vicars, the pontiffs. The authority of the typological priesthood is fortified by the most holy law of God, Deuteronomy 17:

If you perceive that a difficult and ambiguous judgment exists among you between blood and blood, cause and cause, leprosy and non-leprosy, and you see the words of the judges within your gates vary, arise and ascend to the place which the Lord your God will choose. You shall come to the priests of Levitical stock and to the judge who shall be at that time; and you shall inquire of them, and they will indicate to you the truth of the judgment. You shall do whatever those who preside over the place which the Lord has chosen say and teach you according to his law; you shall follow their sentence and shall turn aside neither to the right nor to the left.

Hence superstition also transferred power to the impious and idolatrous priests of the nations. “In ancient times,” says Strabo in book 17 of his *Geography*, “at Meroë, which is the metropolis of the Ethiopian kingdom, the highest power was in the hands of the priests, and their authority was so great that sometimes they commanded the king to die by sending a messenger and substituted another in his place.”

They possessed the same power in neighboring Egypt, according to Aelian in book 14, chapter 34, of the *Varia Historia*; for among the Egyptians the judges were the same persons as the priests. In former times the Magi, who were both wise men and sacrificers, ruled in Persia. “But now,” says Agathias, “the Persians honor the Magi of this time and venerate them exceedingly, so that by their counsel and predictions all public matters are administered. Presiding and judging separately, they determine what reward each person merits for a thing well done and what punishment one who has committed a crime merits; nor indeed will anything seem either lawful or equitable to the Persians which has not been confirmed by the sentence of the Magi.” Thus he writes in book 2 of his *Histories*. The cause of so honored a superstition was that they regarded the divinity itself as venerable and therefore thought that its worshipers also ought to be revered.

And so the Romans likewise conferred many matters upon the jurisdiction of the priesthood: they sought from the priests the reckoning of treaties, wars, and peace.

§ 8. A second prerogative lies in exemption from laws and civil burdens, and it is a liberty greater than all others. This has been granted partly by divine and partly by human law. By divine law they possess the immunity which is necessary for the office of sacrificing, teaching, binding, and absolving.

For when Christ sent his Apostles into all the earth, no power in the entire world could impede, delay, or in any way restrain them. And so, against the edicts of the Jews, Roman governors, and barbarian kings, and against persecutions, prisons, torments, and crosses, they announced the name of the Lord without fear. They can be impeded in their office neither by express decrees nor through indirect measures and cunning craft. They cannot be so occupied with curial offices that they cannot be free for studies, prayers, and exhortation. This reason applies to all civil burdens which prohibit spiritual exercises. For if God established Apostles, Doctors, Evangelists, and Bishops, and if he willed them to perform their office, then that which opposes the divine hierarchy is tyranny and impious dominion. Nor is their mission a just one if there is another power in the Christian world which can lawfully overthrow and impede it. For example, it is the Bishop’s office to feed the sheep, preserve them whole, bind up the broken, strengthen the weak, be present to all through admonition, exhortation, counsel, and aid, and profit them through consolation and rebuke. Therefore, the emperor cannot occupy him in court business, embassies, warfare, or provincial administration in such a manner that he is compelled to desist from his function, for it is altogether necessary that provision be made for that function through the Bishops themselves or other suitable and diligent laborers lawfully substituted for them. This immunity, therefore, belongs to divine right. For St. Paul or Peter was not compelled to answer Nero when he called their names or to go campaign against barbarians; nor were Bishops and presbyters such as Timothy, Titus, and others, upon abandoning the word of God, bound by imperial commands, nor could they have been bound.

Another exemption belongs to human law and was granted by the munificence and authority of pious princes. All the legal defenses are full of such things, as is the law of Gratian, Valentinian, and Theodosius, Augustuses, title 2 of book 1 of the Code:

It pleases us, after the tenor of reasonable counsel has been weighed, to prescribe with strict moderation the particular necessities of the individual cities from which churches shall be immune. For first the injury of that usurpation must be driven away, lest estates dedicated to the uses of heavenly mysteries be harassed by the dregs of sordid public services. From this time forward let nothing extraordinary or superindicted be demanded; let no anxiety about transport be invented; finally, let nothing be ascribed to their functions beyond the canonical contribution which the sudden burden of an unforeseen necessity has demanded. If anyone contravenes this, after the sharpness of the vengeance which must rightly be exacted against sacrilegious persons, let him be subjected to perpetual deportation into exile.

And there is the constitution of Emperor Frederick II:

We command it to be proclaimed throughout Italy that all statutes and customs introduced against the liberty of the Church and her persons, contrary to canonical and imperial sanctions, are null and void; a new constitution commands that they be utterly abolished from the capitularies, and decrees that similar attempts shall henceforth be null by the law itself. If anything contrary is done, the appointed penalties will threaten. But if any despisers of this new constitution are found within a year, their goods throughout our entire empire may be occupied by everyone with impunity.

And that of Constantine:

Let the injustice of every undue summons and the wickedness of unjust exaction be repelled from clerics, and let there be no summons against them for sordid public services. And when merchants are called to some suitable contribution, let every disturbance of this kind cease with respect to clerics. For if they have amassed anything either by thrift, foresight, or commerce--yet commerce conscious of honor--it ought to be administered for the use of the poor and needy. Let them consider that whatever could have been sought and collected in their workshops or shops has been collected as the profit of religion. Moreover, the statutes of the deified prince my father provided by manifold observance even for their people who engage in commerce, so that these clerics might abound in more privileges. Therefore, let the necessity of extraordinary services and every molestation cease with respect to the aforesaid.

[Printed page 378]

Let them not be called to any compulsory transport service, nor their resources and property. Let a prerogative of this kind come to the aid of all clerics, so that the wives of clerics and their children too, and their servants, males as well as females, and their sons and daughters, may remain forever immune from public services of this kind.

The whole third title of the first book, *On Bishops, Clerics, and Orphanages*, pursues these matters.

This exemption of property and persons is consonant with divine law, but was granted by human laws. It could scarcely have been denied, because it was becoming and nearly necessary that God's ministers should be endowed with that immunity. But that all those things be preserved for the sacred order is required by the covenants and agreements and by the sanctity and good faith of those who granted them.

§ 9. The third prerogative is that the emperor or prince has no right in ecclesiastical matters. Thus King Uzziah too, says Cyprian in his book *On the Unity of the Church*, "when, carrying the censer and violently assuming for himself a sacrifice contrary to God's law, he was unwilling to obey and believe Azariah the priest when he resisted him, was confounded by divine indignation and marked on his forehead by the variegation of leprosy. When the Lord was offended, he was marked in that part of the body where those who merit the Lord are marked. And the sons of Aaron, who placed upon the altar strange fire which the Lord had not commanded, were immediately extinguished in the sight of the avenging Lord."

Therefore, in the Third Roman Synod under Symmachus it was decreed that kings should not involve themselves in sacred affairs, distinction 96, chapter 1, *Bene*. Thus also at the Council of Chalcedon Marcian wished to be present not as judge but to protect the decrees: "We wished to be present," he says, "to confirm the faith, not to display power,

according to the example of the most religious prince Constantine.” Finally, in chapter 5 he denies that he judges divine matters. No less did Theodosius, when he sent Candidianus, count of the household troops, to the Council of Ephesus, forbid him to involve himself in ecclesiastical discussions. Hence Constantine the Great, when the Donatists appealed to him, referred them back to Melchiades. Valentinian too, when Hypatianus, bishop of Heraclea, consulted him about the location of a council, replied: “It is not lawful for me to involve myself in ecclesiastical business; let them assemble wherever they please.” Socrates, book 4, chapter 3. The same emperor fined a Bishop who appealed from a synod to a secular tribunal and prohibited such appeals. Emperor Gratian referred the causes of Bishops from the secular tribunal to the Metropolitans.

Therefore, the constancy of Ambrose is deservedly praised. In the presence of the younger Emperor Valentinian and secular judges, he refused to dispute against Auxentius, the Bishop of the Arian party, and yielded nothing of his liberty either to threats or to reverence for the August power. This reverence for pontiffs came upon even impious emperors and kings. Theodoric, the Arian king of the Goths, wished the judges in the accusation of Symmachus to be Bishops, to whom he remitted the inquiry. His grandson Athalaric imitated him and refused to allow clerics to be judged by secular men.

But more will be said about these matters elsewhere. For now these things had to be said concerning the difference between empire and priesthood, a difference which Ambrose in chapter 2 of *On the Dignity of the Priesthood* reports to be so great that, if you compare priesthood to kingship, priesthood will be what gold is among metals. Gregory Nazianzen says: “We too exercise authority--and one more excellent, unless indeed it is equitable to subject the spirit to the fasces of the flesh.” Chrysostom says the same in homilies 4 and 5 on Isaiah.

Gelasius therefore truly distinguished these two powers when he wrote to Emperor Anastasius: “There are two things, Emperor Augustus” (distinction 96, chapter 10), “by which this world is principally governed: the sacred authority of the Pontiffs and the royal power. Of these, the burden of the priests is so much the weightier because they will have to render an account at the divine judgment even for the kings of human beings.” Gregory VII adduces these words in confirmation of the truth.

§ 10. The civil magistrate is the priests’ advocate and defender. “Most Christian prince,” says Boniface to Honorius, “Mother Church would be afflicted with many more things if her causes were not secure before you and if, in the suppression of idols and the correction of heretics, she had not prevailed by your faith, divine worship always flourishing together with the empire.” Hence the emperor is also bound to the pontiff by oath. His oath in the constitution of Otto is this:

To you, Lord Pope John, I, King Otto, make promise and oath through the Father and the Son, through this wood of the life-giving cross, and through these relics of the saints: that, if by the Lord’s permission I come to Rome, I will exalt the holy Roman Church and you, her ruler, according to my power; and never by my will, counsel, consent, or exhortation shall you lose the life, limbs, and honor which you possess. In the city of Rome I shall make no assembly or ordinance concerning anything which pertains to you or to the Romans without your counsel; and whatever of the land of St. Peter comes into our power I shall restore to you. Whoever I entrust with the Italian kingdom, I shall cause him to swear that he will be your helper in defending the land of St. Peter according to his power. So help me God and these holy Gospels of God.

And so kings and princes have been accustomed to call themselves sons of the Church; tyrants call themselves her masters. Gregory VII speaks excellently: “Who doubts that the priests of Christ are accounted fathers and teachers of kings, princes, and all the faithful? Is it not recognized as wretched madness if a son endeavors to subject his father to himself, or a disciple his teacher, and to submit him by unjust obligations to his own power--the man by whom he believes that he can be bound and loosed not only on earth but also in heaven?” A judge of kings, at least in the manner in which he judges kings, is greater than kings.

Over kings, fearful among their own flocks,

The priest has authority even over the kings themselves.

§ 11. The civil power honors the priesthood exceedingly. Thus Marcellus writes to Maxentius: “It belongs to a good and religious prince to restore churches that have been crushed and torn apart, to build new ones, and to honor and protect the priests of God. Hence we read that the holy Apostles and their successors established under divine attestation that persecutions ought not to be made, disturbances ought not to be inflicted, those laboring in the Lord’s field ought not to be envied, and the dispensers of the eternal king ought not to be expelled.”

Nor is excess in that honor easy, since God is honored in his minister.

§ 12. In sacred matters the royal will is subject to the priest. Thus distinction 10, chapter 3: “It is certain that this is salutary for your affairs: when the causes of God are treated, in accordance with his constitution, you should endeavor to subject the royal will to Christ’s priests, not to prefer it; you should learn the sacrosanct things from their prelates rather than teach them; you should follow the ecclesiastical form, not prescribe by human agency rights which it must follow; and you should not wish to rule over the sanctions of him to whose clemency God willed the neck of your pious devotion to be submitted, lest, while the measure of the heavenly ordering is exceeded, an insult be made against the one who orders.”

The reason is set forth by Clement I in epistle 3, *On the Office of Priests*:

[Printed page 379]

For because you perform the Lord’s embassy, it is yours to teach the peoples; it is theirs to obey you as God. But if all presbyters, deacons, subdeacons, and the remaining clerics, and all princes of both higher and lower rank, and the remaining peoples, tribes, and tongues do not obey you Bishops, they will be not only infamous but exiles from the kingdom of God and the fellowship of the faithful, and strangers to the thresholds of God’s holy Church. For it is yours to instruct them; it is theirs to obey you as God, whose embassy you perform, since the Lord says, “He who hears you hears me, and he who despises you despises me. He who receives you receives me, and he who receives me receives him who sent me.” For nothing is more unjust or dishonorable than for sons to exist rebellious against fathers, or clerics or laymen disobedient to their teachers, or disciples disobedient or insolent toward their masters.

§ 13. Hence we read the very free rebukes of many priests directed to the highest princes. Gelasius, epistle 13 to Emperor Anastasius: “Supported, therefore, by such institutions and authorities” (distinction 96, chapter 10), “many Pontiffs have excommunicated some Kings and other Emperors. For if some particular example concerning the persons of princes is required, blessed Pope Innocent excommunicated Emperor Arcadius because he consented that St. John Chrysostom be driven from his see. Blessed Ambrose, although holy but not Bishop of the universal Church, excluded from the Church the great Emperor Theodosius, excommunicating him for a fault which did not appear so grave to other priests. He also shows in his writings that gold is not so much more precious than lead as sacerdotal dignity is higher than royal power, writing in this manner near the beginning of his *Pastoral*: ‘The episcopal honor and sublimity, brothers, can be equaled by no comparisons. If you compare it with the brilliance of kings and the diadem of princes, it will be much farther beneath it than if you compare the metal lead with the splendor of gold, since you see the necks of kings and princes submitted to the knees of priests and, after kissing their right hands, believe themselves fortified by their prayers.’”

§ 14. Kings can be excommunicated by Bishops. See distinction 96, chapter 10, *Duo sunt*. For since the offenses of princes can deserve this and the princes are subject to priests, it follows that priests have the power to punish them. But the primary spiritual punishment is excommunication. This power existed also among the Jews and was exercised first against the impious, then against the faithful. For they made those men “without the synagogues” who were impious or whom they regarded as such. This censure flourished among the Essenes as the gravest of all. As Josephus reports in book 2, chapter 7, of *The Jewish War*: “Those discovered in sins they expel from their congregation; and the man condemned in this manner is generally consumed by a pitiable death. For, bound by their oaths and customs, he cannot receive food offered by others, but, plucking grasses in the manner of beasts and wasted by hunger, he decays in his

limbs. For this reason they often took pity upon many and received them when they were breathing their last, judging that they had paid a punishment sufficient for their sins, which had brought them as far as death.”

In exactly the same manner excommunicated men wandered among the Gentiles, as did Thyestes and others, by whose fellowship people believed themselves contaminated. Such were those consecrated to Dis, who could be killed by anyone with impunity, as Dionysius reports in book 2. And Caesar in book 6 of *The Gallic War* says that among the Gauls those who did not obey the Druids were held in the place of criminals, everyone fled their approach and conversation, judgment was not rendered for them, and no honor was accorded them.

§ 15. The Christian priesthood is royal. First Peter 2. For Christ was both king and priest. He answered Pilate: “You say it, because I am a king.” And Nathanael truly says in John 1: “You are the Son of God; you are the King of Israel.” Nor did the whole people, knowing the Messiah’s dignity, fail to acclaim him when he came, John 12: “Hosanna! Blessed is he who comes in the name of the Lord, the King of Israel.” For the Prophet had foretold that the meek king of the daughter of Sion would come. Therefore, when he transferred the priesthood, he also added kingship.

Christ did not abolish political dominion, but nevertheless willed it to be subject to spiritual power. In this respect, indeed, the latter can be called more than royal. Ignatius says truly in epistle 10: “For if the man who rises against a King will rightly be judged worthy of punishment, as one who violates the good constitutions of the laws, how much graver a penalty do you think the man will undergo who wishes to act without the Bishop, breaking concord and confounding the proper order? For the priesthood is the summit of all the goods which exist among human beings.”

Although these things sometimes provoke the indignation of political writers, the matter itself nevertheless remains clear by natural, divine, ecclesiastical, and civil law. For the dignity of the priesthood cannot be moved from its place without shaking religion.

§ 16. Many others have defended the Church’s sacred right, but Gregory of Toulouse did so eminently in book 15, chapter 1, of *On the State*. These are his words, §11:

“Zacharias, supreme Pontiff of God’s Church, transferred the Gallic kingdom from Louis to Pepin. [Diodorus Siculus, book 4 of the *Library*, chapter 1.] And Stephen II, supreme pontiff, transferred the empire from the Greeks to the Germans and to Charlemagne, the son of Pepin. [Canalius, cause 16, question 5.] Gregory V, the Saxon supreme pontiff, about the year 995, confirmed for the Germans by a greater privilege the power of electing. [Chapter *Venerabilem*--perhaps ‘the Venerable Bede’--*On Election*, book 1, title 6, of the *Decretals*; Blondus, book 3, decade 2; Platina, *Gregory V*; Krantz, book 4, chapter 25.]

“And St. Ignatius commands: ‘Let the presbyters,’ he says, ‘and all the clergy, together with all the people, with the soldiers and princes, and even the Caesars, obey the Bishop; the Bishop, Christ.’ [St. Ignatius, epistle 9.] No one doubts that St. Ambrose exercised this power against Theodosius I, Caesar, for he interdicted the sacred rites to the Emperor and removed him from the barriers of the Church until he repented of the crime that, in Thessaly, on account of an insurrection and the killing of a single tribune, he had killed seven thousand. [Ambrose, book 5 of the *Epistles*, epistle 28; Rufinus, book 2, chapter 18; Eutropius, book 12.] Innocent I approved the same thing against Arcadius Caesar. [Chapter *Nos si incompetenter*, §1, cause 2, question 7.] Liberius, the supreme pontiff, also resisted the gatherings convoked by Caesar against Athanasius. [Ammianus Marcellinus, book 15, and Athanasius.] Tertullian calls the Supreme Pontiff the king of the age. [Tertullian, book *To His Wife*.]

“Peter had two swords, bearing a symbol of each jurisdiction, which the Lord God Jesus Christ said were enough; nevertheless, he prohibited him from the exercise of the material and corporeal sword and ordered him to keep it in its sheath. [St. Matthew, chapter 26.] Nor did he wish his Church indiscriminately to inflict temporal death. [Chapter *In archiepiscopatu*, *On Abduction*; chapter *Sententiam sanguinis*, *Lest Clerics or Monks*, and so forth; *Occidit*; and canon *Legitur*, cause 2, final question; chapter *Nos si incompetenter*, § *Iis ita*, cause 2, question 7.] Although, in the old law--which foreshadowed our Church--the priests employed that sword: Samuel against King Agag [1 Kings 14 and

15]; Elijah against the prophets of Baal [3 Kings 18] and against the captains of fifty belonging to Ahaziah [4 Kings 1]; Elisha against the mocking boys [4 Kings 2]; Jehoiada against Athaliah [4 Kings 11; 2 Chronicles 22]; Eliakim against Holofernes [Judith 4]; and St. Peter himself against Ananias and Sapphira [Acts 5].”

Thus the Church’s right remains: the right which she received from God, which she held by the will and covenant of kings, and which she rendered ratified and certain by long possession.

CHAPTER IV

The Christian Sacrifice and Its Rationale

§ 1. The duties of ecclesiastics relate either to God, to their neighbor, or to themselves. The first and holiest duty is to sacrifice to God, to pray, to sing psalms to the Lord, and to devote oneself to divine reading. The second is to teach, admonish, and judge, whether concerning ecclesiastical or secular matters. The third is to exhibit integrity of life in all these things toward God, oneself, and one's neighbor. These duties must therefore be treated in order. First, concerning sacrifice.

[Printed page 380]

§ 2. A sacrifice has been offered to the divine majesty in every age. Concerning Christian times also, the Prophets said that a sacrifice was to be offered in every place, and indeed a clean oblation, Malachi 1:10--11. Justin in the *Dialogue with Trypho*, Irenaeus in book 4, chapter 31, Cyprian in book 1 *Against the Jews*, Jerome, Augustine, and the others interpret this as referring to the true Eucharistic sacrifice. Dionysius the Areopagite himself, a disciple of the Apostles, calls it **θεοτάτην καὶ ἱερὰν τελετήν**, a most divine and sacred sacrifice.

With the same meaning Blessed Andrew calls it **ἄρτον θεόσωμον** and says:

Κύριος ὢν τῶν ὅλων, ὁ ποιητὴς Θεός, τὸ πάσχα ἐκείνοις ὑφ' ὧν θνήσκειν ἔμελλες, αὐτὸς ὢν, σεαυτὸν προέθηκας, “φάγετε” βοῶν, “τοῦτό ἐστι τὸ σῶμά μου,” καὶ πίστει θεμελιουῖσθε. Συνήθης γὰρ αὐτοῖς ἀρχὴν τῆς ὑπουργίας, εὐλογήσας τὸν θεόσωμον ἄρτον καὶ καινὸν καθαγιασας ποτήριον, τὸ δεσποτικὸν αἶμα, μετέδωκεν αὐτοῖς ἀχράντων καὶ ἀθανάτων τοῦ Χριστοῦ μυστηρίων.

Existing as Lord of all and God the Creator, you proposed yourself as the pasch to those who had delivered you to death, crying, “Eat; this is my body,” and “Be established in faith,” says Andrew. But in the ministry customary among them, when he had blessed the bread changed into the body of God and had consecrated a new chalice of the Lord's blood, he made them participants in the undefiled and immortal mysteries of Christ.

§ 3. It must be earnestly ensured that the sacrifice is offered to God rightly and with the worship that is owed.

For if the divine majesty required purity of soul and integrity of body in the ministers who slew victims of bulls and sheep, what innocence and sanctity are required in those who offer to God the Holy of Holies, the Son of God, the eternal splendor, born of the Virgin? Certainly the blood of God's Son demands hands purer than the blood of animals. John Chrysostom speaks truly in his commentary on John:

Τὸ “ἔνοχος τοῦ σώματος καὶ αἵματος” τοῦτο δηλοῖ, ὅτι καθάπερ παρέδωκε μὲν αὐτὸν ὁ Ἰούδας, παρώνησαν δὲ εἰς αὐτὸν Ἰουδαῖοι, οὕτω ἀτιμάζουσιν αὐτὸν οἱ τὸ πανάγιον αὐτοῦ σῶμα χερσὶν ἀκαθάρτοις δεχόμενοι· ὡς Ἰουδαῖοι κρατήσαντες, οὕτω καὶ οἱ ἀναξίως προσφέροντες στόματι. Διὰ τί δὲ τὸ εἰπεῖν πολλάκις τὸ σῶμα καὶ τὸ αἶμα τοῦ Κυρίου δηλοῖ; Ὅτι οὐχ ἀπλὸς ἄνθρωπος, ψιλὸς ὁ θυόμενος, ἀλλ' αὐτὸς ὁ Κύριος, ὁ ποιήσας τὰ ὅλα, ὡς δῆθεν διὰ τούτων ἐκφοβῶν αὐτούς· καὶ “τοῦ αἵματος τοῦ Κυρίου,” ὡς αὐτὸς ὁ ἐκχέας αὐτό· οἱ γὰρ ἐφόνευσαν αὐτόν, ὁ δὲ τῇ ἀναξιώτητι φονεύειν δοκεῖ.

The words, “he will be guilty of the body and blood,” signify this: just as Judas betrayed him and the Jews mocked him, so those who receive his most holy body with impure hands are injurious to him, just as were the Jews when they held him; such are those who bring it to a polluted mouth. But the fact that he repeatedly uses the words “the body and blood of the Lord” shows that the one who is sacrificed is not a mere human being, but the Lord himself, the creator of this universe. By this he terrifies us: “He will be guilty of the body of the Lord,” as one who has shed his blood. For the Jews killed him, but this man who eats unworthily appears to kill him.

§ 4. God killed the sons of Eli together with their father and on one day delivered the camp of Israel and the ark into the hands of the enemies because they had kicked away the victim of the Lord, 1 Kings 2:29 and following. “Why,” he says, “have you kicked away my victim and my offerings which I commanded to be offered in the temple?” In Hebrew: *בזבחי תבעטו למה*, “Why have you kicked at my victim?” For it is a great contempt to trample something under one’s feet, and a greater one to strike it with the back part of the feet. The Septuagint rendered the sense: *Καὶ ἵνα τί ἐπέβλεψας ἐπὶ τὸ θυμίαμά μου, καὶ ἐπὶ τὴν θυσίαν μου ἀναιδεῖ ὀφθαλμῷ;* “Why did you look contemptuously upon my incense and my victim with a shameless eye?” How much more gravely, therefore, do those sin who look with a shameless eye upon the highest and most divine mystery?

I think that this shamelessness caused the exiles and deaths of so many priests, the devastation of temples, and the demolition of altars, while in the place of reconciliation, in the sanctuary of holiness, the Son of God is crucified again by impious priests and the blood of the covenant is held up to mockery. One ark was captured, two priests fell, and Eli, falling, broke his neck because the typological sacrifices, shadows of the true ones, had been despised, because the blood of bulls and calves had not been offered according to rite. The Christian world mourns that so many temples have been burned, changed into profane workshops, and converted into Turkish mosques and schools of heresies; and it fears for the others, because the evil life of priests had already dishonored them beforehand. Let us blame the errors and frenzies of manifold heresies in such a way that we nevertheless know that they arose from the vice of priests. The impious life of the sacrificing priest drove the people of God away from God’s temple, and drives them away today. Yet together with bad priests the people is punished, as is the parent who disassembles crimes and thrusts badly reared sons upon the Church.

§ 5. Therefore the Supreme Pontiff, Metropolitans, Archbishops, Bishops, Provosts, Deans, official Vicars, and the rest bind themselves by mortal sin when they are negligent in this class of matters. For they permit God to be afflicted with insult, turn the people away from the temple, and furnish enemies an occasion for cursing and insulting. For what was less fitting than that those whose eyes are full of adultery and of unceasing sin should offer the blood of the Lamb and feed upon it? Why do they permit the bellies and crimes of impious human beings to be fattened from Christ’s patrimony? Why do they not prevent them from eating and drinking judgment for themselves every day? Formerly, if anyone unworthy approached the table of the Lord, he was frequently punished with sickness and death. “Therefore,” says the Apostle, “among you many are weak and feeble, and many sleep,” 1 Corinthians 11, because God pursues an insult inflicted upon his body with swift punishment.

St. Cyprian, in *On the Lapsed*, testifies that this was customary in his own time:

Still almost belching forth the death-bearing food of idols, their jaws even now breathing out their crime and reeking of deadly contagion, they invade the Lord’s body, although the divine Scripture meets them, cries out, and says: “Everyone who is clean shall eat the flesh, and whatever soul eats of the flesh of the saving sacrifice, which belongs to the Lord, while his uncleanness is upon him, that soul shall perish from his people.” The Apostle likewise testifies and says: “You cannot drink the chalice of the Lord and the chalice of demons; you cannot share the Lord’s table and the table of demons.” He likewise threatens and denounces the obstinate and stubborn, saying: “Whoever eats the bread or drinks the chalice of the Lord unworthily will be guilty of the body and blood of the Lord.” All these things having been spurned and despised, violence is inflicted upon his body and blood; and now they sin against the Lord more with their hands and mouth than when they denied the Lord. Before their offenses have been expiated and confession of the crime made, before their conscience has been cleansed,

[Printed page 381]

by the sacrifice and hand of the priest, before the offense of the indignant and threatening Lord has been appeased, they think there is peace--the peace which certain men sell with deceptive words. That is not peace but war; nor is the man joined to the Church who is separated from the Gospel.

If these things are said concerning all Christians, why are they not said still more concerning priests, who both confect the Lord's body, receive it, and distribute it to others? With defiled hands and a polluted mouth they invade the Lord's body; to others, who detest them, they hand it with scandal. They ought not to give it to the unworthy, but they themselves handle it most unworthily.

St. Cyprian admonished this long ago:

Behold what punishments we discern among those who denied! What mournful ends of theirs do we lament! Nor can they be here without punishment, although the day of punishment has not yet come. Certain persons are punished meanwhile so that others may be corrected. The examples belong to all; the torments, to a few. One of those who voluntarily ascended the Capitol to make a denial, after he denied Christ, became mute. The punishment began from the place where the crime also began, so that he who did not have words with which to entreat mercy could no longer entreat. Another woman, stationed in the baths--for this was lacking to her crime and evils, that she who had lost the grace of the life-giving washing should proceed at once to the baths--was seized there by an unclean spirit, unclean as she was, and fell. With her teeth she tore the tongue which had either fed or spoken impiously. After the criminal food was consumed, the madness of her mouth was armed for her own destruction. She became her own executioner and could not survive long thereafter; tortured by pains of the belly and entrails, she died.

Receive what happened with me myself present and as witness. Parents, perhaps fleeing, while in their fear they took too little counsel for themselves, left their little daughter under a nurse's care. The nurse took the abandoned child to the magistrates. At the idol where the people were assembling, because on account of her age she could not yet eat flesh, they handed her bread mixed with wine, which nevertheless was itself left over from the sacrifice of those who were perishing. Afterwards the mother received her daughter. But the girl was as unable to speak and disclose the crime committed as she had been unable to understand or prevent it. It therefore happened through ignorance that the mother brought her with herself when we were sacrificing. But the girl, mingled with the holy ones, unable to bear our prayer and supplication, now began to be shaken with weeping, now to be tossed about, wavering in an agitation of mind; and, as if under the compulsion of a torturer, by such indications as she could give, her untaught soul in its still innocent years confessed consciousness of the deed.

But when the solemn rites had been completed and the deacons began to offer the chalice to those present, and, after the others received it, her place came, the little girl, by an instinct of the divine majesty, turned her face away, pressed her mouth closed with resisting lips, and refused the chalice. The deacon nevertheless persisted and, although she struggled against him, poured into her from the sacrament of the chalice. Then there followed sobbing and vomiting. The Eucharist could not remain in a violated body and mouth. The drink sanctified in the Lord's blood erupted from the polluted entrails. So great is the Lord's power, so great his majesty. The secrets of darkness were detected beneath his light; not even hidden crimes deceived the priest of God.

This occurred concerning an infant who did not yet have the age to speak of another's crime concerning her. But a woman of mature age and advanced years, who crept in secretly among us while we were sacrificing, took for herself not food but a sword, and, as if admitting certain deadly poisons between her jaws and breast, then began to be strangled and shut in by a soul boiling over. Having suffered the pressure not of persecution but of her own offense, she fell down trembling and palpitating. The crime of a dissembled conscience did not long remain unpunished or hidden. She who had deceived a human being perceived God as her avenger.

And when a certain woman attempted with unworthy hands to open her chest in which the Lord's holy thing had been, she was frightened away by fire rising from it, so that she did not dare to touch it. And another man, who was himself defiled, after the sacrifice had been celebrated by the priest, dared secretly to receive his portion with the others. He could not eat and handle the Lord's holy thing; when he opened his hands, he found himself carrying ashes. By the example of one it was shown that the Lord withdraws when he is denied, and that what is received does not profit the undeserving unto salvation when, while the sanctity shines forth, saving grace is changed into ash.

How many every day, not performing penance nor confessing their consciousness of their offense, are filled with unclean spirits? How many, mindless even to insanity of mind, are shaken by the fury of madness? Nor is it necessary to go through the ends of individuals, since throughout the manifold ruins of the world the punishment of offenses is as varied as the number of offenders is numerous. Let each person consider not what another has suffered, but what he himself deserves to suffer. Let him not believe that he has escaped if meanwhile his punishment has been deferred, since the man whom the sentence of God the judge has reserved ought to fear all the more.

§ 6. Thus Christ the Lord, by the terror of the few whom the tower crushed and whose blood Pilate mingled with sacrifices, reveals the punishments of all who sin: “Unless you do penance, you will all perish in like manner.”

St. Dionysius testifies in his *Hierarchy* that this occurred not only in the time of Cyprian but also in the most ancient times--namely, that many persons were vexed by demons on account of receiving the Eucharist unworthily. After Cyprian, Chrysostom says in homily 3 on 1 Timothy: “Very many things of this kind occur even now. For because the priests do not know those persons who, being liable to sins, receive the venerable mysteries unworthily, God frequently acts and hands those same persons over to Satan. Finally, how often illnesses, how often losses, how often griefs and calamities occur; they occur on account of this matter. Paul also expressed this pointedly: ‘Therefore among you,’ he says, ‘many are weak,’” and so forth.

Indeed, wicked priests are now frequently punished with diseases, death, and in other ways, but more frequently through the despoliation of temples and loss of all revenues, so that they may be corrected by poverty. Many have fallen into heresies because they rejected conscience. Nor must the end of the punishments be awaited.

§ 7. The canons which bar impious and concubinary priests from the altars must not only be praised, but recalled into use and vigor. For if matters come to such a point that laws are overcome by vices, they are consumed by sedition, war, famine, and pestilence.

There are various canons, and I shall set down some of them, so that prelates may have a norm according to which they may reform their clergy; for unless they do so, either the heretic or the Turk will do it, or some barbarian fouler than the Turk.

Canon 24 of the Apostles:

Ἐπίσκοπος, ἢ πρεσβύτερος, ἢ διάκονος, ἐπὶ πορνείᾳ, ἢ ἐπιουρίᾳ, ἢ κλοπῇ ἁλούς, καθαιρείσθω, καὶ μὴ ἀφοριζέσθω· λέγει γὰρ ἡ γραφή· οὐκ ἐκδικήσεις δις ἐπὶ τὸ αὐτό. ὁμοίως καὶ οἱ λοιποὶ κληρικοὶ τῇ αὐτῇ αἰρέσει ὑποκείσθωσαν.

A bishop, presbyter, or deacon who has been caught in fornication, perjury, or theft is to be deposed; nevertheless, he is not to be deprived of communion. For Scripture says: “The Lord will not avenge twice for the same thing.” Likewise, let the remaining clerics be subject to the same penalty.

Although only deposition is commanded by that canon, excommunication is nevertheless often added because of the nature of the offense, or its circumstances, or certainly the neglect of amendment, as the most learned Severinus Binius shows in his most exact notes on the Councils.

There are other canons which deny clerics the use of a wife; how much more do they detest fornication? Thus Distinction 32, chapters 1, 2, 3, 4, 7, 8, 10, 11, and 17, and Distinction 81, chapter 3 and following.

[Printed page 382]

Much more severely, however, they forbid not only consorting with harlots but even cohabitation with women. The Council of Nicaea, canon 3, Distinction 22, chapter 16: “In every respect the holy Synod has forbidden a bishop, presbyter, deacon, or anyone at all who is in the clergy to be permitted to keep a woman introduced into his household, unless perhaps a mother, sister, or paternal aunt, or also those suitable persons who escape suspicion.”

To this I also refer Distinction 33, chapter 2. There orders are denied to a bigamist; how much more to adulterers, if they commit adultery while in those very orders? And Distinction 34, chapter 7. There also a man who, before he was named Bishop, is said to have had a concubine is commanded to withdraw from office if the report was true; thus Gregory to Andrew of Tarentum:

When the truth was disclosed, we learned that you had had a concubine, concerning whom suspicion against you has also arisen among certain persons. But because there ought not to be an absolute judgment in doubtful matters, we choose to entrust this to your conscience. Therefore, if you remember that, while constituted in sacred order, you were stained by union with her, lay aside the honor of the priesthood and presume in no way to approach to minister; knowing that you minister at the peril of your soul and will without doubt render an account of yourself to our God, if, conscious of this crime, you wish to remain in the order in which you are by concealing the truth.

But let us hear those who wished sacrifice to be offered by good and chaste priests. The canon of the Roman Synod of 113 Bishops reads thus: "Let no one hear the Mass of a presbyter whom he knows without doubt to have a concubine or a woman introduced into his household." Hence the holy Synod itself also established this chapter under pain of excommunication, saying: "Whoever among the priests or deacons," and so forth. Who will restore to us, if not the practice, at least the fear of the ancient discipline?

Yet this is not forbidden as though the sacrifices were not true sacrifices and the sacraments true sacraments, but in order that impious priests may be corrected; thus Augustine, tractate 5 on John, 1, question 1, chapter 30:

If the minister is just, I reckon him with Paul, who does not seek his own glory, saying, "I planted, Apollo watered, but God gave the increase." But if the minister is proud, he is reckoned with the devil; yet the gift of Christ is not defiled, because through him the pure river passes and comes to fertile soil. I know that a stone cannot bear fruit from water; and if water passes through stone channels to the garden-plots, nothing is generated in the stone channel, but nevertheless the garden bears very abundant fruit. For the spiritual virtue of the sacrament is received as pure light by those who are to be illuminated; but in passing through the unclean it is not polluted.

Since, therefore, the cause of the law still persists, there is no doubt that the obligation of the law also remains. For why, if citizens, nobles, and farmers have a concubinary parish priest, should they not rather betake themselves to those by whom the sacrifices are performed without scandal? For in the sacrifice itself it occurs to the hearer that God is being offended by the sacrificer with mortal crime--with manifold crime.

What, then, is to be done with those clerics who cast the sacrifice away with their heel? The Third Synod of Orléans, chapter 7, defined this long ago, as it stands in Distinction 81, chapter 10: "If any cleric shall have confessed or been convicted of having committed adultery, let him be deposed from office, be granted communion, and be thrust into a monastery for the whole time of his life." Deservedly is he thrust back into hiding who, placed upon the lampstand, did not shine but poured the darkness of offenses over the Church.

And in the same Distinction, chapters 11, 13, 14, 16, and 17, they are commanded to be deposed. Indeed, Gregory VII forbids them to enter the church, Distinction 81, chapter 15:

If there are any presbyters, deacons, or subdeacons who lie in the crime of fornication, on behalf of almighty God and by the authority of St. Peter we forbid them entrance into the church until they repent and amend. But if any prefer to persevere in their sin, let none of you presume to hear their office, because their blessing is turned into a curse and their prayer into sin, as the Lord testifies through the Prophet: "I shall curse," he says, "your blessings." But whoever refuses to obey this most salutary precept incurs the sin of idolatry, as Samuel testifies and Blessed Gregory confirms: "Not to obey is the sin of divination, and not to acquiesce is like the crime of idolatry." Therefore, whoever, while asserting that he is a Christian, disdains to obey the Apostolic See incurs the sin of paganism.

Even conversation and suspicion are forbidden in Distinction 81, chapters 26 and 27. The same judgment of the Church remained also in the times of our forefathers; for in the Lateran Council under Leo X it was established as follows, chapter 1, in the *Septimum*, book 5, title 1, constitution 16:

We establish that every cleric, of whatsoever condition, status, religious order, or dignity, even if he be of pontifical or some other preeminence, who, after obtaining knowledge of the present decrees--which he is presumed to have obtained after two months following the publication of these same present decrees in the cathedral churches, which the diocesan bishops themselves are absolutely bound to effect after the present decrees have come to their knowledge--is a public concubinary, shall by the very fact be suspended for the space of three months from the receipt of the fruits of all his benefices; his superior shall convert these fruits to the fabric, or to another evident utility, of the churches from which those fruits are received. Moreover, as soon as his superior knows him to be such a public concubinary, he shall at once be bound to admonish him to dismiss his concubine within the shortest term; and if he does not dismiss her, or publicly takes back the woman dismissed or another, we command that the superior deprive him altogether of all his benefices.

And nevertheless, until their superiors have dispensed with these public concubinaries after the dismissal of the concubines and the manifest amendment of their lives, they shall be ineligible to receive any honors, dignities, benefices, or offices whatsoever. If, after dispensation, they return like the dog to its vomit, to public concubinage of this kind, they shall be altogether ineligible for the aforesaid things, without hope of any dispensation. And if those to whom the correction of such persons belongs neglect to punish them as aforesaid, their own superiors shall in every way punish with a worthy penalty both them for their neglect and those others for concubinage. In provincial and synodal councils as well, action shall be taken against those who neglect to punish such persons, or who are accused of this crime, even by suspension from the conferral of benefices or by another fitting penalty. And if those whose removal belongs to us and the aforesaid See are found by provincial Councils or superiors to be worthy of deprivation because of public concubinage, they shall immediately be brought before us together with the inquisitorial proceedings. The same diligence and inquiry shall be observed regarding them in all general and provincial chapters, while the other penalties established by law against the aforesaid and other public concubinaries remain in their force.

Those, however, are to be understood as public concubinaries not only whose concubinage is notorious through a sentence, a confession made at law, or evidence of the fact which can be concealed by no evasion, but also those who keep a woman suspected and accused of incontinence and, having been admonished by their superior, do not effectually dismiss her. But because, in certain regions, some persons possessing ecclesiastical jurisdiction

[Printed page 383]

are not ashamed to receive monetary gain from concubinaries, allowing them to wallow in such foulness, under penalty of eternal malediction we command that henceforth they neither tolerate nor dissemble such things in any way under an agreement, composition, or hope of other gain. Otherwise, in addition to the aforesaid penalty for negligence, they shall be bound and compelled to restore twice what they received on that account and to convert it entirely to pious uses. But the prelates shall take care by every means to keep the concubines themselves, or suspect women, entirely away from their subjects, invoking the help and arm of the secular power if necessary; and they shall not permit sons begotten from such concubinage to live with their fathers. We command in addition that the aforesaid things be published in the aforementioned Synods and chapters, and we diligently enjoin them to admonish each of their subjects to dismiss these concubines.

Furthermore, we command all secular men, even if they shine with royal dignity, not to bring any impediment whatsoever, under any color sought, against prelates who by reason of their office proceed against their subjects for concubinage of this kind and in other cases permitted them by law. And since every crime of fornication is prohibited by divine law and must necessarily be avoided under penalty of mortal sin, we admonish all laymen, married as well as unmarried, similarly to abstain from concubinage. For he is exceedingly blameworthy who has a wife and approaches another wife or woman; but he who is unmarried, if he is unwilling to remain continent,

should take a wife according to the Apostle's counsel. For the observance of this divine precept, those to whom it belongs shall labor with every zeal, both by such salutary admonitions and by other canonical remedies. Rome, on the fourteenth day before the Kalends of January, 1516.

§ 8. Likewise the Council of Trent, session 25, chapter 4, *On Reformation*:

How shameful and unworthy of the name of clerics, who have devoted themselves to divine worship, it is to live amid the filth of immodesty and unclean concubinage, the thing itself sufficiently attests, to the common offense of all the faithful and the supreme disgrace of the clerical soldiery. Therefore, so that the ministers of the Church may be recalled to that continence and integrity of life which befits them, and so that the people may thereby learn to reverence them the more, the more honorable they have recognized them to be in life, the holy Synod forbids all clerics whatsoever to dare to keep concubines or other women concerning whom suspicion can be entertained, either in or outside the house, or to have any association with them; otherwise, let them be punished by the penalties imposed by the sacred canons or the statutes of the Churches.

But if, after being admonished by their superiors, they have not abstained from them, by the very fact let them be deprived of a third part of the fruits, emoluments, and revenues of all their benefices whatsoever, and of their pensions; this part is to be applied to the fabric of the church or to another pious place at the discretion of the Bishop. But if, persisting in the same offense with the same or another woman, they have still not obeyed a second admonition, not only shall they by that very fact lose all the fruits and revenues of their benefices and their pensions--which shall be applied to the aforesaid places--but they shall also be suspended from the administration of the benefices themselves for as long as the Ordinary, acting also as delegate of the Apostolic See, shall judge proper. And if, thus suspended, they nevertheless do not expel the women or continue to associate with them, then let them be deprived in perpetuity of their benefices, portions, offices, and all ecclesiastical pensions, and be rendered ineligible and unworthy of all honors, dignities, benefices, and offices in future, until, after manifest amendment of life, their superiors shall for cause judge it proper to dispense with them.

But if, after they have once dismissed the women, they dare to renew the discontinued association or attach to themselves other scandalous women of this kind, in addition to the aforesaid penalties let them be struck with the sword of excommunication. Nor shall any appeal or exemption whatever impede or suspend the aforesaid execution. Cognizance of all the aforesaid matters shall belong not to Archdeacons, Deans, or other inferiors, but to the Bishops themselves, who may proceed without the clamor and formality of a trial, considering the truth of the fact alone. But clerics who possess no ecclesiastical benefices or pensions shall, according to the nature of their offense and their persistence in contumacy, be punished by the Bishop with imprisonment, suspension from order, ineligibility to obtain benefices, or in other ways according to the sacred canons. Bishops also--God forbid--if they have not abstained from a crime of this kind and, after being admonished by the provincial synod, have not amended themselves, shall by the very fact be suspended; and if they persist, they shall also be reported by that same Synod to the most holy Roman Pontiff, who shall punish them according to the nature of the fault, even by deprivation if necessary.

Nor is it strange or novel that superiors pay the penalties for the faults of their subjects, for in truth these faults are imputed to them, Distinction 86, chapter 1: "The faults of the lower orders are to be referred to none more than to sluggish and negligent rulers, who often nourish a great pestilence while they dissemble from applying a harsher medicine." If a physician betrays his duty when, through cruel mercy, he allows a contagious plague to increase unto the destruction of the sick man, how great is the sin of a prelate who idly watches the destructions of souls?

All these things tend to this end: that sacrifices may be offered purely, chastely, and uprightly by holy priests, and that because of contempt for it the Church and the state may not come into danger.

§ 9. Nor ought it to be a matter of little care to us that the external majesty of ceremonies, churches, and sacred furnishings should be such as, turning minds away from earthly thoughts, may lead them by the hand, as it were, to the

contemplation of heavenly things, and as is fitting for the divine majesty. It is therefore fitting that these things be done in a well-ordered state.

There ought to be daily sacrifices, lest the Christian Church be less pleasing to Christ than the Hebrew Church had been. For in the latter, besides the morning and evening sacrifices, the altars glowed with perpetual fire.

It has furthermore been provided by law--and indeed by a most ancient law--that the mysteries be celebrated and received by those who are fasting, although Christ himself gave them to men who had eaten supper. For it was established thus from Apostolic times, after some were approaching the table of the Lord hungry and others drunk.

Let him who celebrates the mysteries have an assistant and minister. The canons profess that they establish this because of the various contingencies which arise.

Let the chalices and the other instruments and vestments be becoming, and indicative of the mysteries; and let there be that ornament which displays a modest magnificence. For it is not fitting that the furnishings of the church be squalid, since they are accustomed to shine upon tables.

But if cemeteries must be fenced lest the places in which Christians rest be disturbed by the incursion of animals--see volume 4 of the Councils, part 2, folio 437, and the Fourth Council of Milan, section *On the Ornament, Beauty, and Cleanliness of Sacred Places*--if, I say, such great cleanliness and ornament are required, how much more the purity of souls, without which the splendor of walls cannot be pleasing to God?

Concerning external ornament it was established thus in the Fourth Council of Milan: "Let no animals, larger fish, or members of them be hung in churches, except those which the Bishop shall judge should be permitted for the sake of a vow or pious signification."

[Printed page 384]

Let the consecrated tables of the altars, even if in some part they are made of brick, be entirely covered with waxed cloth in such a way that the cloth cannot easily be removed from the table.

When the doors of the Church are open, let each altar be clothed with three clean cloths--one long one which reaches to its lowest part, and the other two shorter--in such a way that even the wooden step placed behind upon the altar is not bare of covering, but is entirely spread with a clean cloth. Let each altar likewise always be fittingly adorned with a frontal of the color proper, insofar as this can be done, to the feast-day or feria, and covered with a green cloth so that the cloths may not be soiled by dust or other filth; and let it furthermore be furnished and adorned with a cross placed in the middle and two candlesticks, one placed on the right and the other on the left. Let this be done daily in churches which are frequented, but in other churches at least on feast-days.

Let there likewise be a tablet of the secrets upon each altar, but on this condition: that when Mass is completed it is not to remain upright, but is to be laid down and concealed beneath the covering or cloth.

In those Churches in which, on the Thursday of Holy Week, a sepulcher is adorned or erected where the body of Christ the Lord is reserved, since Isaiah foretold that it would be glorious, just as it must be decorated with precious ornament, so care must be taken in them that the arrangement of the ornaments not be profane and little becoming. Therefore, let no coverlets, curtains, canopies, or tents employed for profane use in bedchambers be used to clothe and adorn it, unless they have been offered to the Church, have already become its property, and have been dedicated to sacred use.

The same is established concerning the garments and ornaments with which the sacred images of male and female saints are clothed.

Let neither Churches nor oratories become filthy with mold, dust, or other squalor.

Where, moreover, a place of no great space, however small, which does not contain the choir, is given or left between the high altar and the wall which is behind it, let that place also be kept pure and clean from every mold,

squalor, and filth.

Let no box, small vessel, table, or any other thing of that kind be placed, even extraordinarily, in a Church, before its doors, in oratories, or in another sacred place for the sake of collecting alms--not even in the name of that Church, its fabric, or its rector--or, if already placed, be permitted in future, except by the Bishop's permission expressed in writing. Then let two keys, fashioned with different workmanship, be fitted to that box or other object prepared for this purpose; one of them shall be kept by the person whom the Bishop has named, and the other by those in whose name the alms are collected. If it is done otherwise, let the penalty be at the Bishop's discretion; likewise, let the alms collected be assigned to pious places at his discretion.

If, by the Bishop's permission, any chests are placed in the Church, into which--as happens in very many places through the devotion of the faithful--grain, pulses, or anything else is cast as alms, let them not be placed inside the rails or iron lattice of the chapel or altar to which the faithful who offer things of this sort resort, so that it would be necessary for the faithful who are to contribute alms to enter the rails.

In order both that provision may be made for the cleanliness of Churches and that the disturbances and quarrels which often arise from the placing in Churches of women's seats, which they call *bradellae*, may be forestalled, and at the same time that more space may be given to the throng of the people in those Churches which especially are very narrow, let all those seats be removed wherever they have been placed, and let none ever be placed in future. But with the Bishop's permission it shall be lawful to place and set up certain common seats, low and fashioned with simple workmanship, in the measure and form prescribed in the book of our instructions. These common seats may be made at the expense either of the confraternities established in the Churches or of money contributed by the people, or in any other way which shall seem preferable to the Bishop.

Likewise let the altars, sacred panels and images, and the walls themselves perpetually shine; then let the windows be not somewhat dark but translucent; and let the pavement be carefully swept at least every eighth day. Let it be the care of the rector of each Church that all these things are performed.

Let diligence likewise be applied, and action taken with grave punishment and fine, so that the walls of the Church, oratory, and cemetery may be kept clean from urine or any other kind of filth.

Let trees, stocks, and other shrubs of that kind be removed from all Churches and oratories, lest their spreading roots damage the walls or their extended branches cover the roofs, whence damage may arise to those roofs themselves. But if any branches of this kind already damage the roofs, let them be cut away completely.

Furthermore, let vines, ivy, and other plants of this kind which, as they grow, cling to the exterior walls of churches or oratories be entirely pulled up.

Moreover, let those same walls be kept clean of brambles, thorns, and other things of that kind which are accustomed to grow up outside them, and free also from heaps of rubble and stones.

From cemeteries, moreover, let vines, fruit-bearing trees, and also other trees of every unfruitful kind, or shrubs and stocks, be entirely pulled up and cut down.

And let nothing be planted or sown in these sacred places in future.

Nor let hay be cut from them, nor likewise let the green grass which may serve as fodder be given to beasts.

Nor let anything with a heavy or foul odor be cast within their boundaries, nor let anything else be done there dishonorably toward those sacred places.

Let stables of cattle and animals of every kind also be far from them.

In these same places, let no stack of wood be made; let no beams be heaped up; let there be no pile of rubble or stones; finally, let there be nothing opposed to the beauty, cleanliness, religious character, and sanctity of that place.

On Removing Profane Use from Sacred Places

Let no notices or writings concerning houses, fields, and other things of this kind which are commonly offered or publicly advertised for lease or sale, nor indeed concerning any profane thing whatever, be affixed in future to any doors, leaves, or walls of churches, oratories, or cemeteries, or in any sacred place.

Likewise, let no goods for sale be hung upon the walls of churches, oratories, or cemeteries, nor within the space which is sprinkled with holy water when a Church is consecrated, or within the limits of the drip from the eaves, or within another greater interval of ground to be prescribed by the Bishop's judgment.

Likewise, let no workshops or shops, made from material of any kind, even boards or planks, either adhering to the walls themselves or situated in cemeteries or sacred places--or indeed anywhere within the limits of that space or interval--be erected or placed in any way. But let those which have already been built or placed be removed entirely from there as soon as possible.

Let the roofs of a Church, chapel, or even an oratory in which the sacrifice of the Mass is sometimes performed not be burdened with heaps of straw or any stack of wood; and let them not have above them any upper room, bedchamber, or indeed any place in which people sleep or dwell or anything profane is done. But let places which are already of this kind be removed altogether.

Let it be lawful for no person whatsoever to store or preserve in a Church, even one not consecrated, or in an oratory or cemetery, wheat, millet, barley, or any kind of grain,

[Printed page 385]

or pulse; likewise fruit, implements prepared for the use of rural estates, or household furnishings of any profane kind--as was established by Pope Innocent III in the Lateran Council--or finally anything foreign to the house of God. Furthermore, unless the Bishop shall at times judge that it should be done otherwise, let it be forbidden for the key of that Church or oratory, whether diocesan or rural, to be entrusted to, kept by, or preserved by lay persons, but especially by tenants or lessees of the houses or estates of that Church. Let no bells be cast in them, nor anything soldered; and let no smith's work or anything else of this kind be done there, except those things for the use or ornament of that same church or oratory which cannot be done elsewhere.

Let no grain be winnowed in a cemetery as if on a threshing-floor; let no threshing be done; let no straw, grain, or produce be spread out; nor indeed let linen cloths or fabrics, soaked with lye or water, be exposed there to the sun. Let neither women nor men spin anything there with the distaff, sew, or do any other work foreign to the character of those sacred places. Let the entrances of Churches and likewise cemeteries not be used either by the rector or by others who, carrying profane things or burdens, pass this way and that through the Church and sacred places as if along a public road; and in order that this may be entirely prevented, let the Bishop employ every precaution.

Let neither the rudiments of grammar and humane letters, which are often handed down in the empty fables of the gentiles, nor indeed any other letters besides sacred ones be opened and explained to boys in a church as in a literary school; but only the rudiments of Christian doctrine and the other things customarily handed down to boys in those schools.

If, however, in any place, for reasons approved by this council, it has been permitted to the parish priest to teach other things, we do not forbid it; if the narrowness of the parish house necessarily demands it, this office may be performed by him in the Church on weekdays with the permission of the same Bishop.

Let this faculty of permission be given in writing; then, moreover, let a definite place, as far removed as possible from every altar and especially the high altar, be selected for that duty. Let the boys not wander outside the bounds of that place, nor indeed remain in the Church on that account unless the parish priest who has taken them under his discipline is present.

It seemed good to set down these things as an example, on account of the memory of the most holy Bishop Charles Borromeo, so that the other Bishops may have something to imitate.

CHAPTER V

On the Primary Office of the Christian Priesthood and the Truth of the Most Holy Eucharist

§ 1. I cannot pass over in silence, even in this place, that which is assailed by the mockeries of pseudo-politicians and the execrations of sectarians, and which is a laughingstock and scandal to the profane, but to us who believe is a saving mystery: the sacrament of the Most Holy Eucharist. I have treated of it elsewhere also, but now both the dignity of priests and the multitude of those who err demand it again.

No one fails to acknowledge that this dissension is most unhappy and that it especially incites peoples to mutual derisions and hatreds. In the year 1603 Pareus composed five books on this matter, by which he shows the most wretched condition of Europe, even if that controversy alone is considered. Indeed, in the preface he himself adds an admonition to all, which will be read with great profit because it graphically depicts for us from experience the condition and dispositions of the sectarians. It reads thus:

How long at last, O brothers, will human envy and contention vex you? How long will you continue, with the peace of Christ despised, to wage a most irreligious war of religion? To what end will the audacity of certain Stentors vaunt itself--men who, without conscience and fear of the divine power, disturb your Churches? Among you one hears, "I am of Luther"; "You are of Calvin"; but to say, "I am of Christ," is nothing among you. O times! O morals! Was Luther crucified for you? Was any one of you baptized in the name of Calvin? Is Christ, who was crucified for all of you, nothing? And who was Luther? Who Calvin? Ministers, certainly, through whom you believed, and this as the Lord gave to each. Are you not therefore carnal, and do you not walk according to man?

What will you answer to the God of peace, you who lay waste his Church with contentions? What to Christ the Lord, whose commandment concerning charity you despise? Whose sons, therefore, will you be, if you are not sons of God? But how are you sons of God if you are not peacemakers? How do you profess Christ as master if no one recognizes you as his disciples? But who will recognize you as disciples of Christ if you do not love one another? Does pity not at last seize you for so many brothers for whom Christ died, whom by your altercations you destroy, so far as lies in you? Indeed, let pity at last seize you for yourselves, for whom salvation has been prepared in peace and certain destruction in contention. For if with one heart and mouth you invoke God the Father on earth, surely the one inheritance of sons will be set before you in heaven. But if you continue to bite and devour one another, what remains but that you be consumed by one another?

Do you not see what Satan has long been contriving against Christ? What the Roman Antichrist is attempting? How he conspires with tyrants? How through his Sinons he leads away captive the consciences of men? How at the same time he lays snares for you and prepares your destruction? Do you think that he will be more merciful to the one party than to the other if his contrivances should at some time succeed? And why should they not at last succeed, with the divine power angry at you and every one of you attending, not to the things which belong to God and to peace, but only to those which are your own and which splendid bile dictates, and rushing in hostility into opposing factions? What destroyed the East? Was it not internal dissensions? Was it not the schism of the West?

Why, therefore, do you not, after omitting these things and bidding them a distant farewell, at last return to yourselves? And, bearing with one another through charity, if you cannot yet establish peace by perfect agreement in all things--which in this infirmity has rarely been granted to the Church--nevertheless, in those things in which you truly hold the same, and by the grace of God you hold the same in very many things, establish peace and fraternity after the example of the Polish brothers, so that with united strength and arms you may fight against so many columns of common enemies. In the principal heads of doctrine, the three confessions of faith--the Augustan, Bohemian, and Helvetic, which is also the Palatine--agree according to the sacred Scriptures: concerning Holy Scripture, the true God, the person of the Son of God, the God-man (*θεανθρώπου*), the providence of God, Sin, Free Will, the Law, the Gospel, Justification through CHRIST, Faith, regeneration and good works, the

CATHOLIC Church and its sole and supreme head CHRIST, the Sacraments and their number, end, and use, the condition of souls after death, the resurrection, and eternal life.

In the single article concerning the Holy Supper it has not yet been granted to you to think one thing; and yet the disagreement does not concern the whole. For you think one thing concerning the spiritual presence and eating of the body of Christ, which is the thing signified and the kernel of the Sacrament; and just as it alone is necessary for salvation, so it alone suffices. The disagreement concerns the bodily and oral eating common to the pious and the impious; yet you agree that this is not necessary for salvation, that without the spiritual eating it profits nothing, but is pernicious to many. Why, then, do you not at last agree even upon the Formula of Sandomierz or some similar formula and, passing over the impious or unbelieving, embrace in common only what the faithful receive in the Eucharist?

[Printed page 386]

“We cannot,” you say, “for what has light to do with darkness?” Nothing indeed. But we are not darkness; and would that you all were light. “But what part has the faithful with the unbeliever?” None. But how are we unbelievers, we who love Christ the Lord and invoke him with sincere faith? “We fight for the glory and majesty of Christ.” Would that it were not for your own. “Our conscience does not admit peace with you.” Rather, your passions do not admit it. “You err more horribly than the Papists themselves.” Truly, you who commonly inculcate these things know or weigh too little what the Papists err in, or rather blaspheme. But why do you not bring those who err back to the way with all meekness and teaching? The Apostle admonishes that a heretical man is to be avoided after one and a second admonition. Produce, then, your admonitions! What do you do but thunder anathemas? Produce also our heresies!

“You defend grave errors,” you say, “concerning universal grace and redemption, predestination, the promises of the Gospel, and Baptism.” But we do not acknowledge as our own the errors concerning these matters which you cast against us; rather, we say that they are just so many calumnies of certain Stentors. Our Apologies and declarations are extant; why do you not receive them? Indeed, why do you not permit them either to be read or to be sold? And, I ask, how do your own men agree concerning redemption? How concerning the cause of predestination? But we teach from the Gospel that all those controversies recently stirred up are to be decided by the condition of faith. For all and only believers are participants in Christ’s redemption; those who pass their life without faith remain empty of it. We acknowledge all and only believers as predestined to life, and this not on account of foreseen faith or works, nor because they were foreknown as persons who would believe and work well—for this was the heresy of the Pelagians—but by the mere *εὐδοκία*, good pleasure, of God, who wills to have mercy upon them rather than upon others and to give them grace so that they might believe and be saved.

We have learned that the promises of the Gospel and salvation properly belong to all and only believers, and in no way belong to unbelievers so long as they remain such, from that saying of Christ: “He who believes in the Son of God has eternal life; he who does not believe, upon him the wrath of God remains.” In Baptism all and only believers put on Christ and are regenerated by the Holy Spirit; unbelievers and hypocrites have no part in this word, even if they are externally dipped a thousand times: taught by the apostolic voice, we firmly establish this. Behold, then, our heresies.

Behold the dissension, behold the hatreds, behold among them the lies concerning concord. Unity cannot persevere amid these mutual combats and anathematizings, and therefore neither can the Church nor the state. Let us therefore seek peace and hold the true meaning concerning the sacrifice.

§ 2. We hold the literal exposition, *τὸ ῥητόν*, the express wording: what the Lord Jesus said to be his body and blood, this we say is his body and blood. In this matter we agree with the Lutherans, and he himself admits it in book 2, chapter 1, of the controversy concerning the Eucharist.

If you consider Luther and the Lutherans, their doctrine differs very greatly. Indeed, Pareus boldly and truly asserts in book 2, chapter 1, that Luther and the Lutherans differ so greatly that among the Lutherans, beyond the name and that

common assertion, you will scarcely find anything Lutheran. The errors of the Lutherans and of others, however, are these:

1. “This is my body”--“This bread is my body.” *On the Babylonian Captivity*, in the year 1520.

This cannot be understood in any other way than by admitting transubstantiation; for “is” is understood by Luther substantively, not as “signifies,” and “my body” as Christ’s natural body. But this bread cannot truly be called Christ’s body unless transubstantiation occurs, although not even thus is it correctly expressed. Therefore neither the ancient Church nor Catholics ought to be blamed for believing transubstantiation, which Luther could not deny, which he at first approved, then regarded as an indifferent matter, and finally rejected with the greatest dishonesty.

2. “The bread is my body”--“My body is in the bread.”

3. In the *Greater Confession*, page 530, he concedes that Christ’s body is worn away and crushed by the teeth.

4. “This” signifies the bread and the body of Christ together.

5. Others understand “This is my body” adjectivally; Hunnius, page 393.

6. “This is my body,” that is, “Behold my body.” Flacius in the gloss.

7. It is permissible to use signs other than bread and wine; thus, after others, Sharpe this year, column 1293. And indeed he adds: “things which we commonly use for food and drink.” Therefore we shall employ vegetables, tree-fruits, roots, cheeses, milk, and meats, and we shall say that this agrees with the intention of the institutor; for he himself professes this.

8. Some say that the breaking of bread belongs to the essence, and deny that all others have a true supper. Others will have it to be commanded but not essential to the Sacrament; others, entirely indifferent.

9. The Calvinists condemn both our hosts and those of the Lutherans, and indeed Beza, volume 3, folio 220, prescribes household bread. Neum, page 18, calls it not bread but the foam of bread. Yet this is altogether false, for that bread of ours is made from the purest flour and from dough kneaded together, and nothing belonging to the nature of bread is lacking in it. Moreover, Christ prescribed neither large nor small loaves, much less a definite shape. “But Christ,” they say, “used a larger loaf, which he broke.” Certainly; he also used unleavened bread, and yet the Calvinists do not do this. Not everything that he did must necessarily be imitated, for he gave his body in the evening and after supper, whereas now most prefer the morning time.

Bucanus, page 710, argues even more ineptly: “All must partake of one loaf; therefore a large loaf is needed.” For if that is necessary, a loaf in the likeness of a mountain will have to be baked so that it may suffice for all, or for a single most numerous Church. Moreover, concerning those hosts of ours, Epiphanius may be seen in the *Ancoratus*.

10. Eating takes place only by the worthy--although many both eat and drink judgment for themselves, not discerning the body of the Lord, as the truth teaches.

11. Zwingli, writing to Matthew Alber, interprets “Eat” as “Believe.” But if this is true, when the Lord said, “Take, and eat, and drink,” they ought not to have brought it to the mouth but merely to have believed--which they could do even if they put it away in a cloth. If “Drink of this, all of you” is metaphorical and signifies “Believe,” then also “And they all drank of it” means “They all believed,” and thus, with the significations of words changed, we shall have nothing certain in Scripture. These things could not be borne if they raved only to themselves; but now they strive to propagate those corruptions and accuse of heresy those who understand Christ’s words in the way in which the Apostles understood them. Why do we now dispute concerning the meaning? The Lord said, “Eat, drink”; the Apostles judged that one must eat and drink. And lest we suspect that they did not understand

the intention of the Lord, Paul explains it to us in the same way in 1 Corinthians 11:20.

12. The Synusiasts dream of impanation; for Luther calls the bread *artocreas* and ἄρτόσωμα, “bread-body,” in the *Greater Confession*, page 540. Hence those expressions: flesh-bread, *Fleischbrot*; blood-wine, *Blutswein*; vessel-wine, *Weinfass*; wood-wine, *Weinholtz*.

13. Carlstadt understands Christ’s words, “This is my body,” thus: “Here sits my body.” Zwingli deservedly refutes him, as do Beza and others.

14. In their very errors they disagree. Zwingli to Matthew Alber, folio 156, Polanus, page 257, Danaeus, and Beza place the trope in the verb, or the copula “is.” On the contrary, Keckermann argues thus in the *Theological System*, page 445: “Others will have the trope to be in the copula, which itself also cannot be proved. For if they take the copula for the copulative word and verb, there cannot be a trope in it, since a trope has a place in categorematic words, that is, such as signify a definite thing by themselves, but not in consignificative words, such as that verb which is put in the place of the copula. Indeed, if the trope is in the copula, there cannot be a predication of one disparate thing concerning another disparate thing.”

But a trope cannot be in the copula; for if it signifies the body of Christ, it is therefore not κοινωνία, that is, a participation in the body of Christ. Meanwhile, unwittingly, Zwingli pleads the cause of truth in his *Brief Instruction*, folio 575, when he says: “If the verb ‘is’ is understood substantively, it cannot happen otherwise than that the substance of the bread is converted into the substance of the flesh itself.” By this single utterance he asserts the Catholic truth. Namely, if the copula “is” is understood properly, there is true transubstantiation in the Eucharist.

15. Others interpret “body” as “the sign of the body.” But the Apostle resists them, for “body” is understood in the same way by Christ and Christ’s Apostle; but when the Apostle says that the bread is a communion of the Lord’s body, he understands the true body, not a sign.

16. Jerome Zanchi, in his *Confession*, page 171, interprets the words “Which is delivered for you” as “insofar as”; Piscator likewise in question 3 on the Supper. But the interpretation is novel and forced; next, it contradicts the text, for it reads thus:

Τοῦτό ἐστι τὸ σῶμά μου, τὸ ὑπὲρ ὑμῶν διδόμενον· τοῦτό ἐστι τὸ αἷμά μου, τὸ ὑπὲρ ὑμῶν ἐκχυνόμενον.

“This is my body, which is delivered for you; this is my blood, which is poured out for you.” Or: “This is my body delivered for you,” and so forth. For the relative article is not ὃ, “which,” or ὅτι, “that” or “because,” but τὸ, “the.” Next, what meaning is this: “This is my body insofar as it is delivered for you”?

17. Many of the Lutherans teach that the Eucharist exists only in its use, and this manifestly against Luther, Pomeranus, and others.

18. Musculus, page 863, and Ant. Sadeel, volume 3, page 143, condemn private use of the Eucharist and do not wish it to be carried to the sick. Yet Christ by no means condemned it, and the primitive Church always used it. Beza, nevertheless, does not dare to condemn it. But he is impious even in this, because he doubts; for why is there not a little Church in the houses of the sick, since in 1 Corinthians 16 there is a domestic Church? If Christ is present where two or three are gathered in his name, why is there not a communion of Christ? What does the circumstance of place or multitude contribute to the matter, so that the consolations which we read were employed from all antiquity should be denied to the sick?

19. The Calvinists who deny the truth of the Sacrament of the Eucharist deny that it is to be adored; much more absurdly, certain Lutherans, although they acknowledge Christ God as present, deny that he is to be adored. Certainly Luther judged that he was to be adored, and Calvin reproaches him with this in letter 72 to Bucer: “His ravings also brought idolatry with them. For to what end is that ‘adorable Sacrament’ of Luther, unless an idol is to be erected in the temple of God?”

20. They teach that both species must necessarily be supplied to all and always, because Christ did this, although they themselves omit so many things which Christ did. Indeed, they remove Christ himself from the Eucharist and substitute a sign for the truth. Do you insist upon the chalice and wine? But at your own discretion you change the entire matter. Beza, letter 25: "If wine is lacking," he says, "simple water can be substituted, or another kind of drink not unusual in that place." He himself teaches that this was Calvin's opinion and that those who depended upon wine, so that under the compulsion of necessity they were unwilling to use an *ἀνάλογον*, an analogous symbol, were regarded as superstitious. And in letter 2: "Where bread or wine is either not used at all or at a definite time is not available, will no Supper of the Lord be celebrated? Rather, it will be celebrated rightly if that which takes the place of bread or wine, either by common use or according to the condition of the time, is employed in the place of bread or wine. For this was the intention of Christ when he chose bread and wine for these mysteries: that, by setting before us the signs of those things by which our body is nourished, he might represent true spiritual nourishment as if before our eyes. Therefore, he departs in no respect from Christ's intention who, with no zeal whatever for innovation, substitutes for bread and wine those things which, although they do not possess an equal analogy of nourishment, nevertheless possess a similar one."

He asserts that this is Christ's intention, but with no witness, unless it is that he imitates the abominable heresies concerning the matter of the Eucharist--namely those of the Gnostics, Montanists, Artotyrites, Aquarians, and Manichaeans.

§ 3. We say that the whole Christ is under one species; we deny that both species were commanded, for that law cannot be fulfilled among those who abstain from wine, and in many places a scarcity of wine would impede communion. Nor is the end of communion denied, which is that we receive Christ, whether under one species or under both. He who eats Christ likewise also drinks, since blood is also present in a living body. There are other causes, such as the danger of spilling and the horror felt by some who are unwilling to drink from the same cup with many persons. Indeed, in Christ's time one species alone was frequently employed. And yet at this point the sectarians are most especially mad and utter calumnies.

21. At last they proceed so far as to deny that one body can be in several places. Thus Sharpe, *On the Eucharist*, controversy 3, question 1. This seemed ridiculous and impious to all Lutherans and to the more prudent of the Calvinists. For why can God not establish in India the one and same body which he placed in Germany? Can a body which is in Germany restrain God's power so that it may not be in India?

But what contradictions does he collect? First, it would be in India and not in India; it would at the same time be lower and higher than itself. In one place it will be cold, in another it will be hot. It will be outside itself. Angels cannot be in different places. It will be in a place and not in a place. It cannot exist at the same time in different times, and therefore neither in different places. Amid jubilation he serves up anew these childish things, refuted a thousand times. For why would that body be in India and not in India? It would certainly be in India, while the assertion that it was not in India would be false; but it would be true that it was also outside India, or had another presence besides that which

[Printed page 388]

is in India. The matter is clear: the whole soul is in the head, and the whole is in the feet, yet we do not deny that it is in the head because the same essence is in the feet; rather, we say that there are several presences of one essence. Thus the soul is, without contradiction, lower and higher, because these things are not said according to the same presence; but for a contradiction it is necessary that the things said be said in the same respect. And so those bodies will be able to experience contrary things, if it shall seem good to God, but in different places.

He nevertheless continues: "A body in two places will be outside itself." If he means alien to its own nature, this is false; but if he means that it will be in different places and, insofar as it is in one, will be distant from itself as it is in the other, this is readily admitted. For the indivisible soul, as it is in the feet, is distant from itself as it is in the head. But by his omnipotence God can preserve the head living and animated, and likewise the feet, while the intervening

body dies; by that fact the soul will be altogether distant from itself by reason of place. By the same reasoning we also assert that Angels can be in different places.

What next from Sharpe? “It will be in a place and not in a place. In a place, from the hypothesis; not in a place, because that which is in a place is so circumscribed that it is not in another place.”

An acumen worthy of dull Sharpe. For it is not merely in a place, but in several places. Thus the assertion that it is not in a place is false. But what he adds--that what is in a place is so contained by the place that it is not in another place--is true if you regard the order of nature, but false if you regard the power of him who created nature operating above nature. For the question concerning that power is whether it can place some whole thing in one place in such a way that the same thing is nevertheless also in another place.

Finally, the most acute Sharpe, the Alpha of the jubilators, fights with a Chrysippean subtlety: “The same thing cannot at the same time exist in different times, past and future; therefore neither in different places.” You have touched the matter with a winnowing-fan, not a needle. Set before me two times, past and future, existing simultaneously, and I shall simultaneously dispute with you in the past and future--and I have disputed. Two places, Germany and India, exist simultaneously; two times cannot exist simultaneously, because the past has been and the future does not yet exist.

§ 4. If they were to rise against the unbloody sacrifice as truly as they do furiously, they would long ago have possessed the whole people. There is no part of the sacrifice, no ceremony, which they do not receive with thoroughly buffoonish sneers and shameful taunts. Matthias Hoe, in Saxony, speaks thus in his second Jubilee sermon:

The Papists object in addition that it is novel that we do not celebrate the Mass, which nevertheless was celebrated for many centuries without interruption.

He replies:

Neither Christ Jesus himself nor the holy Apostles celebrated it; and, what is more, the Holy Spirit long ago described the Mass, or the idol Maozim, as a horrible abomination, Daniel 12. Therefore we deservedly ought to flee and avoid it as a most shameful corruption of our Lord’s testament, Galatians 3, because Christ was offered only once upon the cross, and that oblation was sufficient to expiate our offenses, Hebrews 9 and 10.

It is no wonder that many rise against the sacrifice of the new law, and do so most furiously, since Satan himself, present, has assumed this role for himself and persuaded Luther that that sacrifice is idolatry. Luther himself writes the history in volume 7, Wittenberg 1558, folio 228, and it has often been related by many Catholics. But let us examine the imposture of Matthias Hoe. *Missa* is either a Latin or a Hebrew name; among the Greeks it is customarily called **λειτουργία**, “liturgy.” In Deuteronomy 16:10, *missa* is called an oblation. From this either the Latins borrowed the name or they employed their own, to signify a sacrifice and prayers sent to God. Greek writers, as I said, call it **λειτουργίαν**, a liturgy. Sometimes they call it **προσφοράν, θυσίαν, ιερόν, θυσίαν ἀναίμακτον, μυστήριον, μυσταγωγίαν, τελετήν, τελετήν τελετῶν**--an offering, sacrifice, sacred rite, unbloody sacrifice, mystery, mystagogy, rite, and rite of rites. All these terms contain within themselves the rationale of sacrifice.

But the Evangelists and Paul teach us that Christ offered this sacrifice. “This is my body, which is given for you,” Luke 22:19; and then he says concerning the chalice, **τὸ ἐκχυνόμενον**, “that which is poured out”; and Paul in 1 Corinthians 11:24 calls it **τὸ σῶμα τὸ ὑπὲρ ὑμῶν κλώμενον**, “the body which is broken for you.” Therefore, in Christ’s supper itself his blood was being poured out for us and his body was being broken for us, that is, it was being immolated and sacrificed. For he was truly handing over the body and blood, the bread and wine having been changed. Next, not even the Lutherans can deny this, since they say that the body handed over is under the bread and in the bread. But that which is thus poured out and broken for others, and by that change or transubstantiation comes to exist in a new and ineffable mode, is rightly said to be sacrificed.

§ 5. “The Apostles,” he says, “did not sacrifice.” But the Liturgies of the Apostles cry out against him. The first is Peter’s, concerning which the ancients speak, especially St. Isidore of Seville in book 2 of the *Offices*, and Paschasius of Corbie in *On the Body and Blood of the Lord*. The second is that of James, as Clement of Rome testifies. The third is that of James the Less, who is called the brother of the Lord. The fourth is that of Matthew the Apostle, which the Ethiopians generally use; they call the sacrifice *Corbon*. In this they speak as follows, according to the Apostle’s institution:

You are the bread of life descending from heaven, who, before you came, were present in the figure of the immaculate lamb for the redemption of the world. Now, O lover of human beings, we humbly implore your goodness that you show your face upon this bread and chalice on this portable altar. Bless, sanctify, cleanse, and change this bread into your immaculate flesh and this wine into your precious blood. Let it become a burning and acceptable sacrifice, a remedy and salvation for our soul and body, and so forth.

The fifth is St. Mark’s. All these agree with one another as to substance, but differ in ceremonies and rites. St. Andrew himself thunders these words against the tyrant and all sectarians: “I sacrifice daily to almighty God an immaculate lamb which, although it has truly been sacrificed and its flesh truly eaten by the people, remains whole and one.” Thus the presbyters of Achaia. But if for this reason the innovators drown out the truth with a discordant sound, the cause is common to the ancient Church: we say that Christ offered an unbloody sacrifice before his Passion, and we assert that the Apostles and their successors did the same. We cannot lose a cause which has such great patrons. Dionysius, *Ecclesiastical Hierarchy*, chapter 3: ὁ θεοτάτη καὶ ἱερὰ τελετή, “O most divine and sacred sacrifice”; likewise Martial, letter to the people of Bordeaux, chapter 3. Clement of Rome, *Apostolic Constitutions*:

Ἀντὶ θυσίας τῆς δι’ αἵματος, λογικὴν, καὶ ἀναίμακτον καὶ τὴν μυστικὴν, ἥ τις εἰς τὸν θάνατον τοῦ κυρίου συμβόλων χάριν ἐπιτελεῖται τοῦ σώματος αὐτοῦ καὶ αἵματος.

He says that Christ gave us, in place of a bloody sacrifice, a rational, unbloody, and mystical one, which is of his body and blood and is celebrated as a symbol toward the death of the Lord.

With the same meaning Alexander I, in the letter to all the Orthodox, says: “In the oblations of the Sacraments which are offered at the solemn rites of Masses, the Passion of the Lord must be mingled,” and so forth.

[Printed page 389]

And Justin Martyr, in the *Dialogue with Trypho*: “Therefore, concerning all who offer sacrifices in his name which Jesus Christ handed down--that is, those of the bread and chalice in the Eucharist, which are made by Christians in every place on earth--God, anticipating them, testifies that they are pleasing to him.” Sixtus I inserted into his Decrees the requirement that, when the priest begins the action of the Masses, the people should sing a hymn. Telesphorus, in the letter to all, and Hyginus establish the same; all basilicas must be consecrated with Mass. One may see the testimonies of Pius I, Soter, Irenaeus, and others. Hence I argue thus:

We say that Christ and the Apostles truly sacrificed; all the Fathers whose writings make mention of the Christian sacrifice constantly profess the same, with none excepted. There was no Bishop in the past who did not offer sacrifices. No orthodox person condemned those who sacrificed. Therefore the swarms of mutually battling sects ought not to condemn the ancient Martyrs, nor to rejoice against us because, at the Devil’s persuasion, they have exterminated the sacrifice from their territories.

But what they say--that the Mass is *Moghozim* or *Mahuzim*--is plainly ridiculous; for there is a great difference between *Missa* and *Maghuzim*, and they agree only in the single letter *mem*. It is just as if we were to pretend that Cerdo and Calvin are the same because the initial letter of each heresiarch’s name is the same.

“But Christ was offered once upon the cross and made satisfaction once.” We too teach this, and it is found in the writings of all the Fathers. And we hear the Apostle saying that we have been perfected by one oblation. We confess this and give thanks to the kindness of the Redeemer, who offered for us a price of infinite valuation, a price most

sufficient. Nevertheless, the consensus of the Catholic Church has always taught that this price is applied to us through the Sacraments, through faith, and through the unbloody sacrifice. Otherwise Abraham or Moses would not have offered holocausts and victims without crime, for they too were saved by the sacrifice of the cross which was to come. But they were also made participants in it through those sacrifices which they offered either voluntarily or at God's command.

Indeed, prayer would be not only superfluous but also blasphemous, for Christ prayed for us and was heard because of his reverence. Does he therefore not now intercede for us? Can we not pray if he obtained by his prayer the things which must be sought? Does our prayer not render Christ's prayer void--indeed, his sacrifice void? For if the unbloody sacrifice renders void and destroys the fruit and honor of the bloody sacrifice, why does the prayer of a sinful human being, asking anew for what Christ obtained both by sacrifice and by prayer, not issue in the ignominy of the sacrifice and prayer of Jesus Christ, to which it appears to be added as though Christ's were insufficient?

And this is the exposition of sacred Scripture which speaks of a unique sacrifice. The whole Church, from the Apostles onward, has held this exposition not only in writings and sermons, but in oratories, chalices, altars, basilicas, and the perpetual use of the sacrifice itself. No petty reasonings of so many sectarians have destroyed it. Those, therefore, who have made a secession in this cause have withdrawn not from Monks or Jesuits, as they boast, but from the whole ancient Church, and they interpret Scripture in a novel manner.

CHAPTER VI

That the Office of Psalm-Singing in the Church Was Entrusted to Clerics and Must Be Cultivated Holily

§ 1. That the custom of celebrating the divine praises with song was most ancient can be doubted by no one who has read Exodus 15: that the children of Israel, after Pharaoh was drowned, when they had crossed the Red Sea, divided into choirs and sang thanks together to God, not with the voice alone but also with drums and musical instruments.

§ 2. The Israelites imitated them thereafter, especially after David and Solomon prescribed the orders and turns of the singers. When their devotion had vanished, the Essenes succeeded them, concerning whom Philo, in *On the Contemplative Life*, relates in these words:

When all have risen, two choirs are formed in the middle of the dining-hall, one of men and the other of women; over each is placed its own leader, eminent in honor and skill in singing. Then they sing hymns composed for praise in various kinds of meters and songs, now with one voice, now in alternation, not without becoming and religious gestures and accents, at one time standing, at another moving their step forward and backward, just as the matter demands. Then, after each choir has completed its part separately, delighted by these pleasures as if drunk with divine love, they form one mixed choir, in imitation of the one established long ago when the sea, at God's command, brought salvation to the one party and destruction to the other, with Moses leading the men and Miriam the prophetess the women.

§ 3. The same custom of singing was transferred into the Church immediately with the very beginning of the faith. For thus Paul, Colossians 3: "Let the word of Christ dwell abundantly in you, in all wisdom, teaching and admonishing one another in psalms, hymns, and spiritual canticles, singing in grace in your hearts to God." He also admonishes the same things in Ephesians, chapter 5. We have as a witness of the Christians' songs Lucian the apostate, in the *Philopatris*, for night and day they persevered in that kind of piety; and also the persecutor Pliny, book 10, letter 97, who testifies to Trajan that he found no offense among the Christians except that they celebrated assemblies before dawn and sang praises to Christ. Justin Martyr, in his oration to Antoninus, and Clement of Alexandria, in the address to the gentiles, are witnesses to the same custom.

§ 4. Indeed, Basil, against the heretics, letter 69, teaches that there were despisers of sacred song even long ago:

But concerning that for which we are accused on account of the psalmodies, by which especially those who traduce us terrify the simpler people, I have this to say: namely, that the rites which have now prevailed agree and harmonize with all the Churches of God. For by night the people rise and, before dawn, seek the house of prayer; and there, after confession to God has been made with toil and tribulation and unfailing tears, at last, rising at the signal, they are set to psalmody. And now, divided into two parts, they sing antiphonally, taking up the song by turns; and by this they at the same time strengthen their exercise and meditation in the utterances of God and supply to their hearts a more attentive firmness, having cast away the vain thoughts of the mind. Then, when to one of them has been given this office, that he should first begin what is to be sung, the rest take it up; and thus, amid variation in the psalmody and prayers interposed from time to time, they pass the night. When day is already dawning, all together, as if with one mouth and one heart, offer to the Lord a psalm of confession, and each professes repentance in his own words. If on their account you flee from us, you will at the same time flee from the Egyptians; you will flee from both Libyas, the Thebans, the Palestinians,

[Printed page 390]

the Arabs, Phoenicians, Syrians, those who dwell by the Euphrates, and--to say it once--all among whom vigils, prayers, and common psalmodies are held in esteem.

Thus far Basil. Innumerable testimonies of the holy Fathers would have to be adduced to this effect, but for the sake of brevity we restrain ourselves. Hence, what is read in the life of Damasus--“He established that Psalms should be sung day and night through all the Churches,” and “he commanded this to presbyters, Bishops, and monasteries”--must be understood not of the first institution, but of a general precept by which the churches which had not yet begun to do it were also to be instituted. For under the Emperors Valentinian and Valens, after the persecution of Constantius and then of Julian, the Churches flourished again, so that singing could be done publicly.

§ 5. The ancient psalmody and hymnody were more convenient for the people and the clergy; certainly the people responded to the priest, as Ausonius shows:

And celebrating the harmonious songs of tuneful David,

He strikes the air with voices that will answer, “Amen.”

At Rome also “Amen” re-echoes in the likeness of heavenly thunder, as Jerome is witness in book 2 of the commentary on the letter to the Galatians. As the multitude of the faithful increased, when the Churches often resounded with discordant voices and unformed howling--a thing which impeded devotion, stirred laughter, and offended unbelievers--the Bishops applied themselves with great labor to this end: that the chant should be perfected with religious gravity and measures suited to piety. This was so not only in the Church, but also in the *agapae*, that is, the feasts of charity; thus Clement of Alexandria, *Paedagogus*, book 2, chapter 4, and Tertullian, *Apology*, chapter 39. Therefore, in order that it might be corrected and recalled to modesty, the arrangement was that this province should be entrusted to definite and skilled persons.

In the Council held under Pope Martin it is established that no one may sing psalms in the pulpit who has not been ordained a reader by the Bishop. And in Distinction 92, chapter 2, the order of the singers is established:

In the holy Roman Church a very reprehensible custom arose long ago, that certain persons should be chosen as singers for the ministry of the sacred altar and, constituted in the order of the diaconate, should be devoted to the modulation of the voice, although it was fitting that they should have leisure for the office of preaching and the pursuit of almsgiving. From this it generally happens that, while a pleasing voice is sought for the sacred ministry, the search for a fitting life is neglected, and the minister who is a singer provokes God by his morals while delighting the people with his voice. Concerning this matter, therefore, by the present decree I establish that in this See the ministers of the sacred altar ought not to sing, but should perform only what belongs to the office of the Gospel reading among the solemn rites of the Masses. But the psalms and the remaining readings I judge should be performed by subdeacons or, if necessity demands, by the minor orders. If anyone attempts to act against this decree of mine, let him be anathema.

§ 6. The song of the Church is corrupted in three ways. First, when one sings with the voice, not with the mind; when God is celebrated with the lips by those whose heart is far from God. Attention, moreover, is necessary either to the words, the meaning, or God who is entreated; if it is directed to all, however, it is best. Yet, because of the weakness and wandering of the human mind, it is not easily actual at all times; it is sufficient that it be virtual, as the Theologians teach by consensus: St. Thomas with his interpreters, II--II, question 83, article 13; Suárez, treatise 4 *On Religion*, and books 3, 4, and 5; Lessius, *On Justice and Right*, book 2, chapter 34, doubt 11; Valentia, II--II, disputation 6, question 2, point 10; Reginaldus, book 18 of the *Penitential Forum*, chapter 12, section 1; and likewise others; Navarrus, in the *Enchiridion*, chapter 25, number 105. For the voice is empty if the mind is distracted elsewhere and God is honored by the lip alone.

Second, when the modulation is broken lightly, loosely, and indecorously. Jerome on Ephesians, chapter 5:

Let the young men hear these things; let those hear whose office it is to sing psalms in the Church. One must sing to God not with the voice but with the heart; nor must the throat and jaws be smeared with a sweet medicament after the manner of tragedians, so that theatrical melodies and songs may be heard in the Church, but one must sing in

fear and deed, in the knowledge of the Scriptures. Although someone may be--as they are accustomed to call it--*κακόφωνος*, “ill-voiced,” if he has good works he is a sweet singer before God. Let the servant of Christ sing in such a way that not the voice of the singer but the words which are read may please; so that the evil spirit which was in Saul may be cast out from those who are similarly possessed by him, and not be introduced into those who have made the house of God a stage for the peoples.

Third, when things are sung whose recitation is contrary to good morals. Such were the songs devised by the Donatists themselves; thus Augustine, letter 119:

Concerning this thing, so useful for moving the mind piously and kindling the affection of divine love, there is a varied custom, and very many members of the Church in Africa are sluggish, so that the Donatists do not reproach us for soberly singing in the Church the divine canticles of the Prophets, while they themselves inflame their drunken revels to the song of Psalms composed by human ingenuity, as if to trumpets of exhortation.

In this matter, indeed, our own sluggishness must also be lamented with tears, because although the Anabaptists, Lutherans, Calvinists, and Arians proclaim with such great vehemence their hymns opposed to morals and the faith, we respond in many Churches with negligent and languid singing. And yet ecclesiastical song, as Justin teaches, arouses the mind by a certain pleasure and makes it burn with desire for that which is celebrated in song; it quiets the affections and concupiscences of the flesh; removes evil thoughts arising at the suggestion of enemies whom one cannot see; waters the mind for the fructification of divine goods; makes those who contend for piety noble and brave through constancy in adverse circumstances; and brings to the pious a remedy for all things which occur in life that are sad and mournful.

Corruptions of songs of this sort existed long ago among the Arians, composed by the Heresiarch himself in Sotadic measures, concerning which St. Athanasius speaks in oration 2 against the Arians. The Meletians imitated these men, singing hymns with profane clapping of hands and a kind of dancing. Paul of Samosata also had taught women to sing praises to him in the Church in place of Psalms. Thus the Synod of Antioch to Dionysius of Rome. Apollinaris of Laodicea afterwards attempted similar things by composing impious psalms--as Epiphanius relates, heresy 67--and the Synod of Laodicea reports this in chapter 59. The sects of our time vigorously imitate them; for there is scarcely one which does not sing its own orgies and propagate impiety by sweetness of voices, as though by Enthusiasm. Hence they have introduced all the allurements of singing into their assemblies, so that they may exterminate the hymns and psalmody of the ancient Church.

§ 7. All musical instruments are rightly and lawfully employed in ecclesiastical song. For the Psalms frequently admonish us to sing with lyres, with well-sounding cymbals, with strings and organ, upon the ten-stringed psaltery. Nevertheless, the Church did not make great use of them at the beginning of the Gospel, both because that little flock generally met in private houses and because the obscenities of the gentiles as well as idolatry had polluted all those kinds of organs and stringed instruments--so much so that song seemed scarcely honorable if instruments were added, whose use at that time was almost wholly in wantonness.

The provincial Council of Siena commands that the holy use of organs be maintained: “The Church received the use of organs

[Printed page 391]

from the Fathers for divine worship and service. Therefore we do not will that an immodest or lascivious melody be played upon instrumental organs in the Church, but an altogether sweet sound which represents nothing besides divine hymns and spiritual canticles.”

§ 8. The utility of singing is manifold; Chrysostom expounded it in homily 41 on the Psalms:

Nothing equally raises the soul and in some measure makes it lofty, frees it from the earth, releases it from the bonds of the body, affects it with the love of wisdom, and brings it to despise all things pertaining to this life, as

does measured verse, a divine song composed in rhythm. Certainly our nature is delighted with songs and poems to such a degree, and has so great an affinity and congruity with them, that even infants hanging at the breasts, if they weep and are distressed, are soothed in that way. Indeed, nurses who carry them in their arms, often going away and returning and singing certain childish songs to them, thus lull their eyes to sleep.

For this reason travelers driving yoked animals at midday also often do this, singing and consoling the weariness of the journey with those songs. And not only travelers, but also farmers treading grapes in the winepress, those gathering the vintage and tending vines, and those performing any other work, often sing. Sailors driving the oars do this as well. Indeed, women too, while weaving and separating tangled threads with the shuttle, very often sing, sometimes individually and sometimes all together in concord, one particular melody. Women, travelers, farmers, and sailors do this because they wish to console with song the labor received from performing the work, since the soul, if it hears poems and a song, will bear troublesome and difficult things more easily.

Therefore, because this kind of delight is very closely related and familiar to our soul, lest demons, by introducing wanton and meretricious songs, overturn all things, God constructed the Psalms so that pleasure and utility might be received from them at the same time.

And after many things concerning the utility of singing psalms, he adds these:

I say these things not so that you alone may praise, but so that you may teach your sons and wives to sing such canticles, not only while weaving or performing another work, but especially at the table. For when the Devil most commonly lies in wait with insults, using the aid of drunkenness, gluttony, profuse laughter, and a relaxed mind, then especially, both before the table and at the table, one ought to fortify oneself with the protection of the Psalms and, rising from the banquet together with wife and children, to sing sacred hymns to God.

Would that sacred songs succeeded in the place of light, foolish, and filthy ditties among all people. Would that at least upon the feast-day the piety of those singing psalms were heard.

§ 9. Nevertheless, the Church does not reject the sacred hymns of the holy Bishops or Doctors. In the time of Pope Honorius I there were some who rejected them. The Fourth Council of Toledo, chapter 2, approves and receives them:

Concerning the singing of hymns, we also have the example of both the Savior and the Apostles. For the Lord himself is reported to have recited a hymn, as Matthew the Evangelist testifies: “And when the hymn had been said, they went out to the Mount of Olives.” And the Apostle Paul wrote to the Ephesians, saying: “Be filled with the Spirit, speaking to yourselves in psalms and hymns and spiritual canticles.” And because certain hymns are known to have been composed by human study in praise of God and of the triumphs of the Apostles and martyrs--such as those which the most blessed Doctors Hilary and Ambrose published, which nevertheless certain persons particularly reject because they do not exist from the Scriptures of the sacred Canons or Apostolic tradition--let them therefore also reject that hymn composed by human beings which we recite daily in the public and private office at the end of all the Psalms: “Glory and honor to the Father and the Son and the Holy Spirit, for ages of ages. Amen.”

For ecclesiastical Doctors composed the remaining words which follow there even in that hymn which the Angels sang when Christ was born in the flesh: “Glory to God in the highest, and on earth peace to human beings of good will.” Therefore, are those words themselves not to be sung in the Churches because they are not found in the books of sacred Scripture? Masses are composed--whether prayers, orations, commendations, or impositions of hands--and if none of these is sung in the Church, all ecclesiastical offices are empty. The Apostle admonishes that these things be done and exhorts Timothy, saying: “I beseech, therefore, first of all, that supplications, prayers, petitions, and thanksgivings be made for all human beings, for kings, and for all who are in high station.” Therefore, just as prayers, so let none of us hereafter disapprove hymns composed in praise of God; rather, let them celebrate them in like manner in Galicia and Spain. Those who have dared to reject hymns are to be struck with excommunication.

§ 10. Therefore, it was most rightly established by the Church long ago that we should employ a definite form of singing psalms in the Church. Thus the Fourth Council of Toledo, chapter 2, commands that one manner of praying and singing psalms be retained. Thus the Council of Braga, chapter 10, which was celebrated during the reign of Ariamir; the Council of Vannes under Leo I, chapter 15; that of Gerona under Hormisdas, chapter 1; and that of Épaone under Gelasius I, chapter 4. Finally, the Council of Trent commanded that all things be reduced to the best order. The Council of Siena, chapter 17, also speaks excellently:

And since psalmody is commanded to be sung in the Churches of God so that the devotion of the faithful may be aroused, for this purpose let the night and day office and the solemn rites of Masses be sung continually by the clergy and people with a measured tenor and distinct gradation, so that they may take pleasure in that same distinctness and be delighted by the measuredness. Therefore we command that in the churches the musical chants be distinct and discrete, moving the heart to devotion and compunction. Furthermore, under the pretext of musical song, public and lascivious ditties are not to be heard in the Churches. For, as Jerome says, the throat and jaws must not be softened with a medicament after the manner of tragedies, lest, while a pleasing voice is sought, a fitting life be neglected.

§ 11. The Fifth Council of Milan contains distinguished instructions concerning ecclesiastical song, which flowed from the most holy soul of Charles Borromeo. It admonishes, first, that every Canon or other minister whatsoever who is bound to the offices of the choir should train himself in the discipline of the choir with a certain zeal for inward piety, whose splendor should also shine outwardly.

Before he assembles there, however, let him reflect attentively with himself for a little while upon the sanctity of that place, the cause of assembling, and the offices of divine praise--which are the duty of Angels and ought to be celebrated most chastely by all.

Firmly adhering to this very thought, he will not even conceive in his mind and soul anything alien to the religious character of that place, much less do anything which would offend the eyes of God.

Therefore let him prepare himself again and again, diligently, by holy meditation in the inward soul and by religious prayer, so that he may perform the outward worship of the divine offices salutarily.

While he puts on the surplice, which is a garment made from white linen cloth, let him consider what person he sustains--namely, one pure from filth and stain, such as that vestment indicates.

When a Canon places upon his shoulders or arms, according to custom, the fur almuce, which is the insignia of Canons, let him take up this thought: that the affections and desires for worldly things ought to be extinguished and altogether dead in himself, as is signified by that skin of a dead animal which he puts on according to custom.

[Printed page 392]

But if, as is the institution or custom in very many Churches, he puts on a cope which covers his shoulders and as it were binds his arms, let him understand from this garment that he ought to keep his appetites restrained, as though bound, and accommodate his whole self to the will of God.

Therefore, when, clothed in the vestments of the choir, he covers the other clothing which he uses outside and thus bears another person in his apparel, let him beware lest, even in the sacristy, he do or admit anything which does not rightly agree with the action on account of which he put on that apparel.

Indeed, let him not occupy himself with conversations alien to that action, unless he presides over a duty which necessarily requires it.

Let him always abstain--but especially while clothed in the vestments of the choir, wherever he may be, whether in the sacristy or another place--from jokes, ridiculous or witty sayings, loud laughter, and futile and empty words which are poured out rashly and imprudently.

Let him not approach the choir hastening as though incited by gain from the distributions, but with a grave step.

And while he proceeds to the choir, although another companion is joined to him, let him approach as though alone, fixed in this meditation: let him reflect within himself that he is approaching the choir--that is, the holy of holies, as an ancient canon provided--and the sacrifice of public prayer.

When he is in the choir, let him withdraw his soul and mind, insofar as it can be done, from all cares, disturbances, and thoughts alien to the sanctity of the matter being performed, and gather his whole self into the worship of God.

Let him also consider for what reason he has betaken himself there; then let him establish for himself that he is in the sight of almighty God and in the company of innumerable Angels and Saints.

In this thought let him see and continually consider that he stands in that place in order to offer most holy worship and veneration to God and to entreat from him every good thing both for himself and for others.

But let him consider God himself as a most loving father and redeemer, most good, most wise, and most merciful, who beholds all things and is everywhere and always.

Then let him suppliantly seek from God purity of heart and the gift and grace of praying well, and let him direct the sacrifice of his prayer, together with the merits of Jesus Christ and of the saints--especially of the saint whose memory the Church celebrates on that day--to the glory of the holy and undivided Trinity and to the utility of himself and his neighbors.

When one must sing psalms, first let him conceive in his mind and soul the subject of the psalm.

Let him observe, moreover, who speaks in the psalm: whether God, the Church, a penitent, or one aspiring to perfection.

Let him likewise attend to the salutary affection to which the psalm especially refers.

When he has thus prepared himself religiously, let him accommodate himself with great attention of soul to the words and sentiments of the psalm, so that he praises, groans, and trembles with fear, just as the expressions of the psalms indicate; and, finally, let him first conceive in his soul what he brings forth with his mouth.

Then let him note the individual words and diligently attain their interpretation, whence his mind and soul may be kindled toward some salutary affection.

Let him also join to the words in his soul a thought either of love, reverence, or humility. And let him indeed arouse some affection in this way: if he brings forth the words of a psalm concerning virtue, let him be kindled with a desire to imitate it; if they concern sins, let him grieve inwardly that he himself, or certainly his neighbor, has been in that condition. And so likewise concerning the other things which are signified by the Psalm.

Moreover, let him endeavor to renew and arouse that attention at the beginning of each psalm, prayer, and other part of the divine office, and then of each canonical hour, especially while he pronounces those words which have power to kindle the spirit of holy prayer: "O God, come to my assistance," and so forth.

Let him do the same when he notices that he is distracted elsewhere by his thoughts.

At the end of each psalm also, let him arouse himself by those words, "Glory be to the Father," and so forth.

Likewise, at the conclusion of the prayers, when it is said, "Through our Lord Jesus Christ," let him strengthen himself with holy hope toward him who is the author of our redemption.

And because attention is very greatly aroused if each person rightly understands what he utters, for this reason let him be continually engaged above all in an exposition of the psalms which is not varied, but is wholly occupied in arousing and exercising holy affections.

But since a great part of the fruit of singing psalms consists in the affections of the psalms, whether one prays in the choir or privately, with a subdued or a loud voice, for this reason let him define for himself certain topics of the Psalms in which this whole method is comprehended.

Let the chief topics beyond the rest be these, from which salutary affections arise: the praise of God, the memory of our good things, the commemoration of our misery, and the rebuke of those who act wickedly.

When the goodness of God is proclaimed in the words of the Psalms, let him kindle himself with his whole soul toward love of him and thanksgiving for the benefits which proceed from divine benignity. When his infinite wisdom and power are commemorated, let him be affected with admiration; then let him inwardly rejoice when something well accomplished by God's aid is related.

When the memory and recollection of good things is aroused by the words of the Psalms, let him conceive a certain desire to obtain them for himself and for others; then let him seek those same things from God, and then take up hope in God in his soul that by his divine aid he will not only obtain those things which are good and salutary, but avoid those which are evil and bring destruction.

Sometimes also let him rejoice inwardly in the Lord that, with God's help, he has obtained good things and avoided evils.

From the commemoration of miseries let him conceive fear, grief, and humility when he recognizes his infirmities.

From the rebuke of those who do evil, let him recognize zeal for divine vengeance and indignation against wickedness. And thus indeed from these salutary affections he will obtain the richest fruit of singing psalms.

When the Psalms have been prayed through and the office of the canonical hours completed, let him remain silent for a little while and, with knees bent, entreat pardon for negligence, distraction, or any other fault which he committed in that office of prayer. Then let him pray that, through the merits of Christ and the whole Church, the homage and ministry of his prayer may be pleasing and acceptable.

In that office of singing psalms, just as attention of mind and salutary affection are required, so is a becoming disposition of the body.

Therefore, in addition to the things established in the first Council concerning bending the knees, inclining the head, standing, sitting, and the other parts, we also forbid certain things in the choir which, as being less becoming and alien to the worship of that place, ought to be avoided. These things are described upon a tablet which will be published by our care and shall be permanently affixed in each sacristy of the Churches, cathedral, collegiate, and parochial.

Moreover, let these very admonitions, described upon another tablet, likewise be kept in each sacristy.

Not only in sacristies and upon tablets, however, but upon the fleshly tablets of the heart; for to what end is all the ornament of churches and apparatus of ceremonies,

[Printed page 393]

unless God is served with upright souls? But if it shall seem good to prelates to hang these admonitions also in the choir, they will bring incitements to the pious and instill shame into the negligent and those disdainful of sacred things. At the same time, they will easily restrain those who most shrewdly hunt after free benefices and fruits without a burden.

§ 12. For this reason the first Council gravely admonishes the person who presides over the choir concerning his office:

In cathedral and collegiate Churches, let him who presides over the choir watch diligently lest anything be omitted in the institution or progress of the divine office, or in the remaining things which pertain to the approved manner

of the Choir, or in the other things which are prescribed by common or particular constitutions in the performance of the divine offices. And let nothing be done absurdly, indecorously, or in an inverted order. If any do not satisfy their office, let him rebuke them gravely and lovingly; if they do not come to their senses, let him command the attendance-marker to record them in the book and report them to the Bishop, to whom they shall pay worthy penalties. But if he himself has been negligent in the performance of his duty, let him be punished by the Bishop or by another who presides over the Church.

But if any Church does not have a person specifically placed over this duty, or if it has such a person but he is not present in the choir, let the person who then sits in the first place in the choir among those who possess dignities or Canonries in that Church discharge the office of presiding.

§ 13. The Council of Basel instructed all no less carefully in session 21:

If someone who is about to petition a secular prince endeavors to compose himself in word, with honorable apparel, becoming gesture, utterance not hasty but distinct, and an attentive mind, how much more diligently ought one who is about to pray to almighty God in a sacred place take care to do all these things? The holy Synod therefore establishes that in all cathedral and collegiate Churches, at the due hours, after the signals have first been rung with a suitable peal, the praises of the divine majesty shall be reverently discharged by all at each hour, not rapidly and hastily, but slowly and deliberately, and with a becoming pause, especially in the middle of each little verse of the Psalms, making the due difference between the solemn and ferial office.

Let those who are to recite the canonical hours enter the Churches wearing an ankle-length tunic and clean surplices extending below the middle of the shins, or copes, according to the diversity of times and regions; wearing not hoods upon their heads, but almuces or birettas. When they are in the choir, let them preserve the gravity which both the place and office demand, not conversing or speaking there at the same time with others, or reading letters or other writings. And since they assemble there for the sake of singing psalms, they ought not to keep their lips joined and closed, but let all--especially those who discharge the greater honor--cheerfully sing Psalms, hymns, and canticles to God.

When "Glory be to the Father and to the Son and to the Holy Spirit" is said, let all rise. When that glorious name Jesus, at which every knee of those in heaven, on earth, and under the earth is bent, is named, let all incline the head. Let no one there, while the hours are publicly sung, read or say the office privately. For he not only withdraws the service which he owes to the choir, but disturbs the others singing psalms. Let the Dean, or the person upon whom the burden rests, watch diligently over the due observance of these things and of the other things pertaining to the performance of the divine office and the discipline of the choir, looking about on every side lest anything be done in disorder. Transgressors of these things shall be punished by loss of the distribution for that hour in which they offended concerning the aforesaid things, or by another greater penalty, as the gravity of the transgression demands.

If prelates seriously take care of these things as they ought, at peril of eternal salvation, we shall in a short time behold another form of the Church.

§ 14. In the same session it also taught concerning attendance in the choir those things whose neglect has ruined the clergy and invited new heresies:

Whoever at Matins has not been present at the divine office before the end of the Psalm "Come, let us exult," at the other Hours before the end of the first Psalm, and at Mass before the last *Kyrie eleison*, and has not remained until the end--unless perhaps, when necessity compels, he must depart after requesting and obtaining permission from the President of the choir--shall be considered absent for that hour, without prejudice to the customs of Churches, if any happen to be stricter concerning this. Let the same be observed regarding those who have not remained in processions from the beginning all the way to the end. For the execution of this, let someone be deputed who has the burden of noting the individual persons who do not assemble at the established time; being bound by oath, he is to act faithfully and spare no one.

This holy Synod also commands that in Churches in which definite distributions are not established for the individual hours, they shall nevertheless be assigned even from the gross fruits, if necessary, so that each person may receive more or less emolument according to the measure of his labor. It thereby removes entirely that abuse by which one who is present at only one hour appropriates the distributions of the whole day, and that abuse by which Provosts, Deans, or other officials receive the daily distributions solely because they are officials, although they are not actually absent for the utility of the Church.

From this we certainly infer:

First, that those persons offend gravely who, although they live--and often live sumptuously--from the Church, regard the duties of singing and celebrating the praises of God in the Church as beneath their dignity and delegate them to poorer Priests, vicars, students, and hired singers. David, singing to God by nights and days, did not act thus; nor Charlemagne, who himself handed down the modes of singing; nor the greatest and holiest Pontiffs, who together with kings and emperors endowed the Churches most munificently so that the divine majesty might be worshiped publicly by the most learned and illustrious men.

Second, that the custom and opinion of those who possess ecclesiastical benefices but judge that the church is to be approached only rarely, or boast that mere presence suffices for receiving revenues, is damnable. For since a benefice is given on account of an office, one cannot make its fruits his own by idleness alone, much less by business which is worse than idleness. For who would believe either that it was the intention of the founders or that God has any care for the most corrupt custom of those who are intent upon empty tales in the portico or the Church itself while others sing the divine offices? Do you not have houses, covered walks, and gardens for walking and talking, that you despise the Church of God? The Church of God, from which it is provided for you that you can talk idly? With what countenance, moreover, do you see your fellow citizens, who maintain the Churches by tithes and contributions, praying and singing psalms in that church which resounds with your tales?

A Priest, Canon, or Deacon, laughing and chattering in the sight of the Angels, amid the Psalms and the tremendous mysteries, in the middle of the church and in the presence of the Holy Eucharist--although their office is to give examples of modesty, devotion, and reverence toward the Church to all--is present to the great scandal of everyone and perhaps treats of trifling secular business. If he sometimes speaks of piety, nevertheless, because it takes place in a place not granted for it, it is not free from blame, because he makes the house of prayer and sanctuary of the Lord's body a house of business, recreation, wandering discourse, and trifles.

Third, that the cause of so many evils has arisen from this, because the house of God is despised by its own ministers. In Haggai 1:2 God says that neglect of sacred things is the cause of evils:

This people says: "The time for the house of the Lord to be built has not yet come." And the word of the Lord came by the hand of Haggai the Prophet, saying: "Is it time for you to dwell in paneled houses while this house is desolate?" And now the Lord of hosts says these things: "Set your hearts upon your ways. You have sown much and brought in little; you have eaten and have not been satisfied; you have drunk and have not become drunk; you have clothed yourselves and have not become warm; and he who gathered wages put them into a bag full of holes." The Lord of hosts says these things: "Set your hearts upon your ways. Ascend the mountain, carry timber, and build the house, and it will be acceptable to me and I shall be glorified," says the Lord. "You looked for more, and behold, it became less; and you brought it into the house, and I blew it away. For what reason?" says the Lord of hosts. "Because my house is desolate, and each of you has hastened to his own house. On account of this the heavens above you were forbidden to give dew, and the earth was forbidden to give its produce; and I called drought upon the earth and upon the mountains, upon the wheat and the wine and the oil, upon whatever the ground brings forth, upon human beings and beasts of burden, and upon every labor of the hands."

[Printed page 394]

But now the house of God is not only not built; rather, one already built is turned to profane uses. Therefore, where evil morals have grown so strong that they cannot be corrected by ordinary power, the clergy which despises its own church will be rooted out--a thing which has already happened in many places.

Fourth, reformation is easy if those who ought to will it are willing. For who, if he sees that a thing from which there is no emolument displeases his superiors, would dare shamelessly to offend in it? Next, just as an absent man is deprived of distributions, so let those wanderers be punished with a double fine, so that they both lack their distributions and pay an expenditure for the fabric of the Church. For the religious magnificence of our forefathers erected such great churches not for license, but for devotion. But our discourse will return again to this error, because that which is often committed must often be reproofed.

CHAPTER VII

That the Canonical Hours and Vigils Were, and Are, Customary in the Church

§ 1. The Canonical Hours were instituted in the Church so that the divine praises might be sung or recited in a definite order by God's ministers. For after sustenance was appointed for Christian Priests, definite tasks of divine praises and prayers were also defined. In ancient times, although they were not contained within a definite number of Psalms, prayers, or readings, they were greater than in ours.

Thus the singing and recitation of the Canonical Hours in the Church is a most ancient thing. Indeed, their beginnings are in the Church of the Jews. Tertullian, *Against the Psychics*, chapter 10:

Moreover, since in the same commentary on Luke both the third hour is shown as an hour of prayer--at which those initiated by the Holy Spirit were regarded as drunk--and the sixth, at which Peter ascended to the upper part of the house, and the ninth, at which they entered the temple, why should we not understand, while plainly preserving the indifference that one must pray always and everywhere and at every time, that these three hours nevertheless, as the more distinguished in human affairs--which distribute the day, distinguish business, and sound publicly--were thus also the more solemn in divine prayers? Daniel's example, too, praying three times a day, also recommends this, certainly by the selection of certain hours, and of none other than the third, sixth, and ninth, which thereafter became the more distinguished Apostolic hours.

Tertullian therefore recognizes three hours customary among Christians and the more distinguished or solemn hours of prayer. Cyprian proves the same in the same way in his book *On the Lord's Prayer*. I intend to adduce the words of the most holy martyr and prelate, so that the Christian Clergy may recognize with what zeal it ought to perform the sacred offices commended to us by such venerable antiquity, and so that heretics who mock our prayers may understand that they fight against antiquity and all the saints. Cyprian therefore speaks thus in the book cited:

In the celebration of prayers we find that Daniel and the three youths--strong in faith and victorious in captivity--observed the third, sixth, and ninth hour, evidently in the sacrament of the Trinity which was to be manifested in the last times. For the first hour, advancing to the third, shows the consummated number of the Trinity. Likewise the fourth, proceeding to the sixth, declares another Trinity. And when the ninth is completed from the seventh, the perfect Trinity is numbered through three hours at a time. Long ago, the worshipers of God, spiritually determining these spaces of hours, served at established and lawful times for prayer; and afterwards it was manifested that these had formerly been sacraments, because just persons had previously prayed thus.

For at the third hour the Holy Spirit descended upon the disciples and fulfilled the grace of the Lord's promise. Likewise Peter, ascending to the housetop at the sixth hour, was instructed by both a sign and the admonishing voice of God to admit all to the grace of salvation, although he had previously doubted concerning the cleansing of the gentiles. And the Lord, crucified at the sixth hour, washed away our sins with his blood at the ninth and, so that he might redeem and give us life, then perfected his victory by his Passion.

But for us, dearest brothers, in addition to the hours observed from antiquity, both the periods and the sacraments of prayer have increased. For one must pray also in the morning, so that the Lord's resurrection may be celebrated by morning prayer, which the Holy Spirit formerly signified in the Psalms, saying: "My King and my God, because to you I shall pray, O Lord; in the morning you will hear my voice; in the morning I shall stand before you and contemplate you." And again the Lord speaks through the Prophet: "At dawn they will keep watch for me, saying: Let us go and return to the Lord our God."

Likewise, when the sun withdraws and the day ceases, it is necessary to pray again. For because Christ is the true Sun and the true day, when the sun and day of the world withdraw and we pray and ask that light may come upon us anew, we entreat the advent of Christ, who will furnish the grace of eternal light. But the Holy Spirit declares in

the Psalms that Christ is called the day: “The stone,” he says, “which the builders rejected, this has been made the head of the corner. This was done by the Lord and is wonderful in our eyes. This is the day which the Lord has made; let us walk and rejoice in it.” Likewise the Prophet Malachi testifies that he is called the Sun, saying: “But for you who fear the name of the Lord, the Sun of justice will arise, and healing is in his wings.”

Therefore, if in the holy Scriptures Christ is the true Sun and the true day, no hour is excepted by Christians from the requirement that God should be worshiped frequently and always; so that we who are in Christ—that is, in the true Sun and day—may persist in prayers throughout the whole day and pray. And when, by the law of the world, night revolves and follows in alternating succession, no harm can come from nocturnal darkness to those who pray, because for the sons of light it is day even in the nights. For when is he without light who has light in his heart? Or when is the Sun and day absent from him to whom Christ is Sun and day? Therefore, we who are always in Christ—that is, in the light—must not cease from prayer even during the nights.

Cyprian therefore adds the morning, evening, and nocturnal hours to the Tertullian hours.

[Printed page 395]

Jerome, in his letters to Demetrias and Laeta, also shows that this was the custom of his own time. Therefore this institution is not Damasus’s, Jerome’s, or Ambrose’s, except insofar as all things were reduced more fully to order by their counsel and command. Sigebert in the *Chronicles* and Radulf of Tongeren must be understood in this way when they name these fathers as institutors of the hours.

Athanasius, *On Virginity*, teaches that the system of the hours was more ancient:

Let the rising Sun see the book in your hands. After the third hour you will perform the Synaxes, because at that hour the wood of the cross was affixed. At the sixth hour you will complete supplications with Psalms, weeping, and entreaties, because at this hour the Son of God hung upon the cross. At the ninth hour you will again be engaged in hymns and glorifications; with tears and confession of your sins you will supplicate God, because at this hour the Lord, hanging upon the cross, gave up his spirit. And after the Synaxis of the ninth hour eat your bread.

And after several things:

If you enter the temple at the twelfth hour, you will perform a greater and longer Synaxis with virgins in agreement with you; but if you have no one in agreement, you will complete the Synaxis alone, with God present and hearing. It is good, however, to pour out tears before the Lord and to be mindful of the twelfth hour, because at that hour the Lord descended to those below.

Farther down he adds these things:

At midnight you will arise and celebrate the Lord your God with hymns, for at that hour the Lord your God rose from the dead and celebrated his Father with hymns; and for this reason he enjoined us to sing hymns to God at the same hour. As soon as you arise, recite this verse: “At midnight I arose to confess to you, on account of the judgments of your justice”; and pray, and begin to recite Psalm 50 until you complete it.

The author of *The Shorter Rules*, question 37, Jerome to Eustochium, on Daniel chapter 7, and letters 7 and 37 also treat of these matters.

§ 2. Moreover, the holy Councils teach with what spirit they acted even in our own age, including the Council celebrated at Trier under the most reverend and illustrious John in the year 1549:

Let all who are deputed to discharge the Canonical Hours take care that, with their minds recollected insofar as can be done, they complete the task due, and let them not conduct themselves in such a way that, while they sing psalms with their voice, they seem in their mind to think of anything rather than God. Let them always beware lest they hear that prophetic saying: “Indeed, they honor me with their lips, but their heart is far from me.” But what is it to sing psalms with the voice while in the mind going around the house or marketplace, except to deceive human

beings and mock God? Very grave is what Scripture says: “Cursed is he who performs the work of God negligently.”

We therefore establish that the divine praises shall be discharged at each hour, not rapidly and hastily, but deliberately, with becoming intervals observed and account taken of distinguishing feast-days from intervening ferial days, reverently and cheerfully, with the voice in no way raised to a shout, lest they seem rather to be insane or to be capering from wantonness of soul than to exult through fervor of spirit, always turning over in the mind the verse so often sung.

§ 3. Clerics initiated into the major orders, professed religious who have a choir, and beneficed clergy are bound to the Hours. Thus the canon *A Presbyter*, concerning the celebration of Masses, and the canon *If Any Presbyter*, Distinction 92; likewise *Grieving*, concerning the celebration of Masses.

§ 4. A great injury is inflicted upon the divine name and the Church by omission of the Canonical Hours. This can be amended as follows:

1. If most benefices are converted into daily distributions for those present and singing.
2. If benefices are not so easily conferred upon boys; or certainly, while they devote themselves to letters, if they are taught to read and read accurately. For now experience teaches that those who are burdened with benefices as youths become either the best or the worst. For if day by day they discharge their task of prayers with attention and devotion, they make great progress in piety and letters. But if they enjoy the revenues of priestly offices and neglect prayers, since they bind themselves every day by grave sin, it is no wonder that, abandoned by divine grace, they become the worst. For they are, as it were, embezzlers of the ecclesiastical treasury, living as though from plunder of ecclesiastical goods, while they entirely evade the office on account of which those goods are given.

But concerning the Hours the Canonists have written more, as has my colleague Father Gisbertus Sceuickhavius in his most useful book *On the Ecclesiastical State*. Those who occupy the places and functions of the holy Fathers ought deservedly to hear him speaking with the mouth of the holy Fathers.

CHAPTER VIII

That Ecclesiastics Can Be Judges of Civil Matters and Controversies

§ 1. This is a great privilege of the Church: the power to erect its own tribunal in the midst of the Roman Empire and of other kingdoms. Yet Paul, the Doctor of the Gentiles, taught us that this is lawful. 1 Corinthians 6:1 and following:

Does any one of you, having a matter against another, dare to be judged before the unjust and not before the saints? Or do you not know that the saints will judge concerning this world? And if the world will be judged by you, are you unworthy to judge concerning the smallest matters? Do you not know that we will judge Angels? How much more secular matters? If, therefore, you have secular judgments, appoint those who are held in contempt in the Church to judge. I speak to your shame. Thus is there no wise man among you who can judge between his brother and his brother? But brother contends with brother in judgment, and this before unbelievers. Now there is indeed altogether a fault among you, because you have judgments among yourselves. Why do you not rather receive injury? Why do you not rather suffer fraud? But you inflict injury and commit fraud, and this against brothers.

The Apostle indeed desires Christians to be so disposed that they prefer to suffer injury rather than to inflict it. Yet because, in a great multitude, there were not lacking those who were accustomed obstinately to defend their own possessions and greedily to seek those of others, there was need of a judge. But lest the suit be conducted among the Gentiles, he judged that judges were to be chosen in the Church. This, therefore, is the royal priesthood before which the laws of Gentile Caesars had to yield. If, therefore, the Apostles could erect tribunals in cities and appoint judges, who would doubt that they also judged, and much more that they could judge? For to give the power of judging is more than to judge; it belongs to architectonic power.

§ 2. The judges of ecclesiastics are ecclesiastics alone. Thus Cause 11, Question 1, canon 15:

By the present authority we command Your Experience that, in causes in which any person holding ecclesiastical office stands in the place of plaintiff and is about to bring an action against any layman, he shall not fail to present his actions before the judge of his province. But in those matters in which a person holding ecclesiastical office is proceeded against, with every obstacle to the accusation removed, he shall resort without distinction to the examination of the bishop, or of the presbyters appointed in the place where the question is at issue.

And canon 2:

Let no judge, on his own authority and without the Pontiff's permission, constrain or presume to condemn any presbyter, deacon, cleric, or junior servant of the Church.

[Printed page 396]

But if he does so, let him be separated from the Church upon which he is known to have inflicted injury until he acknowledges and amends his deed.

And canon 5:

By a continuous law we decree that no bishop, nor any of those who serve the necessities of the Church, shall be dragged before the courts of either ordinary or extraordinary judges. They have their own judges, and they have nothing in common with public laws.

Likewise the Emperor Constantine, presiding in the holy Synod that had assembled at Nicaea, when he saw that a complaint made by certain persons had been brought before him, said:

You can be judged by no one, because you are reserved for the judgment of God alone.

But this matter belongs to the privilege of exemption, which will be treated in its own place.

§ 3. Those held in contempt are ordered to be appointed as judges in the Church--not so that just anyone may be a judge, for that is not Paul's meaning. For he requires a wise man who can judge between brother and brother. But he calls him one held in contempt because he speaks to their shame, since it is acknowledged that the least of the saints, though he may appear insignificant, is wiser than the wise men of the Gentiles to whom they brought their lawsuits. And so those of a lower condition can be judges, just as if someone were to say that judges can be appointed from the lower-ranking members of an Academy in towns and villages.

§ 4. In former times Christians tried their cases before clerics. Clement, *Constitutions*, book 2, chapter 49:

Let your judgments take place on the second day of the week, so that if any controversy arises from your sentence, you may have free opportunity until the Sabbath to settle that controversy and reconcile peace between those who litigate. Let deacons and presbyters, who will judge with integrity, be present at the judgment as men of God, with justice. When each party has come, as the law commands, let both who litigate be stationed in the middle of the tribunal; and, after hearing them, pronounce judgment in holiness, striving to reconcile them before the bishop's sentence, lest judgment against the sinner go forth over the earth.

Chrysostom explains this excellently, interpreting it as referring to Priests:

Ὁ γὰρ λέγει τοῦτόν ἐστιν· ἴσως ἐρεῖ τις ὅτι οὐδεὶς ἐν ὑμῖν σοφός, οὐδὲ ἱκανὸς διακρίναι, εὐτελεῖς προήχθησαν πάντες· καὶ τί τοῦτο; κἂν γὰρ μηδεὶς ᾗ σοφός, φησί, τοῖς ἐλαχίστοις ἐπιτρέπετε. Τοῦτο δὲ πρὸς ἐντροπὴν ὑμῶν λέγω· ἐλέγχοντος δὲ τὴν τούτων ἀντίθεσιν, ὡς σκῆψιν οὖσαν περιττὴν. Διὸ δὲ ἐπήγαγεν· Οὕτως οὐκ ἐν σοφὸς ἐν ὑμῖν οὐδὲ εἷς; Τοσαύτη, φησὶν, ἀπορία; τοσαύτη σπάνις ἀνδρῶν συνετῶν παρ' ὑμῖν; Καὶ ἡ ἐπαγωγὴ δὲ μείζονα τὴν πληγὴν ἔχει. Εἰπὼν γάρ, Οὕτως οὐκ ἐν σοφὸς ἐν ὑμῖν οὐδὲ εἷς; ἐπήγαγεν, ὅς δυνήσεται διακρίναι μεταξὺ τοῦ ἀδελφοῦ αὐτοῦ. Ὅταν γὰρ ἀδελφὸς δικάζεται μετὰ τοῦ ἀδελφοῦ, οὐδὲ προσδεῖται τῆς συνέσεως, καὶ τῆς δεινότητος τῷ μεσιτεύοντι τὴν δίκην, τῆς διαθέσεως καὶ τῆς εὐπειθείας πολλὰ συμπραττούσης πρὸς τὴν λύσιν τῆς τοιαύτης φιλονεικίας.

Perhaps someone will say that there is no wise man among you, nor anyone fit to discern and adjudicate. And what then? For even if there is no wise man, he says, entrust the matter to the least among you. "I speak to your shame." This is the language of one refuting their objection as an unnecessary excuse and pretext. And therefore he added: "Thus is there no wise man among you?" Is there, he says, so great a lack, so great a scarcity of intelligent men among you? But what he added inflicts a greater blow. For when he had said, "Thus is there no wise man among you?" he added, "Who can judge between his brother and his brother?" For when brother contends in judgment with brother, intelligence and dexterity are not needed for the arbitration of the suit, since affection and kinship bring great assistance toward resolving a contention of this kind.

Augustine's opinion is the same in Letter 47 to Proculianus and in *On the Work of Monks*, chapter 29:

I call as witness upon my soul that I would prefer, during fixed hours on every single day--as has been established in well-regulated monasteries--to do some work with my hands and to have fixed hours for reading and praying, rather than to endure the most tumultuous perplexities of other people's causes in secular business, either by deciding them in judgment or by intervening to bring them to an end. The same Apostle afflicted us with these troubles--not according to his own decision, assuredly, but according to the decision of him who spoke in him. Yet we do not read that he himself endured them, for the course of his Apostleship was differently constituted. Nor did he say: "If, therefore, you have secular judgments, bring them to us," or, "Appoint us to judge"; but: "Those who are held in contempt in the Church," he says, "appoint these. I speak to your shame. Thus is there no wise man among you who can judge between his brother and his brother? But brother is judged with brother, and this before unbelievers." He therefore wished wise, faithful, and holy men who remained in their own places--not those who traveled here and there on account of the Gospel--to be examiners of such matters. Hence it is never written of him that he ever had leisure for such matters, from which we cannot excuse ourselves, even if we are held in contempt, because he wished even such men to be appointed.

§ 5. The examples of the most holy and most laborious bishops show us their judicial power. Gregory of Nyssa, in his oration on the virtues of Gregory Thaumaturgus, Bishop of Neocaesarea:

They judged that no other adjudication even of secular and temporal controversies was more valid and firm for them, or of greater authority; but every question and dispute, and every intricate and difficult entanglement of affairs, was resolved and decided by his counsels and admonitions. Hence, through his beneficence, there was both for everyone collectively and for each person individually not only equity and an upright settlement of law, but also peace.

Moreover, by a miracle God showed that the distinction he won in calming disputes was pleasing to him. Yet he was not on that account negligent in prayer, reading, works of mercy, or teaching. He found seventeen Christians when he received the episcopate; when he died, he left seventeen Gentiles.

Ambrose was so occupied in deciding lawsuits that Augustine says he could not breathe, book 3 of the *Confessions*, chapter 3:

For I could not ask of him what I wished, in the manner I wished, because crowds of busy people, whose infirmities he served, shut me off from his ear and mouth. When he was not with them--which was for only a very small portion of time--he either refreshed his body with necessary sustenance or his mind with reading.

And a little later:

And we conjectured that during that little time which he obtained for restoring his mind, when he was free from the clamor of other people's causes, he did not wish to be called away to anything else. Perhaps he was taking care that, if an attentive and intent listener were present and the author he was reading had set down something rather obscurely, it should not also become necessary to explain it or to discuss certain more difficult questions, and that, with time spent on this work, he would turn through fewer volumes than he wished.

Yet Ambrose did, said, and wrote so many things that, to one who examines his works, he might seem to have lived in the greatest leisure.

Nor did he voluntarily bind himself to so laborious and so hateful a charge; rather, in Letter 49 to Marcellus, he writes that he was clothed with that necessity by the authority of blessed Paul. Augustine, Ambrose's disciple, says in the place cited above:

Malicious people clamor for it, or certainly they oppress the weak, so as to compel them to bring their causes before us. We do not dare say to them, "Man, who appointed me judge or divider over you?" For the Apostle appointed ecclesiastics as examiners of such causes.

[Printed page 397]

He frequently complains of the multitude of business; yet he acknowledges that he is not worn away by the faithful through their litigation, but that rather, by obeying him, they console him.

There survives a complaint of Synesius, who was compelled to accept the episcopate, in Letter 57:

He who exercises the priesthood together with Philosophy has need of leisure. I do not condemn Bishops who are engaged in the business of affairs, but rather I admire those who can do both; it is not within my ability to serve two masters. But if there are others who are not harmed by condescension, they will certainly be able both to exercise the priesthood and to be Prefects of cities. For if a ray of the Sun comes into contact with dung, it remains pure and is not defiled; but when I do this same thing, I have need of fountains and of the sea.

Synesius was denied the release he requested, and he excommunicated the governors Andronicus and, afterwards, Tonans. He could not have done this unless he had first investigated and judged the case. See Letter 58.

§ 6. Beza is therefore injurious to the most holy men in his notes on chapter 6 of First Corinthians:

Ministers, whose office is widely different, must by no means be employed to hear disputes of this sort, but rather any others among those who were afterwards called Laymen, who are least occupied of all with other more useful affairs. For thus I interpret those called *τοὺς ἐξουθενημένους*--“those held in contempt”--hyperbolically, not as those who are most unlearned or who are most base. This, therefore, is that Apostolic doctrine, confirmed in very many places by both the command and example of CHRIST himself: so far was he from granting both swords either to Peter or to any other pastors descended from Peter. But if this had been attentively considered, as it ought to have been, by those ancient Bishops--who were, I acknowledge, far removed from the ambition which presently followed them, yet nevertheless departed from the Apostolic rule--neither would they have wearied themselves with so many labors, of which Augustine complains in some places, nor would they have opened to posterity an entrance for seizing the authority of Magistrates, certainly followed at length by the destruction of the human race.

But those most holy Bishops undertook that laborious and hateful business for the sake of piety and judged that it had been laid upon them by the Apostle.

Yet nothing here is more true than that Calvinist ministers must not be employed to adjudicate controversies. The Apostle nevertheless bound Bishops in this way, not contrary to the precept of Christ or of Peter. They did not judge contrary to the Apostolic rule, much less did they seize a tyranny; rather, they aided the oppressed against the violence of the more powerful. The fact that Silvanus, a most holy man and Bishop of Troas, took the power of judging away from his clerics is proof that they possessed that power. Since they were abusing it, and since suitable clerics were lacking, he appointed trustworthy laymen. For Nicephorus says that they had set up a market; Socrates says that they made profit from the controversies of litigants. Nor is this surprising: that part of Asia was troubled by various heresies, and the Clergy’s integrity and constancy in both faith and morals had been weakened. Nevertheless jurisdiction is not for that reason not owed to the order, merely because one Bishop of a little Church transferred judgments to Laymen because the clerics judged badly. Indeed, I judge that clerical judges must be diligently investigated every year, and, if they depart from justice, punished with the greatest severity.

§ 7. Finally, the Council of Trent (session 13, chapter 1, *On Reform*) variously constrains those accused of crimes who were striving to escape episcopal judgments. Accordingly, it denies that deference must be shown to a frivolous appeal:

Since, therefore, those accused of crimes very often feign complaints and grievances in order to avoid punishments and evade the judgments of Bishops, and impede the judge’s proceeding by recourse to appeal, lest they abuse, for the defense of iniquity, a remedy instituted for the protection of innocence, and in order that their cunning and evasion of this kind may be forestalled, it has thus established and decreed: in causes of visitation and correction, whether of fitness and unfitness, and also in criminal causes, no appeal shall be made from the Bishop, or from his Vicar General in spiritual matters, before a definitive sentence, from an interlocutory sentence or from any other grievance whatsoever; nor shall the Bishop or Vicar be bound to defer to an appeal of this sort as frivolous.

§ 8. The reasons why this was useful to the state were certainly many, and they remain so today.

1. Causes are handled more sincerely by the Lord’s priests and ministers than by profane judges. For they preserve more closely the clearer rule of justice and equity. This is also the reason why the people themselves appealed to the episcopal audience. For just as civil laws ought to be accommodated to ecclesiastical laws, so it is also fitting that secular judges should listen to bishops and priests. The constitutions of emperors possess the force of law, but the canons of the Apostles possess a firmer force. Hence it came about that Innocent said, nearly in these words, that the Church is not constrained by worldly laws; and Jerome in the *Epitaph of Fabiola* and Letter 30 to Oceanus: “The laws of the Caesars are one thing, the laws of Christ another; Papinian commands one thing, Paul another.” Hence it came about that Constantine decreed that the sentences of governors could be rescinded by Bishops. Ambrose himself is witness, in book 2 of *On Duties*, chapter 25, that this was done by him.

2. Litigation before Bishops was conducted at less expense. For those judges were both distinguished in piety and knowledge and, for the most part, rich and liberal toward the poor; thus it seemed in no way probable that they would conduct themselves so that their possessions increased from lawsuits. Even now they live from the Church and have no heirs for whose sake they might violate justice and sell their sentence.

3. The civil power of the Church seems necessary, amid so great a degree of human malice, arrogance, subtlety, and obstinacy, for suppressing errors, and therefore it was deservedly granted to bishops. Before Constantine more heresies arose because they were restrained by no force; and under blasphemous emperors there was the greatest liberty for heretical blasphemies, so that the Church was rent more grievously by domestic dissensions than by persecution.

§ 9. But if civil dominion is rightly granted to the pastors of the Church, as I have proved in *The Conclusion of the Jubilees*, the judicial power inhering in and connected with it must also be granted. But this dominion was formerly given and accepted by many, and is retained even today--not only by those whose virtue could be called into doubt, but by absolutely all who have obtained those churches. John of Palomar, Archdeacon of Barcelona, treated of them with the greatest learning at the Council of Basel. These are his words; for thus he says:

I shall begin with the Church of Mainz. Behold Saint Boniface, who possessed such authority that in his time it was said that the times of the Apostles had returned; he illuminated many provinces by his preaching. In the same Church was Saint Lullus the Confessor. Likewise Rabanus, a great Doctor, is cited daily. Likewise in the same Church of Mainz was Archbishop Bardo; in the same was Willigisus. In the Church of Trier, which Helena, the mother of Constantine, who was born at Trier, endowed with many relics and temporal goods in addition to its first endowment, there were ninety-nine Archbishops down to the Lord Otto, the last to die; of these, twenty-five are Saints, as is contained in the Calendar of Archbishop Baldwin, which is preserved in that Church.

[Printed page 398]

In the Church of Cologne was blessed Severinus, who was and is renowned for many miracles; likewise Saint Remedius; likewise Saint Cunibert; likewise Saint Haymo; Aglolfus the martyr; likewise Evergissus the martyr; likewise Heribert: all these were holy Archbishops of Cologne. In the Church of Liège, which is most opulent in temporal goods, were Saint Maternus, Saint Hubert, Saint Theodard, Saint Servatius, Saint Lambert the martyr, and Saint Geregisilus, all Bishops. Likewise in the Church of Lorch was Saint Maximianus, consecrated Bishop by Saint Sixtus around the year of the Lord 223; he conferred upon the said Church the patrimony which is now called Enns, with all the neighboring towns and secular jurisdictions, which remains to the present in Austria and is possessed by that Church of Passau. Likewise Saint Adalbert happily governed for many years the magnificently endowed Church of Prague. Likewise Saint Procopius had a most opulent Monastery in Bohemia; those who disturbed its possessions have sometimes experienced divine vengeance upon themselves. Likewise Saint Wolfgang at Regensburg. Likewise Saint Corbinian, Bishop of Freising, acquired estates for that same Church which are known today. Likewise Saint Ulrich of Augsburg governed a Church opulent in estates and civil dominions. Likewise Saint Conrad, Bishop of Constance. Likewise Saint Virgil endowed the Church of Salzburg with dominions. There was also a Saint Virgil, Bishop of the Church of Trent, which was opulent in civil dominion. Nor must Saint Stanislaus, Bishop of Krakow, be passed over: when he suffered a controversy concerning a village of the Church, he raised from the grave a man who had died three years before and led him to the judgment as a witness. Without falsehood, if I had searched well, I could have found many more holy Bishops and Abbots who presided over churches and monasteries possessing temporal goods and civil dominions. Pious ears surely recoil from hearing it called into doubt whether that is lawful which, by so great a multitude of saints through so many courses of time, was held, practiced, and observed as lawful.

And these examples are more recent and transalpine, yet they rest upon the deeds of the most ancient and most holy men. For the same Archdeacon continues thus:

I shall begin with blessed Sylvester, to whose holiness and learning the exaltation of the Catholic faith after the chief men of the Jews had been defeated bears testimony. Under him was the first holy and venerable Council of

Nicaea, and it was after the endowment of the Church; from this Constantine's deed is sufficiently authorized, because, if it had been unlawful, so celebrated a Council would have condemned it. But I also have the testimony of blessed Ambrose, who, speaking on the death of the Emperor Theodosius, says that Constantine was of great merit before God because he was the first of the Emperors to believe and left after him to princes an inheritance of faith and devotion. And our Spaniard Isidore testifies to the same thing in his *Chronicles*. And the Greeks, who were then Catholics, number Constantine himself in the Catalogue of Saints and celebrate his feast with solemnity on 21 May. Next I shall speak of Saint Mark, under whom the holy Synod of Nicaea was celebrated; and in his time and afterwards Saint Athanasius, Eusebius, Nicholas, Hilary, and John Chrysostom were illustrious. Likewise Saint Leo the Pope, who was the forty-third after Saint Peter. Likewise Felix II, who was crowned with martyrdom. Likewise Damasus I, under whom was the Synod of Constantinople of 150 Fathers; to him Jerome wrote that letter: "Because the ancient East, dashed against itself in fury, tears the Lord's seamless tunic into tiny pieces." He was also asking that his confession of faith be approved by him, and wrote many other letters. Likewise Cyriacus, who was crowned with martyrdom at Cologne with eleven thousand virgins. Likewise Saint Symmachus the Pope, concerning whose life and miracles see Vincent in book 23 of the *Historical Mirror*, chapters 1 and 2. Likewise Saint John the Pope, concerning whom see the same Vincent in the same book, chapter 33. Likewise Saint Agapitus, in the same book, chapter 61. Likewise Saint Gregory, one of the four Doctors of the Church, whose holiness and learning are known. Likewise Saint Martin, concerning whom see Vincent, the same book 23, chapter 84. Likewise Saint Stephen the Pope, concerning whom see the same Vincent, the same book, chapter 167. Likewise Pope Honorius was of wondrous piety; a certain demoniac put on his tunic and was delivered. Likewise Saint Severinus, a kind lover of the clergy and the poor, enlarged the possessions of the Churches. Likewise John IV, after selling the treasures of the Church, redeemed many thousands of people throughout Istria and Dalmatia. Likewise Saint Martin of Todi, whose feast is celebrated on the day after that of Saint Martin of Tours. Eugenius I was kind and lovable to all and of the greatest holiness. When Agatho kissed a certain leper, the man was cleansed. John, a Greek by nation, was crowned with martyrdom. Paul, a most mild and merciful man, used to go by night with a few intimates to visit the poor and sick and minister to them. Leo IV, a man of great patience and great humility, performed wonderful deeds in his life; his feast is celebrated on the seventeenth day before the Kalends of August. Nicholas after him was a most holy man, scarcely equaled in the Roman See by anyone after Gregory the Great. All the aforesaid were holy men, of approved sanctity, in the Roman See after the endowment of the Church. There were also many others illustrious in virtue and knowledge, such as Innocent III, who is so reverently cited in the treatise *On the Mass* and in other works; Peter of Tarentaise, called Innocent V, a most illustrious Doctor; and many others whom it would be lengthy to name. I wished to name only the aforesaid, who are entitled saints, while omitting many others. But I do not wish to omit this one thing, because it is highly pertinent to the proposal: what Vincent relates in book 25 of the *Historical Mirror*, chapter 25, concerning Gregory VI. He expended great efforts and labors to recover the Church's temporal goods occupied by tyrants; and when he could not accomplish this either by exhortations or by censures, he did it by force of arms. Hence, as he lay under the illness from which he died, the Cardinals, calling him a bloodthirsty man, said that he ought not to be buried in the Church of Saint Peter with the other Pontiffs. When he learned this, he summoned the Cardinals and, after holding a conference with them, at last said: "Because both our thoughts and yours can be mistaken, let us commit everything to divine examination. Set my body, prepared according to the custom of my predecessors, before the doors of the Church, and let the doors be secured with locks and bars. If God wills that I enter, applaud the miracle; but if not, do with my corpse as you please." Thus it was done. And as soon as his body had been placed before the doors of the Church, which had been closed with locks, a mighty whirlwind sent by God shattered the obstacles of the bars and drove the doors themselves, thrown open with violent force, against the wall with a great crash.

For this reason Bernard says in book 4 of *On Consideration*, to his disciple Eugenius: "In these things you have succeeded not Peter, but Constantine"; and in book 2: "Grant that you claim these things for yourself by any other title, but not by Apostolic right." That they are possessed by good right is taught both by these things and by the consensus of the Christian world, by which they were defended. When the Romans, with an untimely desire for their former liberty and majesty, strove to bring all the kingdoms once under their dominion back into their power, they also

attempted to reduce the Pontiff to order and take away all his royal rights; but the Frankish and German Emperors punished them, as they also punished the Lombards. They saw that the dignity of the scepter and principate was appropriate for the Pontiff who would govern the Church. Barretus, book 2, chapter 1, teaches that the Pontiff possesses his own goods by good right, although he is otherwise a flatterer of kings. Indeed, he adds that the rights are more ancient and more equitable--which must always be regarded. Then he accuses Constantine's successors rather of having withheld them than he derogates from the Pontiff's right. Constantine gave wealth and honor. Charles restored them; other things were added:

[Printed page 399]

the Cottian Alps, the Exarchate, the dominion of Benevento, Sicily, Tuscany, Liguria, Apulia, Ferrara, and other dominions.

§ 10. Finally, I conclude that it is to the singular advantage of the state that great power of judging and governing be permitted to Bishops and Priests. The fruit ought to be that those who are capable of amendment may more readily hear the word of God, obey it once heard, and correct their morals, and that the obstinate may be terrified, if the mysteries are administered and doctrine is explained not by a powerless and contemptible Priest but by a regal Pontiff. Constantine himself adduces this cause for his donation: that the Pontifical summit should not be held in contempt, but should be adorned with glory and power more than the dignity of an earthly empire.

Yet that honor is not the primary end, but the safety of the state. For whence can judges more skilled, more equitable, less in need of money, and less desirous of gifts be obtained than from the most honorable assembly of Bishops, from the multitude of the Church's Prelates? This now obtains in the principal parts of Europe--in Germany, France, and Spain; indeed also in Britain itself, which employs Bishops in the administration of civil affairs.

CHAPTER IX

Against the Sectarians, the Civil Jurisdiction of Prelates Is Defended

§ 1. I have shown that the power of ecclesiastics to govern and pronounce law is legitimate, just, customary, and useful to the state. Now, because heretics rise up vehemently against it, let us answer them as well from divine law, human law, and approved custom.

Their first axiom is that the Pope, all Bishops, and Prelates can possess no civil administration. Most of them vehemently cry this out; Sharpe treats it in a long disputation in question 6, *On Antichrist*. For after he had objected to himself that ecclesiastics possess jurisdiction by the gift of Princes, he replies:

Although the antecedent is controversial, as was said above, nevertheless the conclusion does not follow, because both the Pope's acceptance and the Princes' donation were contrary to Divine law and even contrary to Pontifical law. For in the Decrees, canon *Dicenti*, 25, question 11, Pope Pelagius says that rescripts which are obtained by deception or false petitions confer no right; and in the gloss, that Clerics who use them must be stripped of offices and benefices, while Laymen must be excommunicated. But the Princes' rescripts by which the Pope obtained jurisdictions were deceptive, if not by reason of their drafting and issuance, at least by reason of the cause alleged in them, which was that Christian piety demanded that Bishops be adorned with those gifts and privileges--expressly contrary to the word of God.

And a little later he says that the Pope acquired temporal power in no other way than through robberies. Then he continues:

Pope Alexander III by a rescript in chapter *Vigilanti*, and Pope Innocent III in chapter *Si diligenti*, and the Lateran Council in chapter *Quoniam*, and the Canonists in canon *Placuit*, 16, question 3, say that, just as time does not remove the obligation from a possessor in bad faith, neither does it acquire any right. And the Bishops did not obtain those Principalities in good faith, who acted contrary to Christ's institution, as above. Bellarmine therefore rightly compares the Pope's right with a kingdom acquired through robberies.

Finally, he accuses the Princes who donated goods to the Church:

Princes who donated to the Church that from which Pastors can support themselves are to be praised. But those who handed over those immense riches, from which they live sumptuously and idly, acted badly, because they thus corrupted the Church; and therefore that saying is right: "Religion gave birth to riches, but the daughter devoured her mother." The Princes indeed had zeal, but not according to knowledge. But those who conferred temporal jurisdictions acted impiously, because they violated Christ's institution. Nor did the Popes follow the example of Christ, who fled when the Jews wished to appoint him King: John 6:15. See Bernard in the books *On Consideration*.

§ 2. Hence it is easily apparent that, if the matter is decided by the opinion of the preachers, all temporal jurisdiction must be taken away from Bishops and Prelates; for they judge it to have been impiously donated and accepted, to have been acquired through robberies, and now to be held unjustly by possessors in bad faith and robbers, with no right of prescription. Therefore, when an opportunity is given, it can altogether be seized from them by secular Princes.

Nor can any treaties, compacts, or laws of the Empire stand in the way, because he says that it is contrary to divine law. Hence it is clear that, so long as that heresy holds dominion, peace cannot be established, since one party judges the other--although it alleges rights of donation, purchase, and prescription--to possess unjustly and defend itself by robbery. Hence, by necessary consequence, they strive to extinguish all force of laws and judgments. For whatever the judges of the Imperial Chamber decree in favor of any ecclesiastic, those impostors affirm to have been decreed

contrary to right and equity in favor of a robber. If a secular Prince invades and occupies the wealth and dominion of some Bishop, they declare that possessions have rightly been seized from robbers.

This opinion produces the greatest dissension among the Estates and an *ἀσπονδον*--implacable--war, which, although it is not always waged, is nevertheless always feared and prepared. Nor can any Bishop be secure if secular Princes should at some time believe their own ministers, whom the ministers' madness continually endeavors, by hope of ecclesiastical wealth, to drive into the slaughter and destruction of their fatherland. But after bishoprics have been subdued and plundered, and Bishops and Pastors have been driven out or slain, they trust that their Doctors will be able freely to vaunt and spread their heresy. But they err, and God has already long since shown their error to the world.

§ 3. It is certain that by natural law the priesthood and kingship, or civil jurisdiction, do not conflict. For under the law of nature the same persons were both Kings and Priests. In Genesis 14, Melchizedek; Moses in Exodus 18 is judge and Pontiff; and Eli in 1 Kings 1. The Maccabees were Princes and Pontiffs. Sharpe replies that these things were lawful then, but by no means now, and, secondly, that those instances were extraordinary.

The first point is altogether sufficient for us: namely, that the firstborn were at once Princes and Priests, and that Patriarchs, Prophets, and others exercised those two offices. The second point is false. For under the law of nature the same persons were ordinarily both Princes and Priests. Furthermore, the Maccabees were ordinary Pontiffs and Princes.

§ 4. Next, no law has provided in the New Testament that the same person may not be both Prince and Bishop, or possess both civil and ecclesiastical jurisdiction. For the laws which they allege in favor of this opinion do nothing for it, and their arguments are frivolous. Yet it will have been worth the effort to weigh them, if only so that the ignorance and intellectual weakness of the seditious may appear.

Argument 1.

Those things which God has separated and distinguished must not be confounded by human beings, Matthew 19:6. But God distinguished civil and ecclesiastical offices, both under the Old Testament and under the New,

[Printed page 400]

in the persons administering them, their causes, laws, punishments, and so forth--except extraordinarily and at certain times--as in 2 Chronicles 19 and Matthew 18:15. Therefore these cannot exist together in one person.

I reply: In Matthew 19:6 it is written, "What God has joined, let man not separate"; but it treats of marriage. Next, in 2 Chronicles 19 Jehoshaphat distinguished the offices of the temple from the civil offices. But it is not consonant with reason that, although they have sometimes been separated, they can never be joined. For they are of such a kind that they change according to the conditions of the times. In Moses, Eli, Samuel, and the Maccabees both powers were joined. Indeed, Eleazar the son of Aaron and Joshua the son of Nun divide the land among the sons of Israel, Joshua 14:1; but to give land, as is written there, pertains to secular jurisdiction. But what appearance of an argument is this: God did not wish those joined in marriage to be separated; therefore a Bishop cannot be a judge in a civil cause or administer a part of the state, not even a village?

Argument 2.

That which Christ himself denies pertains to him and refuses cannot pertain to his successors and ministers, because no one's authority can be greater than Christ's, Matthew 10:24. But Christ denies that civil jurisdiction pertains to him, Luke 12:14, John 6:15 and 8:11. Chrysostom therefore rightly says in Homily 42 on John that he did this to admonish us to despise human dignities and to show that he needed no secular things. Therefore--

I reply: In Luke 12:14 Christ avoided the office of judging: “Man, who appointed me judge or divider over you?” In John 6:15 he fled when they wished to make him King. In John 8:11 he asks the adulteress, “Has no one condemned you?” and, when she answers, “No one,” he says, “Neither will I condemn you.”

But these things establish nothing against the temporal jurisdiction of Bishops. For Christ rejected that division not because he could not judge, but because he did not wish to do so for a legitimate reason. First, those men had their own magistracy. Next, from that division an opportunity could have been given to the Pharisees to calumniate and to the magistracy to rage against him. Finally, he had not come to divide small fields. But if this deed is understood so that all jurisdiction and civil office are taken away from a Bishop, Gospel Ministers will not be able either to divide fields, to be arbitrators, or to be witnesses concerning political affairs. For who appointed them dividers? Christ fled kingship because he taught by his example that honors are to be fled. Many holy and prudent men have fled kingdoms and Bishoprics; others, however, accepted the same without fraud or fault. If the example given imposes an obligation, therefore it excludes everyone from kingship. For that which Christ fled must be fled. Indeed, the Donatists, Libertines, and Anabaptists use these words against the Magistracy; for they say that the office of ruling is evil in itself. And would that the ministers lived according to Christ’s example rather than according to their own morals. For Christ had nowhere to lay his head; Christ did not take a wife, yet thus far he has found no imitator among the ministers. Let those who say Christ fled them therefore flee possessions and a wife.

Argument 3.

If Christ’s kingdom is not of this world or concerned with the affairs of this world, then the office of Ministers ought not to be concerned with political affairs and civil principalities. But the former is true, John 18:36, 1 Corinthians 4:1, 2 Corinthians 10:4. Therefore Ambrose rightly says: “It does not befit one man to possess a double possession”; and Lyra on John 6: “Christ did not accept the honor, giving an example of fleeing honors.” Therefore--

I reply: Christ’s kingdom was not of this world in the sense that it was supported by worldly power and wealth; for he had come in order not only not to employ a kingdom but not even to possess property. Yet he did not forbid Christians to possess kingdoms, even if they are Bishops, just as he did not forbid them to possess property. They can be occupied with civil business, and indeed sometimes ought to be, if the safety of the state and the cause of religion so demand. Certainly, if a noble, a baron, a count, a Prince, or a King wished to devote himself to the ecclesiastical ministry, and if he were ordained by the imposition of hands, they could not by right deprive him of his jurisdiction and kingdom. For why would they judge him worthy of so great a penalty that, by undertaking the office of preacher, he should strip himself and his sons of them? A Calvinist or Lutheran Superintendent can therefore retain both jurisdictions; why, then, could a Catholic not do so?

Argument 4.

That which was forbidden to the Apostles, who were the primary Ministers of the Church after Christ, is not lawful for others. But the exercise of principality was forbidden to the Apostles without qualification, Matthew 20:25, Mark 10:43, Luke 22:25. Tertullian therefore rightly says in *On Idolatry*, chapter 18, “Christ judged the glory of the age foreign to himself and his own”; and Bernard in book 2 of *On Consideration*, chapter 4: “Lordship is forbidden to the Apostles; therefore dare to usurp it yourself. Either the Lord exercises the Apostleship, or the Apostle exercises lordship: you are plainly forbidden from both”; and Cyril in book 3 on John, chapter 20: “The honor and glory of the world must be fled by those who wish to attain the glory of God.” Therefore--

I reply: The passage Matthew 20:25 is a support, but a ruinous one, of the caviling heresy. “You know,” says the Lord, “that the Princes of the Gentiles lord it over them, and those who are greater exercise power over them. It shall not be so among you,” and so forth. But this has nothing to do with the present matter. For by those words harsh and imperious lordship, such as belongs to people seeking their own advantages, is forbidden. For this is *κατακυριεύειν*: to oppress by violent domination; this is *κατεξουσιάζειν*: to exercise power over subjects with arrogance. Thus it is not rule, but the abuse of rule, violence, and pride that are censured by those words.

The Anabaptists object with the same passage against the magistracy. Sharpe replies to them: “For Christ distinguishes the ministry from civil dominion, even legitimate dominion, because he does not wish ministers to exercise lordship in the Church as kings do in a kingdom.” One must add, “as the kings of the Gentiles do in a kingdom,” such as Herod, Tiberius, and others at that time.

Argument 5.

Christ does not send Pastors to exercise any office other than that to which he was sent by the Father, John 20:21. But Christ was not sent to exercise political principality, as Bellarmine concedes above, chapter 4. Chrysostom therefore rightly says in Homily 11 on the Epistle to the Ephesians: “The teaching of the word has been entrusted to us, not the authority of power.”

I reply: Pastors are sent by Christ to exercise a spiritual office, and civil command is not given by that mission, for these are distinct commands and offices. Yet Pastors are not forbidden to undertake even civil care for the safety of the Church and the state. Certainly, teachers are appointed over pupils in order to examine their abilities and form their morals; yet they are not forbidden also to plead their causes and to make provision for their health, food, and lodging. Indeed, this is often necessary.

Although, therefore, their mission does not bind them to civil offices and solicitude, that care is nevertheless frequently useful and sometimes necessary; it is not, however, forbidden. Unless perhaps someone should censure Ambrose when he undertakes dangerous embassies for the sake of peace, or condemn other Bishops keeping watch over the safety of their people. Moreover, what will the Lutherans do about the Lutheran Bishops of Germany, or the Calvinists about the Calvinist Bishops in England, who not only rule widely,

[Printed page 401]

but also administer royal offices at court?

Argument 6.

If necessary offices, even natural ones, must be omitted so that ministers may discharge the ecclesiastical office, then much more ought a minister to abstain from political office and principality. But the former is true, Luke 9:60. Therefore the Council of Chalcedon, canon 7, rightly forbids a Bishop under penalty of excommunication to accept secular honors; and canon 3 forbids any Cleric to undertake the guardianship and care of an Orphan.

I reply: Christ did not forbid natural offices. He was calling the disciple; the man asks leave to bury his father; Christ denies it to him. “Allow,” he says, “the dead to bury their own dead. But you, go and proclaim the kingdom of God.” He was asking for a delay and respite, and indeed one of uncertain duration, until the death of his father. For what if the father prolonged his life not merely for a long time but even beyond the years of the son? Christ cuts off these slow endeavors. For the father was not dead, just as those dead men who were going to commit the dead to the tomb were not dead, but dead perhaps because they had lost the life of grace. Beza indeed interprets it thus: “Namely, those devoid of true life and obstinately resisting the doctrine of eternal life.” But if this opinion of Christ the Lord commands the ministers of the Church to abstain from every natural office, so that they cannot even be present at the funeral of their parents, who will attempt to excuse preachers who bury their parents, enter upon an inheritance, and often divide it with others by litigation and law? Indeed, they contract marriages and arrange them for others; they give their daughters in marriage and bring wives home for their sons. Are these not secular things?

Argument 7.

He adduces the example of soldiers who do not entangle themselves in secular business. Does he not know that these things are harmful only insofar as they impede spiritual things, but are otherwise useful and divine? Civil business can be conducted spiritually by a spiritual man to the glory of God. Certainly Augustine not only judged causes but indicates that this was customary, Letter 147:

And indeed, when people desire to finish their secular causes before us and have need of us for them, they call us saints and servants of God in order to transact the business of their earth. At some time let us also conduct the business of our salvation and theirs--not concerning gold, not concerning silver, not concerning estates and livestock, on account of which things we are greeted daily with bowed head so that we may bring people's dissensions to an end; but concerning our Head himself there is so shameful and destructive a dissension among us.

But these matters are to be handled as secondary, and in such a way that they do not impede spiritual matters. No one fails to understand that hearing and bringing to an end the causes and controversies of the state is a holy and most useful work, unless he is so contentious that he delights in discords and lawsuits.

Argument 8.

He who ought to be wholly engaged in reading and preaching, in season and out of season, so that he may render an account of souls, ought not to exercise a civil office in addition to his ecclesiastical office. But the Minister of God ought to be such, Romans 12:17, 1 Timothy 4:15, 2 Timothy 4:2. Therefore the Fourth Council of Carthage rightly commands a Bishop to attend only to preaching, reading, and prayer; and the Canons of the Apostles command that a Bishop who entangles himself in secular affairs be excommunicated.

I reply: The Apostle says, "Meditate upon these things; be in these things"; and, "Preach the word," and so forth. These things were said to all Bishops, but in such a way that they omit neither hospitality nor other duties. They can perform those things without omitting these. Could not David meditate on the law of the Lord by day and night and nevertheless wage wars, administer a kingdom, and subdue neighboring nations? Did not many holy Kings do this, although they ruled many and very great kingdoms? Why, therefore, could some Bishop not administer a small territory and at the same time keep watch over the salvation of souls? The King of Great Britain administers three kingdoms reduced into one body and is nevertheless the head of the Church; why could the Bishop of Cambridge not take care of a few towns? Nor can ministers complain about these things when, entangled in domestic and public affairs, they assign the smallest part of their time to meditation upon divine things.

Argument 9.

If the Apostles, who were not inferior to the many ministers of the Church in gifts, could not exercise two ecclesiastical offices, between which there is a greater affinity than between political and ecclesiastical office, then much less can other ministers administer civil and ecclesiastical principality. But the former is true, Acts 6:2 and 4. Therefore--

I reply: The Apostles, living among the magistrates of the Jews and Gentiles, received no jurisdiction from them. Yet they could judge. Indeed, the Apostle Paul did what is more than judging: he erected a new tribunal, 1 Corinthians 6:4: "If, therefore, you have secular judgments, appoint those who are held in contempt in the Church to judge." Behold, without Caesar's knowledge, he himself appoints judges of secular matters in the midst of the Church. If he did this without jurisdiction, why did he do it? If with jurisdiction, then he possessed the power to command it. Therefore those two offices can be exercised by one person. Why, then, could one Pastor of the smallest village not govern the same village with both civil and spiritual jurisdiction, when one King administers so many kingdoms?

Arguments 10 and 11 have already been answered. The spiritual care of Pastors exercises only spiritual offices; their civil care exercises civil offices as well.

Argument 12. If no one is fit to exercise the spiritual office alone, then he who is called to it ought not to exercise another, civil office. But the former is true, 2 Corinthians 2:16. Therefore--

I reply: Plainly no one administers civil command unless called. For all Bishops who handle the secular business of their dioceses are called to it by legitimate election.

Argument 13. If it is lawful for the ministry to exercise political principality, then it is lawful for a political Magistrate to discharge ecclesiastical office, because the reason for each is equal. But the consequent is absurd, as is evident from Scripture, for those who arrogated this to themselves were gravely punished by God, as may be seen in the example of King Uzziah and others. Therefore--

I reply: The reason is widely different, because sacred power is much more eminent than civil power. Next, this can be conceded in a legitimate sense. Just as a Bishop can govern a city politically if this government is offered to him, so a Prince, if he is initiated into sacred things, can retain secular jurisdiction. For the Christian Priesthood is not restricted to definite families as the Levitical priesthood was. Thus the example of King Uzziah does nothing for this matter.

Argument 14 has been answered. For Bishops are not, by vocation and office, judges of secular affairs or rulers of the state, but they are so by the donation and summons of Princes--although the Church, by command of the Bishops, possesses a certain freedom of its own in appointing judges, as I have taught from Saint Paul. In the primitive Church, however, Princes were not the supporters or patrons but the executioners of Bishops; nor were the Bishops eminent in dignity, but lay hidden in caverns and caves of the earth.

He advances these things not only against Catholics but also against Lutherans and Calvinists, who in various places employ the episcopal title and power, both secular and spiritual, but more secular than spiritual. Others object that many abuse the wealth of the Church. It is true, but abuse pertains to the vices of human beings, not to the confusion of the order.

[Printed page 402]

Many of the rich are wanton in their luxuries, yet they do not therefore cease to be lords of their own possessions. Thus Sharpe himself, *On the Magistracy*, question 1, objection 7, proposes an Anabaptist argument: "Many Princes abuse their power, and few have been good." He replies: "It is a fallacy of Accident, because the vices of the person do not vitiate the office. It is similar to saying: Judas was evil; therefore the Apostolic office must be rejected." The inference is denied. Next, more Kings were good.

Let those who desire the things themselves to be abolished because of abuse suppose that precisely the same answer has been given to them.

§ 5. The second axiom of the Sectarians is that civil laws, or the laws of magistrates, do not bind in conscience. Thus Sharpe, *On the Magistracy*, question 2.

From this it follows, first, that according to the opinion of our adversaries all force of laws and all authority of the magistracy are weakened and cast away. For if civil laws do not bind the conscience, neither, therefore, does the command of the magistracy. For Sharpe defines law thus in question 1: "A law is nothing other than a king's command." If, therefore, his principal command, which consists in the enactment of laws, does not bind the consciences of subjects, much less do other commands, which are promulgated with less effort, solemnity, and care. Secondly, from this we see the origin of the peace disturbed in Germany. For after people whom the laws had scarcely governed before heard that they could transgress civil laws without sin, they deemed lawful whatever they could contrive against the laws. Hence Imperial edicts are despised, the judgment of the Chamber is eluded, and all laws and judicial sentences are harassed. For if the legislator does not bind the conscience and no fear of vengeance hangs over them, why should those to whom it is harmful obey the laws? To this opinion, therefore, we owe the discords and disasters of the tribunals; hence arose so many lawsuits and the contentious immortality of causes pending and to be reviewed.

Many considerations teach us how perniciously and gravely they err. For it is the common character of law that it binds not only to punishment but also to guilt, unless this is specifically excepted. Sharpe does not weaken this reasoning when he says that no one possesses right over the conscience except God alone. For this right over the conscience flows from the law of God. If the magistrate is God's vicar, then he commands in the place of God; he must

therefore be obeyed as one sent by God, and consequently those who resist him sin. Next, Sharpe says in question 2 that it is lawful for a father of a household to govern his children and servants by discipline, punish them, and affect them with rewards; therefore it is lawful also for the magistrate, who is the father of the state. Draw the conclusion farther: therefore subjects must obey just as children do. For failure to obey one's parents is reckoned among the grave sins of children. Hence the same Sharpe says in question 1: "Magistrates are called Gods, because, having been instituted by God, they hold God's place," Joshua 10, verse 35; and concerning those who reject the magistracy, 1 Samuel 6:7. Therefore--"An office for which God prescribes laws is from God; but the magistracy prescribes laws," Deuteronomy 17 and elsewhere; therefore--

Those who are given and sent by God as servants of God, also for the good of the Church, possess an office that is good and to be tolerated among Christians. But Magistrates are such. Therefore--See Proverbs 8:15, Isaiah 10:5 and 45:1, Jeremiah 27:6, Ezekiel 29:20, Daniel 2:24, and elsewhere.

And thereafter it is commanded in the New Testament that we subject ourselves to the magistrate, even a Gentile one, Matthew 22:21, Romans 13:1 and following, Titus 3, 1 Peter 1:13. Therefore it is much more lawful to be subject to a Christian magistrate. And if it is lawful to be subject rather than to preside, then to be subject is more contrary to Christian liberty than to preside. But what God commands is good and to be tolerated among Christians. Therefore--

But since a law is the command of a magistrate, it altogether binds, even if it concerns a matter otherwise indifferent. Let the English law be an example: that the inhabitants shall not eat meat on Wednesday. If the King cannot bind consciences to this, then, in secret, it is as free for everyone to eat meat as it was before the law, and the King possesses no right whatsoever over their minds.

Satan's design in overthrowing order and discipline must not be passed over in silence. At the beginning of the disturbances, by their disputations they tore down the authority, power, and laws of the Church's Prelates. They professed that they were defending the political Magistracy; indeed, of their own accord they even lavished much right over the Church upon it. But after they oppressed ecclesiastical laws by force, artifice, and vices, they assail political laws and dissolve their sinews. For they attribute less to them than to ecclesiastical laws. Thus Sharpe says in question 2: "If ecclesiastical laws do not bind the conscience outside a case of scandal and contempt, then much less do civil laws." Behold: they place civil laws below ecclesiastical laws. What else remains but that, just as Luther reduced the Canons to ashes, so they should burn the Pandects, the Code, all the Novels, all the laws of Germany, the entire Chamber, and indeed justice itself?

The third axiom is that it is lawful to kill the magistrates themselves. I treated that error in the book *On Syncretism*, but I have learned that certain things have been scattered abroad by some anonymous man; concerning these the reader must be briefly instructed elsewhere.

CHAPTER X

The Praiseworthy Life of Ecclesiastics Is Commended

§ 1. Every age has taught that the morals of Priests contribute to the safety or overthrow of the state. For the examples of the powerful flow down among the common people; the examples of priests break through every barrier. As the priest is, so is the people; indeed, the common people judge God to be such as they have seen his ministers to be. Antiquity fashioned gods who were adulterers, murderers, thieves, and perjurers, so that it might excuse its crimes by the example of heavenly beings. Hence they were worshiped with obscenity in the theater, with frenzies in the circus, with cruelty in the amphitheater, and everywhere with crimes. The followers and ministers of demons most closely expressed in their own morals the character of their gods. Priests owe sacred examples to the whole world, but all things to God--and the more earnestly, the more closely they are joined to him.

Our laws teach us this, Cause 2, Question 7, canon 41:

If we have done anything suitably but have not preserved for our subjects the path of a just law, we wish everything to be amended by your judgment and that of your envoys; because if we, who ought to correct the sins of others, commit worse ones, assuredly we shall not be disciples of truth but--what we say with grief--teachers of error before all others. Hence we earnestly implore the clemency of Your Greatness to send into these regions such Envoys to investigate the things we have mentioned as fear God in all things and will diligently investigate everything, just as if your imperial glory had been present. And we ask not only that they examine to the utmost exactness these things alone which we have said above, but that, whether lesser or even greater matters concerning us have been reported to them, all of them be brought to an end by their lawful examination, so that henceforth nothing among them may remain undiscussed or undetermined.

§ 2. Although, therefore, all the reasons why one must live well apply to Clerics, that reason which pertains to example is nevertheless most especially their own.

[Printed page 403]

For since they are in a high place, since they live under a stricter discipline, and since they adhere more closely to the immovable First Mover, their faults are more conspicuous, deflect others more greatly, and throw all things into confusion more effectively. Yet they ought not so to fear reputation as to trust that they can also avoid reproaches and calumnies. The canons rightly instruct us concerning this matter, Cause 11, Question 3, canon 55:

Amid the words of those who praise or blame us, we must always return to the mind. If the good that is said of us is not found in it, this ought to engender great sorrow; and conversely, if the evil that people say of us is not found in it, we ought to leap into great joy. For what if people praise us and our conscience accuses us? Or what sorrow ought there to be if everyone accuses us and conscience alone shows us to be free? We have Paul saying, "Our glory is this: the testimony of our conscience." Job also says, "Behold, my witness is in heaven." Therefore, if we have a witness in heaven and a witness in the heart, let us allow fools outside to say what they wish. What else do detractors do but blow into the dust and stir up earth into their own eyes, so that the more detraction they blow out, the more they see nothing of the truth? Yet they themselves must also be summoned and calmly admonished, and satisfaction ought to be given to them in every way, knowing what the Truth says concerning the Jews: "Let perhaps we scandalize them." But if they are unwilling to be satisfied by the truth, you have the consolation which you may perceive in the holy Gospel. For when it had been said to the Lord, "Do you know that the Pharisees, upon hearing this word, were scandalized?" he answered: "Let them alone; they are blind and leaders of the blind." Paul the Apostle also admonishes us, saying: "If it is possible, insofar as it depends upon you, have peace with human beings." Since he was about to say, "Have peace with all human beings," because he foresaw that this was difficult, he premised, "If it is possible." Yet he added what could be done when he said, "Insofar as it depends upon you."

For if we desire to preserve love in our mind toward those who hate us, then, even if they do not have peace with us, we nevertheless undoubtedly have it with them.

§ 3. The Apostle Paul describes the Christian Clergy for us, and it is necessary that the Church not depart even a nail's breadth from his law. 1 Timothy 3:1:

If anyone desires the episcopate, he desires a good work. Therefore a Bishop ought to be irreproachable, the husband of one wife, sober, prudent, decorous, chaste, hospitable, a teacher, not given to wine, not a striker, but moderate; not contentious, not covetous, but one who presides well over his own household, having children subject with all chastity.

And verse 12:

Let Deacons be husbands of one wife, who preside well over their children and their households. For those who have ministered well will acquire for themselves a good degree and great confidence in the faith which is in Christ Jesus.

And 2 Timothy 2:1: "Fit to teach others"; "a good soldier of Christ"; and verse 15: "Be solicitous to present yourself approved to God, a workman who need not be ashamed, rightly handling the word of truth." And Titus 1:5:

For this reason I left you in Crete, that you might correct the things that are lacking and appoint presbyters in the cities, as I also directed you. If anyone is without crime, the husband of one wife, having faithful children, not accused of riotous living or insubordinate.

Let this be the Christian Clergy, this the Lord's portion. Let us examine the particulars separately. And although we have treated abundantly above of the virtues to be pursued and the vices to be fled, nevertheless this passage cannot be passed over without the life of clerics being described in a brief compendium. These, therefore, are Paul's decrees.

§ 4. "He who desires the episcopate desires a good work."

Εἰ τις ἐπισκοπῆς ὀρέγεται, καλοῦ ἔργου ἐπιθυμεῖ.

If anyone desires it, let him not do so from ambition for honor, for this ought to be a holy desire for labor. Formerly it could more readily be pure, when in a poor flock the first leader was sought for the slaughterhouse, when they were honored by the shouts of the Gentile people and sought a Bishop to be thrown to a lion. Now, amid such great honor and wealth, desire for dignities is more readily found than desire for hardships.

§ 5. A Bishop ought to be irreproachable. What he requires here in a Bishop, he demands likewise of a presbyter in the Epistle to Titus. For in a Bishop it is not sufficient that he not be evil; rather, not to be as excellent as possible causes very great harm both to those who are better than he and those who are worse. Mud does not offend upon a workman's leather apron; a faded color is despised upon purple. It is therefore necessary that he be ἀνεπίληπτον, "irreproachable." How will he correct another when he himself refutes his own censure? Titus 1:5 calls him ἀνέγκλητον, so that he cannot lawfully be accused.

§ 6. The husband of one wife. He does not require marriage of Bishops as a necessary thing, as Calvin rightly teaches against certain men of his own party. Yet Junius the Calvinist contends that a Bishop is bound always to have a wife on account of the signification of the mystery; by this opinion he casts Paul out of the episcopate. Indeed, he contradicts Paul when the latter exhorts to continence in 1 Corinthians 7. Finally, in chapter 20, number 7, he wishes marriage to be free for Bishops. But the meaning is that a Bishop can have neither several wives simultaneously nor successively, and that anyone who has had several ought not to be ordained. Thus Tertullian, *To His Wife*; Epiphanius, Heresy 59; Chrysostom, Theophylact, and Oecumenius on this passage; Ambrose, Letter 8 and book 1 of *On Duties*, final chapter; the book *On the Dignity of the Priesthood*, chapter 4; Augustine, *On the Good of Marriage*, chapter 18, and book 22 *Against Faustus*, chapter 47; Jerome, Letter to Oceanus; Pope Cyriacus, Letter 1, chapter 11; Leo, Letter 58; Gelasius, Letter 1, chapter 5; Innocent, Letter 27. Their reason is that this practice of the law has always prevailed

in the Church, and custom is the best interpreter of law. Nor at any time was polygamy, by which several wives were held simultaneously, customary among Christians. Chastity of priests is certainly useful for the sanctity and tranquility of the divine offices and for the study of the Scriptures. It also serves this end: lest care for an expensive wife and desire and solicitude for educating and enriching children claim for themselves the hours owed to doctrine and prayer; lest hospitality be neglected; and lest the alms of the pious be diverted to domestic luxury. The vices of the times show that the dangers of this matter are great. For many, after fattening nephews and kinsmen from the Church's goods, consign them to hell. What would they do if they had sons--that is, their most intimate objects of affection?

§ 7. He wishes the Bishop and presbyter to be sober--*νηφάλιον*--for sobriety is necessary to great care and vigilance, just as generally the luxury and drunkenness of Clerics arise from idleness. Sobriety and vigilance are inseparable companions. The Aaronic priests were forbidden to drink wine when they performed sacred rites; our sacred rites too are *νηφάλια*, "sober." A drunken priest is a monstrous thing. How greatly drunkenness harms the state I have taught in its own place. Now Clerics must be discussed. Among them drunkenness is not punished in Germany, which is so lawless in this respect that it often imposes upon laymen the necessity of drinking. Yet the law of God promulgated by the Apostolic mouth remains firm and unshaken amid our vices, 1 Corinthians 5: "If anyone who is called a brother is a fornicator, or covetous, or a drunkard, do not even take food with such a one."

Ὡ Θεός--φῆσὶ Χρυσόστομος--πόση ἡ ἀκρίβεια· ἡμεῖς δὲ οὐ μόνον οὐ φεύγομεν τοὺς μεθύοντας, ἀλλὰ καὶ περιερχόμεθα πρὸς αὐτοὺς μεθέζοντες τῶν παρ' αὐτῶν.

How astonishing, what exactness! But we not only do not flee drunkards; we even approach them, intending to partake together of what comes from them.

[Printed page 404]

It by no means befits him to be weighed down by surfeiting and drunkenness whose mind ought always to be occupied in prayer. Accordingly, a drunkard ought not even to be ordained, much less left without punishment. For, first, Canons 42 and 43 of the Apostles depose such persons:

Εἴ τις ἐπίσκοπος, ἢ πρεσβύτερος, ἢ διάκονος, κύβοις σχολάζων, ἢ μέθαις, ἢ παυσάσθω, ἢ καθαιρείσθω.

A Bishop, presbyter, or deacon who gives himself to gaming or drunkenness shall either desist or be condemned--that is, deposed. And canon 43:

Ὑποδιάκονος, ἢ ψάλτης, ἢ ἀναγνώστης τὰ ὅμοια ποιῶν, ἢ παυσάσθω, ἢ ἀφοριζέσθω· ὡσαύτως καὶ οἱ λαϊκοί.

A subdeacon, psalmist, or reader who does similar things shall either desist or be deprived of communion; likewise laymen. Now the tables of Clerics and Laymen are full of vomit and filth. If discipline does not wipe these away, the *διαίτα*, manner of life, and abstinence of the Turks will overthrow them. Moreover, it is shameful and harmful. Jerome, Letter 83 to Oceanus, Distinction 35, chapter 4:

The prophetic discourse describes the princes of the Church who abound in pleasures and believe that they preserve chastity amid feasts and wantonness: they are to be cast out of spacious houses and sumptuous banquets and meals acquired with much labor, and cast out because of their evil thoughts and works. And if you wish to know where they are to be cast, read the Gospel: into the outer darkness, namely, where there will be weeping and gnashing of teeth. Is it not confusion and disgrace to preach Jesus crucified, the teacher of the poor and one who hungered, with well-fed bodies? And to set forth the doctrine of fasts with red cheeks and swollen faces? If we are in the place of the Apostles, let us imitate not only their discourse but also embrace their manner of life and abstinence.

But if the Apostle condemns not merely a Priest given to wine, but even the old law, Numbers 6 and Leviticus 10, forbids the one serving at the altar to drink strong drink because it overturns the condition of the mind, how much more does it befit the Priests of the New Testament to hate drunkenness? If it is a crime to move about drunk amid the fumes of beef and mutton, amid the blood of goats and calves, amid fires and frying pans, will it not be a crime to

minge, amid drunken belches, the blood of the Son of God, the blood of the Testament, with one's mind? To consume God and the Lord amid the next day's burnings from wine? Excellently, therefore, the Council of Agde, chapter 4:

Before all things, drunkenness must be avoided by Clerics, for it is the tinder and nurse of all vices. Accordingly, when it has been established that someone was drunk, as his order permits, we decree either that he be removed from communion for the space of thirty days or that he be subjected to corporal punishment.

I would wish these canons to be recalled into use. For if the ancient discipline is not only relaxed but even dissolved, what at last is to be hoped concerning morals? How great must the temperance of Christians formerly have been, when Pope Eutychianus decreed:

We command Christians in every way to guard against the great evil of drunkenness, from which all vices spring. But we decree that anyone who refuses to avoid it is to be excommunicated until suitable amendment.

And certainly great men did not lack the endeavor. Otto, Cardinal and Bishop of Augsburg, celebrated a Synod in the year 1548 in which it is thus established:

Likewise those who are perpetually given and attached to drunkenness, surfeiting, and feasting--and especially those who spend feast-days or nights in taverns--must, after sacred confession, be forbidden the reception of this venerable Sacrament for thirty days, so that they may amend themselves of these vices. But if they refuse to do so, according to the decrees of the Canons they must even be punished with death.

That censure is not excessively severe. For in Deuteronomy 21:18 God judged thus:

If a man fathers a stubborn and insolent son who does not listen to the command of his father or mother and, when chastised, scorns obedience, they shall seize him and lead him to the elders of that city and to the gate of judgment, and they shall say to them: "This son of ours is insolent and stubborn; he scorns to hear our admonitions and devotes himself to feasting, luxury, and banquets." The people of the city shall overwhelm him with stones, and he shall die, so that you may remove the evil from your midst and all Israel, hearing it, may fear.

§ 8. Prudent: the Greek calls him *φρόνιμον*, which some interpret as temperate. Both temperance and prudence are required. Here I understand prudence, for mention is made more frequently of the parts of temperance. Holy simplicity certainly does not suffice for rightly administering an Episcopate; rather, great circumspection is necessary amid so many evil men. The man to be ordained ought to be prudent. This must be noted against those who excuse the stupidity of Priests under the name of simplicity. Distinction 39: "The lips of Priests shall guard knowledge, and they shall seek the law from his mouth." But it is evident that this passage treats of prudence in governing, which is sometimes lacking even in otherwise excellent and holy Doctors. Therefore he also ought to be experienced in secular business, for the handling of such matters is often useful and sometimes necessary to piety. Thus Gregory, Letter 40 of book 8, to the Clergy and nobles of Naples. Peter the Deacon, Distinction 39, chapter 1:

The man whom you assert was elected by you is altogether--as is said--simple; and you know that at such a time there ought to be appointed to the summit of government one who knows how to be solicitous not only for the salvation of souls but also for the outward advantage and protection of his subjects.

§ 9. Decorous: *κόσμιον*. Others translate it "well ordered," or "of well-ordered bearing." I understand one who displays becoming modesty in food, habitation, and clothing and uses words with moderation. Plato in book 1 of the *Politics* calls *κοσμίους* those who are tractable, and *εὐκόλους* those who are affable and companionable. For a physician of many must accommodate himself to everyone and benefit everyone. Under this *κοσμιότης*, or decorous modesty, I understand the commands of so many canons in Distinction 41, chapter 5:

We do not condemn thrift together with humble clothing--as in the final chapter of the Council of Granada--just as we also praise ornament because care of the body is not superfluous and is *ἀπερίεργον*, unstudied; but we do not accept dissolute men and broken manners of walking in their clothing.

And the rule of the Fourth Council of Carthage is golden: “Let a Cleric prove his profession by both his bearing and his gait, and therefore let him seek adornment neither in clothing nor in shoes.” For it had not entered the Council’s mind to condemn beforehand the posthumous vanities of anklets. A disordered body indicates inequality of mind. He is changeable and afflicted in conscience whose gait is now rapid, now slow.

§ 10. Hospitable. He must therefore be rich, or receive from the people that from which he can exercise hospitality--*φιλοξενίαν*--perseveringly. But a Priest ought to be hospitable, Distinction 42, lest he be numbered among those to whom it will be said in the judgment: “I was a stranger, and you did not receive me.” For how will one who follows the Apostle and ought to invite others to hospitality be able to exhort hospitality if he closes his own house to guests? For if a Priest ought first to require of himself and of his domestic Church what he later commands the people, and if, first imitating Christ, he himself ought to do the things which he later teaches the people, he must receive the poor as guests,

[Printed page 405]

so that by his own example he may more readily draw his subjects to hospitality.

The canons admonish us that zeal must be shown for guests, because hospitality is preserved inviolate even among barbarians: Cause 32, Question 7, *Offerebat*; indeed Cause 16, Question 1, *Quoniam*. It wishes the goods of Clerics to be common, especially for receiving guests. Yet this virtue especially befits prelates, because, since they possess the means by which they can be liberal, they ought also to will it: Distinction 89, *Volumus*, and Cause 12, Question 1, *Quia*. Formerly this matter was certainly considered so important that Gregory denies confirmation in the episcopate to the Archdeacon of Florence if he is so close-fisted that no friend enters his house: Distinction 85, *Archidiaconum*. It therefore befits those who are obliged by office to exhort others to hospitality to be hospitable. Would that there were now in the Clergy that *φιλοξενία*, hospitality, which formerly existed among laymen. Charles, King of the Swedes, ordered the house of one who had denied lodging three times to be burned: Johannes Magnus, book 4, chapter 2. Nor do I doubt that many houses of prelates and many monasteries which stood open to flatterers rather than guests have gone into the flames.

§ 11. A teacher, so that he may be able to exhort in sound doctrine and refute those who contradict. Thus indeed is explained what we read in Greek, *διδακτικόν*; our translator reads *διδασκαλικόν* in the same sense, for it is necessary that one who truly acts as teacher be fit to teach. Formerly the Latin had “teachable,” which Jerome deservedly censures. The greatest and holiest function of Bishops is to teach. They ought to perform it themselves; if not from the pulpit, they are bound to appoint suitable men in their place, since they themselves will pay the penalty for those men’s errors.

§ 12. Not given to wine. Chrysostom interprets the Greek text *πάροινον* as one who, inflamed by wine, is carried away and revels; the Syriac has “a pursuer of wine”; Beza, “winy,” as though one sitting beside wine; and the Apostle in verse 8 interprets it, “not given to much wine.” But *παροινεῖν* is to inflict reproaches and injuries through wine and wantonness. Hence it appears that *πάροινοι* are worse than drunkards, since they add insults against others to drunkenness.

§ 13. Not a striker. *Πλήκτην*, says Chrysostom: Paul’s saying is to be understood of one who reviles and abuses, but not of injuries by blows. Yet in Distinction 86, canon *Non liceat*, one is forbidden to strike with one’s own hands even those over whom one possesses the power of correction. And in Distinction 45, chapter 7, a Bishop, presbyter, or deacon who strikes offending faithful persons or unbelievers acting unjustly is ordered to be deposed. For thus they do not correct vices, but burden themselves with hatred and their subjects with fear. Therefore those Clerics who pursue soldiering, who infest the streets of cities by night and beat those they meet, must be deposed. You would call them domestic and urban robbers rather than Clerics. For if a Cleric in sacred orders cannot be a notary in a criminal cause, as is stated in book 3 of the Decretals, title *That Clerics*, and so forth, chapter 8, *Sicut te*; if Clerics ought neither to dictate nor pronounce a sentence of blood, nor exercise anything through which a sentence of blood is approached, as

they teach in this place; if a Cleric carrying arms loses the Clerical privilege after a threefold admonition, *On the Sentence of Excommunication*, chapter *In audientia*--what do those men deserve who strike others unlawfully?

§ 14. But moderate: *ἐπιεικῆ*, equitable, readily yielding his own right. For nothing is more grievous than the exaction of strict right if it is found in a prince. From this contention and hatred arise. Therefore the Lord also commands that a brother be forgiven as many as seventy times seven times.

§ 15. Not contentious: *ἄμαχον*, one foreign to contentions and fights. Against such men, Distinction 46, chapter 1:

Behold why contentious men are prohibited from being ordained as bishops. There is also another cause for this prohibition. For contentious men either reconcile the minds of princes to themselves by flatteries, or inflict the mark of infamy by detracting from their brothers, or never cease to create sedition by sowing discord among brothers. All these things are proved condemnable in prelates.

Finally, Distinction 90: "A Priest ought to call litigants to concord; therefore he ought not himself to litigate."

§ 16. Not covetous. Not pursuing shameful gain: *αἰσχροκερδῆ*, not a seeker of shameful gain, as Jerome speaks to Heliodorus. Desire makes Clerics greedy for secular business, in which some, to our sorrow, are more practiced than secular men themselves. The Synod of Mainz under Charlemagne, chapter 14, and under Bishop Rabanus, chapter 13, embraced all these things. It is recited in book 3 of the Decretals, title 50:

There are many secular businesses, of which we shall touch briefly upon a few, to which all carnal concupiscence pertains. Whatever a person seeks beyond what is just is shameful gain: to accept, or even to give, unjust gifts; to hire someone for pay for the sake of some secular profit; to love contentions, lawsuits, or quarrels; to dispute in secular courts, except in defense of orphans or widows; to be lessees or procurators of secular affairs; to be a jester in shameful word or deed, or to love secular jesting; to love games of chance; to seek ornament unsuitable to one's profession; to wish to live in pleasures; to follow gluttony and drunkenness; to possess unjust weights or measures; to conduct unjust business. Yet just business must not be forbidden on account of various necessities, because we read that the holy Apostles conducted business, and in the Rule of blessed Benedict it is commanded that provision be made for those through whose hands the business of the monastery is administered. To pursue dogs and birds for hunting, and to participate in any superfluous causes whatsoever--behold, we altogether forbid such things and things like them to ministers of the Lord's altar and also to monks. Concerning them the Apostle says: "No one serving as a soldier for God entangles himself in secular business."

And in the Lateran Council he is forbidden to be a prince's general procurator or justiciar. In the Council of London, commerce for the sake of profit is prohibited.

§ 17. Presiding well over his own household. In order to preside well over his household, he must neither dissipate his property nor increase it by evil arts, and then he must keep his household members in duty and discipline. How will one who is not master of a single household administer an entire diocese? How will he command so many prudent and noble men--to which I add cunning and malicious ones--if he needs a guardian at home? If he does not know how to preside over his own household, this proceeds either from signal negligence or from imprudence, each of which is harmful to the state.

§ 18. Having children subject with all chastity. "If anyone has faithful children, not accused of riotous living or insubordinate." Our translator understood chastity by *σεμνότητι*, because he removes the accusation of riotous living. But if he neglects his children--that is, his own blood--how will he have care of the Church?

§ 19. Not a neophyte. He does not forbid the election of a young man, but of a neophyte--one recently converted and imbued with religion--lest, lifted up into pride, he fall into judgment and condemnation, because the devil was condemned who fell from heaven on account of pride. Gratian speaks altogether excellently in Distinction 48:

[Printed page 406]

Neophytes also are forbidden to be ordained as bishops, so that one who yesterday was a catechumen may not today become a Bishop; one who yesterday was in the theater may not today sit in the Church; one who in the evening was in the circus may not today minister at the altar; one who a short time ago was a supporter of actors may not today be a consecrator of virgins. The cause of this prohibition, according to the Apostle, is lest, lifted up into pride as though the Christian religion greatly needed him, he fall into the ruin of the devil. For an instantaneous Priest does not know how to possess humility, observe distinctions among persons, or despise himself. He has not fasted, has not wept, has not corrected himself, and has not distributed to the poor. Those fall into arrogance--which is the ruin of the devil--who in the space of an hour, while not yet disciples, become teachers.

That is the canon of the Council of Nicaea:

Because many things, either through necessity or from some other cause, have occurred contrary to the rule--so that people recently come from Gentile life, and only lately catechized or instructed, came immediately to spiritual baptism and, as soon as they had been baptized, were advanced at once to the episcopate or presbyterate--it has therefore rightly seemed that henceforth nothing of this kind ought to be done. For there is need both of time for him to be a catechumen and, after baptism, of much probation. For the Apostolic command is evident, saying: "Not a neophyte, lest perhaps, being lifted up, he fall into judgment and the snare of the devil." But if, as time proceeds, he commits some sin and is convicted by two or three witnesses, let one of this kind cease from the clergy. But if anyone acts contrary to these things, as one who conducts himself contrary to the statutes of the Holy Council, he himself will also imperil his clerical status.

§ 20. But he must also possess a good testimony from those who are outside, lest he fall into reproach and the snare of the devil. Jerome speaks excellently to Oceanus: "As the beginning is, so is the conclusion. He who is irreproachable is praised with concordant voice not only by his own household but also by strangers." So great formerly was the esteem of Bishops that Gentiles themselves frequently brought their causes before them.

§ 21. Likewise let a Deacon be grave: *σεμνούς*. Chaste in mind and then in body, Cause 32, Question 5, *Itane*. For chastity is not in the body unless purity has been implanted in the spirit. Nor is one of chaste spirit immodest in tongue or eye. *Σεμνότης*, gravity, is moreover a beautiful virtue, a companion of chastity: a becoming modesty and gravity in words and gestures, altogether such as a strict father loves and approves in a daughter and son honorably and chastely educated. Aristotle, *Rhetoric*, book 2: *Σεμνότης ἐστὶ μαλακὴ τις καὶ εὐσχημος βαρύτης*--gravity not harsh or proud, but well-mannered.

§ 22. Not double-tongued: *μὴ διλόγους*. God detests a double tongue. Proverbs 8:13: "The fear of the Lord hates evil; arrogance and pride and the wicked way and a double mouth I detest." And 18:8: "The words of the double-tongued are as though simple, and they themselves reach to the inward parts of the belly." And Ecclesiasticus 5:17: "For upon a thief there is confusion and repentance, but the worst mark is upon the double-tongued." And 6:1: "Do not become an enemy instead of a friend to your neighbor; for the evil man will inherit reproach and abuse, and every envious and double-tongued sinner." And 28:15: "The whisperer and the double-tongued is accursed, for he will disturb many who possess peace."

It is therefore no wonder that the Apostle requires Deacons not to be double-tongued, since divine sincerity detests double-tongued people of every kind.

§ 23. But in Deacons there is a peculiar reason. A Deacon is the minister of Priests, Distinction 99, *Dominus*, yet more honored than the common people. He must not speak in one way to the common people and another way to the Priest, lest he make a schism. He is the wandering and all-surveying eye of the Bishop, Distinction 93. Therefore great caution is needed lest he either observe incautiously or report carelessly or perversely, becoming an informer instead of an admonisher. He assists the Bishop while he preaches, lest the Bishop be harassed by rivals, Distinction 93, *Diaconi qui*. He presides over the goods of the Church. Therefore Deacons have often raised themselves above Priests and Bishops after courting popular favor. This especially makes them double-tongued, while on one side a Deacon

insinuates himself ambitiously with the people and on the other with the Bishop by deceitful flattery. Certain Deacons long ago equated themselves with presbyters: Council of Nicaea, chapter 14; Fourth Council of Toledo, chapter 38; and Jerome to Evagrius, Letter 85. Sincerity is therefore required in a Deacon, so that he may honor God, the Bishop, and the presbyters from his heart, minister to them, and in no way strive to become greater himself by detracting from his superiors.

What, then, is a double mouth? The Hebrew calls it *תפנית*, which among the Seventy is rendered *διεστραμμένας ὁδοὺς κακῶν*, “perverse ways of the wicked”; others, “a mouth of perversities,” “a mouth of cunning”; Theodotion, *στόμα στρεβλόν*, “a twisted mouth.” Our translator is the most accurate of all: “a double mouth.” For *תפנית* is to turn, overturn, or change into another form. Therefore the Seventy are accustomed to translate it *στρέφω*, *διαστρέφω*, *μεταστρέφω*, *μεταβάλλω*, *κυλίω*. And that which is placed here, *תפנית*, is *σκόλια* in Proverbs 23:33. And in Proverbs 17:21 *יש תפנית* is called *εὐμετάβολος*: a changeable man, a versatile man, a man of changes; properly, a man of contrarieties. For *תפנית*, or *תפנית*, is a contrary or contrariety, Ezekiel 16:34. It therefore signifies perversities when one turns contrary things over in the heart and speaks variously, which is properly to be *δίλογον*, or *δίγλωσσον*. That serpent’s tongue is forked, an instiller of poison; that tongue is called *ἀγκύλη* by the Greeks. It either deceives in such a way that the speech uttered disagrees with what is within, or among different people it is one thing and another. In Ecclesiasticus 28:16 it is called *γλῶσσα τρίτη*, “a third tongue,” because, situated as though midway between two, it sows disagreements on each side. See the most learned Delrio in the *Sacred Adages*. Tongues of perversities are those which invert the truth, promise vainly, blame things worthy of praise, extol wicked things, flatter those present, gnaw at the absent, and speak contrary things to please their hearers.

§ 24. Holding the mystery of the faith in a pure conscience. He does not admonish them not to disclose the things done at home, for this is not to hold the mystery in a pure conscience. Rather, he altogether wishes the sacred mysteries to be believed by them, since Deacons, after receiving authority, can teach; and then, because, when conscience has been abandoned or suppressed, shipwreck of the faith is imminent. For nothing has ever yet made an apostate except a conscience of crimes committed or a hoped-for license to commit them.

§ 25. But let these first be proved: *δοκιμαζέσθωσαν πρῶτον*. Now this is neglected; and, what must be lamented, even where discipline flourishes, those to be ordained are not sufficiently proved. Hence is the origin of all evils, while the unworthy are admitted to sacred orders--if not by money, at least by favor, ignorance, or omission of probation. In certain Churches nobility is sought with the greatest scrupulousness, while virtue is neglected. As long as this is not corrected, reformation is not to be hoped for, because a Cleric is cast out more shamefully than he is refused admission. Nor can any appearance of excuse be adduced for this negligence, since there are so many canons which require probations and testimonies. This matter has given all heresies material for speaking against us; indeed, it has created heresies, while people see admitted into the Lord’s sanctuary those who lived in the world under an unfavorable reputation.

[Printed page 407]

The invectives of them all proclaim what the heretics object. I shall give a specimen from Erasmus, their forerunner, on the third chapter of Timothy:

Indeed, this is more astonishing: although Paul requires so many excellent gifts in a Bishop, all the others are passed over and account is taken of one wife alone. An incestuous man is admitted, a murderer is admitted, a pirate is admitted, a sodomite, a sacrilegious man, a parricide--in short, who is not admitted? Only a twice-married man is excluded from this honor, who alone has committed nothing. But it is astonishing that we press certain things and hold them with more than tenacious teeth while utterly closing our eyes to others. If anyone weighs the condition of these times--what portion of humanity the flocks of monks occupy, what portion the colleges of priests and clerics--and then weighs how few from so great a number truly preserve chastity of life, into how many kinds of lust innumerable men decline, and with how great a disgrace many are openly incestuous and unchaste, perhaps he will judge it more expedient that those who are altogether incontinent be granted the right of public marriage, which

they may cultivate purely and holily without evil reputation, rather than that they exercise lust unhappily and shamefully. Now the world has very many celibates, very few chaste persons; although not even he is chaste who does not touch Venus because it is not permitted. But again and again I fear that ecclesiastical revenues geld clerics today more truly than piety does, while we fear that what we possess may be taken away or that certainly nothing may be added.

He exaggerates the vices hyperbolically. He himself was an apostate and deserter who could not speak well of those whom he wickedly deserted without accusing his own flight. Yet this is true: among the Lord's Priests there have been Ophnis and Phinehas, Jasons and Caiaphases; nor is it more astonishing that this has sometimes happened through the course of ages than that it happened in the Lord's time, when Judas betrayed and the disciples denied. Yet the remedy is the probation instituted before orders are given. When it is neglected, Bishops and prelates are the cause of the evils; and although they themselves preserve the mystery in a pure conscience, nevertheless, if they quickly impose hands upon men who have not been proved, they share in the sins of others and are to be condemned for those sins as though for their own, because by their own negligence and cooperation they caused them. But I shall treat of them at another time. For that which is public and notorious must not be concealed.

§ 26. Having no crime. "If anyone is without crime." He calls them *ἀνεγκλήτους*, men whose integrity, and also reputation for integrity, is such that a crime cannot be laid upon them and they cannot be called into judgment. For an *ἐγκλημα*, a criminal charge, is an atrocious injury on account of which the praetor is accustomed to grant an action. If a Cleric labors under infamy but cannot be convicted, he purges himself by oath: Cause 15, Question 5, *Omnes*; Cause 4, Question 1, *Diffinimus*. How can a Cleric be infamous, when the infamy of Clerics especially demands purgation on account of the scandals of others? Cause 2, Question 2, *Presbyter*.

§ 27. God's steward. For he is God's *οἰκονόμος*, the steward of the greatest goods--that is, heavenly goods. His care for accounts and advantages must therefore be secondary. Concerning the Bishop's office in dispensing external goods, the Council of Antioch established, Cause 12, Question 1, chapter 23:

Let the Bishop have authority over ecclesiastical property for distribution to all who are in need, with the greatest reverence and fear of God. Let him himself also partake of those things which he needs--if indeed he needs them--for necessary uses beneficial both to himself and to the brothers whom he receives, so that under no circumstance are they defrauded in anything, according to the holy Apostle, who speaks thus: "Having food and covering, with these we are content." But if he is by no means content with these things and converts the Church's property to his own domestic uses and does not handle its profits or the fruits of its fields with the knowledge of the presbyters and deacons, but entrusts authority over them to members of his household, kinsmen, brothers, or sons, so that through persons of this sort the Church's property is secretly injured, let him pay the penalties imposed by the provincial synod. But if the Bishop, or the presbyters who are with him, are accused in another way--that they usurp for themselves what pertains to the Church, whether from fields or from any other ecclesiastical resource, so that the poor are afflicted by this and both the discourse of preaching and those who dispense the goods are thus exposed to accusation and blasphemies--they too must be corrected, with the holy synod approving what is fitting.

§ 28. Not proud. They call *ἀνθάδεις* those who are obstinate and rely excessively upon their own judgment. For this vice belongs to *τῶν ἐρημιτῶν*, solitary men, not *κοινωνικῶν*, sociable men; for those who are content with themselves and do not live in the fellowship of others more readily become obstinate. Humility is therefore commended to a Priest: lest he fashion new opinions from Scripture, Distinction 30, *Haec autem*; and lest he correct his subjects austere rather than gently, Distinction 45, *Licet nonnumquam*.

§ 29. Not irascible: *ὀργίλον*. The source of anger is pride, for anger is an opinion that one has been despised. It is a great vice, because an angry man thinks everything he does just. Concerning this see Cause 11, Question 3, *Ira*; Cause 5, Question 1, *Velut*; and Cause 5, Question 2. For angry men, while striving to correct the sins of others, commit graver ones.

§ 30. Benevolent: *φιλόγαθον*. They refer it to things and persons. More correctly it refers to persons, for benevolence toward good men is a distinguished ornament of a Bishop; toward the wicked, frivolous, and covetous, austerity is approved. For no one judges a person devoted to such men to be upright. A suspect Cleric or layman brings infamy upon an episcopal household; a Jew makes it detestable. An excellent statute was enacted concerning a Bishop's household, Cause 2, Question 7, canon 58:

Since the life of a pastor ought always to be an example to his disciples, Clerics very often do not know what their Pontiff's life is like in private, although, as has been said, secular servants know it. Concerning this matter I establish by the present decree that certain persons chosen from the Clerics, or even from monks, shall attend to the ministry of the Pontifical chamber, so that he who is in the place of government may have such witnesses as see his life in private association and, from diligent observation, take an example for their own advancement.

§ 31. Just. He must practice justice not only in life but in judgment. For since he judges as though in God's place and is frequently chosen as arbiter by the parties, let him strive accurately to understand and observe every requirement of justice.

§ 32. Holy: *ῥοσιον*. There is a twofold holiness in a Priest: the first sacramental, the other innocence of life. Cause 1, Question 1, *Dominus*. The judgment of Distinction 40, chapter 3, is noble:

We who preside ought to become known not from the dignity of our places or birth, but from nobility of morals; not from the distinction of cities, but from purity of faith.

And chapter 2:

It is not easy to stand in the place of Paul and hold the rank of Peter, who now reign with Christ. Hence it is said: those who hold the places of the saints are not the sons of saints, but those who perform their works.

And chapter 12:

Many Priests and few Priests: many in name, few in work. See, therefore, how you sit upon the chair, because the chair does not make the Priest, but the Priest the chair; the place does not sanctify the man, but the man the place; not every Priest is holy, but every holy man is a Priest. He who sits well upon the chair receives honor from it; he who sits badly does injury to the chair. Therefore an evil Priest

[Printed page 408]

acquires from the priesthood a charge against himself, not dignity. For, sitting in judgment, if you live well and teach well, you are the judge of all; but if you teach well and live badly, you will be the condemner of yourself alone. For by living well and teaching, you instruct the people how they ought to live; but by teaching well and living badly, you instruct God how he ought to condemn you.

In vain do those congratulate themselves upon their orders who defame them by their vices. Augustine to Valerius, Letter 148, Distinction 40, canon 7:

Before all things I ask that your religious prudence consider that nothing in this life--and especially at this time--is easier, more joyful, and more acceptable to human beings than the office of Bishop, presbyter, or deacon if affairs are conducted perfunctorily and flatteringly; but before God nothing is more wretched, sorrowful, and damnable.

§ 33. Continent: *ἐγκρατῆς*. Concerning the continence of Clerics, many statutes were enacted by the Fathers in councils, as at Nicaea, canon 3; Distinction 32, *Interdicit*; Nantes, chapter 3; Trent, session 28, *On Reform*, chapter 14. Nicholas V, chapter 2, *On the Life and Honesty of Clerics*, established thus:

If we diligently attend to the individual vices which, in the sight of the people, cause clerical honor to become vile, and how hateful incest is in the Clergy, we are not undeservedly compelled to restrain a crime of incest of this kind--which very many, on account of its impunity, flatter themselves is scarcely shameful, indeed as though it were not a sin--and especially the more readily in our Curia, inasmuch as it appears more scandalous there and is

more dangerously drawn into example by others. Hence it is that, by the edict of the present constitution, we more strictly prohibit each and every official of the Apostolic See, and also those exercising any offices of the Roman Curia--even if by reason of offices of this kind they are not considered officials of the See itself--and any other Clerics following the same Curia, that none of them keep a concubine publicly in his house or elsewhere in order to make freer use of her shameful commerce, nor keep any woman for the shameful use of others in this manner. Whoever presently keeps any woman whatsoever must, after the publication of these presents upon the doors of the Basilica of the Prince of the Apostles in the City and in our chancery--which publication we also wish to possess the force of a peremptory warning--within nine days desist really and effectively from an excess of this kind and dismiss the concubine or woman herself utterly and altogether. Whoever hereafter presumes to keep a concubine or such a woman shall by the deed itself be deprived of all his ecclesiastical benefices and also of the offices which he possesses or exercises in the said Curia; and from that time these may freely be sought by any other persons. The same deprived persons, and any others who presume to keep concubines and women of this kind contrary to the present prohibition, shall be judged incapable of obtaining benefices and exercising offices of this kind in the said Curia, nor shall they be made capable of them unless they first obtain, by letters of the said See, the abolition of their incapacity; and meanwhile the things transacted by them in the aforesaid offices shall be regarded as not having been done.

§ 34. Embracing the faithful word which is according to doctrine. Rightly handling the word of truth. The latter expression is taken from sacrificers: *ὀρθοτομοῦντα τὸν λόγον τῆς ἀληθείας*, rightly cutting the word of truth, just as all parts are rightly cut in sacrificial victims. That is, he must read the word of God and interpret it rightly, not devising a meaning of his own, but drawing it from the context, the Fathers, the Councils, and the Church. Proverbs 11: *δικαιοσύνη ἀμώμονος ὀρθοτομεῖ ὁδούς*: “the justice of the blameless rightly cuts paths.” That very fact shows that great study is required, because he says *ἀντεχόμενον*: holding fast against those who strive to snatch it away, guarding and defending it.

§ 35. A good soldier of Christ. There is a twofold warfare, spiritual and secular. All wage the spiritual warfare except those who, having been conquered, are captives of the enemies; but Clerics are the leaders and standard-bearers of that warfare. If they show themselves lions, they readily preserve the whole army. How will they fight? Our arms are prayers and tears. Cause 23, Question 8, chapter 19:

It is established to be highly reprehensible that you added that the greater part of all the Bishops keep watch by day and night with your other faithful against maritime pirates, and that for this reason the Bishops are prevented from coming; since it belongs to the soldiers of Christ to serve Christ, but to the soldiers of the age to serve the age, according to what is written: “No one serving as a soldier for God entangles himself in secular business.” But if the soldiers of the age devote themselves to secular warfare, what remains for Bishops and soldiers of Christ except that they devote themselves to prayers?

§ 36. Let them solicitously take care to present themselves approved to God. For in truth the priesthood does not remove the inclination to sin, but restrains it. With an increase of honor, the care of solicitude also ought to increase, Distinction 100, *Rationis*. Let their care be to prove themselves to God and to gain others for God.

§ 37. A workman who need not be ashamed: *ἀνεπαίσχυντον*, one who does not blush. Saint Ambrose calls him shameless in the good sense. This is in the manner in which Paul glories when he says: “I am not ashamed of the Gospel.” This is not a great thing when Christ’s prelates are honored among Christians, but it is so when Christ’s reproach must be borne among Gentiles, heretics, or impious Catholics. First, he is one who need not be ashamed when, overcoming empty shame, he omits no part of his office. Next, he is one who is hindered from the work by no insults, mockery, or derision. Formerly there was a great danger of shame concerning the Gospel, and now there is amid heresies, because religion requires humility, which is despised. Nor without reason does Paul say in Romans 1:16, “I am not ashamed of the Gospel.” Why does he not rather glory in the Gospel? Because it was a scandal to the Jews and a laughingstock to the Gentiles.

These things, when neglected, bring infamy upon the sacred order. Long ago Nazianzen, in his work on the praises of Saint Basil, complained that, on account of the morals of those who are ordained, the holiest order was imperiled and made exceedingly ridiculous. “We make one-day saints,” he says, “and command those in whom there is no wisdom to be wise.” Ambrose makes the same complaint in *On the Dignity of the Priesthood*, chapter 5.

CHAPTER XI

That the Reformation of the Clergy According to the Apostolic Standard Must Be Earnestly Urged

§ 1. Whatever things have become deformed through negligence, wickedness, the lapse of time, and antiquity itself must be reformed. All, from the first head of the Church down to the lowest Chaplain, and from Caesar Augustus down to the praetor of the smallest little village, ought according to their office and powers to will, attempt, and accomplish this. To impious men who disdain sacred things and seek fattening from the patrimony of the Crucified, the name of reformation is hateful and the thing itself abominable, because the belly has no ears, nor do the things beneath the belly possess understanding. Nevertheless reformation must be urged and altogether accomplished.

§ 2. The primary cause is and ought to be the obligation by which the Supreme Pontiff, Bishops, and Prelates are most strictly bound; concerning this I shall speak elsewhere. Another cause is that it is known from experience and the whole history of antiquity that provinces and kingdoms have been publicly punished,

[Printed page 409]

overthrown, and deformed by devastation and slaughter when vices grew so strong that the authority of the laws yielded to them and the magistracy did not labor to eliminate them. Thus the first-created world perished in the Flood; thus Sodom sank into flames; thus the Canaanites were extirpated when their iniquities had been carried to the highest point. For this is the vicissitude of affairs, this the circuit of calamities, which do not spread by chance but exact deserved punishments by divine judgment. The Babylonians overthrew the Assyrians, the Medes and Persians the Babylonians, the Macedonians the Medes and Persians, the Romans the Macedonians, and every form of barbarism the Romans--and this at the time when each nation was most vicious. Consult Augustine concerning Africa's struggle against the Vandals, and Prosper concerning Gaul and Spain. Consider present events and those nearest to them: has not a great part of Hungary received the Turkish bridle, and does it not harass its neighbors with either a cruel or a faithless peace? This has place especially in the people of God, whom the providence of the divine power, raging mercifully with swift punishment against those ungrateful for its beneficence, has been accustomed to recall. Let the books of Judges and Kings be read: fortune always followed morals. It will be so also in the Christian world, which will be preserved so long as vices are punished and virtue is pursued; if the vices burst forth more unbridledly, it will be overthrown either by mutual slaughter or by a more powerful enemy. But vices will be extirpated by the reformation undertaken by rulers.

§ 3. The ambitious sloth of certain Prelates is damnable and will be punished with eternal fires. With soft words they enervate minds and grant room to vices growing of their own accord. They say that the times are now different; that things which can scarcely be amended must be dissembled; that the rigor of the canons must be relaxed; that reformations bring disadvantages; and that heresy impedes discipline. These words are destructive and impious. For laws were established not for times but for minds; nor do the common vices of the times excuse the deeds of individuals. No times have been so vicious as not to be bound by laws. Those who can be changed can also be amended. Those who despair of correction are injurious to the grace of the Redeemer. Will not God preserve his Church even to the end of the ages and purify for himself an acceptable Church? How, therefore, can the sins of its members not be at least diminished, if not altogether removed? How many things did one Ezra, one Maccabee, correct? When the entire nation was hastening headlong into the morals and vices of the Gentiles, he brought back the greatest part to piety. The hand of the Lord has not been shortened so that it cannot save; rather, the will of human beings has been cut off so that they do not labor to be saved. Since one century, so many thousands of barbarous nations, after acknowledging Christ and renouncing usury, slaughters, polygamy, and cannibalism, have handed themselves over to be formed in Christian morals--the two Indies and the regions of the Ethiopians scorched by the suns. Why, then, do we deny that the Christian people and Clergy can return to that place to which that barbarism has

preceded them, coming from East and West and reclining with Abraham, Isaac, and Jacob, while marveling at the sons of the kingdom departing into the outer darkness? They cannot be ignorant that the most holy canons according to which I demand reformation can be observed not only by the best but even by those of middling quality, and that those who made them seriously commanded their observance. Within a few years there have been many provincial synods; the voice of them all is one: the Canons must be recalled into use. If one intends to count them, we shall find scarcely fewer canons of Councils by which we are ordered to observe the ancient canons than there are ancient canons whose observance is at issue.

But if one wishes to inspect our world more closely, many things have already been thoroughly amended, so that the rest appear easier. A hundred years ago great ignorance possessed the world; now there is almost an excess of arts, talents, and disputants. Now some single university city possesses more learned men than all Germany formerly did. Great progress has therefore been made. And so, as soon as the heresy snapped its fingers, almost half the Clergy and religious looked back and entered the broad and whitewashed roads of the age. Now, although apostates are precious in the camp of the sectarians, they are nevertheless rare.

There has been less, yet some, progress in morals. For the ancient religious families have recovered their former integrity and rigor and flourish more and more each day, with great hope of better times, since they show to a darkened world hearts so holy, brave, and entirely consecrated to God, despise the pomp of the age, and interpose themselves for us before God. And a select multitude of new religious, displaying the first fruits of the spirit, strive to bring aid to the aging world. This matter must therefore be urged, and care taken that the things which are lacking be added. In some places very many things are lacking, in others very few, according as the Bishops' diligence or negligence has prevailed.

CHAPTER XII

The Easiest Method of Reformation Is the Selection of Those to Be Ordained

§ 1. Since in ecclesiastical benefices those things which bear the appearance of hereditary succession are odious to the sacred constitutions and contrary to the decrees of the Fathers, as is stated in the Council of Trent, session 25, chapter 7, it follows that no Cleric is born evil. Therefore, if anyone lives contrary to the canons, it is either because an evil man was chosen or because after being ordained he departed from virtue. Bishops will prevent both by sagacious caution. For scarcely anyone is evil for long without the fact becoming known to someone; wickedness always betrays itself by some indication.

§ 2. The reason Clerics generally turn out evil is their parents, teachers, guardians, and kinsmen, because they are educated either negligently or vainly. Therefore the complaints of secular people concerning the vices of Clerics are dishonest. Do you marvel that your son is vain, proud, and drunken? He takes after his father; he drew your vices from paternal authority. Or tell me, what has he done which he did not learn in your house or among the intimates to whom you committed him? Yet if he did not learn from you to be evil, see whether it was not brought about by your indulgence, peevishness, or imprudence that he did not remain good.

§ 3. Those who are not suitable must in no way be admitted. Thus the law and the Councils. A golden canon is that of the Fourth Council of Milan:

By the authority handed down to him by the law of the canons and by the Council of Trent, the Bishop, if he does not find suitable those presented even by any patrons whatsoever, shall neither approve, admit, nor institute them, nor provide for them under any title whatsoever, but shall reject them outright. Moreover, he shall not judge suitable those whom, after the test of an examination has been diligently made by questions, he does not see to be endowed with learning, skill in chant, and the other qualities necessary for rightly and duly performing the duties incumbent upon or connected with the benefice to which the person is presented.

Furthermore, by canonical law the ordainer of an unworthy person is deposed: Distinction 50, chapter 55, *Ex paenitentibus*; and Distinction 59, chapter 1:

He who has not been imbued with ecclesiastical disciplines in due order and trained for divine service by the approval of time shall by no means presume to aspire to the supreme priesthood of the Church. Ambition shall be regarded as effective not only in him but also in his ordainer, so that they may lack the order which they believed should be presumed without order

[Printed page 410]

contrary to the commands of the Fathers.

This canon must be recalled if priestly piety and sincerity are to be restored.

The mode and method of establishing who are suitable are also gathered from Distinction 77 and other sources.

§ 4. The greater the dignity of the order to which someone is assumed, the greater the care that must be taken concerning the abilities and virtues of the one to be ordained. The first care must be expended in choosing Bishops. For the Church cannot be healthy in its members if it suffers in its head. Therefore the electors of Bishops sin most gravely when they take no account of their duty.

§ 5. Account is indeed taken of years in the orders, but not according to the ancient custom. The Sixth Synod, canon 15; Distinction 77, chapter 4:

Let a subdeacon be ordained at no less than twenty years. But if anyone has been ordained in any priestly order before the established times, let him be deposed.

And the Third Council of Carthage, canon 4:

It has pleased us that neither Deacons be ordained nor virgins consecrated before twenty-five years of age, and that readers not salute the people.

The Council of Agde establishes the same in chapters 16 and 17:

Let a Bishop in no way confer the blessing of the diaconate upon those younger than twenty-five years. Certainly, if married young men consent to be ordained, the will of their wives must also be required in such a way that, after separation of their dwelling and bedchamber has been made and religious life promised, they may be ordained after they have afterwards been converted in like manner. But let none of the metropolitans presume to ordain a Presbyter or Bishop before thirty years--that is, before he reaches the age of a perfect man--or Deacons before twenty-five, lest through their age, as sometimes happens, they be blamed for some error.

They require thirty years in a Priest, Distinction 78, chapter 4:

Let a Presbyter not be ordained before thirty years of age, although his life is approved; rather, let him wait until the appointed time. For our Lord Jesus Christ was baptized in his thirtieth year and then preached.

The same things are in the Novels, in the Authentic *On the Most Holy Bishops*, 9, *Clericos*, and in Leo, Letter 83, chapter 1, to the African Bishops. Yet Pope Zachary, in a case of necessity, permitted ordination to the priesthood at twenty-five years.

I judge that in so many cases of younger Priests it is expedient for a greater age to be established, especially when necessity is absent and the diaconate or subdiaconate is sought not from necessity but from desire for greater revenues. For that age which is now priestly through dispensation and the necessity of the Church permitting it is not such by free judgment. Next, I do not think that one must labor greatly concerning the minor orders, because they do not bind to perpetual chastity. Yet haste is harmful for another reason, since readers, exorcists, and acolytes are appointed who can neither read nor even conjecture what those orders mean. Such was not the standard of Peter and the ancients. The laws require twelve years in these orders, but presume that they have been suitably instructed. Thus Distinction 28, chapter 5:

Concerning those whom the will of their parents has bound to clerical office from the first years of infancy, we establish that the following be observed: immediately after being tonsured or handed over to the ministry of readers, they ought to be educated by an appointed master in the house of the Church under episcopal supervision. But when they have completed the eighteenth year of their age, let their will concerning the seeking of marriage be investigated by the Bishop in the sight of all the people. If, with God inspiring, the grace of chastity is pleasing to them and they promise that they will preserve their chastity without the necessity of marriage, let them, as seekers of the very narrow way, be subjected to the most gentle yoke of the Lord; and, after probation of their profession has been held, let them first undertake the ministry of the subdiaconate from their twentieth year. But if they pass the twenty-fourth year of their age blamelessly and without offense, they ought to be promoted to the office of the diaconate, if the Bishop finds that they are able knowingly to fulfill it. Yet they must beware lest at any time, forgetful of their promise, they return again to earthly marriages or secret concubinage. But if perhaps they do so, let them be regarded as guilty of sacrilege and strangers to the Church. Yet from those whose own will at the time of questioning has persuaded them to desire marriage, we cannot take away the license granted by the Apostle; but when, placed in marriage and advanced in age, they promise by equal consent that they will renounce works of the flesh, let them aspire to sacred orders.

I altogether require maturity and constancy, especially since they will live in the world and contend amid daily dangers and shipwrecks of chastity.

§ 6. Let no one be admitted to the Clergy without a lawful examination. Distinction 24, chapter 2: “Let no Cleric be ordained unless he has been proved either by the examination of Bishops or by the testimony of the people.” I ask: in certain places, who is ordained in this way? Where is so great an account taken of morals and learning? Distinction 24, chapter 4:

Let Bishops be advanced to ecclesiastical dignity by the judgment of the metropolitans and of the Bishops who are round about--those, namely, who are proved over a very long time both in the word of faith and by the example of an upright manner of life.

For in truth a teacher of virtue must also be a leader. If the salt becomes insipid, with what shall it be salted?

The method of examination is in the same place, chapter 5:

When the Bishop proposes to conduct ordinations, all who wish to approach the sacred ministry must be summoned to the city on the fourth weekday before the ordination itself, together with the archpresbyters who ought to present them. Then the Bishop shall choose from his side Priests and other prudent men, knowledgeable in divine law and practiced in ecclesiastical statutes. Before all things, these shall diligently investigate the life, lineage, homeland, age, education, and place where the candidates were educated; whether they are well instructed in letters; whether they are instructed in the law of the Lord; whether they firmly hold the Catholic faith and can assert it in simple words. But those to whom this care is entrusted ought to beware lest, either for the sake of favor or enticed by desire for any gift, they depart from the truth and apply an unworthy and less suitable person to the Bishop's hands for the reception of sacred grades. If they do this, both the man who approached unworthily will be removed from the altar, and those who attempted to sell the gift of the Holy Spirit, already condemned before God, will lack ecclesiastical dignity. Therefore let them be diligently examined for three continuous days; and thus on the Sabbath let those found approved be presented to the Bishop.

Yet they are not examined if a Bishop has given testimony to a Cleric or an Abbot to a monk--unless perhaps the Abbot himself is judged unlearned, for in that case his testimony refutes itself: Cause 16, Question 1, *Si quis*. The method of a true examination is described in the Fifth Council of Milan:

As regards the collation of benefices: when someone is examined for an ecclesiastical benefice for which provision must be made, let a trial of him be made by examination not only in knowledge of letters but also in skill in chant, for duly and rightly performing the statutes of that benefice, and, furthermore, in the practice and knowledge which he possesses in reciting the hourly prayers of the divine office. When either a theological or penitentiary prebend becomes vacant, even if the right of conferring it pertains to someone other than the Bishop--apart from the Apostolic See--let the customary notice be posted, by which all who wish to undergo an examination for the sake of that office, or to nominate others to undergo it, are called to the competition. After the appointed period has elapsed, let a trial or test of each of those who have assembled under that title be made in letters and doctrines by every, or the most diligent, method of inquiry and questioning. The Bishop, after associating with himself at his discretion other skilled and upright men, shall also inquire accurately into their life, morals, age, degree, order, and the other conditions necessary for such an office.

[Printed page 411]

Only then, after all these matters have been accurately weighed, let the Bishop himself deliberate maturely in the Lord and freely choose the man whom, according to the religion of his conscience, he judges more worthy and suitable, to whom an office of such weight may rightly be committed. In this consideration and deliberation, especially as regards the Penitentiary, let him see that, in addition to the necessary skill, he weighs above all innocence of life, gravity of morals, zeal for spiritual exercises, more experienced prudence from longer practice in hearing confessions, and the other virtues of religious piety.

You, great God, give us such a Charles in Germany--not one who merely establishes these things, but one who executes them. For now prebends of Doctors and populous parishes are frequently possessed by boys, nobles, scribes, and idiots, to their own most certain damnation and the destruction of others.

§ 7. Because questions are frequently raised concerning what each person ought to know, and many frauds lie hidden under this pretext and devices are sought for evading the examination, it seemed good to me to present the method of examination which the Fifth Council held at Milan composed at length. It reads as follows.

In the administration of the Church the office of examination concerning skill in letters and discipline is as necessary as it is manifold. At one time it is employed by the Bishop both for those who are to be initiated by the sacrament of Order and also for the approval of preachers and confessors; furthermore, for investigating and observing the condition and progress of the Clergy in literary studies; and it likewise assists and serves the Bishop in many other matters. At another time it is instituted and completed not only concerning those who are placed over parochial churches and other benefices having the care of souls, but also concerning those upon whom ecclesiastical benefices of any kind are conferred either by the authority of Apostolic letters customarily drawn up in the form *DIGNUM*, or by another right, or who are instituted to them by presentation, nomination, or election. Therefore, so that this method of examining, undertaken for any cause whatsoever, may be completed by the examiners as rightly as possible, in addition to certain things more fully explained and decreed especially in the Fourth Provincial Council, we have judged that these instructions also should be drawn up. Some pertain to this whole method of examination, while others are proper to particular examinations.

And each Bishop, according to his own piety and prudence, may add other instructions to all these or remit something from them, according as he sees that it serves the conditions and practice of his own diocese.

Let it be the care of the same Bishop and of the Vicar who presides over the examination that these instructions be introduced into custom and use.

Moreover, first of all, when the examiners appointed in the diocesan synod enter upon the examination of those who are to be placed over parochial Churches, let them remember the oath by which they publicly bound themselves in the synod when they were first chosen. Let them see that, after laying aside every human affection, they rightly care for and administer the office they have undertaken, lest they violate what they holily and religiously promised and thereby become perjurers.

On account or by occasion of the examination, let them accept absolutely nothing, not even the least thing, either before or afterwards. Otherwise let those who give know that, under the Tridentine statute, they have incurred the crime of simony; moreover, neither they nor even those who give may be absolved unless they resign whatever ecclesiastical benefices they possess. Let them likewise know that they have been rendered incapable of having these or other benefices conferred upon them in the future.

For every fault committed in the office they have undertaken, let them also render an account in the provincial Synod and there be gravely punished by the authority of the Council of Trent.

Likewise, those who at the Bishop's free discretion are associated as examiners for examining others under any title or for any cause must never accept anything by occasion of the examination, not even food or drink. Whoever acts contrary to this shall both henceforth be judged unworthy to discharge that office and be affected with another punishment at the Bishop's discretion.

Let all examiners, whoever they may be, know that an office so grave is entrusted to them that, if they conduct themselves negligently or badly in any manner, they will have to render to God before all an exact account of the fault committed in that office.

Therefore let them exercise the care of the office committed to them, led neither by hope, fear, reward, regard for persons, nor any affection.

With the fear of God set before them first, let them not approve anyone whom they know to be unworthy; conversely, let them not reject one whom, after a trial or test has been made, they find suitable and worthy. Therefore let them deliberate gravely, maturely, prudently, and rightly both concerning approval and concerning rejection.

When they have assembled in the place where it is customary for the trial of Clerics to be made, before they begin, let them commence with the appointed prayer prescribed for the use of assemblies, which the one presiding over the examination shall pronounce from the book. Let them devoutly and inwardly pray especially that by God's help they may accomplish it rightly, prudently, and in conformity with the divine will.

Let no examiner recommend in any way to his other colleagues anyone concerning whom an examination or trial is being made.

Let no one take part in anyone's examination or possess the right to vote unless he has been summoned to it by command of the Bishop or Vicar.

If anyone has privately taught a person who is to undergo the examination, let that teacher not even be present when the person undergoes it, much less be employed in the examination; but let another be summoned in his place at that time by command of the Bishop or Vicar.

Let diligent precaution be taken lest anyone experience the examination or undergo the trial in another person's name, which has sometimes been found to have occurred.

Let diligent inquiry also be made concerning those who have approached to undergo the examination: whether at other times they have made a trial or test of themselves by questions instituted according to custom for examining, and whether anything exists which has been discovered or determined concerning them.

Let no examination begin unless the Bishop or Vicar is present and also at least three examiners according to the prescription of the Council of Trent, when an examination is instituted for conferring a benefice with cure by any right. Let this also have place thereafter when an examination is completed either concerning one to be initiated into major orders or concerning the approval of a preacher or confessor.

When anyone comes to the examination, let his face, bodily bearing, clothing, gait, gestures, and speech be diligently inspected.

If anyone approaches either clothed in clerical dress deformed and foreign to the decorum or discipline of the ecclesiastical order, or without a tonsure suitable to the bearing of his own status and order, let him not be admitted to any method of examination or trial unless, clothed in becoming dress and with the prescribed tonsure, he returns to it.

Concerning anyone to be initiated--unless the Bishop has at some time judged otherwise--let no examination or trial be held before he has brought or presented written attestations of age, birth, or a granted dispensation, and of an ecclesiastical benefice, pension, or patrimony, which have been inspected by the Episcopal Vicar and signed and approved by his subscription, unless at some time the Bishop has ordered that they be produced or inspected after the examination.

Nor likewise shall an examination be held unless he has given the other attestations prescribed by provincial decrees or an Episcopal edict.

Nor, moreover, shall this be done unless the examiners have heard and learned from the Episcopal Chancellor whatever investigations concerning him, made at the Bishop's command and prescribed by office, have been signified, denounced, or reported in the letters of others.

Let all attestations presented either by the one to be initiated or by anyone else on occasion of the examination be restored or handed over to the Episcopal Chancellor.

It shall belong to him to enter a summary of these attestations in a definite register prepared for that purpose and finally to preserve it in the Episcopal Archive. But let the same Chancellor preserve the attestations of age and birth and, if the matter concerns one to be initiated into major orders, of patrimony or ecclesiastical benefice; and in the public letters which he shall draw up concerning the person who has received the order, let him make attestation concerning these according to the method prescribed to him.

Therefore, when an examination is instituted of one to whom the care of a particular parochial Church is to be entrusted, let the examiners first consider who and of what kind, and how numerous, is the people whose parochial care he will undertake.

After this matter has been diligently investigated, let them propose to themselves in the examination they enter upon that they will ascertain accurately whether he is altogether suitable for undertaking and discharging that care.

After all these things have thus been prescribed, let the examiners proceed in order to interrogations or questions. In the examination let the following method be entered upon: let that examiner propose the interrogations or questions whom, by a system of alternation and according to the kind of learning or discipline, the Bishop or Vicar presiding over the examination has ordered to question--now this man, now that man--in that same examination, so that one may not interrupt another competitively by a varied and manifold method of questioning.

Moreover, let the examiners maintain this method in their interrogations and questions: after these have been distributed among them, full satisfaction shall be given, as is fitting, to the purposes of the examination instituted. Let each one inquire or question concerning the category which he has undertaken to investigate in such a way that, as is proper, the questions or interrogations of that category have been sufficiently explained.

While the examination is being held, let them keep silence and hold no conversation or discussion among themselves. Likewise let them not propose mutual questions or explanations of doubts to one another; rather, attentive to the answers of the person whose learning is investigated by questions, let them apply their mind to him with studious attention so that he may rightly explain the questions proposed to him. Nor let another disturb the examiner questioning in his own place; rather, let each await the time when it falls to him in order to question according to the category or method of the question.

In proposing questions or interrogations, let them show themselves severe or vehement neither by words, appearance, nor in any manner, lest those who undergo examination, frightened by severity, lose courage and their memory grow languid and falter, not without some disgrace. Rather, let them hear them disputing or answering with signs of a benevolent and gracious mind, and let them not interrupt them with little questions or in any other way.

But if they observe them to err in disputing, reading, pronouncing, or answering, let them not then teach, rebuke, or even admonish them, unless something pertains to rightly instituting or completing the examination. Rather, after the examination has been completed, let them briefly admonish or teach them if they judge that it is then necessary for them to be admonished or taught concerning anything.

In all and each interrogation of the examination, regard shall be given not only to the knowledge of each person examined but also to his practice, judgment, intellectual power, and dexterity.

Let this method therefore be instituted for all examinations:

First, inquiry shall be made concerning the vow, state of life, lineage, homeland, or domicile of the person undergoing examination.

Whether he has any impediment by which, being entangled, he cannot be initiated, receive and exercise the ecclesiastical benefice in whose name the trial is made, the office of preaching, or the hearing of confessions. If anyone is bound even secretly by such an impediment, let him disclose it at least to the Bishop, lest anyone be unlawfully initiated, obtain a benefice, or undertake and discharge another office.

Whether he is practiced in the study and use of holy prayer.

With what meditations he has been instructed silently to pray to God.

What is the method of prayer.

What are its fruits or benefits.

Of how many and what parts it consists.

How many are the rules of preparation for prayer, and many other things of the same kind, according as a prudent and pious examiner sees need for them by reason either of the person concerning whom inquiry is made or of the cause for which the examination occurs.

After these things have been investigated, let the examiners descend to a trial of knowledge or learning. But so that they may set before themselves a fixed form by which they may test both the literary learning, the discipline of clerical life, and the experience of ecclesiastical affairs of those who are examined, in every method of trial or examination let them employ the sacred Bible, the Roman Catechism, especially the Council of Trent, the decrees of the sacred canons, other Pontifical constitutions, and both provincial and diocesan synods. From these let them draw their interrogations, by which, according to the capacity of the candidates' intelligence, they may investigate their knowledge and their acquaintance with and practice of ecclesiastical affairs.

But let care be taken that, if anyone while being questioned shows himself so untrained and ignorant that he possesses no knowledge or practice of easy and very small matters, time is not consumed by questions concerning other, difficult matters.

Conversely, when it has been ascertained that someone is skilled in learning and literary practice to whatever degree, there is no reason to deal with him longer by further questions.

Now, therefore, we shall prescribe generally below the things which pertain to the method of each examination of those who either are initiated by the Sacrament of Order, undertake the care of parochial Churches or the office of another benefice, assume the office of hearing sacred confession, or are sent to preach the word of God. But in particular, far more or indeed fewer matters are left to the judgment of the prudent examiners--and especially of the Bishop or the one presiding over the examination--according to the capacity of those who approach the examination, the order into which one is to be initiated, the character of the places to which they are sent, and the kind of doctrine which they profess.

Those, however, who show themselves less instructed in the matters contained in this instruction and indicated by definite questions, let the Bishop admonish to apply themselves diligently to learning in the future and strive especially to acquire experience and knowledge of these very matters, so that when the duty of visitation or another review of their studies and progress in letters is employed, they may be found rightly and skillfully instructed in every such category of learning.

First, therefore, let the examiners command the person concerning whom an examination must be made to read, until by trial they see whether he reads rightly and distinctly.

Then, if a trial is made on account of an order, a benefice, or the review of some Cleric's progress in literary study, let them propose the construction of words according to the custom of grammarians. In this category, if he errs or slips so

that he does not possess their practice or skill even according to the method of grammar, let them not on that account disturb, interrupt, or impede him from returning to the proposed method of grammatical instruction.

Then let them ask him for the sense of the words which he has read and construed. So that he may rightly elicit and express it, let the passage which they propose to him for reading be of such a kind that a whole and perfect meaning is concluded within it and that it contains nothing which falls under an understanding of history or whose explanation depends upon another preceding or following chapter; and then to

§ 7 (continued). other more serious tests of his learning or discipline let the examiners proceed.

From each and every one of those who are to receive the first tonsure or minor or major orders and who approach for a trial or examination, let it further be asked, both generally and individually, whether they are held entangled in the impediments which were enumerated in the decree of the Fourth Provincial Council concerning those to be initiated; namely, whether they are:

Advanced in age.

Untrained and ignorant.

Criminals.

Solemn penitents.

Neophytes.

Given to drunkenness and gluttony.

Unchaste.

Fallen after receiving an order.

Perjurers.

Manifest usurers.

Infamous.

Bound by accounts to be rendered.

Slaves.

Defective in body.

Remarkably deformed.

Illegitimate by birth.

Foreigners and unknown persons.

Bigamists.

Irregular in any other way.

In this category let care be taken that, among other things, the following be sought from him particularly:

Whether he has served for military pay, from which killings of men have resulted.

Whether he has discharged the office of a criminal judge in a secular court.

Whether he has pronounced a sentence of death.

Whether he has dictated or written the proceedings, sentence, and testimonies concerning a crime in whose name someone was condemned to death.

Whether in such a matter he administered the office of procurator or fiscal advocate and exercised other functions from which he contracted the stain of irregularity.

Whether they are suspended.

Whether interdicted.

Whether excommunicated.

Whether insane.

Whether suffering from the falling sickness.

Whether possessed.

Or whether they have not been examined and approved.

Let it likewise be investigated whether he has received an order secretly or by leaping over a grade.

Furthermore, when anyone who is to receive an order comes to the examination, let it be investigated how long it has been since he received another order, so that ascent to a higher grade may lie open to no one unless he has remained for a suitable space of time in each of the other grades of inferior order, according to the prescription of the Tridentine decree.

Whether he knows the force and nature and the mysteries of the order which he is to receive.

Likewise, whether he knows the rites and ceremonies which are employed from the Pontifical when they are initiated.

Likewise, whether he knows their more sacred significations.

Likewise, whether he knows the mysteries and things signified by the sacred vestments with which they are clothed.

Whether he has knowledge of the functions of the order into which each is to be initiated.

Whether he rightly possesses their use and exercise, both in reading and also in chant; in this trial let those skilled in chant be employed.

Let these matters be investigated generally in all and each. Now, in addition, there follow those matters proper to each order which, prescribed in their own place, are to be sought individually--yet in such a way that the examiners, according to the method of their prudence, may sometimes seek even from those who are initiated into a higher order the matters required in the examination or trial of an inferior order.

Concerning those who are to be initiated by the first tonsure, let it first be asked and investigated for what reason they wish to become Clerics.

Whether they seek to be initiated for the purpose of avoiding secular judgment.

Whether they are entangled in contentious lawsuits.

Whether they engage in quarrelling and enmity.

Likewise, what craft they possess, or in what art or manner of life they have hitherto been occupied.

Whether they are such as give hope that they will become useful ministers of the Church.

By what priest, a master of a more holy life, they have been instructed in the manner of clerical life.

Whether they know how to read, pronounce, and write; and let a trial of them be made in both categories.

Whether they know the precepts and institutions of Christian doctrine.

Whether they possess an understanding of the Epacts.

Furthermore, whether they have received the sacrament of Confirmation.

But concerning those who wish to be enrolled in minor orders, let it be asked and learned by trial:

Whether they understand at least the beginnings of grammar and the Latin language.

Whether their promise of learning shows them to be such as are worthy sometime to ascend to major orders.

But since those who are to be initiated into sacred orders--namely the subdiaconate, diaconate, and priesthood--ought to be adorned and cultivated with those virtues which are required in Clerics of inferior orders, just as they ascend to a higher grade of order, so they ought to manifest, as it were, an ascent in virtues, probity, and learning.

For this reason let the examiners see before all whether those who are initiated by the sacrament of Order have made greater progress through each of its grades and in the discipline of spiritual life.

Whether they possess the Breviary and sacred Bible, likewise the volumes of the holy Fathers, the Council of Trent and also the provincial councils, the synods of the diocesan Bishop, the Roman Catechism, the *Rationale of Divine Offices*, and some books written concerning the methods of spiritual life and adapted to the use of their office.

From subdeacons especially let inquiry be made concerning the difference between minor and major orders.

Whether he has been approved in minor orders.

Likewise concerning the vow of continence which is joined to the order of the subdiaconate.

Also concerning the doctrine of the sacraments, at least generally. Then let a trial or test of them be made in the method of reciting the divine office.

Let an examination or test of deacons furthermore be made somewhat more diligently concerning the doctrine of the sacraments.

Likewise let some trial be made in delivering sermons, according to the method prescribed below for the examination of preachers.

From those who wish to be initiated into the priesthood, let these matters be sought individually with care:

Whether they have conducted themselves piously and faithfully in the ministries previously performed.

Whether they are of proven piety and chaste morals.

Whether a distinguished example of good works and evidences of life may be expected from him.

Let these matters also be asked:

What the sacrifice of the Mass is.

What the effects of that sacrifice are.

What its parts are.

What mysteries are present in it.

What the significations of the sacred vestments are.

What is required in offering that office.

Where and when it is not lawful to do so.

What doubts can sometimes arise.

What matters require explanation in order that it may be performed rightly.

Then let a trial of them be made according to the rules prescribed below.

[Printed page 414]

Whether they possess some skill in sacred confession.

Whether they are suitable for rightly and duly administering the other sacraments likewise.

Whether they have a more explicit knowledge of them, according to the prescribed interrogations, as below concerning the Parish Priest.

Whether they likewise possess the learning by which they may treat the word of God rightly or deliver a sermon.

And whether concerning sacred matters, the duties of Christian virtues, and everything necessary for salvation they can suitably instruct or teach the people.

But whereas inquiry is to be made of all the others, as prescribed a little before, who are enrolled in the clerical soldiery concerning the institutions and exercises of a spiritual and more holy life, it is to be made especially of those who either are initiated into the priesthood, undertake a parochial cure, assume the office of hearing sacred confession, or wish to be occupied in treating the word of God and in sacred sermons.

When all and each of these come to the examination, in addition to the other things which pertain to the practice of a holy spiritual life, let those matters especially be investigated which have been handed down concerning the method of praying and concerning every exercise of holy meditations or heavenly contemplations by others who have exercised themselves religiously in that category.

But concerning those priests who are to undertake the cure of parochial Churches, let it further be asked and first learned by trial:

Whether they are capable of perceiving senses, not only those which are taken for grammatical understanding, but also those more interior and more sacred senses which pertain both to the mysteries of Christ and the Church and to the manner of spiritual life.

Whether they know how to compose or deliver discourses.

If they have delivered any, whence they took them or what method they employed in composing or writing them; and indeed, if they then have any written out in their possession, let them show and hand them over.

Whether they can do something extemporaneously in that category; then let a trial be made, by an extemporaneous and brief discourse, of how much power they possess in preaching.

And if the character of the parochial Church which is to be committed requires a parish priest more experienced in the practice of treating the word of God, let an examination be entered upon in some part which seems preferable in the judgment of the examiners, according to the norm of interrogations established below for the examination of preachers.

Let it further be asked whether they have ever at another time discharged the care of souls; but if they affirm it, let them then also be asked both where they discharged it and why they departed thence.

Whether they understand how great a thing it is to undertake and, in turn, discharge the care of souls, and what those duties and virtues are with which a good and vigilant curator of souls must be endowed.

Likewise, whether they know all the impediments on whose account it is forbidden that anyone administer a sacrament and that anyone receive one.

Whether they understand the force and nature of the sacraments, but especially of those of which he is the minister; and concerning these let the following matters first be asked individually:

What is the matter of each of the sacraments, and likewise what is the form.

What is their principal efficient cause.

What is the instrumental efficient cause.

What is the final cause.

What is their difference.

What are the effects, or what are the fruits.

What are their rites, or what are their ceremonies.

Whether above all they possess skill in hearing sacred confession.

What books of this kind, and indeed what *Summas*, they possess.

Then let a trial be made of how experienced by practice they are in cases of conscience and how skillfully they are versed both in these and in other matters of that kind, and especially in ecclesiastical constitutions which pertain to the right practice of life and to the morals and virtues of the Christian people.

Whether they know the cases reserved by law and by man to the most holy Pope and likewise to the Bishop.

And indeed, more diligently, according as there shall be need, let them be asked concerning each of the matters which will be prescribed below for the method of examining priest-confessors.

Furthermore, let the examiners see whether they possess some knowledge of the sacred canons and, especially as regards the Tridentine and provincial councils and diocesan synods, whether they know the following:

Namely, whether they know the doctrine concerning the principal articles of the Christian Religion which that ecumenical Synod of Trent defined against the heretics.

Likewise, what it prescribed concerning residence.

Also what it established concerning parish priests and parochial Churches, the worship of the divine offices, and other matters of the same kind.

What it further decreed concerning the honorable conduct of Clerics.

Finally, the other things which it established concerning the discipline of the Clergy or the people or the reformation of other matters, which it is in the interest of parish priests to know and understand well.

From the provincial councils let them ask individually:

What has been established concerning the honorable conduct of clerical life and the duties of parish priests.

Likewise, what concerning the right administration of the sacraments, what concerning the sacrifice of the Mass, and what furthermore concerning the divine offices.

Also what concerning sacramentals; what concerning the veneration of feast days; what concerning the worship of Churches; what concerning schools of Christian doctrine; what concerning the instruction and moral discipline of the Christian people; and what concerning other matters especially pertaining to the office of parochial life has been decreed.

From diocesan synods let them enter upon that same method of examination, divided into definite heads, according to the kind of decrees which the Bishop has composed in them.

Concerning one who approaches the examination on account of a benefice of any kind, provided it does not have cure, let these matters be investigated:

Whether he knows how to recite the office of the canonical hours according to the institution and rubrics of the Breviary.

Whether he is instructed in all the learning and discipline which the order into which he ought to be initiated demands, according to the character of the benefice, office, or dignity on whose account the examination is instituted.

Likewise, whether he possesses skill in the functions which the character of that benefice, dignity, or office requires.

Whether he possesses those things which it is necessary to know for rightly and duly performing those functions or the benefice, including those which pertain to the method or system of singing rightly.

And these indeed are the matters which pertain to the instruction for the examination of those who either are to be initiated by the sacrament of Order, are to be placed over parochial Churches, or are to have benefices conferred upon them.

But now there follows the method of examination for confessors, concerning whom, in addition to the other matters which are joined to the office or duty of a priest and parish priest, let these also be sought individually and by a more searching method:

Concerning the necessity of the Sacrament of Penance.

Why this sacrament was instituted, and by whom it was instituted.

What is the matter of this sacrament.

What is its form.

What is its effect.

Who is its minister.

What conditions are required in it.

What are the rules for discerning and distinguishing mortal sin from venial.

What are the parts of penance.

What is the character of those parts.

What Contrition is.

What things are necessary for true contrition.

What are the fruit and utility of contrition.

§ 7 (continued). By what method anyone may exercise himself toward contrition.

What are the signs of true contrition.

Let it likewise be sought what is the nature and substance of confession, which is the second part of penance.

Whether he knows how diligently to inquire into the circumstances of the sinner and likewise of the sin.

Which circumstances change the species of the sin and which must be explained in confession.

Which matters demand restitution and what are the roots or causes of restitution.

Whether they know doubtful or suspect contracts, or at least know how to institute or enter upon doubts and questions concerning them.

To which crimes censures are annexed.

Likewise, whether they possess skill in and knowledge of their force.

Whether they know the cases in which the stain of irregularity is contracted.

Whether at least in all these and in the other matters which pertain to a true and perfect minister of this sacrament of Penance they know how to doubt and know how to consult the skilled concerning how that matter about which they are brought into doubt is to be handled.

Likewise, what are the rites and sacred ceremonies of confession.

What conditions are necessary for the confession of one who is truly penitent.

What is the order of confessing; when anyone ought to confess immediately; likewise when he ought to repeat a confession.

Concerning satisfaction, which is the third part of penance, let it be asked:

What are the parts of satisfaction.

What is the end of satisfaction.

What are the fruits or utilities of satisfaction.

What things are required in satisfaction.

Of what kind and how great a penance ought to be imposed upon the penitent.

Whether they know how to enjoin salutary and suitable satisfactions according to the gravity of the crimes and the capacity of the penitents.

Likewise, whether, according to the prescription of Innocent III, after the manner of a skilled physician they know how to pour wine and oil into the wounds of the injured person, and what remedy or counsel they ought to provide.

Furthermore, whether they rightly possess the penitential canons.

What is the difference among satisfactions, penances, and so forth.

Concerning absolution let it be investigated:

What formula of words is required.

What prayers or orations are further employed.

What order must be observed in absolving both from sins and from excommunication or suspension.

Likewise, let several questions be asked concerning the seal of confession, and especially what is the force, and how great the force, of the seal.

What things fall under it.

From ecclesiastical decrees--the Council of Trent and both provincial and also diocesan synods--let it be investigated what things established in them pertain to the sacrament of Penance, and what things have been established concerning the discipline and morals of the Clergy and the people, as was demonstrated a little before in the examination of parish priests.

But thus far concerning the method of interrogations which are employed in examining priest-confessors.

Now is the place for the examination of preachers and interpreters of sacred Scripture, from whom let these things be asked:

First, concerning the articles of doctrine or dogmas explained by the Council of Trent, namely concerning the canon of Scripture, original sin, justification, the sacraments, and generally the sacrifice of the Mass, purgatory, the invocation and veneration of the Saints, sacred relics, images of the Saints, indulgences, the power and authority of the Pope, fasts and feast days, and many remaining matters.

Whether he furthermore possesses the remaining known and treated topics of Theology.

What author he has made familiar to himself especially among the Scholastics.

Whether he has very frequently and studiously gone through the volumes of the sacred Bible with a gloss or another commentary, and whether he has been so diligently versed in them that he can readily and suitably bring forth passages from them for every kind of sacred treatment.

Whether he is learnedly versed in the practice of holy interpretations.

Whether he knows how to elicit the true sense of Scripture from what precedes and follows; and likewise whether he knows how to compare these things in the Evangelists when they treat the same kind of narrative.

Whether, conversely, he rashly and according to his own pleasure twists sacred Scripture away from its true sense.

Whether he devises tropological or moral senses that cohere with the literal sense.

Whether in explaining parables he regards the right and principal sense of the matters, passing over explanations which contribute nothing to the purpose.

Whether he has knowledge of Apostolic and ecclesiastical traditions.

Whether he is skillfully versed in the writings and discourses of the holy Fathers.

Likewise, which of the Fathers he especially follows and imitates in preaching.

Whether he knows the mysteries of the sacred seasons, or possesses the significations of sacred rites.

Whether he possesses knowledge of affairs transacted in the holy Church, and especially of the universal Councils.

Whether he knows the lives of the Saints and true history.

Whether he possesses a suitable knowledge of the canons.

Whether he knows the laws and institutions of the Supreme Pontiffs.

Whether he has at hand the decrees of councils, especially provincial and diocesan ones, as was prescribed in the examination of parish priests.

Whether he is instructed in the learning of cases of conscience.

Whether he knows well the precepts and exercises of that mystical Theology which is wholly occupied with handing down the institutions of spiritual life and with purifying the affections and interior reformation.

Finally, whether he has practice in holy meditations and mental prayer.

Whether he possesses the topics of moral teaching and Christian discipline, not only collected in order, but rightly known.

What topics he possesses by which the minds of his hearers are stirred either to love of God, desire for the heavenly fatherland, zeal for the virtues, detestation of crimes, mercy, or, furthermore, definite affections which, when raised toward heaven, produce Christian virtues.

Finally, whether they are capable and suitable for conceiving and explaining the treatment of topics of Theology not only in itself, but by similitudes which are drawn from agriculture, a vineyard, sowing, and other matters which fall under sense and the understanding, especially the understanding of even the untrained to whom the sermon is delivered.

Whether he employs a right method at the beginning of a sermon and avoids those faults which very many admit in this category.

Whether he rightly and orderly disposes the whole sermon.

Whether he relates matters clearly and distinctly.

Whether he pronounces well.

Whether his words have weight and also force, so that they not only touch the ears of the hearers but penetrate their minds inwardly.

Whether throughout the whole sermon, according to the character of each matter which he treats, he acts rightly, suitably, becomingly, and congruently.

[Printed page 416]

In investigating this whole category and making trial of it, and in more diligently examining other matters, the examiners, as occasion permits, shall employ as diligently as possible the instructions concerning preachers which were issued by our command, by the authority of the Provincial Council, for the use of the whole province.

When an examination of someone is instituted not on account of a definite cure or another benefice, office, or duty, but only on account of reviewing his learning or progress in literary studies, by that diligent and principal inquiry and by the interrogations variously described above, according to the condition of each person, let his learning and his skill and practice in ecclesiastical ministries be investigated.

But at least four classes of these, or even more, may be established, to which they may be assigned according to the measure of their skill as demonstrated by trial.

Let there be assigned to the first class those who show themselves so capable both in perfect skill in preaching and in the explanation of cases of conscience that they can benefit and preside over many others, and who accordingly are suitable not only for the office of parish priest, but also for the office of provost, rural Vicar, or visitor, or for discharging the office or attaining the dignity in a cathedral Church of a penitentiary prebend, a doctoral prebend, or a theological prebend, and other matters of that kind.

To the second class are to be assigned those who, if they cannot preach perfectly like the former, nevertheless can do so moderately, even from the pulpit, and who have been studiously versed in the *Summas* of cases of conscience and indeed diligently possess the doctrine of the Roman Catechism.

Of the third class will be those who attain only enough understanding that, if not by an accurate and learned sermon, they can at least deliver a discourse from the altar and relate and explain the Gospel as occasion occurs; and who are so experienced in the practice of administering the Sacraments and cases of conscience that, with some study employed, they can suitably unravel and explain those which customarily occur more frequently.

Of the fourth class are those who, if not by great literary study, are nevertheless by some practice fitted for some brief explanation of the Gospel, and who have some knowledge of the things necessary for salvation that pertain to teaching the people, administering the Sacraments, and explaining cases of conscience, so that on account of a scarcity of priests and a necessary cause some spiritual cure may sometimes be entrusted to them, according to the character of the place and especially for a time.

In an inferior class let the rest be enrolled, of whom no account at all ought to be taken in entrusting the cure of souls, in granting the faculty of administering a sacrament, or in delivering discourses to the people.

In this whole method of examining, let the Chancellor perform the following things by virtue of the duty of his office.

Let him possess a definite book of provisions to parochial Churches and other benefices which, after an examination has been employed, are to be conferred, including by Apostolic letters.

In this book let the following be noted by him rightly and in order:

The proceedings of the examination which occur on each day, as occasion for examining arises.

The day on which a definite benefice became vacant, and likewise the manner of its vacancy, and other matters of that kind.

Also the day of promulgation or prolongation of the edict which is customarily proposed concerning the competition, when the character of the benefice's vacancy requires it, and the remaining matters which pertain to the promulgation.

Likewise, the names of the examiners whom the Bishop has chosen by name to conduct the examination on account of that definite vacant benefice.

Also the names of those who are proposed for examination on that account.

Furthermore, the day on which each underwent the examination.

Also the names of the examiners who were present.

The approval or rejection which, by their judgment, each received.

Likewise, the name and surname of the one whom the Bishop chose as more suitable and more qualified, to whom the benefice is conferred by him or by the one to whom it pertains.

To this book let him further add other things which the Bishop has judged proper.

Let him prepare another book in which he enters all and each whom the Bishop, after employing an examination, either approves or disapproves for the purpose of preaching, hearing confession, or interpreting a sacred reading.

In this same book let him also note both the names of the examiners and the day on which they conducted the examination, and likewise the causes of rejection, if anyone received one.

Let him observe the same concerning the definite day, examination, approval, or rejection of those whose trial is made on account of sacred ordination.

Let him possess a third book in which he enters the examinations which are generally instituted and indeed conducted to investigate and examine the progress of the Clergy in literary studies.

See also the Council of Cologne in the year 1549. And this is the intention of the Council of Trent, Session 7, chapter 13: "Those presented, elected, or nominated by any ecclesiastical persons whatsoever, even Nuncios of the Apostolic See, to any ecclesiastical benefices whatsoever, shall not be instituted, confirmed, or admitted--even under pretext of any privilege or custom, even one prescribed from time immemorial--unless they have first been examined by the Ordinaries of the places and found suitable. And no one may protect himself by the remedy of appeal so as not to be bound to undergo examination. Those presented, elected, or nominated by universities or general institutions of learning are nevertheless excepted."

§ 8. A simoniac is not to be ordained. The first cause is wholly occupied with this matter, and the Church always fights against this vice, while the world bears arms in its defense. The judgment of Saint Gregory, Epistle 110, Book 7, is approved by me: "Whoever is ordained through money" (Cause 1, question 1, canon 5). "Those things which were

established by the holy Fathers concerning simoniacs we too confirm both by the judgment of the Holy Spirit and by Apostolic authority. Therefore, whatever has been acquired either in sacred orders or in ecclesiastical affairs by money given or promised, we judge to be void and never to possess any force.”

And canon 6: “Those who are found to have purchased sacred dignity at a price, although unworthy by their merits, ought, when convicted, to be restrained, for they perpetrate such a deed not without peril, because the condemnation of Simon, to which sacred reading bears witness, enfolds both giver and receiver alike.”

§ 9. Let neither an unwilling nor an ambitious man be ordained. Cause 1, question 6, *Sicut*. For orders cannot be given to one unwilling; they ought not be given to one ambitious.

§ 10. Homicides cannot be ordained, distinction 50, canon 4, *Miror*. Indeed, neither can soldiers and others, distinction 5, canon 1: “We have learned that certain men from among those who, after receiving the grace of baptism, were occupied in forensic practice and assumed obstinacy in winning their cases were summoned to the priesthood, among whose number Rufinus and Gregory are said to be; certain men from the military, who, when they obeyed the authorities, necessarily executed savage commands; certain men from among the curials, who, while obeying the authorities, did the things commanded them; and certain men who celebrated pleasures and public shows for the people have attained the honor of the highest priesthood. None of all these ought to have attained even to fellowship in the order of Clerics. If we command each of these things to be investigated, by our zeal for correction we shall introduce no small disturbances or scandals into the provinces of Spain, which we desire to heal;

[Printed page 417]

therefore we think that these things should rather be remitted. But lest similar things be committed hereafter, the maturity of your charity will have to provide that at least now a necessary end be placed upon so great a usurpation, with this provision, namely, that whoever shall have been ordained in such circumstances be deposed together with those who ordained them.”

And canon 2: “The classes of laymen from which men cannot attain to the Clergy have been designated; that is, if any of the faithful has served as a soldier; if any of the faithful has pleaded causes, that is, has acted as an advocate; if any of the faithful has administered office. Concerning curials, however, it is manifest, since even if men of this kind are found who ought to be made Clerics, nevertheless, because they must rather frequently be reclaimed by the curia, one must beware of these because of the tribulation which frequently comes upon the Church from them.”

§ 11. Nor is a Cleric to be ordained from among penitents, distinction 50, canon 15: “Although he may be good, let no Cleric be ordained from among penitents. If it shall have been done through the Bishop’s ignorance, let him be deposed from the Clergy, because at the time of ordination he did not disclose that he had been a penitent. But if the Bishop knowingly ordained such a man, let even he himself be deprived solely of the power of ordaining in his Bishopric. A Bishop shall be subject to a similar sentence if he knowingly ordained as a Cleric one who had a widow, a divorced woman, or a second woman as wife.”

And canons 57 and 58: the same Nicene Canons exclude penitents even from the lowest offices of Clerics. These things, however, are understood concerning public penitents, by whose crimes the Church has been struck with terror; Augustine, Epistle 54, calls this the humblest penance, and the Council of Agde describes it in canon 15. This decree was mitigated at the First Council of Toledo, distinction 50, canon 68: “It has pleased us that penitents not be admitted to the Clergy unless only necessity or utility demands it, and then let them be assigned among the doorkeepers or among the readers, yet in such a way that they do not read the Gospel or the Epistle. But if any were ordained deacons before, let them be regarded as subdeacons, in such a way that they do not impose a hand or touch the sacred things. But we call him a penitent who, after baptism, either for homicide or for diverse crimes and very grave sins, performing public penance under sackcloth, has been reconciled to the divine altar.”

The cause which moved the Fathers to exclude solemn penitents was that they did not wish those who must teach and administer the sacraments in the Church to be publicly known for very grave sins, on account of which penance is imposed, and to be in some manner infamous. So much the more must vigilance now be exercised lest not only penitents but even impenitent men should hold an honored place in the Church after very grave sins.

§ 12. Usurers are not to be admitted, distinction 47, canons 1, 2, and 4. Not only are they not to be admitted; they are not to be retained either, but are rightly judged to be cast down from their rank. That avarice is unjust and is a subtler but more wicked invasion of another's property than theft or robbery. Even now, when all things are going to ruin, when Christians organize and encourage the usuries of Jews so that this is the business of many cities, and the senate itself in many places of Germany seems to have entered into partnership with Jewish usurers and to use those wretched men as ministers--from here, I say, the Jews penetrate even into some houses of Clerics, although some men generate gold from gold even without Jews. If these men are Clerics, the canons judge that they must be deposed; if laymen, that they must not be admitted to orders. The civil laws also hold them infamous, nor is it lawful to choose any moneylender as a senator; but it is much more unworthy for the senate itself to fill its treasury with usuries, that is, with subtler and more harmful thefts. Senators of that sort, once the case has been heard, ought to be cast down from their dignity and offices. But another place is mine for speaking about usury. Now let each person consider how shameful that is in a servant of God which the laws punish in the princes of the world.

§ 13. Apostates also are not admitted to the Clergy. For if they have made void their first pledge to God, how can the Church honor them as faithful ministers of God and entrust herself to them? Thus from the Council of Arles, distinction 50, canon 69: "Those who apostatize after a holy profession of religion and return to secular conduct, and afterwards do not seek the remedies of penance, shall receive no communion at all without penance. We also command that they not be admitted to the office of the Clergy. And whoever he may be, let him not presume to assume secular dress after penance. But if he shall have presumed to do so, let him be regarded as alien from the Church." Much less are those who so rashly cast away their own soul and destroyed it by their example for others to be employed in the care of souls.

Therefore praiseworthy is the statute of the Theological Faculty in the Academy of Mainz, that apostates not be admitted to Theological degrees or into the senate, although after penance they may have crept into some Church.

§ 14. Slaves and curials are excluded. For a slave is made free by ordination, and injury is therefore done to his master. Thus Leo, First Epistle to the Bishops of Campania, distinction 54, canons 1 and 2: "If a slave has secretly crept into the priesthood, he must be punished by the loss of his peculium and remains subject to servitude," canons 9 and 10. Indeed, he cannot even be admitted to religious life. If he is ordained while his master is present and does not contradict it, the dignity of the order and consequently freedom remain to him; nevertheless, neither the one who presented him nor the Bishop who ordained him will go unpunished, for they are bound to make double restitution. But the slave is made free, distinction 54, *Si servus*. Indeed, the master is seen to consent unless he shall have brought forward a just cause for his silence.

He must therefore be presented with freedom, for a freedman can become a Cleric. Formerly, when there was a multitude of slaves, the Church had very many slaves and freedmen, from whom she frequently chose the suitable for the Clergy. Concerning the making and defense of freedmen, and so forth, see Binius's volumes of the Councils: tome 2, part 2, folios 372 and 535, column 1; folio 566; folio 357, columns a--b; folio 38, column 2; folio 32, columns e--f; folio 499, column 1d; tome 2, part 1, folio 555, column 1c; folio 267, column 2c; folio 356f; folio 280d; folio 516f; tome 1, part 1, folio 197f; tome 1, part 1, folio 767, column 2c; and tome 3, part 2, folio 650, column 2d.

Thus much concerning slaves; concerning bigamists it has already been said above.

§ 15. The illegitimate are excluded from orders, distinction 56 and many subsequent precepts. At the Council of Poitiers under Paschal: "The sons of priests and others born in fornication shall not be promoted to orders unless they

either become monks or live regularly in a canonical congregation; nevertheless, they are commanded to be altogether incapable of prelaties.”

§ 16. Nor is ordination performed without a title approved. Thus the Council of Chalcedon, canon 6, distinction 70, canon 1: “Let no one be ordained absolutely as a priest or deacon or as anyone constituted in ecclesiastical ordination, unless the one ordained plainly deserves the designation of an ordination publicly declared in the church of a city or estate, or in a martyrrium, or in a monastery. But concerning those who are ordained absolutely, the holy Synod decreed that the imposition of hands be void and that no such act have any force, to the reproach of the one who ordained him.”

In the Latin, “and that no such act have any force” is obscure; in the Greek it is clear, **μηδαμοῦ δύνασθαι ἐνεργεῖν**, “that he cannot exercise it anywhere,” for it is not lawful to use an order received in this manner. A title, therefore, is necessary, so that either he may have a title and maintenance in a Church, or certainly be maintained by the Bishop, or possess such resources that he can live sufficiently from his own patrimony--lest he wander about as a vagrant and, pressed by poverty, turn to unlawful things.

[Printed page 418]

§ 17. The sons of ravishers of virgins are not admitted to the Church, Council of Meaux, canon 64, “unless perhaps either the greatest necessity or utility of the Church demands them, or an evident prerogative of merits commends them.”

§ 18. Eunuchs are not admitted to orders unless it was done because of disease or by the violence of another. The first canon of the Council of Nicaea reads as follows:

Εἴ τις ἐν νόσῳ ὑπὸ ἰατρῶν ἐχειρουργήθῃ, ἢ ὑπὸ βαρβάρων ἐξετμήθῃ, οὗτος μενέτω ἐν τῷ κλήρῳ· εἰ δὲ ὑγιαίνων ἑαυτὸν ἐξέτεμε, τοῦτον καὶ ἐν τῷ κλήρῳ ἐξεταζόμενον συμφέρει παύσασθαι· καὶ ἐκ τοῦ δεῦρο μηδένα τῶν τοιούτων χρὴ προάγεσθαι. ὥσπερ δὲ τοῦτο πρόδηλον, ὅτι περὶ τῶν ἐπιτηδευόντων τὸ πρᾶγμα καὶ τολμώντων ἑαυτοὺς ἐκτέμνειν εἴρηται· οὕτως εἰ τινες ὑπὸ βαρβάρων δεσποτῶν τε εὐνουχίσθησαν, εὐρίσκοντο δὲ ἄλλως ἄξιοι, τοὺς τοιούτους εἰς κλῆρον προσιέναι ὁ κανὼν.

If anyone has been cut by physicians because of sickness, or castrated by barbarians, let him remain in the Clergy. But if anyone, being healthy, has cut himself, it is fitting that he, even though constituted in the Clergy, abstain, and that henceforth none of such men ought to be promoted. But just as this is clear--that it has been said concerning those who affect this deed and dare to cut themselves--so the rule admits to the Clergy those whom either barbarians or masters have castrated, if they are found otherwise most worthy.

Leontius supplied the cause of the canon. Having been commanded to cease from association with a suspect young woman, he gave himself over to be castrated so that he might not be separated from her and yet might escape suspicion. Nevertheless, he was deposed and, overcome by indignation, defected to the camp of the Arians as if in revenge. The Apostolic Canon which the Council of Nicaea cites is 22. But it is better to hear the words of the Apostles.

Canon 21:

Εὐνουχος εἰ μὲν ἐξ ἐπηρείας ἀνθρώπων ἐγένετό τις, ἢ ἐν διωγμῷ ἀφηρέθη τὰ ἀνδρεῖα, ἢ οὕτως ἔφυ, καὶ ἔστιν ἄξιός, γινέσθω.

If a eunuch was made so through the malice of men, or if his male members were amputated in persecution, or if he was born so, and he is worthy, let him be made a Bishop.

Canon 22:

Ὁ ἀκρωτηριάσας ἑαυτὸν μὴ γινέσθω κληρικός· φονεὺς γάρ ἐστιν ἑαυτοῦ, καὶ τῆς τοῦ Θεοῦ δημιουργίας ἐχθρός.

If anyone has cut himself--that is, if anyone has amputated his male members--let him not become a Cleric, because he is his own murderer and an enemy of God's creation.

Canon 23:

Εἴ τις κληρικὸς ὦν ἑαυτὸν ἀκρωτηριάσει, καθαιρείσθω· φονεὺς γάρ ἐστιν ἑαυτοῦ.

If anyone, being a Cleric, mutilates himself, let him be deposed, for he is his own murderer.

A layman who cuts himself shall be deprived of communion for three years, because he has proved an assailant of his own life.

Canon 24:

Λαϊκὸς ἑαυτὸν ἀκρωτηριάσας, ἀφοριζέσθω ἔτη τρία· ἐπίβουλος γάρ ἐστιν τῆς ἑαυτοῦ ζωῆς.

A layman who cuts himself shall be deprived of communion for three years, because he is an assailant of his own life.

Nor does the command in Deuteronomy 23 differ from this Apostolic command: "A eunuch whose testicles have been crushed or amputated shall not enter into the Church of the Lord." I think that in that Church, even if the defect of nature or the injury of men had produced it, it was nevertheless prescribed in the Law that they not discharge the priesthood; but in the New Church voluntary cutting is in question, such as Origen wished to undergo, who for that cause was deposed by Demetrius, Bishop of Alexandria. Eusebius, Book 6, chapters 7 and 17.

There are several reasons why the canons detest that deed so greatly. First, because that mutilation is accomplished at great peril to life, and therefore such men are regarded as **αὐτόχειρες**, murderers of themselves. Next, because even the vigor of the mind perishes and a certain malignity and pusillanimity enter in; the bodies themselves become worse. This is also perceived in beasts. Third, not even thus is temptation avoided, nor is the will toward pleasures cut out. Fourth, it was also forbidden by the civil laws; Epiphanius, *Heresy* 64. Justin, in his oration to Antoninus, relates that a young man, in order that he might be free from every irrational movement of the flesh, presented a petition to Felix the Augustal Prefect that a physician might be permitted to do it. The same sin was committed by two Egyptian monks whom Theophilus of Alexandria cast out; Epiphanius admonished and corrected them while they wandered about, cast out from everywhere. Fifth, it was insulting to so many virgins and continent persons if it were believed that chastity must be sought by iron by Christians, rather than from the grace of the Lord. Sixth, the ministers of Cybele and others removed their members with sharp flint, as he says, and served the demon by cruel and foolish superstition; others feigned a brief continence by the coldness of lead and hemlock. Therefore the Church did not wish her own to be or appear similar to them, mindful that continence is a gift of God which, with the integrity of God's work preserved, would consecrate us to its Author.

CHAPTER XIII

The Learning and Other Endowments of Those to Be Ordained

§ 1. I therefore demand the most accurate selection in this sacred soldiery, contrary to what is now done in many places. It shall be instituted according to those things which I have said, so that crimes and canonical defects may be absent and those virtues which the Apostle requires may be present. But if boys or adolescents are assigned to the ecclesiastical order, let them be of such disposition, intelligence, and morals that they are judged to be as capable as possible of virtue and learning.

§ 2. Let Clerics possess distinguished learning; but let Bishops, and all who are in a Cathedral Church as their assessors and colleagues--the Prelates and Canons--and those who preach in those Churches and teach in Academies, excel in the Church in as much true wisdom and knowledge as is necessary for those who institute and govern learned Clerics. I shall address all these by the name of Doctors, for their principal office is to teach. For the proper office of Bishops is to teach; that of cathedral Canons, to teach and admonish on behalf of their Bishop; that of preachers and Academies, to instruct secular persons and Clerics and to explain the Scriptures. All these are duties of Bishops, as the learned works of those who have discharged the Episcopate show. For very many Doctors of the ancient Church were Bishops, nor was this changed until, after occupation in governing and adjudicating disputes had grown, the function of teaching was transferred to others as auxiliaries. Thus the laws of the ancients, distinction 36, canon 2: "Let him who has not been imbued in order with ecclesiastical disciplines and instructed for divine service by the approbation of time by no means presume to aspire to the highest priesthood of the Church; and let ambition not only be held ineffectual in his case, but let those who ordained him also be deprived of the order which they had believed should be presumptuously conferred without order, contrary to the precepts of the Fathers." Therefore unworthy men creep into the Clergy who luxuriate here and there upon benefices in Academies until, infected with foreign vices, they bring back to their Churches attestations of two years' idleness.

[Printed page 419]

The Fourth Council of Toledo, canon 24, distinction 38, canon 1, teaches us that ignorance must especially be avoided in priests: "Ignorance, the mother of all errors, must especially be avoided in the priests of God, who have undertaken the office of teaching among the peoples. For Paul admonishes priests frequently to read the holy Scriptures, saying to Timothy, 'Attend to reading, exhortation, and doctrine, and always remain in these things.' Therefore let priests know the holy Scriptures and the canons, so that their whole work may consist in preaching and doctrine, and let them edify all both by knowledge of the faith and by discipline of works." The Prophets rebuke nothing more gravely in priests than ignorance.

The Seventh Council commands Bishops to know the whole Bible, canon 2, distinction 38, canon 6: "All of us, while singing psalms, promise God: 'I shall meditate upon thy justifications; I shall not forget thy words.' It is most salutary indeed that all Christians observe this, but especially those who have attained hierarchical dignity. Hence we define that everyone who is to be advanced to the grade of the Episcopate know the Psalter in every respect, so that from this all the Clergy who shall be under him may likewise be admonished and imbued. But let it be diligently investigated by the Metropolitan whether he has readily at hand the ability to read searchingly and not cursorily the sacred canons and the holy Gospel, as well as the book of the divine Apostle and all divine Scripture, and to conduct himself according to God's commands and teach the people committed to him. For the substance of our high priesthood is the sayings divinely handed down--that is, true knowledge of the divine Scriptures--as the great Dionysius declares. But if he shall have hesitated and by no means promised that he would willingly do and teach thus, let him in no way be consecrated. For God says prophetically: 'Thou hast rejected knowledge, and I shall reject thee, that thou mayest not discharge the priesthood for me.'"

§ 3. Some mediocrity of Theological knowledge is not sufficient for the Church; rather, care must be taken that, so far as it can be done, there are as many excellently learned men as possible. Therefore Bishops must apply themselves to this matter. The reason is manifest: just as mediocrity can suffice for one man or for a part, so the excellence of some is necessary for the whole body. In political government the highest power of one or of a few is required; in war the highest training and industry of certain men. For if difficulties arise which surpass middling powers, all are stupefied. Next, if no one surpasses mediocrity, there will be no hope of more excellent men, for rarely is the disciple above the master. Hence middling intellects are not aroused, while distinguished ones grow torpid or are exalted too greatly; for a great part of excellent intellects flee from labors and possess changeable affections. Finally, it is impossible to resist heresies unless there are many so learned that they both understand Theology and can solidly refute the arguments of the adversaries. Just as in new and dangerous diseases there is need of the most sagacious, most learned, and most experienced physician, so much more in the most poisonous sewage of so many errors is there need of distinguished Theologians who skillfully dispense antidotes and saving medicines.

§ 4. Hence the Council of Trent exhorts that the Canons of distinguished colleges be holders of degrees, Session 24, chapter 12 *On Reformation*: “The holy Synod also exhorts that, in provinces where this can conveniently be done, all dignities and at least half of the canonries in cathedral and distinguished collegiate Churches be conferred only upon Masters or Doctors, or even Licentiates, in Theology or canon law. Furthermore, it shall not be lawful for those possessing dignities, canonries, prebends, or portions in the same cathedral or collegiate Churches, by force of any statute or custom, to be absent from those same Churches for more than three months in any year, saving nevertheless the constitutions of those Churches which require a longer time of service. Otherwise, in the first year let each be deprived of half the fruits which he made his own by reason also of the prebend and residence. But if he shall again have employed the same negligence, let him be deprived of all the fruits which he shall have gained in that same year. But if contumacy increases, let proceedings be taken against them according to the constitutions of the sacred canons.”

The levity and perfidy of certain Academies oppose this precept: after receiving money they adorn any persons whatever with the insignia of honors, through which it has come about that it is easier to obtain titles of doctorate or mastership in universities than to be admitted into the guild of tailors or shoemakers. Hence counts, barons, and nobles, even if they possess learning, nevertheless spurn titles as doubtful attestations of learning.

§ 5. But the method by which studies may flourish is that there be rewards for labors and diligence--not the empty titles of Academies, but much more the conferment of prebends. Honor and utility arouse study. Provision was made for this matter by the Council of Basel, Session 31, in the year of the Lord 1438, *On the Qualifications and Order of Conferring a Benefice*: “First, since it is holily ordained by statutes of the General Council that every metropolitan Church is bound and ought to have one Theologian who brings the fruit of salvation by his doctrine and preaching, this holy Synod ordains that an ordinance of this kind be extended also to cathedral Churches, in such manner, namely, that every collator of their prebends be bound and ought to confer a canonry and prebend, as soon as the opportunity shall offer itself and one can be found, upon a Master, Licentiate, or formed Bachelor in Theology who has studied for ten years in a privileged University, who is willing to undertake the burden of residence, lecturing, and preaching, and who must lecture twice or at least once in every week, in the absence of a lawful impediment; and as often as it should happen that he fails in a lecture of this kind, he may, at the discretion of the chapter, be punished by subtraction of the distributions of the whole week. And if he abandons residence, let provision be made with another. Nevertheless, so that he may attend more freely to study, let him lose nothing when absent from the divine offices. Furthermore, in every cathedral or collegiate Church, beyond the aforesaid prebend to be assigned to a Theologian as premised, let a third part of the prebends be conferred upon other suitable graduates in the manner and form written below, so that the first one to become vacant be conferred upon a graduate of this kind, and then, after two others, the next be so conferred, and so thereafter: namely, upon Masters, Licentiates, or formed Bachelors in Theology who have studied for ten years in some privileged University; upon Doctors or Licentiates in either law or in medicine who have studied for seven years in their faculty at a University as above; upon Masters or Licentiates in arts, with the rigor of an

examination, who have studied for five years in some University in arts from and including logic onward, or in another higher faculty; and also upon Bachelors in Theology who have studied for six years, or in both laws or either law who have studied for three years if noble on both parents' sides and of ancient lineage, but otherwise for five years, in like manner in some privileged University at least. They shall be bound to establish proof before the collator concerning the aforesaid degrees, time, and nobility by lawful documents.

[Printed page 420]

“Nevertheless, we exhort the Ordinary collators that in conferring benefices of this kind, especially as regards dignities, they have particular regard for Masters and also Licentiates and formed Bachelors in Theology. But in non-elective dignities, personates, administrations, and offices of the said Churches, the same order, method, and form shall be observed in all things. But if any one of the said qualified men, at the time when a prebend or dignity of this kind becomes vacant, already possesses two other prebends, or dignities and prebends, or another benefice or benefices which, by residing in one of them and attending the divine hours, would be worth up to the sum or valuation of two hundred florins of the Camera, likewise if anyone possesses two cathedral prebends, let him by no means be judged to be included or comprehended in that third part. But in parochial Churches which exist in cities or walled towns, let persons qualified as above be instituted, or at least those who have studied for three years in Theology or in either law, or Masters in arts who have studied in some privileged University and attained a degree of this kind, if such persons can be found who are willing to serve benefices of this kind. And so that they may be found more easily, this holy Synod establishes that every year, during the season of Lent, all and each qualified in this manner from the diocese itself, and others who wish, shall have their names submitted, by themselves or by a procurator, to those to whom the collation or presentation of benefices having cure pertains, or to their Vicars. But if they have not done so, a collation, presentation, or disposition made otherwise than as premised shall not on this account be judged void. And likewise in the collation of the third part of prebends mentioned above, it is to be understood thus: if so many graduates or qualified men in the aforesaid manner can be found, those graduates and qualified men shall be bound, as premised, to submit their names at the aforesaid time, by themselves or by a procurator, to those to whom disposition of the benefices pertains, or to their Vicars. But if they have not done so, a collation, presentation, or disposition made otherwise than as premised shall not on this account be judged void. But if those to whom any disposition of benefices pertains have conferred any benefice contrary to the designation and order of the aforesaid qualifications, or presented someone to it, or disposed of it in any manner whatsoever, let it be void and empty *ipso facto*, as was premised above. And nevertheless, when they have failed in these matters or have made provision in any manner for unsuitable persons, let them be corrected and duly punished by the provincial Councils, according to the tenor of the constitution of the General Council concerning prebends which begins *Grave*. But let those to whom the collation or disposition of regular benefices pertains, passing over the unworthy, confer and assign them to suitable religious according to the same rule. But if they have acted otherwise, let them be corrected and duly punished by their superiors and provincial chapters.”

Thus, when the Council of Aquileia had introduced the decree of Trent, it extended the same to monasteries: “In monasteries of Monks also, even Carthusians, where it can conveniently be done, a lecture on sacred Scripture shall likewise be held; in this matter, if Abbots shall have been negligent, the Bishops of the places, as delegates of the Apostolic See in this respect, shall compel them to it by suitable remedies, as is providently established by decree of the Council. But in convents of other regulars in which studies can conveniently flourish, a lecture on sacred Scripture must similarly be held by the prescription of the Council of Trent; this lecture shall be assigned by general or provincial Chapters to the worthier ministers. In public Schools also, if a lecture on sacred Scripture has not hitherto been instituted, it must, for the preservation, propagation, and defense of the Catholic faith, be instituted as soon as possible, and if it had been instituted and was neglected, it must altogether be restored by the decree of the Council of Trent; lest, if the principles and teachings of the arts and sciences are studiously handed down everywhere so that nothing be lacking for perfect knowledge, the studies of sacred Scripture, the food of the Gospel word, the majesty of

the divine sayings, and the magnitude of the heavenly promises--which is the sole support of the present life and proof of the age to come--lie neglected."

§ 6. A second method is that schools and seminaries of Clerics be instituted. Concerning this matter there is extant a canon on schools in the Synod of Trier celebrated in the year 1549 under Archbishop John. Thus Cause 12, question 1, canon 3: "For necessity itself demands that cloisters be established next to the Church, in which Clerics may devote themselves to ecclesiastical disciplines. Therefore let there be one refectory and dormitory for all, or the other workrooms necessary for the uses of Clerics."

In the Council of Paris the Fathers petitioned Louis, chapter 12, that public schools be established by his authority in at least three of the most populous places of the Frankish Empire. But I have spoken about Schools in Book 4.

§ 7. Since a scarcity of books retards the studies of many Clerics, provision must also be made for this matter. I have likewise treated the Library above; but so that Bishops and colleges of Canons may possess a form for establishing a Library and a method for increasing it, I shall set forth in this place the decree of the Fourth Council of Milan concerning the Library: "Just as the industry of our forefathers was diligent and accurate in copiously and sumptuously procuring sacred books, volumes of the Saints, and other ecclesiastical codices of every kind, so in preserving them the study of those who succeeded must not be negligent, nor indeed their care less; for from manuscripts and rightly copied volumes, amid so great a corruption of books introduced especially in these times by heretics, very great assistance is brought to public ecclesiastical affairs, both for defending the truth of Catholic doctrine and for refuting the rashness of those who viciously corrupt those books.

"Therefore, where no definite place has been established for the library of a Church in which the ecclesiastical volumes and other codices are kept, let one be established, by the Bishop's care, in the Episcopal or canonical buildings of the Church.

"In that place let several bookcases be constructed and divided into compartments, in which whatever codices and volumes exist there may be disposed not in heaps but in order.

"Furthermore, let a catalogue be made in which each volume is noted according to the category of disciplines or according to alphabetical order.

"And let this catalogue be preserved perpetually in a definite place, with other books whatsoever which shall in future come to the same library in any manner being thereafter also noted in order.

"Therefore, since most private persons lack suitable means for furnishing a library, this ought to be a public office, so that an abundance of means for learning may not be lacking to all who possess the will and intelligence."

§ 8. The first means by which studies are stimulated is honor and utility. Therefore, in provinces in which prebends and priesthoods are given by competition to approved learning, there is an immense abundance of most learned men. But where a place is given only to lineage or favor, wisdom lacks assistance and therefore proceeds at a slow pace or migrates elsewhere. For by what

[Printed page 421]

argument shall we persuade a young man of honorable birth, intelligence, and studiousness to apply himself seriously to Theological studies unless, besides the heavenly reward, he will also possess a worthy place in the Church? This is especially so since young men have little capacity for higher philosophy, and their parents also very often desire it less. Does not the objection, which cannot readily be solved, force itself upon the eyes? In the richest Churches the stupid offspring of the wealthy, the scribes of magnates, the flatterers of Prelates, and the little relatives of Canons are fattened. If Jerome himself, Augustine, Gregory, Aquinas, and Suárez were present, they would have to yield to favor. For what benefices are conferred upon the learned because they are learned? This, therefore, must be reformed; sloth must be shaken off; and the excellent beginning made by many colleges, which admit none unless distinguished by

some degree, must be continued. But because many Academies deceive, another examination would further be necessary. Therefore, where these things either are not in use or are handled languidly and perfidiously, they must be sustained by other aids. This is done in Germany by the institution of seminaries of Clerics; experience has indeed taught that in this manner both letters and religion have flourished again. Even the sectaries imitate this, for they have their own *phrontisteries* and pens, in which seduced youth is corrupted and sharpened for the infamous ministry of lying and attacking the Church. Concerning seminaries the Council of Trent, Session 23, chapter 18, establishes as follows:

“Since the age of youth, unless it is rightly instructed, is prone to follow the pleasures of the world, and unless it is formed toward piety and religion from tender years, before the habit of vices possesses the whole men, it never perfectly perseveres in ecclesiastical discipline without the greatest and almost singular assistance of Almighty God, the holy Synod establishes that individual cathedral, Metropolitan, and greater Churches be bound, according to the measure of their resources and the extent of the diocese, to maintain, religiously educate, and instruct in ecclesiastical disciplines a definite number of boys from that city and diocese--or from its province, if they are not found there--in a college for this purpose near those Churches or in another suitable place to be chosen by the Bishop. Into this college let those be received who are at least twelve years old, born of lawful marriage, know competently how to read and write, and whose disposition and will offer hope that they will serve perpetually in ecclesiastical ministries. It wishes that the sons of the poor especially be chosen, yet it does not exclude those of the wealthier, provided that they are maintained at their own expense and manifest zeal for serving God and the Church. The Bishop shall divide these boys into as many classes as shall seem good to him, according to their number, age, and progress in ecclesiastical discipline; in part, when it shall seem opportune to him, he shall assign them to the ministry of the Churches; in part he shall retain them to be instructed in the college, and shall substitute others in the place of those led out, so that this college may be a perpetual seminary of God’s ministers. But so that they may be instructed more conveniently in that same ecclesiastical discipline, they shall immediately receive the Tonsure and always use clerical dress; they shall learn grammar, chant, ecclesiastical computation, and the discipline of the other liberal arts; they shall learn sacred Scripture, ecclesiastical books, the homilies of the Saints, the method of administering the Sacraments--especially those things which shall seem suitable for hearing confessions--and the forms of rites and ceremonies. Let the Bishop see that every day they are present at the sacrifice of the Mass, confess their sins at least every month, and, according to the judgment of the confessor, receive the body of our Lord Jesus Christ; and let them serve the cathedral and the other Churches of the place on feast days. Each Bishop, with the counsel of two older and graver Canons whom they themselves shall choose, shall establish all these and other things suitable and necessary for this matter, according as the Holy Spirit shall suggest, and by visiting frequently they shall take pains that these things be always observed. They shall punish sharply the unruly, incorrigible, and sowers of evil morals, even by expelling them if there shall be need; and, removing all impediments, they shall diligently care for whatever things shall seem to pertain to preserving and increasing so pious and holy an institution.

“And because definite revenues will be necessary for undertaking the construction of the college, paying wages to teachers and ministers, maintaining the youth, and other expenses, beyond those things which in some Churches and places are destined for instructing or maintaining boys--which by that very fact are judged to be applied to this seminary under the same Bishop’s care--the same Bishops, with the counsel of two from the Chapter, one of whom is chosen by the Bishop and the other by the Chapter itself, and likewise two from the Clergy of the city, the election of one of whom shall similarly pertain to the Bishop and the other to the Clergy, shall deduct some part or portion from the entire fruits of the Episcopal mensa and the Chapter and of all dignities, personates, offices, prebends, portions, Abbeys, and Priories, of whatever Order, even Regular, or of whatever quality or condition they may be; and of hospitals which are given in title or administration according to the constitution of the Council of Vienne which begins *Quia contingit*; and of any benefices whatsoever, even Regular ones, even if they are of any right of patronage whatsoever, even if exempt, even if of no diocese, or annexed to other Churches, monasteries, hospitals, and any other pious places, even exempt; and from the fabrics of Churches and other places; even from any ecclesiastical revenues or

proceeds whatsoever, including those of other colleges in which, however, there are not actually seminaries of learners or teachers for promoting the common good of the Church--for it wished these to be exempt, except as regards revenues which would be superfluous beyond the suitable maintenance of those seminaries; and from bodies or confraternities which in some places are called schools; and from all monasteries, but not those of mendicants; even from tithes pertaining in any manner to laymen from whom ecclesiastical subsidies are customarily paid, and to soldiers of any soldiery or Order, the brethren of Saint John of Jerusalem alone excepted. And that portion so deducted, and also certain simple benefices of whatever quality and dignity they may be, or even what are called *praestimonia* or *praestimonial* portions, even before vacancy, without prejudice to divine worship and those who possess them, they shall apply and incorporate into this college. This shall have place even if the benefices are reserved or affected; nor may the unions and applications be suspended or impeded in any manner by resignation of those benefices, but they shall altogether take effect upon any vacancy, even if they attain their effect in the Curia, notwithstanding any constitution whatsoever.

“But the possessors of benefices, dignities, personates, and all and each of the things commemorated above shall be compelled by the Bishop of the place, through ecclesiastical censures and other remedies of law, to pay this portion, not only for themselves but also for the pensions which they might pay to others from the said fruits, nevertheless retaining proportionately whatever must be paid by them for those pensions; the aid of the secular arm may even be invoked for this if it shall seem good, notwithstanding, with regard to all and each of the foregoing, any privileges, exemptions--even those which would require a special derogation--any custom, even immemorial, or any

[Printed page 422]

appeal or allegation which may impede execution. But if the case should arise in which, through unions taking effect or otherwise, the seminary itself is found to be endowed in whole or in part, then the portion deducted from each benefice and incorporated as above shall be remitted in whole or in part by the Bishop as the matter itself requires. But if the Prelates of cathedral and other greater Churches shall have been negligent in this erection of the seminary and its preservation and refused to pay their portion, the Archbishop ought sharply to rebuke the Bishop, and the provincial Synod the Archbishop and superiors, and compel them to all the foregoing; and it shall studiously take care that this holy and pious work be promoted as soon as possible wherever it can be done. But every year the Bishop shall receive the accounts of the revenues of this seminary in the presence of two appointed by the Chapter and as many by the Clergy of the city.

“Next, so that provision may be made for instituting schools of this kind with less expense, the holy Synod establishes that Bishops, Archbishops, Primates, and other Ordinaries of places shall constrain and compel, even by subtraction of fruits, those possessing scholasteries and others to whom the office of lecturing or teaching is annexed to teach in those schools, either by themselves if they are suitable, or otherwise through suitable substitutes to be chosen by those scholastics and approved by the Ordinaries. But if in the Bishop’s judgment they are not worthy, let them name another who is worthy, with every appeal removed. But if they neglect this, let the Bishop himself appoint one. The aforesaid shall teach those things which shall seem expedient to the Bishop. Moreover, henceforth those offices or dignities which are called scholasteries shall be conferred only upon Doctors, Masters, or Licentiates in sacred Scripture or canon law and other suitable persons who can discharge that office by themselves; and provision made otherwise shall be null and invalid, notwithstanding any privileges and customs, even immemorial.

“But if in any province the Churches labor under such poverty that a college cannot be erected in some of them, the provincial Synod, or the Metropolitan with the two most senior Suffragans, shall take care that one or more colleges, as it judges opportune, be erected from the fruits of two or more Churches in each of which a college cannot conveniently be instituted, in the Metropolitan Church or another more suitable Church of the province, where the boys of those Churches may be educated. But in Churches possessing extensive dioceses, the Bishop may have one or more seminaries in the diocese, according as shall seem opportune to him; nevertheless, in all things these shall depend upon that one which shall have been erected and established in the city. Finally, if any difficulty should happen to

arise, either on account of unions, the assessment of proportions, assignment and incorporation, or for any other reason, by which the institution or preservation of this seminary might be impeded or disturbed, the Bishop with those appointed above, or the provincial Synod according to the custom of the region and the quality of the Churches and benefices, may have power to decree and provide all and each of the things which shall seem necessary and opportune for the happy advancement of this seminary, even by moderating or increasing the things written above if there shall be need."

§ 9. That institution brought the greatest benefits to Germany, and by that means Gregory XIII restored many Churches of Germany. But now seminaries have advanced in such a manner that, whereas at the beginning twelve-year-old boys were admitted, as is permitted by the Council, it has finally come to this, that even students of philosophy and Theology are received, in whom the utility is as much greater as they are more quickly admitted into the harvest of the Lord.

In the territory of Milan they devoted to this the tithes of all benefices, even of Episcopal mensas; but in most places so many benefices are held by idle men that the expense could easily be met.

In the same territory the Bishop visits the seminary every month. By decree 26 of the Second Council of Milan and by the Fifth Council, he is commanded to choose two Canons whose counsel he may employ in the administration.

The Council of Aquileia celebrated in the year 1596 considers that the Church can scarcely subsist in this age without a seminary of Clerics. It says: "We have heard in the cities of the province of Aquileia, and have seen with incredible delight, that the institution, preservation, and advancement of seminaries in the Church of God--by which the order and progress of the clerical soldiery are propagated--is supremely fruitful and so necessary that ecclesiastical discipline can scarcely stand without their aid and support. But we grieved that our Metropolitan Church has hitherto lacked a seminary because of the greatest difficulties; yet we now rejoice that it lacks one in such a manner that it can almost be said to possess one."

And thus much concerning the selection and institution of Clerics, upon which all things depend; integrity will be capable of being preserved if only the Bishops obey the Councils and canons. Many religious orders, such as the Carthusian, preserve their institute inviolate for so many years; they remit nothing of its rigor; while public prayers remain, private prayers increase daily; and yet there is no lack among them of a multitude of distinguished young men and men who daily seek the narrow gates to heaven in that Hermitage. What prevents that which is done in the Charterhouse from being done in the Church of Christ, of which the Charterhouse is indeed a noble but nevertheless small portion? Whence comes to them this so long-lasting and persevering good? First, from the accurate observance and institution of their Rule. For where God beholds an easy and happy journey to eternal joys, thither he calls his elect; and therefore there grace and uprightness of life flourish. Next, all who are held by desire for their own salvation flock to that place where a more expeditious method of it is perceived. This ought to be done in the Church: let there be that guardianship of discipline, that vigor of sacred laws, which may easily lead Bishops, Canons, and all constituted in any order whatsoever to virtue and convey them to heaven. Let the appearance, modesty, institution, and care of Colleges of Canons be such that it is easier for a Canon to be saved than for a secular man. So long as this is not done, there will never be that fruit which the Church regarded. For as affairs now stand, how few are those who seek a canonry so that they may possess an easier way of salvation rather than so that they may live more quietly? But if men are admitted to the Clergy with great selection, if those admitted are instructed toward piety with the greatest care, and if the incorrigible or pernicious are rejected so that ecclesiastical ceremonies, religious charity, and devotion may flourish, they will come to the Church for the sake of salvation, not from desire for wealth; and the Clergy will be holy and pious, surpassing even the holiness of the best monasteries. For the status of Clerics is more worthy in the Church than that of monks and is also more holy by sacrament. Would that it might be recalled to its beginnings so that it might also be more spiritual. Now--alas!--in the midst of the Church, in the very sanctuary of Christ, in the midst of the priests of the Lord, is the world; and, what I say with grief, the world reigning with greater peril than in the world.

For many so enjoy the riches of the Church that they seem not to have fled the world, but to have sought the world in the house of the heavenly Father, in the patrimony of the Crucified, in the

[Printed page 423]

blood of him who conquered the world. Hence they rejoice both to be and to be called secular priests--deservedly, since they daily turn the house of the Lord into a worldly palace. But let us leave these things, which must daily be lamented by the pious and corrected by the Prelates. Let them keep watch lest, through those by whom justice is taught, the disease of sin creep in and death pass over to the people. This now, alas, we daily see with grief, and with all the greater grief because the remedies are ineffectual in some places, nonexistent in others, and victorious in few.

CHAPTER XIV

Visitations Ought to Be Frequent

§ 1. Such indeed is the majesty of Christian sacred things that they readily lead men dedicated to God to virtue and integrity, and neither art nor punishment would be needed for governing the priests of Christ. Nevertheless, because nature is fragile and it is of great importance that the leaders of piety be pious, no remedies are to be spurned by which religion is both introduced and fostered and vices are restrained. Of these I judge the first to be frequent and serious visitations by Bishops or by those chosen by them.

§ 2. Almost all the monuments of the Christian religion teach us that visitations of Churches have certainly been customary and that they pertain to Bishops. Acts 9:32: “Peter passed through all.” Paul himself had as much care to visit and confirm the converted as to convert the nations. A canon of the holy Council of Nicaea also entrusts visitation to Bishops. Athanasius visits the monks of Egypt in the year 382. In the same manner Chrysostom visits his Churches; Augustine, at Zosimus’s command, visits the interior regions of Africa and corrects many things in the year 418; Cyriacus visits Gaul and Spain in the year 599; Boniface promised Gregory that he would visit the Churches and refer the greater difficulties to the Pontiff in the year 740. Louis sent Archbishops with a count to conduct visitation in the year 819; Charles did so in the year 853. For abuses readily creep in, which inspection, instruction, and punishments correct.

From ancient practice, therefore, comes that law, Cause 10, question 1, canon 4: “The complaint of the peoples was related before the holy Synod that there are certain Bishops unwilling to travel through their parishes during the year for preaching or confirming, who nevertheless demand that those who ought to prepare the lodgings which they should have used on the journey redeem them for a price. This double infamy of negligence and avarice was a great horror to the holy Synod. They therefore established that no one should further exercise that contrivance of avarice and that Bishops should be solicitous in visiting their flocks.”

§ 3. The visitation ought to be annual. Cause 10, question 1, canon 10: “We have decreed that the order of ancient custom be observed, that the dioceses be visited annually by the Bishop, and that, if any basilica should happen to be found destitute, its ordainer be commanded to repair it, because we know it to have been established by ancient tradition that a third part of all things be received by the Bishops.”

But if he himself, detained by disease or occupied in another manner, cannot perform the office of visitor, it must be entrusted to another, Cause 10, question 1, canon 11: “The Bishop ought to go through all his dioceses and parishes every year, so that he may inquire what each basilica needs for its repair. But if he himself, detained by illness or entangled in other occupations, shall be unable to discharge this, let him send approved priests or deacons to inquire into the revenues and repairs of the basilicas and the life of those who minister.”

The Council of Aquileia urged the same severely.

§ 4. Visitation was judged so necessary that the canons wish no one to be excepted and have cut off all exemptions, evasions, and appeals. Thus the Council of Trent, Session 24, chapter 8 and the following chapters. That right is extended to all monasteries, provided that they are not visited by their own Prelates. Thus also the old law, Cause 18, question 2, canon 28. Nor is prescription admitted, as in the Second Council of Ravenna under Clement V, rubric 8: “Likewise we establish and, by the authority of the same Council, prohibit that any religious or secular persons of the aforesaid province of Ravenna, under pretext or by occasion of lapse of time, desuetude, or prescription, dare or presume to resist or contradict their Ordinaries and Prelates when they visit or wish to visit. Otherwise, beyond the punishments established by law, by authority of the present Council we pronounce sentences of excommunication

against the persons who contradict and those who knowingly favor them, but sentences of interdict against the Churches.”

Deservedly so; for every soul ought to be subject to the authorities, nor has anything shattered the morals of the Church more than exemptions. But by common law after the Council of Trent, all Bishops are Pontifical Legates as regards visitation. Therefore all statutes, agreements, and ordinances contrary to this right of visiting, correcting, and punishing are unlawful in whatever manner; they can neither admit nor exact them, and if they have been made they must be remitted by both sides, because they are bonds of impiety by which unpunished license is sought. Consult also the Council of Trent, Session 14, chapter 2. Indeed, the Synod ought to rouse a negligent Bishop.

§ 5. The disadvantages of visitation are excessive rigor and the expense of those who are visited. As regards each, the Council of Trent requires rigor tempered by mercy and moderation of expenses.

Session 24, chapter 3: “But let the principal object of all these visitations be to introduce sound and orthodox doctrine after heresies have been expelled; to protect good morals and correct wicked ones; to incite the people by exhortations and admonitions toward religion, peace, and innocence; and to establish other things, according as place, time, and occasion permit, by the prudence of those visiting, for the benefit of the faithful. So that these things may succeed more readily and happily, all and each of the aforesaid to whom visitation pertains are admonished to embrace all with paternal charity and Christian zeal; and therefore, content with a modest retinue of horses and servants, let them strive to complete the visitation itself as quickly as possible, yet with due diligence. Meanwhile, let them take care not to be troublesome or burdensome to anyone by useless expenses; and let neither they nor anyone of theirs accept, by reason of procuration for a visitation, including the visitation of testaments for pious uses, anything beyond that which is owed by law from pious legacies, or under any other name whatsoever--neither money nor any gift, whatever it may be, even however it may be offered--notwithstanding any custom, even immemorial; only provisions are excepted, which shall be supplied frugally and moderately to themselves and their people merely for the necessity of the time, and no further.”

Concerning expense, provision has also been made by many canons. The Council of Valencia under Leo IV, chapter 17: “Let the visitation itself of the peoples and parochial priests be made so moderately, and so far as can be done according to canonical institution, that it may be manifest that, whether by us or by our men, only gains of souls are sought there and that no one is burdened and saddened by importunity and excess,

[Printed page 424]

lest the word of the Lord and doctrine be blasphemed.” It has pleased us; it is confirmed. But this was expressed particularly against expenses in the Lateran Council under Alexander III, chapter 4: “Since the Apostle decreed that he and his men were to be maintained by their own hands, so that he might remove an opportunity for preaching from false apostles and might not be burdensome to those to whom he preached, it is recognized as exceedingly grave and worthy of correction that certain of our brethren and fellow Bishops are so burdensome to their subjects in procurations that on occasion of this kind the subjects are sometimes compelled to expose ecclesiastical ornaments for sale, and the sustenance of a long time is consumed in a brief hour. Therefore we establish that Archbishops visiting parishes, according to the diversity of provinces and the resources of the Churches, shall not exceed a number of forty or fifty mounts; Cardinals shall not exceed twenty-five; Bishops shall by no means exceed twenty or thirty; Archdeacons, five or seven; and Deans constituted under them shall be content with two horses. Nor shall they travel with hunting dogs and birds; rather, let them proceed in such a way that they may be seen to seek not their own things but those of Jesus Christ. Nor let them seek sumptuous feasts, but with thanksgiving let them receive what shall have been honorably and suitably supplied to them. We also prohibit Bishops from presuming to burden their subjects with levies and exactions.”

What was said concerning feasts is also the subject of an admonition by Alexander to the Bishop of Vigevano. Nevertheless, in the appendix to the Lateran Council, necessary things are permitted: “Since the Roman Church, over

which, though unworthy, we preside, is the mother and mistress of all Churches, we are compelled by the duty of the honor and government undertaken, according as the Lord shall have granted us, to respond to the consultations of each, so that doubtful questions may be unraveled by the providence of the Apostolic See. But you have asked, brother Bishop, that a response be written to your fraternity as to whether, for the consecration of Churches, you ought to have anything beyond a moderate procuration. Since the Apostle says, ‘No one is compelled to serve as a soldier at his own expense,’ you may exact it from that same Church.” Sumptuary laws were also made for the monasteries themselves in the Council of Salzburg under Archbishop Frederick, in the time of Martin IV. It says thus: “Likewise, lest monasteries be gravely burdened by the immoderate expenses of visitors, we establish that any Abbot who for the time is a visitor or attends a general Chapter shall not exceed the number of eight mounts; but let inferior Abbots be content with fewer.”

For how will they preach fasting and penance if they burden monasteries belonging to others with splendor and delicacies? For piety must not be compelled but persuaded. Nor is it to be hoped that amid the splendid banquets of Abbots the love of strict poverty and fasts will remain among the brethren when it has been shaken by the domestic example of the Prelates. The whole matter has been defined by the Tridentine Fathers, Session 24, chapter 3, to which I refer the reader.

Concerning gifts, the Council of Lyons under Gregory X had already made provision in chapter 24, and concerning revenues and procurations. But the Fifth Council of Milan and the Council of Aquileia restricted all these matters more greatly.

§ 6. Let the visitor himself be a pattern of Christian life; next let him first visit his own household and set it in order. Golden are the admonitions of the Council of Aquileia: “When a Bishop has resolved to set out upon a visitation, let him recollect himself for a little while and meditate upon the cause of his journey. For if he shall perceive in his reflection that he is undertaking to examine the life, morals, and actions of others in order to correct, amend, and restore them, he will certainly understand sufficiently that the visitation must be instituted from his own house and household, by whose example, even when silent, he will preach Christian virtues to the rest. Thus, if through negligence he shall present to others for inspection a house and household not well ordered, flowing away in idleness and levity, he will have lost the fruit of the whole visitation.” Although this may seem to be proposed in a certain simple train of discourse, it nevertheless pertains to two things which are the greatest in this category.

The first is that the Bishop present himself as such a pattern of life, of service, and of the modesty of his household as the people may be able to have set before them in place of an exemplar for imitation.

The second pertains to the visitation itself. For what if the Bishop declares, preaches, and inculcates chastity, modesty, piety, and all Christian virtues, while vices, wantonness, lasciviousness, and temerity flourish in his house? But if he has corrected and well ordered his own people, he will have them all as helpers in the work of God.

Therefore the malice of certain visitors is to be detested, who, themselves avaricious and drunken, correct nothing among the people and Clergy, judging it sufficient if they scrape together money. But if the salt has lost its savor, wherewith shall it be salted?

CHAPTER XV

The Method of Visitation Prescribed in the Fourth Council of Milan

§ 1. That profit or feasting should be sought in visitation is shameful and plainly perverse; therefore the salvation of souls unto the divine glory is the object of visitation. It is astonishing that these vices have broken into the Church. There is a notable specimen from the Fourth Council of Toledo, or from the Council of Tribur, Cause 10, question 1, canon 9.

But it is too little that the vices of those conducting visitation be absent unless the morals of the Clergy and the people are corrected. For, in order that a physician be judged good, it is not enough that he himself be healthy; there is need in addition that he heal the sick person. Visitation is described in many ways by the Fourth Council of Milan, which was held by Saint Charles the Archbishop in the time of Gregory XIII, in the year 1573. I have judged it worthwhile to reproduce this so that Prelates may adapt it to their own dioceses according to that model, with certain things removed, added, or changed according to the diversity of times, places, and affairs. This is the order of visitation.

§ 2. Let the Bishops of our province so solicitously discharge that necessary and plainly obligatory office of visitation which must be performed under the Tridentine decree that each of them personally complete the visitation of his city and diocese every year, or, if they cannot do so because of the extent of the diocese, within two years at most. But if, impeded by a lawful occupation or cause, they are sometimes unable to discharge that office personally, let them employ Vicars General or other visitors experienced and suitable in the practice of this matter, who may diligently perform the office of visitation at the prescribed time, as is fitting.

But when they personally discharge the office of visitation, let them employ with them in that care of visiting either one or two Canons or any other ecclesiastical men whom they shall judge will be useful and an aid to them, according as they prefer.

Henceforth let them lead with them in visitation no more than ten men and seven beasts of burden at most, with the person of the Bishop and of that ecclesiastical man whom each Bishop shall sometimes send ahead under the decree of this Council also counted in that number. Nevertheless, it shall be lawful for them to hire more at their own expense. But those who are of a rank inferior to Bishops shall employ far fewer men and beasts of burden in visitation.

And by this decree let derogation be made from the other decree issued in the First Provincial Council.

Let all avoid the lodging of laymen, and much more their banquets, as far as they

[Printed page 425]

possibly can. But if it should at some time be necessary to turn aside to them, while they observe the other rules, let them take care above all that nothing whatever be prepared or set before them by their hosts beyond the measure of the Episcopal and clerical table and the rules prescribed for visitation.

Let neither the notary nor the Chancellor exact anything for the visitation from those who are visited under any name whatsoever, nor accept any kind of gift, even a small one offered in any manner. Nor likewise shall he exact anything for the execution or writing of decrees or ordinances composed in the visitation, or for a copy of them issued at the visitor's command even to individual Churches, Clerics, or others who are visited. But for the work or labor which he shall expend in writing copies of them at another subsequent time at the request of another person whose interest it is, it is lawful for him to receive payment according to the rate fixed or to be fixed in the Episcopal court.

Bishops, who ought to go before others by every example of acting well and holily, before they enter upon the visitation of the Clergy and the people, will usefully make the beginning of visitation from themselves and their own

household, so that all the rest, incited by the conduct and execution of that domestic visitation, may execute more readily and studiously the pastoral commands which the Bishops themselves shall prescribe in the course of visitation.

But let them employ every diligence in visitation, not only in preserving or increasing the worship and ornament of the Churches, but especially in restoring the ancient Christian discipline of both the Clergy and the people in every respect, and likewise in learning the morals of each and correcting them when corrupted. And in that visitation or correction of morals, acting also as delegates of the Apostolic See by authority of the Council of Trent, let them establish, regulate, punish, and execute according to the prescription of the sacred canons whatever shall seem necessary to them in their prudence for the correction of their subjects and the utility of their diocese. Nor let any inhibition, appeal, or anything else impede or delay the execution of those things which they themselves shall have commanded, judged, or decreed.

CHAPTER XVI

The Offenses of Clerics Are to Be Punished More Severely Than Those of Laymen

§ 1. Visitation has two purposes: namely, to correct sins committed and to forestall those which will follow. We must now speak concerning correction or punishment, which ought to be more severe in the sins of Clerics.

Nor does canon 77 of the Council of Nicaea oppose this; in it a Bishop discovered in adultery is deposed forever, yet is not deprived of communion, which is also established in canon 25 of the Apostles. The reason assigned is that the consideration of the sin of a priest and of a layman is not the same. For the sin of a priest is not said to be lighter, but a different consideration is regarded if you consider the punishment. For a Bishop to be deprived forever of office and dignity is a great punishment; therefore the canons were content with it, as Saint Basil teaches. The excommunication of laymen requires penance, upon whose completion they are restored to their order in the fellowship of the Church. But if Clerics are discovered in adultery, they cannot be restored, distinction 50, *Si quis*. For a Cleric convicted of adultery is shut up in a monastery for the whole period of his life, distinction 51, *Si quis Clericus*. Therefore, if we consider the matter, the punishment of the Cleric is more severe because it is perpetual, while that of the layman is temporary. So too in the First Roman Council held by Cornelius in the cause of the Lapsed. For it was established that priests, after penance and satisfaction, should be received into the Church, but altogether abstain from priestly functions.

Cyprian, Epistle 67 and Epistle 52: “For concerning Trophimus also, about whom you desired information, the matter is not as rumor and the falsehood of the malicious reported it to you. For, as our predecessors frequently did, our dearest brother Cornelius yielded to necessity for the gathering of our brethren; and since the greatest part of the people had departed with Trophimus, when Trophimus now returned to the Church, made satisfaction, confessed his former error with penitent entreaty, and recalled with full humility and satisfaction the brotherhood which he had recently drawn away, his prayers were heard; and not so much Trophimus as the very great number of brethren who had been with Trophimus was admitted into the Church of the Lord. None of these would have returned to the Church unless they had come with Trophimus accompanying them. Therefore, after deliberation was held there with very many colleagues, Trophimus was received, for whom the return of the brethren and the restored salvation of many made satisfaction. Trophimus was nevertheless admitted in such a way that he communicates as a layman, not according to what the letters of the malicious reported to you, as though he usurped the place of a priest.”

The same, Epistle 68: “In vain do such men attempt to usurp the Episcopate for themselves, since it is manifest that men of this sort can neither preside over the Church of Christ nor ought to offer sacrifices to God. Especially since long ago, together with us and with all the Bishops constituted throughout the whole world, Cornelius also--our colleague, a peaceful and just priest and honored by the Lord’s condescension even with martyrdom--decreed that men of this kind can indeed be admitted to perform penance, but must be prohibited from ordination into the Clergy and from priestly honor.”

And Stephen, in Eusebius, concerning the Bishops who ordained Novatian, says that he received one into lay communion. In the same manner the Council of Sardica, canon 1, the Council of Agde, canon 33, and the First Council of Toledo, canon 4: “After abstaining for two years, let the subdeacon afterwards communicate among the laymen, reconciled through penance.” Therefore they performed a penance more severe than laymen and thereafter forever lacked the fruit and honor of orders. They were not excommunicated, lest the punishment be threefold more severe.

§ 2. A Cleric who sins ought never to go unpunished, nor should dissimulation be employed, which frequently has place among laymen. For the wicked are to be tolerated in the Church because they exercise the good, and through the wicked the good are aroused toward better things. But the sins of Clerics seduce the good and harden the wicked, and

therefore must never be tolerated. The sins of a multitude or of a depraved custom are to be rebuked neither harshly, severely, nor imperiously, because whatever is sinned by many is great. But Clerics are few in comparison with the rest of the multitude; therefore they can be punished very readily, provided that gentleness and the good of the Church, not a display of power, prevail in punishment.

The laws also dissemble many sins of laymen which they punish sharply in Clerics. Concerning wicked laymen it is rightly said that they are to be tolerated and associated with so long as correction of them is not despaired of, Cause 23, question 4, canon 1: "The wicked indeed are to be tolerated for the sake of peace, nor should there be a bodily departure from them; but to go out spiritually is to do what pertains to the correction of the wicked, so far as is lawful according to each person's rank. To be displeased while peace is preserved is not to touch. For the Prophets who said these things did not abandon their people, but dwelt among those whom they rebuked; they entered one temple with them and celebrated the same sacraments. This is to go out: not to spare with the mouth. This is not to touch the unclean thing: not to consent with the will."

[Printed page 426]

But this has no place in a Cleric, because he ought to correct others by word and example.

§ 3. The sins of priests deserve a more severe punishment because they offend more persons. Therefore they are to be punished more severely. For superiors are truly bound to give examples to inferiors. Cause 8, question 1, *Qualis*; Cause 12, question 1, *Nolo*. The threat is severe but nevertheless true, Cause 11, question 3, canon 3: "Above all, avoid communion with your concubine Gualdrada, long since repudiated by you; for she is excommunicated and separated from every fellowship of Christians until our presence. Therefore care must be taken lest you be struck together with her by the equal edge of the sentence and, bound and fettered by passion for one little woman, be drawn to perpetual destruction. For Prelates sin worse in the eyes of God and thereby are themselves punished more cruelly than others, as Blessed Gregory says. For Prelates ought to know that if they ever perpetrate perverse things, they are worthy of as many deaths as the examples of perdition which they transmit to their subjects. Hence it is necessary that they guard themselves from fault so much the more cautiously inasmuch as, through the wicked things which they do, they do not die alone. Moreover, take care lest at some time, according to the Lord's command, we employ two or three witnesses against you--indeed, lest we tell it to the holy Church, and, what we do not wish, henceforth you become to all as a heathen and a publican." The laws inculcate the same in Cause 2, question 7, *Paulus*, and distinction 93.

§ 4. Because they have professed a better life and are honored as magnates, they therefore forcibly extend their fault into an example, distinction 83: "For no one harms the Church more than one who, while acting perversely, possesses the name or order of holiness. For no one presumes to rebuke such an offender, and his fault is vehemently extended into an example when, out of reverence for his order, the sinner is honored." Therefore a Bishop who does not correct the crimes of such men should be called an impudent dog rather than a Bishop.

What wonder is it, therefore, if he is punished more severely, when his sin is more severe? Thus Cause 17, question 1: "Those who perform good things, if they resolve to perform better ones and after resolving do not perform them, although they persevere in their former good things, have nevertheless fallen in the sight of God by their resolve." Likewise a little above: "There are those who resolve to abandon all things, submit themselves to God's service, and restrain themselves by the bridle of chastity; but when they perceive that others have fallen after adopting chastity, by drawing themselves back they lose their merit."

§ 5. Because knowledge, instruction, and grace are greater in them. Cause 6, question 1, canon 21: "I ask, therefore, who sins more gravely: one who unknowingly has fallen into heresy, or one who knowingly has not withdrawn from avarice, that is, idolatry? According indeed to that rule by which the sins of those who know are placed before the sins of the ignorant, the avaricious man lives knowingly in crime. But lest perhaps this be so, the magnitude of the crime itself produces in heresy what the admission of knowledge produces in avarice, so that the heretic who does not know is equated with the avaricious man who knows." Likewise canon 20 of the same book: "But whether we ought to

prefer a Catholic of the worst morals to some heretic in whose life men find nothing to rebuke apart from the fact that he is a heretic, I do not dare to precipitate a judgment.” Thus Augustine.

But from him to whom more has been given, more will be required.

§ 6. The canons ordinarily punish the sins of priests more severely. For in most cases he is deposed from office, distinction 50, canon 7: “If a Bishop, priest, or deacon has committed a capital crime, falsified a document, or uttered false testimony, let him, deposed from the honor of office, be thrust into a monastery and there, for as long as he lives, receive only lay communion.”

Nevertheless, by authority of several canons in distinction 50, those who are truly penitent are restored to their former rank. Those do not reconcile these canons sufficiently who judge that the truly penitent can be restored, while those who feign falsely cannot be restored. For the canons speak concerning the truly penitent. It must therefore be said: first, that this is the law--that they ought not be restored, and however much the Church sees their long-lasting and most humble penance, she is nevertheless not bound to restore them to their former honors. And this is for the reason that they not feign penance in hope of restoration. Second, that in public and detestable sins which produce vehement infamy, while the infamy remains they are not to be restored. Such are heresy, apostasy, homicide, and adultery. Thus canon 34, distinction 50: “But it has seemed good to us that something be written concerning those who, possessing sacred orders, confess that before or after ordination they were contaminated by capital crimes. In these, as it seems to me, this distinction ought to exist: those who have been detected or publicly caught in perjury, theft, fornication, and other crimes of this kind, according to the institutions of the sacred canons, should fall from their own rank, because it is a scandal to the people of God to have placed above them persons who are known to be vicious beyond measure. For men are thereby drawn away from the sacrifice of God--as they are read formerly to have done when the sons of Eli sinned--and, becoming rebellious and contrary on that account, they grow daily worse through their depraved examples. But those who, by secret confession before the eyes of God and also in the presence of the priest who will enjoin penance upon them, confess the aforesaid deeds secretly committed by themselves and lament that they themselves have sinned gravely, if they shall strive to purify themselves by fasts, alms, vigils, and sacred prayers, to these, with their rank also preserved, the hope of pardon from God’s mercy must be promised.” Nevertheless, I do not doubt that, in the case of those crimes upon which the punishment of deposition is imposed with an annexed clause against restoration, the punishment must be observed and not removed without a lawful cause. A heretic is deposed; one teaching another faith is deposed. Concerning these there are many canons, and they are received again with the greatest difficulty. Not so others who were educated in error and, by great misfortune, lacked true teachers. One who swears is deposed if he swears by the hairs of God, thus in the decrees of Pius, canon 7, *Si quis per capillos*.

A perjurer is also deposed. See the appendix of the Lateran Council concerning the keeping of oaths.

A homicide, distinction 50, canon 5: even if he killed a pagan while defending himself, he is advised not to discharge the priestly office. The law commands a Bishop to perform penance for fifteen years, a priest for twelve--three of these on bread and water--and a deacon for ten, on bread and water, distinction 50, canon 41: “If anyone has committed homicide, if he is a Bishop, let him perform penance for fifteen years and be deposed; let him also end all the days of his life in pilgrimage. Let a priest perform penance for twelve years, three of these on bread and water, and let him be deposed by the sentence above. Let a deacon perform penance for ten years, three on bread and water, and let him not presume to attain the rank of any priest.”

A forger is deprived of his benefice. Thus in the appendix to the Lateran Council, canon 113: “One who has forged the letters of the Pontiff must be thrust into a monastery of strict religion, despoiled of benefice and office.” Thus distinction 50, *Si Episcopus*.

And distinction 19, canon 3, *In memoriam*: “If indeed--which is unbecoming--anyone, whether a priest or a deacon, by contriving some disturbance and plotting against our ministry, is convicted of having brought a false letter from the Apostolic See or something else which did not come from there, with faith preserved and humility toward the

Apostolic one intact, let the Bishop possess the power to thrust him into prison or another confinement until, by a letter or suitable legates of his party, he appeals to the Apostolic Sublimity, so that especially

[Printed page 427]

by its holy legation it may deign to decree what the Roman law determines should be defined concerning such men in just order, so that he may both be corrected and a limit imposed upon the rest.”

A keeper of a concubine is deposed; their concubines are driven from the cities. See Binius’s edition, tome 2, part 1, folio 36, column 2c. They themselves are condemned, tome 3, part 2, folio 293, column 1c and following. See also tome 4, part 2, folio 555, column 1d--e and following, and folio 234, column 1d.

A usurer is degraded, distinction 47, canons 5 and 1, whether he does it in his own name or another’s. In these and similar matters punishment is not lacking for secular persons, but nevertheless no punishment is equal to that of Clerics, who are generally deposed. Deposition is indeed grave, since, being ignominious, it also takes away the means of life.

§ 7. Even lighter faults which the laws do not punish in citizens are nevertheless customarily punished gravely in Clerics, because nothing can be light in that state which is the beginning of immense evils.

Namely:

1. It is lawful for a regular advocate to accept nothing; for a secular one, many things. Cause 15, question 3, *Observandum*.
 2. A Bishop is said to plunder when he gives nothing, Part 1, Cause 2, *Si quis propter*.
 3. A Cleric is convicted of plundering another’s goods when he is proved to retain for himself more than necessities. But laymen increase their patrimonies without reproach.
 4. If a priest belongs to a college and in adversity withdraws himself from the aid of the Church, he is judged more a schismatic than a priest, Cause 3, question 1, *Nulli*. But flight through fear is not imputed as a fault to laymen.
 5. Those who grow their hair, if they are unwilling to lay it aside, are to be shorn against their will by the Archdeacon. Who judges the hair of laymen worthy of censure?
 6. It is not lawful for a Cleric to enter taverns, distinction 43, canon 3: “It is lawful for no Cleric to keep a tavern or workhouse. For if he is prohibited from entering a tavern of this kind, how much more from serving others in it? But if anyone has done some such thing, let him either cease or be deposed.”
- Yet secular persons are not even accused in this matter.
7. Distinction 44, canon 1 and following, *Non liceat*: if feasts are condemnably in laymen, how much more in Clerics.
 8. Curiosity in reading philosophers and poets is punished, distinction 37, *Sacerdotes*.
 9. It is ignominious for Clerics to abound in delicacies and preach Christ poor, distinction 35, *Ecclesiae*.
 10. Prelates and Clerics who, after admonition, frequent the houses of women are deposed and degraded, distinction 81, *Clericus*. The laws punish so gravely even the cause of suspicion.
 11. Gamblers, drunkards, and those given to dishonorable games are deposed, distinction 35, *Episcopus*.
 12. A dilapidator of ecclesiastical property is deposed, Cause 10, question 2, and Cause 12, question 2, *Diaconi*; nor ought one deposed to live in a secular manner, but he ought to perform penance. This indeed is grave, but if the law treats one who squanders his own fruits, it decrees concerning such an offense as the civil law rarely punishes.
 13. Irreverence is punished by deposition, Cause 11, question 3, *Si quis*.

14. A Bishop, priest, or deacon who devotes himself to gaming is to be deposed unless he ceases, distinction 35, *Episcopus*, and distinction 64, *Clericum*.

15. A Cleric who is a merchant must be shunned as a pest, distinction 83, *Negotiatorem*. But we readily allow others to engage in trade.

16. Hunting is prohibited to Clerics and a punishment is imposed, Decretals, Book 5, title 24, canon 1: “It is not lawful for a Bishop, priest, or deacon to possess dogs, hawks, or things of this kind for hunting. But if any person of this kind has been detained rather frequently in this pleasure, if he is a Bishop, let him be excluded from communion for three months; if a priest, for two; if a deacon, let him be suspended from every office.”

And canon 2: “We forbid all servants of God hunts and woodland wanderings with dogs, and hawks or falcons.”

Therefore, since either the small offenses of Clerics or those smaller than the greatest offenses are punished more gravely than those of laymen, this part of discipline must not be neglected. But where it is despised, integrity of morals cannot stand. It is not charity but weakness where wicked morals are not corrected, Cause 23, question 5, *Non putes*. I shall add that it is frequently ambition; for many Prelates do not correct because they fear offense, lest votes for a greater dignity be denied them because of the severity of their discipline. Indeed, many conduct themselves as though they were approvers of the vices committed by their subjects, lest they be feared as censors if they are raised to the Episcopate. In this matter a Prelate acquires certain damnation for an uncertain hope of dignity, and ordinarily God punishes so wicked a presumption with infamy and rejection.

Next, he destroys his subjects. For not to correct the wicked, but to foster them, is to kill them, Cause 23, question 5, *Qui vitiis*; distinction 45, *Sed illud*. Many also fail in their office because of reproaches. For through a false and dangerous mercy they indulge the wicked when the correction of offenders is postponed because of the harshness or flatteries of the tongue, distinction 50, *Si diaconus*. But a true Prelate ought not to love the praises of the wicked, because they are reproaches, nor to fear their reproaches, because they are praises. Let him hear the canons to which he swore. They say: “A Bishop who does not correct crimes is called not a Bishop but an impudent dog,” distinction 73, *Nemo*. For it is not cruelty to punish crimes for God, but piety.

CHAPTER XVII

Common Life Contributes Very Greatly to the Good Morals of Ecclesiastics

§ 1. In the morals and discipline of the Church, antiquity must especially be regarded; for all things were more sincere the nearer they were to their beginning. The earliest Church of Christ, freshly empurpled with the blood of her Redeemer, approved common life among the Apostles, and afterwards among the faithful following the Lord's Ascension. Thus the Epistle of Clement: "To the most beloved brethren and fellow disciples dwelling at Jerusalem with our dearest brother and fellow Bishop James, Clement the Bishop: A common life, brethren, is necessary for all, and especially for those who desire to serve God blamelessly and wish to imitate the life of the Apostles and their disciples. For the common use of all things which are in this world ought to have belonged to all men; but through iniquity one said that this was his own and another that that was his, and thus division was made among mortals.

"Finally, a certain most wise man among the Greeks, knowing that these things are so, says that all things ought to be common among friends. And just as the air and the splendor of the sun cannot be divided, so, he says, the other things which were given in common in this world for all to possess ought not to be divided, but ought to be possessed in common. Hence the Lord also speaks through the Prophet, saying: 'Behold how good and how pleasant it is for brethren to dwell together in unity.' Retaining the custom of this practice, the Apostles and their disciples also, as was said above, led a common life together with us and with you. Hence, as you well

[Printed page 428]

know, the multitude of them had one heart and one soul; nor did any of them or of us say that anything among the things which he possessed was his own, but all things were common to them and to us, nor was anyone in need among us. But all who possessed houses or fields sold them and brought their prices and the remaining things which they possessed, laying them before the feet of the Apostles, as some of your number learned and saw together with us; and they were distributed to individuals according as each had need. But Ananias, a harsh man, and Sapphira his wife, who lied to the Apostles concerning the price of their fields which they had sold, were, in our presence and in the sight of all who stood around, both carried out dead from the sight of the Apostles because of their sin and the falsehood which they committed. And the other things which we learned and saw concerning such persons are worthy neither of recollection nor demonstration. Therefore we command you to beware of these things and order you to obey the doctrines and examples of the Apostles, because those who put aside their commands become not only guilty but banished. These things must not only be guarded against by you but also preached to all."

That the Epistle is authentic we are taught by Eusebius, *History*, Book 3, chapter 32; Jerome, in the *Catalogue* and in his commentary on Isaiah 55, chapter 10; and Epiphanius, *Heresy* 30. And that custom long existed at Jerusalem.

§ 2. Urban I afterwards testifies that the possessions of the faithful were conveyed to the Church so that they might live from the estates themselves. Thus the Epistle: "Therefore the chief priests and the others, and the Levites and the rest of the faithful, seeing that they could confer more utility if they handed over the inheritances and fields which they used to sell to the Churches over which Bishops presided, because from their revenues many more and finer things could be supplied, both in present and future times, to the faithful who led a common life of faith than from their price, began to hand over to the mother Churches the estates and fields which they used to sell and to live from their revenues. But these properties were, and remain even until now, under the jurisdiction of the Bishops of the individual parishes, who hold the place of the Apostles, and they ought always to remain so in future times. From these the Bishops and their faithful stewards ought to supply all necessities, as best they can, to all who wish to live a common life, so that no one among them may be found in need. For these properties are called the offerings of the faithful because they are offered to the Lord. Therefore they ought not to be converted to uses other than ecclesiastical ones

and those of the aforesaid Christian brethren or the needy, because they are the vows of the faithful, the prices of sins, and the patrimonies of the poor, and were handed over to the Lord for fulfilling the aforesaid work.”

§ 3. Hence Jerome admonishes that Clerics possess nothing of their own, in the Epistle to Nepotian, Cause 12, question 1, canon 5: “Let the Cleric who serves the Church of Christ first interpret his own designation, and, after the definition of the name has been set forth, let him strive to be what he is called. For if κληρος is called *lot* in Latin, Clerics are therefore so called either because they are of the lot of the Lord or because the Lord is the lot, that is, the portion, of Clerics. But he who either is himself the Lord’s portion or has the Lord as his portion ought to show himself such that he himself possesses the Lord and is possessed by the Lord.

“He who possesses the Lord and says with the Prophet, ‘The Lord is my portion,’ can possess nothing outside the Lord. But if he possesses anything else besides the Lord, the Lord will not be his portion—for example, if gold, silver, estates, or varied furnishings; together with these portions, the Lord does not deign to become his portion. But if I am the Lord’s portion and the cord of his inheritance, I do not receive a portion among the other tribes; rather, like a Levite and priest, I live from the tithes and, serving the altar, am sustained by the altar’s offering. Having food and clothing, I shall be content with these, and naked I shall follow the naked Cross.”

And Gregory, to Augustine, Bishop of the English, responses 1 and 2: “Your Fraternity, instructed in the rules of a monastery, ought not to be separated from your Clerics in the Church of the English, which has recently been brought to the faith by God’s authorship. You ought to institute that manner of life which existed among our Fathers at the beginning of the nascent Church, among whom none said that anything among the things which he possessed was his own, but all things there were common.”

§ 4. Saint Augustine and Ambrose attempted to restore the common manner of life of Clerics, as is clear in their lives and books. Augustine shows the great utility of that matter in his book *On the Common Life of Clerics*. Mark instituted all the Christians of Alexandria in this manner, as Jerome testifies in *On Ecclesiastical Writers*, under Mark. Nevertheless, that same Augustine permitted his Clerics to live from their own property. “Because,” he says, “I preferred to have them blind and lame rather than dead.” For he who is a hypocrite is dead, and there was great danger from hypocrisy for those who lived a social life with Augustine unwillingly. Therefore he removed from them the necessity of pretending.

§ 5. Since, therefore, Clerics are permitted to possess property of their own and to dwell privately in their own houses or in the common fellowship of several persons, I judge this second manner more useful to the Church and to morals. Therefore labor must be expended so that, as far as it can be done, Ecclesiastics dwell together. That which the holiest men in the Church always both desired and did must also be done now. Therefore statutes which impede the common habitation of Clerics are contrary to common law and thus void by the law itself. Nor can any be compelled to dwell alone in their own house, to maintain a hearth, and to be administrators of their own household; rather, they can dwell near their Church with any honorable ecclesiastical man, with colleagues, or with Prelates, unless the necessity of separation is evidently shown. Concerning boys and adolescents it was established in the Council of Aachen, chapter 135. But the causes have force at every age; thus the Council judged: “The rulers of Churches ought vigilantly to keep watch that boys and adolescents who are maintained or instructed in the congregation committed to them be so corrected by continual ecclesiastical disciplines that their wanton age, very prone to sinning, can find no place in which it may rush into the commission of sin. Therefore, for guarding and spiritually instructing those of this kind, the Prelates must appoint a brother of approved life who may exercise care of them with the greatest industry and restrain them very strictly, in such manner that, imbued with ecclesiastical doctrines and clothed in spiritual arms, they may both serve the utilities of the Church and sometime be worthily promoted to ecclesiastical grades. Furthermore, for suitable edification and instruction in the matter which is treated, it has pleased us to insert into this work a certain judgment of the holy Fathers, which reads as follows: Every age from adolescence onward is prone to evil. Nothing is more uncertain than the life of adolescents. On this account it was necessary to establish that, if anyone in the Clergy is a boy, or if there are adolescents, they all dwell in one chamber of the court, so that they may pass the years of slippery

age not in luxury but in ecclesiastical disciplines, assigned to a most approved elder whom they may have both as master of doctrine and witness of life, and so forth. With these things thus premised, boys ought to be assigned to a most approved elder for custody, although they may be instructed by another. But if the brother to whom this care is entrusted esteems their care lightly, teaches something other than what he ought, or

[Printed page 429]

inflicts upon them in any respect the stain of any injury whatsoever, let him, most severely rebuked, be removed from office, and let it be entrusted to another brother who may both form them by examples of innocent life and incite them to accomplish good work.”

§ 6. And so that I may touch the matter more closely, I shall speak about Canons and their Vicars, although formerly there were no Vicars in the manner in which they now exist. It would be expedient, and altogether to the greater glory of God, for Canons, with whatever splendor of birth or dignities they may shine, to perform all the divine offices and worship God with their whole heart and inward humility, whom God deigns to preserve and maintain so splendidly in his Church. Nevertheless, I should wish either all or several of them to dwell together, take food together, read, and converse. For this was their original institution. Read chapter 117 of the Council of Aachen under Stephen V, in the time of Louis the Pious: “It is the duty of Provosts continually to fortify the minds of their subjects with readings from the holy Scriptures, lest the invisible wolf find an entrance by which he may enter the Lord’s sheepfold and be able to carry off one of the sheep. And although this ought to be done by them spiritually with the greatest urgency, it is nevertheless necessary that they surround on every side with firm defenses the cloisters in which the Clergy committed to them must live canonically, so that there may be no entrance at all for anyone to enter or depart except through the gate. Let there also be within dormitories, refectories, storerooms, and the other dwellings necessary for the uses of brethren living in one fellowship. But he who refuses to do these permitted things according as ability suffices is to be held unequal and insufficiently suitable for performing the other ecclesiastical offices. And although he is worthy of divine vengeance, he must nevertheless be struck by a synodal sentence.”

Behold, the Council confirms not only the union of the Canons but the fortification of the cloisters; and lest you suspect that they are monks, in chapter 115 and chapter 125 it distinguishes them from monks.

For they were not monks, since they are expressly prohibited from putting on monastic clothing unless they also wish to assume the profession of monks. Therefore I am not writing a new counsel, but pointing my finger toward ancient and more approved things.

§ 7. The mutual cohabitation of Canons is most useful for the study of letters and divine matters. For they can both possess a Library in the same place, and then consult one another, inquire, dispute, and employ all the exercises of the disciplines in most pleasant fellowship. The progress of some incites others, charity advances them, and learning perfects them. For we have hitherto seen no persons whom solitary studies have brought to the height of learning. Learning requires varied agitation, the judgments of many, and disputation; therefore it is a public affair, and the more it is in public, the more it flourishes and thrives.

What I say concerning the more liberal studies or those of philosophy and other sciences, I affirm likewise concerning wisdom, prudence, and affability in conduct; for the principal fruit of this exists in fellowship with many. For just as metals become bright by mutual friction, so the human mind, while it is solitary or lives with only one or another person, grows sluggish in some manner and contracts rust; while it is exercised in the fellowship of many, sees many things, and hears more, it is wonderfully polished toward prudence and familiarity and affability in living. This will be most useful if the younger are given into companionship with the mature and the aged, as I should wish. Seneca truly says in Epistle 11: “Among all fellowships none is more excellent, none more firm, than when good men, similar in morals, are joined by familiarity.”

§ 8. This one advantage alone outweighs all the disadvantages which can be imagined in fellowship: suspicions arising from hazardous cohabitation, true dangers and occasions of sinning, and sins themselves are avoided.

The Church laments the falls of very many; good men are ashamed of the relatives of very many; and heresy is strengthened and increased by the scandals of very many, for no other cause than that companionship, lodging, and association offered an occasion of sinning together with hope of concealment. Occasion possesses great power, which suddenly casts down well-ordered minds and entangles them before the danger is perceived. Formerly certain Provosts gathered several Canons, seeking empty glory from men so that they might appear to possess a numerous congregation of Clergy, for whom they cared to provide neither consolations of body nor of soul, as the Council of Aachen complains. What followed from this? It is explained in the same Council, chapter 118: “For those gathered in this manner, when they do not receive necessary stipends from their Prelates, neither preserve the canonical order nor apply themselves to the divine offices; abandoning the cloisters and the fellowship of the rest, they become wandering and lascivious, given to gluttony, drunkenness, and their other pleasures, and make lawful whatever has pleased them.” The cause of such great evils was that they abandoned the cloisters and fellowship. What, then, is now to be hoped concerning Clerics who do not preserve the canonical order, do not apply themselves to the divine offices, live outside the fellowship of the good with wicked or suspect persons, and receive immense revenues from the Church, which some most vainly believe they merit by one little walk? The ruin of many bears witness to how great incitements to crimes solitude, riches, and idleness provide them. They would remove all these occasions if they procured food and habitation for themselves with some one of the Prelates or more mature fellow brethren. For I urge this: if many do not yet consent to assemble into one or another house, let at least some do so--three or four Canons and as many Vicars; let their zeal be commended and let the Prelates approve it. Let every Cleric have a Cleric as witness of his life.

§ 9. I have spoken of the danger in the promiscuous habitation of Clerics and laymen, because they have no witnesses of their life except at the time when they assemble in the Church. Saint Charles Borromeo and the First Council of Milan agreed with me in this, and from that judgment he gave good laws concerning clerical houses: “Since it is necessary not only to avoid evil but also to flee every suspicion of evil, lest we fall into offense for anyone, we prohibit any women whatsoever, even those joined by any bond of blood relationship or affinity, from dwelling in houses built for the residence and use of Canons or other Clerics, or in other houses in which they dwell, unless the Bishop shall have declared in some case of urgent necessity that it must be done otherwise; we burden his conscience greatly in this matter.

“Let neither parish priests nor Clerics generally, even those endowed with any dignity, in any manner lease to a layman the houses of a Church--even a commended one--or parts of them situated in a city or towns, in which they themselves are accustomed or bound to dwell, unless the Church is pressed by great poverty and that house can conveniently be divided in the Bishop’s judgment.

“But if the houses are situated in the country outside the city and towns, let them possess the faculty of leasing them, provided that their division can be made rightly and conveniently in the judgment of the same Bishop.

“Let the Bishop also take care that houses of this kind, either in the city or outside it, or other houses separated from the Church, even if they are patrimonial and privately owned, not be leased to those whose faith, life, or morals he has judged to be suspect.”

[Printed page 430]

§ 10. There is no one who does not understand how honorable it is for a younger Canon to live with his Prelates and the most distinguished men of his Church and to have present one whom he reveres. Indeed, we value highly certain men whose virtue is unknown to us for this reason, that they associate with the good. Indeed, if they have contracted some stain, it is worn away and washed out by companionship and familiarity with grave men. Nothing recalls dishonorable minds inclined toward wickedness to what is right more than intercourse with good men. For to be frequently seen and frequently heard descends gradually into the breasts and obtains the force of a precept. For when

among them there are pious, honorable, and learned conversations, ingenuous recreations, and even games and relaxations of minds that are cheerfully conducted with maturity and liberal jests, not dissolute, the mind drinks in these things in such a manner that it passes wholly into honorable conduct. It has a witness of its life, retains modesty, and soon becomes itself worthy of reverence to others.

It is indeed becoming both to the dignity of Prelates and to the venerable gray hair of the aged to draw a company of younger men or even brethren of their own age; to live publicly and have witnesses of all their acts, words, and indeed proceedings; and to possess such a reputation that every most honorable man desires his intercourse and familiarity. It is not unworthy of a Prelate to have Clerics of the Church, whom he has been accustomed to call fellow brethren, as his companions at table. For he opens his house not from desire for gain but from love of discipline, as a refuge for those who would otherwise be in danger and a school for studies and virtues for those who would otherwise make less progress. The First Council of Milan, section *On the Bishop's Household*: "But we vehemently exhort him to have as many Clerics as possible in his household, who use only clerical dress, and among them, if it can conveniently be done, namely two initiated into sacred orders and of good reputation, who may more studiously attend the Bishop while he keeps vigil, prays, applies himself to works of mercy, and searches the mysteries of divine letters, and may be, as it were, witnesses and imitators of his actions and holy conduct. Let him then possess an ecclesiastical person, proven and approved, who is placed over the morals of the household and solicitous for the salvation of all, who may sustain spiritual life and take care that it is instructed in good and pious arts, and especially sacred letters, according to the sense and intelligence of each."

If a multitude of Clerics is an honor of a Bishop, why is it not so in Germany for Prelates or distinguished Canons?

§ 11. But all colleagues ought to favor this matter, for both a good name is thereby acquired for the Church and there will be greater attendance at the divine offices. For if ten others dwell with some Canon, while present they will observe the diligence of others and will not readily remain at home or take themselves elsewhere. For modesty causes them to offend rarely; rare offending introduces the practice of virtue, because a rare evil exists only together with a dense good. Never will all ten remain away at once, both because we suppose them to be good and because they will never all conspire in culpable negligence. Indeed, the father of a household of so honorable a fellowship will not bear with equanimity the sloth of those whom he has as members of his household. Those evils and dangers which wholly call men away from the divine offices will also be absent.

§ 12. How much will be subtracted from expenses will be felt especially by those who are willing to give themselves to a common life. One fire will burn in place of ten; there will be no need to maintain furnishings, repairs of roofs, or services of attendants that are either perilous to chastity or unfaithful to patrimonies; no expenses of banquets or contracts. Yet there will be no need to abandon hospitality, for it will be common, and individuals will be able to contribute more to guests than all do now.

But lest this matter be called into doubt, I assert that by the theft and malice of their household the wealthier Canons now lose more than they would expend upon a year's sustenance if several wished to dwell together. But what, you will say, will become of that priestly opulence? I reply that riches must be restored to Christ. It is a good deed to live sparingly so that you may feed the poor liberally. He who denies that this pertains to his dignity considers it equitable that, while Christ hungers, he himself should live sumptuously.

§ 13. Finally, necessity itself counsels this union of several persons, so that when sick and dying they may furnish consolations to one another. For harsh indeed is the condition of those who when sick scarcely have faithful aids and whose property is seized amid their very funerals. It is certain that this has sometimes happened not only to Canons but to Bishops and Cardinals.

Therefore it would be prudent to assist by expense, privilege, and favor those who wish either to admit their fellow brethren in collegiate Churches to their table at a fair price or to be companions at the table of others.

And more spacious houses and gardens could be granted for this end.

But where it can be done, this must be effected: either that most dwell together or certainly that no one dwell among secular persons.

Nor does anything prevent the establishment of a rule that all who are not members of Chapters and are not occupied in studies should not freely and at their own discretion choose lodgings for themselves, but by a capitular statute should be commanded to dwell with some grave man of their own or another Church and to bring an attestation of their life when they are to be admitted to the Chapter.

But by judgment of the Chapter or Bishop prudent and grave men of good example could be designated. For when their studies have been completed or broken off, younger Canons readily go astray in the highest liberty.

And I judge that this must gradually be introduced not only among the younger but even among those more advanced in age, although they have been admitted to the senate or Chapter. The reins must be placed upon license by a salutary decree. For what burden would there be if such a statute were made? "Since, alas, the falls of many have taught us that in promiscuous habitation with secular persons there are great dangers and that many young men and men of good purpose have been drawn from piety by evil association, the Chapter, wishing by virtue of its office to provide for the salvation of all and each, establishes that the following be inviolably observed.

"First, younger Canons who devote themselves to studies, whether they do so in the city of their residence or in distant Academies, shall take lodging only with the consent and approval of the Scholasticus and shall change it if it shall seem good to him, knowing for certain that throughout the whole time the fruits will be denied to those who have not obeyed, as though they were suspended. But the Scholasticus shall establish that they lodge only with parents or guardians, in seminaries, or with an Ecclesiastic of exemplary life and a modest household, who shall also be bound to render an account to the Chapter concerning their domestic conduct. But if they wish to dwell with honorable and pious citizens, this shall not be permitted without the consent of the Chapter. The same is established concerning those who do not devote themselves to studies and yet are not in the Chapter, whom we altogether

[Printed page 431]

wish to dwell near the church with their fellow brethren. Finally, we have judged the same concerning all who are under twenty years old, whom it is fitting to make progress in piety by the example of the aged and not to be occupied by the care of domestic affairs."

If these or similar things, whether stricter or more lenient, are introduced gradually, reformation will follow of its own accord without labor.

I shall speak concerning parish priests in a particular place.

CHAPTER XVIII

Chapters Were Instituted for the Sake of Discipline, and Their Constitution

§ 1. I call a Chapter a select senate of the Church congregated by law and in order. It is of two kinds: the Cathedral Chapter and that of private Churches, for we are not now treating the Chapters of religious.

§ 2. The name of Chapter flowed from the Chapters of religious. For since there were religious in most Churches where Clerics or Canons now dwell, it thereby came about that, after they were changed into Canons, they retained certain names and ceremonies of religious. Nevertheless, the institution is most ancient; for formerly Bishops deliberated upon difficult affairs with their brethren, that is, with the council of priests, and executed them by their counsel. Thus we possess the Apostolic norm. For the Apostles were in the place of Bishops, while the presbyters were in the place of priests. There were then presbyters or elders who sit in council with the Apostles in Acts 5: “The Apostles and elders assembled to consider this word.” Likewise, not only the Apostles but also the elders write to the Antiochenes. Jerome also relates that the Churches were governed by the common counsel of the presbyters; nevertheless, after schisms arose, the presbyters were only assessors of the Bishops. Yet the Bishops were judges of the presbyters. Thus 1 Timothy 5: “Do not receive an accusation against a presbyter except under two or three witnesses.” A presbyter could therefore be accused before the Bishop; the Bishop was therefore the judge of the presbyter. Chapters, then, reproduce for us this council of presbyters, although not all their members are priests. In this matter practice has indeed prevailed contrary to the ancient canons, so that even subdeacons and deacons are equated with priests as regards government, and Archdeacons also frequently exercise power over priests.

§ 3. The authority of Chapters, especially Cathedral Chapters, is now great in the Church, and it is useful and preservative of Churches. For Chapters keep watch over discipline when the absence, negligence, occupation, or health of Bishops cannot care for it. The Second Council of Cologne, celebrated in the year 1536, admonishes in chapter 14, part 3: “Let the Chapters of discipline, as they call them, be observed with much greater diligence than hitherto. This shall be done if not so much profane as sacred matters are treated in them; if inquiry is made concerning morals; if the life of each is examined; and if, as the holy Fathers are known formerly to have done, the brethren are sometimes admonished by an occasional address. And above all, let them be incited to undertake sacred letters and to place their best hours in them; let them be stirred by the fact that here is found the gushing fountain of life, from which he who drinks will not thirst forever; here is hidden the Gospel treasure for whose sake one ought to sell all things, from which that prudent father of a household brings forth new things and old.”

Concerning the Chapters of monks, the Council of Augsburg, celebrated in the year 1548, chapter 12, speaks in the same manner: “We command that monasteries of every Order be reformed according to the Rules which they have professed; that the monks themselves be contained in obedience and the religion of their Order; that the Chapter of discipline be held frequently; that vices daily springing up there be corrected severely; that divine worship be observed reverently and duly; that keepers of concubines, adulterers, drunkards, criminals, infamous persons, and those suspected of heresy or other crimes be chastised with due punishments; that the habit and tonsure be diligently preserved; and that buildings and libraries be studiously cared for and estates, revenues, and rights preserved. We shall chastise by severe coercion and due means those who resist or are impatient of reformation.”

But since it is easy to assemble when rights, revenues, and other affairs are treated, while in certain places assemblies concerning discipline were held rarely, some Churches wisely and piously established that greater regard for piety should be had in Chapters. Thus the Second Council of Milan, decree 13: “Every week let the Canons of each Church hold a Chapter in which, besides inquiry whether the decrees of the former Council concerning the divine offices are observed, and likewise whether any errors have been committed in the rite of sacred ceremonies, some portion shall then be read of those matters prescribed in our constitutions concerning the life and honorable conduct of Clerics, or of

those expressed in the Roman Catechism or other books which pertain to the doctrine of Christian piety and the discipline and method of ecclesiastical life. Then let them also be occupied in other exercises of spiritual life, and all this according as shall seem good to the Bishop or the Superior of the Chapter. In this Chapter let nothing else which pertains to the care and administration of temporal affairs be treated or transacted before regard is had for that treatment which is wholly placed in spiritual affairs.”

Let all Churches imitate this. For the extent of a Church, the multitude of ornaments, its rights, wealth, and nobility--all are directed to this: that piety may flourish and that the worship of the divine office may be performed with devotion and purity of minds.

§ 4. It is altogether expedient that the Bishop possess great power over the Chapter, and the Chapter in turn over the Bishop. That power is not contrary to itself, but salutary to the public good and necessary to ecclesiastical discipline. First I shall speak concerning the power of a Cathedral Chapter.

The first is that heretics can be excommunicated by it while the see is vacant. Thus the Decretals, Book 5, title 7, chapter 9: “All who do not fear to think or teach otherwise concerning the sacrament of the body and blood of our Lord Jesus Christ, or concerning baptism, the confession of sins, matrimony, or the remaining ecclesiastical sacraments, than the sacrosanct Roman Church preaches and observes--and generally all whom that same Roman Church, or individual Bishops throughout their dioceses with the counsel, if need be, of neighboring Bishops, shall have judged heretics--we bind with the bond of perpetual anathema.”

The second is that they may restrain individual colleagues from sacred functions and deprive them of their fruits. Thus in all places. And beautiful is the constitution of the Synod of Cologne in the year 1549: “If the Dean perceives any to be rebellious; negligent in divine worship and their office; quarrelsome; litigious; strikers; gamblers; harborers of prostitutes; or entangled in other public crimes, and if these refuse to hear fraternal correction, let him do in these Chapters what Paul commands: ‘Rebuke those who sin before all.’ Then, if they are unwilling to recover their senses, let him restrain them from sacred functions and prohibit them from sharing in the fruits until they return to a better fruit of life, yet in such a way that this Apostolic rule is observed: ‘Rebuke the restless, console the fainthearted, be patient

[Printed page 432]

toward all,’ and let neither anger, hatred, nor rancor claim any part for itself. For that solicitude of superiors is useful and that caution praiseworthy in which reason does everything and fury claims nothing for itself. For anger frequently brings even the innocent into crime. For while we grow angry beyond what is just and wish to restrain the sins of others, we commit graver sins.

“Nevertheless, by these things we prejudice neither our privileges and those of the Churches of our province nor their lawful customs, and especially not the practice and custom which exists in some Churches--namely, that cases of discipline are adjudicated by the deacons--provided nevertheless that the deacons, at the Dean’s demand, apply themselves gravely and vigorously to their office and fulfill it. But if the Dean and Chapter shall have been negligent or entangled in the same crimes, it will be necessary to return to the disposition of common law.”

The third is that they may bind members of the Chapter by oaths to pronounce judgment faithfully and to perform other things, and especially to obey the Dean. This too is in use; but sometimes excessively many oaths are exacted, which deservedly displeased the Synod of Cologne, chapter 20: “And since Christ prohibited the faculty of swearing with such seriousness that we ought not to swear at all unless we are compelled by necessity concerning truth or something else in danger, that immoderate exaction of oaths in Chapters must be restrained. Through it, it is necessary that many fall into perilous perjuries, of which not only those who forswear themselves are guilty, but also those who provide the cause of perjury by rashly exacting it. For the word of Christ is: ‘Let your word be, Yes, yes; no, no; what

is more than this is from evil.' And in Ecclesiasticus we read: 'A man who swears much will be filled with iniquity, and the plague will not depart from his house.' If we judged ourselves, we would certainly not be judged."

The fourth, by which the authority of Cathedral Chapters has grown very greatly, is the power of electing Bishops and Archbishops. For since cunning men frequently crept into the Pontiff's favor, since the election of the people was tumultuous, and since Emperors sold prelacies, that power devolved upon the Chapters, which conducted elections more faithfully, sincerely, and constantly. And as the aristocrats of the Church they are accustomed to elect the high priest. I do not deny that the errors of certain Chapters were shameful when they elected a Bishop advantageous to themselves or their vices but useless or pernicious to the Church. Nor have examples of these disgraceful things been lacking in our times; yet they have been far fewer and less harmful than the ancient ones.

For all the members of a Chapter, since many good, learned, and prudent men live among them, will not readily conspire in favor of one wicked man.

Moreover, election belongs to Chapters under these laws:

1. Let the Canons elect the Prelate unless that right belongs to another.
2. Let boys and any who are not subdeacons not elect.
3. Nor let the excommunicated, suspended, heretics, or absent elect, unless there is a lawful cause of absence.
4. If they do not elect at the prescribed time and in the prescribed manner, the right of electing devolves upon the next superior.
5. If knowingly they elect an unworthy man, such as a keeper of a concubine, they lose the right of electing and it is transferred to the Pontiff.
6. Those who elect an unworthy man are incapable for three years of a passive voice, for those who elected a wicked or unworthy man ought not themselves to be elected.
7. But the one elected must possess confirmation from the Pontiff.
8. Before all things they give their vote under oath and, according to their custom in most places, after receiving the sacrament of the Eucharist.
9. Let them bind the man elected or to be elected by no promise contrary to the canons.

The fifth: they can also abolish certain prelacies, but they require confirmation of the act. Thus the Canons of Toul abolished the office of Primicerius, with the revenues distributed among the Canons. In our time they also divided certain provostships in poor Churches because they denied that they had need of a Provost.

The sixth: the Canons can establish a definite number of Canons in the Chapter, but they cannot divide or suppress prebends. When resources have increased, they can admit more Canons. But just as they cannot suppress prebends, so neither can they add new burdens, whether corporeal or pecuniary, unless they are common ones, so that the benefices of all are burdened in equal proportion; otherwise the condition of the younger members would daily be rendered worse. Concerning this matter many things are established everywhere in law, against which private law or capitular statutes effect nothing. For things established by a few to the prejudice of common law are void by the law itself.

The seventh: no one unless a subdeacon shall possess a voice or the right of voting. Thus the Council of Trent, Session 22: "Whoever, in a Cathedral or collegiate Church, secular or regular, is devoted to divine offices and is not constituted at least in the order of the subdiaconate shall not possess a voice in the Chapter in Churches of this kind, even if this has been freely granted to him by others. But those who possess, or in future will possess, dignities, personates, offices, prebends, portions, and any other benefices in the said Churches to which various burdens are annexed--namely, that some say or sing Masses, some the Gospel, and some the Epistles--with whatever privilege,

exemption, prerogative, or nobility of lineage they may be distinguished, shall be bound, in the absence of a just impediment, to receive the required orders within a year. Otherwise they shall incur the penalties according to the constitution of the Council of Vienne which begins *Ut ii, qui*, which it renews by the present decree. And let the Bishops compel them on appointed days personally to exercise the said orders or all the other offices which they ought to perform in divine worship, under the same and other, even graver, penalties to be imposed at their discretion. Nor henceforth shall provision be made for others except those who are known already to possess the age and the other qualifications completely; otherwise let the provision be void.”

Thus the statutes of all the Churches which I indeed remember, common laws, and custom confirm it.

The eighth: they can restrain depraved junior Canons from the Chapter, nor can the Bishop compel them to receive such men. The Council of Mainz, celebrated under Sebastian in the year 1549, establishes as follows:

“We perceive, not without the ruin of the Churches, that hitherto sufficiently negligent watch has been kept in Cathedral and collegiate Churches--at least in that part in which our Forefathers, not without great reason, wished younger Canons, whom they call *Domicellares*, not to be admitted to Chapters immediately upon receiving benefices, but to be detained for a time under the yoke of the Prelates--while those upon whom this care falls, paying little attention to the studies and morals of the *Domicellares*, admitted any persons whatsoever into the Chapters without further selection, provided only that the *Domicellares* had passed a definite time in possession of the benefice or paid the money established for emancipation, even those whom they knew to be neither sufficiently suitable by honorable conduct of life or learning nor likely to be useful to the Churches. Hence it comes about that Churches, sometimes burdened by a less useful crowd of Canons, are administered with due services neither in spiritual nor temporal matters.

“Wishing to provide for their indemnity, we have judged that the consciences of Prelates, Chapters, and others whose interest it is must be burdened,

[Printed page 433]

and by strict command we enjoin upon them that hereafter, not according to the alleged custom--which in this respect, as pernicious to the Churches, must be judged irrational or rather a corruption--but according to conscience, they admit only suitable and worthy persons into the Chapters, especially Metropolitan and Cathedral ones. But let them restrain those given to depraved morals and the slothful from capitular dignity and emolument until they seem by amendment of life to deserve this place; or if, stubborn against every amendment, they persevere in showing themselves incorrigible, let them altogether compel them, as incapable, insufficient, and less suitable, to resign their benefices by remedies of law. By this our constitution, we judge that occasion is afforded both to the Prelates and Chapters to keep diligent watch over their office, and to ecclesiastical youth to undertake the cultivation of life and intelligence with more accurate study.”

The ninth: alienation by a Bishop without the consent of the Chapter is void. Thus the Council at Valencia and the Decretals, Book 3, title 10, chapter 1: “A donation, sale, or exchange of ecclesiastical property by Bishops shall be void without the approval and subscription of the Clerics.”

The reason is lawful and arises from equity. For since ecclesiastical properties are of such a kind that by them ministers and Churches are supported, the poor and justice are defended, and the roofs of churches are restored, they ought not to be alienated without the knowledge of those whose interest it is. But the vices of many Prelates produced those laws, for they were accustomed to give the goods of the Churches to kinsmen, ministers, and flatterers or sell them for a trifling price; a Chapter cannot readily be brought to approve those matters.

The tenth: indeed, for the same reason a Prelate ought not to treat the public affairs of the Church without the counsel of the Chapter.

Alexander III established this law, Decretals, Book 3, title 10, chapter 4: “The prudence of your discretion knows how you and your brethren are one body, such that you are proved to be the head and they the members. Hence it does not become you, after omitting the members, to employ the counsel of others in the affairs of your Church, since there is no doubt that this is contrary both to your honorable character and to the institutions of the holy Fathers. For it has become known to our ears that without the counsel of your brethren you institute and remove Abbots, Abbesses, and other ecclesiastical persons”; and below: “Therefore we prohibit it by Apostolic authority”; and below: “For we decree that such institutions and removals lack the strength of firmness.”

And chapter 5: “We command your Fraternity that in concessions, confirmations, and the other affairs of your Church you seek your brethren and, with their counsel or that of the senior part, accomplish and treat them; that you establish the things which must be established, correct errors, and scatter and uproot the things which must be uprooted. Nor shall you allow the names of absent brethren to be entered, because such instruments are void and false, and on that account you can deservedly fear a charge of falsity.”

The eleventh: nor can he give other Churches to others without the consent of the Chapter. In the same place, chapter 8: “You also added the question whether it is lawful for a Bishop or Elect, together with the Archdeacon alone and apart from the assent of the greater Church--since the Bishop is elected from it and the Archdeacon is assumed from it--to confer perpetually vacant baptismal Churches upon monasteries or conventual Churches to which the right of patronage belongs”; and below: “The solution of the other question is also gathered evidently from the Epistle of Pope Leo, in which it is read: ‘Let no Bishop dare to give, exchange, or sell anything from the goods of the Church, unless perhaps he does one of these things in order to provide for better things, and, with the deliberation and consent of the whole Clergy, chooses that which is undoubtedly profitable to the Church. For a donation, sale, and exchange of ecclesiastical property by Bishops shall be void without the agreement and subscription of the Clerics.’ By this you will know that the question proposed in the second place is solved, since there is no doubt that perpetual concessions of Churches pertain to alienations.”

The twelfth: nevertheless, the Bishop’s concession is valid if the Chapter afterwards ratifies it. In the same place, chapter 3: “It is certain, by rigor of law, that the concession which it is established was made by your predecessor while the Chapter protested is not valid, unless it afterwards ratified it.”

Formerly the silence of the Chapter produced ratification, in the same place, chapter 2. Now they deservedly require from the statutes a consent that is open and consigned in writing. For good laws have arisen from evil morals.

The thirteenth: it is a privilege of Cathedral Chapters that they be admitted to provincial Synods. Thus the Decretals, Book 3, chapter 10, *Provinciae Senones*: “The Chapters of the Cathedral Churches have sent a complaint to us that the Archbishop of Sens and his Suffragans were unwilling to admit their procurators, recently summoned to the provincial Council, to its deliberation”; and below: “It has seemed good to us and our brethren that the Chapters themselves ought to be invited to Councils of this kind and their envoys admitted to the deliberation, especially concerning those matters which are known to affect the Chapters themselves.”

Hence, therefore, it appears that the Church is best ordered when the Bishop possesses very great power for edification, so that the whole discipline is in his hand and no one can appeal from it; but the least power for destruction--in selling, giving, or alienating rights and goods under any title, and in admitting Canons without lawful examination.

The fourteenth: in the Chapter the greater and sounder part prevails unless the lesser part contradicts it with reason. Thus the Decretals, Book 3, title 11, chapter 1: “Since in all Churches that which has seemed good to the more numerous and sounder brethren ought to be observed without hesitation, it is exceedingly grave and most worthy of rebuke that in certain Churches a few sometimes do not permit an ecclesiastical ordinance to proceed so much from reason as from their own will. Therefore by the present decree we establish that, unless something has been reasonably objected and shown by the fewer and inferior members, with appeal removed, that which has been established by the

greater and sounder part of the Chapter shall always prevail and attain its effect. Nor let our constitution be impeded if perhaps someone says that he is bound by oath to preserve the custom of his Church. For those things which come against the utility of the Church and the institutions of the holy Fathers are to be called not oaths but rather perjuries. But if anyone has presumed to swear to customs of this kind, which are neither supported by reason nor congruent with sacred institutions, let him be excluded from reception of the Lord's body until he has performed worthy penance."

Therefore, if the greater part of a Chapter were to elect as Bishop an unlearned or avaricious man, a keeper of a concubine, or one infamous through another vice, the lesser part will contradict it with reason and the authority of the canons and will render the election void.

But as regards his saying that oaths are perjuries, this is the sense: to swear to that which is contrary to the canons or justice is as much a sin as perjury and must no more be observed than perjury. Therefore it would be prudent for the oaths of all Chapters to be proposed and examined in a provincial Synod and for a determination to be made concerning confirming or abolishing them,

[Printed page 434]

and that new ones not be imposed upon those who come without public authority. Next, mutual connivance has introduced many abuses, as concerning the distribution of revenues, which in some Churches are given in great amount to absentees, as the Council of Mainz under Sebastian complains in chapter 70: "It is a pernicious abuse, joined with shameful disgrace to the Clergy, peril to souls, and grave detriment to Churches, that in certain Cathedral and collegiate Churches the largest portion of the revenues is distributed to Canons even when they do not reside at the Churches and perform no useful or necessary ministry, while to the Vicars, who by labor by day and night sustain all the functions of the Church, there is left scarcely a meager income, which barely suffices to sustain life wretchedly. Hence we exhort the Chapters and Canons of Churches in the Lord that, mindful of equity and of the account someday to be rendered to God, from the fruits of the Churches they assign sufficient and honorable sustenance for the functions necessary to their Churches to those who perform them, lest they provide cause for necessarily disposing otherwise of the revenues of the Churches."

And indeed the Council of Trent recently, and God from eternity, disposed otherwise. This is his command: "He who does not labor, let him not eat." For this reason the treasury, the soldier, and the robber seize so many things: because sufficient labor is not yet performed for that which remains, and the smallest portion is distributed to the one who labors--not by the law of the canons, but by a depraved abuse contrary to the canons.

§ 5. The Bishop also possesses great and ordinary power over the Chapter and all members of the Chapter, and this power is Apostolic. Thus the Council of Trent, Session 6, chapter 3: "Let the Prelates of Churches prudently and diligently attend to correcting the excesses of their subjects; and let no secular Cleric, of any personate, or regular Cleric dwelling outside a monastery, be judged protected by pretext even of the privilege of his Order from being capable, if he has offended, of being visited, punished, and corrected by the Ordinary of the place, acting as a delegate of the Apostolic See in this matter, according to the canonical decrees."

And chapter 4: "The Chapters of Cathedral and other greater Churches, and their persons, shall not be able to protect themselves by any exemptions, customs, judgments, oaths, or agreements which bind only their authors and not their successors, so as to prevent them from being capable of being visited, corrected, and amended by their Bishops and other greater Prelates, either by themselves alone or with those associated whom it shall seem good to them to employ, according to the canonical decrees, as often as there shall be need, even by Apostolic authority."

Therefore no exemption can protect any member of a Chapter from correction by the Bishop; and all statutes made toward that end are void because they are contrary to law--I add, contrary to justice. For the Bishop is the Bishop of the members of the Chapter just as of the rest of the Clergy and laymen; therefore it falls upon him to employ his power over them, otherwise they would be without a spiritual head. But if perhaps they allege that they are immediately

under the Pontiff alone, as many are, they are nevertheless not thus exempt from the Bishop's jurisdiction; for he is the Pontiff's Legate, against whom every exception and exemption is invalid. Therefore the Bishop is the censor of morals even in an exempt Chapter. Hence it was most rightly established in the Third Council of Milan: "So that the Bishop may more readily increase divine worship in the Church committed to him, preserve the concord and mutual charity of the Canons, and protect canonical discipline, let him strive to be present at the canonical Chapter every month, or at least frequently during the year, either in the place where it is customarily held or in another place to which he prefers to summon it to himself. But let him summon it on account of any matter for which he shall have judged it expedient. In this Chapter let him sometimes see whether those things prescribed concerning the worship of the divine offices are performed rightly, duly, in order, and with dignity."

Nor does it exempt an exempt Chapter, for it adds: "But if the Chapter is exempt, the Bishop may, under the decree of the Council of Trent, summon it at his discretion in that case alone when he himself wishes to propose something to the Canons in a matter which does not pertain to his own advantage or that of his people, and then only in the place in which the Chapter was previously accustomed to assemble."

Therefore he can be present at an exempt Chapter, order morals, correct the wicked, and establish things pertaining to divine service. For this is not to act concerning his own advantage or that of his people, but the common advantage, since ecclesiastical discipline generally depends upon exempt Chapters.

§ 6. Nor can recourse be had to capitulations and agreements, for the Bishop is the ordinary judge and superior of his Clergy. Next, a Cleric exempt in whatever manner is subjected by the precept of a General Council to the Bishop as regards visitation and correction; therefore they cannot exempt themselves by any agreements or constitutions.

But if before the election of a Bishop all exact the oath, "If I shall be elected, I swear that I will admonish, summon, or judge no member of the Chapter, and that I will permit them every liberty," this oath is one of iniquity, because he swears that he will not discharge the office of a good man, much less of a good Bishop. And all who exact or take such an oath can be deprived of the right of election. But more concerning these things when Bishops must be treated. For from this abuse it follows that certain Canons scarcely recognize any superior. The Pontiff is far away; they are protected from Apostolic Nuncios; they do not care for the Bishop. Therefore some of those who ought to furnish an example of obedience to all live altogether at their own discretion and think lawful whatever pleases them. But this is contrary to the law of nature.

CHAPTER XIX

The Various Orders of Ecclesiastics

§ 1. Ecclesiastics are customarily divided in two ways. The first division is, as it were, essential, according to order, taken from the sacrament itself, as of priests, deacons, subdeacons, and so forth. Others are distinguished according to offices, the institution of life, and proximate end; thus there are the Pontiff, Patriarchs, Metropolitans, Archbishops, Bishops, Archpriests, Archdeacons, Canons, Monks, Chaplains, and Vicars. Something must be said briefly concerning each, insofar as it pertains to the body of the Church and the state; for Theological disputations demand another place, just as they also possess another object.

§ 2. Seven sacred orders are numbered in the Church: the priesthood, diaconate, and subdiaconate; then the minor orders of Readers, Acolytes, Exorcists, and Doorkeepers. Authors teach that all these are one sacrament in genus but diverse in species; concerning the minor orders some have doubted. But I leave these matters to be considered by Theologians and those who treat controversies. I must treat them practically, as they are suitable for constituting the Ecclesiastical State. Therefore let us treat the hierarchical order, principally that by which the Church is governed in what they call the external forum. In it the Bishop holds the first place. The power of order of Bishops is one, but their power in government is varied, and some preside over others: Archbishops over Bishops, Patriarchs over them, and the Pontiff over all,

[Printed page 435]

in that manner and order, and with that utility to the state, that the world has never beheld anything more wonderful, nor anything more suitable to the morals and tranquility of the state. Therefore let us speak concerning this order.

CHAPTER XX

On the Roman Pontiff

§ 1. No Catholic can speak of the Roman Pontiff without provoking the indignation of heretics; nor is this new. In him Christian unity is bound together and faith is founded--not as in its principal cause, but as in the vicar of the supreme shepherd. Nevertheless, it ought not to seem wonderful that to every sectary the name of the Pontiff is hateful, his very person abominable, and his office Antichristianism; for long ago no one contradicted the truth who was not also an enemy of the Pontiff. To us, indeed, it is exceedingly marvelous that among so many centuries of heresies there has been none which did not set itself against the Roman Pope. This monstrous dissension arose at the Lord's table, at which Peter, the more fervent lover of the Lord, inquired concerning the betrayer of the Savior; and in the garden he cut off the ear of the enemies' attendant; finally, he himself condemned Simon. A hereditary hatred belonging to all the enemies of Christ has been joined to the supreme priesthood. Indeed, I have long been seeking one out of so many heresiarchs--from them all, I say, from the Capharnaïtes themselves down to the newest disciples of the Vorstians--who was not exceedingly hostile to the Pontiff and his power. What wonder is it? Between the chair of truth and the benches of errors there can never be concord. No contumacious defendant has loved his judge. It is therefore no new thing that our Pontiffs endure the hatred of all sects, since all their predecessors, the martyrs and confessors, were assailed by the calumnies, snares, and weapons of the heretics of their time.

§ 2. The end of pontifical power is that the whole Church may be governed under one visible head, the vicar of Christ, and the occasion of schism may be removed. For that reason schism in the election of a Pontiff is altogether abominable. For the head upon which the mind and sense of the Church converge is not divided without great destruction. Hence provision has been made by so many laws lest two heads appear to be elected and it be doubtful which must be obeyed. All schisms are hateful to God and destructive to mortals. The gaping earth swallowed Korah, Dathan, and Abiram (Numbers 16). It was not lawful for the high priest to rend his garment (Leviticus 10). Not even the soldier divided the Lord's seamless tunic. The first schism occurred when three Bishops secretly elected and ordained Novatian as Roman Pontiff. Thus in Epistles 48 and 52 of Cyprian, and that of Cornelius to Fabius or Flavian of Antioch; afterward one schism followed another. That schism was vast and long-lasting in which different men were elected through the faction of nations: when in the year 1376 the Italians, as Blondus records in Decade 2, book 10, elected Urban VI, a Neapolitan of their own nation, as Pontiff, while the French elected Clement VII. That schism was removed after thirty-nine years at the Council of Constance. But if there is no single head and no teacher of religion, all things are confounded by dissensions; for all heresies have waged wars in their cradles, as I taught in the book *On the Synod of the Evangelicals and the Peace of Germany*, and also in the *Jubilee of Jubilees*.

§ 3. The election of the Supreme Pontiff, upon whom the safety of the Church depends, has always been a matter of great care to prelates, and indeed also to princes. The people do not possess by divine right the power of electing Pontiffs and Bishops. For Christ himself chose the Apostles; he himself appointed the seventy disciples; the Apostles appointed Bishops and presbyters throughout different places. The office of the people is to hear and to be fed, not to ordain rulers. The Council of Nicaea likewise established that it should not be permitted to crowds to make the election of those who are to be advanced to the priesthood. Thus canon 13 of Nicaea. But concerning this matter there are the propositions of Bellarmine, book 1, chapter 7 and the following chapters, *On Clerics*, approved by Catholics and taken from the ancient Councils.

Fifth Proposition. The right of electing the Supreme Pontiff and the other pastors and ministers of the Church does not belong to the people by divine right; but if at any time the people have possessed some power in this matter, they possessed all of it from the sufferance or concession of the Pontiffs.

Sixth Proposition. The election of Bishops does not belong by divine right to the Clergy, but to the Supreme Pontiff, so that he may either elect them himself or prescribe the manner of electing.

Seventh Proposition. The manner of electing the Supreme Pontiff by the Cardinals alone is the best of all and is deservedly to be preserved, although absolutely speaking the Pontiff could change it if he wished.

Eighth Proposition. If no pontifical constitution concerning the election of the Supreme Pontiff existed, or if by some accident all the electors designated by law--that is, all the Cardinals--perished together, the right of election would belong to the neighboring Bishops and the Roman Clergy, yet with some dependence upon a general Council of Bishops.

But concerning this matter the disputations of many authors exist, and it is not now my purpose to treat the law, but to explain that which conduces to the peace of the Church.

§ 4. Hence it is evident that electors can be constituted by the Church, and for that reason the practice in election has often been varied. Concerning this Gregory of Toulouse writes most learnedly (*Syntagma of Law*, book 15, chapter 3, from §19): “By whom the Supreme Pontiff is elected admits of a distinction according to times. The sacrosanct Roman and Apostolic Church obtained the primacy, not first from the Apostles, but from our Lord and Savior himself; for he said to the blessed Apostle Peter, ‘You are Peter, and upon this rock I will build my Church,’ and so forth.

“Thereafter, although Clement did not immediately succeed Saint Peter in the see, and although Linus and Cletus, or Anacletus I, held it before him while Peter himself so willed, this was because, while Saint Peter was still living, Linus and Cletus were taken as assistants in the administration of external goods, an office such as the deacons then possessed and the Pope’s chamberlains now possess. Thus Clement was second according to election, but fourth in administration, as Supreme Pontiff. Thereafter, because it appeared to be a pernicious precedent for anyone to choose a Bishop as his own successor, and for the things of God to be given by men, another form of electing the Supreme Pontiff was approved, and he was chosen by ecclesiastics alone.

“After the Church obtained peace, the people participated, and the approval or authorization of the Emperors followed. The Emperor’s approval was omitted in the election of Pelagius and Gregory I. Benedict II, Supreme Pontiff, established that thereafter the Supreme Pontiffs should be elected by the Clergy and the Roman people without the consent of the Emperor. Thereafter laymen were prohibited, both by Adrian, Supreme Pontiff, and in the Eighth Synod, from involving themselves in the election of Pontiffs; provision was also made that the Emperor’s consent should not be employed and that an election made by Emperors should not be valid, although at one time it was pleasing that the people should also be present at the election. Under Agatho, the Sicilian Supreme Pontiff, a definite sum of money was given to the Emperor for the ordination of a Pontiff, and therefore his authority was required, about the year of the Lord 680. A decree of Pope Stephen also exists that the Supreme Pontiff should be ordained in the presence of the Emperor’s legates, evidently so that they might restrain the scandals which customarily intervene in an election.

[Printed page 436]

“Adrian I, who obtained the Apostolic See in the year of the Lord 772, after Charlemagne had come at his request to defend the affairs of the Church, held a Synod with 153 Fathers and granted to Charles the election of the Supreme Pontiff, Archbishops, and Bishops, together with all investitures and the dignity of the patriciate. Louis I, son of Charlemagne, ceded this right of election in perpetuity to Paschal I, Supreme Pontiff, who occupied the see in the year 817 and who himself had previously been elected by the Roman people without the Emperor’s consent. For this reason the legates of Emperor Louis II were not employed in the election of Adrian II, although they were then in the city, in the year of the Lord 869, even if a certain usurped custom had previously prevailed. Emperor Henry V dared to contend with Paschal II concerning the primacy and the investitures of Bishops; he was excommunicated and finally compelled to beg pardon for his fault, as Godfrey of Viterbo, an author of that time, committed to writing in book 17

of the history entitled *Pantheon*, under Henry V. Adrian III, who occupied the pontificate in the year of the Lord 886, was the first to refer the matter to the people, so that the Emperor's consent should not be awaited in creating a Pontiff.

"Nevertheless Leo VIII, Supreme Pontiff, who occupied the see about the year of the Lord 968, renewed and confirmed for Emperor Otto II the power of electing the Pontiff, issuing definite letters for this purpose, so that he could oppose the enemies of the Empire more securely. Otto, however, had previously sworn fidelity to John XII, his predecessor, and that by his counsel, consent, or exhortation he would destroy nothing, and that without his counsel he would hold no assembly concerning those matters which belonged to him or to the land of Saint Peter.

"From these various concessions, remissions, and decrees the Church finally received nothing except frequent seditions and schisms, until Nicholas II, the Savoyard, who occupied the see about the year 1065, established by a decree of the Council held at Mantua that the Supreme Pontiff was to be elected by the Cardinals alone, after previous deliberation. Alexander III of Siena, again, about the year 1165, added the provision that, if the Cardinals disagreed among themselves in the election, the election of the one whom two parts out of three of the Cardinals elected should be valid--except in a case of necessity, in which two parts of the Cardinals are not awaited, and indeed sometimes the electors can renounce even this solemnity."

§ 5. In the year 1059, in the Roman Council of 113 Bishops under Nicholas II, it was established as follows:

"First, with God as witness, it was established that the election of the Roman Pontiff should be in the power of the Cardinal Bishops, so that if anyone is enthroned in the Apostolic See without their preceding concordant and canonical election, and thereafter without the consent of the following orders of religious, Clerics, and laymen, he shall be regarded not as Pope or Apostolic, but as apostate.

"When the Roman Pontiff, or the Bishop of any city, dies, let no one presume to invade his goods, but let them be preserved intact for his successors."

The robberies of many men have erased this law: they plundered the wealth of the dying, although it belongs to the Church and to the poor. Therefore even the canonical electors cannot now divert it to their own uses.

The entire order of election and of conclaves is described in the Synod of Lyons under Gregory X; for by adding those provisions to the constitutions of the First Lateran Council and of Alexander III, the procedure was perfected. Moreover, in Session 23 of the Council of Basel many most useful provisions concerning election were established, and the consent and profession of the Pontiff-elect are required. There are also further provisions in the same Council, Session 37, and likewise Session 38, concerning the electors and the confirmation of the Pope. The Council acknowledges that there have been various modes of election according as the necessity and utility of the Church required; now, however, he is customarily elected from the Cardinals.

§ 6. The morals of the Pontiff ought to be of the best kind, so that all those qualities which have been spoken of concerning Bishops and priests may be more excellent in the Pontiff by as much as he is greater than all Bishops. Thus, while true and solid virtues are required in the others, the summit of all the virtues is demanded in the Pontiff.

The Cardinals bind themselves by a great crime when they raise to the supreme dignity a man not sufficiently approved. When this has happened, the Church has been shaken by a great commotion and the morals of the Clergy have been turned toward the worse.

His power is the same as that of the other Bishops, but it is greater inasmuch as it extends over the Bishops themselves, and no ecumenical Synod can be convoked without him. His care is universal, and his obligation is for all souls, but it is greatest for his household and his court. All Pontiffs are bound to constitute it in such a manner that modesty, chastity, and justice befitting the household of a priest may exist in it. For if he does not take care of his household, judges, and officials, he denies the faith by his deeds, and the shepherd of all the faithful is worse than an infidel. For since his jurisdiction on earth is supreme, from which no appeal is granted; since his judgment can be retracted by no

one; since all men from every place appeal to him; since the cases of Bishops, princes, and kings are referred to him; since he judges concerning all judgments and is himself judged by no one--in order that he may judge justly, it is necessary that he have just and diligent assessors, examiners, and subordinate judges.

But since Emperors venerate the Pontiff for the sake of piety and religion, as is stated in the epistle of Nicholas to the Emperor of Constantinople, the Pontiff must be guilty of an exceedingly grave crime when he begins to fail in his office and to disappoint the Christian world. Indeed, unless he exhibits greater zeal for the honor of God than the other Christians, he is a prevaricator.

How great, indeed, ought to be the innocence of the man who purges himself of charges not from necessity but of his own will?

§ 7. To this great power the Christian Church has added honor. For he is encircled with a diadem and is honored by the services of kings, humility proceeding even to kisses of his feet. The sectaries blame this; and if it were done from pride and not on account of office, it would deserve blame. Saint Thomas, II-II, question 102, shows that this honor is not inordinate. For the observance with which we attend those who excel in dignity, if they discharge a public office, pertains not to their honor but to that of God and the state. The honor offered to the Pontiff is exhibited not to him but to Christ, whose vicar he is; for this reason he also bears the cross, so that he may testify that the honor is given to the Crucified, not to himself. And since he is also the head of the whole Christian State, honor is deservedly offered to the Church herself in her head. Henry Kalteisen formerly defended that ceremony at the Council of Basel, and now it offends no one except a heretic. He is called Most Holy because his office is most holy. He himself is sometimes impious and is condemned eternally.

He is called Blessed and Most Blessed from the same excellence of power. The same Henry Kalteisen, *On the Liberty of Evangelical Preaching*, in volume 4 of the Councils, page 339, explains it thus: "The venerable Thomas of Walden, book 2, chapter 36, says that general Councils also are called holy

[Printed page 437]

and most holy, not because of the holiness of the persons existing there, but because of the fullness of the office of sanctifying and the infallible assistance of the Holy Spirit. Thus the Catholic Church also is called holy, not because of the holiness of all those existing in her, since there are many sinners, but because of her most holy offices and because of the holiness of the sacraments existing in her; for such things are not called holy from the work of the one working, but from the work wrought. Therefore Saint Cyril, in the synodical epistle directed to Nestorius which begins, 'To the religious and God-loving,' calls the Pope most holy and most venerable, and likewise the sacred general Council. Similarly Saint Jerome calls the Pope most holy, magnifying the glory of His Holiness in the book entitled *On the Deeds of the Roman Pontiffs*, writing at its beginning to Pope Damasus.

"Third, the Pope by reason of his office is often most suitably called Blessed or Most Blessed, not as if, outside the state of the wayfarer, he had been established eternally blessed, but because of the admirable excellence of his power, which reaches near to Christ. For whatever power, whatever sacramental grace, whatever heavenly dispensation has been entrusted by Christ, the head of the Church, the Church herself dispenses; and, provided that the Pope does not err in faith, the whole has been entrusted to his dispensation. Hence blessed Hilary also, on account of imperial authority, called Emperor Constantius most blessed in his epistle to him concerning the faith. And blessed Ambrose, writing to certain evil Bishops and priests whom he reproves for simony and many transgressions, calls them most blessed and most holy fathers in his pastoral book which he entitles *On Their Observances*.

"Fourth, therefore, I say that if the Pope commands something to be done which is not expressly contrary to the law of God or to any statutes of the holy Fathers, even if it is not truly founded according to the letter in the law of God, he must be obeyed."

§ 8. Since the care of all rests upon the Pontiff, nevertheless there is one way of caring for all things: if he frees his court from vices; if he has around him men experienced in affairs, justice, and government, truly pious, and haters of avarice and gifts. Otherwise he will neither understand a case nor judge rightly. Therefore he will strive to preserve his court, and to reform it if there is need. Nor can he offer any excuse. For if he admonishes, corrects, and punishes Bishops, princes, and kings, will he be unable either to dismiss his own ministers or to compel them to honorable conduct? This matter was treated at the Lateran Council, and the bulls of Leo X exist. It befits not only his own court but also the courts of the pontifical Legates--who possess episcopal and sometimes cardinal dignity--not merely to have upright morals, but also to have a modest household; otherwise the disgraces rebound upon them and upon the Apostolic See.

§ 9. Beza, on Matthew 18:17, commands the government of the Church to be either aristocratic or democratic. Meisner follows him in *On the Government of the Church*, as does Parker in *On Ecclesiastical Polity*, book 3, chapter 13. They constitute kings members of the Church, though noble ones. Hugo Grotius assigns judgment concerning the Church to the political magistrate in *The Piety of the States of Holland*. Thus Pareus in the preface on Hosea to the Landgrave of Hesse. But Chemnitz in the *Commonplaces*, chapter 4, *On the Church*, says that the magistrate is guilty of sacrilege when, after excluding the ministers and the rest of the Church, he claims for himself alone the power of constituting the Church. Leyser, in his disputation *On Concord*, and Herbrand, *On Adiaphora*, say nearly the same. Besold says that such a magistrate would be the Political Antichrist. See what he disputes in chapter 3, *On the Ecclesiastical Right of Majesty*, against Rittershausen, Richard Hooker, Grotius, and James, King of England. His argument in §4 is weighty: if religion depended upon the judgment and power of the king, it would be mutable. Indeed, he says that controversies have arisen from the fact that they wish to preserve the state. He denies that Christ wished his spiritual kingdom to be strengthened by the aid of kings.

CHAPTER XXI

Many Unjustly Secede from the Ancient Church out of Hatred for the Roman Pontiff

§ 1. That which pertains to every age--namely, that men should acknowledge the lawful magistracy in the Church--I directed, in my concluding work, against those who were declaiming their jubilees when I wrote these things, so that I might vindicate from false calumnies the true shepherd of all Christians, even of kings. This office also pertains to the political order, since our state is within the Church, and the Church within it.

I set this forth generally because the greatest part of their sermons is spent in invectives against the Pontiff, to such an extent that, if those curses were taken away, from many volumes there would result one small book. The subject of very many sermons is drawn from Daniel 11:31 and the following verses, and Revelation 12, 13, 14, and 17, so that they may impute to the Pontiff absolutely everything that Scripture has ever said against Antiochus and Antichrist. Thus Matthias Hoë in his third jubilee sermon, Baldwin Frederick, Wolfgang Franz, Erhard Lauterbach, Michael Müling, Vincent Schmuck, Paul Laurentius in two sermons, and John Pandocheus; there are also theses and declamations of others.

In these writings I have observed that all of them do three things. First, whatever has ever been wickedly done by any Pontiff they impute to the whole order, and exaggerate it, just as if someone attributed the crimes of Ahab or Manasseh to all kings and therefore took away the force of scepters, because many kings have obeyed their own passions more often than the laws. Second, whatever has ever been invented against Pontiffs by their enemies they set forth with an increment as though it were an oracle; but things spoken rather fervently in favor of the Pontiff they drag into calumny. Thus, when it is said that power has been given to the Pontiff on earth to absolve sins as God absolves them in heaven, and that the judgment of the Pontiff is also that of God, they immediately cry out that the Pontiff is equated with God, God is cast down from his throne and the Pontiff exalted, and that the Pontiff is established by us as God--although the particle *ὡς*, or "just as," is a mark of similitude no less than of equality, since we teach nothing other than that the things which the Pontiff absolves or binds on earth by the use of lawful power are absolved or bound in heaven, and that Christ regards as ratified the sentence of his servant and Vicar.

Third, they attack the doctrine of the Pontiff. In this conflict I have observed three stratagems. The first is to impute by calumny to the Pontiff and Catholics those dogmas which we condemn and anathematize most expressly. The second is to traduce as new inventions of the Pontiff, monks, and Jesuits those things which the most ancient Church taught, for example concerning purgatory. Thus they say that purgatory is an invention of monks. But Zanchi, book 4, chapter 4, question 5, *On the Nature of God*, speaks as follows: "In truth, however, I have not yet been able to discover anything certain concerning the first point. Nevertheless, it is an ancient custom and doctrine. For Tertullian made mention of those prayers for the dead in his book *On the Soldier's Crown*, page 449; but he plainly numbers it among those things which flowed from custom alone and were by no means drawn from the Scriptures. He writes concerning the same matter in the book *On Monogamy*, page 578. He likewise makes mention of offerings for the dead in the book *Exhortation to Chastity*, page 564. But he never teaches or intimates that those prayers or offerings were from the word of God or even from Apostolic tradition."

[Printed page 438]

Dionysius who is called the Areopagite, in the final chapter of the book *Ecclesiastical Hierarchy* and elsewhere; Cyprian, book 1, Epistle 3 and book 4, Epistle 5, and often elsewhere; Ambrose, volume 3, in the funeral oration on the death of Theodosius, likewise the other on the death of Valentinian, and in the oration on the death of his brother Satyrus; Chrysostom in the Liturgy and elsewhere; Augustine, volume 1, *Confessions*, book 9, chapters 12 and 13, asks God to forgive the sins of his deceased mother. Likewise, in *On the Care to Be Taken for the Dead*, chapter 4, he

says that supplications for the spirits of the departed must not be omitted; likewise volume 4, in the eight questions to Dulcitius, question 2, and elsewhere.

I wished to present an example of cunning and at the same time unskilled malice. Zanchi and others who have sometimes read the ancients acknowledge that already in the time of Dionysius the Areopagite and Tertullian there was such a custom, and they cite Cyprian, Augustine, and other Fathers. Therefore, since these things would have had little force for stirring up hatred against the Pontiff, they omit them cunningly, yet at the same time foolishly and unskillfully. For even though they impose upon their own people and appear to be orators, they ought nevertheless to fear the conscience of the Christian world. Their third stratagem is to render Catholic dogmas hateful and to polish their own more horrible ones with gentle words.

§ 2. They render our doctrine hateful by a perverse interpretation. Many began doing this long ago, especially the anonymous buffoon who wrote against the *Privileges of the Calvinists* published by Father Martin Becanus. He was followed by the anonymous writer against Ungersdorf, and now by the jubilators, especially Zeaemann and the others who are accustomed to read nothing except the infamous little books of their own men. They read the words of the buffoon from Oppenheim, who falsely calls himself William of the Meadows, in his epistle: “That Pope can dispense against natural and Apostolic law. For Gratian’s Glossator writes this expressly at cause 15, question 6, chapter *Auctoritatem*; distinction 32, chapter *Presbyter*; distinction 34, chapter *Lector*.”

But this is a great calumny, for the Pontiff pronounces anathema upon all who teach that the Pontiff can dispense against natural law. Therefore it would be the fault of the Glossator, not of the Pontiff; moreover, that gloss is not present in the current canon law. Nor has any of these men seen the gloss: they hand on to others a lie received from one another. Nevertheless, there are certain things which canonists and jurists call matters of natural law because they accord with the law of nature, although they can be changed because they do not bind at every time and place. For example, it belongs to natural law to return another’s property; civil law transfers ownership by prescription. It is Apostolic law that a Bishop should not be a neophyte, should be the husband of one wife, that every man should pray and prophesy with his head uncovered, and a woman with hers covered. Yet we see that all sects, not Catholics alone, sometimes dispense in these matters. Some Glossator could have spoken with this meaning, and Pareus teaches, on 1 Corinthians 11 and 14, that dispensation can be made in these matters.

Next, the title of the canon repels the calumny; it is: “Apostolic authority renders wholly void unlawful oaths.” But to render unlawful oaths void is not contrary to natural law. Then there is the canon itself, which belongs not only to Pope Nicholas but also to the ancients: “Following the authority of our venerable predecessors”--at cause 15, question 6--“and expressly of the most blessed Pope and martyr Alexander, the fifth from blessed Peter, we absolve from all oaths and obligations of whatever kind by which they had bound themselves under compulsion through the violence of the impious; and we prohibited both the aforementioned Archbishop of Trier and his Provost, and all who at that time, having been taken captive, bound themselves to them in any manner, from observing those things. Nor, by the authority of God, the holy Apostles, and our predecessors, do we permit them consequently ever to suffer any infamy, calumny, or separation from their goods; as the Lord says through the Prophet: ‘Loose the bonds of impiety.’ Moreover, we give these commands to our aforementioned brother and to the sons and defenders of the Church of Trier: that with both the spiritual and the material sword they pursue those wicked men and their supporters until the possessions, or whatever ecclesiastical properties have been alienated or seized by this deed or by any agreement, are recalled intact.”

§ 3. Nor is the calumny more tolerable when they say that Panormitanus, in the final chapter *On Divorces*, says that the Pope can dispense against the New Testament. So says this buffoon; and the calumny possesses an appearance of truth because the words of Panormitanus are: “Second, note that the Pope, for a most weighty cause, could dispense against the New Testament.” But how these harsh-sounding words must be understood is to be learned from the additions, by which the reader is referred in the same place to chapters 13 and 14, *Who Are Legitimate Sons*. There he speaks as follows: “Nor does it stand in the way if it is said that the Pope can for a cause dispense in degrees prohibited by divine

law, as certain men note in chapter *Litteras, On the Restitution of the Despoiled*; because that is true according to him by dispensing and legitimating the marriage from the present time, but not from the past, so that the children previously begotten are deemed legitimated.”

This dispensation is not in something which has simply been commanded in the New Testament, but it disposes concerning something which is not contrary to the New Testament. For the matter concerns things not altogether necessary, such as the fact that Ambrose, a neophyte, came to the episcopate contrary to the New Testament. Next, the matter is clear from the canon itself. Panormitanus explained that chapter in which Innocent III permits men recently converted to the faith, who had contracted marriage with the widow of a brother according to the law of Moses, on account of their weakness to continue using that marriage after baptism. Nevertheless, it would not be lawful for baptized men to contract such a marriage. He then adds: “Second, note that the Pope, for a most weighty cause, could dispense against the New Testament.” This is not to dispense concerning something written in the New Testament as something to be observed, but concerning some law of the Church which is observed in the New Testament; for there is not one iota in the New Testament by which a man is prohibited from marrying the widow of a deceased brother, and in the Old Testament there was even a law which commanded that marriage. He therefore dispensed not against the written New Testament, but against a law of the Church of the New Testament. Nor does it stand in the way that in Matthew 14:3 John says to Herod, “It is not lawful for you to have your brother’s wife”; for the matter there concerns the wife of a living brother, as Jerome, Bede, and others attest. Philip died in the twentieth year of Tiberius. But the mind of Panormitanus in the same place--namely, the final chapter *On Divorces*, book 4 of the Decretals, title 19--is clear, for he teaches that the Pope cannot dispense against divine laws.

The same buffoon, and from him the Innovators, also fight against the authority of the Pontiff with naked lies. “Bertachinus says the same,” he declares, “in his *Repertory* under the word ‘Pope.’” The jubilators allege the same thing. But in that repertory the precise contrary is found: “The Pope cannot dispense in things prohibited by the Old and New Testaments”; Antonius de Butrio and John Andrew in chapter *Super, On Usury*, Antonius de Prato in the said counsel 11, column--nor against the Gospel, nor divine law, distinction 20, and then 14, as also the gloss in chapter *Litteras, On the Restitution of the Despoiled*.

Thus Bertachinus accuses them of falsehood and cites authorities for the matter. There are countless other things: that we make the Pope a true God, and similar claims which, once uttered without shame by one man, are thereafter repeated by all.

[Printed page 439]

Therefore in these matters we protest before God and men that injury is done to us; for they ἐν πλεονεξίᾳ πλαστοῖς λόγοις ὑμᾶς ἐμπορεύονται: in avarice they make merchandise of souls with fabricated speeches. Their life is a meditation upon deceit and a threshing-floor of falsehood.

Ψευδῶν ἄνακτες, μηχανορράφοι κακῶν ἐλκτά.

Kings of lies, builders of devices, wallowing-places of evils.

They reason with themselves thus:

Τὸ κέρδος ἡδὺν κἂν ἀπὸ ψευδῶν ἴη.

Gain is sweet, even if it comes from lies.

§ 4. Since, therefore, they fall away from ancient truth through great error, the things which they set forth must be considered. Now, because we are treating the matter generally, we protest only this: there will be no excuse for those who secede for these reasons, any more than there was for the ten tribes because they seceded from the temple at Jerusalem. For in no age have any defected from the Roman Pontiff except those who were heretics, whom our

adversaries also condemn. Next, those who departed from us differ more among themselves than most of them differ from us: some have been carried to the east, others to the west.

But nothing is more astonishing among their errors than the fact that, already convicted, they have arrived at the point of counting the ancient martyrs among the Antichristians. Frederick Braubom did this most shamelessly in the *Flaminian Flowers*, and I refuted it in the book *On the Increase of Heresies*; but Wolfgang Franz discussed it most extensively in thesis 300 and the following theses:

301. The beginnings were indeed slight under Linus, Cletus, and Clement; and yet Linus, from the sacred ordinations which he held in the city, created eighteen presbyters and eleven Bishops, whom he would undoubtedly place in authority elsewhere; Cletus, at Peter's command, as he said, reduced twenty-five presbyters to order; Clement wrote an epistle to other Churches which was not approved by all, as these things are read in Platina.

302. Anacletus, who followed, established that Clerics should not grow a beard or long hair; Evaristus, that an accusation by the people against a Bishop should not be received; and he created Bishops for different places. Alexander commanded that holy water mixed with salt, with sacred prayers interposed, should be kept both in temples and in chambers for putting demons to flight. He also wished water to be mixed with wine in the consecration of Christ's blood; and commanded that the oblation should be made from unleavened and not, as previously, from leavened bread.

303. Sixtus I established that Bishops summoned to the Apostolic See--BEHOLD AND NOTE, READER: the Roman Bishops soon dared to command foreign teachers of other cities--should not be received by their own people when they returned unless they carried with them letters greeting the people--BEHOLD AND NOTE again, reader: thus the Roman Bishops, even amid persecutions, relying on the protection of other rulers, nevertheless insinuated themselves not only into foreign Bishops but also into Churches as their heads--and see the example in the life of Sixtus.

304. Telesphorus established that the fast should be observed for seven weeks before Easter. Pope Hyginus established that churches should not be dedicated, enlarged, or diminished without the judgment of the Metropolitan or Bishop. Pius I dedicated the baths of Novatus in the Vicus Patricius in honor of his sister, Saint Pudentiana. Anicetus established that a Bishop should not refer an accusation against his Metropolitan to any see other than the Apostolic See; likewise, that not all Bishops should be called Patriarchs. Soter established that no nun should touch the pall or place incense in the censer while the sacrifices were being performed.

305. Eleutherius, at the very beginning of his pontificate, immediately received a letter from Lucius, King of Britain, in which he was asked to receive him and his subjects into the number of the Christians. He therefore sent Fugatius and Damianus there to baptize the king and the people. Victor I, who followed him, excommunicated the Bishops of the East who refused to celebrate Easter on the appointed Sundays. Zephyrinus I established that a Bishop summoned to judgment by his Patriarch, Primate, or Metropolitan should not be condemned without Apostolic authority. Callistus I established that four fasts should be held in the four seasons of the year; he is said to have built a basilica in honor of the Blessed Virgin in the Transtiberine region. But we are unwilling to proceed further, because--to the extent that credit is to be given to the pontifical historians--from these clues it is easy to estimate the lion and to understand what is meant when it is said that in those times the mystery of iniquity was already at work.

§ 5. Behold, reader: Linus, Cletus, Clement, Anacletus, Evaristus, Alexander, Sixtus, Telesphorus, Hyginus, Pius I, Anicetus, Soter, Eleutherius, Victor I, Zephyrinus I, and Callistus I were already working the mystery of iniquity, because they did the things which the heretical man relates. And although they poured out their life for the glory of Christ, nevertheless to him they are Antichrists because they worked the mystery of iniquity; nor are they innocent because they were unable to ascend higher, but must be deemed Antichrists because they sought the seat of Antichrist--if we believe the heretic. But far be it from us to condemn as Antichristian the martyrs of the primitive Church, contemporaries of the Apostolic times. Let us rather rejoice that they lived in the same faith as ourselves, as the most ancient canon of the Mass has concerning Linus; Irenaeus, book 3, chapter 3; Jerome in the *Catalogue*;

Eusebius, book 3 of the *History*, chapter 12; Epiphanius, heresy 27. Concerning Clement, those same authors testify. In Epistle 3 he prohibits the celebration of Masses without the Bishops' permission. So many thousands of martyrs of the first century were in communion with him, whom the Innovators now call Antichristians. The epistles of Anacletus which are contained in the first volume of the Councils will show that he was of our faith. This Pontiff ought to be the most Antichristian of all, for in Epistle 3 he asserts the primacy from the institution of the Roman Church. "These things are true," he says, and so forth.

Irenaeus, book 3, chapter 3; Epiphanius, heresy 27; Optatus, book 2 against Parmenian; and Augustine, Epistle 165, acknowledge Evaristus as a martyr of Christ, not as Antichrist.

Alexander, in the *Epistle to the Orthodox* in volume 1 of the Councils, and in *On Consecration*, distinction 2, canon *In Sacramentorum*, teaches that the body and blood are confectioned in the Eucharist.

Sixtus, among other things, teaches in volume 1 of the Councils that appeals from Bishops summoned to the Apostolic See are to be received.

Telesphorus, in the *Epistle to All* in volume 1 of the Councils and in *On Consecration*, distinction 1, canon *Nocte sancta*, commands that Masses be celebrated and the body of the Lord confectioned. He likewise says that the Lenten fast is to be observed for seven weeks before Easter and that one must abstain from meat, in the *Epistle to All the Churches*, distinction 4, canon *Statuimus*.

Hyginus says: "All basilicas ought to be dedicated with a Mass," in volume 1 of the Councils and *On Consecration*, distinction 1, canon *Omnes Basilicae*.

Pius celebrates Masses in the house of his sister Euprepia and confectiones the blood of the Lord, as is evident from the epistle to Justus, Bishop of Vienne, and *On Consecration*, distinction 1, canon *Si per negligentiam*. He likewise speaks concerning a consecrated cross in volume 1 of the Councils, and in cause 22, question 5, canon *Romanam Ecclesiam*, he says that the Roman Church is the head of all Churches.

The epistles and decrees of Anicetus which are contained in volume 1 of the Councils show that he was of the same faith as ourselves.

[Printed page 440]

Soter established that if one priest, impeded by illness, does not complete the Mass, another should complete it, in volume 1 of the Councils.

Eleutherius says that final judgments concerning Bishops are reserved to the Roman Pontiff; his other decrees are Catholic. Saint Irenaeus came to him as a legate from the martyrs of Lyons. Victor says that judgment concerning Bishops is reserved to himself; he acted against the Quartodecimans.

Several decretal epistles of Zephyrinus are read in volume 1 of the Councils, by which he establishes our faith. He was an illustrious martyr in the year 203; Eusebius, book 5, chapter 27, and Optatus, book 2. Callistus was crowned with martyrdom in the year 226. He wrote concerning the fast of the four seasons, for previously it had been maintained by Apostolic tradition. But, as it appears, it had formerly been performed three times in the year, because they did not number that fast which fell during Lent as a fast of the four seasons.

Now I appeal to the conscience of all: those martyrs taught the same things on account of which we are condemned as Antichristians. Why, therefore, is their condition better than ours? For it is right that we should believe them rather, since they were both near to the Apostolic times and consecrated their faith with their own blood, and since no one either in that Church or in the following age accused them of errors. Why, therefore, do you depart from them? Why do you canonize the persecutors--Neros, Domitians, Trajans, Nervas, Hadrians, and Antonines--as though they were the judges of Antichristian Pontiffs and their avengers by lawful right?

§ 6. That condemnation of the martyrs suffices for our religion. We are unwilling to be separated from them; with them it is pleasing to go into prison and death, and indeed into your hatreds and insulting jubilees. If these things in them were venial and did not deprive them of the heavenly vision, why in us are they evils as great as you pretend them to be? O Christians, do not listen to the posthumous calumniators of Christian martyrs.

§ 7. But it is too little for them to be harsh toward the Martyrs: they spare neither the Apostles nor John the Baptist. It is horrible to hear what Wolfgang Franz dared to defend amid the exultant madness of the jubilees at the University of Wittenberg. In order to deny works of supererogation and to remove the treasury of indulgences from their midst, he accuses John the Baptist.

Thesis 191. “Furthermore, the following things are believed to augment works of supererogation: 1. the exceedingly austere life of John the Baptist, concerning which, among other things, it is said that we cannot show in the Scriptures where God commanded that austerity; 2. his repentance and newness of life, which he, who was never alienated from God, never needed.”

192. “As regards the history of the austerity of John the Baptist’s life, the question there is not about the fact, for we grant it because it is recounted by sacred Scripture, but about the right: whether John acted rightly in pursuing such austerity.”

193. “That John did not act rightly is evident from this: 1. because the ceremonial law of Moses had not yet been abrogated. That law admitted more foods than those alone which John ate. Hence Christ, sending the disciples to the Jews, says to them in Luke 10:7, ‘Eat whatever is set before you’--that is, whatever was not prohibited by the law of Moses. 2. Because Christ himself censures that Essene and likewise Pharisaic rigor in Matthew 9:16--17, Mark 2:21--22, and Luke 5:36--39, where he calls the Pharisaic doctrine, and also John’s doctrine concerning excessive fasts, an old garment and old wineskins. Before others, let Jacob Faber Stapulensis be read, who explains this passage most correctly in the introductory commentaries upon the four Gospels.”

194. “John the Baptist contracted that depraved custom, contrary to the law of God and then condemned by Christ, among the Essenes, since it is evident from historians that such were the customs of the Essenes: namely, they rejoiced in being remote from company, cultivators of retreats and solitude, in having a diet of herbs and fruits of trees, and in avoiding animal foods, just as the Pythagoreans had previously done.”

What wonder is it that they are enemies of martyrs and Pontiffs, when they so petulantly assail the forerunner of the Lord, than whom there is none greater among those born of women, praised so many times by Christ, who was a burning and shining lamp?

He concedes that the history is true, contrary to the exceedingly empty interpretations of other Lutherans; for some interpreted ἀκρίδας, “locusts,” as tender shoots of herbs or as crabs, a wilderness as a suburban villa, and a garment of camel’s hair as a Damascene toga. Thus, since they were unwilling to be like John, they made him like themselves; for they preferred to present John as relaxed amid luxuries rather than to disturb their own delights by his austerity.

But let us examine the arguments. The law of Moses admitted more foods than John ate; therefore John acted wrongly. In order that there may be the appearance of an argument, let the major premise be added: “Whoever does not eat all the foods which the law permits acts against the law.” Where, I ask, have those who argue thus left their mind? They are ignorant of the distinction between the command and the permission of a law. The Christian law permits to all men mullets, oysters, heathcocks, and whatever other foods there are; yet those who abstain from most of them do not sin. Is it not a virtue to have abstained from agreeable goods? In the royal array of tables is it not lawful for one, content with one or two kinds, to appease his hunger with a few things? But Christ said to the disciples in Luke 10:7, “Eat whatever is set before you.” Be it so: they used this power. John imposed upon himself a stricter law of abstinence. He did not therefore sin by renouncing his own right because the disciples acted rightly by using theirs. It was lawful for the Apostle Paul to live from the Gospel, just as it was for the other Apostles; but he preferred to set forth the Gospel

without expense. He could live from the altar, nor was the mouth of him who threshed to be muzzled any more than those of the brethren of the Lord and Cephas; nevertheless, he preferred to die rather than have his glory made void.

But his statement that John's fasting was censured by Christ is a calumny. In Matthew 9:16--17, Mark 2:21--22, and Luke 5:36--38, he does not call John's fasts excessive, nor does he call them old wineskins or an old garment. Rather, he calls his own disciples recruits and weak, not yet hardened to endure new and weighty things. He therefore excuses his own; he does not accuse John. This is evident from the passage, for he says that it is not fitting for the sons of the wedding or bride-chamber to fast for as long as the bridegroom is with them; the time would come when they would fast, and their histories and epistles teach that they performed this. But if John's fasts are called old wineskins and an old garment, what then is the new wineskin and the new garment? Next, if John's fast was vicious, it was through **ἐθελοθησκεία**, self-imposed religion, badly chosen by himself; John was therefore not a true Teacher--especially according to the heretics, who compare **ἐθελοθησκείαν**, self-imposed religion, to idolatry. Third, Christ himself praised John's fasting. For after he had praised John in Matthew 11, from verse 7 through verse 18, he adds: "John came neither eating nor drinking, and they say, 'He has a demon.'" He therefore says that generation was like children who say: "We piped for you and you did not dance; we lamented and you did not mourn." Therefore, by so great an austerity of repentance, by which

[Printed page 441]

eternal life was shown and not merely taught, they ought to have been roused to virtue; and because they were converted neither by John's severity nor by the Lord's kindness, he reproaches them for their contumacy.

But if that austerity of clothing and diet had been contrary to the law of Moses, the Jews would deservedly have said, "He has a demon," as of one who violated the law of God. Yet both Lutherans and Calvinists acknowledge that the Jews most shamelessly and calumniously reproached both John and Christ. The academic of Wittenberg now succeeds them; in order to overthrow the Pope, he sets John the Baptist against Christ.

Finally he calls John an Essene, imbued with their customs and their disciple. The histories praise the Essenes exceedingly. The book of the Hebrews which they call *Juchasin* calls the Essenes Nazarenes, whom the Seventy customarily name **ἡγιασμένους**, "sanctified." Their origin was from the Rechabites; some of them were **Κοινόβιοι**, living in community, others **μονάζοντες**, living alone, according to Josephus and others. Abraham Zacuto says that they possessed the best morals, hated gain, and avoided fornication; and Josephus says they were **καταφρονητὰς τοῦ πλούτου**, despisers of wealth. In book 18, chapter 2, he calls them **βελτίστους δ' ἄλλως ἄνδρας τὸν τρόπον**: endowed with the best morals, celibate, farmers, and without luxuries such as anointing and ornament. As regards fate, which they believed in, it can possess a good meaning. If the Essenes were good and holy men, they did not teach John customs contrary to the law of God; if they were heretics, as the Innovators generally think, they must also make John their disciple and imitator a heretic, since his whole life would have been contrary to the divine law and condemned by Christ. Yet concerning him it was said: "And you, child, shall be called the Prophet of the Most High; for you shall go before the face of the Lord to prepare his ways, to give knowledge to the people unto the remission of their sins."

I wished to give this general admonition lest anyone be moved by so many calumnies, which they convey by wagonloads full of lies, when he sees not only Pontiffs and the Clergy, but--what is impious--the ancient martyrs and their Churches accused of Antichristianism, and indeed Saint John the Baptist accused of impiety and error. We ask this of God: that we may never be praised by the mouth by which men so imprudently accuse such saints, nor by those who have departed no more from us than from the Baptist.

Nevertheless, not all feel equally bitterly concerning the Pontiff. In a speech in the public assembly on 9 November 1605, the King of Britain acknowledges many men of excellent virtue among Catholics. George Cassander, century 1, Epistle 21, concedes the Pope the primacy and the prerogative of oversight. Brocard concedes that there are pious and impious men in the papacy.

CHAPTER XXII

The Other Causes for Which They Have Departed from Us Are Unjust

§ 1. I have shown that the cause for which they are carried with such hatred against the Pontiff and Catholics lies not in us but in the malice of apostates, for in the same manner they attack the ancient martyrs and John the Baptist. Now it is pleasing to examine the particular causes. They allege as many causes as there are articles differing from ours which they defend; but I shall explain them individually hereafter. Let us now examine the things which they censure particularly in the Pontiff. They can be referred to three heads: 1. pride, because he equates himself with God, commands Kings, and usurps a twofold power; 2. lust, because he approves fornication and lives impurely; 3. avarice, because, circumventing all men by frauds, he gathers riches. These are the subjects of all their sermons. Even one Pandocheus can be read--not because he is more learned than the others, but because, wandering as though in a public inn, he has crowded lies together in a sermon--or Vincent Schmuck in his theses. Or, indeed, if variety is pleasing, Simon Stenius the poet, who dispersed throughout the University of Heidelberg a ridiculous, mendacious, wretched poem. At least he gives thanks to the reader, and indeed in the poem with which he concluded his most wretched little verses:

For what remains, my Muse declares herself grateful

For so great an honor from the crown of hearers,

Because it wished, by its presence, to adorn an aged man.

But because all attack the Pontiff from Daniel and Revelation and attempt to establish heresies by the corruption of the Scriptures, I too have undertaken to explain those passages, so that it may be evident to all how far they wander from the truth. In this matter I again, both deservedly and earnestly, protest that they cannot establish their faith from Revelation, since the foremost Lutherans and Calvinists rejected that book, and their successors cannot be more certain than they were. Second, they wrest against the Pontiff, and against all Catholics, the exceedingly obscure prophecies of Daniel and Revelation, understood variously by interpreters; and from the lightest conjectures they condemn them and decree the most atrocious punishments. Pareus--who in the year 1618, as the culmination of all the jubilees, published commentaries on Revelation--confesses: "Many Theologians of greater renown in our age--Luther, Melancthon, Bucer, Martyr, Calvin, Beza, and others--abstained from the interpretation of Revelation. But this can neither diminish the authority of the book nor prejudice other interpreters. For who knows whether they were deterred by its obscurity, impeded by the mass of their labors, or hindered by lack of time, since they doubted very little concerning the authority of the book?"

Finally he confesses that they produced inventions which possessed little coherence or correspondence with the mind of the Holy Spirit. "From this it has come about that accumulated commentaries upon this book indeed exist, of which none fails to promise new light, while its obscurity has not only not been diminished but has in certain places been enveloped in denser darkness." Pareus has never said anything truer in these matters; and if he continues thus, he will deserve some pardon for so many lies. It is therefore not just that we should be condemned from things so obscure. But let us examine the matter itself so that we may establish the Ecclesiastical magistracy, without which neither concord nor discipline can stand.

CHAPTER XXIII

The Angel of Revelation 14:6 Is Not Luther, nor Should Luther Be Heard against the Pontiff

§ 1. Revelation 14:6 reads as follows: “And I saw an angel flying through the midst of heaven, having the eternal Gospel, to evangelize those who sit upon the earth and every nation and tribe and tongue and people, saying with a loud voice: Fear the Lord and give him honor, because the hour of his judgment has come; and adore him who made heaven and earth, the sea and all things which are in them, and the fountains of waters. And another angel followed, saying: Fallen, fallen is that great Babylon, which made all nations drink from the wine of the wrath of her fornication. And a third angel followed them, saying with a loud voice: If anyone shall adore the beast and its image, and shall receive its mark upon his forehead or upon his hand, he shall drink from the wine of the wrath of God, which has been mixed

[Printed page 442]

with pure wine in the cup of his wrath, and he shall be tormented with fire and sulfur in the sight of the holy angels and before the sight of the Lamb.”

For the jubilators this angel is Luther; he is not Luther for the older Lutherans or for the Calvinists. Many have used these words as the theme of sermons, especially Matthias Hoë, the Saxon Archpreacher, in five sermons *On Luther the Wonder-Man and Triumphant*, to whom I see the others fawning as a man to be venerated on account of his power at court. But it is marvelous that in so many sermons they do not prove by even one argument that Luther is the angel; they only affirm it and, as if it were certain, draw consequences from it and proclaim exclamations. Yet he is so foolish as to suppose that he preserves the Augsburg Confession intact or teaches the Gospel from Luther’s opinions. For this reason in the first sermon he inveighs angrily against the Calvinists. Very many others occupied with this argument have interpreted this angel as Luther. Their reasoning is this: The angel who, flying through the midst of heaven, bears the book of the eternal Gospel must be heard. But that angel is Luther; therefore Luther must be heard; therefore the Pontiff is Antichrist.

Everyone sees that the whole difficulty consists in the minor premise. For if this is so, all of us must depart from the ancient faith; the Calvinists also must set sail back toward the Lutherans, from whom most of them departed.

Therefore it must first be considered diligently and in the fear of God whether this article is contained in the word of God: “Luther is the angel who possesses the book of the eternal Gospel.” And if it is not in sacred Scripture, does it follow from it by an evident consequence? Our jubilators act ridiculously when, by praising Luther hyperbolically, contrary to truth and beyond faith, they suppose that they have finished the matter if they have invented some similarities between the two. The little pigs of Epicurus once praised Epicurus in his gardens with greater probability, believing him to have fallen, as it were, from heaven, than the worshipers of Luther transfer these oracles to Luther.

The reasons why I think thus are many.

The first. Because no one except a few Lutherans has interpreted the prophecy in this manner. Moreover, they agree in no manner. For Hutter, in the book *On the Sacrifice*, judges Luther to be the first angel; others judge the first angel to be Luther, but determinately insofar as he preached against indulgences; the other angel to be the same Luther when he reveals and condemns Antichrist; and the third angel to be Luther and the Lutherans who opposed the Interim and all compromises with the Pope. Third, the Calvinists have supposed that John Wycliffe, the Angelic Doctor, was this book-bearing angel. Thus Pareus on this passage:

“This angel is the English Doctor John Wycliffe, public Professor at the University of Oxford, a man most renowned throughout the whole world. When the whole West, marveling, followed the Roman beast, in the year 1371 he began

in England to thunder against Antichrist in sermons and writings, teaching from the Gospel that there ought not to be any supreme Bishop in the Church of Christ; that the Pope is not the vicar of Christ but Antichrist; that his privileges, bulls, dispensations, and indulgences are empty, useless, and impious; that political dominion should not be given to spiritual men,” and so forth.

Thus there is scarcely room for doubt that the Anabaptists will call their own men by the same name, the Socinians will call Ostorod, others Schwenckfeld; certainly no one among the others will deem Luther worthy of so great an honor. Therefore it is not fitting to rely upon this foundation to establish the faith, since the matter has not yet been proved.

The second reason. The nature of an angel differs exceedingly from the morals of Luther. I am unwilling to repeat the best-known things from his table-talk and his obscene language, which the whole world of Germany casts against him, and which posterity here and there, from shame at such great *αἰσχρολογίας*, erased. I ask only this: let *Luther the Angelic* be read. No other speech will be needed.

The third reason. He does not fly through the midst of heaven, *ἐν μεσουρανήματι*--that is, in a conspicuous place throughout the whole world--but in one part alone, which nevertheless was soon cut into fragments; and now even the name of the Lutheran Gospel is nearly extinguished, for the matter has long since gone away into nothing. For how small is the part of Germany in which the name of Lutheranism remains intact! And in those very corners it trembles most wretchedly under alien heresies; indeed, it is so despised that nothing is more abject than the ministers who worship Luther. As a prompt witness take the aged Paul Laurentius, preacher at Meissen, jubilee sermon 2, page 47: “Now churches are attended neither so diligently nor so piously, and sermons are heard less; everywhere men believe that they can learn these things by themselves. Not only do those eager to hear new things so disdain the office of preaching that many utterly refuse to allow their sons to enter the number of Preachers, but many sons of preachers also, after they have been raised to other degrees of honors and offices, are ashamed that they were begotten while their father was a preacher.” Thus not even the adherents of Lutheranism regard their own preachers as angels of this kind, but hold them in contempt and derision as actors and patchers of lies.

The fourth reason. Luther’s Gospel is not eternal; for no one knew it before Luther, and Luther survived it. If anyone denies this, he must name even one man before Luther, with Luther, or after Luther who agreed with Luther. Indeed, it must be shown that Luther remained consistent with himself--a thing which not even the Lutherans believe. The words of Pareus, book 4, chapter 13, *On the Lord’s Supper*, are:

“Nor do I assume for myself judgment concerning so great a man and God’s singular instrument against the papacy. At least, as regards this question, I shall say what I have answered more than once when asked and what his writings and the histories confirm: Luther must be distinguished from Luther. For he was a man who in controversy was often more fervent--as customarily happens to great intellects--than circumspect or observant of truth and right.

“Embrace him as an Augustinian until the year 24.

“Do not hold him as a Synecdochist until the year 29.

“Accept his Concord until the year 43.

“But flee him confessing little until the year 44.

“Again endure him confessing until the year 46.”

Therefore that Gospel is not eternal which belongs now to an Augustinian, now to a Synecdochist, now to a man agreeing with Zwingli, then to one confessing little and perversely, and finally to one confessing his error, yet not without another error even when confessing an error.

Nevertheless, they object to us that Luther is therefore the angel because his flight was free from the Pope's jurisdiction. But this argument is of no weight. For all the heresies which formerly, and all those which

[Printed page 443]

now have emerged from hell, have usurped that liberty and license, although otherwise they are slaves of sin. Nor is it praiseworthy to despise the judgment of the Church and antiquity and to strive for glory under one's own auspices by an unaccustomed way. On this account, however, his flight was Icarian, and he fell into the Saxon papacy, as the Calvinist Clebitius writes; and Melancthon complains that an iron yoke was imposed in place of a wooden one. But if the Ministers could see the truth, they would certainly perceive, more clearly than the sun, that there was and is greater liberty of teaching among us than among those who, bound by so many chains, imagine that they are apocalyptic Daedaluses. Do they not receive laws for teaching from kings and courts? I entreat them to examine the acts of Marburg from the year 1606, *Antwort auff den Historischen Bericht der Marpurgischen Kirchhändel*, pages 49 and 50. The most illustrious Landgrave of Hesse explains to the Lutherans who refused to yield their Churches and ministry his own right. The exiles themselves relate the matter in these words:

Dass wir aber vns beschweren/ vnseren Diensten selbsten Ihr. Fürstl. Gn. auffzutragen/ vnd zu resignieren/ käme Ihr das wunderbarlich für/ da sie uns noch nie nicht angenommen/ sondern es weren solche Aempter allbereits loss gestorben mit dem Herrn/ dem wir zuuor gedienet/ vnd ipso facto vns resigniert.

"That we are aggrieved at ourselves delivering and resigning our ministries to His Princely Highness appeared astonishing to him, since he had not yet accepted us; rather, all those offices had become vacant and expired with the death of the former lord whom we had served, and by that very fact had been resigned to His Highness." Behold the liberty of angels flying through the midst of heaven. Secular princes can not only dismiss, receive, and issue commands concerning preaching; rather, with their death, just as the palatine offices of scribes and grooms cease, so also do the ministries of preachers, and they are not valid except by the will and acceptance of the new lord.

The sixth reason. The speech of this angel and that of Luther do not agree. The angel's words are: "Fear the Lord and give him honor, because the hour of his judgment has come; and adore him who made heaven and earth and the sea and all things which are in it and the fountains of waters."

Luther's word is that the fear of God is pernicious and makes men greater sinners. He prohibits Christ from being considered as judge and avenger.

Then he teaches a confidence which excludes all fear. The angel commands that the Lord be feared because the hour of his judgment has come. But both Lutherans and Calvinists judge that to fear the judgment of God and the punishments decreed by his judgment is a murmuring against God and leads to despair. Yet this angel by no means exhorts men to crimes and blasphemies.

Nor is that angel Wycliffe, as Pareus supposes. For this angel does not teach heresies, but Wycliffe brought forth many heresies which even Pareus cannot deny are heresies. In Sessions 8 and 45 of the Council of Constance, forty-five articles which the Council condemned are numbered, and Pareus also ought to condemn some of these:

The fourth article: If a Bishop or Priest is in mortal sin, he does not ordain, consecrate, confect, or baptize.

The sixth: God ought to obey the Devil.

The tenth: It is contrary to sacred Scripture that ecclesiastical men should possess property.

The eleventh: No Prelate ought to excommunicate anyone unless he first knows that he has been excommunicated by God; and he who excommunicates in this manner thereby becomes a heretic and excommunicate.

The fifteenth: No one is a civil Lord, no one a Prelate, and no one a Bishop while he is in mortal sin.

The seventeenth: Common people can correct offending Lords according to their own judgment.

The twenty-seventh: All things happen from absolute necessity.

The twenty-ninth: Universities, schools, Colleges, degrees, and Masterships in them are empty things introduced by paganism and profit the Church as much as the Devil does.

The forty-third: Oaths made to confirm human contracts and civil commerce are unlawful.

The forty-fifth: All religious orders without distinction were introduced by the Devil.

Others have collected other teachings: that marriage between brothers and sisters is lawful by divine law and prohibited only by human ordinance, thus book 4 of the *Triologue*, chapter 20. And this, which is altogether blasphemous: that any creature whatsoever can be and be called God, because its perfection is in God as in its cause, and indeed in an ideal and exemplary manner.

But what of the fact that he acknowledges true Pontiffs down to Urban, while Calvin thinks Gregory was the last, and others begin the Antichristians with Linus and Cletus? His words are in error 9: "After Urban VI no other Pontiff is to be received." But he had communion with Urban. Therefore, if Wycliffe is a true angel, all the Preachers are condemned because they possess property--not as much as they would wish, but as much as the court permits.

He retained many Catholic teachings which the Calvinists detest. In book 2, chapter 4, and book 3, chapter 2, he acknowledges merit.

He places faith in the intellect and distinguishes it from hope, book 3, chapter 2, which is contrary to the Calvinists.

He says in the same place that faith possesses merit.

He distinguishes faith and hope in three ways, book 3, chapter 3: 1. hope concerns only eternal reward; faith concerns every other truth. 2. Hope rests in a certain act midway between doubt and belief. 3. Hope concerns only a possible good; faith also concerns evil. These things are contrary to Calvin.

In chapter 3, book 3, he says that God approves and necessitates sin, and thus necessitates a peccable creature to sin. Many Calvinists deny this, and rightly.

In chapter 5 he says that grace is extinguished by some sin. In this part, therefore, he is rigorous.

In chapter 6 he says that many of the foreknown--that is, the reprobate--are presently in grace.

In book 4, chapter 1, he acknowledges seven Sacraments.

In book 4, chapter 20, he calls Matrimony a venerable Sacrament.

In book 4, chapter 22, he acknowledges purgatory.

In book 4, chapter 24, he calls contrition sorrow sufficient for the erasure of sin, and says that to repent is to lament sins and not to commit things which must be lamented.

He teaches these and other things alien to present-day Calvinism, so that Pareus appeared more ridiculous to me when he canonized Wycliffe and made him an angel than when he said that Calvinists and Lutherans disagree in only one article, and not in that whole article. But a most black demon cannot be made into an angel without enormous lies.

Nevertheless Pareus excuses himself: "Brichmann's conjecture does not displease me: that by this flight is signified the imperfection of the doctrine first brought forth by those Doctors. For although they saw and reprov'd the grosser errors of the Pope, nevertheless something of the earthly dregs still adhered to them in many things, so that they could not raise themselves upon full wings into the highest heaven. For just as a man who has long lain hidden in darkness, suddenly coming forth into the light, sees all things with dimmed eyes, so those who had been detained in the darkness of so many centuries of papacy could not immediately behold the light of the Gospel except with dimmed eyes."

But first, this is absurd: that an angel should be so ignorant, so blasphemous, and should be sent as a Teacher to all who sit upon the earth, over every tribe and nation and tongue and people; that an angel, I say--a universal Teacher of the world, holding the eternal Gospel and sent so solemnly by God--should carry about so many errors under the name of the eternal Gospel. If, therefore, the angels err in so many matters, there is no reason why we should believe them. For Wycliffe agreed with us in more matters than with the Calvinists.

Moreover, since that angel comes at the time when the second beast makes men adore the image of the first beast; since, according to the adversaries, the first beast is the Empire or Emperor and the other is the Pope or papacy; and since the Pope has not yet commanded the image of the Emperor or Empire to be adored or his mark to be borne, that angel has not yet come either. Therefore he was not Wycliffe. Accordingly, those three angels will be three principal Teachers in the time of Antichrist, who will oppose the beast and promulgate true doctrine.

CHAPTER XXIV

The Roman Pontiff Is Not Described by the Words of Daniel 7:21 and 8:23

§ 1. The words of Daniel 7:21 are: “I was looking, and behold, that horn was making war against the saints and prevailing over them, until the Ancient of Days came and gave judgment to the saints of the Most High; and the time came, and the saints obtained the kingdom.” And thus he says: “The fourth beast will be the fourth kingdom upon the earth, which will be greater than all kingdoms, and it will devour the whole earth and trample and crush it. Moreover, the ten horns of that kingdom will be ten kings; and another will arise after them, and he will be mightier than those before him, and he will humble three kings. And he will speak words against the Most High and wear down the saints of the Most High; and he will think that he can change times and laws, and they will be delivered into his hand until a time and times and half a time.”

The words of Daniel the Prophet in chapter 8 are: “And after their reign, when iniquities have increased, a king shameless of face and understanding propositions will arise; and his strength will be made strong, but not by his own powers; and beyond what can be believed he will lay waste all things, and he will prosper and act. And he will kill the mighty and the people of the saints according to his will; and deceit will be directed in his hand, and he will magnify his heart, and amid an abundance of all things he will kill very many; and he will rise against the Prince of princes, and without a hand he will be crushed. And the vision of evening and morning which was spoken is true. You, therefore, seal the vision, because it will be after many days.”

And chapter 11:36: “And the king will act according to his will, and he will be raised up and magnified against every god; and against the God of gods he will speak great things, and he will prosper until the wrath is completed, for the determination has been accomplished. And he will have no regard for the God of his fathers, and he will be among the lusts of women, nor will he care for any of the gods, because he will rise against all things. But he will venerate the god Maozim in his place, and a god whom his fathers did not know he will worship with gold and silver and precious stone and precious things; and he will act so as to fortify Maozim with the foreign god whom he has known, and he will multiply glory and give them power over many, and he will divide the land freely. And at the appointed time the king of the South will fight against him, and like a tempest the king of the North will come against him in chariots and horsemen and a great fleet; and he will enter the lands and crush and pass through, and he will enter the glorious land, and many will fall.” They say that the Pontiff does all these things. I shall report them from Paul Laurentius, for many write the same things.

First, he says in sermon 1 that the Pope’s legate Tetzal taught that the red cross bearing the Pope’s insignia had the same power as the cross of Christ.

Second, that indulgences are justifying grace.

Third, that through indulgences sins are forgiven without repentance.

Fourth, that he even remits future sins. These concern doctrine.

Fifth, that the Pope is called **המלך**, “that king”--the certain king who corresponds to Antiochus in malice and crimes.

Sixth, that Boniface VIII denied confirmation to Albert, saying that he himself was both king and Pontiff; that he also went about in royal attire and said, “Behold the two swords here.”

Seventh, that he wrote to Philip, King of France: “We wish you to know that in both spiritual and temporal matters you are subject to us.”

Eighth, that he is above the law and wishes to be judged by no one.

Ninth, that he will do whatever he wishes.

Tenth, that he will exalt himself against God.

Eleventh, that he says he can do all things which God can do.

Twelfth, that he makes himself God, distinction 96, canon 7, *Satis*, and sermon 2.

Thirteenth, that he calls himself the vicar of Christ.

Fourteenth, that he equates an *Agnus Dei* with the blood of Christ. Thus Urban V sent one to a certain Emperor of Greece and wrote: "It breaks sin as does the blood of Christ, and constrains it."

Fifteenth, that he abolishes marriage and permits the other lusts.

Sixteenth, that he worships Mauzim and becomes an idolater.

Seventeenth, that Pius IV ordered eighty Evangelicals to be killed, and that others instituted many persecutions.

Matthias Hoë, in the preface to *Luther the Wonder-Man*, says that under Julius II one million were killed.

§ 2. But these things have been related partly with the greatest falsehood and partly with the greatest malice. Let us interpret Scripture, though it is best to begin with chapter 7, verse 24:

"Moreover, the ten horns of that kingdom will be ten kings, and another will arise after them, and he will be mightier than those before him, and he will humble three kings."

In the Chaldean it is מלכותא מנה, *minnah malkhuta*, "from the kingdom," for they will arise from the kingdom. But that other one is said to be mightier than they--or, as the Chaldean has it, יִשְׁנָא, "differing," surpassing the others, or differing beyond the others. The Roman Greek edition interprets this not simply of power, but of impiety: ὁς ὑπερίσσει κακοῖς πάντας τοὺς ἔμπροσθεν, "who will surpass in evils all those before him"; other editions, however, have omitted the expression τοῖς κακοῖς, "in evils." Porphyry formerly said that the little horn was Antiochus, who was called Noble, or Epiphanes. So also Bruchthon, Junius, and Tremellius, who enumerate these ten horns as follows:

1. Seleucus Nicanor. 2. Antiochus Soter. 3. Antiochus Θεός, Theos. 4. Seleucus Callinicus.

[Printed page 445]

5. Ptolemy Euergetes. 6. Seleucus Ceraunus. 7. Antiochus the Great, or Hierax. 8. Ptolemy Philopator. 9. Seleucus Philopator. 10. Antiochus Epiphanes.

Three kings humbled by Epiphanes:

Ptolemy Philopator.

Seleucus, brother of Epiphanes.

Demetrius.

§ 3. This opinion is easily refuted by all those arguments by which it is proved that the little horn belongs to the fourth beast, which is the Roman Empire. Nevertheless, that error of the Calvinists is advantageous to us, because from it it is evident that the conjecture concerning the Pontiff is uncertain, since the leading men among them do not at all extend this prophecy to Christian times. But because we rely upon truth, not upon another's error, let us refute this opinion also.

First, that opinion contains an ἀνισοπρίαν, an inconsistency in its reckoning. For either, when they make him the tenth, they enumerate only the Seleucid kings of Syria--and in that manner Epiphanes would be the eighth--or, if they add the two Ptolemies Euergetes and Philopator, then by the same reasoning Ptolemy son of Lagus must be joined to them,

who, as Josephus attests in book 13 of the *Antiquities*, occupied Syria and the city; and also Ptolemy's son, who was called Philadelphus, under whom the translation by the seventy-two interpreters was made.

Second, they do not agree concerning the three humbled kings. Porphyry judges them to have been Philometor and Euergetes, the Egyptians, and Artaxias the Armenian. The Calvinists appoint this Demetrius. But he did not greatly humble the Egyptians, for he was forced to depart with his purpose unaccomplished. Nor was Epiphanes mightier than the others, but was wretched and needy after the treasury had been exhausted, as the history of the Maccabees testifies. Certainly Seleucus Nicanor, after defeating Lysimachus, ruled more widely, as did Antiochus the Great himself and others.

The other opinion is that the little horn is the Turk; so Annius, Pintus, Vatablus, Luther himself, and Strigel. But among them there is nevertheless no agreement concerning the three kings whom the Turk humbled. Some name the Arabian, Egyptian, and Asiatic kingdoms. In place of the Arabian kingdom Luther put the Greek kingdom. And he adds that the Turk will cast down no more before the final day of judgment. But if that is true, neither Germans nor Italians can be held in fear of that tyrant; even Pannonia itself will not dread his proximity. Daniel refutes this opinion when he says that they are kings, not kingdoms, and that kings are to be cast down. When Luther boldly pronounces that the Roman Monarchy was divided into ten kingdoms--namely Syria, Egypt, Asia, Greece, Italy, Gaul, Spain, Africa, Germany, and England--he speaks in his own manner, more freely than considerately. For what shall we say of Illyricum, the regions of Istria, and even Mesopotamia? Then the Turk holds several kingdoms: Syria, Egypt, Asia, Greece, and Africa. To say nothing of the Spains possessed by the Saracens for eight hundred years, five or six horns, therefore, have been cast down.

§ 4. Impious and blasphemous is the opinion of the Jews that the little horn is Christ the Lord, who began from small beginnings--the son of a carpenter and companion of robbers upon the cross--and whose Apostles were fishermen. Second, he spoke immense things: that he was the Son of God. Third, he changed times and laws. Fourth, he reigned for a time and times and half a time, for from his baptism to the cross are three and a half years. Fifth, this horn was crushed by the people of the saints, by the Synagogue. But Christians and Turks receive them with hisses, particularly because after this horn was crushed the kingdom was not given to the people of God, that is, to the Jews; rather, destruction befell them and captivity lasting so many centuries. Then, if the little horn is the kingdom of the Christians, how does it obtain only three kingdoms in the Roman Empire? Which are those three, and which the remaining seven? Then it was not Christians who destroyed Judaea, but enemies of the Christians--Vespasian, Hadrian, and others. That the remaining details do not agree will be said in the explanations that follow.

The sectarians of our time imitate these men, and what they do not dare direct against Christ they vomit forth against his vicars.

§ 5. The true opinion, therefore, is that of very many Fathers: that the little horn is Antichrist. "Therefore let us say," Jerome says upon this passage, "what all ecclesiastical writers have handed down: that at the consummation of the world, when the kingdom of the Romans is to be destroyed, there will be ten kings who will divide the Roman world among themselves; then an eleventh, little king will arise, who will separate three kings from those seven, that is, the kings of Egypt, Africa, and Ethiopia; and after these have been killed, the other seven kings also will submit their necks to the victor."

Antichrist, therefore, is one king who will subject three kings reigning at the same time, as Theodoret rightly says. "But if," he says, "they did not rule at the same time, but singly succeeded those before them, different men succeeding others, how will he humble these three predecessors at the same time?" Graser, in *The Plague* on Revelation 13, says that that chapter of John leads us into the citadel of Antichrist and agrees with Daniel 7. But I prove in explicit words that these things have no relation to the Pontiff.

§ 6. First, the Pontiff did not humble three kings. For either we speak of his temporal dominion, and this is contained within no great part of Latium, or of his spiritual power, and that was always over all Christian kings and kingdoms,

not merely over three. Germany, Gaul, Italy, Spain, Poland, and other kingdoms still acknowledge it. Accordingly, nothing in this part coheres, and an invincible argument for the Catholic faith arises: the Roman Pontiff did not arise after the ten kings who held the Roman world divided, nor did he humble three of those kings; therefore the Pontiff is not this little horn.

From here I proceed to the other matters. In the judgment of very many, the Pontiff is not this little horn, nor can he be; therefore he is also not that king treated in chapter 8, nor the apocalyptic beast. For the sectarians affirm that this horn, that king, and the apocalyptic beast are one kingdom or monarchy. If, therefore, this horn has no relation to the Pope's kingdom, neither do those beasts. For things which do not agree with something also do not agree with that which is identical with that something.

Then verse 25: "And he will speak words against the Most High," and so forth.

The Chaldean text which Daniel used says *מִלִּין לְצַד מְלִיךָ*, which properly means: "He will speak words toward the side, or on the part, of the Most High." The Septuagint translates: *λόγους πρὸς τὸν ὑψιστον λαλήσει*--"He will speak words toward the Most High." Symmachus, according to Jerome's testimony, translates: "He will speak words as God," so that he who assumes the power of God also claims for himself words of divine majesty. Second Thessalonians 2: "He will show himself as though he were God." The Pontiff does not do this; therefore he is not that horn of which the Prophet Daniel speaks. The minor premise is certain among all legitimate judges. For the Pontiff professes himself to be a man, a sinner, a servant of God, the servant of the servants of God. Every day he confesses his sins to God, and often also to priests; he prostrates himself upon his face before God. All these things belong to a man, and to a man who knows God and groans over his own weakness, not to one who aspires to divinity.

[Printed page 446]

§ 7. Here they all rise up. First: he who wishes to be judged by no one makes himself God; but the Pope wishes to be judged by no one; therefore he aspires to divinity. For if the Pope drags innumerable souls with him to hell, such is his pride that he does not wish anyone to say to him, "Why do you act thus?" I shall transcribe for you the complete passage from the epistle of the most holy Archbishop of Mainz and martyr Boniface, for part of it is found in distinction 40, canon 6, *Si Papa*. Boniface's words are as follows:

"The holy Roman Church, made by divine and human privilege of special authority the head of all churches after Christ Jesus, affects the members of the whole of Christendom according to the character and health of its Bishop or ruler, so that they answer to its soundness with their own soundness and rejoice with it; and, no less, accord with its illnesses by their own illness. And just as, according to the Apostle, they are glorified together with its glory, so are they cast down by its abasement, so that in it especially that prophetic saying is found to be fulfilled: 'Every head is diseased and every heart grieving; from the sole of the foot even to the crown there is no soundness in it.' And, in truth, all men look up to the summit of the aforesaid Apostolic See with such reverence that some seek the discipline of the holy canons and the ancient institution of the Christian religion more from the mouth of its prelate than from the sacred pages and paternal traditions. They so investigate his willing and his refusing that, according to his judgment, they themselves relax or intensify their conduct.

"But if--as is supremely expedient for himself and all--consumed without interruption by zeal for the house of God, existing as a faithful and prudent steward, he shall have striven to preserve himself irreproachable before God and men in deed and speech, then, to speak almost truly, he makes nearly the whole world, astonished and solicitous, run with him after God; he leads in ranks peoples of each sex and of diverse profession, condition, and age, to be set by their Lord over all his goods. But if he is found negligent of his own and his brethren's salvation, useless and remiss in his works, and moreover silent concerning the good--which harms himself and all men more--he nevertheless leads innumerable peoples in ranks with himself, as the first slave of Gehenna, to be scourged with him by many blows for eternity. No mortal presumes to reprove his faults here, because, although he is to judge all, he is to be judged by no one, unless perhaps he is found to have strayed from the faith. For his perpetual condition the whole body of the

faithful prays the more earnestly, the more keenly they perceive their salvation after God to depend upon his soundness.

“For, with the mystery of divine omnipotence preserved as is fitting, in the place second after him that saying of blessed Job can not unfittingly be applied to the holy Roman Church: ‘If he destroys, there is no one who may build; and if he shuts a man in, there is none who may open to him; if he withholds the waters, all things will be dried up; and if he sends them forth, they will overthrow the earth.’ Nor is this without reason, since she especially retains in Peter the reins of heaven and earth. Since she is the spiritual mother of all the faithful in Christ, no one ought to refuse to be struck by her discipline or corrected by her censure, according to those Proverbs of Solomon: ‘Do not forsake the law of your mother; bind it continually upon your heart. For he who casts away discipline is unhappy, and a foolish man despises his mother’; and again: ‘He is accursed by God who provokes his mother, and the curse of a mother uproots foundations.’ Those things, indeed, which arrogantly are divided from her see--to which it was said, ‘You are Peter, and upon this rock I shall build my Church’--are proved to have been placed upon the sand of carnal desire or human presumption. The course of a stream can by no means prosper if it is divided from its source.”

§ 8. This is the passage which fills everyone’s books, as though we attributed such great right to the Pope. Here come exclamations and stamps of the feet. Yet it is right that we too be heard. First, the words are those of Boniface, a holy man. Second, the words can have a true sense. For the sense of the whole canon is what its title presents: “An Apostolic Pontiff who is negligent of his own and his brethren’s salvation is condemned.” For there are two antithetical statements. The first is: “A Pope who is a faithful steward makes the world run after God.” The other is: “But if he is negligent, he nevertheless leads many peoples with himself who are to be scourged in Gehenna.” For because of either his examples or his negligence many perish. Condemnation, therefore, hangs over him if he is negligent.

But this gives offense: that no one reproves his faults. Yet the sense of this too is not that no one is permitted to admonish the Pontiff; for many grave men admonished many Pontiffs, and Paul gave an example when he resisted Peter to his face. Certainly a confessor can reprove and rebuke him, and no less can Cardinals, Bishops, and those whose concern it is. What, then, does Boniface mean when he denies that the Pontiff can be reproved? What he adds: “Because, although he is to judge all, he is to be judged by no one.” It is because there is no tribunal before which he can be summoned as a subject. For no subject can judge anyone by authority.

And this is what is said in cause 17, question 4, canon 30, *Nemini*; cause 9, question 3, canon 17, *Cuncta*; and other places. For judicial reproof is excluded. Nor ought this to appear astonishing to our sectarians, who so exempt kings from every judgment that they say kings are nearest to God and that above them there is only almighty God. See William Barrett’s books *On Royal Right*, in which he places truth and flatteries side by side, yet is overcome by the desire to flatter. If, therefore, kings are not compelled to stand as defendants before the tribunals of their subjects, why should the Pontiff be compelled, since he too is not the subject of other Bishops and kings?

§ 9. They object, second, that Antichrist wears down the saints of the Most High; the Pontiff does this; therefore he is that horn, he is Antichrist.

But it will be easier for me to interpret those words so as to show the Pontiff’s innocence and to turn them back against our adversaries. The words themselves indicate a great persecution: **יְבַלֵּא עֲלֵינוּ לְקַדְּשֵׁי**, *leqaddishe ‘elyonin yeballe*, “he will wear down the saints of the Most High,” or “of the high ones.” For it uses that **עֲלֵינוּ**, “high ones,” just as the Hebrews use **אֱלֹהִים**, *Elohim*, in the plural number. Accordingly, some do not translate correctly, “the highest or supreme saints”; since they did not attend to the government of the word, they ought not to have preferred themselves to the Septuagint interpreters, who translated **τοὺς ἁγίους τοῦ ὑψίστου**, “the saints of the Most High.” “He will wear down.” The Roman edition of the Septuagint has **παλαιώσει**, “he will make old,” or “consume with age”; the Genevan, however, **πλανήσει**, “he will deceive”; Justin, **καταφθείρει**, “he will overthrow”; others, **ταπεινώσει**, “he will humble.” The question is whether the Pontiff has done these things. They bring forward various matters, but

examples from their own people. For what the Lutherans think of the Calvinist martyrs, and conversely what the latter think of the former, I have said in the *Jubilee* and in the instruction *On Chronology*.

§ 10. Before all others Sigismund Evenius objects to this in the *Secular Lutheran-Evangelical Palm*, page 27:

“After the descent from these kings to their subjects had been made--just as immediately at the beginning of the Reformation the Papists, and in the year 1524 the Archbishop of Mainz, raged against the Evangelicals even here in our Halle--they sowed one persecution after another and multiplied martyrdoms without end, so much so that from the year 1550

[Printed page 447]

to 1580, within the span of thirty years, nine hundred thousand men were slain and butchered by Antichrist. Nor were all of them commoners, but 39 Princes, 148 Counts, 235 Barons, 147,511 Nobles, and the rest from the common people. The histories establish how much Christian blood the Parisian nuptials poured out in the year '72: more than 30,000 miserably perished in that slaughter. When the Duke of Alba was about to bid farewell to the Low Countries, he boasted that within a span of six years he had killed 18,000 on account of religion. And while Charles V was still alive, as many as fifty thousand Christians were butchered in the same Low Countries; likewise, from the year '76 until the Pacification of Ghent, 30,000 had perished under Spanish tyranny.

“Nor did they rage only against the living, but corpses were not spared. Hence the bodies of Bucer and Fagius were dug up and burned in 1556 at Cambridge in England, under the pious pretext that not only had both of them spread pernicious and erroneous doctrine, but both had also led a family among the sectarians; that not only had they themselves strayed from the Catholic Church, but by defecting from it had also given others an example; and that it was contrary to the sacred decrees and discipline for even the bodies of such persons to be given ecclesiastical burial.

“To these were added fires and poisons, by which certain agents might destroy and butcher those freed from these snares. Various fires were heard of throughout Saxony around the year '41; finally, several of the arsonists were detected and captured in different places. When put to the question, most testified even to their last breath that, after receiving money from the officials and household of Henry of Brunswick--against whose calumnies Luther had written in the same year in invective writings, because he had proclaimed the Duke of Saxony a heretic, seditious, a Cain, a monster, an Aesop endowed with no virtue either of body or soul--they had been hired and sent to do this.

“Indeed, concerning the Roman Pontiff, Antichrist and instrument of Satan, it was spread abroad by trustworthy persons in the year '46, when the war of the Protestants was raging--a war of which the Pope himself was the principal author--that not only had he afflicted Saxony grievously by fire through hired arsonists during several preceding years, but that at that time he had also purchased poisoners to corrupt wells and standing waters, so that these men might destroy by poison whatever survived the sword and weapons. Therefore the Protestants admonished all men generally, and especially those under their dominion, to take care that those commissioners be apprehended and, when the crime was established under torture, pay the penalty. For John William, son of the Elector, adds that not long before, not far from Weimar, a certain man suspected of being an Italian had been apprehended, who confessed that money had been given at Rome to him and certain others in the name of the Pontiff, so that throughout Germany they might do as much damage as they possibly could by fires and poison.

“Nor does Satan cease to be like himself. For in the most recent year 1610, on the eleventh day of June, a monk who had disfigured by fire two villages belonging to the Emperor's Master of the Horse was brought as a prisoner to Prague and handed over to the Archbishop, together with a list found upon him of other Bohemian nobles whose estates he was to set on fire.

“I pass over exiles. How great a tyranny occurred in them is evident from this alone: as Maurice, Duke of Saxony, wrote to the Estates in the year '52, they everywhere cast preachers and ministers of the Church beyond the boundaries of the Empire, and await the decree not only of no legitimate council, but not even of a papist one, and they regulate

the matter immediately from the execution itself. I pass over prisons and the other kinds of punishments inflicted under and by the Roman Antichrist.”

§ 11. Thus he speaks. If he considers that Lutherans were driven into exile by Lutherans and by Calvinists, he will marvel not at all that Catholics also did this at some time. But the matter itself teaches that this accusation is unjust, for the Pope neither ordered all those men to be killed, nor were there so many. But that they were not saints of the Most High, since most were Calvinists, and that these were not martyrs, the *Secular Palm* itself teaches. On page 55 it has this:

“The martyrdoms appeared both too weak as **ὀρθοδοξίας τεκμήρια**, proofs of orthodoxy--since they not rarely embrace heretics and ruined scoundrels--and inflicted for the Lutheran profession and the abnegation of papal tyranny, not for Zwinglian novelty and blasphemies. The very slight straws or splinters of opinions which they vaunt are instead the thickest beams of errors and of most impious blasphemies against God’s omnipotence, holiness, and mercy and Christ’s merit. Finally, the deception in their confessions and reformations is more manifest than to require adjudication, since practice has not rarely uncovered it until now.”

Then he believes the Calvinists concerning the number of martyrs, which he ought not to have done, since on the same fifty-fifth page of the *Palm* he says: “Among the reckoning of these falsehoods--of which a very fertile crop is to be found among the Sacramentarian nation, so that blessed Luther not undeservedly judged that the Zwinglians should no longer be called liars, but falsehood itself--that claim is almost chief,” and so forth.

Third, this same man of ours acknowledges that those accused men who were slain had committed offenses. Second, that they were Sacramentarians. Third, that they were punished by the sectarians themselves. Fourth, that those men procured those dangers for themselves. Fifth, that they acted impetuously and were punished by the Lutheran populace. Sixth, that the Calvinists themselves act cruelly where they hold power. On folio 94 he describes all these things:

It is known how in the year ’29 the Sacramentarian spirit began the Reformation at Basel with iconoclasm. For when a certain man tore down with his spear the statue of one of the saints so that it fell to the earth and was broken, on that occasion hands were then laid upon several more, and three hundred armed men were sent to the church to demolish everywhere in the churches the idols, or statues. And when certain men from the Senate came running to quiet the disturbance, the iconoclasts answered: “What you have already been deliberating for a whole three years--whether it ought to be done--we shall complete in one hour, so that henceforth there may be no dissension among us on account of idols.” On the third day nine piles were assembled before the principal church and, when set on fire, were burned.

The Waldensians followed this example in the year ’61; they similarly cast images and altars to the ground and broke them. Something similar happened in Dauphiné in the year ’62, where it was decreed that destroyers of statues should by no means be called seditious, since, having undertaken the defense of truth, they said it was their duty to remove from men’s sight so detestable a spectacle, hateful to all the pious.

Especially in the year ’66, such great violence of iconoclasts gained strength throughout the whole of the Low Countries that within the span of a few days it overran Antwerp and very many neighboring places with the greatest tumult and great speed. They thrust a sword into the side of one statue; they cut off the head of another with an axe; with ropes they pulled down from on high an image of Christ hanging from the cross; after pulling it down, they crushed it into pieces; they overturned altars, cast down and plundered reliquaries, ornaments,

[Printed page 448]

and the other apparatus of sacred things; and finally they perpetrated things which no sane or prudent man ever approved. At The Hague the people had been so inflamed against statues and idols that they professed that they would not be quiet until not only those which remained in the churches, but also all the statues which some men kept hidden in their own houses, were brought into the public square and crushed into little pieces, putting an end to their fury.

But this rashness and sedition did not lack its own reward. For the confederate nobles and other patrons of the churches, unwilling to be called by the hateful name of iconoclasts, not only severely disapproved the deed of the statues cast down in this manner, but, after collecting an irregular soldiery for these operations, seized very many everywhere and put them upon the cross in various places.

This the Prince of Orange also accomplished at Antwerp, when he apprehended the principal seditious men and on 18 October put them upon the cross in the public square, so that they might be a terror to others. But if the same thing had been done in the Palatinate, Anhalt, Hesse, and other places, the riotous Sacramentarians, constrained by their own great evil, would certainly have experienced less danger and fewer disturbances.

Certainly, in 1605, when in the Marburg Reformation, in the second of three articles proposed for changing doctrine and ceremonies, it was determined that statues and images were to be cast out of the churches, and on the sixth day of August the same thing was inculcated in a sermon, such disturbances and tumults followed from this single violent principle that the Calvinist theologians were almost punished with death by blows and beatings from the maddened populace, says Artus in volume 10 of the continuation of Sleidan, book 4, page 50. Such catastrophes must, to be sure, follow methods of reforming alien to the word of God.

**Da man alles schnell Purdi/ Purdi anfengt/ mit Fäusten hinein treibet/ vnnd so unvorsichtig hinein plumpet/
vnnd noch den Ruhm dauon haben wil/ als sey man besser/ denn ein ander.**

These things follow when action is suddenly taken with weapons, when men rush in without foresight, and nevertheless seek from it a reputation for excellence above others. Thus Luther wrote in the year '22 concerning the similar Carlstadt Reformation, adding the wise ἐπικρίσει, judgment:

**Da hastu weit gefehlet/ du wilt Gott damit dienen/ vnd weist nit/ dass dit eben des Teuffels Vorlauffer bist/
der hat dich auff das Kleinen Narrenwerck geführt/ das Sacrament anzugreifen/ vnd sihet mich gleich an/
als hetten die ienigen/ so dieses Spiel angefangen haben/ ihren Ruhm gesucht/ so hat auch ihnen der Teuffel
ihren Lohn gegeben.**

“You have strayed far. You wished to perform service for God, and you do not know that you are precisely the Devil’s forerunner, who reduced you to such folly that you violated the Sacraments. It is entirely evident to me that those who began the business sought their own glory. Therefore the Devil gave them their reward.” Thus Luther.

Add the prisons by which they rage against those who contradict their error, as Crell did in the year '91. He had prepared a prison in the castle of Hohnstein for Doctor Martin Mirus, the Saxon court preacher; but by the just judgment of God, after the death of Christian I, he himself was accused of having advised Duke Christian to change the religion in Saxony and introduce Calvinism, and of having resolved to remove from their midst all who opposed this purpose of his, and so forth. Ordered to mount the cart, he was fastened into it before the eyes of a very great multitude of men.

All these and many other things are so great, so insidious, and so atrocious that to guard against them, preserve life and fortunes safely, and keep doctrine itself undefiled by them plainly lies ὑπὲρ ἀνθρώπους, beyond human powers. But it is by God’s grace that we have not been entirely consumed. For although he sometimes, as it were, closed his eyes and fell asleep, and loosened the reins for Sacramentarian lust, yet at last, as a father, he undertook the defense of his cause, routed and confounded the enemies by himself alone, and furnished to his people and Church a most ardently desired liberation, so that mighty Ilium fell, great Troy perished in one moment, and the fable of the Sacramentarians passed out into a fable and ended in a joyful καταστροφήν, catastrophe, which they had resolved in their own mind to close with a τραγικωτάτῳ, most tragic, ending.

§ 12. Finally, why does a Lutheran object to us the punishments of the Calvinists as though they were innocent men, when he knows that they dared monstrous things in France and the Low Countries, such as historians describe, since they cannot believe those men when they boast of their innocence?

For first, on folio 55: “Among the reckoning of these falsehoods--of which a very fertile crop is to be found among the Sacramentarian nation, so that blessed Luther not undeservedly judged that the Zwinglians should no longer be called liars, but falsehood itself--that claim is almost chief by which, throughout nearly this whole century, they have not feared to proclaim blessed Luther the first author of the Sacramentarian conflict.”

If they are falsehood itself--falsehood itself, I say--why do you believe falsehood itself when it asserts its innocence against the Kings of France and Spain and other Princes? First examine the proceedings of the judgments and the archives; and do not so hate the Pontiff that you prefer to believe not merely liars, but falsehood itself, rather than refrain from defaming him and the Most Christian and Catholic Kings.

But I meet you in your own house; you will fight among your own defenses. The Calvinists say that those afflicted with martyrdom by the Pontiff are martyrs--that is, innocent men killed for the true faith. If you believe this, admit testimony against your own men also. For why are martyrs worthy of trust against us, but, if their words act against your men, incapable of giving testimony? You order the Calvinist Scultetus on page 59 to swallow back, together with the rest, the calumny which he breathed out. Then you proceed: “If there were a mind to discuss these calumnies individually, the day would fail me sooner than speech.”

We shall show a compendium of the calumnies. They called the teachers of our churches: men most stupid; fanatics; self-lovers; petty theologians; vain talkers; most wicked sophists; sycophants; theosophists; corporalists; morose; ambitious; papal proscribers; men keeping the minds of Princes in ignorance through their calumnies; progenitors of Pandora; men driven by madness; forgetful of all moderation and shame; proud; fierce; most infamous tyrants over faith; Nestorians; Eutychians; patrons of Mohammedanism; obstinate; introducers of paradoxes and scandals; inhuman; bewitched by hatred and ambition; men offering vinegar mixed with gall to those hanging upon the cross; fathers of ubiquity; new dogmatists; dinner-table sophists; word-artificers; men contentious and obstinate beyond every measure; recent Capernaïtes; malicious old deceivers; infamously and impiously fickle; Ubiquitarians; sworn enemies of truth; most shameless cavillers; revivers of the Acephali and the Eutychian heresy; phantasmatics who mock the true incarnation of Christ; a conspiratorial faction of schismatics; restorers of bread-worship; delirious Sacramentarians; assertors of sincere doctrine concerning the Lord’s Supper who, like pirates sailing through the Church upon ambition and opinions, plunder truth together with peace;

[Printed page 449]

men blinded by hatred and envy; most wicked sophists; new masters of the faith; deceivers; enemies of truth and peace; conspirators for the oppression of truth; most shameless cavillers; men infamously ignorant of the matters; manifest enemies and deniers of God’s omnipotence; pseudo-Lutherans and a Flacian faction; **ἄνθρωποφάγους, κρεωφάγους, σαρκοφάγους**--carnivores.

But they called the doctrine of our churches, contained in the symbols of the Augsburg Confession and the Formula of Concord: a most infamous error; an unhappy offspring; a Pandora; a phantom and specter; a theatrical mask; a most absurd impiety; a most putrid and sophistical vanity; a heresy mixed from the Eutychian and Nestorian; phantastical imaginations; a most insane opinion; an execrable blasphemy; a ludicrous fiction; a sacrilegious impanation; an idol and fiction of bodily presence; doctrine worthy of impostors, not theologians; a trifling fiction; an execrable theology; Nestorianism; Antichristian worship; an idolatrous dogma; and six hundred other epithets of this kind--the judgments of these men’s brotherly affection toward us.

If, as is right, we bear all these things with perfect indifference, behold the snares prepared for the life and persons of orthodox Doctors! Doctor Mylius says in the *Synopsis of the Meissen Comedy*: you would see spies appointed after the death of Elector Augustus to observe the sayings and deeds of the more sincere theologians; men hired to bring unjust suits against them and, when they could not prevail by the cases themselves, at least to overcome their spirits merely by the proceeding; prayers and supplications, dangerous admonitions, seditious defenses, and accusations all beginning to be regarded and named capital offenses. For the space of several months the crossroads of the public

ways in both directions not far from the city were beset. These men opened and searched the baggage of all messengers traveling either to the city or even back from it, seeking all letters written either by the Wittenberg theologians to others or by others to them, so that from those unsealed letters they might draw out something from which they could create dangers for the theologians' heads.

Indeed, there was something more atrocious. Fictitious letters were written to the theologians, in which great **συμπάθεια**, compassion, toward the miserable face of religion was signified; consolation concerning aid that would follow was communicated; assistance was promised to those who would be exiled; and, moreover, splendid gifts were sent together with these fictitious letters, so that, if they held anything most deeply hidden in their breast by whose disclosure danger could be created for them, their interrogators might extract it by this device. In this business that John Major, the Wittenberg poet, was industrious; by this art he stripped and despoiled the excellent man and distinguished theologian Doctor John Matthaeus both of his academic station and of this mortal life.

The altered Augsburg Confession--a buskin suited to either foot--perfidy, and similar impostures served this scheme; by them Peucer and his associates formerly circumvented, mocked, and deceived their supreme Magistrate. Ambiguous writings and defamatory little books came together, accepted almost as though by some right of their own by men of this kind, and indeed most recently defended publicly. In them the reputation of good men is marked and traduced without shame and without source, so that a nearer step might be laid toward the unjust condemnation both of teachers and of doctrine. Edicts and decrees served it, concerning the Sacramentarians' not being named or condemned, and concerning their blasphemies in sermons to the people, with threats added of banishment or exile and other more horrible penalties--those bloody scourges finally not resting until fulfilled in the deed itself. Indeed, fulfilled through so many exiles and similar penalties, in which men scarcely more merciful than Antichrist himself appeared.

The words of that courtier in the time of Christian I, Duke of Saxony, are known: "If those **βλακικοὶ**--fools--continue to be troublesome to you, at least cast them out on this ground, because they attempt to canonize Ubiquity." And another saying of the same man: "Affairs will never proceed rightly unless the veterans, and those who possess a memory of earlier times, are first rolled away from the midst." I shall say nothing of personal contentions and appeals to a Synod.

How can an unjust death be inferred from such things, or how can you, who judge them to be such men, make the severity of Christian Princes an object of hatred because by just vengeance they exercised the force of the laws against them? If you truly judge them martyrs, acknowledge those deeds of your men. You proclaim them scarcely more merciful toward your men than Antichrist himself, bestow upon your men the encomium of martyrs, and afterward canonize Ubiquity. Would you do these things if hatred and envy had left you any remnant of prudence? Read their deeds. A single year or two saw more Catholics slaughtered by Calvinist furies in France and the Low Countries alone than papal tribunals removed as guilty men in the whole of six hundred years.

But if we truly consider the times, we shall find among the Calvinists' saints the Berengarians, Wycliffites, Hussites, and even Copronymus, the Isaurian Leos, the Henries, and others whom they canonize through hatred of the Pontiff. Accordingly, from Scripture I argue against the Lutherans in this manner:

The little horn, or Antichrist, will wear down the saints of the Most High and stir up a persecution as great as none has been from the time when men began to exist; but the Pontiff has not instituted so great a persecution against the Lutherans, for they afflicted far more Catholics with death, exile, and prisons than they themselves suffered from us. For how many Lutherans perished on account of faith? What Ubiquitarian gave his blood? For they can complain only concerning pure Lutherans and Lutherans of one nation; as for the others, they acknowledge that other scoundrels mingled with them. But we deny the claim concerning the whole of Lutheranism. Did they not rule nearly the whole of Germany and accomplish such slaughters that even now the mournful altars lie squalid in ruined churches?

CHAPTER XXV

The Pope Does Not Think That He Can Change Times and Laws

§ 1. The Chaldean text of Daniel says: “He will think to change times.” The Greek has ὑπονοήσει, “he will suppose,” for he will not be able to do it. Thus the Greek scholiast: προσδοκήσει, οὐ μὴν ὅλως ἰσχύσει, “he will expect to do it, but will by no means succeed at all.” What ἀλλοιῶσαι τοὺς καιροὺς, “to alter the times,” means is understood from what is joined to it, because it says καὶ νόμον, “and the law.” Saint Jerome: “He will be raised to such pride that he will attempt to change the laws of God and the ceremonies, and will be lifted above everything that is called God, subjecting all religion to his own power.” Theodorus: “He will suppose that he can overthrow from its foundations the piety which will then flourish.” They therefore understood “times” to mean an alteration of the Church. Those who interpreted the passage concerning Antiochus understand by the name “times” the solemnities of the Jews: Sabbaths, Passovers, Pentecost, the Feast of Tabernacles, days of expiation, new moons, sabbatical years, Jubilee years, and similar observances.

But because we are speaking of Antichrist, he will change times and laws; he will take care that feast days are instituted in his honor. Mohammed has already given some indications, then the Lutherans, but more effectively the Calvinists, so that it appears that the mystery is already beginning in its forerunners. And this is the sense of Scripture.

[Printed page 450]

They borrowed their calumnies from Powell and others: because the Pontiff is said to be released from the laws, to transfer empires, and so forth.

§ 2. I answer that by these matters no more is conceded to the Pontiff than, in a certain proportion, they themselves permit to their Bishops and kings. First, indeed, we deny that the Pontiff can change any divine laws. Anathema if anyone asserts that the Pontiff is released from the divine laws. The canonists who are said to assert it are cited partly falsely, as I proved above, and partly in a sense foreign to them. This is certainly established for me: if anyone says that the Pope can remove one iota from the law of God, he will first be struck by a spiritual thunderbolt from the Pope.

He is bound to ecclesiastical and civil laws, where the Pope also holds temporal government, in the manner that a prince is bound to his own laws--a prince whom some wholly, others partly, exempt from the laws. It is sometimes useful for those laws to be changed, and therefore they can be abolished and exchanged for better ones. Those who deny that a prince is subject to the laws as regards coercive power also deny that he can be judged by another; for he who has another as judge must receive and undergo the judge's sentence. From this I make an invincible argument for the Pontiff:

The Roman Pontiff denies that he can change the law of God; he teaches that death must be met a thousand times rather than that he should call himself exempt from God's law; by his own sentence he condemns all who affirm it. Therefore the Pope is not Antichrist. This is the opinion of all of us who acknowledge the Pope as shepherd of the Church: that the Pope is subject to the divine laws; that if he violates them, he sins most gravely; and that unless he repents of his sin, he will perish eternally. The universality of Catholics, and indeed the Roman Curia itself, subscribes to this opinion of mine. But what the Pontiff thinks concerning the laws of God is expounded in distinction 8, canon 2:

“Crimes which are contrary to human customs must be avoided according to the diversity of customs, so that what has been confirmed by the custom or law of a city or nation as a compact among themselves may be violated by no citizen's or foreigner's lust. For every part which does not agree with its whole is base. But when God commands something contrary to the custom or compact of any people, even if it was never done there, it must be done; and if it was omitted, it must be restored; and if it was not instituted, it must be instituted. For if a king is permitted in the city over which he reigns to command something which neither anyone before him nor he himself ever commanded, and

obedience to it is not contrary to the fellowship of his city--indeed, disobedience to it is contrary to that fellowship, for it is a general compact of human fellowship to obey its kings--how much more must God, the ruler of his whole creation, be served without doubt in those things which he has commanded? For just as in the powers of human society the greater power is set above the lesser so as to be obeyed, so God is set above all."

And in distinction 9, canon 2, it commands princes to obey their own laws. These are the words of the canon:

"It is just that a prince obey his own laws. For then let him think that his laws must be observed by all, when he himself also shows reverence to them. It is fitting that princes be bound by their own laws, nor can they condemn in themselves the laws which they establish for their subjects. For the authority of their utterance is just if they do not allow themselves to do what they prohibit to the peoples."

§ 3. By equal reasoning the Roman Church teaches that especially the constitutions of general Synods must be observed, cause 25, question 1, canon 1:

"We trust that no one who is truly a Christian now fails to know that the decree of each Synod which the consent of the universal Church has approved ought to be executed by no see before the others more than by the first see, which confirms each synod by its authority and guards it by continued moderation."

With this mind Gregory writes to Bishop Felix, book 12, epistle 31, found in cause 25, canon 4:

"If I destroyed the things which our predecessors established, I should justly be proved not a builder but an overthrower, as the voice of Truth testifies when it says: 'Every kingdom divided against itself will not stand'; and every science and law divided against itself will be destroyed."

§ 4. But the manner in which the Pontiff is permitted to establish new laws is expounded by Pope Urban in cause 25, canon 6:

"There are some who say that the Roman Pontiff has always been permitted to establish new laws. This we not only do not deny, but even affirm strongly. Yet it must be known above all that he can establish new laws in matters concerning which the Evangelists and Prophets have said nothing at all. But where the Lord, or his Apostles, and the holy Fathers following him have openly defined something by a sentence, there the Roman Pontiff ought not to give a new law, but rather to confirm what has been preached even to the surrender of soul and blood. For if he strove--which God forbid--to destroy what the Apostles and Prophets taught, he would be proved not to give a sentence but rather to err. But let this be far from those who have always guarded the Lord's Church most excellently against the snares of wolves."

That nothing can be established against the divine laws is taught in cause 25, canon 8:

"The Catholic Church defends everything that is irreprehensible." And below: "An unjust judgment and an unjust definition arranged by judges through royal fear or command has no force. Nor will anything stand which has been done against the ordinance of evangelical, prophetic, or apostolic doctrine, or against the ordinance of their successors or of the holy Fathers; and what has been done by unbelievers or heretics will be made wholly void."

From this, therefore, it is clear that what is said concerning changed times and laws does not fit the Pontiff. For some things are changed in the Church only when necessity and utility demand it. He therefore spoke very well: "The authority even of this see cannot establish or change anything against the statutes of the Fathers; for among us antiquity lives with unshaken roots, and the decrees of the Fathers have ordained reverence for it."

But if you seek true abrogators of the divine laws who change times and morals, you will find them without difficulty in the opposing camp. For he who thinks that he is bound to observe the law only by a law of gratitude, and who thinks the law impossible to observe--with what mouth and what face does he accuse the Pontiff as though he were a violator

of the law? What is harsher than those words of Luther: “He who apprehends Christ as legislator and avenger apprehends the Devil in place of Christ”?

I cannot pass over one matter which is preeminent in this place, for it is the clearest testimony of preachers’ ignorance and shamelessness. The most obtuse of the Lutheran ministers accused the Pontiff of changing the times because he had brought the astronomical calculations of the erring year back to the true rule. Thus the little bachelor Powell did in theses printed at the University of Oxford. I marvel at it the more because troublesome prophets came out of England for Scaliger, men who were able to write books on the correction of the Calendar; it is like a portent that no one came forth from the University to admonish Powell concerning such rustic ignorance. For who would not marvel that a disputation was held on that matter in that University, a pretender to learning, when men proclaiming themselves pagans in Germany grieved, not without the mockery of their own people, that they had stumbled over it? But more astonishing is that a great

[Printed page 451]

part of Germany, Gaul, Spain, and England acknowledged the error of the preceding calculation and admitted the new correction.

CHAPTER XXVI

“They Will Be Delivered into His Hands for a Time, Times, and Half a Time” Does Not Pertain to the Pontiff

§ 1. The Chaldean text has וְיִתְּהוּבֹן, “they will be delivered,” because divine providence permits it. A kingdom and power are delivered to him, which he then abuses against the saints. Junius and Tremellius translate thus: “For a time and times and a small part of a time”; but they say that this small part of a time is ten days. That is, they say, for three years and ten days. They prove it because this was accomplished on the fifteenth day of the month Kislev in the one hundred forty-fifth year of the kingdom of the Seleucids, 1 Maccabees 1:57; but afterward, on the fifth day of the month Kislev in the one hundred forty-eighth year, the lawful worship of God was restored, 1 Maccabees 4:52. For this reason the first word, “time,” signifies an incomplete year, or one consisting of parts of two different years; “times,” a full two years; and the small part of a time, ten days.

The foundation of this interpretation is that they think the passage treats of the profanation of the temple committed by Antiochus, and the Chaldean text does not contradict it, for פֶּלֶג means “division of a time” and “a part.” For although it more frequently signifies a half, Joshua 10 and Judges 9, and is customary as the Syriac פֶּלֶג in the titles of the Gospels, it nevertheless does not reject this signification. Pagninus also translates “a part of a time.”

All the Doctors refute this opinion by silence, and no one among the moderns follows it. For even Münster, Luther, Pellican, and Castellio--heretics--follow the ancient Greek version, which has ἡμίση, “half.” Indeed Bruchthon, who elsewhere is accustomed to follow the common Calvinist version, here translates, “and half a time.” “And ‘time,’” he says, “here signifies a year, just as χρόνος; ‘a time and times and half,’ that is, half a week--forty-two months--as Josephus testifies.”

Finally, the following fact stands against this opinion: in chapter 12:7 the words “a time, times, and half a time” are accepted in the same manner, and yet in the Hebrew there is not פֶּלֶג, “division,” but חֲצִי, “half,” just as in Revelation there is ἡμίση, “half.” Accordingly, these words are most correctly spoken of Antichrist: “half a time,” where “time” signifies a year.

§ 2. From this passage Bellarmine, book 3, chapter 8, *On the Pontiff*, argues as follows. Antichrist will reign for three and a half years--that is, a time, times, and half a time; but the Pope’s reign is much longer; therefore the Pope is not Antichrist. The minor premise is beyond controversy; the major is proved because “a time, times, and half a time” are three and a half years. For so the ancients from Papias himself onward interpreted them, as Pareus’s jubilee commentary on Revelation acknowledges at chapter 11, verse 2.

Then it is proved from Revelation 11:2, where Antichrist treads the temple and city for forty-two months. But forty-two months are three and a half years. Pareus himself acknowledges that the same time is being treated in chapter 12, verse 14:

“But how long will the woman be an exile in the wilderness? A TIME, TIMES, AND HALF A TIME. This threefold designation of time is taken from Daniel 7:25 and 12:7, where Antiochus, bearing the type of Antichrist, is said to be about to trample the saints for a time, times, and half a time. What it means here is evident from verse 6: ‘They will feed her there for 1,260 days.’ These days were mentioned in chapter 11:2. There it was the time of the prophecy of the two witnesses. Here it is the time of the woman’s exile in the wilderness. The same time of forty-two months was there the trampling of the holy city; and it will be, in chapter 13:5, the beast’s raging against the saints. At the same time, therefore, the Church will be exiled in the wilderness, the holy city will be trampled by the Gentiles, the two witnesses will prophesy, and the beast will pursue the saints by war. These events will therefore proceed with equal steps, and

this observation will illuminate the prophecy greatly. For from one thing better known, the others less known will become clear.”

§ 3. That old man made Bellarmine’s argument invincible against himself and all the Pope’s calumniators. For Antiochus afflicted the Church for a time, times, and half a time, as he himself teaches; and the same is the time of Antichrist’s raging. Therefore Antichrist will not reign longer. How, then, does Pareus make Antichrist’s reign much longer? I answer: because he does not know what he is saying and does not remember what he has said; the many errors of many men, but most of all his own, have reduced him to madness. These are his words on chapter 11, verse 2:

“(For forty-two months.) Here is wisdom. That the time of the Antichristian persecution is designated is manifest by the consent of nearly all interpreters. But what kind of time and how much it is, where the beginning and where the end must be fixed, is obscure to me and to other interpreters, and perhaps hidden from human investigation. For as far as the times are concerned, the Spirit wished us to investigate certain things rather than to know them, which the Lord also intimated when he said to the disciples who wished to know the hidden time: ‘It is not for you to know the times and opportunities which the Father has placed in his own authority,’ Acts 1:7.”

He can therefore determine nothing concerning this matter, because he cannot know the times and moments. The ancients, such as Hippolytus, Irenaeus, Jerome, Augustine, and the others whom Bellarmine cites, are of our opinion. Junius, Tremellius, and Bruchthon, Calvinists, agree with them, as does Münster, a man of his own judgment and not bound to Luther.

§ 4. Then no one answers in such a manner that he does not collide with very many falsehoods and ἀσυστάτα, inconsistent assertions. Chytraeus, cited by Bellarmine, says that the time is uncertain; Pareus proves the same and concludes: “Concerning the forty-two months I have nothing to determine.” But since Daniel and John determine it in so many ways, we ought not to assert that it is uncertain, since all the ancients have expounded it to us as certain.

§ 5. Third, however we interpret these things, they cannot fail to show that the Pope is innocent. For Pareus prophesies that there are 1,260 years, that they began in the year of Christ 606, when Boniface III presided over the Church, that it has thus far been trampled for 1,003 years, and that it must still be trampled for 257 years, until the year of Christ 1866. Yet he admits that this boundary is uncertain to him and will be shortened by God on account of the elect. But other considerations refute him, and especially the fact that Christ calls the time of that persecution very brief. It is not very brief if it is 1,260 years, which is longer than the period for which Satan is bound; for his malice is constrained for a thousand years, and afterward he rages, knowing that he has a short time, Revelation 12. After he has been bound for a thousand years, he must be released for a short time. Certainly a time of release is not short if it is longer than the time for which Satan is bound.

For although a thousand years are like one day before God, before men they are nevertheless a long time, and here it is in no manner brief, because

[Printed page 452]

it is called a short time in comparison with a thousand years.

§ 6. Fourth, those who describe this time most precisely stray in the foulest manner. Conrad Graser, on Revelation 12, page 73: “It signifies definite periods of years: one time from the Babylonian captivity to Christ; two times to the sixteenth century; half a time from the beginning of the sixteenth century, when the papacy began to collapse.” These monsters never entered Luther’s mind; for even amid the swiftest contagion of errors, spread abroad in a few years, he did not think that so long a life and reign of the Pope would endure. And rightly so, for this opinion contradicts all interpreters--Jews, Greeks, Latins, and the sectarians themselves.

Second, nowhere in sacred or profane writings, in no calculation, does “a time” signify five hundred years and “times” a thousand years.

Third, these things have no relation to the Babylonian captivity. For this horn is upon the fourth beast, but in the time of the captivity Chaldaea reigned, and the Persian beast--namely Cyrus--ended the captivity. Accordingly, the Leopard then held power. But the little horn is not upon the head of the Leopard, but of the fourth beast. But if he imagines the fourth beast to be the kingdoms of the Seleucids and Lagids, not even thus will he be able to weave together his fable without betraying himself by its incoherence. For how does that horn, crushed by the Romans, finally come to life again in the year of Christ 500?

Graser proceeds: "John understands three *πεντακοσιῶδας*, periods of five hundred years, after Christ's birth, by 'a time and times,' and from the year 1500 reckons 250 years." But he contradicts himself, because he had asserted that Daniel and John speak of the same matter; now he assigns different material to each, since he begins Daniel's "time" from the Babylonian captivity but John's from the birth of Christ. Then the months and days can in no manner be accommodated to this matter, much less to the apocalyptic beasts, which must be treated afterward.

§ 7. Behold, in a most grave matter by which the whole Christian world already existing from Christ's birth is condemned--for I showed above that the first Pontiffs are called Antichristian by many--there is dissension among them all. No one can fit his opinion to the text. From a most obscure matter an article of faith is forged, namely this: "The Pope is Antichrist."

Nor does this calumny assail only the Pontiffs, but all martyrs, confessors, Doctors, and churches which communicated with the Pontiffs. But it is no marvel if such things concerning the Pontiff are vaunted by men for whom that great angel, John the Baptist, is a heretic.

§ 8. Yet they object--for a pretext is never wanting to garrulous wickedness--"The three and a half years are a dream of the monks," say Chytraeus and Powell, and after them the jubilators.

I answer: first, this is the opinion of the most ancient and most learned Doctors of the Church, as Pareus acknowledges. Second, what they say is blasphemous against sacred Scripture. Daniel and John say that there are a time and times and half a time, forty-two months, and 1,260 days, during which the witnesses prophesy and the woman is fed in the wilderness. These things, spoken so distinctly, we accept in the manner in which they were spoken. For forty-two months are three and a half years; 1,260 days are three and a half years and several days, during which the Church will flourish after Antichrist has been killed. Who, therefore, is so tyrannically imperious that he calls me a dreamer when I say the same things which the Prophets and Apostles say, while by his own monstrous dream and uncertain opinion he condemns the Pontiff to every punishment?

§ 9. Pareus objects: "The things which are said of Antichrist cannot be accomplished in so short a space; therefore the space is not so short." Let us hear the words of Pareus:

"It does not agree with itself, because the things which they imagine their Antichrist must accomplish can no more possibly be completed by him within the space of three and a half years than a snail can crawl over the entire globe of the earth in the space of three days. He must be acknowledged as Messiah by the Jewish nation dispersed throughout the whole world. He must sit in the temple at Jerusalem, which has lain in ashes for so many centuries. He must butcher three kings of Egypt, Libya, and Ethiopia; subjugate seven other kings; restore Rome after it has been burned by those ten kings; cast out the Pontiff and sit there as Monarch. He must persecute the Christian religion throughout the whole world, destroy the Church, and finally bring the empire of the whole world under his power, and so forth. Who, I ask, would dream in a fever that these things will happen in less than four years? What Mercuries, therefore, will Antichrist send to announce suddenly to the Jews dispersed throughout the whole world the coming of their Messiah and persuade them of it? He will evidently rebuild in three days the temple which Solomon, with all the materials prepared, completed in seven years, and which Zerubbabel could scarcely restore in forty-six years. This four-year-old Antichrist will, of course, in a moment expel the Turk from Syria, the Persian from the East, the Khan from the North, and Prester John from the whole South. What could be more trifling? Will all the Christian Emperors and Kings snore so deeply that all of them together are suddenly oppressed by one man? Will the Roman Pope and his

Cardinals so keep watch that Rome becomes pagan from Catholic, and all Christians rashly give their hands to the coming Antichrist? O theatrical trifles! This fiction, therefore, in no way agrees with itself.”

I answer: the sectarians fight against phantoms. No one has said that all those things must be done by Antichrist within the space of three years and six months. No one ascribes so many deeds to less than four years. First, he will be the little horn; when he has subjected three kings, won the Jews to himself, built the temple, and cast down the empire, then, exalted by so many victories, his heart will speak great things. Alexander did not wish to be God until he had been inflated by many victories. Then that persecution will rage, when he appears to have established his power; for at the beginning and during his progress he has need of a reputation for clemency.

Antiochus himself acted less tyrannically in the first six years, for although he treated Jerusalem cruelly in the sixth year of his reign, he had nevertheless not yet climbed to the summit of malice. For he both wept on account of the murder of Onias, remembering the dead man’s sobriety and faithfulness, and avenged his death. But in the eighth year he seriously enacted the type of Antichrist and violated all things. Accordingly, that desolation must be begun from the eighth year of Antiochus, not from the beginning of his reign. In the same manner, the times of Antichrist growing and of Antichrist established at the summit must be distinguished.

Accordingly, in this matter Pareus shows himself a boy, and so does that entire *νεκρία*, necromantic farce, of the sectarians. For Antichrist will gradually conquer different men one after another, and he will use victory so that he proceeds from one to others until he oppresses them all. Meanwhile, these things are the most certain proof that the prophecy does not treat of the Pontiff. For he is not accepted by the Jews as Messiah, does not sit in the temple at Jerusalem, did not butcher three kings, and did not do the remaining things; therefore he is not Antichrist.

§ 10. Pareus proceeds: “It also variously contradicts the sacred Scriptures. These teach that Antichrist will come only through a universal apostasy from the faith, 2 Thessalonians 2:3 and 1 Timothy 4:1, while at least the elect marked upon the forehead are preserved. But who would say that all Christians, even the Bishops together with their Pontiff, can be led away from the faith within four years?”

[Printed page 453]

I answer: they were not led away from the faith within four years; rather, many have already suffered shipwreck of the faith. Many heresies have gone before so as to bring about the general apostasy; Antichrist himself will complete it. Thus also the abomination which existed in the time of Antiochus had preparations and causes. First Maccabees 1:11:

“There came out of them a sinful root, Antiochus the Illustrious, son of Antiochus the king, who had been a hostage at Rome; and he reigned in the one hundred thirty-seventh year of the kingdom of the Greeks. In those days there came out of Israel sons of iniquity, and they persuaded many, saying: ‘Let us go and establish a covenant with the nations which are around us, because since we departed from them many evils have found us.’ And the speech appeared good in their eyes. And some of the people determined to do it and went to the king; and he gave them power to enact the justice of the nations. And they built a gymnasium in Jerusalem according to the laws of the nations, and they made foreskins for themselves, and they departed from the holy covenant, and were joined to the Nations, and were sold to do evil.”

§ 11. So also now, if we behold the multitude and foulness of the heresies, we shall easily find that all things are prepared for apostasy. For if we consult Pareus, how small a part of men acknowledges and follows the rigid Calvinism into which he himself was initiated; and within that very Calvinism how great are the dissensions! And among those who appear more sincere, scarcely one in ten, in Calvin’s judgment, is not a hypocrite.

At last he concludes thus against Daniel and John:

“Scripture testifies that the day, month, and year of the Lord’s final advent are hidden from all creatures and known to God alone; but that the Lord will come suddenly like a thief in the night, when the world says, ‘Peace, and all things are safe.’ Yet according to the opinion proposed, the day, month, and year of judgment would by no means be hidden.

For from the rise of Antichrist to his death three and a half years would remain, and from his death forty-five days until judgment. For Bellarmine writes explicitly that after Antichrist's death there will be only forty-five days until the end of the world. Since, therefore, a falsehood follows from the opinion proposed, the opinion itself must necessarily be false."

I answer. Bellarmine says that it is established because, according to a probable interpretation of Daniel, certain men reason in this manner: Daniel 12:12 reads, "Blessed is he who waits and arrives at one thousand three hundred thirty-five days," as though the recompense of the good will then occur. But that interpretation is not certain and will be unknown to most men. Then, if they substitute years for days, the matter too will then be certain, and that day will be foreknown. For Pareus also prophesies that the Church must be trampled until the year of the Lord 1866; and since he thus disputes concerning a time and times and forty-two months, there can be no doubt that with an equal degree of certainty he conjectures concerning half a time. Braubomus certainly proposed all the years to us in the *Flaminian Flowers* and boasted that he had known them, although the soul of Christ did not know them.

Third, he who survives to that time can be called blessed, because then, after Antichrist's death has been very swiftly announced in the principal parts of the world, the persecution will cease, and the agents who believed dead the man whom they had believed immortal will waste away with horror.

Let us therefore rather hear Jerome speaking in this manner:

"A time signifies a year; 'times,' according to the peculiarity of the Hebrew language--for the Hebrews themselves also have a dual number--prefigure two years; but half a time, six months, during which the saints are to be permitted to the power of Antichrist, so that the Jews may be condemned who, not believing the truth, received a lie."

It must be noted, I say, that what he says concerning the dual is the case neither here nor in chapter 12, for in both places the number is plural; and the Jews generally use the dual only in things naturally paired--unless this is a convention by which, when they utter "a time, times, and half" without qualification, they understand "times" as a dual. Jerome does not say this because the form either here or in Daniel 12 is dual, for the Hebrews generally use that only in things naturally paired. But because that age lacked vowel points, he could read מְעַדִּים, *mo'adayim*, in the dual, just as readily as מְעַדִּים, *mo'adim*, in the plural; for there is no difference in the letters, but only in the points.

CHAPTER XXVII

Daniel Does Not Prophesy Concerning the Pontiff in Chapter 8, Verse 23

§ 1. These are the Prophet's words:

And after their kingdom, when iniquities have increased, there will arise a king shameless in face and understanding propositions; and his strength will be made strong, but not by his own powers. And beyond what can be believed he will lay waste all things, and amid an abundance of all things he will kill very many, and he will rise against the Prince of princes, and without a hand he will be crushed.

First, he says, “after their kingdom,” namely, that of the kings of Syria, who were nineteen in number. Antiochus, who was called Epiphanes and, from his character, Ἐπιμανής, “the Mad,” was not among the last of them, but the eighth. He therefore began to reign after the reign of certain kings of Syria. Yet because our interpreter translates generally, “after their kingdom,” while the Hebrew text has בְּאַחֲרֵית, *be’aharît*, “at the end,” and the Septuagint has ἐπ’ ἐσχάτων τῆς βασιλείας αὐτῶν, “near the ends of their kingdom,” the phrase of the Holy Spirit must be considered more accurately. For in truth the final days of the kingdom of the Greeks were already at hand. When Antiochus began to reign, Greece and even Macedonia were already in the power of the Romans, and a great part of the kingdom had also been alienated. Sixteen years earlier tribute had been imposed upon Antiochus the Great, his father, who had been stripped of a great part of Asia and of the islands, compelled to surrender his arms, elephants, and fleet, and ordered, though himself a king, to reign within modest boundaries on this side of Taurus. Antiochus Epiphanes himself had been a hostage at Rome and a pledge of servitude; nor was the condition of Egypt better, for the Romans protected its boy king. Since, therefore, the kingdom of the Greeks then clung to one part alone, and was not free but subject to another, the Holy Spirit rightly says, “after their kingdom.”

§ 2. Second, the cause of so great a persecution is stated: “when iniquities have increased.” Others translate: “when those transgressors will complete their defection.” Luther: *Wann die Übeltäter überhand nehmen*, “when the evildoers gain the upper hand.” Others: “the wicked have been brought to completion.” Thus there is a twofold interpretation. The first is: when God brings the transgressors to an end, for this was done under Antiochus by Judas and others. The second is the common interpretation, τετελεσμένων τῶν ἁμαρτιῶν, “when the sins have been completed”—when they were already ripe for punishment. Thus Moses speaks concerning the Amorites, and 2 Maccabees 4. The Hebrew is *behattēm happōše’im*. Our interpreter, with altered points, read it according to the second sense, “when the transgressors are to be brought to an end.” This is explained more clearly in chapter 11, in 1 Maccabees 1:11, and in 2 Maccabees 4:7 and following; and verse 12 indicates this: “But strength was given to him.”

§ 3. Third, all these things agree with Antiochus, and some with Antichrist. For, first, Antiochus is the little horn: a horn because, although born of a royal father, he himself obtained the kingdom when outsiders were invading it; little because he was the younger of the brothers, had been a hostage at Rome, had flattered all the powerful, and had all but served as a slave--yet, coming from exile to rule, he reigned through much bloodshed.

[Printed page 454]

It became great by occupying Palestine and establishing garrisons in Egypt, which was overcome in various wars; yet it did not equal the power of the ancient kings.

Fourth, “a king shameless in face.” The Hebrew *‘az pānīm* means “strong of faces,” ἀναιδὴς πρόσωπο, “shameless in face.” There are two features in that shamelessness on account of which Polybius, Athenaeus, Cedrenus, and Gorionides call him Ἐπιμανής, “the Mad”: for there was in him both the greatest ambition of one aspiring to divinity and the greatest lack of shame, since he gratified his lusts in public and in the sight of the people.

Fifth, “understanding propositions.” The Hebrew text calls them *hîdôt*, riddles. Some translate **φρονῶν κρυφὰ τοῦ σκότους**, “devising the hidden things of darkness.” For he was extraordinarily skilled in frauds and deceits.

Sixth, “his strength will be made strong, but not by his own powers.” Jerome explains that these things were permitted on account of the people’s sins, since otherwise he could have accomplished nothing. This is true both in the taking of Egypt, whose king was altogether languishing in sloth, so that excessive fatness deprived him not only of the duties of royal majesty but even of human feeling, while the corruption of the court, the nobles, and the cities was equal to his; and also because Antiochus accomplished few things by force, but most by fraud and perjury.

§ 4. Seventh: “Beyond what can be believed he will lay waste all things, and he will prosper and act, and will kill the strong and the people of the Saints.”

The Hebrew *nīplā’ôt* means “wonders” or “marvelous things”; the Septuagint has **θαυμαστὰ διαφθερεῖ**, “he will destroy marvelous things.” Graser translates, “he will destroy most secretly.” But he has the authority neither of a good nor of a bad interpreter.

Eighth, the success of so wicked a man is also indicated in verse 25:

According to his will he will be directed; deceit is in his hand, and he will magnify his heart, and amid an abundance of all things he will kill very many, and he will rise against the Prince of princes, and without a hand he will be crushed.

The Hebrew **על שכלו**, *‘al šiklô*, means, “upon his understanding his deceit will prosper.” That is, as the man himself used to say, he will handle deceits astutely and the outcome will be successful. The Septuagint interpreters translate thus: **ὁ ζυγὸς τοῦ κλοιοῦ κατευθυνθήσεται**, “the yoke of the collar”--or of punishment--“will be directed.” They read **ב**, a letter akin to it, in place of **כ**, namely **על שבלו**, *‘al šiblô*, “the yoke of his bond.” For **שבל**, *šābal*, means “a bond”; hence *šibbōlet*, “association,” and *sablônôt*, “ornaments, little chains, rings,” among the Chaldeans. The Greek reading thus has a twofold sense. The first is that Antiochus himself was the yoke of a bond, or the yoke of a bound man and hostage, which prospered when he was made king from being a prisoner. The other is that he bound many and led them into captivity, so that the prediction is of what is said at 2 Maccabees 5:14: “Within the whole space of three days eighty thousand were killed, forty thousand were bound, and no fewer were sold.” And these things happened in a single disaster.

We, however, following the Hebrew and the ancient interpreter, understand it of Antiochus’s temporary good fortune.

§ 5. Ninth, “he will magnify his heart.” Some join the Hebrew words *ûbilbô*, “and in his heart,” to the preceding words: “his deceit will be directed in his hand and in his heart.” But our interpreter has: “And in his heart he will magnify”--that is, he will magnify his heart, when he ought to have magnified the Lord. Thus the Septuagint: **καὶ ἐν καρδίᾳ αὐτοῦ μεγαλυνθήσεται**, “and in his heart he will be magnified.” The same thing is related in 2 Maccabees 5:1: “Thinking in his pride that he could make the land navigable and the sea traversable on foot, because of the exaltation of his mind”; and in chapter 9:7:

Moreover, filled with pride on this account, breathing fire in his spirit against the Jews, and commanding that the business be hastened, it happened that as he was rushing onward he fell from the chariot, and through the severe collision of his body his limbs were tormented. And he who seemed to himself even to command the waves of the sea, filled with pride beyond human measure, and to weigh the heights of mountains in a balance, now, humbled to the ground, was carried in a litter, bearing witness in his own person to the manifest power of God, so that worms swarmed from the body of the impious man and, while he still lived in pain, his flesh flowed away; his army also was burdened by his stench and foul odor. And no one could carry him who a little before thought that he touched the stars of heaven, because his stench was intolerable. Hence, therefore, cast down from his grave pride, he began to come to a knowledge of himself, admonished by the divine scourge, while his pains increased at every moment; and when he could no longer bear even his own stench, he said thus: “It is just to be subject to God, and for a mortal

not to think himself equal to God.”

§ 6. Tenth, “and amid abundance he will kill very many.” *Bešalwā*, which others interpret “in peace”; the Septuagint has **καὶ ἐν δόλῳ πολλοὺς διαφθερεῖ**, “and by deceit he will destroy many.” All these things are true. For when he returned from plundered Egypt, abounding in all things, he perpetrated slaughter at Jerusalem and elsewhere; and he did it in peace, for there was no war, but he sought an opportunity to rage and plunder; finally, all those things were accomplished by deceit. Nor does the Hebrew term resist this, for *šālā* means to act in peace and to be prosperous. Thus Jeremiah 12:1, Psalm 15:7, and Psalm 72:21.

Eleventh, “he will rise against the Prince of princes.” Thus the Hebrew. The Roman edition of the Septuagint does not have **ἐπ’ ἄρχοντα ἀρχόντων στήσεται**, “he will rise against the Prince of princes,” but **ἐπ’ ἀπωλείᾳ πολλῶν στήσεται**, “he will rise for the destruction of many.” Thus it read *daleth* in place of *resh*. Other editions too, the Frankfurt edition and others, combine the readings in one fashion or another: **ἐπ’ ἀπωλείᾳ πολλῶν στήσεται, ἐπ’ ἄρχοντα ἀρχόντων στήσεται**, “he will rise for the destruction of many; he will rise against the Prince of princes.” But the latter reading must be retained as authentic and the others omitted.

§ 7. Twelfth, **ὥς οὐ χειρὶ συντρίψει**, “so that he will be crushed not by a hand”; for the reading expounded by Theodoret is found in Greek books as **ὥς ᾧ συντρίψει**, “as eggs he will crush.” Although the Hebrew **עֲשֶׂה**, *’epes*, has various significations, it is taken for “egg” only in this place; but I rather believe that **ὥς** was made from **οὐκ**. Otherwise, they read **כ** in place of **א**, and the active *yisbōr*, “he will crush,” in place of the passive *yisšābēr*, “he will be crushed.” From this it is apparent how necessary it is for tradition to be joined to Scripture; for without the tradition of the points I may read both “he will crush” and “he will be crushed.” Serarius, on 1 Maccabees 6 and 2 Maccabees 9, shows that the two books of Maccabees do not contain contradictory accounts of Antiochus’s death.

Thirteenth, our adversaries labor to accommodate all these evils to the Pontiffs in the manner I described above. But there is no argument for it; or, if there is one, it is turned back upon them.

For, first, all these things can be said of any impious king--of Muhammad and of the others. Second, if we read the records of France, England, and Belgium, we shall without doubt find that everything which the Calvinists have done cruelly, sacrilegiously, and lustfully surpasses these deeds of Antiochus. Third, the Lutherans complain--as is manifest from the words I cited from the *Secular Palm*--that the Calvinists are scarcely more merciful toward them than the Papists are. Melancthon complains, as I showed in the *Jubilee*, that the rigid Lutherans impose a heavier yoke upon the moderate than had been imposed by the Pontiff. The Arminians in Belgium complain that the Gomarists exercise a greater tyranny against them than the Spanish Inquisition did. The Calvinists complain that the Lutherans are more savage against them than the Papists are. Since their complaints are mutual, therefore, there is no reason why they should cast everything upon the Pontiff.

[Printed page 455]

Fourth, this one king Antiochus, having risen from modest beginnings, shameless in face, and so forth, is set against one Antichrist. One man is established as a type--an evil man of the worst man--not one man of an entire kingdom, nor one man of many men. What cause or basis of likeness is there for one Antiochus to be chosen from the nineteen kings of Syria to be the type of all the Pontiffs, rather than all the kings or the kingdom of Syria? For although Antiochus wrested the palm of wickedness from all the others, they were nevertheless all extraordinarily wicked, cruel, and lustful--even that Seleucus who in some fashion worshiped God with sacrifices. Consideration of this history removes every force which our adversaries, by lying and trifling in their jubilees, endeavor to smear upon an unwilling history.

Fifth, Scripture too removes the whole charge from the Pontiff. For thus Daniel 8:8 says:

But the he-goat became exceedingly great; and when he had grown, the great horn was broken, and four horns arose beneath it toward the four winds of heaven. But from one of them there came forth one little horn, and it became great toward the south and toward the east and toward the host. And it was magnified even to the host of heaven;

and it cast down some of the host and of the stars, and trampled them. And it was magnified even to the Prince of the host; and from him it took away the continual sacrifice and cast down the place of his sanctuary. But strength was given against the continual sacrifice on account of sins; and truth will be cast down upon the earth, and it will act and prosper. And I heard one of the saints speaking; and one saint said to another whom I did not know, who was speaking: "How long will be the vision, and the continual sacrifice, and the sin of desolation which has been made, and the sanctuary and the host be trampled?" And he said to him: "Until evening and morning, two thousand three hundred; and the sanctuary will be cleansed."

Daniel describes the times of desolation and tyranny as 2,300 days, and he takes them as true days, not enigmatic ones. But since our adversaries admit that Daniel and John speak about the same things, they must also accept John's days and months properly. Then days are accepted properly in this passage; therefore they must also be accepted properly in chapter 12, verse 12. For there is no reason why we should accept enigmas elsewhere but proper speech here, especially since the discourse concerns the same things. And since the tyranny of Antiochus is explained in true and proper days, the affairs of Antichrist, which are signified by them, ought not to be indicated by improper days. Hence Pareus admits that thus far no interpreters have been able to connect that prophecy which concerns Antichrist, because they torture either Daniel or John. Moreover, those days must not be begun from the time when Antiochus placed the idol of abomination in the temple, but from the time when Jason began to rage in slaughter. But if they interpret these days enigmatically concerning Antichrist, they must still grant him many years, for 2,300 days will be the same number of years.

Sixth, Antichrist, like Antiochus, will be crushed without a hand; but now all their ministers exhort their kings to pursue the Pope in war and devour his flesh. They advise this in vain if the Pope is not to be crushed by hands.

CHAPTER XXVIII

What Is Said in Daniel 11:31 and the Following Verses Does Not Pertain to the Pontiff

§ 1. The text reads thus:

And arms from him will stand, and they will pollute the sanctuary of strength and take away the continual sacrifice; and they will set up the abomination unto desolation. And the impious will deal fraudulently against the covenant; but the people who know their God will prevail and act. And the learned among the people will teach very many, and they will fall by the sword and by flame and by captivity and by plunder for days. And when they have fallen, they will be raised up by a little help, and very many will be joined to them fraudulently. And some of the learned will fall, that they may be smelted and chosen and made white until the appointed time, because there will still be another time. And the king will act according to his will, and he will be raised up and magnified against every God, and against the God of gods he will speak great things; and he will be directed until wrath is completed, for the determination has been accomplished. And he will not regard the God of his fathers, and he will be among the desires of women, nor will he care for any of the gods, because he will rise against all things. But he will honor the God Maozim in his place, and a God whom his fathers did not know he will worship with gold and silver and precious stone and costly things. And he will act so as to fortify Maozim with a foreign God whom he acknowledged, and he will multiply glory and give them power over many, and will divide the land without charge. And at the appointed time the king of the South will fight against him, and the king of the North will come against him like a tempest, with chariots and horsemen and a great fleet; and he will enter the lands, crush them, and pass through. And he will enter the glorious land, and many will fall; but these alone will be saved from his hand: Edom and Moab and the first of the sons of Ammon. And he will send his hand into the lands, and the land of Egypt will not escape. And he will rule over the treasures of gold and silver and all the precious things of Egypt; he will also pass through Libya and Ethiopia. And a report from the East and from the North will disturb him, and he will come with a great multitude to crush and kill very many. And he will plant his tent Apadno between the seas upon the renowned and holy mountain; and he will come even to its summit, and no one will help him.

Of whom these things are said cannot be understood unless the sense is understood accurately; for this reason it is doubtful among many, because they do not know to whose deeds these words must be applied. For even some of the innovators accommodate all things to Antiochus in such a way that they stop with him; others are carried elsewhere.

But it must be said that the discourse concerns Antiochus, because his lineage and deeds are described, and this most certainly from verse 24. Then Antichrist is described in Antiochus as in a figure, but in such a way that some things agree with Antiochus alone and others with Antichrist alone. Yet because the sectarians accommodate all these deeds to Antichrist, we shall follow their tracks and show that they do not pertain to the Pontiff. They are not concerned to expound Daniel, but to set forth his words and then, gathering notorious pamphlets and public calumnies from every side, fasten them upon the Pontiff.

§ 2. Verse 31: “And arms from him will stand.” The Septuagint has *σπέρματα*, “seeds,” which they interpret of Eupator, the son of Antiochus, who himself also oppressed the Jews. They read *זרעים*, *zerā’im*, “seeds,” in place of *זרועים*, *zerō’im*, “arms.” But I do not think this must be understood of Eupator.

[Printed page 456]

For he did not take away the continual sacrifice; indeed, he could not, because it had already been restored and the Maccabees were defending themselves bravely. The arms, therefore, are the men whom Antiochus set over the Jews with the greatest savagery. Thus 2 Maccabees 5:22: “He left governors to afflict the nation: at Jerusalem, Philip, a Phrygian by birth, more cruel in character than the very man by whom he had been appointed; and at Garizim, Andronicus and Menelaus, who pressed upon the citizens more grievously than the rest.” And when he was set against

the Jews, he sent the hateful prince Apollonius with an army of 22,000, commanding him to kill all who had reached perfect age and to sell the young and the women.

Their deeds were to pollute and profane the sanctuary. The event is described in 2 Maccabees 6 and 1 Maccabees 1 from verse 40. Then *šiqqûš mēšômēm*: “they will set up the abomination of desolation,” or “the desolating” or “stupefying abomination.” The Septuagint calls it **βδέλυγμα ἡφανισμένον**, “an abomination made to disappear”; thus the Roman codex has it. Other copies read better: **καὶ δώσουσι βδέλυγμα τῶν ἡφανισμένων**, “and they will set up the abomination of the things removed from the midst”--the image of Jupiter, which was nothing, because an idol is nothing.

Verse 32: “And the impious will deal fraudulently against the covenant; but the people who know their God will prevail and act.”

The Hebrew words are emphatic: **בְּחִלּוֹת הַחַנִּיף בְּרִית וּמִרְשָׁעִי**, *ûmaršî ‘ê berît lehahānîp bahālaqqôt*, which in Greek is translated **καὶ οἱ ἀνομοῦντες διαθήκην ἐπάξουσιν ἐν ὀλισθήμασι**. The Hebrew may be translated word for word thus: “And he will cause the sinners against the covenant to sin, to dissemble, and to act impiously through flatteries.” The Greek means: “Those sinning against the covenant will lead others into falls,” or slippery places--that is, into a slippery fall. Our interpreter read *yahānîpû*, “they will sin, they will dissemble”; for this verb signifies to sin, but particularly with hypocrisy and pernicious dissimulation, and the Greeks read it in the same manner. Thus at Job 34:30 and 36:13 there is **הַנֶּפֶץ**, *hānēp*, “a hypocrite.” These, however, are those who in 1 Maccabees 1:12 resolve to establish a covenant with the Nations, and afterward all who fraudulently deceived the people of God or attempted to deceive them. Antiochus Eupator also did this in 1 Maccabees 6:61, as did Nicanor at 7:5, 10, and 28 and 9:58.

§ 3. This profanation and abomination is not in the Pontiff, but in the two hundred sects which defected from the Pontiff. We have remained in the first religion and changed nothing from the first faith, as I have proved from the adversaries themselves, who begin our so-called Antichristianism from thirty-three martyr-Pontiffs. If you seek the fraudulent, see the testimonies of the Lutherans and Calvinists against one another; no doubt will remain. They took away the sacrifices and profaned the Sacraments, so that the Calvinists are called by the Lutherans scarcely by any other name than *Sakramentsschänder* and *Sakramentsschwärmer*, profaners and fanatics of the Sacrament. They killed priests, dug up the very bodies of the saints, and reduced them to ashes. What follows pertains to the Pontiff and the Catholics: “But the people who know their God will prevail and act.”

§ 4. Thus the strong people against Antiochus were victorious in battle and victorious under torture, 1 Maccabees 1:56 and following, and 2 Maccabees 5, 7, and 9. It will be no different with the most noble martyrs in the time of Antichrist. For if within the memory of our fathers and in our own days they endured the theater of Calvinist cruelty in France, and even now endure it in various places, and if by their patience they overcame the dispositions of their executioners, why should they not set themselves against that bloodiest beast when Antichrist rages at his highest pitch? Indeed, in 2 Maccabees 2:47 the Maccabees are said to have pursued the sons of pride, to have prospered in the work of their hands, to have obtained the law from the hands of the Nations and of kings, and not to have given a horn to the sinner.

We give thanks to you, great God, because the people who know God have even now prevailed and acted, and have remained in the ancient faith amid so many thousands of errors. My mind shudders when I see that within a few years innumerable heresies have come forth and that each convenient man has been swept away by one or another of them; that those very heresies have collided with one another and entered into the most hostile conflict. Yet meanwhile I see so many thousands remaining in the ancient faith of the Martyrs, in the canon of the Apostles, and in the Churches which received the transmitted succession of doctrine and Bishops from the primitive Church; I see so many thousands coming from the Nations, and so many thousands returning from error. Blessed be God, who has caused his people to act and not to give a horn to the sinner.

§ 5. Verse 33: “And the learned among the people will teach very many, and they will fall by the sword and by flame and by captivity and by ruin for days.”

These things too must be understood of the time of the Maccabees and the Antichristian persecution. For both then the fury of the impious bore down especially upon the teachers of the people, and in our own time many thousands of priests and monks have been slaughtered, indeed slaughtered by a new kind of torment.

“The learned among the people”--*ûmaskîlê ‘ām*, those understanding among the people, or also those causing the people to understand. For they persecute them in marvelous ways: by sword, fire, and iron when they can, and by calumnies when they cannot. Who, from the foundation of the world, ever experienced more savage calumnies than the most illustrious and learned Bellarmine? What order today is exposed as a mark for arrows in the way the Society of Jesus is, whose institution is to benefit every class of men by teaching, from which the other orders also flourished again, and which Clement VIII was accustomed to call a society of talents?

Here they are tossed and harried “in the plunder of days”; in some Hebrew copies *rabbîm*, “many,” is added. But so that the reader may judge which party persecutes which, let him weigh the freedom--and sometimes the insolence--of the pseudo-Evangelical ministers in Catholic cities. By contrast, the pupils of our Society are scarcely permitted to pass through a little town governed by preachers without mockery, abuse, and sometimes unjust detentions and stonings; neither the peace of religion nor the authority of the magistrate who forbids it is of any help. Ministerial fury imbues everyone with hatred of truth and of those who teach the truth.

§ 6. Verse 35: “And some of the learned will fall, that they may be smelted and chosen and made white until the appointed time, because there is still another time.”

The end of tribulations is the advancement of the faithful and the saints. For they fall not by defecting from the faith, but by falling bravely for the faith: *lehāšērāp bāhem*, “for smelting among them,” just as in Malachi 3 God sits like a smelting fire. For metals are purified by fire and the faithful by tribulation. Stubble is burned up; gold comes out purer. “That they may be chosen”: the Hebrew *ûlebārēr* carries the signification both of choosing and of cleansing; the Greek text has ἐκλέξασθαι, “to choose.” “To make white” in Hebrew is *ûlelabbēn*, “and for whitening”; certain Greek copies have ἐκλευκάναι, “to whiten,” while others have ἀποκαλυφθῆναι, “to be revealed.” Now these things begin; when Antichrist rages, the pious and steadfast will advance extraordinarily.

[Printed page 457]

Of this too we now see examples: how many faithful princes and nobles, how many colleges of canons, how many assemblies of monasteries have reformed themselves and, by new laws, excluded every enticement of vice.

§ 7. Verse 36: “And the king will act according to his will, and he will be raised up and magnified against every God, and against the God of gods he will speak great things; and he will be directed until wrath is completed, for the determination has been accomplished.”

There is a twofold opinion. The first is that this must be understood of Antiochus alone. Bruchthon, Junius, Tremellius, and other Calvinists interpret it so, thereby showing that those who strive to fit these things to the Pontiff labor in vain. Pellican accommodates it first to Antiochus and then to the Turks.

The second opinion interprets it of Antichrist, but in two ways: first, of Antiochus and Antichrist together; others, of Antichrist alone. The Catholics understand the true Antichrist, the antitype of Antiochus; among the sectarians, some understand the Turk, others the Roman Pontiff, and others both together. The jubilators, in accordance with their purpose, refer all things with enormous abuse to the Papacy--that is, to all Catholic princes. Erhart Lauterbach briefly reports the calumnies of others in his first sermon. “Because,” he says, “the general mark of Antichrist is that he will act according to his own will. ‘Thus I will, thus I command; let my will stand in place of reason’: so it is in canon law. For the Pope, in those things which he wills, his will stands in place of reason.” He cites canons in the manner of men who have not seen them: Distinction 19, chapter *Si Romanorum*; Cause 9, question 3, chapter *Cuncta*; and Cause 16,

question 3, chapter *Nemini*. In these canons the Pope is not granted power to do anything whatsoever at his pleasure, whether just or unjust, but only the supreme power of judgment in spiritual affairs, from which there is no appeal, just as the same power is given to a king in political affairs. Nothing else at all can be concluded from these words. Accordingly, whatever he commands lawfully and honorably must be followed. The Pope is not to be obeyed if he commands evil; and if he inflicts an injury, lawful defense under the protection of blameless self-defense is permitted against him, which jurists and theologians grant against a tyrant. Nevertheless, there is no superior judge before whose tribunal the Pope may be summoned.

§ 8. This passage, therefore, proves that there will be another Antichrist. For he who governs the Church not according to his own will but according to the divine laws, the canons, and the statutes of the Fathers is not Antichrist. But the Pontiff governs in this manner; and if anyone departs from that law, he is rejected by God and disturbs the Church. As for the saying that the will sometimes stands in place of reason, the canons do not affirm it, but jurists sometimes use it in a sense applicable to all judges. For he who, after weighing the considerations in controversies, decides the suit does not provide an account, but judges by authority so that the matter is not perpetually agitated and controversies never ended.

Then, in indifferent matters which must be done, but which can be done in diverse ways--and must indeed be done rightly, though a uniform and harmonious manner of action is needed--the Pope may determine one good and honorable way, even though the matter by its nature does not demand this way more than another. Thus in the state a law is called the will of the prince; by it many things are established which could also rightly be done in another manner, but nevertheless, for the peace and tranquility of the state, the prince's will must be observed, and subjects ought not to oppose their own reasons to his just discretion.

Thus Charles the Great must be understood in the twenty-three capitularies which he sent to all the provinces, which are found in Ivo and the Council of Tribur, and so forth, at Distinction 90, chapter 3:

In memory of blessed Peter the Apostle, let us honor the holy Roman and Apostolic See, so that, as it is for us the mother of priestly dignity, so it should be the mistress of ecclesiastical reason. Therefore humility must be preserved with meekness, so that although a yoke scarcely to be borne should be imposed by that holy See, we nevertheless bear it and endure it with pious devotion. But if--which is not fitting--anyone, whether presbyter or deacon, is convicted of contriving some disturbance and lying in wait for our ministry, falsely claiming that he has brought a letter from the Apostolic See, or anything else which did not come from there, let the Bishop have power, while faith is preserved and humility toward the Apostolic See remains intact, to cast him into prison or other custody until by letter, or by suitable legates from his own party, he appeals to the Apostolic sublimity, so that it may especially deign by its holy legation to determine what the Roman law establishes should be defined concerning such persons in due order, so that both the man may be corrected and a limit imposed upon others.

For subjects do not rightly judge those things which the Roman law defines in due order, and which are often thought scarcely bearable by men whose judgment or will has been preoccupied. Meanwhile this law is laid down for all Pontiffs, Cause 25, chapter 9: "The first salvation is to keep the rule of faith and in no way depart from the constitutions of the Fathers." The Pope, therefore, does not act according to his own will, but accommodates his will to the prescriptions of the laws.

§ 9. Nor does the Pontiff do what Daniel prophesies concerning Antichrist: "And he will be raised up and magnified against every God." In Hebrew there is **וַיִּתְרומם**, *wayyitrômēm*, "he will raise himself," **ὁψωθήσεται**, "he will be raised up," which certain preachers greatly exaggerate as if, by saying "at Rome," they held Rome itself. Then **וַיִּתְגַּדַּל**, "and he will magnify himself." This does not seem to agree with Antiochus, who worshiped Olympian Jupiter, Bacchus, and other gods with most perverse superstition. Accordingly, that is the insanity of Antichrist, who will be restrained from crimes by reverence neither for the true God nor for any false god.

Erhart Lauterbach says that the Pope cares neither for God nor demon, neither for heaven nor hell, and that Luther heard these words at Rome: *Ist ein Helle, so stehet Rom drauf*--“If there is a hell, Rome stands upon it.” He proves it thus: because the Pope commands angels to carry the souls of those going to Rome into heaven; prohibits foods and days; makes a sin of what is not sin; and finally is called God by the canonists. He says that Augustine Boetius writes that the Pope can do everything God can, and Philip Decius likewise.

Let us consider these things accurately. As far as King Antiochus is concerned, he worshiped the gods extraordinarily. Thus Polybius in Athenaeus:

ἐν δὴ ταῖς πρὸς τοὺς πολέμους ἐξόδοις καὶ τοῖς πρὸς τοὺς θεοὺς τιμαῖς πάντας ὑπερέβαλε τοὺς βασιλευκότητας, τούτου τις τεκμήριαιτο ἂν ἔκ τε τῶν ἐν Ἀθήναις Ὀλυμπιεῶν, καὶ μετὰ ταῦτα περὶ τῶν ἐν Δήλῳ ἀνδριάντων.

“In his expeditions for wars and in his honors toward the gods he surpassed all who had been kings. One might infer this both from the Olympieum at Athens and, after these things, from the statues at Delos.”

Nor does this seem a sufficient reason for despising them, that reverence for no god restrained him from crime; for very many atheists, Epicureans, and others have done this--and indeed worshiped their divinities by crimes. Let another passage in Athenaeus concerning the procession which he led also be considered:

τὰ ἀντίτυπα τῶν παρὰ τοῖς ἀνθρώποις λεγομένων ἢ νομιζομένων θεῶν, ἢ δαιμόνων, προσέτι καὶ ἡρώων εἰδῶλα διήγετο, τὰ μὲν κεχρυσωμένα, τὰ δὲ ἡμφιεσμένα στολαῖς διαχρύσοις· ἐπὶ πᾶσι τούτοις δὲ προσήκοντες μῦθοι κατὰ τὰς παραδεδομένας ἱστορίας ἐν διασκευαῖς πολυτελέσι παρείχοντο.

“Representations of those who among men are spoken of or regarded as gods, and images of daemons and also of heroes, were led in procession, some gilded and others clothed in robes interwoven with gold; and in addition to all these, the appropriate myths according to the traditional accounts were presented in costly settings.”

[Printed page 458]

Then he says that Antiochus danced with the mimes, **καὶ μετὰ τῶν γελοτοποιῶν**, “and with the buffoons.” Finally, at the end, he adds: **ἱεροσυλῇκει δὲ καὶ τὰ πλεῖστα τῶν ἱερῶν**, “he also sacrilegiously plundered most of the temples.” Behold, the same man appears to be most superstitious and yet most impious toward the gods.

§ 10. But Antichrist will care for no God. Rather, as it is said in 2 Thessalonians 2:4, he “opposes and is exalted above everything which is called God or worshiped, so that he sits in the temple of God, showing himself as though he were God”; and in 1 John 2, he will deny Christ.

The innocence of the Pontiff, therefore, is strongly established in this passage. For he venerates God and professes himself the servant of the servants of God. He does not command the Angels, but prays to them. There is a certain prayer of the most confident friendship which employs the imperative: every day he prays, “Saint Michael, Saint Gabriel, all holy Angels and Archangels, pray for me.” He is not called God except in the manner in which Scripture calls princes gods and vicars, and in a degree proportionately greater as spiritual power is more exalted than temporal power. The statement about Augustine and Decius is a manifest lie. Then who among men is so unacquainted with human affairs as to believe that anyone said the Pope can do everything God can--a man commonly weak and old? It is a foul calumny invented by some and seized upon by others. We pronounce anathema upon anyone who says that the Pope can do everything God can.

§ 11. Good God, if it is permissible to snatch at words--even if I pass over the old ones which were not written this year--behold, the ignorant and abusive scoundrel Sharpe is called Alcides, and the most serene James, King of Great Britain, is called the British Jupiter; for in this very year Stephen Gilbert, Doctor of Laws, flatters them both thus:

Once sent from highest Jove to earth,

Alcides with a mighty hand laid low

the monsters that infested the world from its tender cradle.
 Wishing to destroy the final monsters which the languishing
 old age of the world brought forth upon the earth,
 the BRITISH JUPITER sends SHARPE from his gracious bosom.
 Advance, returned conqueror, go beneath so great an auspice;
 whatever Cacus, Lycos, and the very Beast
 displaying seven heads the Vatican cave of the god
 has brought forth--the certain destruction of Christ's worshippers--
 subdue it with both sword and fire. By as much as these new
 monsters are worse than the ancient ones, since they consign
 not only the body to savage death, but the soul as well,
 by so much, by Hercules, do you come to us greater than the old hero.

But passing over these things, let us examine the matter more accurately. Antichrist will deny, not only by deeds but by profession and openly, that Christ is the Redeemer; and because he will oppose Christ, he will therefore win to himself the Jews, enemies of the cross of Christ. The Pontiff has not done this, but condemns it; therefore he is not Antichrist. Then he confesses Christ to be the Christ and the Savior; he confesses that he has all his power from him, that without him he can do nothing, and that he has been redeemed by his blood; he calls everyone to Christ.

Third, they themselves distinguish Antichrist into the one who is called Antichrist commonly and the one who is so called properly. Powell, book 1, chapter 1, §3, says that they commonly call Antichrist anyone who in any manner opposes Christ, such as Jews, Gentiles, and heretics; properly, some kingdom opposed to Christ's kingdom, or the head of that kingdom. But those whom they improperly call Antichrists openly deny Christ; therefore so also will he who is properly called Antichrist, since he is both more powerful and worse than they, and sits in the temple, showing himself as though he were God.

Fourth, the holy Fathers interpret it thus. Hilary, book 6 *On the Trinity*; Hippolytus says that his mark will be that men deny baptism; Jerome, on this passage of Daniel, says that he will pretend to be the leader of the covenant; Gregory, book 11, epistle 3, says that he will compel men to Judaize. Fifth, he will come in his own name; therefore he will not put forward Christ and the vicariate of Christ as a pretext for his blasphemies. Beza therefore rightly warns on 2 Thessalonians 2 that Antichrist will transfer to himself not only all the honors of men but also whatever glory has anywhere been exhibited to any divinity whatsoever. This does not agree with the Pontiff, who daily bends his knees to God publicly and privately, who not only adores God as the highest beginning and highest good, but also follows the friends of God with a lesser worship.

There is an example in Gregory XIV. Thus Ciccarelli writes of him:

He fasted on every Friday and abstained from meats on Wednesdays, unless perhaps hindered by ill health. He always discharged upon bended knees the allotted burden of his prayers, both the ordinary ones and those of the Lady, as they call them. Rising from sleep in the morning, he immediately began the seven penitential psalms and continued them while clothing himself. He meditated for a full hour in the morning, reading the works of the honey-flowing Bernard; and if he drew any good conceptions of mind from them, he diligently noted and elegantly wrote them down. As long as he was a priest, he omitted saying Mass on no day; there was no day on which he did not confess, unless illness prevented him from doing so. But when he was ill, he received the Eucharist daily from the hands of another. And if the illness appeared likely to be mortal, he commanded that extreme unction be

procured for him with much devotion.

Antichrist will do nothing of the kind. They will see him ἀποδεικνύοντα ἑαυτὸν ὅτι ἐστὶ θεός, “showing himself to be God.” Irenaeus, book 5; Ambrose, on Luke 21, says that he will argue from the Scriptures that he is Christ. Theodoret, on 2 Thessalonians 2: he will name himself Christ. In no way, therefore, does the Pontiff exalt himself above every σέβασμα, “object of worship,” which the more ignorant Lutherans also interpret perversely when they wish it to signify worship, while the Calvinists refute them well by translating it “divinity.”

§ 12. Nor does he rise against the God of gods or speak great things, or ὑπέρογκα, “exceedingly swollen things,” as the Septuagint has it; in Hebrew it is *nīplā’ôt*, that is, marvelous things. For he professes that the works of God are marvelous, and teaches that all things stand by his omnipotence. I call all Catholics and heretics alike to witness that the majesty, power, goodness, and persons of God have never been taught and written of more accurately than by those who have lived and now live in the Papacy. The books themselves speak. Why, then, could so many and so learned men, who investigate the infinite nature of God in this manner and know so many things, endure the Pope if he placed himself before God in any manner or made himself equal to him? Or how could the Pope, chosen from among theologians and mindful of his own weakness, raise himself to a place from which not only the writings of theologians but even the swords of kings would drag him down?

But if they heard the Pope praying on his knees or prostrate on the ground, “Have mercy upon me, O God,” and so forth--if they saw him confessing his sins and weeping--would they still make τῇ ἀποδείξει, “the demonstration,” a matter of dispute for him? The same reasoning is confirmed: “And he will not regard the God of his fathers.” The Hebrew text, *‘al ’ēlōhē ’ăbōtāw lō’ yābîn*, means, “concerning the gods of his fathers he will not understand”: ἐπὶ πάντας τοὺς θεοὺς τῶν πατέρων οὐ συνήσει, “concerning all the gods of his fathers he will not understand.” Nor only this, but he will care for none of the gods, because he will rise against them all.

[Printed page 459]

Antichrist will care for no God, whether true or fictitious, but will magnify himself, *lehitgaddēl*, against all gods. If he who is properly Antichrist does this--that is, the Pope’s kingdom, or the head of that kingdom, namely the Pope himself--let them at least cease accusing us of manifold idolatry. For if we care for no God, then we do not make the saints into gods.

CHAPTER XXIX

The Pontiff Is Not Rightly Accused from the Statement That Antichrist Will Be among the Desires of Women

§ 1. In the Hebrew text the expression **יבין לא אלוה כל ועל נשים חמדת ועל**, *we'al hemdat nāšīm we'al kol 'ēlōah lō' yābīn*, is ambiguous: “concerning the desires of women and concerning God he will not understand.” The Greek text has nothing else concerning this mark of Antichrist than **καὶ ἐπιθυμίᾳ γυναικῶν**, “and the desire of women.” Thus is the present reading. But Saint Jerome shows that the Septuagint had it otherwise, and his words must be set down:

For what we have interpreted, “and he will be among the desires of women,” the seventy-two translated, “and he will not be subject to the desires of women,” and so forth. But because in the Hebrew, for what we said, “and he will be among the desires of women,” it has been stated ambiguously, Aquila, who expressed it word for word, saying, **καὶ ἐπὶ θεὸν τῶν πατέρων αὐτοῦ οὐ συνήσει, καὶ ἐπὶ ἐπιθυμίαις γυναικῶν, καὶ ἐπὶ πάντα θεὸν οὐ συνήσει**--“and concerning the God of his fathers he will not understand, and concerning the desires of women, and concerning every god he will not understand”--by these words it is understood that he both has the desires of women and does not have them. If we understand the words **ἀπὸ κοινοῦ**, “as shared in common,” he does not understand concerning the desires of women. With respect to Antichrist the easier interpretation is that he feigns chastity for this reason, so that he may deceive very many. But if we read, “and concerning the desire of women,” with “he will be” understood, it will be fitted better to the person of Antiochus, who is said to have been most lustful and to have descended through debaucheries and corruptions into such disgrace of royal dignity that he publicly joined himself even to mimes and prostitutes, so that he might gratify his lust in the presence of the people.

If, therefore, it is understood of Antiochus, it is sufficiently understood that that monster was above all others **γυναικομανῆς**, “mad for women,” and most womanizing, and that not only his chastity but even his sense of shame had been prostituted; the histories testify to this. Those, therefore, who interpret it of cruelty from 2 Maccabees 5:13 labor in vain: “For he did not spare even women”; and they translate, “He will not even attend to tenderness toward women.” For it has always appeared savage to be cruel toward women:

For there is no memorable name

in punishing a woman, nor does victory have praise.

But as far as the matter itself is concerned, *hāmad* is not “tenderness,” but “desire” and “beauty”; and not to understand concerning desire is not to desire. Thus also Job 31:1: *ūmā 'etbōnēn 'al betūlā?* “Why should I make myself understand concerning a virgin?”

The opinion of Pererius and others does not displease me: namely, that the words “concerning the desire of women” are set down separately, and *hū'* or *yihyeh*, “he” or “he will be,” must be understood, in the manner in which the Greeks and Jerome also explain them. For, first, it is the opinion even of all the heretics that Antichrist will be lustful; and although at the beginning he will feign chastity, he will soon express his Antiochus to the life and outstrip him by white horses. Second, his wantonness is shown from Revelation. Third, his cruelty does not stand in the way, for one who is cruel is also rotten in lust, and one who is lustful is also cruel, for the physiognomic signs of each passion are not different. Finally, he will be an instrument of the devil, which I would not believe will be chaste and pure--especially since the ancient and modern forerunners of Antichrist, votaries of Venus, have disgraced themselves by vice. Lusts drove Luther headlong; Carlstadt entered the first marriage; Calvin's brands and Beza's paradigms are known; Ochino instituted polygamy.

§ 2. The jubilators object from Powell, notes 18 and 27, that the Pope forbids marriages, and they add that he permits fornication. They adduce examples.

I answer that marriage is prohibited to no one except one who has bound himself to chastity by a vow. It is not lawful to make void the pledge of chastity given to Christ. He gravely prohibits adulteries and fornications. The Pope's judgment is proposed in various places; for me Cause 27, question 1, chapter 20, suffices:

Permission to marry is granted to some, namely those who have in no way professed either virginal or widowed chastity; but to some it is not granted, namely those who have resolved to be virgins or continent. Fornication, however, is permitted to no one with impunity.

And chapter 21:

It is manifest that women who have fallen from the better purpose of a holier chastity which is vowed to God, if they marry, are worse than adulteresses.

Concerning the whole class of the matter, see the canons of Cause 32, question 4, and likewise questions 5, 6, and 7.

For by these marriage is praised, while adulteries and fornications are forbidden. But certain Pontiffs lived impurely. I cannot deny it, nor is it necessary for the defense of the Church. Yet the ministers are not therefore to be excused. They argue thus: "Some Pontiff is a fornicator; Antichrist is a fornicator; therefore the Pontiff is Antichrist." Who does not see that such things agree with many of their magnates? Who does not see that the miserable consequence must be chastised with the rod? For if, whenever some king or prince sins, the kingdom is immediately to be stigmatized with Antichristianism, nothing in the whole world is pure.

Produce a series of innocent kings or princes--even among those taught by you--and show that the law against adulteries cannot be observed. If the matter comes to reasoning, we shall prevail. To the examples I answer: some are manifestly false, such as those concerning Gregory VII and others; some were invented by enemies; some men lived a more licentious life before the Pontificate and corrected it in the supreme dignity. At most there were six or eight whose life was wicked in so holy an office. I speak of Pontiffs, for I no more concern myself with pseudo-popes than with the Jasons and Menelauses who disturbed the ancient Church.

It is the greatest glory of the Church that 237 Pontiffs are now counted, among them thirty-three martyrs in an uninterrupted succession, and among their successors so many martyrs and so many illustrious in holiness and learning that not even their enemies, although aided by all the calumnies of every age, can name one unchaste man among thirty chaste men. Give me a kingdom, principality, or county in which there have been so many good rulers and so few bad. I know that this cannot be done by you. Yet this is the perversity of the adulterous generation of viperous offspring among the preachers, whose lies bear damnation: they impute to others the things they themselves do. Who should marvel that they invent stories concerning the ancients, when knowingly and willingly they invent everything against the living? They all bring forward Alexander VI, who was indeed wicked but was compelled to hear of more evils than he committed.

[Printed page 460]

But why do they omit the others whom the histories praise extraordinarily? Why do they not remember the crimes of their own men?

CHAPTER XXX

The God Maozim Is Not the Sacrifice of the Mass

§ 1. In verses 38 and 39 that God is described thus: “But he will honor the god Maozim in his place, and a God whom his fathers did not know he will worship with gold and silver and precious stone and costly things, and he will act so as to fortify Maozim with a foreign God.” The Hebrew text has **כְּנוֹ עַל מְצִיִּים וְאֵלָהּ**, *we ’ēlōah mā ’uzzīm ’al kannō*, “the God Maozim in his place or upon his throne.” The Septuagint translates **θεὸν ἰσχυρότατον**, “a most mighty God”; Aquila, **θεὸν ἰσχύων**, “a God of strengths”; yet others read **θεὸν ἰσχυρόν**, “a mighty God.”

The Greeks translate verse 39 thus: **Καὶ ποιήσει τοῖς ὀχυρώμασι τῶν καταφυγῶν μετὰ θεοῦ ἄλλοτρίου**, “And he will act upon the fortifications of the places of refuge with a foreign God.” Another reading is: **Καὶ ποιήσει τοῖς ὀχυρώμασι τῶν πόλεων μετὰ θεοῦ ἄλλοτρίου**, “And he will act upon the fortifications of the cities with a foreign God.” Theodotion translates thus: **Καὶ ποιήσει ταῦτα ὥστε στερεῶσαι τὰ ὀχυρώματα μετὰ θεοῦ ἄλλοτρίου**, “And he will do these things so as to make the fortifications firm with a foreign God.” Luther translates: *Aber an dess statt wird er seinen Gott Mausim ehren*--“But in its place he will honor his God Mausim”; and in verse 39: *Und wird denen, die ihm helfen, stärken Mausim mit fremden Gott*--“And he will strengthen Mausim for those who help him, with a foreign God.” In verse 38, without understanding the Hebrew language, he translates *’al kannō* as *an dess statt*, “in its place,” although it expressly means “upon its place” or “upon his place.” In verse 39, if he changed the points in the word *lemibsherē*, he showed that they do not pertain to the essence of Scripture.

The sense of the words is that Antichrist will worship the God Mausim, the god of fortifications--a new God whom the ancients did not know--but will fortify these strongholds with a foreign God. For he will place impious and superstitious men in the fortifications; in them they will worship the devil himself. Nor is it marvelous that he worships no one and yet now worships. For he will be great and will openly put himself forward as God, as impious kings once did; but because he will use the aid of a daemon, he will dread and secretly worship it, while even his familiars are occupied in the same daemon-worship.

§ 2. Yet they interpret it variously. The Greek scholia have:

τὸν θεὸν τὸν ἰσχυρόν, ὃν προσποιῶνται οἱ Ἰουδαῖοι σέβεσθαι, ἐν τῷ ναῷ δεξάσεται, ὃν περ εἰς ἀπάτην τῶν Ἰουδαίων ἀνέξει.

“He will receive into the temple the mighty God whom the Jews pretend to worship, whom he will indeed raise up for the deception of the Jews.”

Thus also others interpret it, for the true God is called in Scripture the God of strength, Psalms 26:1 and 30:3. Thus the heretics Bruchthon, Junius, and Tremellius, who call him the God of Israel. Theodoret says that Antichrist himself is the God Mausim, for it will come to pass that he glorifies himself; for the Greek has **δοξάσει**, “he will glorify,” and the Hebrew has *yekabbēd*. Nor is this marvelous: formerly there were examples of such great madness. When Caligula had made himself a God, he offered sacrifice to himself.

In a marginal note Luther calls him “the God of garrisons”; but in the preface he asserts that “the God of fortifications” is in the temples and monasteries, which are like citadels and fortifications: their colleges, he says, serve the Pope. But specifically he claims that Daniel wished to say “the God of the Mass,” but in indignation broke the word *Mass* and called it *Mausim*; and that “to fortify Maozim” is to care for everything which pertains to the Mass. The Lutheran Strigel says that Maozim is every idolatrous worship: the adoration of the Eucharist and the prohibition of marriages.

§ 3. It must be said, first, that he is not the true God of the Israelites, for Antichrist will rise against that God, the God of gods. Therefore he will not venerate him.

Second, he is not Antichrist himself, because Antichrist will worship him with gold and silver, in which manner he will by no means worship himself. Then Scripture speaks of Antichrist and his God as two different beings.

Third, he is not the sacrifice of the Eucharist, or Christ in the Eucharist or in the Mass, because Christ is worshiped not in fortifications but in all temples and in the public squares; then our fathers worshiped Christ thus. Third, Antichrist is himself publicly worshiped above every God; therefore he does not publicly say that Christ is his God.

Fourth, the God Maozim is not fasts, celibacy, and similar things. First, because these are worship of God, but Maozim is the God himself. But if the God Maozim is called the God of fortifications or of strength, the interpretation is most inept if “the God of strengths” is said to mean “the God of the selection of foods, of celibacy, and of similar things.” Second, who worships celibacy and fasts with gold and silver and costly things? Thus feasts and marriage-beds are worshiped. Third, assemblies of virgins and vows of chastity were already used in the ancient Church, as were many fasts; they are therefore not new gods whom our Fathers did not know. Therefore the Pope does not worship or fortify the God Maozim.

That God, therefore, is the God whom Antichrist, supposing him to be the author and preserver of his strength and power, will worship with his followers with great care and expense, and that in fortified places and places containing treasures. The continual sacrifice, the spotless Lamb, is as far distant from Maozim as Christ is from Belial.

CHAPTER XXXI

The Kings of the South Will Not Fight against the Pope

§ 1. Verse 40: “And at the appointed time the king of the South will fight against him, and the king of the North will come against him like a tempest. The king of the North will come against him in chariots and horsemen and a great fleet, and he will enter the lands and crush them and pass through, and he will enter the glorious land, and many will fall; but these alone will be saved from his hand: Edom and Moab and the first of the sons of Ammon.”

Most of the ministers omit these words and those which follow, because they see that they can in no manner be accommodated to the Pontiff. In this matter they thoroughly betray a seared conscience. For if the things attributed to this king do not agree with the Pope, with what face do they attribute the rest to him? Yet now someone has been found who opposes us and asserts that these very things too were said against the Pontiff: Paul Laurentius, who in his preface confessed that he lacked abundance of wisdom--out of truth, not humility--and foolishly believed and published another preacher's encomium which had called his sermons learned. It is useful, therefore, to hear the delirious man. On page 38:

Third, the Angel in the Prophet speaks of the fall of this idolatry and what sort of end it will have: namely, when its pomp and arrogance are at their summit, it will begin to fall and pass into nothing. Concerning this the text reads thus: “The king of the South will fight against him, and the king of the North will come against him.”

Here we hear that this impiety is tending toward its end, for express mention of the word “end” is made in the text. At such an end it will happen thus, says the text: “The king of the South will fight against--

[Printed page 461]

--the king of the North.” At that battle wondrous things will be seen; what the end will be will be manifest.

Here before all things I shall ask who are those two kings who are to fight against one another. And if someone should perhaps suspect the king of the South to be Ptolemy, king of Egypt, and the king of the North to be Antiochus Epiphanes, king of Syria, of whom mention was made in the preceding chapter, nevertheless the Angel says to the Prophet that the words have been sealed; therefore it could not be understood who these kings are. But after the prophecies have been fulfilled and the battle completed, it will then appear whence it arose and for what cause it happened.

But now the Lord God has raised up Christian men who from time to time opposed the Pope's immoderate arrogance and in some manner showed men what they ought to think of him, and thus they crushed him. For example, when Pontiff Boniface VIII was altogether swollen with pride, so as to call himself Lord of the whole world, in spiritual as well as temporal matters, and thus wished to command the whole world, Christ the Lord raised up Philip, king of western France, who in the year 1303 so overwhelmed the Pope at Anagni, led him captive, and fought him down so that he died a short time afterward. Concerning him it was afterward written and said: “He entered like a fox, reigned like a lion, and died like a dog.” Perhaps he breathed out his spirit beneath a club.

About twenty years afterward, Pope John XXII was deposed from the Pontificate through public letters on account of excessive avarice; John XXIII, in the year 1415, was cast down from his See on account of various wicked deeds. Afterward also at the Council of Constance the Pope received no slight blow through the martyr John Hus.

The gravest blow of all the Pope underwent through Doctor Martin Luther a hundred years ago, who preached and wrote against him, so that whole kingdoms and nations have now withdrawn from him. Christ the Lord brought about all these things--all the doctrine and writings by which the Pope has been manifested--and caused him to receive a mortal blow and begin to fall; he ordained and raised up men to accomplish it. Therefore Christ the Lord is the king of the East who inflicted the blow upon the Pope's Mausim of the Mass. For Christ the Lord is the Sun

of justice rising from on high and the true light which illuminates the entire world. On the other hand, the king of the North who fights against him must be the Pope himself, for no one opposes the splendor and shining dawn except the Pope alone, as experience has proved: he himself rushed with horsemen, chariots, and ships by land and sea, attempting to destroy all his adversaries, and indeed killed very many. He is called king of the North because darkness lies toward the North; he himself is darkened by spiritual darkness and driven by the devil, the god of darkness. And this is the Pope's end: he will begin to fall, but will rebel violently and kill many in the renowned land.

§ 2. Let us expound the words and then investigate the prophecy and its times.

First, "at the appointed time": *be 'et qeš*, "at the time of the end," **καὶ ἐν καιρῷ πέρατι**, "and at the end-time." Around the end of the time, when it is already near that there should be no more time. Vatablus also has "at the appointed time," which is the same as if he said, "at the time established by God."

"The king of the South will fight against him": *weyitnaggah 'immô meleḵ hanneḡeb*, **συγκερατίζεται μετ' αὐτοῦ ὁ βασιλεὺς τοῦ νότου**, "the king of the South will strike at him with the horn." For God values the struggles of kings fighting with great armies no more highly than those of bulls fighting one another.

"And the king of the North will come against him like a tempest, in chariots and horsemen and a great fleet; and he will enter the lands and crush them and pass through." The Hebrew is *weyista 'er*; the Septuagint has **συσταραχθήσεται**, "he will be violently disturbed." The Hebrew means to bristle, move, be stupefied, and be tempest-tossed. They think *šā'ar* was put in place of another form, meaning to cast down like a tempest. The Greeks are accustomed to translate it by **καταιγίζειν, λικμᾶν, ἐξαίρειν, φυσᾶν, φθείρειν**--"to storm, winnow, raise up, blow, destroy." See Jeremiah 23, where there is **σεισμός**, "shaking"; Zechariah 9:14, **σάλπιγξ**, "trumpet"; Job 38:1, **λαίλαψ**, "hurricane"; Isaiah 29:6 and Psalm 148:8, **πύριον**, "a fiery thing"; Psalm 54:8, **καταιγίς**, "tempest." The king of the North will therefore enter with great violence and destroy everything. Now let us see who these kings are and how certain is the faith of those who confidently assert all these things concerning the Pontiff and disturb the world by playing with riddles and allegories.

§ 3. Saint Jerome says that near the consummation there will be ten kings who divide the world among themselves, three of whom--those of Egypt, Africa, and Ethiopia--are to be killed by Antichrist; afterward, the remaining kings will submit to him. The ministers cry out that the Pope has done these things; we deny it and assert the contrary. The Pope is not the king of the North; he did not rush upon the king of the South or do the things which are written here; therefore the Pope is not Antichrist. Luther interprets these things allegorically, as is now evident from the words of Laurentius. But because this is ridiculous and contrary to the text, the rest were ashamed of it. Finally, nothing in matters of doctrine is concluded from such ill-fitting allegories.

I show that it contradicts the text. It names real kings of Persia in verses 2 and 3, and real kings of the South and North in verses 5 and 6; Egypt too is named in verses 8 and 17. It comes into no one's mind to understand the king of the South as anyone other than the king of Egypt, or the king of the North as anyone other than the king of Syria. We must therefore remain with the same signification here, so that they are real kings, one of Egypt and the other of Syria, who fight one another.

Accordingly, wearied by such puerile trifles, Junius, Tremellius, Abbot, Bruchthon, Sutcliffe, and Danaeus altogether deny that anything in Daniel treats of Antichrist; they say that all these things pertain to the wars of Antiochus, Physcon, and Philometor. Why, then, do others most laboriously bring forth these things concerning Antichrist and the Pope and twist them to their own purpose?

§ 4. The Lutherans object: Edom, Ammon, and Moab will escape Antichrist's tyranny, but those peoples do not now exist; therefore they must be understood allegorically. But from the same antecedent the Calvinists conclude differently: those peoples do not now exist; therefore those who will escape do not exist now; therefore this does not concern Christian times, but those of Antiochus. These latter propose nothing against the Pontiff from Daniel. But the

former err gravely, for the peoples are called by those names by reason of their places, although they have in great part ceased to exist as peoples. For amid so many migrations, mixtures, and destructions of peoples, the certain origins of any nation cannot easily be established; indeed, I do not think that **αὐτόχθονες**, “people sprung from the soil itself,” now exist anywhere, unless perhaps in the western and most remote Indies.

Nor did the kingdoms of those peoples still survive in the time of Antiochus; only scattered remnants did. David destroyed the Ammonites, 2 Samuel 11, 12, and 23. Ptolemy Philadelphus occupied Rabbah and called it Philadelphia. Zephaniah 2:8 indeed says, “Moab will be like Sodom and the sons of Ammon like Gomorrah”; nevertheless they survived the captivity, 2 Esdras 9, for they contracted marriages with the Israelites. There were also sons of Ammon in 1 Maccabees 5:6: “And he passed over to the sons of Ammon.” Moabite women also survive in 2 Esdras 13:23. Indeed, 2 Maccabees 10:16 names the fortifications of the Idumaeans, and Herod the Great was an Idumaeon. Those most numerous peoples were therefore not so destroyed that remnants did not remain in the same places and survive even today, who will evade the savagery of Antichrist, I believe by the benefit of mountains and hiding places.

[Printed page 462]

§ 5. Finally, the mystery fashioned in the name is now vain: that the elect are meant, who always bore the type of the reprobate. Edom himself certainly was not so named because of martyrdom, but from his profane desire for red pottage. Nor should the Ammonites and Moabites be numbered among the saints on account of the incestuous origin of their names, since they were always enemies of the people of God and cursed by God. Deuteronomy 23:3: “The Ammonites and Moabites will not enter the Church of the Lord in eternity, even after the tenth generation.” It is therefore injurious that, on account of someone’s grammatical or Cabalistic interpretation--on account of an enthusiastic interpretation of Edom, Moab, and Ammon--all Catholic kings should be condemned with the Pontiff and Bishops for Antichristianism.

Finally, not even such tasteless fictions cohere with one another. For how do the martyrs escape the persecution of which Daniel makes mention in this passage? He speaks of chariots, horsemen, and fleets; those peoples will escape these evils, but the martyrs will be oppressed by the armies and fleets of Antichrist. Much less, therefore, does this agree.

“And he will enter the glorious land, and many will fall.” In Hebrew the land is called **צְבִי אֶרֶץ**, *’ereṣ ṣebî*; they call it **γῆν σαβί**, “the land Sabi,” or **σαβαιμ**, “Sabaeim.” The Greek scholia interpret: **τὴν γῆν τῆς ἀξιοῦτος· ἀπόγονον δὲ παρὰ ἀρετῆς**, “the land of worth, a derivative from excellence.” In chapter 8:9 it is called the glorious land, where the Septuagint translates **δύσιν**, “the west,” appropriately, because the horn came forth against the south and the east and the host, as our interpreter translates. The Roman edition of the Septuagint has **πρὸς τὸν νότον, καὶ πρὸς τὴν δύναμιν**, “toward the south and toward the host.” In verse 16 of this chapter: “And he will stand in the renowned land.” Jerome testifies that the Septuagint translated it “the land of desire.” The Greek scholia have this on the passage:

Ἀντίοχος ἐν τῇ Ἰουδαίᾳ· αὕτη γὰρ διὰ τὸν νόμον ὑπῆρχε χώρα τῆς τοῦ θεοῦ θελήσεως, δόξης, δυνάμεως· τούτων γὰρ ἕκαστον τὸ σαβί ἐρμηνεύεται.

“Antiochus [will stand] in Judaea; for on account of the Law it was the land of God’s will, glory, and power, since *sabi* is interpreted as each of these.”

Thus the other reading found in Theodoret, **σαβεις**, must be corrected from this.

This land is Judaea, not Rome. Josephus writes the history thus: after the cities in Syria and Samaria had been conquered by Antiochus, the Jews surrendered themselves to him voluntarily; and after receiving him into the city, they abundantly supplied all things to the whole army and the elephants and assisted him when he attacked the garrison left by Scopas. Accordingly, since the Pontiff did not stand in Judaea, this cannot be attributed to him. For the fact that certain men have referred these things to the holy expedition is exceedingly impious and insulting to the best princes, who snatched the holy land from the hands of a most savage tyrant.

CHAPTER XXXII

The Pontiff Will Not Set Up His Tent between Two Seas and Capture Egypt

§ 1. Daniel prophesies in this manner: “And he will send his hand into the lands, and the land of Egypt will not escape; and he will rule over the treasures of gold and silver and all the precious things of Egypt; he will also pass through Libya and Ethiopia.”

None of these things agrees with the Pontiff, but the Lutherans and certain Calvinists attribute them all to Antichrist; therefore the Pontiff is not Antichrist. It has always been asked by our men: when did the Pontiff occupy Egypt, Libya, and Ethiopia? When did he set up his tent between two seas?

As far as the word *Apadno* is concerned, the Greek retains it as ἀπαδνῶ; another reading is ἐφαδνῶ. Symmachus has τὴν σκηνὴν δ' ἵπποστασίῳ, “the tent at the horse-station”; and the Greek scholia interpret τὸ ἵπποστάσιον as τὸ ἱππικὸν στρατόπεδον, “the cavalry camp.” Certainly a king’s retinue is mounted, and his principal power is in his cavalry. But because Antichrist will arise at Babylon, Daniel, when he speaks of his court and domestic camp, wished to use a Babylonian term. The same word is frequent among the Talmudists. Bruchthon maintains that this was done by Antiochus when, as he was about to set out for Persia, he entrusted his son to Lysias, together with the destruction of the Jews.

§ 2. But where will he set it up? On the holy mountain, between two seas. What mountain would Daniel call holy except the one which all the Jews would understand--the holy mountain, Mount Zion, between the Sea of Tiberias and the Phoenician Sea? The Pontiff did not come there.

Those who say that the Church is signified will never explain why it is placed between two seas, since it is spread throughout the whole world. But concerning these matters see Bellarmine, book 3, chapter 13, and his defender James Gretser.

CHAPTER XXXIII

The Apocalyptic Beasts of Chapter 13 Do Not Pertain to the Pontiff

§ 1. A great part of the *Flaminian Flowers* is spent in expounding chapters 13, 17, and 18 of Revelation. For it says that a mouth speaking enormous things was given to the Pope; it attributes to the Pope the mark and the number of the name; it says that the woman is the Roman Church and that the seven mountains are the Roman hills. In sum, all Roman things are abominable. The abusive reviler must be answered, and in this passage too the calumny must be shown to surpass the malignity of every previous age.

§ 2. There are two beasts in Revelation 13: the first seven-headed and ten-horned, the other a two-horned helper and flatterer of the first. I must prove that neither the Ten-Horned Beast is our Emperor nor the Two-Horned Beast the Pontiff.

§ 3. First, the Emperor is not the Ten-Horned Beast. For at Revelation 13:2 it is said, “And the Dragon gave it his strength and his great power,” and, as certain Greek copies add, *καὶ τὸν θρόνον αὐτοῦ*, “and his throne.” But the Dragon--that is, Satan--did not give our Emperor strength, *δύναμιν*, but the state did, and the most reverend and most serene College of Electors. For even princes of the opposing religion call it the Sacrosanct Roman Empire. Graser indeed asserts that the Church is necessarily afflicted by it and that the fullness of diabolism dwells in it. But with a monstrous malignity of abuse he addresses the Emperor with his proper titles--titles with which even the most serene King of England abundantly refutes him. And a book *On the Union and Synod of the Evangelicals*, published at Heidelberg in 1614, bears this subscription: “With the grace and privilege of the Vicar of the Holy Roman Empire.” What Aretius says, therefore, is false: “The devil fastened his--

[Printed page 463]

--ornaments upon the Empire.” I conclude my reasoning and leave it to the princes to consider where those words tend.

§ 4. Second, verse 3: “And I saw one of its heads as though slain unto death, and its mortal wound was healed; and the whole earth wondered after the Beast, and they worshiped the Dragon who gave power to the Beast, and they worshiped the Beast, saying, ‘Who is like the Beast?’” These things do not occur in the Empire; therefore the Empire is not that Beast. Yet Aretius says that the head slain in Julius Caesar, Nero, or other Emperors, when they were overcome by the Lombards or the Turk, was restored by Vespasian, Antoninus, or Charles the Great. It is an impious exposition and one which overthrows itself. For the devil is not worshiped in the Empire, nor is the Emperor worshiped because some Caesar died and the Empire was restored. Theodosius the Great, Charles, the Ottos, and others would be held by the same charge.

§ 5. Third, verse 8: “And all who inhabit the earth worshiped it.” But not all worship the Emperor; therefore he is not the Beast. For how many lands and kings both are and always have been free from the Roman scepter? How many arms of the Persians, Goths, Huns, Vandals, Lombards, Normans, Saracens, and Turks have afflicted the Empire? Surely they did not worship what they opposed with such great fury and in part conquered.

§ 6. Fourth, in this whole mode of abuse they disagree shamefully among themselves. Illyricus and others join the Turkish Empire to the Roman; others expound that worship with enormous insult to the princes. Aretius, on Revelation 13:7: “To wonder at the Beast is to wonder at the succession and felicity of the Empire, proclaiming it august, holy, sacrosanct, and immortal.” Aretius proceeds: “Second, they worshiped the Dragon; that is, in its person they worshiped and adore the Devil. For the Dragon is the devil, who fastens his ornaments upon the Empire.” Behold where the hatreds which you have rashly professed drive you. The Pope is Antichrist to you, the second Beast. So that this may seem true to the wretched, you establish that the first Beast, ten times more wicked than the second, is the

Roman Empire. You are so shameless and so rash that, although you declare that the second Beast which serves the first must be killed, torn by torments, and burned, you fail to observe that the first is worthy of a greater punishment.

Then you also make your own princes worshipers of the Beast, for in their speech and public documents they call the Empire holy, august, and so forth. He proceeds: “See what it is to worship the devil: that is, to wonder excessively at the majesty and felicity of the Roman Empire.” He professes to treat even of the reformed Empire at verse 8, and in the margin at verse 2 he notes: “The devil is the **σύνεργος**, co-worker, of the Roman Empire.” Finally, he adds that those who do these things are not written in the Lamb’s book of life. Therefore, O Antbellarmine colleagues, in your judgment are your princes and counts not written in the Lamb’s book of life? Do you exclude all subjects of the Empire from heaven? For they honor the Empire with that title which your colleague in Switzerland--or in a city of the Swiss Confederation--with such zeal and hatred describes as idolatry, that is, worship of the devil.

I ought not to doubt that you think thus, since you assert that there is such great agreement of doctrines among you; moreover, you cannot harm the Pope by any other reasoning unless you pierce him through the flanks of the Roman Empire. Nor is it marvelous or novel that, if only it is permitted to ruin the Pope, you are ready to bore through the ship in which you sail. I know where consistorial violence draws you. These matters belong to another disputation; I now propose one question. The *Aphoristic Disputation against Bellarmine* was printed at Heidelberg by John Lancellotti, printer to the Academy, and subscribed with these words: “With the privilege of the Vicar of the Holy Roman Empire.” Is this your idolatrous madness, or the printer’s? For to call the Empire holy is, as your men teach, to worship the devil and adore the Dragon. Or perhaps the Roman Empire is holy when it has the Vicar as its head, but profane when it has its primary, proper head bearing its own name--in which, as Graser says, there is the fullness of diabolism?

§ 7. You owe yourselves as an object of mockery not only to Turks and Persians but to Frenchmen, Italians, Spaniards, and Poles when you ascribe your Empire to Satan as its Author. Many of you have labored to show that the translation of the Empire was not effected by the Pontiff, nor its confirmation or coronation, and that it receives no ornaments from the Roman Priest. And why, I beg you? See the monstrous malice, deserving vindication by the laws of both doctrine and the Empire. “The devil,” says Benedict Aretius, your colleague, “fastens his ornaments upon the Empire”; the devil is the **σύνεργος**, “co-worker, helper,” of the Roman Empire. Was it of such great importance to deny communion with the Pope that the ornaments had to be attributed to the Devil? It is enough--more than enough--that there is hatred of the Apostolic priesthood; now there is love of the daemon. I shudder as I relate it.

So many minds among your writers labored at this, that they might withdraw the Empire from every jurisdiction which antiquity gave to the Pontiff--not so that that majesty might be free and in every manner without law, but so that it might be bound by contract to Satan; so that the Vicar of Christ, the Servant of the servants of God, might be excluded, and that **σύνεργος**, “co-worker,” and decorator might be the accuser of the brethren, the adversary of Christ, the Daemon. Rome is so hateful that you prefer the diadem to come from Tartarus. At this point, therefore, impiety holds its highest summit. Hatred of the ancient Church has advanced so far that it has enrolled the infernal Dragon in her place and attributes kingdoms to him. What remains except that they believe him when he says, “All the kingdoms of the world are mine,” and promises, “All these things I will give you if, falling down, you worship me”; that in hope of a kingdom they fulfill the condition, fall down, and worship the devil? They will refuse nothing, those for whom to call the Roman Empire holy is to worship the devil, and to call the Empire holy is daemon-worship.

Is it a sin to subscribe one’s book as your pseudo-prophet did:

Anno MatVresCentIs sponsae DIVae?

Again I ask: if it is idolatrous madness to call the Roman Empire august, as Aretius the Calvinist maintains, did Beza bind himself by that crime when he writes that he published his version of the New Testament under the august name of Elizabeth of Britain? Is the name “August” in the August Empire worship of daemons, but in the dominion of a single island **ὑποχρεωτικόν**, “a binding token,” and a mark of fidelity?

§ 8. Third, I ask whether Caspar Waser, who offered Graser's *Royal Plague* for sale to the most serene King of Britain, is guilty of idolatry. For in that preface he says:

The third reason was the authority of Your Majesty, which resides in Your Majesty at the highest degree and is plainly divine, and which long ago likewise resided in your forefathers of immeasurable greatness and splendor, and so forth.

He continues:

Consideration of all these things most justly moved and impelled the author of this work to hang these studies, as it were, upon the altar of the most sacred patronage and most exalted protection of Your Majesty.

Are not the authority of majesty that is plainly divine, immeasurable greatness and splendor, most sacred patronage, and most exalted protection--especially when an altar is added--are not, I say, these so ample words a defense of the German Princes when they call the Roman Empire holy? Pareus, in his book *On the Union and Synod of the Evangelicals*, calls the most serene Monarch of Great Britain "D. James VI." If he is *Divus*, divine, why is the Emperor not *Augustus*? For that "D." signifies *Divus*, not *Doctor*.

[Printed page 464]

Even a blind man would see where these things tend; would that our Germany may not learn it through its own destruction. All kings are sacrosanct, are honored by their subjects, and are objects of admiration; their injured majesty avenges itself through punishments of rebels. Is it idolatry to call, honor, and admire only the Emperor as sacrosanct? Is this kingdom alone diabolical? What else do these prophets do than hand over wretched Germany, shattered by fraternal warfare, to the servitude and lust of the Muhammadan tyrant?

CHAPTER XXXIV

Concerning the Same Beasts, from Revelation 13, Beginning with Verse 11

§ 1. The other Beast is treated from verse 11 to the end of the chapter, which our prophet maintains is the Pontiff or the Pontificate. But the Holy Spirit, who opened the mouth of John the Evangelist, added such symbols to each Beast that from them it is certainly established that neither the former is the Emperor nor the latter the Pontiff.

§ 2. The first argument. The second Beast exercises all the power of the first in its sight, verse 12. The Pope does not exercise that power before the Emperor; therefore he is not the other Beast, nor is the first Beast the Emperor.

§ 3. The second argument. “And it caused the earth and those dwelling in it to worship the first Beast, whose mortal wound was healed.” The Pontiff did not do this; therefore he is not the other Beast. Graser answers that the Pontiff keeps men in the worship of the former Beast, even though it now no longer exists.

I answer in turn that this is as manifest a lie as it is manifest that the sun shines at midday. For the Roman Empire still exists, and all its princes both call themselves such and are so called by everyone. I answer, second, that what is worshiped is not a Beast which does not exist, but one which truly exists; for the Holy Spirit opposes it to the lying spirit: “whose mortal wound,” he says, “was healed.” I answer, third, that even in the judgment of their own men the princes of the Empire owe much to the Pontiff, who endeavors so diligently to procure authority for them. For Aretius maintains that to cause the Beast to be worshiped means nothing other than to desire that the Empire be sacrosanct, august, and venerable, as it formerly was under the Gentiles. The Pontiff desires this, yet he does not desire the blindness of the Gentiles or the ἀποθεώσεως, “deification,” of the Emperors to be introduced.

If we who desire the Empire to be sacrosanct, august, and venerable are evil; if for that reason we are Antichristian and condemned to death by men who live under that same Empire, what do those men deserve who do not desire it to be august, sacrosanct, and venerable—who desire it to be lowly, profane, and contemptible? Their hatred of the German-Roman Majesty is so great that they desire those who wish the Empire well to be worthy of the most extreme examples of punishment. Do we suppose that different wishes are conceived and pronounced in the mosques of the Muhammadans? Yet our Calvinist Turks act with greater criminality, because they are citizens and because they are bound to the Empire by the sanctity of an oath.

I cannot pass over in this place the ridiculous delirium of Illyricus. He interprets “to exercise power before the Beast, so that the Beast itself is worshiped” as: “to exercise power against the will of the Emperors and to subject the Emperors.”

§ 4. The third argument. “And it performed great signs, so that it even caused fire to descend from heaven to earth in the sight of men,” verse 13. No Pontiff, by calling fire down from heaven, procured worship for the Emperors; therefore the Pope is not the second Beast, nor the Emperor the first. For what Pontiff compelled anyone to worship the title of the Empire? If “to worship” is to call it august and unconquered, Waser too worships a title of the British kingdom, for he calls its auspices “most august,” and the king himself unconquered.

§ 5. The fourth argument. Verse 14: the second Beast “said that they should make an image of the Beast which has the wound of the sword and lived.” What image of the Emperor did the Pontiff order to be made and worshiped? To what image did he give life? Illyricus interprets the image of the Beast as the form of the state; others interpret it as the Golden Bull of Charles IV, an enfeebled shadow of the Empire; others interpret it as something else. If matters stand thus, we no longer have a living and true Empire, but shadowy magistrates. Then the image is of the Beast which came to life again; therefore it is the image of a living Beast.

Thus Aretius says that the image of the Beast is the elected Emperor, while its life is confirmation. But this is blasphemous and foolish. For the second Beast compels both the Beast and the image to be worshiped together; and there is both the image of the Beast and afterward the Beast itself. Then the living and speaking image is not the Beast itself, but the image of the Beast; for it was a new thing for an image to speak, since the Beast had already uttered blasphemies against God and the Saints in verse 5.

§ 6. The fifth argument. The second Beast will cause everyone to have the mark of the first Beast, or its name, or the number of its name. The Pontiff did not procure this for the Emperor; therefore the former is not the second Beast, nor the latter the first. For who has been forbidden to buy or sell without an imperial mark?

While we seek the mark, Bullinger says it is chrism; Chytraeus, the oath of fidelity; Aretius, both of these, and also that of doctors and masters when they are inaugurated. Illyricus extends it to the tonsure and the mark of orders; Graser, to the mark of orders, exorcism, and the sacrament of confirmation; Sutcliffe, to the common manner of life of the Papists. These interpretations mutually destroy one another and have often been refuted by our men. For me it is sufficient to display the remarkable instability of the sectarians in their abuse; for none of all these things accomplishes anything against the Pontiff, as I demonstrate in the following manner by an irrefragable *ἀποδείξει*, “proof.”

There are five things which the Evangelist and Prophet John proposes as symbols of the Beast: the image of the Beast, the life of the image, the mark of the Beast, the name of the Beast, and the number of the Beast’s name. Everyone attributes the last three to the Pontiff, and our deceiver does so most of all. To prove that he is Antichrist, they devise and devise anew marvelous names, which are found in Luther, Chytraeus, Graser, and the prophet whom we now refute; for he fills the whole sixth book with the mark. He says that the mark of the Beast is its own proper name, either signified by numbers or enigmatic. I am weary of trifles, and so proceed to explain the argument.

He is Antichrist whose image, mark, name, and number of the name are described in Revelation; but these are not the Pontiff’s; therefore the Pontiff is not Antichrist. The proposition is not disputed, for each party attributes these things to Antichrist. The assumption is proved. The image, mark, name, and number of the name belong to the first or primary Beast, not to the second, which serves the first. But according to the sectarians’ abuse, the Pontiff is the second Beast, not the first; for they say that the Empire is the first Beast.

[Printed page 465]

Therefore, if their heresy is true, the mark, name, and number of the name pertain not to the Pontiff but to the Emperor and the princes of the Empire. It must now be proved that these belong to the first Beast, not the second.

§ 7. First, the context itself teaches that the image belongs to the same Beast as the mark, name, and number of the name. The image is that of the first Beast: “Saying to those who dwell on the earth that they should make an image of the Beast which has the wound of the sword and lived,” verse 14. It continues in verse 15: “And it was given to it to give spirit to the image of the Beast, and that the image of the Beast should speak, and to cause all who did not worship the image of the Beast to be killed.” There is therefore no dispute concerning the image, for it is the image of the Beast which has the wound of the sword and lived. But the mark and name belong to the same Beast, which I prove from verse 16: “And it will cause all, small and great, rich and poor, free and slaves, to have a mark on their right hand or on their foreheads.” And verse 17: “And that no one may buy or sell except one who has the mark or the name of the Beast or the number of its name.” It is not said that the second Beast acts so that its own image or mark is possessed, but that of the Beast--namely, the first; nor does it say “the number of its own name,” but “the number of his name.”

Second, chapter 14:9--11: “If anyone worships the Beast and its image and receives the mark on his forehead or on his hand, he also will drink of the wine of the wrath of God,” and so forth. “Nor do they have rest by day or night who worshiped the Beast and its image, or if anyone received the number of its name.” The Holy Spirit could not have said more clearly that the image and the mark belong to the same Beast. The image is that of the former Beast; therefore so is the mark. According to the seditious opinion of the sectarians, the former Beast is the Empire. The mark is therefore

that of the Empire, not of the Pontificate. Thus the whole pestilential exhalation of calumnies and abuse breathes upon the August Emperors, the Electors, and the princes of the Empire, which all subjects rightly abominate; but the Pontiff is free of it.

Third, chapter 15:2: “And I saw as it were a sea of glass mingled with fire, and those who had conquered the Beast and the image of the Beast and the number of its name, standing upon the sea of glass,” and so forth. The image does not belong to one Beast and the number of the name to another. By the agreement of the Pontiff’s enemies, the image is not that of the pontifical Beast; therefore neither is the number of the name. Thus the vanity of so many names invented against the Pontiffs strikes the princes, for the ungrateful and criminal Calvinist subjects falsely charge that the first Beast pertains to them.

Fourth, chapter 16:2. The punishment which followed the guilty indicates the same thing: “And a savage and exceedingly evil wound came upon the men who had the mark of the Beast and upon those who worshiped its image.” Whose image did they worship? The image of the one whose mark it was.

Fifth, chapter 19:20: “And the Beast was captured, and with it the false prophet who performed signs before it, by which he seduced those who received the mark of the Beast and who worshiped its image.” The false prophet is the second Beast, lesser than the Beast which is simply called “the Beast.” Therefore not even by the sectarians’ obstinate malice can the Pontiff be called the second Beast. For since they say that he exalts himself above every *σέβασμα*, “object of worship,” how does he, neglecting himself, act so as to procure for the first Beast an opinion of divinity?

In vain, therefore, with such great madness and such great apparatus, are the mark, the name, and the number of the name brandished against the Roman Church; in vain do they contrive wars and bloody slaughters. She is not the wild Beast which they pursue. They seek to strike their tooth against fragile flesh--that is, according to Graser’s interpretation, against the clergy--but they break it against the solid--that is, according to the same interpreter, against the laity.

The simplicity of many Germans, even Princes, is worthy of pity rather than persecution or laughter. When they heard that their men had found the number of the name 666 in some little word, such as *רומיית*, *Rômîth*, or *λατεῖνος*, *Lateinos*, or another, they immediately admired such *ταχυσοφίαν*, “ready cleverness,” and by an imperious ostracism ordered all adherents of the Pontiff to be exiled from the Christian state, unaware that by this subtlety they were casting the political magistracy, the Emperor, and the most noble lords of the Empire, as though they were the Beast, into the lake of sulfur and fire.

CHAPTER XXXV

Cardinals Are Joined to the Pontiff for Counsels and Government

§ 1. The name of Cardinals is recent, but the institution most ancient. For they are the principal senate of the Supreme Pontiff; they are governors, counselors, and assessors. They are so called because the affairs of the Church turn upon them as upon hinges, and because they are prelates and leaders of religion. Thus Chalcondyles, book 6, where he treats of Bessarion and Isidore being elected Cardinals at the Council of Florence. He errs, however, when he relates that thirty were elected.

Sylvester, in the Roman Council, names a Cardinal presbyter and Cardinal deacon, Cause 2, question 7, chapter 5:

A prelate will not be condemned except with witnesses; nor will the Supreme Prelate be judged by anyone, because it is written, “The disciple is not above the master.” But a Cardinal presbyter will not be condemned except with forty-four witnesses; and a Cardinal deacon of the city of Rome will not be condemned except with twenty-seven witnesses.

From this we gather that other Churches also had Cardinals, and that the Cardinals of the city of Rome were far below Bishops; for they are condemned by twenty-seven witnesses, while Bishops are condemned only by seventy-two, which is also repeated in chapter 3. Volaterranus, in the *Anthropology*, thinks that under Benedict IX they began to be so named in the year 1031. But already in 950, under Louis IV and Otto the Great, this name was in common use. Afterward, as the multitude of affairs increased and the civil dominion of the Roman Church in Italy, Sicily, and other places was strengthened, their authority, dignity, and wealth increased. Chalcondyles therefore rightly says that the Pontiff gives them sufficient revenues by assigning regions from which some receive more and others less.

§ 2. By command of the Council of Basel, Cardinals are elected by scrutiny. These are the words of Session 23:

Let the election of Cardinals not be made by whispered votes alone; rather, only those may be assumed concerning whom, after a true scrutiny has been conducted and published, it is established that the greater part of the Cardinals have collegially consented by the subscription of their own hand. Apostolic letters shall also be drawn up thereupon with the subscription of the Cardinals, while the decree of this sacred Council solemnly published in the fourth session, which begins “Likewise, since the multiplication of Cardinals,” and so forth, is to remain inviolate in its force. When the Cardinals receive the insignia of their dignity, whose signification is that they should not fear to shed their own blood, if need be, for the good of the universal Church, they shall swear in public consistory--if they are in the Curia; but if absent, publicly in the hands of a Bishop to whom it has been committed by Apostolic letters in which the form of the oath is inserted--in this manner: “I, N., recently assumed as a Cardinal of the holy Roman Church--

[Printed page 466]

--from this hour forward will be faithful to blessed Peter, to the universal and Roman Church, and to the Supreme Pontiff and his successors entering canonically. I will labor faithfully for the defense of the Catholic faith, the extirpation of heresies, errors, and schisms, the reformation of morals, and peace among the Christian people. I will not consent to alienations of the possessions and goods of the Roman Church or other churches, or of any benefices, except in cases permitted by law; and I will labor according to my ability to recover things alienated from the Roman Church. I will advise nothing to the Supreme Pontiff, nor subscribe my name, except according to God and my conscience. I will faithfully execute the things committed to me by the Apostolic See. I will preserve divine worship in the Church of my title and its goods. So help me God.”

Today too they are sometimes elected in this manner; but when they are nominated at the Pontiff’s discretion, the consent of the other Cardinals is added. Prudence and sincerity in appointing good Cardinals is one of the Pope’s chief

virtues. For the purpose of so great a dignity is not that they shine in purple, but that they be prepared to shed their blood for the faith and religion. Thus the Church wished the insignia to be signs of honor in such a way that they also contain an admonition of duty. The purple robe and red hat are a royal color, but also the color of martyrs; for the Church uses that color on the solemnities of martyrs.

§ 3. There is no fixed number of Cardinals. If they are suitable, it is most desirable and best that there be very many. The statement by the glossator that there were 236 in the time of Pontian, in the year of the Lord 234, is not so foreign to truth as some think; for even if the name was lacking, the council of the Roman clergy was nevertheless great and numerous. The Council of Basel prescribes a moderate number, Session 23:

Since the Cardinals of the holy Roman Church assist the Supreme Pontiff collaterally in directing the Christian state, it is necessary that such men be appointed as may be, in fact as in name, hinges upon which the doors of the universal Church turn and are sustained. The holy Synod therefore decrees that henceforth their number be so moderated that it neither be burdensome to the Church--which now, because of the wickedness of the times, is afflicted by many grave disadvantages--nor become cheap through a superfluous multitude. They shall be assumed from all regions of Christendom, insofar as this can conveniently be done, so that knowledge of matters arising in the Church may be obtained more easily and deliberation concerning them may be more mature; yet in such a way that those now existing and those to be assumed do not exceed the number twenty-four. From one nation there shall not be more than a third part in relation to the Cardinals existing at the time, nor more than one native of a single city and diocese; and no one may be appointed from a nation which now has more than a third part until it is reduced to its third part. Let them be men excelling in learning, morals, and experience of affairs, not younger than thirty years, masters, doctors, or licentiates, after rigorous examination in divine or human law. Let at least a third or fourth part be masters or licentiates in sacred Scripture. Among these twenty-four there may be a very few sons, brothers, or nephews of Kings or great Princes, in whom competent learning, together with circumspection and maturity of morals, shall suffice.

Some judged that seventy-two should be appointed, because this was the number of the elders among the Jews and of the Lord's disciples. Sixtus V decreed that there should not be more than seventy, and that among them at least four doctors of theology should be assumed from the mendicant orders. If you ask what I advise, I shall say it openly. If they are many, costly, and little industrious, they are a great burden, weigh down the Church, and offend the weak. If they are many and are moderate, laborious, and prudent, there can be no multitude so great that a greater would not be better. For the safety of the state is a multitude of wise men; the safety of the Church too is dignity joined with virtue. For where those two are joined, authority is greatest and its use best.

§ 4. It must be no less a concern that the Cardinals be of diverse nations than that they be many and approved. Thus Bessarion and Isidore were prudently admitted at the Council of Florence to preserve the union of the Greeks. For not only are there many advantages in this, but it appears almost a necessity.

First, lest national partialities be perceived in the consistory and judgment of the Church, which is the holiest of all; lest any nation think itself despised; and lest it complain that it lacks a patron before the Apostolic See. Second, because dealings must be conducted with the princes, states, and kings of all peoples, it is advantageous in this matter to have in the council the leading men of all peoples, through whom affairs may be transacted. Third, this is also necessary for knowing the causes and condition of all peoples. No greater errors are committed in government than through ignorance of the state, but it does not ordinarily happen easily that foreigners have thoroughly perceived everything which pertains to instructing, conciliating, and governing other peoples.

How many Italians judge the Bishops of Germany equal to themselves in external government and compare fir trees with tamarisks? How many imagine that Germany is a great city? A certain German of no mean standing used to ask whether Caesar too possessed many villages.

It is probable that so foul an ignorance of history and peoples cannot exist in so great a dignity; yet other things of no less importance are unknown, such as particular laws, rivalries of princes, disposition, manner of acting, and customs. In these matters not only do leading men of diverse peoples go astray, but Apostolic Legates too, when they are of another nation, sometimes stumble and, as if ignorant of the matters for which they are sent, lose their authority. Cardinals, therefore, ought to be diverse according to the diversity of nations, and the most select men from every people, many also distinguished in nobility and station, not only in holiness and learning. For through them affairs of the greatest moment are frequently accomplished: treaties of kings, peace, and the tranquility of the state are obtained.

§ 5. The Council of Basel taught what sort of men Cardinals ought to be, Session 23, decree 2:

Let them be men excelling in learning, morals, and experience of affairs, not younger than thirty years, masters, doctors, or licentiate, after rigorous examination in divine or human law. Let at least a third or fourth part be masters or licentiate in sacred Scripture. Among these twenty-four there may be a very few sons, brothers, or nephews of Kings or great Princes, in whom competent learning, together with circumspection and maturity of morals, shall suffice. Let no nephews through the brother or sister of the Roman Pontiff or of any living Cardinal be made Cardinals; nor men born illegitimately, blemished in body, or stained with the mark of any crime or infamy. To the aforesaid number twenty-four there may be added, for a great necessity or utility of the Church, two others in whom holiness of life or extraordinary virtues shine, although they do not possess the aforesaid degrees; and when the Greeks have been united with the Roman Church, certain distinguished men from among the Greeks may be added. Let the election of Cardinals--

[Printed page 467]

--not be made by whispered votes alone; rather, only those may be assumed concerning whom, after a true scrutiny has been conducted and published, it is established that the greater part of the Cardinals have collegially consented by the subscription of their own hand. Apostolic letters concerning the Cardinals shall also be drawn up thereupon with their collegial subscription, while the decree of this sacred Council solemnly published in the fourth session, which begins "Likewise, since the multiplication of Cardinals," is to remain inviolate in its force.

Without doubt the Pontiff may arrange these things otherwise, after taking account of time, place, and necessity; but whether it is expedient to do so must be weighed diligently. This surely must be maintained: no one is ever to be chosen as Cardinal so that the man elected may himself be raised to honors, wealth, and power, but for the sake of the public good, so that the utility and necessity of the Church may be provided for.

But the Lateran Council, Session 9--Book 7 of the Decretals, book 1, title 4--fixed excellent laws for the Cardinals:

Since the Cardinals of the holy Roman Church precede all others in that Church after the Supreme Pontiff in honor and dignity, it is fitting and due that they excel everyone in purity of life and splendor of virtues. Therefore we not only exhort and admonish them, but also decree and ordain that henceforth every Cardinal existing at the time, according to the teaching of the Apostle, should live soberly, chastely, and piously, so that, abstaining not only from evil but also from every appearance of evil, he may shine before men and honor God chiefly by his works. Let them all be vigilant and intent upon divine offices and the celebration of Masses, and let them have their chapels in an honorable place, as they have been accustomed to do.

Let their house, household, table, and furnishings be neither ostentatious nor pompous, nor filled with superfluous things, nor reprehensible in any manner, lest license for sinning and exceeding proper limits arise from them; rather, as is right, let them deserve to be called a mirror of moderation and frugality. Therefore let them be content with those things which display priestly moderation. Let them treat prelates and all other distinguished men coming to the Roman Curia kindly and honorably, both publicly and privately; and before us and our successors let them graciously and liberally undertake the affairs entrusted to them.

Moreover, let them not have Bishops and Prelates in dishonorable service in their households, lest those who have been appointed to preside over others and distinguished by a sacred character descend into base services and

everywhere introduce contempt for the pastoral office. Therefore let them treat honorably, as brothers and in accordance with the fittingness of their station, those whom they now have or will have in the future.

Since they assist the Roman Pontiff, the common father of all Christ's faithful, it is exceedingly unfitting that they should become respecters of persons or their advocates. We therefore decree that they should assume no partiality and should not become promoters or defenders of princes, communities, or any others against anyone, except insofar as justice and equity demand and their dignity and condition require. Rather, separated from every private passion, let them devote and apply themselves with all diligence to calming and composing disputes among any persons whatsoever. Let them promote with pious affection the just affairs of princes and all others, and especially of the poor and religious, and assist the oppressed and those unjustly burdened according to their strength and the duty of their office.

If they are present in the Curia, let them visit personally the places of their title at least once every year; but if absent, through a suitable Vicar. Let them diligently inquire into the clergy and peoples of the churches subject to their title, and be watchful concerning divine worship and the goods of those Churches; above all, let them carefully examine the morals and life of the clergy and parishioners, and admonish them all and each with paternal affection to live rightly and honorably.

For the increase of divine worship and the salvation of his soul, let every Cardinal either give during his life or leave at the point of death to his title enough to support one presbyter there suitably; or, if the Church needs repair or other assistance, let him leave or give to it as much as shall seem right to his conscience.

And although it is by no means fitting to neglect relatives and kindred, especially those who have deserved well and need assistance, but is just and praiseworthy to provide for them, nevertheless we do not therefore judge it fitting to fill them with such a multitude of benefices or ecclesiastical revenues that others suffer loss from the immoderation of such liberality and scandal arises from it. We therefore decree that they should not rashly pour out the goods of the Churches, but expend them upon those pious and holy works for whose sake great and excellent revenues were established and ordained by the holy Fathers.

We also will that they should procure and provide by every exertion that the same Churches entrusted to the Cardinals be duly served, even if they are Cathedrals or Abbatial Churches, Priories, or any other ecclesiastical benefices whatsoever, without any excuse at all. Let them appoint to Cathedrals worthy and suitable Vicars or suffragans, according to custom, with worthy and competent compensation; and provide the other Churches or monasteries entrusted to them with the appointed service of clerics, chaplains, religious, or monks serving God sufficiently and laudably. Let them also preserve the buildings, possessions, and all rights in a suitable condition and restore those which have fallen into ruin, as pertains to the office of good prelates and commendatory holders.

§ 6. Just as Canons elect a Bishop from their own body, so Cardinals elect the Pontiff; and this is their first and most excellent office. For they elect and are elected, and this frequently, because only Cardinals of advanced age are chosen as pastors of the Church and therefore cannot preside for long; for the Church has seen few young men in that See.

Concerning the manner of election, conclaves, and other circumstances, the Council of Lyons under Gregory X gave laws, in the constitution *In Nomine*; likewise throughout Distinction 70 and Distinction 79, chapter 1.

The oath to be administered to them is proposed in this form by the Council of Basel, Session 23:

On the following day, all the Cardinals, in the presence of those who are in the conclave, after hearing the Mass of the Holy Spirit, shall receive the sacred Eucharist. Before they begin the scrutiny, with the holy Gospels placed before them, they shall swear according to this form: "I, N., such-and-such a Cardinal, swear and promise to Almighty God, Father, Son, and Holy Spirit, and to blessed Peter, Prince of the Apostles, to elect as Pontiff the man whom I believe useful to the universal Church in spiritual and temporal matters and suitable for so great a dignity; and not to give my vote to one whom I shall probably know to have procured election for himself, directly or indirectly, by a promise or gift of any temporal thing, or by a petition interposed through himself or another, or in

any other manner whatsoever. Nor shall I render obedience to the man elected Pontiff before he swears according to the form of the decree of the sacred Council of Basel. So help me God, to whom on the day of the dread judgment I am to render an account of this and all my works.”

After these things each of them shall deliver a ballot on which he names no more than three; among them, if he names more than one, let one be outside the College of Cardinals. Only one scrutiny shall be held in a single day, and immediately after Mass. After the ballots have been read, unless the votes of two parts concur upon one man, they shall immediately be burned. Before six complete scrutinies, however, an accession may not be made to anyone.

[Printed page 468]

At that time let the Cardinals reflect and consider with attentive mind how much merit or demerit they will acquire for themselves, and how much fruit or harm, good or evil, they will bring upon the Christian people by electing the Pontiff. Certainly in no other matter can they obtain more of the grace or wrath of our Lord Jesus Christ than when the matter concerns placing his Vicar over his sheep, whom he so loved that he deigned both to die for them and to suffer the torment of the cross.

§ 7. When the Pontiff has died there is an interregnum, and the Cardinals administer all things. We readily gather from a letter of Saint Cyprian that this power belonged to the Roman clergy. For in letter 29: “Both common affection and reason demand, dearest brothers, that I withhold nothing from your knowledge concerning the things which are done among us.” And: “But if their rashness, not restrained by either my letters or yours, does not obey wholesome counsels, we shall act,” and so forth. Yet their power is less than that of the Pontiff; for although they are the primary clergy of the Christian Church, they are not themselves the head of the Church, but can elect the head of the Church.

Once the Pontiff has been appointed, they are his counselors and Legates. Some are called Legates by birth because the right of legation is annexed to their dignity. Thus formerly the Bishop of Oxford in England, and now the Archbishop of Salzburg, is called a Legate by birth. Others are called Legates *de latere*, who are generally Cardinals sent to govern provinces. Those sent to kings and princes are either called Legates *de latere*, or Legates with the power of a Legate *de latere*, or simply Legates. In all of them the greatest prudence, moderation, and becoming frugality of household are required.

The distinction of Cardinals according to which some are called deacons, others presbyters, and some Bishops was instituted by reason of their titles; for even a Bishop, if he has a title which belongs to a Cardinal deacon, is called a Cardinal deacon.

§ 8. The things decreed concerning Cardinals in Book Seven of the Decretals, book 1, title 4, sufficiently explain their condition. Leo X provided there for their immunity, chapter 2. For he entirely abolished the custom by which the people plundered the house of a Cardinal whom they had heard would become Pontiff.

Pius V, from the decree of Boniface IX, pronounces guilty of treason the man who by himself or through another has injured a Cardinal. Thus chapter 3:

Pitying the perils of an unhappy age, we cannot restrain our grief that wicked men, thirsting for the blood of the just, assail with more hostile intent the destruction even of those whom the Holy Spirit has appointed as principal members of the Church of God, which he acquired for himself by his blood. With great reason, therefore, among others, Pope Boniface VIII of happy memory, by the counsel of his brethren, sanctioned by a perpetual constitution that if anyone should pursue with hostility, strike, or capture a Cardinal of the holy Roman Church; command it to be done; be an associate of the perpetrator; ratify the deed; or give counsel or favor; or knowingly receive or defend that man, he should, as guilty of injured Majesty, be perpetually infamous, and moreover outlawed, banished, and incapable of giving testimony. All his buildings shall be subject to perpetual ruin; no one shall be bound to pay debts to him or answer him in court, all his goods being assigned to the treasury or the state. He shall likewise by the law itself be deprived of fiefs, benefices, and spiritual and temporal offices; and the pursuer himself shall incur the sentence of excommunication, which the Roman Pontiff alone, except at the point of death, may relax.

Yet not even this constitution is found altogether sufficient to prevent such sacrileges any further, because of the hidden designs of the confederates in crime. For those who propose to inflict violence upon someone contrive it secretly and in concealment, as much as possible, as is indicated by that impious crime recently attempted against the person of our beloved son Charles Borromeo, Cardinal presbyter of the title of Saint Praxedes, who zealously forms the Church of Milan by most holy institutions. This event gravely moves and vehemently rouses us to seek every means by which the most noble parts of our body may be protected on every side. For whom shall we defend, to whom shall we bring aid, whom finally shall we protect, if we leave unavenged the foundations of the temple of God, the brightest lights of the Church, and the special sons who keep watch for the souls of the peoples, for the faith, for justice, and for unity?

Therefore, adding to the aforesaid sanction by the like counsel of our brethren, we decree that whoever—even if altogether removed from mere counsel, simple favor, or all the other things aforesaid—has learned of any author, agent, or accomplice in a conspiracy, or in a crime committed or to be committed against the person of a Cardinal, or of their supporters, receivers, or concealers, whether through a report made to him directly, through an intermediary, or by letters, or whether from writings, an assembly, an attempt, a gathering, ambushes, or other signs and indications he has obtained any knowledge whatever, or even formed a conjecture, or has understood any of these things, however otherwise hidden the matter may be, shall hasten to reveal it as soon as possible to the Roman Pontiff if he is in the Curia; otherwise to the Ordinary of the place, or, if the Cardinal himself is the Ordinary, to the nearest Bishop; and if the crime has not yet been committed, also to the Cardinal himself.

Whoever fails to do so, even if he is not a subject and is altogether a stranger, of whatever dignity he may be, shall be bound by the aforesaid chain of excommunication and shall likewise, as guilty of Majesty, incur infamy and all the aforesaid penalties by that very fact. Nevertheless, the same constitution shall endure in its force as regards its remaining parts, together with all other canonical and civil sanctions issued for the coercion of such men. Moreover, if anyone returns to soundness and discloses the matter while it is still unknown, he shall be entirely freed from every penalty.

The local Ordinaries, however, shall secretly report the case brought to them to the aforesaid Pontiff at the first opportunity, and meanwhile investigate the entire matter through these persons; and, if necessity then requires it, they shall also employ the secular arm. Given at Rome, on the fourteenth day before the Kalends of January, 1569.

It is not without reason that the charge of injured Majesty is imposed, since Cardinals are princes of the Church, judges, counselors, and governors in the parts entrusted to them, and must offend many if they wish to perform their office. But because they possess small armed forces with which to defend themselves, their security must be provided for in every manner. Meanwhile they too must live in such a way that they do not voluntarily summon occasions for their own dangers. They will attain this especially by moderation and frugality. For those who proceed with expense and magnificence procure many envious men and many enemies for themselves, while God vindicates the rash prodigality of sacred wealth, so that while they seek princely splendor they are harried by hatreds and dangers. A Cardinal has rarely benefited the Church unless he was moderate and frugal; excessive wealth has more often harmed it. Therefore honorable and moderate expenses are more rightly distributed among many than immoderate expenses upon one.

If you desire more concerning Cardinals, see Barbatius in the treatise *On the Excellence of Cardinals*; Jerome Manfredi in the treatise *On the Cardinalate*, chapter 1; Álvaro Pelayo, book 2 of *The Lament of the Church*, article 26; Waldensis, book 2 of *The Doctrinal of Faith*, article 3, chapter 54; John of Torquemada, book 1 *On the Church*, chapters 81--84; Domingo de Soto, book 4 of the *Sentences*, distinction 24, question 2, article 4; Martin of Laon *On Cardinals*; Domenico Giacobazzi, book 1 *On Councils*, article 12; Jerome the Abbot, book *On Cardinals*; Onuphrius, Volaterranus, and others.

By their morals, vigilance, and moderation the Church can be stabilized and the orders of the clergy reformed, if they lead by word and example.

CHAPTER XXXVI

The Dignity of the Patriarchs Is Next to the Pontifical Dignity, Followed by That of Primates and Archbishops

§ 1. The dignity of the Cardinals in the Church was, and even now is, less than that of the Patriarchs and Primates. For the Church never placed the collateral clerics of the Roman Pope before the Patriarchs, but gave the next place to the Patriarchs themselves. Now that most of the prelates of the Patriarchal Sees have made a secession, the Cardinals have succeeded both to their office and to the estimation of their dignity. Formerly the Patriarchs were next in dignity, seating, and the other insignia.

§ 2. Patriarchs were so called as though fathers of princes, or of Archbishops, Distinction 21, chapter 1: “A Patriarch is the prince of the fathers,” for *ἄρχων* means “prince.” There is also a disputation concerning these matters by Heinrich Kalteisen, *On the Punishment of Public Sinners*, at the Council of Basel.

Those, however, were called Patriarchs who had Archbishops and Bishops subject to themselves, such as the Constantinopolitan, the Alexandrian, and the others. Yet the name was sometimes used more broadly. For in the Council of Mâcon, which was celebrated in the year of Christ 588 under Pelagius II, Bishop Priscus is called a Patriarch; but he was Bishop of Lyons, as is evident from the subscription, in which he is first. This name, therefore, was sometimes bestowed upon an Archbishop. For Gregory of Tours, book 5, chapter 20 of the *History*, calls Saint Nicetius, Archbishop of Lyons, a Patriarch. The custom of his age permitted this, but it has now been abolished. The Arians, in order to make themselves equal to the orthodox, named their principal Bishops Patriarchs, as is found in Gregory and Victor. Indeed, the schismatic Bishops of Venetia, Istria, and Liguria elected Paulinus, the prelate of Aquileia, as their supreme Patriarch, as Paul the Deacon relates in book 2 *On the Affairs of the Lombards*. But we speak of Patriarchs in the proper sense.

§ 3. The office of Patriarchs is to govern Archbishops and Bishops, so that cases involving more serious affairs are brought before them. Saint Anacletus gives the reason for the distinction in Epistle 3:

The provinces were for the most part divided long before the advent of Christ, and afterward that division was renewed by the Apostles and by blessed Clement, our predecessor. In the capitals of the provinces, where formerly there were the primates of the secular king and the first judicial authority--to whom those dwelling throughout the other cities, whenever it was necessary, who could not flee to the court of the Emperor or of kings, or to whom it was not permitted, had recourse because of their oppressions or injustices, and appealed to them whenever there was need, as was commanded in their law--the divine and ecclesiastical laws likewise commanded Patriarchs or Primates, who retain one form although their names are different, to be placed and to exist in those same cities or places of ours. To them the Bishops, if necessary, might have recourse and appeal; and they themselves, and no others, were to enjoy the name of Primacy.

The remaining metropolitan cities, which had lesser judges, although greater than counts, were to have their own Metropolitans, who should rightly obey the aforesaid Primates, just as was formerly ordained in the secular laws; and these were to enjoy the name not of Primates, but either of Metropolitans or of Archbishops. And although the metropolitan cities have their own provinces and ought to have their own Bishops as metropolitan judges, just as formerly they had secular metropolitan judges, they nevertheless were commanded, as was stated above, both then and now to have Primates, to whom the highest affairs should come after the Apostolic See, so that there the matters of those for whom it is necessary may be disclosed and rightly restored, and those who are unjustly oppressed may rightly be reformed and supported; and so that the cases of Bishops and the judgments of the highest affairs, with the authority of the Apostolic See preserved, may be most justly terminated.

These things we have received from the ancients, these from the Apostles, these from the holy Fathers; and, as you request, we send them to you to be examined and observed in future times, and command them to be preached to the remaining brethren and handed down to all the faithful, lest those who follow become worse through the ignorance of pastors. The Lord says through the prophet, “The pastors themselves have not known understanding”; and again the Lord detests them, saying, “And those who hold the law have not known me.” Therefore Truth complains that he is not known by them, and protests that he does not know the principality of the ignorant, because assuredly those who do not know the things of the Lord are not known by the Lord, as Paul attests when he says: “If anyone does not know, he shall not be known.”

§ 4. It was not lawful to elect an Archbishop without the consent of the Patriarch. Hence Cyprus was endowed with the privilege that it need not refer the matter to the Antiochene, but that its people might themselves elect an Archbishop. Thus canon 37 of the Council of Nicaea:

If the Bishop of Cyprus has ended his day, and the peoples, because of a storm at sea, have been unable to send to Antioch so that the Patriarch of Antioch may ordain for them an Archbishop in place of the dead man, they ought to write to the Patriarch and ask that some one man whom they themselves desire be made Archbishop; nor ought the Patriarch, when it has been written to him, to prevent this. For who knows whether, after the Archbishop has died, they may remain without a head because of a winter storm, or whether perhaps one of the thirteen Bishops may depart this life, and thus it may happen that they lack an Archbishop for that entire year? For this reason the Synod established this canon; the Synod excommunicates anyone who contradicts it.

The Synod of Ephesus confirmed the same canon, lest that diocese remain for an entire year without an Archbishop.

§ 5. Patriarchs have the right to convoke a Synod, and Metropolitans are compelled to obey them. Thus the Eighth Synod, canon 27:

The holy and universal First Synod of Nicaea commands that the ancient custom be preserved throughout Egypt and the provinces subject to it, so that the Bishop of Alexandria has authority over them all, saying: “Because a custom of this kind has prevailed also in the city of the Romans.” For this reason this great and holy Synod decrees that the ancient custom be preserved in all respects both in elder and new Rome and in the See of Antioch and that of Jerusalem, so that their prelates may have authority over all the Metropolitans who are promoted by them and who receive the confirmation of Episcopal dignity either through the imposition of hands or through the bestowal of the pallium: namely, authority to convoke them, when necessity presses, to a synodal assembly, or even to restrain and correct them when report has perhaps accused them of certain offenses.

But because there are certain Metropolitans who, in order not to attend in accordance with the summons of the Apostolic prelate, plead without reason that they are detained by the prince of the world, it has pleased the Synod that an excuse of this kind be altogether invalid. For since a prince holds frequent assemblies for his own causes, it is impious that he should prevent the supreme prelates from celebrating Synods for ecclesiastical affairs, or prohibit certain men from attending their councils, although we have learned that such an impediment--

[Printed page 470]

--and such a prohibition are brought about in various ways at the suggestion of the Metropolitans.

The same Synod commands that a disobedient man be separated, and afterward, if he persists in contumacy, deposed.

§ 6. The Roman Pontiff confirms the other Patriarchs, chapter *Scriptum*, chapter 40, *On Election*, in Gregory. Hence they also receive the pallium from the Roman Church, as in the Lateran Council under Innocent III, chapter 5:

Renewing the ancient privileges of the Patriarchal Sees, with the sacred universal Synod approving, we decree that after the Roman Church--which, by the Lord's disposition, possesses the primacy of ordinary power over all others, as the mother and teacher of all Christ's faithful--the Constantinopolitan Church shall obtain the first place, the Alexandrian the second, the Antiochene the third, and the Jerusalemite the fourth, the proper dignity of each being preserved; so that after their prelates have received from the Roman Pontiff the pallium, which is the insignia of the

fullness of the Pontifical office, and have rendered to him the oath of fidelity and obedience, they themselves may lawfully bestow the pallium upon their suffragans, receiving from them a canonical profession for themselves and a pledge of obedience for the Roman Church.

Here their insignia and the right to have a cross carried before them are also confirmed. That they must be obeyed was decreed in Distinction 99, from the Epistle of Anacletus.

They hear cases only upon appeal, lest the proper Archbishops and Bishops be contemned and the Patriarchs be burdened more than is fitting. Thus Gregory, book 1 of the *Decretals*, title 31, chapter 9, *Consultationi*.

§ 7. Those Patriarchal Sees which Peter founded are designated, and in the beginning there were three. Thus Anacletus, Epistle 3:

The first See, therefore, by a heavenly benefit, is that of the Roman Church, which, as was recalled, the most blessed Peter and Paul consecrated by their martyrdom. Thus Rome, which before was, by the contrivance of the evil spirit, the mother and nurse of all errors, having shaken off the darkness and cast away the vain rites of superstitions, became, when the sun of justice had arisen, a prolific propagator of the sons of God.

The second See, at Alexandria, was consecrated in the name of blessed Peter by Mark, his disciple and the Evangelist, because he, directed by Peter, first preached the word of truth in Egypt and underwent a glorious martyrdom. The venerable Abilius succeeded him.

The third See, at Antioch, is held honorable in the name of the same Apostle, that is, blessed Peter, because he dwelt there before he came to Rome, and there the name of Christians first arose for the new people. The remaining things, as we have said before, we have written for you in a certain volume and sent, avoiding prolixity in this epistle. For this reason the blessed Apostles also decreed among themselves that the Bishops of the several nations should know who was first among them, so that the greater care of them might pertain to him. For among the blessed Apostles too there was a certain distinction; and although all were Apostles, it was nevertheless granted to Peter by the Lord--and they themselves willed the same thing among themselves--that he should preside over all the other Apostles and should possess the place of Cephas, that is, the head and beginning of the Apostolate. He handed down the same form to be observed by his successors, and the other Apostles handed it down to the Bishops.

Those three were founded by Peter the Apostle and therefore held honor from antiquity. Concerning them see Baronius at the year 112, number 2, and the most learned Severinus Binius in the notes to the third Epistle of Anacletus:

The three Churches--the Roman, the Alexandrian, and the Antiochene--because they were founded by Peter, Prince of the Apostles, alone and always were held to be Patriarchal, as is evident from the Council of Nicaea, canon 6; Chalcedon, Act 16; likewise from letter 53 of Leo to Anatolius and from the letter of Gregory to Eulogius, which is book 6, chapter 37. For nearly five hundred years the Jerusalemite Church was held to be the fourth Patriarchal Church not in reality but in name, not in authority but in honor only, as is evident from the Council of Nicaea, canon 7, where it is decreed that the Jerusalemite should indeed possess the fourth place and honor of Patriarchal seating, but should not on that account be exempted from subjection to Caesarea, which was the Metropolis.

Hence blessed Jerome, in the letter to Pammachius against John, Bishop of Jerusalem, addresses him thus:

You who seek ecclesiastical rules and employ the canons of the Council of Nicaea, answer me: what does Palestine have to do with the Bishop of Alexandria? Unless I am mistaken, this is decreed for you, that Caesarea is the Metropolis of Palestine and Antioch that of the whole East. Therefore you ought either to have referred the matter to the Archbishop of Caesarea, with whom you knew that we, after your communion had been spurned, were in communion; or, if a judgment was to be sought at a distance, letters should rather have been directed to Antioch. But I know why you did not wish to send to Caesarea or to Antioch. You preferred to cause trouble for ears already occupied rather than render the honor due to your Metropolitan.

The Patriarchate of Constantinople--because at the time of the Council of Nicaea the city of Constantinople had not yet been dedicated--was afterward added to these in the time of Justinian, after the five-hundredth year of the Lord, by the effort of the Emperor and with the permission of the Roman Pontiffs. In the First Council of Constantinople, and afterward at Chalcedon, the Constantinopolitan attempted to obtain not only a Patriarchate but also the second place; but in vain, since the Pontiff and the other Primates protested.

Why only the aforesaid three Patriarchal Sees were placed in that order was effected, as the proper and immediate cause of their honor and authority, by the prerogative, dignity, and primacy of Peter, Prince of the Apostles; although it cannot be denied that Peter, in choosing those Sees, had a certain regard for the greatness and nobility of the cities, as Saint Leo teaches in Epistle 84 to Anastasius. The Roman See possesses the first Patriarchal dignity because Peter the Apostle, in this See which he founded, as Saint Gregory says in book 6, letter 37 to Eulogius of Alexandria, deigned to rest and end his life. He adorned with a Patriarchal See the Alexandrian Church--to use Gregory's words--to which he sent his disciple Mark the Evangelist. Third, he confirmed the See in which he himself sat for seven years, namely Antioch, and adorned it with the honor of a Patriarchal See. Thus Gregory in the aforesaid letter and Saint Leo, letter 52 to Anatolius. Therefore, just as Peter the Apostle is greater than Mark the Evangelist, and Mark the Evangelist than Evodius, who was neither Apostle nor Evangelist, so also the Roman Church surpasses the Alexandrian, and the Alexandrian the Antiochene, in authority and dignity. See Bellarmine, *On the Roman Pontiff*, book 1, chapter 24.

The same men were called Primates, as is evident from the Epistle of Pope Stephen II:

Let no Metropolitans or other Bishops be called Primates except those who hold the first Sees and whose cities the ancients judged to be primatial. Let the others who have obtained the remaining metropolitan cities be called not Primates, but either Archbishops or Metropolitans. For the cities and places over which Primates ought to preside were appointed not by modern men, but many ages before the advent of Christ; and the Gentiles too appealed to their Primates concerning more important affairs. In those same cities after the advent of Christ the Apostles and their successors placed Patriarchs or Primates, to whom the affairs of Bishops and the greater cases are to be referred after the Apostolic See, with Apostolic authority preserved in all things.

Canon 39 of Nicaea contains things not dissimilar:

Let the Patriarch consider what his Archbishops and Bishops do in their provinces; and if he finds that anything has been done otherwise than it ought, let him alter it and arrange it as shall seem good to him. For he himself--

[Printed page 471]

--is the father of all, and they are his sons. And although the Archbishop is among the Bishops as an elder brother who has care of his brothers, and obedience is owed to him because he presides, nevertheless the Patriarch stands in the place of a father, under whose dominion and power are his sons. Thus the Patriarch presides over all those who are under his authority, just as he who holds the See of Rome is the head and prince of all the Patriarchs, since he is first, as was Peter, to whom authority over all Christian princes and all their peoples was given, so that he might be the Vicar of Christ our Lord over all peoples and the entire Christian Church. Whoever contradicts this is excommunicated by the Synod.

Augustinus Steuchus cites this canon in book 2 *On the Donation of Constantine*, and Francisco Torres in book 2 *On Dogmatic Characters*, as does Alanus Copus in the *Dialogues*; and it stood in Arabic in the library of Marcellus II, Roman Pontiff, number 44, in this manner:

In accordance with the Scriptures and the determination of the canons, we venerate the most holy Bishop of the Roman and ancient Church as the first and greatest of all Bishops. Just as a Patriarch commands all the nations of his jurisdiction and imposes laws, and just as in the beginning Peter, the Vicar of Christ, was placed over religion, the Churches, and the other matters pertaining to Christ, and was lord and ruler of Christian princes, provinces, and all nations, so he whose principate is at Rome, like Peter and equal to him in authority, possesses dominion and primacy over all the Patriarchs. If anyone opposes this sanction and dares to resist it, by the decree of the whole

Synod let him be subjected to anathema.

§ 8. Although the Constantinopolitan See was at last placed among the Patriarchal Sees, this was nevertheless done late, after a Council had been held at Constantinople. Thus chapter 5: “The Bishop of the city of Constantinople ought to possess the honor of primacy after the Bishop of Rome, because it is new Rome”; Distinction 23, chapter 5. The same thing was afterward decreed at the Synod under Justinian, chapter 36; Distinction 23, chapters 6 and 7.

The cities in which Patriarchs ought to be created are shown in Distinction 80, chapter 1. The canon says:

The cities over which Primates ought to preside were appointed not by modern men, but many ages before the advent of Christ; and the Gentiles too appealed to their Primates concerning more important affairs. In those same cities after the advent of Christ the Apostles and their successors placed Patriarchs or Primates, to whom the affairs of Bishops and the greater cases are to be referred after the Apostolic See, with Apostolic authority preserved in all things.

§ 9. As the multitude of Christians increased, more Patriarchal Sees were erected. For Saint Anacletus says that, besides the first three, others also had been designated. Then, after the order had been approved according to which the Constantinopolitan See was after the Roman, then the Alexandrian, next the Antiochene, and last the Jerusalemite, more in name and honor--for it obeyed the Metropolitan of Caesarea--others too were established.

Among the canons of the Synod of Nicaea, chapters 33, 34, 35, and 36, certain Patriarchs are added. Chapter 33:

Let there be a Patriarch in the royal city, for the honor of that city, the King, and the other presbyters together. Let the Bishop of Aelia also be honored more than the other Bishops, because he resides in the holy city whence the cross of God our Lord began and where is the place of judgment. Let the See of Seleucia, which is one of the eastern cities, likewise be honored; its prelate ought also to be called by the name of Catholicos, and he may ordain Archbishops just as the Patriarchs do, so that the eastern peoples may not suffer loss by waiting for the Patriarch of Antioch or going to him, and so that the Gentiles may find a way to meet their necessities. For in this no injury is done to the Patriarch of Antioch, since he consented after the Synod requested this of him, lest he complain of that power's having been taken away, when the Synod desired nothing other than that the faithful of that province enjoy peace and quiet, and at the same time that the man who holds the See of Seleucia be honored with the name of Catholicos.

Chapter 34:

If it should happen that it is necessary for the Bishops of Greece to assemble, and the prelate of Seleucia of whom we have spoken is present--which Seleucia is in the province of Babylonia in the kingdom of Zabur and today is a small city--he ought to be honored greatly, esteemed highly, and exalted above all the Bishops of Greece. For he holds the place of the Patriarch in the East, and his seat in the Council ought to be sixth after the Bishop of Jerusalem. Whoever violates this constitution is excommunicated by the Synod.

Chapter 35:

The great Synod does not permit an assembly in the province of Persia to arrange anything pertaining to the order of the Church without the consent and authority of the Patriarch of Antioch. For although the prelate of Persia stands in the place of a Patriarch and seeks nothing other than the quiet and tranquility of the Persians themselves, nevertheless he is not permitted to intrude himself into establishing the order of the Church; rather, in all things let the Metropolitans be obedient to the Patriarch. Whoever contradicts this is excommunicated by the Synod.

Chapter 36:

The Ethiopians may not create or elect a Patriarch; rather, their prelate shall be under the authority of the man who holds the See of Alexandria. Nevertheless, he shall stand among them in the place of a Patriarch and shall be called Catholicos; yet he shall not have the right to establish Archbishops as a Patriarch has, since he does not possess the honor and authority of a Patriarch. But if it should happen that a Council is held in Greece and this prelate of the

Ethiopians is present, let him have the seventh place after the prelate of Seleucia. And when authority to establish Archbishops in his province has been granted to him, it shall not be lawful for him to establish any one of them; and whoever does not obey is excommunicated by the Synod.

This, therefore, was the order of the Churches: the Roman, the Constantinopolitan, the Alexandrian, the Antiochene, the Jerusalemite, the Seleucian, and the Ethiopian. The Greeks too consented to this order at the Council of Florence, although they were not concerned about the Seleucian and Ethiopian Sees. Thus they write:

Περὶ τῆς ἀρχῆς δὲ πάπα, ὁμολογοῦμεν αὐτὸν ἄκρον ἀρχιερέα καὶ ἐπίτροπον, καὶ τοποτηρητὴν καὶ βικάριον τοῦ Χριστοῦ, ποιμένα τε καὶ διδάσκαλον πάντων χριστιανῶν, ἰθύνοντα καὶ κυβερνῶντα τὴν ἐκκλησίαν τοῦ Θεοῦ, σωζομένων τῶν προνομίων καὶ τῶν δικαίων τῶν πατριαρχῶν τῆς ἀνατολῆς· τὸν Κωνσταντινουπόλεως δεύτερον εἶναι μετὰ τὸν πάπαν, εἴτα τὸν Ἀλεξανδρείας, τὸν Ἀντιοχείας μετὰ τοῦτον, εἴτα τὸν Ἱεροσολύμων.

Concerning the primacy of the Pope, we confess him to be the Supreme Pontiff and procurator, lieutenant and Vicar of Christ, pastor and teacher of all Christians, directing and governing the Church of God, with the privileges and rights of the Patriarchs of the East preserved. The Constantinopolitan is second after the Pope; then the Alexandrian; after him the Antiochene; and last the Jerusalemite.

§ 10. I have said that Patriarchs were called Primates; nevertheless, besides those whom we are accustomed properly to call Patriarchs, others too are called Primates. For there may be a Primate even under a Patriarch, to whom the cases of Archbishops are brought. In Distinction 99, chapter 1, Gratian says that Primate and Patriarch are names differing from one another but belong to the same office; he says, however, that appeals are made from Archbishops to Primates.

Those immediately under the Supreme Pontiff--the Primates of Lyons--

[Printed page 472]

--Toledo, Bourges, and Aquileia--are called Primates but not Patriarchs. For they are not under any Patriarch. The same is true of the Archbishops of Germany, for they acknowledge no Patriarch besides the Roman Pontiff. Yet if it is required of a Primate that appeals from Archbishops be made to him, scarcely any of these is a Primate. The Constantinopolitan, certainly, is called a Patriarch in another sense: twenty-six Archbishoprics were subject to him in the time of Pepin and Charles. In book 2 of the Eastern law, eighty Metropolitan Churches and thirty-nine Archbishops are enumerated. The Antiochene had under him twelve, and afterward thirteen, Archbishoprics; William of Tyre, book 12 *On the Holy War*, chapter 12. For the Egyptian, or Alexandrian, possessed a much broader jurisdiction because Libya was added to it.

CHAPTER XXXVII

Concerning the Opinion of the Sectarians Who Either Admit or Reject the Hierarchical Order

§ 1. Nothing is more opposed to license, novelty, and sedition than an order of judgments and magistracies founded upon laws; the man who introduces new dogmas must stand against it. For this reason I said above that all sectarians rise up against ecclesiastical magistracy. They cry out that everything contrary to their lust is tyrannical, and disparage every authority as proud.

Some of these, such as the Genevans, insist upon equality among ministers: neither presbyter is to command presbyter, nor Bishop, nor Archbishop. And, so that they may remove every suspicion of tyranny, they abolish the offices themselves from their midst. Others relegate the censure of morals to political magistrates. Others retain the thing itself but reject its name; for they call them superintendents and general superintendents, not Archbishops or Patriarchs. Finally, the more prudent retain both the thing and the names, as do the Britons, who have Primates and Bishops and at the highest summit, or “supremacy,” as they are accustomed to call it, the King himself is placed.

The Britons therefore make the greatest account of this matter and place in it the hinge of their Gospel. Thus Adrian Saravia in the preface to the English Bishops:

In my treatise *On the Different Ranks of the Ministers of the Gospel*, whatever men may think, I had in mind not only to defend Your dignities, but also, if not to remove, at least to diminish, the offenses given in many places by our men to the Bishops of all the Churches of Christ, both in France and in Germany, and to other learned men not ignorant of the government of the ancient Church; and I endeavored to soothe the wound--which those who inflicted it will never heal--and, as far as was lawful, to remove the impediments to the propagation of evangelical doctrine.

The same author says in the prologue that the cause of so great an error was that, through hatred of tyranny, they abolished the name of Primacy, just as the Romans of old, through hatred of the Tarquins, overthrew kingship itself; yet afterward they suffered more forms of tyranny than they would have done if they had retained the royal name and authority. For these vices belong not to authority but to men.

§ 2. Philip Melanchthon judged that this authority ought to be retained. He writes thus to Luther:

You do not believe how greatly I am hated by the men of Nuremberg and I know not what others, because jurisdiction has been restored to the Bishops. Thus our allies fight for their own kingdom, not for the Gospel. A certain friend wrote that, if I had been hired by the Roman Pontiff for as much money as I might have desired, I could not have undertaken a better method for restoring pontifical dominion than this one which we have instituted, as men may judge.

And elsewhere:

Certain legates are wonderfully incensed against me because I seem to restore the kingdom of the Bishops. Sacranus remonstrated with me about that matter in no friendly manner, with a certain new and unaccustomed bitterness in his use of words. It is as Thucydides writes, τὰ ἐν μέσῳ ἀμφοτέρων χεῖρονα: “those in the middle fare worse at the hands of both sides.” Would that this had happened to me long ago, so that I might not now be compelled to see these faults of the parties, and so forth.

An eminent testimony from a man who knew his own party exceedingly well. For so great a tragedy was instituted not for the sake of the Gospel but of license, and was destined to seethe with lawlessness and anarchy.

Saravia proves at length against Beza, page 236 and following, that others hold the same opinion. Hence the same author says that others, retaining the thing, changed the names, creating Superintendents in place of Bishops and

General or Provincial Superintendents in place of Archbishops, as though the dispute concerned names, not the thing; page 5.

§ 3. They therefore approve the consensus of the ancient Church. Saravia in the prologue, page 1:

Against the unanimous and constant consensus of all the Fathers of the ancient Church, nothing is to be changed without the express word of God. For I say this freely: whoever takes all authority away from the Fathers leaves none to himself.

And:

The custom of the people of God received by all the Churches of the whole world is a certain inviolable law. It is not probable that the universal consensus of all Churches and all times could have arisen without the word of God or Apostolic tradition.

And finally he adds: “Of old no good man disapproved Bishops and Archbishops.”

This consensus, which the English value so highly, Adrian Saravia proves in chapter 20. I shall set down his words for this reason, because they may be useful in all disputed articles of faith:

I judge that what we read was done in all Churches by the Fathers throughout the whole world from the times of the Apostles down to our own age is an immutable canon of the Apostles. It is no small matter to abrogate what was received by so great and so universal a consensus. Besides the fact that departing from it is rash, it brings upon the Church a greater disaster than many suspect, for which afterward no remedy will be possible. Among the ancient canons which because of their antiquity are called the Canons of the Apostles, we read the one which follows here.

Τοὺς ἐπισκόπους ἐκάστου ἔθνους εἰδέναι χρή τὸν ἐν αὐτοῖς πρῶτον, καὶ ἡγεῖσθαι αὐτὸν ὡς κεφαλὴν, καὶ μηδέν τι πράττειν περιττὸν ἄνευ ἐκείνου γνώμης, ἐκεῖνο δὲ μόνον πράττειν ἕκαστον, ὅσα τῇ αὐτοῦ παροικίᾳ ἐπιβάλλει καὶ ταῖς ὑπ’ αὐτὴν χώραις. Ἀλλὰ μηδὲ ἐκεῖνον ἄνευ τῆς πάντων γνώμης ποιεῖν τι, οὕτως γὰρ ὁμόνοια ἔσται καὶ δοξασθήσεται ὁ Θεὸς διὰ Κυρίου ἐν ἁγίῳ Πνεύματι.

The Bishops of the several nations ought to know who among them is first and is regarded as a head, without whose judgment they are to do nothing of greater importance; but each is to do only those things which pertain to his own parish and to the villages subject to it. Yet neither is that man to do anything without the knowledge of all; for thus there will be unanimity, and God will be glorified through the Lord in the Holy Spirit.

§ 4. The Puritans, who tear apart with abuse those names of Bishops, Archbishops, Metropolitans, and Patriarchs, gravely reprehend them. Thus Saravia, chapter 25. He says that these names are not proud and are not contrary to the canon of the Council of Carthage, which is Distinction 99: “Let the Bishop of the First See not be called Prince of the Priests, or Supreme Priest, or anything of that kind, but only Bishop of the First See.” Nor, he says, is calling someone *ἀρχιερέα*, “high priest,” contrary to the honor of Christ, for there is no greater pride in these titles--

[Printed page 473]

--than when someone is named an architect or chief physician: an Archbishop does not signify simply a lord of Bishops, but one in a certain manner.

He denies that he shrinks from the name of Prince and Patriarch; indeed, for the sake of modesty, he prefers to call them Archbishops and Patriarchs rather than *ἐξάρχους τῶν ἱερέων*, “exarchs of the priests.” Nevertheless no one ought to be offended by the name of Prince, since Ambrose, on Ephesians, chapter 4, writes: “In the Bishop are all the orders, because he is the first priest, that is, the prince of the priests, and Prophet, and Evangelist.” Nor does this prevent Christ from nevertheless being *ἀρχιποιμένα καὶ ἐξάρχον*, “the chief shepherd and exarch.” Thus far he.

As regards the name of Prince, it had an emphatic signification at that time, and thus the Emperor was generally so called, as may be seen in the histories; for that reason it was sometimes rejected by modest men. Thus the usage of names changes. Now, if when addressing Caesar or the King of Spain or France I said, “O Prince,” I should offend

against customary speech; their sons or prefects I would customarily call by that name. But of old the name of Prince was not readily bestowed upon the companions of the Supreme Prince. It was therefore odious at that time because “Prince” was a name of greater power and absolute dominion.

§ 5. They teach that it is a great sign of divine wrath that the name of Bishops has fallen into hatred not only among some of the common people but even among Theologians; in the preface. For the Episcopate is divine; page 4. Primacy too was formerly called Apostolate. For they teach that concord cannot be maintained without these; in the preface, and likewise pages 278 and 405. Saravia, beginning on page 397, indeed prophesies that government will not be firm nor peace lasting amid the equality of all. That this was true has been taught by the Remonstrance and Counter-Remonstrance of the Hollanders, and is taught by the very delusion of their ill-convened Synod. For what will a few men do, even if they could agree? But it is pleasing to hear the adversaries.

Saravia says on page 397:

But come, let us suppose that in those ages there were no Bishops or Archbishops, and that the presidency was circular and the presbyterate annual, as Master Beza wishes. Can anyone experienced in human affairs and acquainted with the perversity of human nature be persuaded that affairs would then have been in a better condition? In this city and its suburbs there are a little more or less than two hundred Ministers of the word of God. The number of the clergy of the Churches of Constantinople, Rome, Alexandria, and Antioch was not less but far greater. Come, let them all have been equal and of equal authority, without a Bishop to contain this multitude by authority and gather it again into one body, as it were. What condition is it probable that this Church would have, or that those Churches would have had, while diverse heresies raged in the very bowels of these Churches? Far be it from me to agree with Master Beza. For I believe that the Churches of those times stood and were defended from destruction, according to the grace of God, by the vigor and power of the Episcopal rank and its authority above the remaining multitude of presbyters alone.

Then:

Beza, now second after Calvin, governs the Genevan Church in a small state with few colleagues in number, namely, at most eighteen if you count the teachers with the pastors. There the *προεδρία*, “presidency,” is weekly and circular, and the presbyters and deacons are new and annual. So long as life is passed in a tranquil condition, all things indeed go well. But if at any time dissension arises among the Ministers of the Churches who are favored by the people and the magistrate, the city will easily be divided into parties, than which no graver evil can happen. With the same ease the presbytery too will be divided; and the common people, once divided, will riot and support the parties. In this case, which certainly cannot always be avoided, what will be done? The Magistrate will interpose his authority. Well indeed; but to which party will he incline? The Roman Emperors were compelled to interpose their authority in the disputes of Bishops, but it was not always granted them to favor the better men; they protected factions and factious men. “But we have not yet experienced anything of this kind under this government.” You therefore seek experience as your teacher--if only its instruction could be had without danger and irreparable harm.

And:

Let us suppose that France, having rejected Roman superstitions, has received the pure doctrine of the Son of God and, which God forbid, has admitted that form of Church government which Master Beza judges to be divine. Does he believe that it will be free from the calamities to which all the Churches of all ages have been subject, the causes of which he imputes to Bishops? And if, at the time when Bishops contained the remaining multitude of Ministers of the word of God in their office so that they could convoke no lawful Synods, nevertheless Synods were assembled against Synods, and what one sanctioned another condemned; if Bishops then ran about this way and that, what would they not have done if all presbyters had been equal to Bishops and Bishops to Patriarchs? If a few men of equal authority could scarcely preserve peace and concord in doctrine, could six hundred, or two or three thousand Ministers of the same authority have done so in place of one?

§ 6. They also teach that the Church could in no way have been propagated if Apostolic authority had migrated into heaven with the Apostles--if Bishops, Archbishops, and Patriarchs, having the general care of the Church, had not founded and planted new Churches and appointed presbyters to water them. Saravia says on page 264:

Once Churches had been established, whether in the East or the West, to run about, invade another's parishes and provinces, and involve oneself in their affairs was the act of a *πολυπράγμονος*, "busybody," and an ambitious man. No one who has bound himself to a particular Church can desert his proper station so as to transfer himself elsewhere at his own pleasure. Nevertheless, because care for propagating the Gospel belongs to the Church, it must choose men for that work whenever and wherever an opportunity for preaching the Gospel shall be offered. Master Beza wishes these to be teachers and pastors only; I, with the whole of antiquity, hold them to be Bishops such as Titus and Timothy were. For pastors are not created for a particular Church unless the Churches have already been established and founded. The man who is to found Churches ought to be superior to those presbyters and Bishops whom he will appoint. Thus the Apostles acted, and by their example the Fathers taught that it must be done thus.

Indeed, I shall concede something further: that this cannot be done otherwise. This is also the reason why heretics have not hitherto spread their faith among the nations. I add further that the Primacy of one man is proved by this argument. For the general care falls upon the man who sets out to preach the faith in new regions and appoint pastors, or he ought to be sent by the man who has the general care. But Archbishops do not possess it; for just as Bishops are bound to their Bishoprics and pastors to their parishes, so Archbishops are bound to their Archbishoprics, and one cannot invade another's province.

For as to what Beza says on page 275:

Nor indeed do I think we must inquire curiously here whether the Apostles reached all nations; nor even now must we labor greatly over a mission to certain most remote nations, since at home and nearby we have enough and more than enough to occupy us and our posterity.

[Printed page 474]

Saravia rightly judges this impious and foreign to every Christian charity. And deservedly so; for the Apostles did this, to whom the Lord had said that they should teach all nations, and he promised that the Gospel would be preached in the whole world. The Church must therefore labor so that this may be brought to its completion.

§ 7. Saravia demonstrates on pages 213 and 254 that the equality of all the prelates of the Church was nowhere sanctioned. For when Christ forbids them to exercise dominion in the manner of Gentile kings, the matter concerns tyrannical rule, or even moderate political rule, which is not granted in the Episcopate. Nevertheless, on page 211 he adds:

In another treatise, indeed, I defend that the same man, if it is in the interest of the kingdom or of the state, can sustain a twofold capacity; and I believe that God will one day be my witness that this has been done by me, and can be done with a better conscience and more for the edification of the Church, than it is attacked by others.

§ 8. Nor are Archbishops therefore not to be appointed because the care of many Bishoprics is beyond the strength of one man, as Adrian truly demonstrates against Beza on page 413. For the High Priest of the Jews presided over all; then many kingdoms are subject to one king. The whole world was subject to the twelve Apostles. For they have helpers and fellow workers. Furthermore, the general care of great affairs pertains to them.

§ 9. Those who deny that Hierarchy are moved chiefly by this argument: that otherwise they cannot exclude the Roman Pontiff and escape his Primacy. Thus Beza, quoted by Saravia on page 408:

Certainly, if for preserving consensus in the sacred ministry it was necessary to establish a diocesan Episcopal dominion over fellow presbyters and Chorepiscopi; a Metropolitan dominion over provincial fellow Bishops; and a fourfold Patriarchal dominion over fellow Archbishops who were Metropolitans: certainly by the same and equal

reasoning a monarchical command over fellow Patriarchs, or a Catholic dominion over the whole Catholic Church, had to be erected. The argument which you, Saravia, raise here in order to evade this reasoning is of no moment. For there is indeed a very great difference, as you rightly say, between the prefecture of one nation and region and that of the entire world, namely as regards the measure of their jurisdictions, but not as regards the thing itself, whether we posit here an order or a degree. It would not therefore follow, from the fact that these prefectures are not equal to one another in measure, that no universal prefecture should be established to which those narrower ones are subordinated.

Saravia attempts to escape this stroke, but unexpectedly runs himself upon the very sword. For Saravia denies that it follows: individual kingdoms have individual kings; therefore one king may be appointed over them all. But Beza says that this is to evade the argument, for he proceeds in this manner: if there can be a Tetrarchy of the Church, so that the Roman, Alexandrian, Constantinopolitan, and Antiochene govern the whole by equal right, why can one of these four not also command the others, or be of principal authority among them? A reason must be given why, when the antecedent has been conceded, the consequence is denied.

If he should say that one man is unequal to so great a care, he has already answered this above, when he assigned several kingdoms to one king, since that king can have fellow workers and counselors, can be content with general care, and can judge only the chief matters. Moreover, Saravia's arguments prove this. For it was necessary to settle disputes between the Patriarch of Constantinople and the Patriarch of Alexandria, and between the Patriarch of Antioch and the Patriarch of Alexandria, and to preserve unity, since each had his own particular Patriarchate, just as among other Bishops. Just as a dispute may arise among twenty-four English Bishops and be terminated by the Archbishops, may it not likewise arise between the two Bishops of Canterbury and York? Since they ought not to be sent to the royal tribunal in ecclesiastical affairs, they must therefore choose another judge for themselves.

Therefore, so that concord may be maintained, there must be one priest who directs all his brethren. Indeed, Saravia proceeds so far on page 85 as to write that Peter presided over the College of the Apostles. His words are:

As regards the Apostles, who lived together for some time at Jerusalem, it is certain that they were not created by the Lord to remain together in the same place, whether in a single region or city; wherefore there was no necessity that someone be placed over the College. Nevertheless, so long as they lived together at Jerusalem, it is not absurd that some one man then presided over the College of the twelve Apostles. By denying this more obstinately, no good cause against the Roman Bishop is assisted. Who has ever seen a convention or assembly come together in which no one presided to propose the things to be done, ask opinions, and collect votes? Even if we say with the ancient Fathers that this was entrusted to Peter by the Apostolic College, nothing is thereby given to the cause of the Roman Bishop from which he may establish his tyranny. This too was temporary in Peter and ended when the Apostles were dispersed.

Here it must be noted: 1. It is not absurd that one man presided. 2. Indeed, it is absurd if no one presided, because no assembly is so absurd that someone does not preside in it. 3. He acknowledges that the Fathers confess that this was conferred upon Peter. These things are true and contrary to many heresies; necessity therefore extorted the truth from this man. 4. He says that this prefecture of Peter ended when the dispersion occurred. This is false. For it was given to him by Christ; furthermore, the Fathers whom he produces as witnesses of Peter's prefecture deny that it was temporary and concede that it was transmitted to his successors. Third, it was as necessary when they were dispersed as when they were assembled. For just as there is need of a president among those assembled, so there is need of a convoker among those dispersed; otherwise there would have been no one who could convoke all or some of the Apostles.

But if equality must be altogether preserved, no one can command another, nor many command few, nor few command many. For whenever an equal commands an equal, it is tyranny. For this reason the Synod which is now being attempted at Dordrecht is ridiculous; for although they elect a president, they nevertheless do not have authority, and the Synod itself can command nothing to so many thousands of their brethren, who are equal to it in every respect.

For why should a few arrogate to themselves the authority to command more numerous men? If they say that this authority was created by the political magistrate, a greater tyranny now arises than was ever approved in any Church; for the States themselves and their president will make Archbishops and Patriarchs, and then will command that some preachers command and others obey. But if they place one over all, you will be the Patriarch of Holland; if some powerful King or Emperor did the same, he would establish one Patriarch of all kingdoms. And thus, while they flee Monarchy, individual petty tyrants are discovered. But I have treated this matter elsewhere.

Now I give this admonition: Patriarchs and Archbishops should be instituted in such a manner that with the greatest authority they can inquire into and correct morals and discipline; but they should have the least authority over treasuries and riches, and should be able to do the least harm.

CHAPTER XXXVIII

The Offices of Metropolitans, Archbishops, Bishops, and Chorepiscopi Are Necessary and Useful for Morals and the State

§ 1. Metropolitans and Archbishops are ordinarily taken in law for the same persons: Cause 9, question 3; at the end of the section *De Monachis*; in the section *Non autem, On the Non-Alienation of Ecclesiastical Property*, in the *Authenticis*; thus Rebuffus on section 1 of the *Institutes*, and Gregory of Toulouse. They were placed in those cities which were **μητροπόλεις**, “mother-cities,” and principal cities, in which the governors of the provinces resided.

Heinrich Kalteisen, however, held the contrary in his oration *On the Punishment of Public Crimes* at the Council of Basel, and did so from Rabanus, book 1 *On the Institution of Clerics*, chapter 5:

The order of Bishops is fourfold, that is, divided into Patriarchs, Archbishops, Metropolitans, and Bishops. “Patriarch” is interpreted in the Greek language as “supreme of the Fathers”; he holds the first, that is, Apostolic place, and because he performs the highest honor, he is designated by such a name, as at Rome, Antioch, and Alexandria. “Archbishop” is so called by a Greek term because he is the supreme Bishop; for he holds the Apostolic place and presides over Metropolitans as well as the other Bishops. Metropolitans, however, are named from the measure of cities, for one presides over the several provinces; the other priests are subject to their authority and teaching, and without them it is lawful for the other Bishops to do nothing, for the care of the whole province has been committed to them. All the orders designated above are named Bishops by one and the same term; but certain men use a particular name because of the distinction of the powers which they have received individually.

“Patriarch” means father of princes, for **ἄρχων** means “Prince”; “Archbishop” means Prince of Bishops, just as “Metropolitan” derives from the measure of cities.

He places Archbishops before Metropolitans, as though there were certain Metropolitans who are not named Archbishops. They are so named, I say, for I could scarcely believe that anyone is called a Metropolitan to whom the office of Archbishop does not belong, except that in the cited place, as also in Distinction 21, *Cleros*, the Archbishop is said to preside even over Metropolitans. In Germany, however, another rationale for the distinction appears. For Metropolitans are named from the principal city of one province, while Archbishops have under themselves Bishops of different provinces. For example, the Archbishop of Mainz has the Bishops of Speyer, Chur, Halberstadt, Worms, Strasbourg, Paderborn, Würzburg, Verden, Constance, Eichstätt, Hildesheim, and Augsburg. In the ancient manner Mainz was not rightly called the Metropolis in relation to these provinces, since they are different provinces and different Metropolises.

Budé regarded the origin and ancient times when he names as Metropolises those cities from which colonies were led out. This has no relevance to our Archbishoprics and Metropolitans, nor indeed even to the times of the Empire. For many colonies surpassed their Metropolises. Tyre was an **ἀποικία**, “colony,” of Sidon, and Carthage of Tyre; yet the Archbishop of Carthage was by no means subject to the Tyrian, but the latter acknowledged the Patriarch of Antioch. Metropolises, therefore, are those which govern other Churches not by origin, but by maternal care, solicitude, authority, and power.

§ 2. An Archbishop was formerly elected by all the Bishops of his jurisdiction. Thus Pope Anicetus:

But as the number of Bishops increases, more also ought to be added unless necessity intervenes; that is, if an Archbishop has died and another Archbishop to be ordained has been elected, all the Bishops of the same province shall assemble at the Metropolitan See so that he may be ordained by them all. For the man who ought to preside over all must be elected and ordained by all of them. The remaining Bishops of the province, however, if it should be necessary and the others consent, may at the Archbishop’s command be consecrated by three Bishops; but it is

better if he himself, together with all, elects the man who is worthy and all alike consecrate him as Pontiff.

And although this has been conceded under the pressure of necessity, nevertheless what was said and commanded concerning the consecration of an Archbishop--namely, that all the suffragans ordain him--may in no way be changed, because the man who presides over them must be appointed by all the Bishops over whom he presides. If anything else has been presumed, it is without doubt devoid of force, because his ordination performed otherwise will be invalid. The Archbishop himself, moreover, shall conduct nothing concerning their cases or other common matters, according to the statutes of the Apostles, without the counsel of them all; nor shall they act without his counsel except insofar as pertains to their own parishes, because the Most High rejoices in such concord and is glorified in his members.

This was renewed at the Second Council of Orléans in 536, canon 7, *In ordinandis*.

§ 3. He ought to do nothing without the counsel of the other Bishops. The same Anicetus:

The Archbishop himself shall conduct nothing concerning their cases or other common matters, according to the statutes of the Apostles, without the counsel of them all; nor shall they act without his counsel except insofar as pertains to their own parishes, because the Most High rejoices in such concord and is glorified in his members.

The same thing was also rightly decreed by the laws of France, book 1, chapter 8, in the time of Charlemagne. For a Bishop needs his own authority and liberty for governing; if he judges that something should prudently be altered, let him indicate it to the Metropolitan.

§ 4. They are not to be called Primates. The same Anicetus:

Let no Archbishops be called Primates except those who hold the first cities, whose Bishops the Apostles and successors of the Apostles regularly appointed to be Patriarchs and Primates, unless some nation should be converted to the faith for which, because of their multitude, it is necessary that a Primate be appointed. But let the others who have obtained other Metropolitan Sees be named not Primates but Metropolitans.

If, however, any one of the Metropolitans has become puffed up and wishes, without the presence or counsel of all the Bishops of the province, to conduct either their cases or other cases except only those which pertain to his own parish, or wishes to burden them, let him be strictly corrected by all, lest he dare to presume such things thereafter. But if he appears incorrigible and disobedient to them, let his contumacy be reported to this Apostolic See--to which it has been commanded that all the judgments of Bishops be terminated--so that vengeance may be taken upon him and the others may have fear. If, however, because of excessive distance, the inconvenience of the time, or the roughness of the journey, it should be burdensome to bring his case to this See, then let the case be brought to his Primate and judged before him by the authority of this holy See.

§ 5. They make a profession of the faith of the Roman Church and seek the pallium. Thus John to Wilibert, Bishop of Cologne, Distinction 100, chapter 4:

We cannot now confer upon you the pallium you desire, because we have found that the page containing your profession of faith contains less than it ought, since--

[Printed page 476]

--in it you made no mention of any of the holy universal Synods in which the Symbol of our faith is contained, nor of the constitutions of the decretal Roman Pontiffs according to custom; neither did you fortify it with your own subscription nor send anyone who would confirm it by oath.

§ 6. Let him attempt nothing in another's jurisdiction. Thus Celestine to the Bishops of Gaul:

First, according to the decrees of the Canons, let each province be content with its own Metropolitan, as the enactments of our predecessor given to the Bishop of Narbonne contain; nor let room for usurpation be granted to any priest to the injury of another. Thus let each, content with the limits granted to him, presume nothing in

another's province. Nor, to the exclusion of clerics who have served meritoriously in their own Churches, let foreigners and strangers, previously unknown, be preferred to those who deserve well by the testimony of their own citizens, lest the Episcopate appear to be some new college from which Bishops are made. Let no Bishop be given to men unwilling. The consent and desire of the clergy, people, and order are required.

Only then let one man be chosen from another Church, if among the clerics of the very city for which a Bishop is to be ordained no worthy man--which we do not believe can happen--can be found. For first those men must be rejected, so that some from foreign Churches may deservedly be preferred. Each cleric has the fruit of his own service in the Church in which he has passed his life through all the offices. Let no one steal into another's stipends, nor dare to claim for himself the reward owed to another. Let the clerics have the power to resist if they see themselves burdened, and let them not fear to reject those whom they perceive entering upon them obliquely.

And a little afterward:

The Apostle follows and supplies the rest, speaking in the same spirit, that a man of one wife ought to be consecrated Bishop. Let priests therefore be chosen according to this rule; and if any unlawful ordinations have been made, let them be removed, because they cannot stand, nor will those who arrived in such a manner be able to evade our examination, although they suppose that they lie hidden, so that no reverence for religion may be darkened by obscurity. Let there be no vain glorying among those who wear the pallium. Let those who are Bishops follow the Episcopal manner.

Let Daniel, as we have said, who believed that he could evade an accusation by Pontifical honor and reached so great a summit by hiding from his accusers, know himself meanwhile to be separated from the assembly of Your Holiness. He ought to submit himself to our judgment if he knows that he has confidence in his conscience. But the priest of the Church of Marseille, who is said--which it is impious to say--to have rejoiced so greatly in the murder of your brother that he went to meet the man who arrived stained with his blood, intending to have a share with him, we delegate to your College to be heard. Given on the seventh day before the Kalends of August, in the consulship of the most illustrious men Felix and Taurus.

§ 7. Let him celebrate a Synod every year, to which all the Bishops of the province are bound to come. Thus the Third Synod of Orléans, celebrated in 540, chapter 1:

First, every Metropolitan ought at a suitable time each year to hold a synodal Council in his province with his comprovincials. But if infirmity or some certain necessity detains him so that he cannot be present at another appointed place, let him summon his brethren to his own city. But if, within a biennium in which tranquility of the times has been divinely granted, no Synod has been convened by the Metropolitan after the provincials have been admonished, let the Metropolitan himself, because of his delay in convoking it, not presume to celebrate Masses for an entire year. If those summoned, when not detained by bodily infirmity, disdain to be present at his summons, they shall lie under a like sentence. Let them also know that this excuse has been taken away from them if they believe that their absence is to be excused by the division of their lot.

The same and more are decreed in the Council of Mérida, chapters 4, 5, and 6. That it is his office to watch over morals and correct all things through Synods was also decreed in many other Councils, including Tarragona, chapters 6 and 13. Letters of this sort are to be directed by the Metropolitan through the brethren, so that they bring to the Council not only presbyters from the Cathedral Church but also some from the diocesan Churches, and ought to bring with them some laymen of the Church.

§ 8. Bishops are bound to acknowledge the Metropolitan and do nothing without him. The Second Council of Braga renewed this:

Throughout the several provinces a Bishop ought to acknowledge the Primacy of the Metropolitan Bishop and permit him to assume the care of the Primacy; the remaining Bishops are to do nothing apart from him, according to what is contained in the canon established of old by our Fathers. For this reason the Metropolitan Bishop too shall

presumptuously assume nothing for himself without the counsel of the others.

Bishops cannot establish anything new in their parish without the Metropolitan's knowledge, for the authority of Metropolitans is principal over the Bishops subject to them. Therefore the Synod of Antioch commands them to have regard to the Metropolitans.

§ 9. The abuse of Metropolitans who delegate their own duties to Bishops is reprehended and condemned in the Eighth General Synod, Act 10, canon 24:

Divine Scripture says, "Cursed is every man who does the work of the Lord negligently." Certain Metropolitans, having fallen into extreme negligence and sloth, bring to themselves by their commands the Bishops subject to them and commit to them the divine offices of their own Church, the litanies, and altogether all the sacred ministries which pertain to themselves, so that through them they celebrate everything which they ought eagerly to perform by themselves; and through those who have merited the Episcopal dignity they in a certain manner exhibit clerics subject to themselves.

Contrary to the ecclesiastical laws, however, these same men devote themselves to secular cares and arrangements, abandoning perseverance in prayers and supplications for their own offenses and the ignorance of the people--something which is found nowhere at all among any men, since it is altogether contrary to the canonical precepts. And, what is more grievous, the aforesaid Bishops are said to be commanded to perform these ministries for their stipends in distinct turns of the months, which is shown in every way to be foreign to Apostolic protection. All these things render men of this kind worthy of great, numerous, and most vehement condemnations; for by these things which they do, such men are proved also to languish under satanic vainglory and pride.

Therefore, if any of the Metropolitans, after this determination of the holy and universal Synod, abusing the same boldness or pride and contempt, should attempt to have the ministries due in his own city performed not by himself with fear, eagerness, and a good conscience, but through his suffragan Bishops, let him pay the penalties before his own Patriarch and either be corrected or deposed.

§ 10. His principal care concerns his own ordinary diocese, which he governs; his care for other jurisdictions is secondary, yet necessary. Thus he hears controversies and supplies for the negligence of his Bishops when he himself does what the Bishop ought to have done voluntarily. Cause 9, question 3:

Since we know that all are debtors bound to preserve the sacred rules, we ought in every way inviolably to preserve the rule which says that there ought to be stewards in every Church. If each Metropolitan has appointed a steward in his own Church, it is indeed well; but if not, the Bishop of Constantinople has authority by his own power to place stewards over his Church. Likewise the Metropolitans may do so if the Bishops subject to them have not taken care to appoint stewards in their own Churches. The same is also to be observed in monasteries.

[Printed page 477]

Hence he traverses his dioceses, visits, inquires, and amends the life of the subjects; for which reason subsidies are owed to him in turn: chapter *Cum ex officio*, *On Prescription*; chapter *Sopitae*; canon 14; canon *Cum nuper*, *On Censures*, in Gregory. In this visitation he can use all the Pontifical insignia, bless the people, and command that the cross be carried before him; Clementine *Archiepiscopo*, *On Privileges*.

These things established by the Fathers are altogether to be recalled into use for restoring the discipline of the Church; nor ought anyone's power to be so great that it changes this order. Unity and integrity of life cannot be preserved if every Bishop wishes to be Pope in his own diocese.

CHAPTER XXXIX

The Office of Bishops Is Supremely Necessary and Varied; Their Dignity, and So Forth

§ 1. The Pope, Patriarchs, and Archbishops are called Bishops. But although they differ in jurisdiction, otherwise their office is nearly equal and the same, and integrity of life is required of all. A few things must now be said concerning Bishops, for most have been explained above.

§ 2. Presbyters too were sometimes called by the name of Bishops. Acrius, because he was excluded from the Episcopate, denied that they were different offices; thus Epiphanius, heresy 75. Baronius discusses this copiously at the year of Christ 58, as does, from among the heretics, Saravia in *On the Different Ranks of Ministers*, especially from page 334. In the beginning the Apostles alone were Bishops and presbyters; finally, as the multitude of the faithful increased, they also made presbyters and Bishops, to whom they assigned διοικήσεις, or “administrations.”

§ 3. From this it is established that Bishops are to be appointed not by the people or by kings, but by the successors of the Apostles: the Pontiff, Archbishops, and Bishops. For although peoples or Princes were sometimes joined in the election, the primary right nevertheless belongs to the clergy and Bishops, not only that Bishops should consecrate them, but also designate them. The people often demanded a Bishop, even to the point of sedition; Nicephorus, book 1, chapter 30 of the *Ecclesiastical History*. This practice nevertheless endured for a long time in the Church. See Athanasius, *On the Persecution*, to the orthodox. The election of Ambrose was nearly the same; Theodoret, book 7. See Distinction 23, chapter *Illud*, and Distinction 64, chapter 1. On the election of Bishops see volume 4 of the Councils, part 1, pages 402, 571, 749, 729, and 630. Yet the greatest care was always taken that seditious elections be avoided; volume 2 of the Councils, part 2, page 405.

§ 4. Therefore, to guard against seditions, the right of nominating the Pontiff and Bishops was sometimes granted to good and deserving Emperors, as to Charlemagne about the year of the Lord 780 in the Roman Council, Distinction 63, chapter 22:

Pope Hadrian requested King Charles to come to Rome to defend the affairs of the Church. Charles, coming to Rome, besieged Pavia; and, leaving his army there, was honorably received at Rome by Pope Hadrian on the holy feast of the Resurrection. After the holy feast of the Resurrection he returned to Pavia and captured King Desiderius. Then, returning to Rome, he established a Synod there with Pope Hadrian in the Lateran Patriarchium, in the Church of the Holy Savior. That Synod was celebrated by 153 religious Bishops and Abbots. Pope Hadrian and the universal Synod handed over to Charles the right and authority of electing the Pontiff and ordering the Apostolic See. They also granted him the dignity of the Patriciate. Furthermore, the Synod determined that the Archbishops and Bishops throughout the several provinces should receive investiture from him; that unless a Bishop were approved and invested by the King, he should be consecrated by no one; and it bound with the chain of anathema whoever acted contrary to this decree and commanded that, unless he came to his senses, his goods be confiscated.

This too is established in many canons in which either the designation, the investiture, or the consent of the Emperor is required, such as chapters 15, 16, 17, 18, 21, 23, 24, and 28; but these were afterward abolished. Since the matter was badly administered by Emperors and Princes who regarded their own advantages rather than the good of the Church and the salvation of the people, the Church again asserted her liberty and conducted elections according to the ancient manner. For afterward there was a long dispute about this matter between the Pontificate and the Empire. Foreseeing this, the Romans in the time of Louis I elected Hadrian II without the presence of the Imperial legates, chapter 29; Louis himself approved it.

Afterward Henry IV, a most wicked trafficker in Bishoprics, extorted that authority in some manner from Paschal II while he was a captive; but the Roman Council resisted him, and the whole Empire stirred itself against the most criminal Emperor. The arrangement was no different in the East, where in 965 Phocas passed a law that Bishops should not be elected without the Emperor's consent; thus book 4, title [omitted], of Eastern law.

The wealth of the Church, for which the avaricious ambition of courtiers panted, was the cause of so many contests. Phocas certainly thrust certain of his own ministers into Churches as Bishops, assigned them a certain allowance, and converted the remainder to his own rewards. Basil abolished this robbery and restored the privileges of the Church; but as the affairs of Greece always declined toward a worse condition, Alexius Comnenus shook all these things, while the Synod did not dare to resist. In Gaul also many things were granted to kings; in 1560 these were tempered with great moderation so that all things might not be in the power of one man.

§ 5. Great honor, nearly royal and sometimes greater, was shown to Bishops, especially when holiness adorned their dignity. The Emperor not only rose for Martin but even ministered to him. It is altogether fitting that a Bishop, as the public censor of morals and teacher appointed by God, be heard by all.

§ 6. The Episcopal office and its end is that the ministers of the Churches, the clergy, and the people of the diocese be governed rightly and in due order in spiritual matters. Therefore the same care which is broader in an Archbishop and Patriarch, and extends most broadly in the Roman Pontiff, is restricted in a Bishop to the administration of his own diocese.

1. The care and solicitude of all the Churches and all the monasteries of his diocese pertain to the Bishop. 2. The instruction, government, correction, reformation, and censure of the clergy; jurisdiction in the external and internal forum; convocation of a Synod; consecration of the ornaments of a Church and dedication of the Churches themselves; preparation of chrism; confirmation; and other lesser matters, many of which are committed to others.

There are also others called Bishops, namely suffragans and Chorepiscopi. Those whom we now call suffragans are so called improperly. Antiquity called those men suffragans who administered their own dioceses under some Archbishop. Now those men are so called who properly and truly are Bishops and have Bishoprics assigned to them, but because these are held by Saracens, Turks, schismatics, or heretics, they dwell in another place and assist the Bishops of other places. For any Bishop may, with the Bishop's consent, exercise Episcopal duties in another Bishopric.

[Printed page 478]

Since they are therefore truly Bishops of cities situated in Greece and Asia, if any hope of preaching the Gospel in those places should shine forth, they are altogether bound to go there and seek their sheep, and in that case not to refuse death, provided that the danger has a sufficient reward. For it does not belong to a prudent Prelate to put himself in danger without cause and hope of spiritual advantage.

The service of these Bishops has been granted especially to Archbishops and Bishops in Germany because of the breadth of their jurisdictions. In this, however, I require that the princely Bishops themselves frequently consecrate priests and do other things which show that they have chosen assistants for themselves not from weariness with spiritual affairs but under the pressure of occupation. Chorepiscopi existed in antiquity and now persist in the Archbishopric of Trier, and, I do not know, perhaps in certain other places.

Concerning them there survives a letter of Damasus to the Bishops of Numidia. In it, first, he says that he found it decreed by his predecessors: 1. That nothing should be reserved for them by way of pardon except deprivation of the sacred ministry, which they rashly assumed, because they had been prohibited both by this holy See and by the Bishops of the whole world. 2. That they can presume nothing concerning the office of the supreme priesthood. 3. That they are presbyters, not Bishops. 4. That they were appointed of old because of care for the poor. 5. That they were cast down because they presumed unlawful things and performed things belonging only to Pontiffs. 6. That the flock

was committed to them by certain Bishops languishing in idleness. 7. That such sluggish Bishops are like harlots. 8. That the Chorepiscopi are in no way Bishops. 9. That certain of them were nevertheless afterward truly created Bishops in certain places; for Damasus says this in the canon *Esse*, and it is also in the Council of Antioch, canon 10. 10. That they are called village Bishops, for *χώρα* means “country”; thus they are regional Bishops, for they are named not from a choir but *ἀπὸ τῆς χώρας*, “from the country.” 11. That if they disdain to be presbyters when they are not Bishops, they are nothing. 12. That those who confirm by their own hand that they are only presbyters can remain in their catalogue, while those who wish to be Bishops are to be deprived of every honor. 13. That it is not lawful for them to consecrate priests, deacons, or subdeacons; consecrate virgins; erect, anoint, or consecrate an altar; dedicate Churches; prepare chrism; sign the foreheads of the baptized with chrism; publicly reconcile any penitent even in the Mass; send formal letters; bless the people; enter the baptistery or sacristy before the Bishop; baptize or sign an infant in the Bishop’s presence; reconcile a penitent without the command of his own Bishop; consecrate the Sacrament of the Body and Blood of Christ in his presence unless he commands it; teach or salute the people in his presence; or exhort the congregation. You have been taught, both from the things above and from other enactments of the Fathers or sacred canons, that all these things are owed to Pontiffs alone.

Hence two things appear to be reprehended in them: first, the presumption of the Chorepiscopi; second, the negligence of Bishops who entrust their own labors to them.

§ 7. What their office was may be gathered from canon 54 of Nicaea:

Let the Bishop elect from the good religious men who dwell in the desert someone who is learned, of the best morals, the greatest and most understanding of all who are in that entire congregation, and who knows nothing about his own election. Those who belong to that congregation ought to present him. Let one Deacon of the congregation say with a loud voice: “We elect such a man as Co-Bishop”--perhaps Chorepiscopus--“who shall have complete authority over us,” so that all may know that he has been elected to that rank. The Bishop ought to recite over the man elected the customary prayer, bless him, and give him the names of all the Churches and monasteries which are under his authority, so that he himself may elect, as shall seem better to him, suitable men steadfast in their speech, whom he may place over Churches and monasteries.

Let him not impose the care of monasteries upon those who have care of Churches, nor join the care of Churches to those who are placed over monasteries. Let him bind them to the places given to them, and afterward go to visit the Churches and monasteries. If he finds that something is lacking in any Church or monastery, or abounds beyond what is needed, he ought to apply what is superfluous in one place where there is a deficiency; this ought to be done with the fear of God and for the edification of those places.

If there are few priests, he ought to increase their number from those who belong to that place. If there is no one among them from that town suitable to be ordained, he ought to take someone from the monasteries or Churches and take care that he be made a priest, so that prayer may be continual, the ministry of the altar may not cease, Churches may not be deprived of prayer and Mass, and Christians who have no pastor may not be like Gentiles in name and deed. Likewise, let him take care that in every town and small village there be someone who collects revenues for the Bishop according to the resources of each place and that they be brought to him. For it pertains to him to give alms to the poor and strangers and refresh needy priests, so that charity may remain among them.

§ 8. That the Chorepiscopus was less in dignity than the Archdeacon is established from canon 58:

When the Chorepiscopus and Archdeacon sit in the Church, no priest, Deacon of the Church, or cleric of any other rank shall dare to sit above them, except the Bishop, because these are as two hands and two wings with which the Bishop flies. But when the Bishop walks, whether in the Church or outside, the Archdeacon ought to be at his right, the Chorepiscopus at his left, and the Bishop between them, like a father in the midst of his sons. Whoever does not obey is excommunicated by the Synod.

§ 9. Nevertheless the name was not immediately abolished. For although they report that Chorepiscopi were not Bishops, except for a certain few, it is certain that they were presbyters even after the decree of Damasus; indeed, they again aspired to the Episcopal rank. For about the year of the Lord 566 John III wrote thus concerning them to the Bishops of Germany and Gaul:

It has been reported to the Apostolic See that a reprehensible and exceedingly inveterate usage, prohibited and utterly extirpated both by Saint Damasus and Saint Leo, Apostolic men, and by all the Bishops with synodal authority, has emerged and is again reviving. For certain Chorepiscopi--who were prohibited both by the aforesaid predecessors, the Fathers of the holy Apostolic men, and by the Apostolic men themselves or by us, as their decrees testify to this day--exceed their measure, convey the gift of the Holy Spirit through the imposition of hands, and unlawfully perform other things which are owed only to Pontiffs; especially since none of the seventy disciples, whose likeness they bear in the Church, is read to have conveyed the gift of the Holy Spirit through the imposition of hands. The book of the Acts of the Apostles teaches that to convey the Holy Spirit is the proper office of Apostolic men alone and of their successors.

[Printed page 479]

Therefore, since these things are so clear, I have grave doubts concerning the second Epistle of Nicholas I which was brought to light through the labor of Cordesius.

§ 10. The diocesan Synod held at Dillingen in 1548 assigned to Chorepiscopi the office of Archdeacons and rural Deans; thus chapter 7; and it associates Archpriests with them. Therefore retaining the name Chorepiscopus is not contrary to the canons, provided that they do not exercise Episcopal functions, such as ordaining and similar things, but, content with their own office, keep within the prescribed limits.

But if one of those whom we now call suffragans is also employed in the government of some Bishopric, he can be called a Chorepiscopus and be a true Bishop: a Chorepiscopus in that diocese whose Bishop he assists, and a true Bishop of his own jurisdiction, access to which is denied to him.

CHAPTER XL

The Duties of Provosts, Deans, Primicerii, and Others

§ 1. In the Church there are many names not only of dignities but also of offices. Just as in an army under an emperor there are legates, tribunes, chief centurions, centurions, adjutants, and commanders of tens, so also in this sacred army of the Church there are various orders and subordinate magistracies. Therefore it is also called an army drawn up in battle order.

§ 2. Provosts held the first place; yet of old they were of two kinds, either from the body of the clergy or secular. I understand chapter 50 of the statutes of the Council of Mainz under Archbishop Richolf in the year 813 to concern the secular kind:

We therefore command all Bishops, Abbots, and the whole clergy without exception to have good vicedomini, provosts, advocates, or defenders: not evil, cruel, covetous, perjured, or lovers of falsehood, but men who fear God and love justice in all things. Concerning judges, centenarii, tribunes, or vicars, however, we judge it fitting that, if they are found to be evil, they be cast out of their ministry.

§ 3. Since secular provosts were less faithful, zealous, prudent men, capable in action, were appointed from the clergy itself to care for the rights, possessions, and revenues of individuals and of all together; and in the monasteries themselves they were appointed from the religious. Thus it stands in the Council of Aachen under Stephen V and Louis I, chapter 139:

Although all who preside are, as it were, called provosts, usage nevertheless has prevailed that those are called provosts who exercise a certain care of a priorship under other Prelates. Yet the men who are called provosts according to this usage must be appointed by the Prelates as men of such character and energy that they are both of approved life and faithfully and humbly fulfill the things enjoined upon them. Because they are placed over others, let them by no means esteem canonical institutes lightly; rather, the more they are involved in the cares of the brethren, the more eagerly let them obey heavenly admonitions. Provosts, therefore, ought to be useful to the entire congregation and faithfully to benefit it by the ministry committed to them. Let them provide without delay, with charity and at the proper time, the things which they ought to give to the brethren, so that from the Lord they may acquire a good degree through faithful administration. Against men of this kind who offend and do not administer well the obedience committed to them, the measure set out above must be observed.

But when many provosts, both among the clergy and in monasteries, intent upon their own affairs and neglectful of common ones, appeared useless, complaints were forced forth; and indeed the provosts of monasteries were almost reduced to order. For the Lateran Council commands that those who lived apart be recalled to the cloisters, and admonishes the Bishops to compel the Abbots to do this.

The constitution of the Council of Cologne celebrated in the year 15[?]⁶, part 10, chapter 11, is praiseworthy:

Certain monasteries of nuns have costly provosts. Since the whole administration of the goods is under their power, they themselves live luxuriously from the monastic revenues; and those who ought to have been an example of monastic conduct turn back to the delights of the world, sometimes disdaining fine flour and honey, while the nuns themselves scarcely satisfy their growling stomachs with millet and coarse bread. There are also monasteries of virgins where there is no common food or table, but that practice is daily which Paul, writing to the Corinthians, condemned--although in a far more sacred banquet--namely, that each takes her own supper beforehand to eat, and one indeed is hungry while another is drunk. We judge it necessary to abolish these abuses: namely, that in place of those pampered provosts there be substituted upright stewards, to be approved by us, whose diet shall be like the monastic diet and who shall also be bound every year to render a complete account of receipts and expenditures.

Then the following Synod, held in 1549, reminds all provosts of their office:

It is a complaint that certain provosts of colleges, to whom, by an oath given, it belongs to guard and defend the rights and statutes of the Churches, do nothing less; rather, they merely receive ample fruits, while leaving undefended the Churches for whose sake they receive them, forgetful of their oath and of the fact that a benefice is given on account of an office. Hence we decree and establish that if provosts of this kind, when requested by their colleges to defend their goods, rights, and statutes at the expense of the chapters, in a time of necessity or when danger threatens, neglect to discharge their duty, and the College or Church consequently suffers loss, they shall incur a penalty to be assessed and moderated by the Bishop or superiors according to the magnitude of the loss received and the negligence of the provost.

This decree of the Synod of Cologne pertains to all Churches, because the oath of all tends to the same end.

§ 4. No one can be elected dean unless mature in age and morals. In Distinction 60, *Innovamus*, the Lateran Council under Alexander III, chapter 3, decreed that no one should undertake a deanery unless he has attained his twenty-fifth year and is to be commended for learning and morals, and unless he is a presbyter; the same is in the same Distinction. If a deacon has been elected, he is deprived of the honor unless he is ordained presbyter; in the same place. In the same manner, the Lateran Council under Callistus II says: "Let no one be ordained Provost, Dean, or Archpriest unless a presbyter; let no one be ordained Archdeacon unless a deacon." The same is in the Council of Poitiers in 1100 under Paschal II.

§ 5. It is necessary for a dean to reside in his Church. There is a golden canon of the Council of Cologne in 1549:

We see that, when Deans are absent or discharge their office sluggishly, the insolence of all the most worthless Canons and vicars generally prevails against the better men; piety and the zeal of good men are held in mockery; the divine offices are neglected and are performed neither duly nor by all, but only rushed through; integrity of life and morals is imperiled; discipline is entirely nonexistent--in brief, every wicked man may do whatever he pleases.

[Printed page 480]

We therefore command and order that Deans reside personally at their Churches and energetically discharge their office through themselves, and that they chastise the excesses of their subjects whenever there is need, under penalty of deprivation of the fruits of the deanery in proportion to the time during which, after admonition, they have not resided without reasonable cause. These fruits are to be applied to the fabric of the Church or to the poor where another worthy penalty has not been decreed against nonresidents, unless perhaps it happens that necessity causes them to be absent. In that case let them commit their functions to some member of the chapter who can render an account of the office undertaken and whom inferiors will revere, unless the pecuniary statutes of the colleges designate such a vicar for the absent man.

In the same year the Synod of Mainz established an even more sacred rule and extended the most salutary law more broadly, chapter 71:

Since it is established that our ancestors instituted the offices of these dignities in Churches so that there might be men who, as inspectors and moderators, preserved ecclesiastical discipline, but we now see them occupied by men who merely bear the titles of dignities and enjoy their emoluments, yet are absent from their Churches and answer to nothing less than their appellations: therefore we establish that hereafter all who now shine forth in, or shall hereafter be appointed to, the dignities of Provosts, Deans, Scholastics, Custodians, or Cantors--insofar as these belong to our disposition or that of our comprovincials--shall be present at their Churches and furnish useful service worthy of the name. Let them not be absent and merely carry away the fruits; nor shall it be lawful for anyone absent to bear any one of these dignities. Rather, each man distinguished by such a title shall serve his Church, not absent and not by the hired labor of others, but himself residing and present.

§ 6. These duties of deans are prescribed by the Councils. The Council of Cologne in 1536, chapter 2:

Further, since collegiate Churches are secondary after cathedrals and are constituted in their likeness, so far as the orders of ministers and divine worship are concerned, in both places it shall be the care of the Deans to urge and bring back their clerics to the observance of pious rites; continually to exhort and compel them to lead a life worthy of clerics; to recall them from business and worldly tumults, lest they appear soldiers of the age rather than of Christ; to forbid banqueting, drunkenness, and all luxury; and finally to compel them to discharge their office.

The Synod of Augsburg in 1547, chapter 9:

Let the Dean keep the clerics and household of his College, each in his own duty; let him precede others by example; let him require integrity of life and morals in dress and discipline, and what is due in the performance and ceremonies of the divine offices. Let him rebuke drunkards, gamblers, brawlers, fornicators, and men forgetful of their office; drive them from sacred rites; and fine them by the right belonging to him.

Again Cologne, chapter 9:

In order, therefore, that the things we have spoken of may be cleansed and duly observed, together with all other things pertaining to the performance of the divine office and the discipline of the choir, the Dean shall keep diligent watch, looking about on every side lest anything be done disorderly.

And chapter 25 describes his office together with its power thus:

If the Dean perceives any men to be rebellious, negligent of divine worship and of their office, quarrelsome, litigious, brawlers, gamblers, keepers of harlots, or entangled in other public crimes, and they refuse to hear fraternal correction, let him do in these chapters what Paul commands: "Rebuke sinners before all." Then, if they refuse to come to their senses, let him keep them from sacred rites and forbid them to share in the fruits until they return to a better fruit of life; yet in such a way that this Apostolic rule is observed here: "Rebuke the restless, console the fainthearted, be patient toward all," and that neither anger, hatred, nor rancor claim any part for itself. For that solicitude of Provosts is useful, that caution is praiseworthy, in which reason does everything and fury claims nothing for itself. For anger often brings even the innocent into guilt. For while we are angry beyond what is just and wish to restrain another's sins, we commit graver ones. Nevertheless, through these provisions we prejudice nothing in the privileges and legitimate customs of ourselves and of the Churches of our province, and especially in the practice and custom which exists in some Churches--namely, that causes of discipline are adjudged by the Deacons--provided that the Deacons diligently and energetically apply themselves to, and discharge, their office. But if the Dean and chapter are negligent or entangled in the same crimes, it will be necessary to return to the disposition of the common law.

The province of Deans is therefore most weighty, since the discipline, morals, and ordering of divine worship of the whole College pertain to them. For unless the Dean is pious, prudent, vigilant, strong, and fearless in admonishing, and if he dissembles vices and abuses, the blood of all souls will be required from his hand. He rushes through the psalms in the mouth of all; he chatters with the tongues of all. For what he is bound by office and able by authority to correct, he is judged to do if he neglects it.

§ 7. Parish priests in villages, districts, and towns also have their deans or presidents, whom they call rural. The Synod of Trier in 1548 explains their duties:

The Archpriests, who are also called rural Deans, since they have been admitted to the assembly of the Synod, are commanded to render to our Most Reverend Lord an account both of the office of the pastors and of their own. For it belongs to them to rebuke the public offenses of their subjects, provide for the cure of souls, feed all with the pure doctrine of the word of God, sustain the wretched and afflicted by consoling them, preside well over the Church in all things, and finally exhibit themselves as sound examples of living in word and deed. The Apostle judges those who do this worthy of double honor. For even the pagan judges it most shameful to commit what you teach others ought not to be committed. They must therefore answer to His Most Reverend Grace concerning these matters, as also concerning other cares worthy of a priest, so that he may know their integrity in administering their offices. On

this account, indeed, he will command that favor and praise be rendered to the good and those willing to obey; but that the evil and reprobate, of whatever condition they may be, hereafter be afflicted with disgrace and punishment by force of ecclesiastical censure.

Those who are now called deans appear formerly to have been Archpriests, for each is the chief man of his college. Principal men are also commonly called *decani*, and the number ten is honored, to such an extent that great things are called *decumana*. Yet now the Archpriest and the dean have different functions: by ordinary law the Archpriest is subject in government to the Archdeacon, while the dean is not. The Archpriest generally performs the functions of an absent Bishop. See the last constitution of Leo, *On the Office of the Archpriest*.

§ 8. The office of the Scholastic is either to educate the young or to take care that they are educated. He presides over those whom they call *domicellarii*. Unless these are educated with every care and exercised in the divine offices, the hope of good ecclesiastics is cut down in the blade. General oversight of schools, however, is judged to have been committed to the metropolitan Scholastic.

Another office is also joined to that dignity, namely, examining those to be ordained; for the Scholastic of the cathedral Church presides over the examination.

[Printed page 481]

Concerning all these things the Synod of Cologne, chapter 3, speaks almost in one word:

In these Churches there are different ranks of ministers, namely, Provosts, Deans, Archdeacons, Scholastics, Cantors--who are also Bishops of the Choir--Treasurers--who are also Sacristans or Custodians--Canons and Vicars, and other men of this kind. Let each interpret his own designation and take care to be what he is called, according to the ancient institution and rule of the Fathers. By this alone they will have brought it about that they appear in great part to have answered both our expectation and that of all the pious.

§ 9. A Primicerius is whoever is *πρώτης τῆς τάξεως*, first in rank, or more dignified than the others, *πρωτόκληρος*, “first on the wax.” It was customary to write on wax. Pliny, book 2 of the *Letters*: “Nearby there was no hunting spear or lance, but a stylus and writing-tablet; I meditated upon and noted certain things, so that, even if I brought back empty hands, I might nevertheless bring back full wax tablets.” A Primicerius, moreover, was the man who was written on the first wax, that is, first in the choir among the cantors; in Suetonius the man *on the lowest wax* is one among the last. His office is described in book 1 of the Decretals, title 25, chapter 1:

Let the Primicerius know that he is under the Archdeacon, just as is the Archpriest; that it pertains especially to his care that he preside in teaching the Deacons or the remaining men placed in the ecclesiastical ranks; and that he himself apply himself to their discipline and guardianship, since he will have to render an account before God for their souls. Let him himself give the Deacons the lessons which pertain to the nocturnal offices of clerics; and let him have care for each, so that, in whatever matter he has an understanding capable of it, he may apply himself without any negligence, or that they may be instructed by the man whom he himself shall command.

And Distinction 25, chapter 1:

To the Primicerius belong the acolytes, exorcists, psalmists, and lectors; also the signal for the office of the clerics; and, with respect to integrity of life and the careful study and performance of the office, which of the clerics ought to say the lessons, blessings, psalm, praises, offertory, and responsories. To him also belong the order and manner of singing psalms in choir according to the solemnity of the seasons, and also the arrangement for carrying the lights. If anything is necessary for the repair of the basilicas which are in the city, he reports it to the priest. He shall send the Bishop’s letters concerning fast days to the parishioners through the doorkeepers. He shall himself constrain clerics whom he knows to offend; but he shall bring the excesses of those whom he is unable to correct to the Bishop’s knowledge. He shall himself appoint the basilicani and arrange the matricula. When the Primicerius is absent, however, the man who is nearest to him either by law or by learning shall investigate the things aforesaid. To the Treasurer belong the ordering of the basilicas and the doorkeeper, the preparation of incense, care for

making the chrism, care for arranging the baptistery, and the preparation of lights in the sacristy and at the sacrifices.

The primiceriate was a benefice and dignity. Therefore, since the Primicerius did not perform the office, the Canons of Toul abolished this office, as appears in a rescript of Innocent III.

§ 10. There are also other kinds of offices and dignities. At Toulouse and elsewhere the highest dignity after the Provost is that of the Academic Chancellor, who is himself also a Canon. At Cologne the metropolitan Provost himself is Chancellor; at Mainz the Custodian appoints the Chancellor. See concerning these matters book 5 of the Decretals, *On Masters*, chapter *Quamvis*.

Officials and Vicars of Bishops exercise jurisdiction in place of the Bishop. In *Nova*, 16, question 7.

The Treasurer is *κασιμηλιόρχης*, one who guards precious things; elsewhere he is also called the Custodian.

The Sacristan has care of the sacred furnishings and the lights; book 2 of the Decretals, 26.

The Custodian is the minister of the Sacristan; in the same place, chapter 1.

The Steward is the man who administers the property of the Church, the dispenser for the poor.

The man called Vicedominus in a Bishopric is called Steward in particular Churches.

The Syndic is the man who prosecutes suits and defends the disputed rights of the Church.

The Cellarer is the man to whom the distribution of wine, and often of grain and other things, is committed.

There are also Parish Priests, Vicars, Chaplains, Pensionaries, and Orphanotrophs, all of whom ought to be appointed according to the necessity and utility of the Church. But these must be treated specifically, as must the Canons.

CHAPTER XLI

Praiseworthy Institutes of Canons in the Church, and Salutory Laws Concerning Them

§ 1. The office of Canons is to live canonically. *On Consecration*, Distinction 5, chapter 34:

We have therefore decreed in all things, so far as human frailty permits, that Canon clerics live canonically, observing the teaching of divine Scripture and the precepts of the holy Fathers; and that they presume to do nothing disorderly without the permission of their Bishop or their master. In each Bishopric let them eat and sleep together where the means of doing this are available to them; or, in the place where they receive a stipend from ecclesiastical property, let them remain in their cloister. Every day, first thing in the morning, let them come to the reading and hear what is commanded them. At table likewise let them hear a reading and show obedience according to the canons to their own ministers.

Canons are the more honorable of the clerics. They are so called either because they live according to the canons of the Apostles and Councils, or because they have been entered in the canon--the Greeks say *οἱ ἐν κανόνι*, that is, entered in the register of the Church--so that they receive a fixed allowance and have a voice and the right of pronouncing an opinion in the chapter. Among the Pythagoreans, harmonic theorists who gave the principal parts to reason were called *Κανονικοί*.

The same men are called prebendaries, although a prebend extends more broadly than a canonry. Of old, the things which parish priests were bound to furnish to envoys publicly sent were called prebends. Horace, *Satires* 1.5:

The little town nearest the Campanian bridge furnished a roof,
and the things which hosts owe: firewood and salt.

A prebend, therefore, is called an ecclesiastical right in the Church--for we are not treating lay prebends--of receiving certain annual revenues in the Church on account of the ministry of the divine offices performed by the man who lives from the fruits of the prebend. When the right of voting in the chapter is joined to this right, if the other things are present, it is called a canonical prebend. For although certain Canons are not in the chapter, they nevertheless have canonical prebends, but some cause prevents their being admitted.

Therefore, to receive the fruits of a prebend legitimately, it is necessary to have a title and legitimate possession, and then to engage in the divine offices to which one is assigned. For a benefice is given on account of an office. Thus all foundations and all canons declare.

§ 2. Three kinds of stipends are commonly given to Canons. Some are annual and are called the *corpus*; some are daily and are called *presences*, and are distributed only to those present. Finally, certain sums are collected by the chapters besides the *corpus* and the presences, which they call fruits of the table; these are distributed at the discretion of the Canons.

[Printed page 482]

But since the avarice of certain men is so great, and their torpor is joined with such greed, that they hunt prebends in every place, reside in one place, and travel to the other colleges for the sake of collecting the fruits, it would be advisable, whenever and wherever it can be done, to convert the *corpora* into presences, or at least to diminish the *corpora* and increase the presences. But I shall treat these matters hereafter.

§ 3. Canonries and prebends are in general of two kinds. Some are cathedral; others belong to secondary Churches. Hence that distinction has gained force whereby the clergy who serve God in the cathedral church are called primary, and those in other collegiate Churches secondary.

Prebends and canonries are also commonly called benefices, because they are given benevolently and gratuitously by the Church, with the joy both of the recipient and of the giver. They contain two things: the right of receiving fruits and the obligation of rendering service to God. A benefice, however, is given on account of an office. Therefore, when the office ceases, the benefice is withdrawn; and when the benefice is retained after the office has been renounced, an injury is inflicted upon God and the Church. I think the whole ordering can be gathered into a few laws.

Law 1. In the collation of a benefice let the collator retain nothing for himself and expect nothing, neither service nor money. Because he appoints a minister for God, he ought not to be a moneylender in a sacred matter and claim for himself a portion from the patrimony of the Church, much less divide with God the services of God's servant.

Law 2. Let them reside in their own Churches. For this reason they were both founded and received privileges from Emperors. Title *On Nonresident Clerics*.

At this point I shudder as I relate the matter, when I remember the frauds by which wretched men strive to circumvent God. Long ago this evil began, whereby greed sought great revenues by doing little or nothing. How very few are present in the manner required! But let us hear our Fathers. In 1286, in the Council of Ravenna under Honorius IV, title 5, it was determined thus:

It is fitting that those whom the ornaments of life and examples of domestic praise do not recall should at least be restrained by the medicine of correction. We have indeed learned from the report of many that in certain Churches of our province it is observed by custom, and in certain others confirmed by constitution, that besides the revenues of benefices and prebends--concerning which we wish nothing to be altered at present--those residing in the Church alone receive certain other revenues, according as they reside daily and in proportion to the residence which they make in the Church. Certain men, obeying such a custom and statute according to a perverse interpretation and thinking too little of the things of God, to the peril of their souls, usurp for themselves those revenues especially assigned in favor of residence so that God and the Church may be served and the instruments of divine praise be sung therein at every hour, provided only that they reside in their chamber, even though they enter the Church to celebrate the divine office only once in the month. From these things a great scandal is generated among their neighbors who serve the Church as they ought, and the praiseworthy purpose which they had grows cold in them.

Therefore, lest we be made participants in their faults, having removed that perverse interpretation while preserving such a custom, we establish by declaring, and declare by establishing, that with respect to the aforesaid revenues which are distributed according as men reside daily--whether they are grain, wine, money, or other goods--only those shall be called resident in the Church who, in their own Church together with their other brethren, have performed at the due hours the measure of our service, namely, Matins, Lauds, Prime, Terce, Sext, None, Vespers, and Compline. Otherwise, they shall receive from those revenues only according as they have served the Church, pursuant to our ordinance noted immediately below.

In order that this constitution be inviolably observed, we will and command under penalty of excommunication that, within two months computed from the day of the publication of the present Council, all and singular clerics of the Churches of our province where there are several ordained clerics and revenues of the kind mentioned above shall be bound to confirm this constitution by oath; and likewise all who shall be admitted hereafter, before they are admitted to the revenues. Where, however, there are no such revenues in a Church, let the local Diocesans provide in the Synods which they happen to celebrate, as best they can according to God, that the office at the canonical hours not be neglected in those Churches. If the senior of the Chapter--or, where all are equal, the man who presides immediately over those clerics--has not caused this oath to be given, he shall be subject to peril of his benefice and shall be fined by the provincial Council, by his superior, or by another who is able to do this.

Wishing, insofar as we rightly can, to ordain and declare the immediately preceding Council, we establish that within the space of two months from the day of publication of this Council it be ordained how many and how great a share the man who attends Matins, and the other canonical hours, ought to have from the revenues mentioned above in the immediately preceding Council, wherever there are such revenues. Because we cannot give a specific rule in this

matter, since some Churches abound more and others less, we provide as we can in this manner: namely, that the man who has attended Matins shall have twice what the man who has attended Mass will have; that the man who has attended Terce and Sext shall have half of what was given to him at Mass; that the same be observed at None as was stated concerning Terce and Sext; and that the man who has attended Vespers and Compline shall have as much as the man who attended Mass, according to the foregoing.

To understand clearly, suppose that ten denarii are to be distributed daily to each Canon. From those ten denarii you will give four denarii to the man who attended Matins; two to the man who attended Mass; one to the man who attended Terce and Sext; one to the man who attended None; and to the man who attended Vespers and Compline you will give two denarii, as you gave at Mass.

But because even in this way, according to what has been stated, complete provision has not been made against deceitful men, who could come to the canonical hours but not at the due time, and, even if at the due time, nevertheless not remain until the office was completed, we establish against them that the man shall be said to attend Matins who has come to the Church before the *Venite* is sung with the hymn, when the hymn is said; otherwise, when the *Venite* is said with the first psalm, since the hymn is not then sung; and who has remained until Prime has been completed. The man shall be said to attend Mass who has come before the *Kyrie eleison* is sung and has remained until the Mass has been finished. Those attending Terce, Sext, None, Vespers, and Compline must come before the psalms begin and remain until the said hours have been completed; otherwise they shall receive nothing. Whoever acts contrary to this, besides the guilt of perjury, shall be bound to restore to the Church from which the service due has been withheld twice what he received, to be converted into ornaments of that Church.

The same matters were thereafter treated and determined far more forcefully in the Council of Ravenna in 1317.

I cannot refrain from transcribing the words of the Council of Basel, Session 21:

Whoever has not attended the divine office until the end--at Matins before the end of the psalm *Venite exsultemus*, at the other hours before the end of the first psalm, and at Mass before the last *Kyrie eleison*--shall be judged absent for that hour, unless perhaps, compelled by necessity and having sought and obtained permission from the president of the choir, he must depart; the customs of Churches, if any stricter ones exist concerning this, remaining unimpaired. The same shall be observed concerning those who have not remained in processions from beginning to end. For the execution of this provision, let someone be deputed who has the charge of noting the individual persons who do not assemble at the appointed time, bound by oath to act faithfully and spare no one.

[Printed page 483]

This holy Synod also commands that in those Churches in which definite distributions have not been established for the individual hours, they be assigned absolutely, even from the gross fruits if necessary, so that each person may receive more or less emolument according to the measure of his labor. It entirely abolishes that abuse by which a man present at only one hour usurps the distributions of the whole day, and that abuse by which Provosts, Deans, or other officials receive daily distributions solely because they are officials, even though they are not actually absent for the utility of the Church.

I have already made mention above of the Council of Mainz under Sebastian in the year 1549, in which the matter is commanded in these words in chapter 72:

Since the Apostle judges idle men who eat bread not acquired by their own labor, to the burden of others, unworthy of food and therefore of life itself, to how much graver a divine indignation must those men be thought subject who idly consume the revenues of the Church, the patrimonies of the holy Martyrs, and the gifts of the pious people bestowed for the support of the divine Ministry, but do not care to repay to those Churches the services owed for them? We, therefore, wishing to meet the peril of souls and provide for the necessity of the Churches, decree and ordain by the present statute that hereafter, in the Metropolitan, Cathedral, Collegiate, or any other Churches established throughout the whole province and subject to us, daily distributions shall not be assigned to certain very

brief moments--as, for example, to the reading of the Epistle or of one Psalm or Responsory--but to whole and complete offices and hours, and shall be given only to those who have attended from beginning to end the divine offices for which the emoluments are given.

But those who have been accustomed to divide their departures and returns in such a way that they receive the least of the labors but the greatest of the emoluments shall hereafter, unless they take care to attend the complete offices and hours, be fined the entire fruit of that office or hour, notwithstanding any irrational or depraved customs, which must rather be judged corruptions. Yet if any are hindered by infirmity or a legitimate cause, let them excuse themselves before the Prelate or another to whom this belongs by the custom of the Church, and obtain leave for their absence. We will, however, that Canons be excused from entering the choir by capitular business for as long as they are present at Chapters, and no longer.

In this matter we admonish the Deans of Churches, or those upon whom that care devolves for the time being, and command them not to appoint Chapters, except from necessity, at the hour in which the divine offices are performed, since Chapters can be held either earlier or later so that the Prelates and Canons themselves may more conveniently be able to attend the divine offices. Surely the labor of capitular acts ought not to burden those who, over and above the offices of the choir incumbent upon them in common with the vicars, also enjoy a richer emolument from their prebends over and above the common distributions.

In like manner we will that the distributions received from processions be given only to those who have persevered in attending them personally from beginning to end.

And lest benefices throughout the Churches be defrauded of the services owed, we enjoin upon all possessors of benefices, under loss of the benefices, that if they do not yet have the orders which their benefices require, they receive them at the next times established by law. We also will that the Canons of Churches be bound to this, each according to his order, so that, when the matter requires it, he may be able personally to furnish the Church the service which each owes according to the requirement of his office.

In the same manner the fifth Council of Milan, chapter *On Residence*, and the first Council of Milan, *On Residence*, establish many things with the greatest gravity and sanctity. On these matters see Session 6 of the Council of Trent.

Law 3. Let no one receive a benefice from a layman.

Since, according to the Apostle, no one ought to assume honor for himself unless he has been called by God as Aaron was, those men, forgetful of their salvation, who intrude themselves into ecclesiastical dignities or benefices and procure that they be elected and intruded through the power of laymen, consider and attend to this too little. Wishing, therefore, to oppose such and similar things by the remedies we can, we establish and more strictly prohibit anyone hereafter from presuming to attempt such things, or permitting or procuring them to be attempted. If anyone acts contrary to this, let him not only not be confirmed or instituted, but let him likewise be stripped by his Diocesan of every hope of promotion throughout the province of Ravenna; and nevertheless let him be excommunicated by the deed itself and stripped of every privilege of ecclesiastical protection and defense.

Law 4. Not only must nothing be sought for a benefice, but not even what is spontaneously offered may be received; nor may it be received on the condition that the man who received it yield at the will either of the giver or of another. First Council of Milan.

Law 5. The man who has given in this manner is deprived of the right of giving, nominating, and presenting--indeed, also of electing. The man who has received does not make the fruits his own. First Council of Milan, section *Those Things Which Pertain to the Collation of Benefices*.

Law 6. Those about to receive a benefice shall affirm by oath that they have not acted simoniacally. Thus it stands in the first Council of Milan, section *Let the Bishops Admit or Institute No One Who Has Been Presented, Nominated, Elected, or Provided by Inferiors Before They Have Required from Him the Oath Written Below*:

I, N., presented or elected, and so forth, to the benefice N., swear by the sacrosanct Gospels of God which I touch with my hands that neither I, for the sake of obtaining the benefice or of being presented or nominated to it, and so forth, nor any other person in my name or with my consent or knowledge, has promised, given, compensated, confirmed something previously given, or deposited anything with anyone, to the collator, patron, or anyone else for that reason.

Nor have I given it as a loan or lease, remitted or relaxed something previously given as a loan, lent for use, leased, or owed in any manner whatsoever. Nor concerning the houses, lands, estates, revenues, fruits, tithes, or offerings of that Church, past, present, or future, have I made, promised, or entered into a gift, remission, or lease, or has another, at my command or with my consent, promised, made, or entered into one. So help me God and these holy Gospels of God.

Law 7. Let the intermediaries of simoniacs be punished: notaries, advocates, procurators and interposed persons, and sureties. In the same place.

Law 8. Let the man who seeks ambitiously be without it for two years, and likewise those who petition for benefices not yet vacant.

Law 9. Let several benefices not be given to one man. This is an ancient and frequently repeated law, but one that is frequently violated. Many possess several; few are there who do not desire several.

I shall first set forth the statutes and laws of the Church, and then my own opinion. For in title *On Prebends and Dignities*, chapter *Iam Dudum*, it was established that the first benefice is lost by the law itself if another is received. And in title *On Election*, chapter *Dudum*, it is forbidden that several be held without dispensation. Therefore two things must be established. First, plurality is most gravely prohibited, especially in benefices with cure. Second, dispensation from that law is possible.

Concerning the first, therefore, the Fathers, Councils, and Pontiffs establish as follows. The Council of Clermont in 1095 under Urban II, chapter 22: "Let it hereafter be lawful for none of the clerics to hold two prebends in two cities, since he cannot have two titles." But now a multitude of titles is accounted an honor. And in the appendix to the Lateran Council, Alexander III writes to the man of Bordeaux that his Archdeacon should resign one of them. And the Lateran Council under Innocent III, chapter 29, *De Multa*--

§ 3 (continued).

[Printed page 484]

By great foresight it was prohibited in the Lateran Council that no one should receive diverse ecclesiastical dignities and several parish Churches contrary to the institutes of the sacred canons. Otherwise, the recipient would lose what had thus been received, and the collator would be deprived of the power of granting. But because, on account of the presumptions and cupidities of certain men, no fruit or true benefit has thus far arisen from the aforesaid statute, we, wishing to oppose them more evidently and expressly, establish by the present decree that whoever has received a benefice to which the cure of souls is annexed, if he previously held such a benefice, shall be deprived of it by the law itself; and if perhaps he contends to retain it, let him be despoiled of the other also.

Here it treats only two benefices with cure, not simple benefices. But the Council of Salzburg under Gregory X treats all:

Since in the province of Salzburg various secular clerics, setting no limit to avarice and not regarding their own salvation, do not fear to burden themselves with several ecclesiastical benefices, we, who desire to meet the needs and salvation of others and provide for the necessities of Churches, by the authority of the present Council firmly and strictly command that every possessor of several benefices either be content with the last one received or, at the immediately following provincial Council or Episcopal Synod--which deadline we assign to them peremptorily--demonstrate by legitimate documents that a dispensation has been made for him by the man who

could do this by right. Otherwise, with respect both to benefices and persons, we shall take care to provide according to the form of the Canons handed down concerning this matter and the statute of the Lord Guido, Cardinal of good memory, formerly in our province, A.S.L.

The Synod of Augsburg in 1548, chapter 11, acted with the same intention:

Whoever, whether impelled by cupidity or even by any honorable pretext, holds several ecclesiastical benefices is commanded by this our mandate--as we command by strict precept--that, retaining the single benefice among them which he prefers, he resign the others within a year or exhibit to us, or to those deputed by us for this purpose, the privileges of his dispensations of this kind. Unless they furnish due obedience, let them know that, from our diligence to be applied in the right and true dispensation of ecclesiastical benefices, they will undergo the legitimate penalties of their disobedience or cupidity.

The Council of Mainz under Sebastian, chapter 64, treats chiefly benefices with cure:

The matter itself declares that several benefices, especially those under which the cure of souls is placed, cannot be held by one person without grave loss to the Churches, since one person cannot duly perform the offices in several Churches or devote the necessary care to their affairs. We, therefore, following the admonition of reform and opposing to this calamity of the Churches, as a salutary remedy, that decree of the Council of Lyons, admonish every possessor of benefices with cure of this kind and enjoin them by strict command that within three months after the end of this provincial Synod they exhibit to us, or to our comprovincials, the local Ordinaries, the dispensations under pretext of which they hold such benefices.

If they do not do so, such benefices, as if thereby proved to be held unlawfully, must, after the three months have elapsed, be conferred upon other suitable persons by those to whom their collation pertains. But if anyone's dispensation appears legitimate and sufficient, he shall retain the benefices without molestation. Nevertheless, by deputing suitable vicars and assigning a fitting portion of the fruits, he shall provide that the cure of souls not be neglected in these Churches and that the benefices themselves not be defrauded of the services due. Otherwise, his negligence must be supplied by the Ordinary from the fruits of the benefice, and he must moreover be punished, at the discretion of the Ordinary, by subtraction of a certain portion of the remaining fruits.

But if the dispensations appear invalid or insufficiently legitimate, and the man who under their pretext held several benefices with cure refuses, after retaining one, freely to resign the others, his case shall be referred to the Apostolic See and its judgment awaited concerning what it wishes the measure of his benefice to be. If anyone holds benefices with cure of this kind in different dioceses, he must be compelled by each Ordinary to make such an exhibition. And if he has not been fortified with a legitimate dispensation, let him retain the last benefice which he received and resign the others, since according to the disposition of the common law the benefice which he previously held is known to become vacant by the law itself through his acceptance of a subsequent benefice with cure.

In the same manner the Council of Trent, Session 7, chapters 2, 3, and 4:

Let no one, shining forth with any dignity, rank, or preeminence whatsoever, presume to receive and simultaneously retain several Metropolitan or Cathedral Churches, whether in title, in commendam, or under any other name whatsoever, contrary to the institutes of the sacred canons. For that man is to be accounted very fortunate to whom it has fallen to govern one Church well and fruitfully and with the salvation of the souls committed to him. Those, however, who now hold several Churches contrary to the tenor of the present decree shall be bound, retaining the one they prefer, to relinquish the others within six months if they belong to the free disposition of the Apostolic See, and otherwise within a year; otherwise the Churches themselves, excepting only the one last obtained, shall by that very fact be judged vacant.

Inferior ecclesiastical benefices, especially those having the cure of souls, shall be conferred upon worthy and capable persons who can reside in the place and exercise the cure personally, according to the constitution of Alexander III in the Lateran Council which begins *Quia Nonnulli*, and the other constitution of Gregory X issued in

the general Council of Lyons which begins *Licet Canon*. But a collation or provision made otherwise shall be rendered entirely void, and let the Ordinary collator know that he will incur the penalties of the constitution of the general Council which begins *Grave Nimis*.

Whoever hereafter presumes to receive and retain simultaneously several benefices with cure or other incompatible ecclesiastical benefices, whether by way of a union for life, a perpetual commendam, or under any other name and title whatsoever, contrary to the form of the sacred canons and especially the constitution of Innocent III which begins *Qui Multa*, shall stand deprived of those benefices by the law itself, according to the disposition of that constitution and by force also of the present canon.

The same Council nevertheless establishes thus concerning all benefices in Session 24, chapter 17:

Since the ecclesiastical order is perverted when one person occupies the offices of several clerics, it was provided by the sacred canons that no one ought to be enrolled in two Churches. But because many, from an affection of wicked cupidity, deceiving themselves and not God, are not ashamed to evade by various arts the things which have been well established and to hold several benefices simultaneously, the holy Synod, desiring to restore the discipline owed to the government of Churches, by the present decree--which it commands to be observed in all persons under any title whatsoever, even if they shine with the honor of the Cardinalate--establishes that hereafter only one ecclesiastical benefice be conferred upon each person.

But if it is not sufficient for the honorable support of the life of the man upon whom it is conferred, it shall nevertheless be lawful for another sufficient simple benefice to be conferred upon the same man, provided that neither requires personal residence. These provisions shall pertain not only to Cathedral Churches, but also to all other benefices, both secular and regular, even those held in commendam, under whatever title and of whatever quality they may be. Those, however, who at present hold several parish Churches, or one Cathedral and another parish Church, shall be compelled absolutely, notwithstanding any dispensations and unions for life, to retain only one parish Church or the Cathedral alone and to relinquish the other parish Churches within the space of six months. Otherwise, both the parish Churches and all the benefices which they hold

[Printed page 485]

shall be judged vacant by the law itself, and shall be freely conferred upon other suitable persons as vacant; nor may the men who previously held them retain the fruits after the said time with a safe conscience. The holy Synod desires, however, that provision be made for the needs of those resigning by some suitable means, as shall seem good to the Supreme Pontiff.

Since, therefore, that law has been established, confirmed, and received by many Councils; since the legal authorities decide according to it; and since its end also is weighty, it follows that it binds forcefully and must be observed inviolate. Yet because it is a positive and ecclesiastical law, the supreme Pastor of the Church can dispense from it, as the laws themselves sufficiently indicate when they prohibit the possession of several benefices without a dispensation.

Therefore this dispensation must be discussed, for I think there is no one who possesses several without a pontifical dispensation. Yet whether the dispensation is legitimate must be considered with the greatest attention, for dispensations are often dispensations in word but dissipation in fact. Sometimes they are valid in the external forum because they cannot be rejected, but criminal in conscience because they do not have a just cause. Nevertheless, those who possess several are bound, by force of the Council of Trent, to exhibit their dispensations.

Cardinal Otto, Bishop of Augsburg, indeed pressed that matter forcefully and religiously in the Council of Augsburg. He requires the instruments of the dispensations and adds:

But if any hereafter shall hold several benefices by dispensation of the Apostolic See, and it shall have become known to us that the same See--which in its letters, concessions, and privileges is accustomed to follow honorable and necessary reasons and causes according as they have been represented to it--has been deceived by the

petitioners, let them know that, when our Most Holy Lord has been better informed, we shall procure the revocation of such dispensations. Hence we establish and ordain that hereafter no one, of whatever rank or dignity he may be, shall be admitted to possession of another or of several benefices unless he first exhibits to us, as Ordinary of the place, the letters of such a dispensation for inspection in order that the dignity of the Apostolic See may be preserved, the constitutions of the Supreme Pontiffs Boniface IX and Leo X always remaining unimpaired.

And if he appears worthy of a dispensation, we nevertheless establish that such men, or any other rectors of Churches and holders of benefices whatsoever, leave to their vicars so great a portion of the fruits as is sufficient for maintaining hospitality, paying Episcopal and Archidiaconal dues, and bearing the other burdens. Otherwise we decree that they be removed from their benefices, the right of each patron or collator nevertheless being reserved.

Deservedly so, indeed. For importunate demanders of dispensations bring it about that what they receive is no dispensation. I have seen instruments of dispensation whose openings declared that, on account of great learning, many labors endured for the Church, merits, and an exemplary life, by Apostolic kindness--which ought to bear a special affection toward such men--a dispensation was granted to the venerable lord N. But that venerable lord was an unlearned boy of depraved character and was not rightly educated by his own people. Here there was no dispensation, but an artful sacrilege by which the parents bound themselves, not the boy; for he, unknowing, was burdened with a benefice through procurators as a minor.

For this reason the Council of Cologne in 1536, part 1, chapter 31, most prudently established concerning this matter:

The ambitious cupidity for several ecclesiastical offices was always odious among the ancients and was condemned more than once by general Councils. At Chalcedon, among other things, it was provided that a cleric ought not to be enrolled in two Churches, because it appears difficult for one man to sustain the part of two, and absurd for the duties of affairs to be confounded by indiscriminate devices. This, however, is especially harmful where several parishes or dignities are committed to one presbyter, because he alone cannot either perform the office in all the Churches or devote the necessary care to their affairs. Therefore we will that both those who have the power of disposing of ecclesiastical offices of this kind and those who, led by blind cupidity, canvass for them be admonished to submit their affections to canonical institutes. But those who wish to defend themselves against this by Apostolic dispensation must see to it that they prove before God the cause of the dispensation obtained. For we do not strip eminent and very learned persons of their privilege, provided that they use it rightly and according to God.

Chapter 35, however, teaches that dispensations must be examined:

There is no one who does not know how shamelessly very many men abuse instruments and dispensations extorted from the Apostolic See contrary to the intention of the Supreme Pontiff, who both wills and ought to use the power granted to him not for destruction but for edification. "I do not forbid," says a certain pious man, "dispensing, but dissipating." A dispensation has indeed been entrusted, but now this is required among stewards: that a man be found faithful. Although the greatest share of the fault resides with those who finally elicit letters of dispensation by inserting into their supplicatory petitions either no cause, a less legitimate one, or even a fictitious one, who would call them secure before God, who searches the reins and hearts and abominates all hypocrisy and fraud? "Let no one," says that same man whom we have just cited, "flatter you concerning an Apostolic dispensation when the divine sentence holds your conscience bound."

But because there are few in whose sight God stands, while very many everywhere abuse sacred authority according to their own desire, it comes about that we are compelled to use against the insolence of men of this kind the not unwholesome decree of the Council of Lyons celebrated under Gregory X. Relying upon it, we shall impose upon all who flatter themselves with such instruments the necessity of exhibiting their letters to us, as we shall examine whether they obtained them rightly and use rightly what they obtained. And even if those dispensations are as fully valid as possible, we shall nevertheless take care that the intention of the canon and of the Supreme Pontiff be satisfied: namely, that the cure of souls not be neglected in those Churches, personates, or

dignities which they occupy under this pretext, and that the benefices themselves not be defrauded of their due services.

Having established, therefore, that dispensations, if they are to be valid, ought to have a legitimate cause--and this in a law which has been confirmed by so many canons and so many Councils, which is demanded by the consent of the world and by its outcry, and whose reason for observance remains and will always remain--we shall conclude that several benefices are rarely permitted by a true dispensation accepted in heaven.

But if anyone asks me what is a true and legitimate cause for dispensing, I answer that these are such causes.

First: the necessity of the Church. For a Church burdened with debt and situated amid dangers can petition for a powerful neighboring Bishop or another man for itself, so that it may be defended, relieved of expense, restored to its former condition, and the disobedient converted. The same must be said where there is great and evident utility to the Church.

For although advantages accrue to that Prelate, they nevertheless all redound to the utility of the Church. Yet in this matter sin is committed in two ways: 1. when there is no evident or probable danger, and provision can be made against it and it can be repelled by another; 2. when the more powerful man who has been elected does not furnish that for which he was elected, nor accepts the benefice in order that he may furnish it.

§ 3 (continued).

[Printed page 486]

To this cause of necessity and utility I refer the case in which, through the election of one man, another who is unsuitable or less suitable is repelled. For many undertake political magistracies and Prelacies not because they desire them, but lest men unworthy of them be advanced to them. A dispensation can therefore be legitimately sought and given whereby Titius receives the benefice lest Caius--a heretic, concubinary, ignorant man, drunkard, dilapidator, and wrathful man--invade it. But these things must be done sincerely before God, not from love of self or hatred of others.

Second, I affirm that the necessity of the man who receives several benefices is a legitimate ground of dispensation. For if one is not sufficient for honorable support, it has been permitted to have two or even three. For it is just that the man who serves the altar live from the altar. I therefore restrict this to those who serve vigilantly in the Church: Cause 1, question 2, *Clerici*, and Distinction 86, *Non Satis*. Food and clothing are therefore owed to them, and honorable food and clothing: as servants of God, as presbyters, and as men given to hospitality, since they ought to give alms. Of old, benefices of the Church were not given to those whose patrimonies were wealthy. Cause 1, question 2:

But those clerics ought to be supported by the stipends of the Church for whom no goods of parents and kinsmen provide assistance. Those who can be supported by their parents' goods and their own wealth, if they receive what belongs to the poor, assuredly commit sacrilege and, through the abuse of such things, eat and drink judgment upon themselves.

That canon and the following ones inculcate these things. Yet once the order of the Church had been established, it appeared proper that even the wealthy, if they undertake labors for the Church and vigilantly apply themselves to the divine offices, receive remuneration from the Church.

In this necessity the condition of the person, the place, and the other things pertaining to the matter must be weighed. For a benefice which suffices a citizen does not suffice a nobleman; and that upon which a nobleman is judged able to live honorably and becomingly will be too little for a count or duke. For such men can, and indeed ought to, make greater expenditures. Because the Church also needs the services of such men, she compensates their services in such a way that they are not compelled to renounce their station or be a disgrace to their kinsmen. For since Bishops, and therefore states, ought to be more liberal toward the nobler exiles, why should they not also be liberal toward priests

illustrious by splendor of birth? Since one prebend does not suffice them, several can be granted so that they may be able to establish a house and household suitable to their lineage and station.

But here a broad road is now opened to an accumulation of benefices when nobility is exalted and nothing appears sufficient for dignity. Concerning this I judge as follows. These matters cannot and ought not to be pared to the quick and to the last farthing; for the Church is not a severe exactor of accounts, nor is the Pontiff a *κυμνοπρίστης*, “splitter of cumin,” so as to cut away every smallest thing. For since Bishops support counselors and satraps with greater splendor, the Church of Christ ought not to support her nobler members as though they were hired laborers.

In general, therefore, what suffices other noble Canons to support themselves honorably and exercise hospitality will suffice a noble Canon, and he too will have to be content with it. Thus, where there are Cathedral or Collegiate Churches in which nobles live becomingly content with one benefice alone, other nobles of the same station cannot hold several, and a dispensation by reason of support will lack a cause and therefore be invalid before the tribunal of God. The same reasoning applies to barons, counts, and dukes, although scarcely is there a Church in which a single prebend suffices for their station. Therefore those who hold five or six wealthy benefices, any one of which is sufficient to support a nobleman becomingly, cannot be secure by their dispensation. For six nobles can serve the Church in place of one. But the man who serves the Church negligently, or spends that wealth upon superfluous things such as the splendor of his house, enriching his family, and building projects, offends far more gravely.

Third, the merit of the man to whom a dispensation is granted, and indeed also that of his parents, is a legitimate ground of dispensing. Within this class there are many things. If he or a parent suffered loss in defense of the Church; if he relinquished profits and advantages; if he performed embassies; if he furnished other things which brought some contribution to the spiritual or temporal utility of the Church--for it is honorable for the Church to return favor to those who have deserved well of her. Since she grants whole regions in fief to her patrons, soldiers, and commanders, why should she not also permit several benefices to ecclesiastics if they have deserved this from her? I add that in this way the spirits of very many are kindled to deserve well.

Fourth, the distinguished learning of some man can also merit that he be furnished with several emoluments of the Church. For they are given as a reward for diligence and labor and to incite others, since it is evident that the Church cannot stand without the most exact diligence in studies. Labor and studies, moreover, ought to be compensated. Therefore, if a noble Canon is a Theologian, a jurist, powerful in eloquence, or versed in various languages, although he can live sufficiently from one cathedral prebend, provided that he is a prudent man of blameless life, another cathedral benefice can even be offered him voluntarily with a dispensation--not only as a reward for youth so honorably spent and as an incitement to others, but also because men of this kind can be of the greatest benefit through counsel and work, are an ornament to the Churches, and uphold their dignity. I judge the same concerning other learned Canons of other Churches: concerning the learned, I say, not those who display bulls of doctorates before their ignorance.

Outside these cases, I deny that even a hundred skins of diplomas can render the conscience tranquil. Indeed, even in these very cases I approve the golden mean. For it cannot happen that ten rich prebends are legitimately conferred upon any one Canon, however noble, learned, or deserving; since learning ought not to be the procurer of avarice, the distinction of nobility ought to shine forth in giving rather than acquiring, and merits which burden the Church ought to be omitted. Therefore those who dispose of benefices by sevens, and those who alone receive the revenues of an entire collegiate Church, will be ensnared not only by the ordering of ecclesiastical goods but also by the fraud of an extorted dispensation. For by what right does one man receive from the Church so much that twenty men equal to him could be honorably supported?

I know that I am going to offend certain men, and great ones indeed; but truth is the same among great and small. Therefore the Council of Trent expressly comprehends all, with whatever dignity they shine, even naming the Cardinals of the Holy Roman Church. By this it shows that not even they can possess great wealth by any

dispensation. For the moderate possessions and expenditures of many Bishops and Archbishops, indeed of many Cardinals, prove that certain moderate revenues suffice for the dignity of a Cardinal. But that one Cardinal should possess as much as

[Printed page 487]

ten others, and this from the goods of the Church, neither equity admits nor can dispensation bring about.

This matter is therefore pernicious, and the canons never speak of it without detestation. For ministers are withdrawn from the Church, the sustenance of the poor is converted into luxury, and the souls of the recipients perish.

The remedy is that all the laws enacted by the Fathers be observed, but especially that when anyone seeks a dispensation, he describe in detail his age, lineage, benefice, and the revenue both of what he has and of what he seeks. Then let him add the cause for which he seeks dispensation from so severe a law, and let him prove it. Once this has been examined, if a dispensation is given, only then let the matter be committed to Episcopal judgment, so that men may see in the place where either the benefice or the solicitor of the dispensation is whether the true cause was presented to the Pontiff. But if the Pontiff is unwilling to commit the matter to the Bishop or commissioners, nevertheless let possession not be given until the Church has fully informed the Pontiff. If the cause rendered to the Pontiff is not proved, let the solicitor of an inequitable dispensation not only be repelled from the benefice but also punished in addition.

When I expressed this opinion, someone objected to me that a different custom exists in many places and that these things would therefore be received harshly. But when I said that those who hold several could even be commanded to restore them, he denied that this could be done. Yet when I showed him title 3 of the Extravagants, *On Prebends and Dignities*, he approved the opinion. For that reason I shall transcribe it here:

The execrable ambition of certain men, both religious and secular--which, always seeking more, becomes the more insatiable the more indulgence it receives--and the importunate wickedness of those petitioning us and our predecessors, the Roman Pontiffs, are known frequently not so much to have obtained as to have extorted the permission that one man, sometimes less suitable even for one ecclesiastical benefice, may by dispensation, although otherwise it would not be lawful by the common law, receive and lawfully retain simultaneously, in different Churches not only neighboring but also far distant from one another, and indeed sometimes situated in parts of different kingdoms, two, three, or several dignities, personates, offices, or Priories, or diverse ecclesiastical benefices having the cure of souls.

From this, among other inconveniences, the things written below follow: namely, that one man who would scarcely suffice to fulfill even one modest office claims for himself the stipends of very many, which, if conferred by an equitable distribution, could abundantly suffice for many learned men, resplendent with purity of life and the testimony of a good reputation, who beg. Material for wandering is prepared for their possessors; divine worship is diminished; the hospitality owed in the benefices themselves is not observed. And since the Churches in each region do not have their own rectors, injury is done to their advantages and honor; lacking the aid of defenders, they collapse in many ways in their towns and liberties; noble buildings which the magnificence of their predecessors erected lie open to ruin; and--what is more bitterly to be lamented--the cure of souls is neglected, and dangerous nourishment is afforded to the thorns of vices.

We, therefore, desiring to meet so many and such great dangers, after diligent deliberation concerning this matter with our brethren, by their counsel and from our certain knowledge, have judged that all and singular dispensations concerning the reception or retention of several dignities, personates, offices, Priories, or benefices to which the cure of souls is annexed--under whatever form or expression of words, granted by us or our aforesaid predecessors to any person, with the sole exception of Cardinals of the Holy Roman Church, who, serving the universal Church around us, devote themselves to the advantages of the individual Churches, and sons of kings, who on account of their loftiness and the distinction of their lineage are to be raised by a more powerful prerogative of grace--must be moderated in the form written below, so that through our moderation we may restrain the unbridled multitude of

such benefices about the same persons, yet those obtaining them may not be totally frustrated of the fruit of dispensations of this kind.

We therefore establish and, by the counsel of those brethren, ordain that those now holding by legitimate dispensation a plurality of dignities, personates, offices, Priories, or benefices of this kind which they could not otherwise hold without dispensation may lawfully retain only one of the dignities, personates, offices, Priories, Churches, or benefices of this kind upon which the cure of souls is incumbent, together with the dignity, personate, office, Priory, Church, or benefice without cure which they prefer to have, under pretext of a sufficient dispensation granted to them concerning this. They shall, however, be bound to choose these within a month reckoned from the time they learn of this constitution, having within the same time verbally and actually relinquished with effect, before the Ordinary and under public testimony, the other benefices with or without cure which they held under pretext of that dispensation and which otherwise they could not lawfully retain without dispensation. They shall not presume ever to return to those benefices without a new collation to be made by the man able to make it, or to involve themselves in their administration. Otherwise, they shall be deprived by the law itself both of these and of all other benefices which they could retain by force of our moderation of this kind, as aforesaid, and shall be altogether incapable of holding similar benefices.

Through this, however, we do not wish prejudice to be done to those who hold by dispensation--which gives them a right according to our prescribed moderation--dignities, personates, offices, or other benefices having the cure of souls, and await other similar benefices by the authority of our letters or those of the same predecessors, and with whom a dispensation has been made that when those benefices become vacant they may receive and lawfully retain them together with those already held. Rather, when they become vacant, they may within the space of the said time choose them and, having relinquished the others, receive and lawfully retain them in the form prescribed; they shall incur similar penalties if they presume to contravene this our sanction.

Further, because the vice of avaricious cupidity has so blinded the eyes of certain men that they presume simultaneously to retain very many such benefices without canonical dispensation, concerning them we establish by the present decree that they shall be bound, retaining only the one which they received last--provided that a right in it belongs to them by canonical collation--to relinquish, within the limited time prescribed, verbally and in fact, without fraud, before the Ordinary and likewise under public testimony, all and singular benefices detained. If they do not do this, let them be deprived by the law itself even of that one in which a right otherwise belonged to them and be judged altogether incapable of holding any ecclesiastical benefices whatsoever.

But those who hereafter receive a dignity, personate, office, or another benefice having the cure of souls annexed, if they previously held a similar benefice, ought in the same manner to relinquish the former into the hands of the Ordinaries--of which they are known to be deprived by the law itself, without the loss occasioned by delay, after they have obtained possession of the second, or after it has depended upon them, all deceit and fraud ceasing, that they do not obtain it. Otherwise, from that point they shall be deprived of the second also by the law itself and be judged incapable not only of receiving sacred orders but also of holding any ecclesiastical benefice whatsoever. All and singular benefices about to become vacant, as aforesaid, or relinquished, we reserve by the counsel of those brethren to the disposition of ourselves and of the

[Printed page 488]

Apostolic See, forbidding anyone except the Roman Pontiff, fortified by whatever authority concerning this matter, to presume to dispose of benefices of this kind, or to change anything concerning them in any manner through exchange or otherwise. For we decree anything done or attempted otherwise null and void.

Moreover, in the cases aforesaid we understand by "Ordinaries" the Bishops in whose cities or dioceses the benefices, or any one of them, which must be relinquished according to the foregoing are situated, or in whose cities or dioceses the persons who must relinquish them reside; or, when Cathedral Churches are vacant, their Chapters. Let these take care to inform us or the Apostolic See concerning benefices both relinquished and lost, as aforesaid, without delay, as soon as they conveniently can, so that we may be able to dispose of them wholesomely.

But as concerns the modification previously made, we judge those ecclesiastical benefices alone, and no others, by whatever name they are called, to have the cure of souls which have parishes in which the cure of souls is to be exercised not through perpetual vicars, but through the rectors or ministers of the benefices themselves or their temporary vicars; and likewise those benefices to whose ministers, by reason of benefices of this kind, it belongs by custom or law to visit, inquire, receive procurations, suspend, excommunicate, or absolve from sentences of excommunication and suspension, the other laws speaking of the cure of souls remaining in their force as to the other matters.

Therefore let it be lawful for no man whatsoever to infringe this page of our moderation, statutes, constitutions, reservation, prohibition, and wills, or to contravene it with rash daring. If anyone presumes to attempt this, let him know that he will incur the indignation of Almighty God and of His blessed Apostles Peter and Paul. Given at Avignon on the thirteenth day before the Kalends of December, in the second year.

Law 10. No one initiated with the first tonsure, or even constituted in orders, may hold a benefice before his fourteenth year. A holy law; but it is not observed. Men are made Bishops in their cradles, and by their wailing condemn their parents. See Trent, Session 23, chapter 6. It is a rule of the Chancery that provisions to Cathedrals are not valid before the fourteenth year.

Law 11. Let all profess the faith according to Trent, and let the book written concerning this matter be preserved in the Cathedral Church, as in the Council of Aquileia, *On the Profession of Faith*. For this corrupted Germany: that Canons were admitted to benefices without an examination of morals and religion.

Law 12. Let all men whatsoever be bound personally to exercise the offices and orders which they owe. Council of Trent, Session 22, chapter 4. For if they judge prayers, singing, and the humility of ceremonies unworthy of their majesty, why do they unworthily snatch away the fruits from others who would perform them? They wish to be splendid from the patrimony of Christ, and on account of this splendor judge it unworthy of their lordship, nobility, and distinction if they serve Christ, by whom they are fed.

Law 13. Let the decrees of the Council of Basel, Session 13, be observed; let the salutary and numerous decrees in it be read.

Law 14. Let all Cathedral prebends have a major order annexed. This has now been obtained in nearly all, since they are admitted to the council or Chapter.

Law 15. Let Cathedral Chapters be subject to the Bishop with respect to the censure of morals; otherwise let their jurisdiction and administration of goods be left intact to them. This matter was discussed above.

Law 16. Whoever--Council of Basel, Session 21, *On Those Who Wander through the Church during the Divine Offices*--being beneficed in a Church, especially one of the greater men, has been seen during the divine offices to wander through the Church or outside around it by walking about or conversing with others, shall by that very fact lose not only the presence for that hour but that of the whole day. If, after having once been corrected, he has not ceased, let him be without the distributions for a month, or be subjected to a graver penalty if his obstinacy requires it, so that at length he may be compelled to cease. Let it also be prohibited that the tumultuous running of any persons through the Church impede or disturb the divine offices. Regulars who in conventual Churches offend concerning the foregoing shall be chastised gravely at the discretion of the superior.

Law 17. Benefices are not to be leased out.

Since a certain monstrous custom has gained force in certain places contrary to the constitutions of the holy Fathers, so that priests are appointed to the government of Churches for an annual price, we prohibit by every means that this be done. For when the priesthood is disposed of as venal under a payment of this kind, consideration is not given to the reward of eternal recompense.

Law 18. They are not to be burdened with annates, much less with pensions and reservations. For these diminish the fruits of benefices, so that when clerics need them most, they cannot enjoy them.

Law 19. They are not to be divided, except where the revenues for one are immense and those for the rest meager. Alexander III also admonishes on many grounds that several benefices are not to be committed to one man, nor one divided among several. In the appendix to Lateran III, part 30.

Law 20. The license of turns is to be corrected altogether, as is stated in Trent, Session 24, chapter 14. Indeed, let all Turnarii swear that they will observe the law which is in Cause 8, question 1, *Moses*, and that in a benefice they will regard the merit of life rather than the degree of consanguinity. Now good men frequently destroy through the vices of their kinsmen as much as they edify the Church through their own life.

Finally, these things must be directed to the glory of God. Benefices must not be regarded as gifts of Princes, as patrimonial possessions, or as though they had been founded by ancestors only for the support of youth or nobility. No: all the Fathers, Councils, canons, instruments of all foundations, oaths of Canons, statutes of Chapters, and consciences of upright men cry out the complete contrary. They testify that a benefice is given on account of an office, and that only then are its fruits retained by right if men are assiduous and frequent in divine service.

CHAPTER XLII

Great Wealth of the Churches Is Useful to Religion and the State

§ 1. God willed the priesthood to be honored in the old law. The tithes granted made it very wealthy, and so many other things were also added that, if the Jews had observed the law of God, no tribe would have been happier than the Levitical. I shall place the matter before the eyes by an easy method.

In Numbers 3 the Levites are enumerated as twenty-two thousand three hundred. For although in verse 39 they are said to be only twenty-two thousand, the individual sums--7,500, 8,600, and 6,200--nevertheless make 22,300. But three hundred are omitted because they were firstborn and could not redeem others. The number of the children of Israel, however, was six hundred and three thousand five hundred and fifty. The Levites, therefore, were approximately a twenty-sixth part in relation to all Israel. But because in Numbers 3 the Levites are counted from one month old and upward, while in chapter 2 of the other tribes only fighting men from military age are counted,

[Printed page 489]

it follows from this that, if the children of Israel had been counted from one month old, they would have exceeded them in a greater proportion; for the number of children was greatest in the nation which God, contending with Pharaoh, was multiplying. Therefore no one will deny that the Levites constituted a thirtieth part of Israel. Yet upon this part God conferred the greatest wealth, so that in comparison with them He left the others almost poor.

To this thirtieth part God gave not thirtieths but tenths. Since food was abundantly available to the others, certainly the tithes of an abundant people could have sufficed for a tenth part; but as it was, each of the Levites held three portions in place of one. Thus Leviticus 27:30: "All the tithes of the land, whether from the crops or from the fruits of trees, belong to the Lord and are sanctified to Him. But if anyone wishes to redeem his tithes, he shall add their fifth part." Nor were there tithes only of crops, but also of oxen and sheep, as is contained in the same place. Thus in Numbers 18:21 He says that He gave all the tithes to the sons of Levi.

But in the matter of the tithes this also must be considered. First, the Levites were accustomed to cultivate neither fields nor vineyards, and therefore lived from the labor of the people. Hence their condition was much better than if they had received a tenth part of the fields, for labor and expense would have been necessary. Second, the Israelites had to rear the livestock; the Levites received them once weaned. Third, the tithes were not single but triple, as our Cornelius a Lapide most learnedly interprets in Deuteronomy 14:22. From this passage and from Josephus, Theodoret here, question 13, Abulensis, Oleaster, and Cajetan gather that double tithes were prescribed to the Jews each year.

The first were of all the produce of the land, the flocks, and the herds, and were given entirely to the Levites. They were not brought to Jerusalem; rather, the Levites to whom they belonged collected them through the cities near them. From these tithes the Levites in turn paid a tithe to the Pontiff and priests, as is clear in Numbers 18:26 and 28, for the first tithes are treated there.

The second tithes were those which the Hebrews separated each year after that first-mentioned tithing by taking a tenth from the nine portions remaining to them. From this, when going to the tabernacle--which had to be done three times in the year, as is clear in Exodus 23:17 and 34:23--they partly supported themselves on the journey and partly offered peace offerings, from which they ate before the Lord together with the Levites whom they invited to feast with them. What I have said concerning these tithes I say likewise concerning the firstfruits: after the firstfruits which went entirely to the Lord, each man separated something for himself as second firstfruits, which he would use when about to ascend to the Lord. I say the same concerning the firstborn of sheep and oxen: namely, that after the firstborn given to God, the Hebrews separated another animal as a peace offering. I say the same concerning vows and gifts. The law therefore speaks of these second tithes here down to verse 28; chapter 12, verse 17, also treated these.

The third tithes were tithes separated every third year and given as alms to the poor, widows, orphans, and Levites, lest they be compelled by poverty to serve Gentiles, by whom they could easily have been led into idolatry. These third tithes are treated in verse 28, where it says, “In the third year you shall separate another tithe.” Hence it is evident that this was not the same tithe as the first, as though the tithes which belonged properly to the Levites for two years were commanded in the third year to be common to the poor equally with the Levites, as certain men suppose; rather, it was another, namely the third. For thus our interpreter translates it. Thus in Tobias 1:7 it is said that in the third year he administered every tithe to proselytes and strangers. If the Jews gave triple tithes, why should Christians not give single and simple tithes to God? If the Jews fed their poor by tithes, why should Christians not do the same? I know great men in the state who give a tenth of their wealth, indeed of all their profit, to the poor and judge themselves almost bound to it by the law of charity and religion.

The first tithes, therefore, went entire to the Levites, who collected them in the cities. From the nine remaining portions the people again separated tithes and brought them or their price to Jerusalem, so that they might feast there, nevertheless inviting the Levites. Thus in chapter 14, verses 27 and 28: “And you and your household shall feast, and the Levite who is within your gates; take care that you do not abandon him.” These times were therefore times of banqueting for the Levites, yet this was not burdensome to the Israelites, since ten men, and perhaps thirty, scarcely had one Levite.

In the third year, from the portions already twice tithed, they separated another tithe at home, which they consumed with the Levites and poor. In the third year the Levites went to feast and instruct the peoples, so that in this manner they might be joined to the Lord. The effect appears in 2 Chronicles 31:8. They see the heaps, and Azariah the priest said in verse 10: “From the time the firstfruits began to be offered in the house of the Lord, we have eaten and have been filled, and very much has remained because the Lord blessed His people; and the abundance of the remnants is this which you see.” Then, therefore, granaries were made. And this concerning tithes.

§ 2. Offerings also made them wealthy. For from the sacrifices He gave the priests the breast and the shoulder which was separated by perpetual right, Leviticus 10:14. That revenue cannot appear small amid so many thousands of sacrifices which were offered three times in the year at fixed times and were slaughtered every day for various causes. Deuteronomy 18:3 assigned the shoulder and stomach. But let us see this whole class.

There were three kinds of sacrifices: burnt offerings, offerings for sin, and peace offerings. In a burnt offering all things were burned, and only the skin belonged to the priests; yet amid so many thousands of burnt offerings this was no small revenue. In a peace offering the shoulder and breast belonged to them; in the Hebrew, Chaldean, and Septuagint: the shoulder, cheeks, and stomach. Certain men interpret these as the fleshy portions around the shoulder, that is, the fourth part of the animal; but it is expressly *ἔντερον*, “stomach,” and *σιαγών*, “jaw.” However it may be, this was a great revenue; but greater when they made offerings for sin, for all the flesh of that victim belonged to the priests, so that in so great a people they appeared able to live from the victims alone. But these things were additions, as it were, to the tithes.

Further, the history of the sons of Eli demonstrates that the Israelites were not sparing toward the priests in the peace offerings, 1 Samuel 2:16: “And the man sacrificing said to him: ‘Let the fat first be burned today according to custom, and then take for yourself as much as your soul desires.’” This cannot be understood of a burnt offering, because nothing from it went to the priest, nor of an offering for sin, because the whole belonged to the priest, but of peace offerings.

To this are referred the firstfruits of all things and the firstborn of livestock and men. Concerning firstfruits: Exodus 23:19 and 34:26; Leviticus 23:10; Numbers 18:13; Deuteronomy 18:4 and 26:2, 10. Concerning the firstborn: Exodus 13 and 22:29 and 34:20; Numbers 3:13.

There were great profits from the firstfruits of all things in a most fertile region, since all things abounded in crops of every kind, wine, oil, fruits, and honey. The number of firstborn was immense. Hezekiah alone, 2 Chronicles 31:29,

had innumerable flocks of sheep and oxen. Nabal had three thousand sheep and one thousand goats. Solomon slaughtered 22,000 oxen and 120,000 sheep; nor was that a great or difficult thing for so great a king, for in 1 Kings 5:6 he had forty thousand chariot horses and

[Printed page 490]

twelve thousand stalls--an immense number if ten horses were assigned to one stall, and even if four.

The herds of livestock in Israel were therefore exceedingly great, so that in Ezekiel 36:11 the Lord promises as it were a return of ancient felicity: "I shall fill you with men and beasts." For there were herds of beasts even in inhabited cities or their suburbs. Let us therefore suppose that in so numerous a people one hundred thousand firstborn were born each year: they furnished five hundred thousand shekels to the priests, Numbers 3. The multitude of livestock was so great that I think there were easily one million firstborn every year.

Add to these so many sacrifices for various offenses, Leviticus 3; then, if they had touched anything unclean, a man offers a ewe-lamb or she-goat, and so forth, Leviticus 5. But how often is it probable that this occurred? In Leviticus 5:17, if a man had violated the law in ignorance, he is commanded to offer a ram. What if every individual had been guilty once every year? How many hundreds of thousands of rams would have gone to the priests? The man who denied a deposit offers a ram, Leviticus 6:6. A woman offers a year-old lamb as a burnt offering for purification, Leviticus 12. For the sin of fornication with a slave woman, after both have been beaten, a ram had to be offered, Leviticus 19.

There is also added the fact that no burnt offering was offered without a victim for an offense; and then that cakes, fine flour mixed with oil, and loaves had to be offered together with the other sacrifices, as concerning the peace offerings in Leviticus 7:12. These were great supports of life granted to the priests so that they could devote themselves to the law and the sanctuary, 2 Chronicles 31:4.

§ 3. Besides these, however, other things also were assigned. For they retained inheritances in their cities, Leviticus and Deuteronomy 6. Next, the houses of the Levites could not be alienated, Leviticus 25:31. Third, they are appointed judges, 2 Chronicles 29:13.

Indeed, the chief priest had the principal dignity in judging. For since the priests and Levites were immune from other labors, they could devote their time to the study of the law and wisdom; therefore the law was sought from their mouth.

§ 4. After the Lord had furnished them with such great wealth, because He Himself was their inheritance, He also provided for their habitation. For Joshua assigned them a place, as God had commanded in Numbers 35:1:

The Lord also spoke these things to Moses in the plains of Moab above the Jordan opposite Jericho: "Command the children of Israel to give the Levites from their possessions cities to inhabit and their suburbs round about, so that they themselves may dwell in the towns and the suburbs may be for their livestock and beasts. From the walls of the cities outward, they shall extend round about for the space of one thousand paces. Toward the east there shall be two thousand cubits, and toward the south likewise two thousand; toward the sea also, which looks to the west, there shall be the same measure, and the northern quarter shall be bounded by an equal limit; and the cities shall be in the middle, with the suburbs outside."

Let us therefore set down forty-eight cities for 24,000 Levites, so that there are five hundred in each. A circuit of one thousand paces for their livestock in so fertile a soil ought not to appear a small part of their support. It was also a great advantage to them that they received tithes of hay from the neighboring places, for they took tithes of everything which the earth produced. Although the Levites did not inhabit those cities alone, they had nevertheless been given to them and were under their dominion, which Scripture so often inculcates in Joshua 21. For in verse 10:

To the sons of Aaron, by the families of Kohath of the Levitical stock--for the first lot had fallen to them--they gave Kiriath-arba, father of Anak, which is called Hebron, on the mountain of Judah, and its suburbs round about. But its

fields and villages had been given to Caleb son of Jephunneh to possess. Therefore they gave to the sons of Aaron the priest Hebron, a city of refuge, and its suburbs; and Libnah with its suburbs; and Jattir, Eshtemoh, Holon, Debir, Ain, Juttah, and Beth-shemesh, with their suburbs: nine cities from the two tribes, as was said.

Next, in the suburbs there were not only meadows within one thousand paces, but vineyards, olive groves, other cultivated places, and gardens. Third, those cities were noble and situated on fertile ground:

|| | | :---:---| Hebron | Kibzaim | | Libnah | Beth-horon | | Jattir | Eltekeh | | Eshtemoh | Gibbethon | | Holon | Aijalon | | Debir | Gath-rimmon | | Ain | Taanach | | Juttah | Gath-rimmon | | Beth-shemesh | Golan | | Gibeon | Bozrah | | Geba | Kishion | | Anathoth | Daberath | | Almon | Jarmuth | | Shechem on Mount Ephraim | En-gannim | | Gezer | Mashal | | Abdon | Nahalal | | Helkath | Ramoth in Gilead | | Rehob | Mahanaim | | Kedesh | Heshbon | | Hammoth-dor | Jazer | | Kartan | Bezer | | Zebulun | Mishor | | Jokneam | Jazer | | Kartah | Jahaz | | Dimnah | Mephaath |

Most of these were situated in the most advantageous, fertile, and healthy places, so that they could appear alone sufficient for supporting the multitude. Therefore, if eternal Wisdom, in instituting a state, founded it upon the best laws and most prudently and sacredly sanctioned everything pertaining to the virtue and temporal felicity of citizens and magistrates, and nevertheless conferred such great wealth upon His priests that He conferred upon nearly one more than upon five or six of the others, it does not befit human policy to think otherwise and fashion the Prelates of religion and priests into wanderers and beggars.

There is no bond between magistrate and subjects closer than the fear of God and religion, but religion cannot flourish unless its ministers and Prelates are held in honor. Since the salvation and religion of subjects depend upon the dignity of Bishops and pastors, the Lord did not will them to be despised. In the old Testament it was said, “You shall not muzzle the ox that treads out the grain”; it was said concerning the Aaronic priests; according to Paul, it was said concerning Christians also, who likewise have the right to live from the Gospel. For if we compare our state with the people of the Jews, the more we perceive their territories to be smaller, the more we shall understand the wealth of the clergy to be greater.

I am not ignorant that the number of Levites afterward increased. For in 1 Chronicles 23:3 there were counted 38,000 from thirty years old and upward; but the children of Israel had grown in a greater proportion. For David appointed twelve commanders for the twelve months, each of whom had 24,000 under his standards and ministered to the king. And in 2 Samuel 24:6 there were from Israel eighty thousand valiant men who drew the sword, and from Judah five hundred thousand, among whom

[Printed page 491]

Benjamin was not counted. Nor was even that census complete, 1 Chronicles 27:24, for Joab executed the king’s command unwillingly. Here it is pleasing to consider the immense multitude. For nearly three hundred thousand were under arms and in the service of the king, and those one million three hundred thousand were valiant men, men who drew swords, and fighters. How great, therefore, was the multitude of youths, children, old men, and others who were unsuitable for war?

I indeed establish that David made up from these soldiers of his 280,000, and, adding those who served the royal fields, olive groves, vineyards, and pastures, completed so great a number that they easily supported the Levites from tithes and offerings. But let us consider the condition of the Levites in David’s time. There were one million three hundred thousand Israelites counted negligently; add the tribe of Benjamin and they will perhaps be 1,400,000; add 100,000 veterans so as to complete 1,500,000. If these give tithes to thirty thousand men, each of those receiving the tithes will have five portions by which he will surpass those who contribute the tithes. The wealth of the Levites, therefore, was always great.

In return for the wealth, the labor was slight. David instituted their orders in twenty-four courses, so that they were occupied in the Temple for a short time. Meanwhile they occupied themselves in various affairs. Indeed, David used their service, 1 Chronicles 26:29:

Chenaniah and his sons presided over the Izharites for external works, over Israel for teaching and judging them.

And verse 30:

Seventeen hundred Hebronites presided over Israel beyond the Jordan toward the west, in all the works of the Lord and in the ministry of the king.

And verse 32:

And his brethren of more vigorous age, two thousand seven hundred chiefs of families. King David placed them over the Reubenites, Gadites, and the half-tribe of Manasseh, in every ministry of God and the king.

Behold, the Levites govern those Transjordanian tribes in the time of David. The Israelites toward the west are also governed by Levites in every divine and human affair. Certainly Benaiah the priest is one of the twelve commanders. Why, however, did David, most skilled in ruling and reigning among his brethren, especially use the service of the Levites? I find several causes. First, because they were skilled in divine and human laws. In 1 Chronicles 25 there are 288 teachers among them who taught the Song of the Lord. Second, because they were holier and more tenacious of the laws. Third, because it was especially advantageous to them that the Israelites be just and devoted to religion. For if the people were possessed by avarice, first of all they would defraud the Levites of tithes and firstfruits; if they became idolaters, they would adhere to foreign sacrificers. Hence, immediately after the calves were set up at Dan and Beth-aven, the Levites fled into Judea. Fourth, because, since they cultivated neither fields nor vineyards, were immune from the other burdens, and ministered in the Temple once in the year, they could most usefully be occupied in the honorable affairs of the kingdom. This, therefore, was the judgment of the most wise David: that the state of the people of God is best administered through the priests and ministers of God.

How honorable to that tribe, and how useful, so many prefectures were--especially since they did not have a king of their own stock--no one except a man ignorant of politics can fail to know. David used their most faithful service. Benaiah was also the strongest among the thirty and was over the thirty, 1 Chronicles 27:6; and the 24,000 whom he commanded were without doubt Levites. David found Benaiah the priest more faithful than his kinsman Joab, and therefore Benaiah also succeeded him after Joab was killed.

For in truth the affairs of the kingdom and the priesthood are so conjoined that one cannot be preserved without the other. Therefore the wisdom of those who judge that the Christian priesthood must be so suppressed that those who teach all are subject to all, and that those who ought to preserve the worship of God, the holy sacrifice, and the dignity of ceremonies are contemptible, is wicked and foolish. I have proved the wealth of priests by divine authority and from sacred Scripture; I shall also adduce the opinion of holy men in the new Testament and prove it by reason itself.

§ 5. The primitive Church had sufficiently ample riches. For Christians knew that it was of divine and natural law that those who announced the Gospel live from the Gospel, and they judged it no great thing that their carnal goods be reaped by those from whom they received spiritual goods. No prudent man will believe that those most holy men who cast all things at the feet of the Apostles, who weeping fell upon the neck of Paul as he departed, and who even wished to pluck out their own eyes and give them to Paul--to whom the Teacher of the Gentiles cries, "I have all things and abound; I am filled, having received from Epaphroditus the things which you sent as an odor of sweetness, an acceptable sacrifice pleasing to God"--supplied the Apostles and their successors with sustenance avariciously and grudgingly.

For the gifts of Christians in the Church were most liberal and ample, so that not only her ministers and poor were supported, but her precious furnishings also shone amid persecutions and plunderings. From the life of Saint Lawrence

we are taught that the sacred blood was received in golden cups. Augustine, Letter 265, shows that there were silver lamps; from Optatus against Parmenian, book 1, we learn that the vessels of the Church were of great price.

It is certain that the Churches had possessions from the most ancient times. Pius I, Letter 2--who was the tenth or eleventh after Peter and lived under Antoninus, and therefore, if an old man, could have known the Apostle John--admonishes that the estates of the Church not be applied to human uses:

It has been reported to the Apostolic See that there are contentions and rivalries among you, and that certain men apply to human uses estates handed over to divine uses, and withdraw from the Lord God, to whom they were handed over, those things so that they may serve their own uses. Therefore the affront of that usurpation must be repelled by all, lest estates dedicated to the uses of the heavenly mysteries be vexed by those rushing upon them. If anyone presumes to do this, let him be accounted sacrilegious and judged as a sacrilegious man. We have heard, moreover, that those who do this persecute the clerics and priests of the Lord and defame them, so that they may add evil to evil and become worse, not understanding that the Church of the Lord consists in priests and grows into the Temple of God; and just as the man who lays waste the Church of God and plunders her estates and gifts, and so forth.

Therefore those who handed goods over to the Church act in no way contrary to the law of God. This was also practiced in the old Testament, as is established from Leviticus 27:14:

If a man vows his house and sanctifies it to the Lord, the priest shall consider whether it is good or bad, and it shall be sold according to the price established by him. But if the man who vowed it wishes to redeem it, he shall give a fifth part above its valuation and shall have the house. If he vows a field of his possession and consecrates it to the Lord, the price shall be valued according to the measure of the seed: if the land is sown with thirty measures of barley, let it be sold for fifty shekels of silver. If he vows the field immediately from the beginning year of Jubilee, it shall be valued at as much as it can be worth; but if after some time, the priest shall calculate

[Printed page 492]

the money according to the number of years which remain until the Jubilee, and it shall be deducted from the price. If the man who vowed the field wishes to redeem it, he shall add a fifth part, and so forth.

Therefore we see that Christians who despised wealth and life were vehement and almost contentious in preserving the goods of the Church, because they are the goods of Christ and the goods of the poor.

Hence Constantine and others commanded that they be restored. These are the words of the law:

But since Christians are known to have possessed not only those places in which they are accustomed to assemble, but also others which belonged not privately to individuals but to the right of their whole community, that is, of the Christians, I wish you to command each person who possesses them to restore them all, pursuant to the law which we laid down above, without any controversy, to the Christians, that is, to their society and assembly.

And to Anullinus:

Therefore we will that, as soon as you receive these letters from us, if there are any of those possessions which belong to the Catholic Church of the Christians in any cities or other places, and so forth.

Just as there is a perpetual succession of Bishops, so there is a perpetual succession of the goods of which the Bishops were stewards. Nor is it necessary to adduce more concerning these things, since all authorities are full of them, not only in canon law but also in civil law: those titles *On Churches*, *On Episcopal Hearing*, Code 1, title 7, *On Bishops and Clerics*, *On Orphanotrophs*, *Xenodochia*, *Ptochotrophia*, *Asceteries*, and *Monks*, *On Their Privileges*, and so forth, Code 1, title 6; likewise Novels 37, 46, and 131.

Concerning expenditures, see Cause 12, question 2, chapter 27:

It is fitting that four portions be made both of the revenues and of the offering of the faithful, according as the resources of each Church permit, as was reasonably decreed long ago. Of these, let one belong to the Pontiff, another to the clerics, a third to the poor, and the fourth be applied to the fabric. Just as it will concern the priest to pay the aforesaid amount intact to the ministers of the Church, so let the clergy know that nothing beyond the sum regulated for them is insolently to be demanded. Let the evident restoration of holy places show that the things attributed to ecclesiastical buildings have truly been expended upon this work, because it is an impiety if, while sacred buildings remain destitute, the Prelate converts to his own profit the expenses assigned to them. Likewise, although he may appear about to show by divine accounts that he has distributed the portion assigned to the poor, nevertheless, according to what is written--“that they may see your good works and glorify your Father who is in heaven”--it ought also to be proclaimed by present testimony and not be passed over in silence by the proclamation of good fame.

§ 6. See also Augustine, volume 10, page 521, book 1, chapter 2; page 748, chapter 2; and page 173, chapter 2, of the Antwerp edition.

Possidius relates in his life that in that time there were great possessions of the Church. Augustine was always mindful of the poor and expended upon them from the same source from which provision was made for himself and for all who lived with him, that is, either from the revenues of the Church's possessions or from the offerings of the faithful. And when perhaps, as is customary, envy arose against the clerics themselves on account of the possessions, he addressed the people of God, saying that he preferred to live from the contributions of the people of God rather than endure the care or administration of those possessions, and that he was ready to relinquish them, so that all God's servants and ministers might live in the manner in which those serving the altar in the old Testament are read to have shared from the same. But the laity were never willing to undertake this.

He delegated and entrusted the entire care and substance of the Church's household by turns to the more capable clerics. He never had a key or ring in his hand; rather, all things received and expended were recorded by the same overseers of the household. At the completion of the year these were read out to him, so that it might be known how much had been received and how much expended, or whatever had not been expended or remained to be expended. In many entries he followed the fidelity of the overseer of the household rather than knowing it by tested and manifest proof.

He never wished to purchase a house, field, or estate. But if perhaps something of this kind was spontaneously given to the Church by anyone or left by title of a legacy, he did not reject it but commanded that it be received. For we also know that he refused certain inheritances, not because they could not be useful to the poor, but because he judged it just and equitable that they be possessed rather by the children, parents, or relatives of the dead, to whom those departing had been unwilling to leave them.

A certain man among the honored inhabitants of Hippo, living at Carthage, wished to give a possession to the Church of Hippo and, having executed the instruments while retaining the usufruct for himself, voluntarily sent them to Augustine of holy memory. Augustine gladly accepted his offering, congratulating him because he was mindful of his eternal salvation. But after some years, when we happened to be present personally with Augustine, behold, that donor, sending a letter through his son, requested that those instruments of gift be returned to his son; but he directed that one hundred solidi be expended upon the poor. When the holy man learned this, he groaned that the man had either feigned the gift or repented of the good work; and, with God prompting him, he said as much as he could with a sorrowful spirit to the man's heart concerning that very refusal, namely, for his rebuke and correction. He immediately returned the instruments which the man had sent voluntarily, neither desired nor exacted, and rejected the money. Writing back, he both reprovved and rebuked him as was proper, admonishing him to make satisfaction to God for his dissimulation or iniquity with the humility of repentance, lest he depart from the world with so grave a sin.

He frequently said that the Church ought more securely and safely to receive legacies left by the deceased than inheritances which might be troublesome and damaging, and that the legacies themselves ought rather to be offered

than exacted. He himself did not receive anything committed in trust, but did not prohibit clerics willing to receive such things. Nor was he entangled by excessive love or cupidity in the things which the Church had and possessed; rather, suspended from and cleaving to greater and more spiritual things, he scarcely ever relaxed and lowered himself from the contemplation of eternal things to these temporal ones. When he had put down and arranged these things, as though they were biting and now troublesome affairs, he made a return of his spirit to the interior things of the mind and to higher things, so that he might either think about matters to be discovered, dictate something concerning those already discovered, or certainly correct something already dictated and transcribed. He did this laboring by day and keeping vigil by night.

The possessions of the African Church were therefore great enough to provoke envy. But Augustine, to show that envy unjust, was ready to relinquish them and live together with the clergy from the offering of the people; yet the people did not judge this expedient for the state or the Church.

§ 7. The reasons are evident. In no way is it consonant with morals or religion that the principal part of the state be the most abject; yet this will happen if no regard is had for its station. Must the Prelates of the faith, must the teachers whose office is to console, teach, rebuke, and punish, be suppliants to an insolent people and to the disdain of the wealthy? Next, how very few whose life depends upon another's mercy will dare to offend the man by whom they are fed? Who has learned to be free so resolutely that, in receiving a benefice, he does not perceive his liberty to have been sold? Those, therefore, who praise needy preachers and Prelates of religion seek slaves of their own cupidities, not energetic censors of morals.

Third, Bishops and Prelates are commanded to be hospitable. But how will they be able to draw others by kindness

[Printed page 493]

if, like vagrants and parasites, they must gnaw another's bread? Fourth, the contempt of those who teach religion is a public disgrace to religion. "Whatever a poor man says is a lie," someone used to say, because the same words from a different mouth do not have the same force. Fifth, the poverty of the Church impels men to various devices and sometimes unlawful ones; when endured from necessity, not voluntarily, it casts down their spirits and excludes studies and zeal for souls. Sixth, this is generally the desire even of pious parents, and often their sole and excessive care: to provide for the dignity and splendor of their children. Who among thousands will make expenditures upon the studies of his sons so that the son may preach the Gospel in poverty for his whole life? Who among the wealthy will lower himself to this, that he educate his sons for poverty?

Thus this specious devotion to Evangelical poverty overturns the whole discipline of the Christian religion. To wish to introduce into the whole clergy what belongs to a few is insane; indeed, it conflicts with the divine laws that there should be nothing in the Church from which her ministers may be supported. Seventh, for this reason sales of ecclesiastical goods were prohibited by the Council of Epaon, chapter 12, and gifts in chapter 17.

Now it is pleasing to seal these things with the opinion of the most prudent Gregory of Toulouse, book 2 of the *Syntagma*, chapter 28:

And therefore, when the Church's condition had changed, Christians, frequently driven by persecutions of unbelievers, learned that the worship of God could scarcely be restored without the aid of temporal things. They therefore willed that hereafter not all things offered be sold, but that they be preserved in the Church, so that, once the persecutions had been quieted, ecclesiastical estates offered and consecrated to God might assist divine worship. Nor do all basilicas or temples where divine worship is rendered have tithes, but only parish Churches. Therefore it was necessary that other goods be consecrated to God from which those who continually served God there might be supported. For this reason Constantine the Great publicly permitted inheritances to be left to the Church and shrines to be constructed. For the tithes of a prior Church must not be withdrawn on account of new Churches.

Thus it was properly established that thereafter sacred buildings not be constructed without a suitable endowment by which each could nourish its own Levites. The Emperor of the East Manuel Comnenus established by three constitutions that the immovable goods of Churches and monasteries be untouched by the hand of the treasury, whether they were possessed with title or without title, and he confirmed this by a golden bull. Alexius Comnenus II, another Emperor of the East, sanctioned the same thing.

Theodoric, King of the Goths, writing to Ibas, an illustrious man and commander, commands that the possessions of the Church of Narbonne, occupied by any invaders contrary to the command of Alaric, be restored even by military force. Writing likewise to Adilas, he says: "We especially desire that the Churches be rendered free from every injury; while equitable things are furnished to them, divine mercy is acquired." And in the year of the Lord 1099, war was undertaken against those who had invaded the lands of priests and Churches. Near Paris, Bouchard of Montmorency; among the people of Beauvais, Dreux of Mouchy; at Reims, Ebles of Roucy; near Orléans, Léon of Meung; and in other places, were defeated and subdued by Louis, son of the King of the Franks, and Robert, Count of Flanders. And when a man, having been admonished through envoys to restore to the rectors of those venerable places the property of the Churches which was in his power and which pertained to Churches placed under the hand of King Pepin, refused, he made war; and, having gathered forces from every side and entered Aquitaine, he declared that by war he would exact the property and rights of the Churches, and thus compelled the man to do what had been commanded.

CHAPTER XLIII

Against the Objections Commonly Raised against the Wealth of Churches

§ 1. “I know,” says Gregory of Toulouse, book 2 of the *Syntagma*, chapter 28, “that many have envied the property of the Church and preferred it for themselves rather than for God and the uses of the pious; and therefore they have also twisted certain profane examples into authority for their wickedness and presented a certain piety as a pretext.”

What, therefore, do those men who suffer no one besides themselves to be wealthy say? First, that Christ Jesus our Lord was poor and that Paul labored and supported himself with his hands; all ecclesiastics ought to live by this example. Second, that luxury and pride have arisen from wealth. Third, that wealth requires care and solicitude, while clerics must be constituted free for the service of God.

§ 2. The advancement of very many in virtue through contempt for human affairs is indeed to be desired, so that they embrace not only the precepts of God but also the counsels. Yet because such great virtue belongs to few, the Lord did not command but counseled it. He went before them by example, invited them, and did not compel them. We praise chastity, yet we do not desire that there be no marriages in the Christian world; otherwise those who live chastely could not be born.

Therefore I confidently assert that, although Christ the Lord did not have a place to lay His head, He nevertheless did not prescribe the same law to His Church or her ministers. Rather, He showed the summit of perfection, which some strive to ascend, and left to the rest the use of their own property. For since He knew that that harsh road of poverty was not for all, but that the supports of wealth sustained many, He did not wish to institute His Church otherwise than was fitting among men. Therefore He wished Bishops and others to use those aids for the government of peoples, and regarded it as sufficient if in mind they were above wealth, just as riches did not hinder Abraham, Isaac, and David but were incentives and instruments for doing good and for liberality.

Otherwise the poverty of Christ the Lord and the other things which He did are proposed for imitation to all Christians, not to clerics alone. Why, therefore, do they wish only these men to be poor? Do they wish only these also to be chaste, sober, just, and truthful? Christ lived a poor life, and indeed so did the Apostles. Yet God, who chose poor food and clothing for Himself, said to His ancient ministers: “All the richest part of the oil, wine, and grain, whatever they offer as firstfruits to the Lord, I have given to you,” Numbers 18:12. He also promised the same to the priests of the new Testament: that kings would be their foster-fathers. The Apostles too, if you regard the iniquity of the times, had that poverty which nevertheless permitted them to live from the Gospel. The Lord did not prohibit the use of riches which He Himself did not possess.

Yet the heretics who are most offended by the attendance and retinue of our Bishops approve the same thing among their own. Hadrian à Saravia, *On the Honor Owed to Bishops and Presbyters*, chapter 29:

Furthermore, the retinue of Bishops and the bustle of attendants offend the eyes of certain men not a little, because in that matter they appear similarly to imitate the dukes and counts of the kingdom. Response: this argument is popular and deludes the minds of the simple with an empty appearance. For I dare assert that the retinue of the Lord and the Apostles was as honored as it could be in proportion to the time and the matter for which He had come into this world; it would have been more honored if God had approved another plan for saving the human race.

[Printed page 494]

For He had voluntarily taken eighty men into His household, who accompanied Him wherever He went or went before Him to the place where He was about to come.

And in the dedicatory Letter to *On the Different Ranks of Ministers*:

Evangelical doctrine does not disturb civil society or anything that pertains to preserving it. Since the pastors of Churches live in that society, the Lord nowhere commanded that they be strangers to those things by which the state is either adorned or defended. Different degrees of honor, moreover, are necessarily established everywhere for the sake of preserving society. Our ancestors gave to Bishops those among them which appeared capable of being given with the utility of the Church and the state, and judged it becoming that they be reckoned among the nobles of the state. Certainly, since that honor is also granted to jurists in the toga who preside over the administration of justice in courts, all nations have always judged it equitable that the Prelates of sacred things and religion possess it. Hence it also follows that they have that retinue and attendance which by usage and custom sober and modest nobles commonly have. I do not see what there is here at which men either ignorant of human affairs or assuredly excessively morose should turn up a crooked nose.

§ 3. Wealth produces luxury, I confess, and ambition. The desire for honors is tickled by a double enticement when it observes sacred and profane power joined into one. Yet the hierarchical order and the supports of wealth are not therefore to be abolished; rather, an honorable and moderate use must be prescribed by good laws. The goods of the Church are to be expended upon the poor, the ministers of the Church, and teachers. Bishops who are not Princes use a moderate retinue; those who have a Principality joined to their Bishopric must not be denied that ornament which other Princes use in the state. I approve no one's prodigality, condemn everyone's luxury, and counsel becoming station and magnificence.

Amid these things I wonder at the censors of ecclesiastical wealth. For although they behold the insane expenditures, wantonness, and delights of so many kings and secular Princes, so many wealthy men and nobles, they nevertheless do not judge that their wealth should be taken away by force; they envy only the Prelates, whose moderation is nevertheless remarkable if they are compared with the others. Without doubt those who live luxuriously from the patrimony of Christ offend more gravely, since so many canons and reason itself command its right use; but those are the vices of men, not of wealth.

Ambition indeed appears to me to be kindled by honor, yet not abolished by the government which exists in sectarian Churches. For there is rivalry even in a small presidency, and it is the easier the more common the presidency. Is not a Consul elected with ambition even in small towns? And in villages do not the sons of praetors look proudly about themselves? Many of the heretics acknowledge the arrogance, ambition, and rivalry of their ministers; among them is Saravia, defender of Bishops, page 588: "I wonder whether Master Beza believes that today there is less ambition or less avarice among ministers of the Church who preside for only a week and whose stipends are meager and curtailed than there was formerly either among the ancient Bishops or among those who today profess Christ and have ample revenues."

They do not understand that they are censuring the divine ordinance which furnished the priests of the old Testament with so much wealth, adorned them with so many magistracies, and finally gave them the prefecture and kingdom of the nation. Indeed, King Agrippa himself professes before Gaius that the priesthood is greater than the kingdom.

If the truth must be spoken concerning morals, it must not be denied that wealth affords the evil a capacity for acting wickedly. Yet I establish that, after all things have been defined by laws in the Church, virtue is cultivated by many amid riches themselves; for poverty, although not to the same vices, nevertheless affords occasion to great vices. The splendor of riches increases arrogance, but I think that Fabricius, the exemplar of Roman virtue praised by every writer, cooked turnips with as much arrogance as Pyrrhus ascended his throne. "I prefer," he says, "to command the wealthy rather than possess wealth." Does that commander from the plow seem to you to have been little ambitious when he wished to have kings and magnates as servants?

Delights are tinder for lusts; and nevertheless those vices gained strength amid the filth of brothels, the barbarity of the Scythians, and the nakedness of the Western Indians. If the Church must be discussed, there were graver scandals in primitive times: the horrendous obscenities of the Simonians, Nicolaitans, Gnostics, and Carpocratians; indeed, those times were disturbed by more heresies altogether, when ambition and desire for wealth also afforded an occasion of

secession. But in the following ages the sects were fewer and less widely dispersed, and the sincerity of the ancient religion which exists in the present age is owed to the power of the Bishops.

§ 4. It was not said without reason:

Care follows growing money.

Yet the care is greater when money is both lacking and sought; for wealth already acquired occupies men, but while it is sought, it kills them. This, therefore, must be done: the dreadful roots of cupidities must be torn out. When these persist and are agitated by want, they grow remarkably and occupy the whole mind of the soul. For needy avarice judges nothing shameful which is profitable.

Finally, the avaricious poverty of preachers is now so despised that no honorable man canvasses for that province. Concerning this Beza and Hadrian à Saravia have a common complaint, page 8 of *On the Different Ranks of Ministers*. Yet solicitude and useless occupation can be relieved through stewards for all the Bishops--concerning whom canon law says many things--through administrators, concerning whom the ancients and recent authors speak, through leases, and through other abridgments of cares.

CHAPTER XLIV

That the Multitude of the Clergy Is to Be Approved

§ 1. There is another, and a most odious, complaint concerning the multitude of ecclesiastics. For after men have conceived in their mind that ecclesiastics are a useless and idle crowd, they judge that it must be reduced to a small number, and that it is not for the utility of the state that such great wealth be consumed upon those who do not labor for the community. Nor did the innovators defame ecclesiastics among the rude populace by any argument more than by the accusation of idleness.

§ 2. No Church, however, approves the idleness of her priests. Rather, whatever leisure remains from necessary affairs must all be expended upon divine honor, psalms, hymns, reading, prayer, meditation, teaching peoples, exhorting, consoling, judging, settling discords, and corporal and spiritual works of mercy. Since I have treated this matter copiously in other places, repetition is not necessary.

Charles Borromeo also established in his Synods that the visitors should inquire how the clerics passed their time. For whoever is called into the portion of the Lord—who was amid labors from His youth—is called to labors. It is unfitting to be idle and seek sustenance from another’s labor; rather, diligent regard must be had for one’s office. Cause 13, question 1, *Ecclesias*, and Distinction 5, *On Consecration*.

[Printed page 495]

§ 3. The clergy of the new Testament is so occupied with its offices that, if the Levites in the old Testament are compared with it, they could appear altogether idle. Therefore those who blame the idleness of ecclesiastics, or complain that it is excessive—although according to the canons there is none—censure the institution of the Lord.

The offices of the Levites were to carry the tabernacle and serve in it; these are clearly and individually explained in Exodus, Leviticus, Numbers, and Deuteronomy. The first occupation was not great, for the tabernacle, distributed among several men, was carried easily, especially since the chiefs of the tribes offered six wagons and twelve oxen, whose assistance they used. After they entered the land of promise, the ark remained for a long time in one place, as at Shiloh; the labor of transporting it was therefore rare. Afterward, when the Temple had been built, it ceased entirely. For David said: “The Lord God of Israel has given rest to His people and a habitation in Jerusalem forever; nor is it the office of the Levites any longer to carry the tabernacle and all its vessels for ministering,” 1 Chronicles 23:25.

And verse 27:

According to the last commands of David, the number of the sons of Levi shall be reckoned from twenty years old and upward. And they shall be under the hand of the sons of Aaron for the worship of the house of the Lord, in the vestibules, chambers, place of purification, sanctuary, and all the works of the ministry of the Temple of the Lord. The priests, however, shall be over the bread of proposition, the sacrifice of fine flour, the unleavened cakes, the frying pan, roasting, and every weight and measure. The Levites shall stand in the morning to confess and sing to the Lord, and likewise in the evening, both at the offering of the Lord’s burnt offerings and on Sabbaths, New Moons, and solemnities, continually before the Lord for each matter. And let them guard the observances of the tabernacle of the covenant, the rite of the sanctuary, and the observance of the sons of Aaron their brethren, so that they may minister in the house of the Lord.

They performed this office by courses, as I said above, and the courses were infrequent, for there were twenty-four. But now every day, besides every other labor, it is necessary to stand in the sight of the Lord to sing and pray. Therefore, if the old state was prudently instituted by God and had most holy laws and judgments, this must be said much more of the new, in which a much more devoted care of piety has been taken.

§ 4. The judgment of a malicious and envious populace concerning idleness and labor must not be heard. For it accounts nothing labor unless the body is worn down by it. It does not reckon cares, studies, prayers, psalmody, and writings among labors, although that labor is most severe and gradually consumes life without pain. So many hundreds of thousands of men studying the various arts and sciences, and practicing other arts--such as painters, sculptors, and others whose labor requires the power of the intellect and attention of mind rather than the arms--are not idle.

§ 5. Yet envy does not rest even here. "How greatly they would benefit the state if they cultivated the field, cut wood, and performed the other mechanical works--men whom many kingdoms now support while they sing, pray, and remain idle!" Rather, how great a loss would the state suffer if the worship of God were diminished because His ministers had been assigned to servile works? It frequently comes to my mind to wonder at and lament the ingratitude of men, to whom everything expended upon God appears excessive, although they nevertheless have everything from God.

They complain that the state is burdened by the multitude of ecclesiastics. Let us see who burdens it.

Let us examine the number and expenditures of the clergy in one region. I read in a friend's travel observations that he counted nine Archbishops in Spain.

The entire sum of the revenues of the Archbishops and Bishops is 1,350,000 ducats. Let us set down twice that amount for the clergy and monasteries; there will therefore be 4,050,000, a sum which is small if the size and wealth of the kingdoms are regarded, and yet a great part of it serves the good of the kingdom. Another observation of my friend teaches me that the sum is small, for he demonstrates that annual revenues of 3,862,000 ducats are consumed upon Dukes, Marquises, and Counts. Another sum was handed to me by others in the *Coronis of Jubilees*, to which I refer the reader.

Now it is necessary to show that the clergy is not burdensome to the kingdom of Spain, even if it rendered no political offices to the fatherland. For the clergy is a small part of so great a kingdom. One noble city has more men and property than the whole clergy. Let us indeed suppose that there are one hundred thousand clerics in the kingdoms of Spain; nevertheless, they will not constitute a hundredth part of the inhabitants. Toledo or Seville will surpass them by many parts. What great thing would it be if, from so many great cities, one could be constituted from the assembled clergy?

The kingdoms of Spain are Murcia, Valencia, Catalonia, Aragon, both Castiles, Navarre, Biscay, León, Galicia, and Asturias. There are eleven kingdoms, and unequal ones. If I should assign one of these to the clerics, I would give them less than formerly was given to the Levites. Let it be, for example, the kingdom of Old Castile, which with the Metropolis which they call Burgos has one hundred and eighty cities. I could not fill a tenth part of these with the clergy of all Europe. Therefore the multitude of clergy is not great if it is compared with the innumerable multitude of others. Since, therefore, amid a Catholic and pacified people where the clergy is most numerous they scarcely constitute a hundredth part, there is no reason for anyone to complain that those who serve God are excessively numerous.

But if we consider what Belgium was before the wars, it had two hundred and eight walled cities and one hundred and fifty villages like towns, besides an immense number of villages. If its clergy assembled into one place, it would not constitute one entire city out of the ten greatest. For I deny that the whole clergy of Belgium was equal in number to one such city. In Ghent, Lille, Antwerp, Utrecht, Amsterdam, Dordrecht, Haarlem, Leeuwarden, Arras, Valenciennes, and Leuven there are more inhabitants than could be constituted from the whole clergy. Thus the clergy does not constitute a two-hundredth part.

But if two hundred, or even one hundred, support one priest, it ought not to appear burdensome, since in the state of God ten, or rather five if you regard the revenue, supported one. Therefore so inequitable a complaint is impious,

since, while so many things infest the state, it casts blame for so much only upon the servants of God and teachers of virtue, law, and equity, who do not burden it for this reason: because they are few and because they benefit it greatly.

§ 6. If, therefore, you ask which men are harmful to the state, I shall speak freely. First, the Jews. Their number is much greater than the whole clergy. I can name one or two cities which harbor far more of them than there are ecclesiastics in the whole Archbishopric of Mainz. But we not only support them: we support and enrich them through interest, frauds, and crimes, which oppresses the state.

Second, superfluous artisans. If you doubt it, look about at

[Printed page 496]

the merchandise of the fairs; you will find a great part of it which use does not require. It is shameful to say: as many city-dwellers are occupied for luxury as for necessity; pride and curiosity occupy more than life does. If they handled useful things and were occupied with agriculture, fishing, and the rest, the abundance of things necessary for living would be twice as great.

Do you desire an example? Some years ago a madness for silk trimmings invaded, so that no garment is judged becoming unless fine cords run around it, with the result that the accessories frequently exceed the material itself; and now luxury has drawn gold and silver into threads. No one doubts that this expenditure is superfluous. But you who judge it just for the good of the state that the number of the clergy be diminished, strike the counting board and make the calculation: I shall prove that in Europe more expense is bestowed upon this single kind of trifles than upon the whole clergy--the whole clergy, I say, which is in Europe. And not only this: there are more men assigned to weaving, not silk cloths, but those threads, than there are in the entire clergy.

Third, I affirm that the state is being ruined by the abuse of all the mechanical arts. For things which could be made with less labor exhaust the citizens by laborious expense. Ambition, luxury, and the zeal for novelties have increased to such an extent that a city which one hundred years ago ten tailors clothed now requires fifty: the simple use of clothing is corrupted in so many ways. How many may you see for whom nothing intact in a garment, not even in shoes, is pleasing, so greatly have the very mutilations of luxury pleased them. What, therefore, if I say that so great a wealth is expended upon the superfluous expense of tailors and shoemakers that the clergy which is now in Europe could be supported by it? It will appear marvelous to an ignorant man; but if one comes to the calculation, I shall show how much is expended upon belt-makers, border-makers, embroiderers, makers of headdresses, dyers, and clasp-makers--and, if we use knots instead of clasps, knot-makers. For if it pleased men to return to clasps and hooks, several millions would be saved in Europe. No one fails to know how much silk and time a great part of mankind expends upon the knots of garments by which they are fastened and adorned.

Fourth, all who profess disreputable, frivolous, and altogether useless arts--such as conjecturers, soothsayers, moneylenders, acrobats, actors, dancers, pipers, and this whole class which lives from the vices of others--will relieve the grain supply if they are called to useful affairs. Fifth, I refrain from speaking of cooks, confectioners, and that whole class of artisans of pleasures.

I conclude with this opinion. Let only necessary arts obtain a place in the city, and with half of what is now consumed men will live more rightly, quietly, pleasantly, and happily. The clergy could be supported by a hundredth part of this half.

§ 7. It is therefore most salutary to the state that the clergy be both wealthy and numerous. Kings and Princes have always found them most faithful; they have most securely entrusted fortresses and cities to them, following the example of David. But if many are useless and harmful, they must be corrected by suitable means. A Prince will attain this without difficulty if he finds even one good Bishop or Archbishop.

Concerning these men the constitution of Clement which is in Distinction 23, chapter 3, is pleasing:

Let those clerics be elected to the ministry who can worthily handle the Lord's Sacraments. For it is better for the priest of the Lord to have a few ministers who can worthily perform the work of God than many useless ones who bring a heavy burden upon the ordainer.

It is plainly a heavy burden, because certain useless or depraved men defame the whole order. But the order is not to be cast away on account of the vicious; it is to be reformed by substituting better men in their places. For they do not remove magistracy from their midst because certain magistrates are vicious, but substitute suitable men in the places of those departing.

CHAPTER XLV

Parishes Are to Be Increased and Adorned

§ 1. Some call parish priests *paroeci*, ἀπὸ δὲ παρῳικεῖν [from dwelling beside]; for παρῳικία is a neighborhood, a habitation, and an assembly of men. But I prefer to follow usage rather than Budé, who affirms in his commentary on the Greek language that it ought to be said in that way. I prefer, therefore, that they were so called from providing, ἀπὸ δὲ παρέχειν, because they provide sacred things for the peoples, just as among the Romans we call by the Greek word *parochi* those who provided for legates and magistrates

Wood and salt.

The same men are called *curiones*, though more rarely, because in former times those who presided over sacred things were chosen from the Roman curiae. Especially in the Christian state they are called the cure of souls, *curiones*, curators, and possessors of benefices with cure. The laws also call them rectors and parish priests. Certain men were called perpetual rectors, or perpetual vicars, who were instituted by the Bishop in the place of the rector, so that the principal rector would not be held to continual residence. This practice, introduced from a slight beginning, has now transferred the right to many parishes to wealthy men and substituted vicars who are insufficiently suitable, while the revenues are diverted elsewhere.

§ 2. In the German Churches, provision has been made less suitably for parishes, especially those of towns and villages. There is a deficiency in the support of the parish priest. For although a parish priest must be learned, industrious, and of good life, and although his labors and dangers are great in singing, preaching, exhorting, and visiting the sick, even those infected by contagion, nevertheless his revenue is less than that of canons, and even his dignity is held to be less. This, therefore, is a grave wound of the Church, and it must be healed by a spirited and resolute visitor. This mistake has been made: a canon dies, and immediately twenty men fly to the collator; sometimes they purchase the benefice for a price. To obtain suitable parish priests, it is necessary to establish seminaries. Everything is done in the hope of canonries; most men flee the burdens of parish priests.

§ 3. There is one easy method of establishing parish priests well: that parishes be constituted rightly. That is, let the parishes be of such a kind that they are sought with as great a desire as canonries. Let the fruits not be altogether unequal to the labor. This remedy is more powerful than all others that can be employed. Parish priests are, as it were, little Bishops who truly exercise the office of presbyters among their own peoples; therefore they must be assisted liberally. For they preside in word and deed.

§ 4. That care has been entrusted to the Bishop in such a way that he himself can by no means attain salvation unless he appoints diligent, good, learned, and industrious parish priests; for parish priests are those who instruct the people and go before them by example. All chapters, and the individual capitulars according to their office, Abbots, and monasteries which possess the right of conferring parishes are in the same case. For formerly they administered the parishes; now they substitute others, and yet the care belongs to them, and they are bound to render an account. Therefore, since it is a mortal sin to appoint an unworthy parish priest, or not to punish or remove one,

[Printed page 497]

it follows that not only Bishops, but also capitulars who appoint such a man by their vote, or protect him, or fail to act for his removal when they are able, sin mortally. For since in nearly all those places they receive the tithes, they are bound under mortal sin to provide those places with a suitable parish priest, either by delegating someone from their own body or by allowing the parish priest so much of the revenues that they can have a suitable man. And it is to be feared that many capitulars perish through this negligence. But if people also perish through the negligence of the parish priest, they perish through the fault of those whose duty it is to be vigilant that parish priests perform their

office. For truly, just as an Emperor ought to seek brave soldiers who preserve their ranks and industrious commanders, so also the Bishop and the chapters ought to seek out eager and zealous parish priests, and to rouse, visit, and exhort them. It was piously decreed in the First Council of Milan:

That sentence of the Lord has the greatest force and necessity: “I have given you as a watchman to the house of Israel”; and likewise in another place: “Know diligently the countenance of your flock, and consider your herds,” so that Bishops may observe the flock entrusted to them with the greatest diligence they can, and never cast their eyes away from it, taking notice of what it needs, so that, according to the Prophet’s sentence, they may bind up its broken parts, strengthen the weak, heal the sick, bring back the castaway, and seek and recover the lost.

Next it appoints perpetual eyes for him--the vicars forane:

So that the Bishop may more easily behold and care for, as though present, even the flock outside the city, let him choose several approved priests, assign to each a definite region of his diocese, and impose upon him the name of vicar forane. He shall assign that office principally to Archpriests, Archdeacons, and Provosts who are in the diocese, or to others endowed with ecclesiastical dignity whom he judges suitable; otherwise, to other authorities who are fit for an office of this kind.

§ 5. How, then, will parishes be furnished so that they have suitable pastors? Those which possess good revenues are readily accepted--indeed, they are sought of their own accord. Poor ones in cities are easily aided if a rich canonry, a vicariate, or some other simple benefice is incorporated into them. Nowhere are benefices disposed of more religiously; this has been practiced at Cologne and elsewhere, and from this the most select pastors are found in those cities. The prelates, the Pontiff, and the whole world desire this above all: since there are many excellent men in cathedral and collegiate Churches, let parishes not be left destitute. For they deny the parish priest only the distributions for attendance; they grant him everything else. The Fourth Council of Milan says:

But a parish priest who legitimately holds a canonry or dignity, and at the same time a parish church, and performs the duty of parochial residence, as was sanctioned by the letters of Pius V, Supreme Pontiff, shall receive the fruits or revenues either of that dignity or of the canonical prebend. But he shall not participate in its third part, which, by the authority of that same Tridentine sanction, having been converted into distributions, neither can nor ought to fall to him while absent, but shall accrue to others who are present and discharge the offices of the choir, or shall, at the Bishop’s discretion, be assigned to the fabric of the Church or to pious places, according to the prescription of that same Council of Trent.

The Council of Cologne in the year 1536 established the following concerning these matters, in Part 8:

Since the divine law commands that the mouth of the ox treading out grain must not be muzzled--which Christ in the Gospel explains was certainly said not for the sake of oxen, but for our sake, when He says, “The laborer is worthy of his wages”--and Paul confirms it throughout chapter 9 of the First Epistle to the Corinthians: “For who ever serves as a soldier at his own expense? Who plants a vineyard and does not eat of its fruit? Who feeds a flock and does not eat of the milk of the flock?” Nor is it a great thing if those who sow spiritual things also reap carnal things. Therefore consideration must be given to providing parish priests, the preachers of the Gospel, with a definite and sufficient supply of food and clothing, and in such a manner that they are not burdensome to their parishioners by exacting something in administering the Sacraments, or compelled to beg food by running from house to house, than which nothing is more shameful or sordid.

First, therefore, those who have received from us the power of governing parish churches through vicars or vice-curates shall assign to those vicars such a portion of the Church’s revenues as will enable them to support life fittingly. During visitation we shall command this to be done according to the circumstances of the places and parishes.

Cathedral and collegiate Churches, and likewise monks or religious, who either have parish churches annexed to their Churches or monasteries, or commit them to others to be governed, or procure their commitment by

presentation, sometimes drain away the whole revenue to such an extent that the remaining revenues allowed to the rectors of the churches are exceedingly poor and meager. Therefore it will be our care that such a portion be assigned to those rectors that from it they may pay episcopal dues and possess suitable support.

But where the revenues of the churches are insufficient, we think the counsel of the law must be followed: namely, that two be united; or, if this should seem burdensome, that at least one, or even several, vicariates founded at altars in churches of that sort be incorporated into the parish church, as they say, yet in such a way that, so far as can be done, the parish priest does not at all neglect the office for which those vicariates were founded. Furthermore, there is no doubt that tithes are owed principally to parish priests and ministers of the Church. Now, since in many places laymen usurp a great part of them and they cannot readily be torn from their hands, it must be seen whether by diligent exhortation, or by another way consonant with law, something can be begged from this source for a parish priest whose church revenues are insufficient for his sustenance.

Nor is it unjust that entire prebends should be incorporated even into remote parishes in the diocese: first, by reason of the tithes, because by natural law those who give tithes should experience assistance in spiritual matters; next, because the ministers of the Church ought to have their offices so constituted that the greatest possible provision is made for the people. Therefore whoever truly assumes the care of the flock will turn his mind to enriching parishes, and will wholly abolish the enormous abuse by which wealthy parishes are held either by nobles or by wealthy clerics as whirlpools of benefices, while the vice-curate is sprinkled with a meager little portion. For parishes were made wealthy so that they might support men outstanding in learning and life. But if benefices which can be incorporated into poor parishes are lacking, assistance should be given to the poverty of parish priests from many other revenues.

§ 6. Parishes are not to be conferred upon boys, nor upon anyone unless he has attained his twenty-fifth year, as the Decretals and Councils establish.

Indeed, they are to be conferred only upon learned men and graduates. Thus the Lateran Council, Session 11:

We also establish that parish churches situated in cities or walled towns shall be conferred only upon persons qualified in the manner stated above, or at least upon those who have studied for three years in Theology or in one of the two laws, or upon Masters of Arts who, while studying in some privileged university, have attained the degree of Master. We admonish the aforesaid universities, under penalty of deprivation of each and every privilege obtained from us and the Apostolic See, not to nominate anyone to ecclesiastical collators or patrons except those who have studied for the aforesaid periods and have been advanced to their degrees according to the statutes of those universities, and not by a leap. But if they do otherwise, besides the penalty of nullity, which we declare in the letters of the aforesaid nominations, we suspend the universities themselves from the privilege of nominating for a time according to the quality of the fault. If, moreover, any graduate, or one nominated in the months assigned, has petitioned ordinary collators or ecclesiastical persons for a vacant benefice by virtue of his degree or nomination, and has brought the ordinary collator into proceedings by virtue of the aforesaid degree or nomination, and has molested him otherwise, we decree that, beyond condemnation for expenses, damages, and interest, he is to be deprived of the fruits of his degree and nomination. By the same bond we constrain ordinary collators and ecclesiastical patrons to whom graduates and nominees duly qualified, as above, have presented their degrees and letters of nomination, so that, while the aforesaid duly qualified graduates or nominees are standing and prosecuting their claims, they shall confer benefices pertaining to their collation or presentation, and vacant in the months of ordinary graduates and nominees, upon no others than graduates or nominees, under penalty of suspension of the power of conferring benefices during the eight months in that year which pertain to their collation and free presentation. We likewise establish and ordain that each Roman Pontiff may, only once during the time of his pontificate, grant letters in the form of a mandate according to the form noted below, and no more, in this manner: namely, he may burden a single collator who has the collation of ten benefices in one benefice, but one who has the collation of fifty benefices or more in only two benefices, yet in such a way that he does not burden one collator for the time being with two prebends in the same cathedral or collegiate Church. And so that lawsuits which might arise on occasion of letters of mandates of this kind may be forestalled, we will that mandates of this sort be given

under the form noted below, which we command to be published in the Apostolic Chancery and registered in its quinternion for a perpetual memory of the matter; declaring that those prosecuting mandates of this kind are to be preferred, as regards the benefices comprehended under them, to ordinary collators and to ordinary graduates and nominees, and that we and our successors may freely confer by right of prevention dignities, personates, administrations and offices, and other ecclesiastical benefices, secular and regular of whatsoever orders, howsoever qualified, which become vacant both in months assigned to nominees and to the aforesaid ordinary collators and which are also comprehended under the said mandates.

But now most parishes are so poor that grammarians and petty rhetoricians neglect them. Let there be Maecenases, and there will be no lack of Maros.

Therefore, if the constitution of the Council of Trent, Session 25, chapter 15, is observed, there will be no complaint:

The holy Synod establishes that secular ecclesiastical benefices, by whatsoever name they are called, which retain the cure of souls from their original institution or in any other manner whatsoever, shall not henceforth be converted into a simple benefice, even when a suitable portion has been assigned to a perpetual vicar, etc.

Conversely, let simple benefices be changed into benefices with cure and be added to them; and not only those, but so many personates, so many altars, which are held by idle and secular men. Indeed, let the goods of abandoned monasteries, and of those converted to various uses and various tables, be applied to increasing parishes. By this it will come about that not only will many young men gird themselves for studies, but canons and vicars, after resigning their prebends, will pass over to parishes. It is advantageous to the Christian cause that parish priests should occupy that place and possess that authority, learning, and means which the prelates of collegiate Churches now possess; for thus they will perform their office usefully. Now they are frequently despised by their prelates and parishioners.

Here the opponents of parish priests suggest: "The wealth of pastors will make them wanton; poverty is an occasion of virtue." First, I judge this to be false: more men have fallen through want and domestic difficulties. For there are more poor men than rich among those who live in such squalor. Secondly, the objection is unworthy of an ecclesiastical man. If virtue must be beaten out of parish priests by poverty, if in a more liberal stipend and a studious and laborious life there is a danger of ruin, why do those who take such scrupulous counsel for parish priests not first flee it themselves? Why do they possess several canonries and covet more, while assigning poverty to parish priests for the sake of integrity? But here I stop. From a bad parish priest arises hatred of the whole clergy; hence heresy, fraud in tithes, plunder of ecclesiastical goods, and the overthrow of canons.

Appoint suitable parish priests who are worthy of double honor, who labor in word and deed. Give them liberal stipends like your own, and greater than your own if they labor more than you, and you will see that everything turns out better. Thus much for parish priests; now their office must be discussed.

§ 7. Concerning the life of parish priests I have nothing other than what I said generally concerning the life of Clerics, except that these men must guard still more against scandal, lest they alienate from themselves the men whose souls they ought to capture. For among countrymen also, who are unskilled and weak, people are offended more quickly and reconciled with greater labor; they live their lives deprived of intercourse with others.

§ 8. These are their duties.

1. **To reside.** The Council of Siena, chapter 11:

The rectors of Churches, whose singular industry was chosen, shall be compelled by our suffragans, so far as can be done, to personal residence; nor shall a dispensation for nonresidence be granted to them unless a probable cause intervenes. And in parish Churches on every Sunday, the parish priests with cure shall, by themselves or their vicars, announce in a clear and intelligible voice and in the vernacular the ten precepts of the Decalogue and the articles of faith. And if there are priests who lack learning or the grace of preaching, on the aforesaid Sunday they shall read and explain one chapter of John Gerson in his *Tripartite Work*.

2. To admonish everyone of his duty. The Council of Siena, chapter 12:

Let those with cure frequently admonish their parishioners to attend the parochial Mass on Sundays and on feasts occurring during the week, and diligently to attend to all those things commanded in the bidding prayers on every Sunday. But if, in the absence of a legitimate impediment and without the permission of their curate, they have neglected for three Sundays to attend the parochial Mass, let them immediately be reported to the promoters, so that they may be punished according to the measure of their contempt or offense.

3. To teach, and to bar the incorrigible from communion. The Synod of Augsburg in the year 1548, chapter 8:

Parish priests shall teach and instruct the people entrusted to them concerning our faith and religion, administer the Sacraments, explain their mystical grace, canonically rebuke those entangled in public sins, but rebuke hidden offenses privately, and lead them to penance. They shall report the incorrigible to us or to our vicar in spiritual matters, so that they may either be cured through public satisfaction or barred from Catholic communion. At fixed times they shall also teach the little children and all the unlearned of their parish the Creed, the Lord's Prayer, etc., or shall pronounce them clearly from the pulpit on Sundays, so that they may in truth be held worthy of double honor.

4. To teach by one's life. Pelargus in the Council of Trier in the year 1548:

I, myself also a presbyter, beseech you presbyters: feed the flock of Christ which is among us, exercising care for it not under compulsion, but willingly; not for the sake of base gain, but with a ready mind; and not as exercising lordship against the clergy, but so that you may be examples of the flock. And when the Prince of Pastors appears, you will receive the unfading crown of eternal glory.

Certainly, even from this it becomes clear that it is not sufficient for a suitable pastor to address the people from the pulpit unless he also strives by his life or conduct to impress a definite form of morals upon the minds of others, and does this not from necessity or a scruple of office, nor for the sake of gain, but from a paternal and sincere affection.

But I prefer to present these and other matters in the words of the Archbishop and the Fourth Synod of Milan. It contains the following among its admonitions:

All of you who among the canons possess the name or rank of Provost, Archpriest, or another dignity: just as you excel in honor and dignity, so shine before others by examples of virtues and by vigilant solicitude in discharging the parts of your office or cure.

Parish priests, moreover, and all you others--even Provosts, Archpriests, or others--who bear the cure of souls: besides those matters of which we admonished you all in common with the remainder of the clergy, discharge with every solicitude those also which have been decreed particularly concerning you.

First, the sheep entrusted to you must be known and called by name, and likewise fed and guarded.

Therefore reduce the number of souls to a register according to the written form.

Record the names of those who are baptized, of those who are likewise confirmed, and also of the sponsors who are employed.

Enter marriages in a book.

Investigate the life and morals of the inhabitants of your parish.

Inquire with every diligence whether any are contaminated with or suspected of heresy, or whether there are any who possess, sell, buy, import, or read books of heretics, and report them immediately.

Admonish the people also to perform this same duty according to the prescription of our edict, which you shall promulgate in the customary manner at stated times.

Inquire into the words and deeds of those who come from the territories of heretics.

Examine whether any from the bounds of your parish travel to places where that which is alien to the Catholic faith is preached with impunity; and also whether those who have obtained permission for the journey act according to the prescription of the decree promulgated in the Third Provincial Council. Investigate, moreover, those who teach in your parish, and observe their morals, life, and faith; perform concerning them also the remaining things prescribed or commanded in the Provincial Councils.

See and take care that superstitions, magical incantations, and diabolical superstitions of this sort do not exist among your people.

Identify public sinners, corrupters of others, concubinarians, adulterers, usurers, and blasphemers, and report them.

Identify also the other corrupters of peoples who on feast days serve not God but dice, games, dances, and the devil, and who violate in any manner the observance of feast days, whoever they may be, and observe neither pontifical nor provincial constitutions concerning the observance of feast days, nor episcopal edicts.

Strive by every duty of piety to recall and deter these men from that corruption of evil conduct; then report them also to the Bishop as need shall require, so that a salutary remedy may be applied in fulfillment of the office of episcopal care.

Again, identify also the poor, widows, orphans, and others in need of another's aid. Assist them both with salutary counsel and consolation and with material means; or, if you are less able, kindle others by exhortation to relieve them.

And if their more grievous poverty demands it, arrange even on feast days that something be collected in the Church from the pious liberality of the faithful, as the Bishop shall prescribe, to be bestowed upon them as alms.

Meet separately also with the wealthy inhabitants of the parish. Set before them the wants of the poor, and show them that riches have been bestowed by God also for this purpose, that they should succor the needy.

But if any have been oppressed in some cause by the resources of powerful men, commend them uniquely and intimately to the protection of those who either ought to provide it by the office they have undertaken, or to whom the Bishop has given this care.

Feed above all the people entrusted to you by the preaching of the word of God, by salutary admonitions, by the administration of the Sacraments, and likewise by example and prayer.

In expounding the word of God, observe fully what has been prescribed in the provincial constitution both to other preachers and to you.

Instruct children on feast days and Sundays in the rudiments of Christian doctrine.

Invite persons of more advanced age to understand the same things.

Admonish fathers and mothers of households that they themselves conduct their sons, daughters, and the others whom they have in the household to the stated schools of Christian doctrine.

Employ for this purpose the labor of the confraternity members enrolled in those schools, and take care that mutual charity and moral discipline are preserved among them.

Render and rouse others also more eager to embrace so pious a work, both by your continual exhortations and by promulgating the spiritual treasury of indulgences granted to those who enroll in those schools and labor in them.

Do not omit on feast days, amid the solemnities of the Masses, to explain to the faithful something from the lessons read in the Mass, to unfold some mystery of that most holy sacrifice, and sometimes to explain the more sacred reasons and meanings of its sacred ceremonies and rites, so that, instructed more diligently from day to day, they may attend that most holy sacrifice more religiously.

Teach likewise how, when the signal for the celebration of Mass has been given, the faithful should prepare themselves with contrite heart to hear it devoutly.

By your continual offices of admonition take care and bring it about that at Mass men are present with head uncovered, women with head covered, and both sexes with knee bent throughout every part of it except at the Gospel.

Instruct them also how religiously they must conduct themselves, not only in the sacred rite of the Mass but also in the other divine offices:

When one must stand, when bend the knees, when rise;

How greatly, while those things are done or celebrated, conversations, talk, walking about, noises, cries--indeed, vain thoughts by which the mind is distracted from pious meditation, contemplation of the mysteries which are being enacted, and religious prayer--must be avoided; and finally, how diligently all other things alien to the sanctity and worship of those offices must be avoided;

Again, how devoutly, religiously, and with how downcast and humble a bearing one must conduct oneself in processions, litanies, and stations;

With what reverence and zeal of piety one must remain in Churches or sacred places, and what things must be kept far from them, according to pontifical sanctions, conciliar constitutions, and, furthermore, episcopal edicts;

[Printed page 500]

And with what inward preparation of a religious mind, and also with what external modesty of worship and dress, with humble genuflection and arms laid aside, one must approach the most holy Communion and also certain Sacraments.

Then teach and admonish how feast days are to be observed and sanctified.

Show that it is most unworthy on those sacred days not only to fail to abstain from wicked works and unlawful business, but also to fail to perform works of religion and piety with all diligence.

And furthermore, that it is impious for sacred days--instituted for honoring the greatest benefits of God, rendering the highest praises to Him, and giving due honor to the Saints--to be diverted to things abhorrent from that worship, such as dances, games, choreographed dances, and spectacles, by whose shameful allurements the devil, the enemy of human salvation, is delighted.

Announce likewise the stated fasts of sacred seasons; teach how one must fast, and what gravity of sin lies in violating sacred fasts;

What duties of Christian piety are to be performed on the vigils of Saints;

How devoutly the Lenten fast is to be observed.

At the stated solemnities of Advent, Septuagesima, or the celebrations of other seasons, forewarn the faithful and instruct them diligently--even by the prescribed reading and explanation of pastoral letters--to celebrate religiously the sacred mysteries of those seasons with holy duties of piety.

And so that they may be instructed in all these matters according to the seasons and solemnities, admonish them frequently to assemble at the parish Church on Sundays and other feast days, as the holy Synod of Trent desires.

In this matter frequently read to the people the general pastoral admonition concerning frequent attendance.

Frequently and diligently teach them how continually one must pray;

How prayer is to be offered both by the silent meditation of a suppliant mind and by stated pious prayers;

How diligently and religiously the institution of common evening prayer is to be undertaken, and how diligently, once undertaken, it is to be piously retained.

Therefore, as you shall often explain at other times in the year the principal points of that manner of prayer with the indulgences granted to it, so especially on the days established by the Third Provincial Council pronounce and publish them from the written text amid the greatest attendance of the people.

On Sundays instruct the people and admonish them for whom they are to pray, as was decreed in that same Provincial Council;

And, moreover, what principal prayers, Christian meditations, and exercises in prayer they may have proposed and ready for themselves on each weekday.

But as often as possible set before the people in your sermons the subjects of perpetual Christian meditation: death, judgment, hell, glory, and the reward of Paradise.

Moreover, diligently and very frequently admonish fathers and mothers of households religiously to instruct their children and household in the discipline of piety and Christian virtues.

Induce fathers of households, moreover, to have in their homes approved books concerning the manner of spiritual life and pious exercises, in the reading of which they may occupy themselves and instruct themselves and their household to act holily.

In the parochial assembly read the constitution concerning the office of fathers of households and the instruction of the household, published in the Third Provincial Council, and explain each of its parts.

Teach, in addition, whatever other things you shall deem opportune, by which they may conform themselves and their household to the institutions and exercises of the Christian life.

Observe also in workshops and shops the rule of discipline and Christian life. If you notice anything being committed by artisans, instructors, or workmen that belongs to dissolute discipline, gravely admonish the masters of the workshops or shops, and show them the parts of their duty in this matter.

You are poor men and partners in the labors and care of the Bishop, and you are laborers in the harvest entrusted to the Bishop. Labor together with him and strive that, with the help of divine mercy, the people whose care is being borne may be gathered as pure wheat into the heavenly barns.

“Guard what has been entrusted to you,” says the blessed Apostle Paul. Consider this to have been said to each one of you, so that you may place every thought, solicitude, care, and zeal in diligently guarding the flock entrusted to your faith and care as a deposit, and preserving it from every stain of sin.

Therefore, each of you must carefully guard the neighborhood of the parish entrusted to him from all other vices, and also take care that there be in it no hatreds, rivalries, enmities, factions, evil customs of rash swearing, cursing, and imprecation, nor even detractions.

But above all rebuke and assail the vices and sins to which you have observed the people to be more inclined.

Do not conceal sins, but announce to the people their crimes; rebuke those who sin publicly before everyone, so that others may have fear.

Do this in the spirit of the Lord’s strength, and as His strenuous soldiers fight the good fight, trembling at nothing whatsoever.

Saint Gregory admonishes you that if you remain silent from rebuke because you fear the hatreds that may rise against you, you are now seeking not the gains of God, but your own.

Do not abandon that office of rebuking or of reproving openly on account of curses, persecutions, calumnies, or insults of any kind, provided that you serve the glory of Christ and the salvation of souls.

Again, do not desist from doing it out of zeal for hunting after men's favor. "I would not be a servant of God if I pleased men," says the Apostle.

Woe to you who are silent or dissemble if the flock entrusted to your care perishes: the just and almighty God will require its blood from your hands.

Therefore, if sin is committed, let your words in rebukes not be flattering, but, as was written by the Holy Spirit, let them be goads and, as it were, nails driven deep.

Press on in season and out of season, even with private admonitions, counsels, corrections, and reproofs, so that, with divine grace assisting, you may recall sinners to the way of salvation.

Restore fraternal correction to holy use in such a manner that you not only correct one another in mutual Christian charity, but also rightly teach the rest--especially the inhabitants of the parish--that duty of charity and correction.

To fulfill the parts of sermons, admonitions, and corrections, procure for yourselves passages, especially from the doctrine of the Roman Catechism, in which you can occupy yourselves diligently with great salutary advantage to your peoples.

Nor for this manifold kind of your ecclesiastical conduct neglect the aids which you can usefully obtain from elsewhere.

Accurately perform and execute the other offices prescribed to you by Provincial and Diocesan Councils in the administration of the Sacraments, in constant exhortation to their frequent use, in the care of the fields, and in the other functions of the parochial office; and conform yourselves wholly to the norm of those conciliar constitutions or decrees with every zeal of observance and obedience.

But those parts of the Provincial or Diocesan decrees which pertain to laymen and their Christian discipline--so that they may be observed more diligently, the more frequently they are published and inculcated--frequently set them before your peoples, announce, explain, and introduce them into custom, as occasion shall arise, expressed summarily in the vernacular.

Finally, whatever decrees pertain either to you or to the laymen entrusted to your care, introduce them into complete execution and the practice of discipline with the greatest zeal you can. See and consider above all what and how religious are the parts of your office; and take care that in the duties and functions of your cure you not only commit no wrong, but do not even omit anything, since in priestly life, in proportion to the office which you sustain, faults of omission can be both graver and far more numerous than in other men.

- Clear transcriptional word divisions and letter confusions in the long synodal quotation have been regularized in translation; no registered Greek lacuna occurs in this chunk.

CHAPTER XLVI

That the Various Institutes of Monks Are Useful to the State; Their Measure and Method

§ 1. If the life of all Christians were such as flourished in the holy city at the beginning, there would be no need for that variety of religious orders which we now see. For then there was an assembly of saints; now very many Christians live in such a way that they are of the world and appear worldly. Indeed, vices have advanced so far that even Churches and prebends are called secular. I do not complain of the profaneness of the terms, provided that religion is maintained in morals. All Christians have renounced the world, the devil, and his pomps, which is necessary for salvation; many have bound themselves by the stricter laws of chastity, poverty, and perpetual obedience. Some of them profess the contemplative life, others the active, and most a life mixed from both, because neither can Mary make use of the necessities of life without Martha, nor Martha sit at the Lord's feet without Mary.

It is not for me to expound either the praise or defense of religious life, or the diversities of the orders. These matters demand whole treatises and have been excellently treated by many. The state alone must be instructed how it may rightly make use of so many examples of holy men.

§ 2. Those who complain of the multitude and variety of religious act unjustly, since nearly all live temperately and most live in the greatest poverty. Do the sacred companies of those who sing to God, who are chaste, poor, and fasting, of whom the world is not worthy, offend you, while so many companies of bankrupt mountebanks, tavern-keepers, and drunkards do not? Do you believe that the grain supply is scourged by the dry diet and fasting of monks, but not by the Apician banquets of prodigals? Away with those artifices of the devil which render the servants of God odious. In one year in Europe, so much wine and beer, together with nature's torture, is consumed in drunkenness to the destruction of body and soul as would suffice for ten years for the sobriety of all the monks in the whole world. Look at the frequency and intemperance of banquets, and you will find that I have said too little. This is what not only causes poverty by emptying the storehouses, but provokes the divine wrath to mow down the hope of the crop in the blade by hail, frost, blight, and drought. I spoke of this matter above; now let us treat those things which are general and must be considered by all in the state.

§ 3. Those orders which procure their living by the labor of their hands are useful to the state, nor can even the rude populace blame them. For after psalmody many labor together at their tasks; during the assigned tasks sacred reading is held, spiritual hymns are sung, and conversation concerning pious matters is instituted. These men are burdensome to no one; they live from their labor, and from it they also do good to others. In former times a great part of the hermits lived in this manner. Augustine treats of them in the book *On the Work of Monks*. Abba Lucius in the *Lives of the Fathers* taught that this was to pray without intermission. For when certain brethren had come to him, the old man questioned them, saying: "What work are you accustomed to perform with your hands?" But they said: "We perform no work with our hands, but, according to what the Apostle says, we pray without ceasing." The old man said to them: "Do you not eat?" They answered: "Yes." And he said to them: "When, therefore, you eat, who prays for you?" But they were silent. Again he questioned them, saying: "Do you not sleep?" And when they said that they slept, he said to them: "When, therefore, you sleep, who prays for you?" They found nothing to answer him. Then he said to them: "Forgive me, therefore, because you do not do as you say. But I pray. For I sit from morning until the appointed hour, soak a few palm leaves, and make cords from them; meanwhile I pray, saying: 'Have mercy on me, O God, according to Your great mercy, and according to the multitude of Your mercies blot out my iniquity.' And when I have completed the works of my hands, and made some vessels or a few cords, and have received ten coins for them, from those coins I give two to the poor and eat from the rest. Therefore, when I eat or sleep, they without ceasing fulfill my prayer for my sins." Thus in the *Lives of the Fathers*, book 3, page 53, number 212.

Both the Pontiff will readily approve orders of this kind and states will receive them. For he will prescribe a time for prayer and psalmody--namely, that which secular men allot to banquets, games, and walking--and they will bring great utility. For food, clothing, and habitation will require little expense; they will sell their works for a lower price than others, because they live at lower expense. But works of more than one kind are to be performed. Formerly they wove baskets, which was a very common occupation among the rushes and sedges of Egypt; and since they ate very few vegetables and bread, they supported their expenses with no great labor. The cultivation of gardens is also suitable. Therefore I would prefer monasteries of this kind in suburban villages rather than in cities, so that they might cultivate a garden, which is a secondary reserve of sustenance, and yet might sell their goods in the cities. The writing, binding, and ornamentation of books also belong to them; I add printing. No less suitable are painting, drawing, and weaving sacred images and the ornaments of churches--finally, whatever is accustomed to be done by ornamental work or by a joiner.

§ 4. Those who do not live by the works of their hands either possess their revenues in common and live from them, or support themselves from alms. The monasteries of the Order of Saint Benedict, and of other orders which practice hospitality, are endowed with revenues. Although these suffer envy among the greedy, they are nevertheless welcome to the poor; for the prelate of one monastery often gives more alms than whole cities. Their institute is most holy: to sing divine praises for several hours every day, to pray, and to maintain a strict discipline of silence, fasting, and other observances. At times they preach and perform other duties of priests; they pass the principal part of the night in prayers and sacred song. No one has ever suspected that these men are useless to the state. For besides sacred occupations they devote their labor to other offices also; the whole North received the Christian faith principally through that order. Emperors have made use of the most faithful and useful labor of very many Abbots. Their religious virtue and modesty, and their proven prudence, brought it about that a considerable number, even men of humble station, attained the right and dignity of Princes in the Roman Empire; and Dukes and Counts do not consider it unworthy of their rank that the authority of the superiors of religious should be equal to their own. For they know that, amid the small number and scarcity of prudent and faithful counselors, religious men were summoned--not by ambition or money--from the recesses of monasteries for the salvation of the Christian state and the people of God, so that they might state their opinion with authority and the power of voting. For no reason counsels that one should fail to employ for the common welfare the work and counsels of men of faith, piety, learning, and prudence, who have stripped themselves of affections for human affairs. I pass over in silence the fact that so many distinguished prelates have proceeded from this order that it might appear to have been instituted by God for this reason, lest the Church lack government and the state assistance. I therefore say nothing more of these men. Emperors, Kings, Princes, and Christian states themselves, having regard not to birth or favor but solely to virtue and the public good, have in many places equated them with Princes, Dukes, and Counts, and have even given Counts and nobles into their clientship.

§ 5. I come to the poor religious, whose immense labor in teaching and celebrating divine offices, and whose austerity and want in clothing, habitation, and food, deservedly move all men to compassion. The Dominican and Franciscan Fathers formerly preserved the Church and the state, and now also devote unwearied labor to religion and the public good. If utility is asked about, one Dominic, one Vincent, converted as many souls as Moses led out of Egypt. Those who say that they enter the order for the sake of idleness speak calumniously; no one can persuade himself that this occurs. It is therefore calumny and an assault upon acknowledged truth. So many wealthy and noble men, having abandoned honorable, rich, and delightful ease, hasten with joyful minds to that most humble abasement of themselves, the want of all things, the austerity of food, hair-shirts, and scourges; and they joyfully sustain the cross, looking to the LORD JESUS CHRIST, the Rewarder, who will refashion their body of humility, conformed to the body of His glory. A King, Prince, Bishop, and state will therefore cherish these men with great affection. For teachers of the virtues and faith--which hearts so devoted to GOD profess by their deeds--will not be lacking. Indeed, the state can promise itself every prosperity when so many prayers of the saints ascend for its kingdom like the fragrance of spices to the throne of the Lamb.

§ 6. The institute of religious is not by its nature that of Clerics, although those among them who are Clerics also enjoy the privilege of Clerics. Thus Cause 16, question 1, canon 6:

The case of monks is one thing, that of clerics another. Clerics feed the sheep; I am fed. They live from the altar; for me, as for an unfruitful tree, the axe is laid to the root if I abandon service at the altar. It is not lawful for me to sit before a presbyter. If I sin, it is lawful for him to hand me over to Satan for the destruction of the flesh, so that the spirit may be saved on the day of the Lord Jesus.

And canon 4:

A monk has the office not of one who teaches, but of one who mourns, who should lament either himself or the world and fearfully await the coming of the Lord.

The other part is Cause 16, question 1, canon 21:

We commend that learned and upright monks consecrated with the honor of the priesthood ought to baptize, preach, grant penance, release the debts of the afflicted, and enjoy a just portion of the tithes, first-fruits, and offerings of the living and the dead under a regulated dispensation, so that, living according to the Apostle from the altar which they serve, through ministry to the Lord's people they may transform bread and wine by an immaculate blessing into the body and blood of our Lord Jesus Christ.

And canon 23:

By the governance of Apostolic authority we decree that, if monks have been consecrated with the honor of the priesthood, together with the power of binding and loosing, they may laudably claim for themselves, no less than other priests, a portion according to the canon of the tithes, first-fruits, offerings, and donations made for the living and the dead, for their own utility and that of their neighbors by merit of more perfect justice.

§ 7. The care enjoined upon Bishops of visiting monasteries frequently should have as its principal aim that the original institution of the orders be preserved. They will not readily permit the rigor to be diminished without necessity--nor even to be increased. For if austerity of life is excessive, it excludes many who otherwise would be suitable; it generates many exceptions and privileges, and dispensations which the necessity of some demands but the weakness and tepidity of others extorts.

§ 8. Since the religious state is an order of humility and penance, and yet cannot exist without magistracy, that arrangement must be judged best in which the superiors' authority remains entire, and yet there is the least cause for seeking the prelacy. This will occur when it is instituted so as to be an office rather than a dignity. For if those who preside immediately enjoy bodily comforts and honors above the rest, through the weakness of human nature the presidency which is fled in the world is sought in religion. Therefore let all superiors of monasteries so order their table and other things that they are a form and example for their subjects. Let them have nothing peculiar to themselves except what the necessity of their office demands. Let them use it in such a manner that the rest may see that it is done not from love of delights but for benevolence and hospitality; and therefore let the superior diligently compensate by other penances and austerity for what he conceded to charity. For there cannot be a true desire for self-denial, mortification, and humility if prelates and seniors in the same house pursue repose and delights. Certainly it has rightly been established that he cannot become an Abbot who became a monk in order to become an Abbot; nor can he become an Abbot who conducted himself as a monk in order to become an Abbot.

§ 9. In wealthy monasteries the first care should be to remove luxury. Let necessary things be present for those who labor, but let the severity of the rule be observed--not only among subjects, but much more among those who ought to be examples. Let the wealth, moreover, be expended upon the poor, upon increasing the number of laborers, upon studies, and upon the fabric and ornaments of the church.

§ 10. In the monasteries of the poor, Princes, Bishops, Prelates, wealthier Clerics, and citizens should bring it about that there be the least possible need for going about and begging at the doors of others. For although the religious themselves are accustomed to undergo that embarrassment, nevertheless rare departure into public is more humane and altogether more useful for their repose and advancement in divine service. A religious outside the monastery is like a fish outside the water. “A monk without a cell lacks life,” Cause 16, question 1, *Placuit*. No slight cause why fervor and piety grew cold among religious within the memory of our fathers was, in wealthy monasteries, the abuse of riches, and in poor ones, wanderings for sustenance through the districts, as they call them. For when a great multitude had grown but had withdrawn a little from the old zeal and ardor of piety, alms had to be sought by entreaties and sometimes by social courtesy. From this arose more unrestricted departure and association, and what follows a man pursuing external comforts: hatred of the cell and, finally, the overthrow of discipline.

From this they also readily come into contempt, while secular men think they travel for the sake of their belly. I add that not all of them, as men living a poor life at home, know the odious ceremonies of social refinement; being weary, hungry, thirsty, and unaccustomed to draw out delays at table, they frequently appear more desirous of drink or food. This is altogether an injustice: delicate men sit down at table to rouse by the artifice of seasoning a nauseated stomach, while these are judged gluttonous when they quiet a roaring belly.

It is therefore to be desired that there be such liberality--or kindness in the liberality--of the wealthy that laborious excursions through villages and towns, which distract the mind and shake discipline, may be abolished. These are for the most part the task of younger men and lay brothers. For when learned and grave men among them are summoned to give counsel and assist parish priests and parishioners, this does not pertain to that solicitude for sustenance. Nor will their labor be fruitless, since in former times they almost alone sustained the faith.

§ 11. For this reason their monasteries are to be placed either in great cities or near them. And if we inspect the matter, it will appear that in the past century the monasteries of great cities maintained discipline, while in towns it was greatly relaxed. For provisions had to be sought from farther away, few could be supported, and among a few who travel frequently rigor cannot long be preserved. But the farther one withdraws from the original institute, the farther the divine blessing retreats, and the care of sustaining life increases and grows burdensome; and it comes about that harsh necessity drives out those whom it is especially expedient to remain recollected at home, and first impels them into the dangers of acedia and weariness with sacred things, and then into grave sins.

§ 12. Principal care must be employed in receiving novices. In a rigorous order, let them not be admitted quickly and on the strength of sudden fervor; for where impulse rather than mature deliberation moves the mind, perseverance in the purpose fails. Those whom impulse carries proceed with the greatest violence; when we traverse the road with a natural gait, we reach the goal more slowly but more certainly. In wealthy monasteries, in which a more comfortable life, promotion to honorable offices, and liberty can be hoped for, great investigation is necessary lest perhaps not the love of God but the love of the world makes the candidates religious--lest desperation make a monk. For such men are restless, and because they do not attain what they had proposed for themselves, or attain it slowly and mixed with much humiliation, they readily abandon the institute with scandal and their own ruin.

No one does more harm than a Superior who seeks increase through easy and rash admission. Antonius of Siena relates in the *Chronicle of the Dominican Fathers* that the dissolution of the orders took its beginning from that imprudence. For when in the year 1348 and the following year the immense scourge of pestilence--which Robert of Avignon had foretold thirty years before--pervaded the world, most monasteries were emptied, for it is reckoned that half of mankind was consumed. The evil, however, fell more severely upon religious because they were accustomed to be present with the dying, instruct them, animate them for their departure, and fortify them with the Sacraments. When, therefore, those who then survived saw the houses nearly empty, with a plan more specious than prudent they admitted many without great discrimination. They thought that these men, even though living more licentiously, should be tolerated, hoping that their morals too would mature with age. But the contrary occurred. For when they were now adults and more numerous, and the seniors were dying, they retained the vices of young men while

assuming the authority of old men, and introduced dissolution. Zealous men in the orders themselves, Pontiffs, Kings, and Bishops afterward fought against these things, which nevertheless could not be wholly conquered until heresy wrought its slaughter. But now all the orders are reforming themselves with greater fervor and constancy than has been done for three hundred years, being incited by one another's example. Therefore candidates must be admitted with great caution, for the wicked more readily seduce the good than they themselves are converted.

- Obvious transcriptional corruptions in titles, word divisions, and common Latin forms have been corrected from context in the translation; no registered Greek lacuna occurs in this chunk.

§ 13. In religious orders one must labor not only so that vices are severely corrected and scandals removed, but so that the aroused fervor of minds, zeal for souls, and love of maintaining discipline are fostered. If the life of a religious is languid, if he does not advance in virtue, if he undertakes the exercises of his profession unwillingly and sadly, if he aspires to liberty, he is near to ruin. If there are several men of this kind, they retard the alacrity of others. If they have also elected a Superior who assents to their inclinations, all is over unless the Bishop immediately deposes him, which he can do, as is found in the law, Cause 18, question 2, *Si quis*. Nor is only a criminal man harmful, but also one who is negligent and indulgent toward vices. For just as no labor is necessary for a ship to be carried down by a favorable current, but it is enough not to row and not to spread the sails in the opposite direction, so also, unless we are drawn toward good things by daily care, we glide of our own accord into evils. Each man ought to labor at this in himself, and a Superior in everyone.

Finally, let all who enter religious life strip themselves altogether of human affairs and live in such a way that they are not the cause of even the least violation of the rule of their institute. Let them know that their office is what Jordan replied was the office of the Dominicans: namely, "To live uprightly, to learn, to teach." For in truth one must not only live uprightly, but also learn, and, when there is opportunity, teach. Thus Antony and Aphraates came forth from solitude into public and expounded the word of God. See the distinguished reply of Aphraates to the Emperor Valens in book 8 of the *Tripartite History*, chapter 4. Saint Basil judged that the life of monks is perfected by reading and prayer, writing to Gregory:

Εὐχαὶ πάλιν τὰς ἀναγνώσεις διαδεχόμεναι, νεαράν τε τὴν ψυχὴν, καὶ ἀκμαιοτέραν πρὸς Θεὸν πόθῳ κεκτημένην παραλαμβάνει.

[Printed page 504]

Prayers in turn, when they succeed readings, receive the soul fresher and more vigorous, moved by desire toward GOD. For this reason we see religious today devoting themselves to studies in all universities; others use a private master at home. Since they cannot employ his services with equal advantage in philosophy and Theology--for these studies demand public exercises--they are sent to Academies, and indeed most usefully. The Council of Vienne prudently established that in every monastery in which there are sufficient goods for this purpose there should be a master or doctor of a literary school. The Council of Trent also urges the exposition of Scripture, as does the Council of Aquileia celebrated in the year 1596, in the section *On Maintaining the Faith*:

In the monasteries of monks also, even of Carthusians, where it can conveniently be done, let a lecture on sacred Scripture likewise be held. If the Abbots are negligent in this matter, let the Bishops of the places, acting in this as delegates of the Apostolic See, compel them to it by suitable remedies, as is providently established by the Decree of the Council. But in the convents of other Regulars in which studies can conveniently flourish, a lecture on sacred Scripture ought similarly to be held according to the prescription of the Council of Trent. This lecture shall be assigned by the general or provincial Chapters to the worthier ministers. In public schools also, if a lecture on sacred Scripture has not hitherto been instituted, it must be instituted as soon as possible for the conservation, championship, and defense of the Catholic faith; and if it had been instituted and were neglected, it must altogether be restored by the decree of the Council of Trent. Thus, if the principles and precepts of the arts and sciences are everywhere diligently handed down so that nothing is lacking for perfect knowledge, the studies of sacred

Scripture, the nourishment of the Gospel Word, the majesty of the divine utterances, and the greatness of the heavenly promises--which is the sole support of the present life and proof of the age to come--may not lie neglected.

But what I have said elsewhere concerning the studies of the state and of Clerics pertains especially to religious, who ought either to have studied or to be studying--or, to speak more rightly, both to have studied and to study.

This is so especially at the present time, when they are assailed by the common reproach of the sectaries, who say that nothing is more unlearned than a monk. Very many most learned men in monasteries show this to be utterly false. Yet the sloth and will alien to studies of certain men provide an occasion for it to be said. To the great evil of their subjects and disgrace of their order--indeed, to the insult of the Catholic Church--they both neglect learning themselves and impede others from advancing. Nor is the swelling knowledge of learned men to be feared, since no one weighs the rule of religious obedience and discipline more than one who is solidly learned.

I shall conclude these matters with the encomium of Saint Chrysostom in his fourteenth homily on chapter 5 of the First Epistle to Timothy, in which the holy man describes with a learned pen the office and all the actions of monks:

Just as though one were going from earth to Heaven, so one goes from one's own home to the monastery of any holy man. There you do not behold the things that are at home. That place is clean; there is profound quiet and silence. "Mine" and "yours" have been driven entirely from there. Even if you remain there only one or two days, you will then be flooded with a greater perception of delight.

It grows light--or rather, before the light the cock utters his voice. It is not as in the houses of secular men, where the household snores, the doors are shut, all are prostrated in deep sleep and are like the dead, and the muleteer shakes his bells. Nothing of this sort is there. Rather, all rise with reverence after shaking off sleep, roused by their superior, and immediately stand in the sacredly appointed choir; forthwith, with hands extended, they sing holy hymns together. For they do not, as we do, require several hours to shake off sleep. We, as soon as we rise, are occupied for a longer time: we go to the necessities of nature, then wash our hands and face, afterward put on shoes and garments, and spend much time on these things. There you would see nothing of this sort. No one there calls a servant, for each is sufficient for himself; he does not need many garments, nor does he have any need to shake off sleep. For as soon as he opens his eyes, he appears to have been awake for a long time. This happens to him by reason of sobriety. For unless the heart, made heavy by foods, is sunk downward, it is easily awakened from a light and healthful sleep; and immediately he resumes his turn of prayers. Pure hands are extended because an upright and moderate sleep preceded. No one here hears men snoring or yawning with sleep; no one sees anyone toss about in slumber or become uncovered. Rather, composed in order, they sleep more becomingly than men who are awake. All this proceeds from the discipline and uprightness of the mind. These truly are saints and Angels among men. For the highest fear of God does not permit them to be submerged in this deep sleep and the mind to be relaxed from its vigor, but it remains almost upon the surface, and sleep only refreshes them. Their dreams also are of this kind: they do not present fantasies or monstrous images.

But, as I said, immediately at the cock's crow the superior stands beside them, gently strikes the reclining man with his foot, and thus immediately awakens all together; for it is not lawful to sleep naked there. Then, when they have risen, they devote themselves to the divine praises and sing the prophetic hymns in a great and sweet concord and with measured songs. Neither pipe, nor lyre, nor any other musical instrument produces notes so sweet as those holy men singing psalms in the greatest solitude and quiet. Their songs themselves are also most fitting and breathe love of God and zeal for divine things: "In the nights," he says, "lift up your hands to God." And again: "From the night my spirit keeps watch for You in the morning, O God, because Your commandments are a light upon the earth."

The Davidic songs likewise move fountains of tears. For when he sings, saying, "I have labored in my groaning; every night I will wash my bed, I will water my couch with my tears"; and again, "Because I ate ashes as bread"; likewise, "What is man that You are mindful of him?"; and, "Man has become like vanity"; and this, "Our days

pass like a shadow”; and, “Do not fear when a man has become rich, and when the glory of his house has been multiplied”;

And again, “Who makes men of one manner dwell in a house”; and, “Seven times in the day I have spoken praise to You for the judgments of Your justice”; and again, “At midnight I arose to confess to You for the judgments of Your justice”; and, “O God, deliver my soul from the hand of hell”; and, “If I walk in the midst of the shadow of death I will fear no evils, because You are with me”; and likewise, “I will not fear the terror of the night, the arrow flying by day, the business walking about in darkness, the assault, or the noonday demon”; and, “We have been accounted as sheep for the slaughter.” When they sing with Angels—for the Angels also sing at that time--“Praise the Lord from the heavens,” while we are yawning, scratching, and snoring, or even lying supine and devising innumerable deceits, what is it like for them to consume the whole space of the night in the praise of God?

But when the light of day is now near, they pause for a very little while; and when we undertake our works, they claim a time of repose for themselves. But when it has grown light, each of us calls another and weaves a conversation concerning impediments. Then one bursts into the forum, stands before the magistrate, trembles, and fears punishments. Another goes to the theater; another proceeds to his work. They, on the contrary, when the morning prayers and hymns have been completed, turn themselves to the study of the sacred Scriptures. There are also those who have learned to copy books. Each one,

[Printed page 505]

however, having an allotted dwelling, studies in perpetual silence. Thus, with no one weaving trifles or speaking anything else, they complete the synaxis of the third, sixth, ninth, and evening hours; dividing the day into four parts, they honor God at the completion of each part with psalmodies and praises. While all the rest dine, laugh, play, and are distended with immoderate food, these devote themselves to praises. They have the least care for setting a table and, in general, for things subjected to the senses. After supper they again serve the divine praises, and thus take sleep soberly. Secular men, indeed, sleep even by day; these persevere in vigils even at night, as true sons of light. And the former, after indulging in more sleep, come forth burdened; the latter, on the contrary, are always sober, persisting without food and devoting themselves to hymns.

Again, as the day declines toward evening, the former hasten to baths and repose. The latter, relaxing the labor of spiritual exercise for themselves, take food without rousing a flock of servants, without running through the house and stirring up crowds and tumults, and without setting out costly dishes elaborated by the cook’s art. Rather, some take only bread and salt, others also oil, while most of the weaker take vegetables and legumes as food. Then, after they have sat for a little while and concluded the whole time with hymns, each reposes upon beds made only for rest, not for delights.

There is no terror of Princes there, no arrogance of masters, no fear of servants, no crowd of women, no restless cry of little children, no multitude of chests, no superfluous clothing, no gold, no silver, no guards, no treasury, and no other such thing. Rather, everything burns with prayers, everything resounds with hymns, everything is fragrant with a spiritual fragrance. Nothing carnal is there. No incursion of robbers is feared there, for they have nothing that can be carried away from them; they lack money and possess only body and soul. Those who take these things from them have not only harmed them in nothing, but have benefited them greatly. “For to me,” he says, “to live is Christ, and to die is gain.” They have been released from the bonds of the body. For truly, “The voice of rejoicing and salvation is in the tabernacles of the just.”

No wailing and groaning are heard there. Those happy dwellings are free of all these things, free of these sorrows and cries. Men do indeed die even within them, for they are not immortal in body; but they neither call nor consider death to be death. They accompany those departing with hymns and call the event not the bearing-out of a corpse, but a procession and a sending-ahead. Finally, when anyone is announced to have died, great exultation and immense delight arise among them all. Indeed, no one even presumes to call him dead, but consummated. Then thanksgiving, glory, and immense joy follow, as each one prays to be given this end: thus to depart from the contest, to rest from labors and sweats, and to see Christ.

But if anyone has fallen ill, no lamentations and no tears, but perpetual prayers are poured forth. There the hands of physicians do not work, but faith by hope alone heals the sick man. Yet even if there should be need of physicians, great philosophy and immense endurance are displayed here also. No wife stands by with loosened hair, bewailing the evils of a little orphan's misfortune which have not yet occurred; no household strikes the expiring man with importunate entreaties that he should safely commend it to someone. Rather, the mind, stripped of all these impediments, considers one thing alone: how it may pour forth its final breath to God with greater grace.

And if illness occurs, it has not proceeded from the vice of gluttony or from drunkenness. Rather, the causes of illnesses themselves are full of praises and liable to no accusations. For weakness arises either from continual vigils, or from sustained fasting, or from some such things; therefore they are also easily freed from it. For it is sufficient for them to relax even moderately from their former rigor in order to escape the discomforts of illness.

CHAPTER XLVII

Communities of Sacred Virgins, Their Laws and Government

§ 1. Virgins have always possessed great majesty in the state, and an honored place even among the Gentiles. For at Rome the Vestals possessed an almost senatorial dignity, and among the Greeks also virginity was held in esteem--yet it was rare, and therefore virginity was precious. But those flowers, scarcely one of which entire kingdoms of the Gentiles beheld, occupied whole fields of the Church, especially the newly broken lands recently irrigated by the Lord's blood. For after Paul, as though sowing seed, scattered these words in 1 Corinthians 7: "But I say to the unmarried and to widows: it is good for them if they remain so, as I also do. But if they do not contain themselves, let them marry; for it is better to marry than to burn. But to those who are joined in marriage I command--not I, but the Lord--that the wife not depart from her husband; but if she has departed, let her remain unmarried or be reconciled to her husband."

What effect this produced is shown by Corinth, the famous cultivator of immodesty. For they soon began to veil virgins, and Tertullian says in *On the Veiling of Virgins*, chapter 2: "And the Corinthians today veil their virgins." At the same time there was at Philippi a college of virgins which Ignatius salutes, *Ignatius*, epistle 8. And in the Epistle to the Smyrnaeans: "I salute also those who pass their lives in perpetual virginity, and the widows." And in epistle 12 he admonishes Hero to care for the virgins as precious jewels of Christ. Clement, Jerome, Ambrose, and Augustine treat of them. Justin Martyr glories magnificently concerning them before Antoninus: "Very many indeed of both sexes, sixty and seventy years old, who from childhood have followed the discipline of Christ, continue incorrupt and celibate; and I glory that I can display such persons among every class of our people." Saint Cyprian, in *On the Dress of Virgins*, testifies that their number was immense in the Church while it lived beneath the swords of persecutors. "Now the world is filled; the earth is filled with those who can receive continence, living after the manner of eunuchs, castrated for the kingdom of God." The poet Naumachius also sang the praises of virginity:

Καλὸν μὲν δέμας ἄγνων ἔχειν, ἀδμήτᾳ τε μίμνειν
 Παρθενικὴν· καθαροῖσι τ' αἰεὶ μελεδήμασι χαίρειν,
 Μῆτε βαρυτλήτων λαγόνων περὶ φόρτον ἄγουσαν,
 Μῆτε πόνον τρομέουσαν ἀγάστονον Εἰλειθυίης·
 Ἀλλ' ἦσθαι βασιλείαν ἀφανρῶν θηλυτεράων,
 Ψυχῆς ὄμμα φαεινὸν ὑπὲρ βιότοιο χέουσας·
 Ἐνθα γάμοι κεδνοὶ καὶ ἀληθέες, ἔνθα μιγεῖσα
 Θεσπεσίους ἐπέεσσι νοήματα φάεα τίκτει.

It is assuredly splendid to have a chaste body and to remain inviolate, a virgin; to rejoice always in pure hymns; not to carry a heavy burden about the loins; not to tremble at the labor and groaning of Lucina; but to sit as queen over weaker women, pouring the bright eye of the soul forth upon life. There are splendid and true nuptials; there, mingled with divine utterances, she begets luminous understandings.

But it is easy to praise virtue; it is difficult to implant, fence about, increase, and defend it--especially the virtue of women, who are fragile and changeable, and above all the virtue of chastity, which has an internal and powerful enemy, strong in flatteries. Therefore the monasteries and life of virgins must be discussed.

§ 2. There are some monasteries of virgins who have vowed chastity, but others are free communities, which I do not know whether they can be found outside Germany; in the free communities, however, the Abbess is bound by vows. I am not ignorant that those communities of virgins are disapproved by many, but they censure the morals of some, not the institute. For it appears plainly useful to me that there be a place in which virgins may be brought up uprightly and safely for piety and for labors necessary and suitable to their sex, and then, after becoming acquainted with the exercises of religious life, either embrace it or be given in marriage. Let it be, as it were, a seminary of virgins and matrons, provided that those things required by the uprightness of common life are present, corruptions are avoided, and whatever can obstruct a good reputation is shunned.

§ 3. We shall now treat the monasteries of professed virgins, or those bound by a vow. These are of two kinds: some virgins live by the labor of their hands alone; others have their own revenues. I approve most of all those whose annual revenue is moderate, so that there is sufficient time for sacred prayers and readings, and so that a part of their support is acquired from the revenue, but the rest by the labor of their hands.

Their labors can be various: everything that pertains to the making of clothing which they use; then weaving, embroidering with the needle, spinning, and cultivating a garden. For since studies and manifold readings are by no means suitable for women, and perpetual prayer or psalmody cannot be employed, these things must be interspersed not with idleness but with labor, of such a kind that it arouses the spirit and exercises the body healthfully without oppressing it. Let the Bishop inquire carefully into this matter when he visits.

But whatever can be established concerning the integrity, discipline, and preservation of monasteries in which virgins dwell was established, through the agency of Charles Borromeo, the most holy and prudent Archbishop of Milan, by the First and Fourth Councils of Milan. I have resolved to take their provisions from there, both so that among Bishops, Prelates, and the communities of virgins themselves they may possess the authority of so great a prelate and of the synods, and so that adversaries may see what the life of sacred virgins and the care of their salvation are, and cease to defame a most holy life which they are unwilling to imitate. I affirm at the same time that these constitutions contain a compendium of Apostolic doctrine, the sacred canons, and those things which the Fathers handed down concerning the care of virgins.

In the First Synod, therefore, the following things are established:

So that in monasteries of Regular women who have dedicated themselves to GOD in religion the ancient discipline may both be preserved entire and, if perhaps it has anywhere been corrupted, be restored; and so that they themselves, conforming themselves to it, may rest more freely in the contemplation of divine things: we command that these formulas for living piously and rightly--partly handed down in the decrees of the Council of Trent, partly established for the advantage of our province according to the circumstances of these times--be altogether observed by all nuns in this province, even those committed to the care of Regulars or, for any other reason whatsoever, not subject to the jurisdiction of Bishops, by the faculty given to us by the Supreme Pontiff Pius IV.

CONCERNING THE NUMBER OF NUNS

At the command of the Council of Trent, let the Superior establish for each monastery that number of nuns which can be suitably supported according to the measure and resources of the place and the customary alms, and let him strive to do this within a year. Nor shall it in any manner be lawful for that number to be increased unless an annual accession of revenues sufficient for it has been made to the monastery.

Let the Bishop diligently endeavor to transfer and unite with other monasteries of the same or another order those monasteries in which there are not twelve professed women who use the veil, and which cannot support that number from their own revenues or customary alms, having summoned for this purpose the Regular Superiors, provided that the matter concerns a monastery whose care pertains to them.

But if a union of this kind should appear in no way expedient, let him permit that number of nuns to die away in the course of time and be reduced to nothing, the faculty of receiving novices being altogether taken away from those nuns.

And let the monasteries of those nuns and the revenues of the monasteries even now be assigned to other monasteries or places to which they shall appear to be owed under the laws of that order.

CONCERNING THE SUPERIORS AND OTHER MINISTERS OF THE NUNS

Within two months after these constitutions have been published, let the Bishops admonish the Abbesses or any Superiors who profess that their office of Superior is perpetual--even by edict, if they judge it proper, with the penalty of deprivation proposed, which they shall incur by the fact itself--that within a further month they exhibit to the Bishops or their vicars, and at the same time to their Superiors if they are committed to the care of Regulars, those legal instruments granted to them by the Apostolic See. Thus it can be ascertained whether those instruments are in proper form and, if there is need, a report can be made concerning them to the Supreme Pontiff. But if they have not exhibited them within that prescribed time, let the Bishop declare them deprived of that rank of dignity, and let their Superior arrange for others to be duly substituted in their place.

No nun shall canvass for, or in any manner whatsoever seek for herself, whether directly or indirectly, by herself or through another, the honors or offices of her monastery of whatsoever kind. The established penalty is that both she herself and those who have favored her in that matter shall, for three Fridays in Chapter, kiss the ground at the feet of each nun and accuse her ambition; and she herself, moreover, if she has obtained that office, shall be deprived of it and of other duties at the discretion of the Superior.

Having laid aside their own will, prepared to obey, and setting before themselves there only the glory of God and the common utility of the monastery, they shall elect to honors and offices those whom, after every human affection has been removed, they judge by the impulse of the Holy Spirit to be more suitable for that duty.

According to the decree of the Council of Trent, let no Superior, by whatsoever name she is called, be elected who is less than forty years of age or who has lived uprightly for fewer than eight years after she was professed. But if a woman of this kind is not found in the same monastery, one may be chosen from another monastery of the same order. If, however, this also should appear inconvenient to the Superior who presides over the election, then, with the consent of the Bishop or another Superior, let one be elected from those in the same monastery who are more than thirty years old and who have lived uprightly for at least five years after profession. In the remaining matters, let the constitutions of the individual orders of monasteries be observed.

A Superior of this kind and her Vicaress, and also the Discreets--who by another name are called Mothers of Council--where they are accustomed to be elected by the Chapter, shall be elected by secret ballots in the presence of the Superior or his minister, who shall stand outside the monastery at the grating or grille, according to the decree of the Council of Trent.

They cannot, however, be elected to these offices unless the Superior has carried two of three parts of the ballots, whether by the votes or by accession. But the Vicaress and Discreets shall be created by votes of more than half.

In monasteries in which there are several sisters by blood, if one of them is placed over the monastery, the remaining sisters cannot become Vicaresses, Discreets, or doorkeepers, nor can they perform the office of scribe or cellarer.

[Printed page 507]

The decrees of the Fourth Synod are these:

We establish that the provisions prescribed below are to be added to the other decrees which we established concerning nuns in the preceding Councils.

A monastery shall have two doors by which access is opened into its enclosure, and no others besides them. Of these two doors, one shall serve for leading beasts of burden, carts, and vehicles, and the other for other necessary uses and conveniences. But in a monastery in which one alone shall appear sufficient for every action and use, let there be that one only.

Each door shall consist of double planking, and that strong, and shall likewise be without any opening, even the smallest crack. It shall have a threshold of marble or solid stone which closely adjoins the gate itself.

To the door for carts or beasts of burden there shall be joined, within the monastery itself, another made of strong planks in the form of a grille, which shall stand a little distance from the first door and shall have the form demonstrated in the instructions for ecclesiastical construction.

At the other door, accommodated to other uses, to which shall be attached the revolving box which they call a *turn*, two nuns shall always be present who shall be appointed doorkeepers.

Each of these two doors shall be locked with two keys, fashioned by the smith so as to differ from one another. Even during the day, the Superior of the monastery shall perpetually keep one key in her possession and the nun senior in profession the other.

All revolving boxes shall be removed and obstructed, and henceforth shall be perpetually forbidden, except the one attached to the common door; another constructed in the place called the parlor; a third which is in the cell of confessions; and a fourth in the Church, fitted for passing out of the monastery the sacred vestments and ornaments necessary for the sacred rite of the Mass.

Food for every lodging of the monastery, even that of the confessor, shall be passed out through the common revolving box.

On the inner side of the monastery a hook shall be firmly fixed in each revolving box so that they cannot be turned at pleasure from outside.

But if there are several places called parlors, there shall be a revolving box in only one, or at most in a second, at the judgment of the Superiors.

The revolving box which faces the Church shall be fitted with two wooden shutters: inner shutters, whose key shall be held by the Superior; and outer shutters, whose key shall be held by the chaplain or by another who shall appear suitable to the Superior.

The height of the revolving boxes shall not be greater than one cubit and eight inches, and their width shall be one cubit.

The revolving box for confessions shall be smaller on every side by half the prescribed measurement.

No window, except those expressly prescribed in the First Provincial Council, shall face from the monastery into the Church or the exterior sacristy; and in it there shall not even be a crack, much less any opening, through which sight or conversation may be possible.

The window through which the elevation of the most holy Eucharist is viewed shall not be open to a height of more than two cubits and twelve inches, but in width it shall be equal to the width of the altar.

Two iron grilles, at a distance of one palm from one another, shall be firmly fastened into that window.

The individual iron bars of which the grilles are constructed shall be distant from one another by no more than three inches.

They shall be inserted into one another in such a way that they cannot be moved from their place.

The windows shall be closed on the inner side with strong shutters, with a lock and key which shall be kept by the Superior.

But wherever that window is at the side of the altar or Church, or in another place, even an upper one, from which the nuns can behold those who are in the exterior Church, let the Bishop bring it about as soon as possible that a window be constructed above the altar from which the nuns view the sacrifice of the Mass, according to the prescribed instruction; and let that lateral or other window, whatsoever it may be, be completely obstructed.

The small window facing toward the Church through which the nuns receive the sacred Eucharist shall be constructed at such a height and in such a suitable manner that the priest may stand conveniently, not bend his knees, while ministering it. On the outside of this small window, in addition to those which now exist, little wooden shutters shall be fitted flush with the wall, and their key shall remain perpetually with the confessor.

The most holy Sacrament shall be reserved nowhere except upon the high altar; a lamp shall always shine before it in the interior Church, and in the exterior Church when its doors are open.

Sacred relics shall be stored in a small aperture which, built into the wall of the interior Church according to the prescription of our instructions, can be opened only from the side facing the exterior Church. This aperture shall be closed with three keys made with different workmanship, one of which shall be with the Bishop, another with the confessor, and the third with the Superior of the monastery.

The small window for confessions shall open to a height of sixteen inches and a width of twelve, and no more. It shall be enclosed by strong iron grilles according to the prescribed form, and also by a thoroughly solid iron plate most firmly fastened to the wall and filled with holes as small as chickpeas, covered with black linen cloth. That cloth shall be fastened with little wooden boards in such a manner that it cannot readily be removed.

The interior places for conversation, commonly called parlors, which shall be constructed hereafter, shall be contained within one and the same circumscription of space with no intervening wall, and, where this can be done without great inconvenience, shall be accommodated to the pattern according to which very many have already been built, so that all conversations can be overheard by the same listeners.

The window of the iron plate shall never be opened, as was provided in the First Provincial Council, except very rarely and for a reason which the Bishop has judged urgent.

In the places constructed for lodging, which are called guesthouses, where food is sometimes taken or sleep obtained because of urgent necessity, there shall be no windows, not even small ones, which face into the monastery.

Care shall altogether be taken that the roofs of the guesthouse and of houses of every other kind be completely separate and very far removed from the roofs of the monastery.

In those monasteries in which provision cannot be made for removing the overlooking view of neighbors, especially religious, as was commanded in the First Provincial Council, the windows shall be obstructed if light can be received from elsewhere. If not, let them be protected from that visual exposure by the form of construction demonstrated in our instructions, which shall likewise be employed in protecting from the same exposure the galleries which they call *loggias*.

Gardens which extend too widely in monasteries of nuns and require the daily labor and cultivation of men shall, where it can be done, be confined within narrower bounds.

In no monastery of nuns of any order, even one subject to the law or care of Regulars, shall any window, door, or other opening of that kind, from which there is a view outside the enclosure of the monastery, be uncovered or opened without the permission of the Bishop, to whom the enclosure of all monasteries is entrusted. Nor shall he permit or grant this unless he has diligently inspected the place and judged it necessary to be done. And then, to impede or obstruct that view--

[The sentence continues in source chunk B6-079.]

- The final sentence is deliberately left open because the fixed source chunk ends in mid-sentence at the printed-page boundary; it continues without omission in B6-079.

§ 3, continued.

[Printed page 508]

--that very precaution prescribed immediately above shall be employed.

Only those nuns whom the Superior has selected shall give orders to servants who, for a necessary cause, are sometimes given the faculty of entering the enclosure of the nuns; no others besides them shall either command anything of the servants or speak to them.

When the nuns attend a discourse or sermon in a place where they can be seen by others who are outside--even by the preacher or by a Superior--let all have their faces covered and concealed by a veil drawn down to the mouth.

Let those who come forward to meet, receive, or conduct anyone entering the enclosure of the monastery--even a physician or Superior--do the same.

Let several physicians be approved by the Bishop who, with the permission also of the Superiors of the monastery, may lawfully be employed within its enclosure whenever the gravity of an illness requires others besides the ordinary physician.

In every monastery let the Bishops introduce the use of ovens in which bread may be baked, so that entrance into the monastery may be altogether forbidden to bakers and their servants.

Nor shall any man be brought in to clean or light the oven, or to perform anything else that can be done or carried out by the nuns.

We decree that what was sanctioned in the First Provincial Council concerning written permission to approach monasteries of nuns shall be inviolably observed both by men and by women, however distinguished they may be in rank, dignity, or birth, even if they are the father, mother, brothers, or sisters of the nun whom they come to visit. Let the Bishop take care that this is altogether performed everywhere.

Let the necessary causes on account of which it is lawful to enter within the enclosure of a monastery--either explained in this Provincial Synod from the decree of the First Council or rejected as in no way necessary--be published in the final part of this Council, printed, proclaimed, and announced in each monastery of nuns, even those subject to the care of Regulars. It shall not be lawful to depart from them in any manner, for any reason, or under any pretext.

Vessels of fruit or flowers shall in no way be kept in monasteries for the purpose of selling either the fruit or the flowers.

It shall not be lawful for a nun or monastery to make little confections and other things of this kind, not only for the purpose of giving them away, as was forbidden in the First Council, but also for selling them.

Let a nun abstain from giving gifts.

It is altogether forbidden to give alms through the turn or gate of a monastery, since it is most certainly known that no slight dangers--or rather, injuries--arise from this. But those monasteries which, according to their means, shall have been permitted by the Bishop or another Superior to give alms shall give money, grain, or another such thing to certain pious men, especially to the administrators of pious places, who shall distribute it to the poor somewhere other than at the monasteries.

Medicines which the Bishop or another Superior has permitted to be sold or given outside shall be given only by the senior apothecary and by no other. They shall be sold or given not in a private capacity, but in the name of the monastery.

A nun shall not be permitted to prepare or furnish medicines for those outside the cloister, to apply her hand for the purpose of healing, to prescribe remedies, or to practice anything else pertaining to medicine.

If a fireplace has been constructed in private cells, it shall be permanently obstructed in such a way that a fire can by no means be kindled in it.

When a window, door, or fireplace is obstructed, its hinges shall be torn out in such a way that the work has been done not temporarily, but permanently.

The same shall be observed in windows, doors, and fireplaces already obstructed.

That common place for the care of the sick which they call the infirmary, wherever it has not yet been built or constructed, shall be established, constructed, or built as quickly as possible. A sick nun shall not lie outside the bounds of that place; but, when health has been recovered, she shall not remain there any longer for the sake of comforts.

Where it can conveniently be done, the ancient and approved use of common sleeping places shall be restored and recalled to its former custom.

Within the enclosure of the monastery a place of burial shall be given or established for no one except the nuns.

Nor shall the bodies of nuns be carried outside the enclosure for burial.

No person of any status or condition, neither lay nor ecclesiastical, shall be permitted in any monastery of nuns to be received in those lodgings which they call guesthouses, or to lodge in them, whether in the city or in the diocese, except the priest-confessor, to whom this is sometimes conceded because of urgent necessity.

In the diocese, however, this may also be conceded to the visitor of the monastery and to its administrators or procurators where the Bishop has judged that it must sometimes necessarily be granted.

We decree that what was sanctioned by us in the First Provincial Council concerning figured chant, every musical instrument, and musicians not to be employed on the feast day of a nuns' Church in the exterior Church is forbidden to them also on every other day and at every other time.

Nor shall anything besides the Mass be sung by others in their exterior Church, since the offices of Vespers and the remaining canonical hours can be sung by the nuns themselves.

In every monastery where there is neither a common place for clothing nor another place in which the nuns occupy themselves in completing works, both shall be established or constructed as soon as possible.

No nun, except the doorkeepers, shall embroider with a needle or perform any other manual work anywhere except in the place established for completing works.

The Mistress of Labors or Works shall possess a definite book in which she shall record so distinctly whatever profit or advantage is received from those labors that it can readily be seen whether anything is lacking in that matter.

No nun except the Mistress of Labors shall interpose herself in receiving or returning works. When necessary, she may sometimes employ with herself another nun more experienced in the practice of completing a particular work.

Furthermore, so far as this can be done, care must be taken that there are not manifold and diverse kinds of manual works or workshops in the monastery.

In this common place of labors, not only shall a reading concerning the spiritual life be employed according to the prescription of the First Council, but every idle word shall also be avoided.

Garments of every kind and all clothing shall be preserved in the wardrobe. Nothing shall be stored or kept privately in cells or another place which is not necessary at that very time.

A nun shall not keep even a small amount of money in her possession under any title, not even with the consent of the Superior, unless the nature of the office she holds demands otherwise.

Otherwise she shall be punished as guilty of property ownership. The Superior who has permitted it in any manner or under any pretext shall undergo the same penalty, as shall also a nun who has discovered it and has not reported it to the Superior within two days, or, if the Superior is at fault, to the higher Superior as soon as she could.

Care shall altogether be taken that that exact and religious manner and practice of common life be diligently introduced into the monastery, and that the nuns diligently pursue the discipline and studies of the spiritual life and holy instruction.

[Printed page 509]

Every year, as was commanded in the First Council, accounts of the expenditures made for food and other uses of the monastery shall be required from the Superior by those whose concern it is. The Bishop himself shall prescribe accurately how much wheat, wine, provisions, and other things he judges sufficient for each monastery's support for the year. If the Superior has shown herself negligent in that prescribed distribution or administration, she shall be suspended from the duty of her office.

A debt exceeding the sum of fifty gold coins shall not be contracted in any monastery without the permission or consent of its administrators, who shall consult the Bishop in matters of great importance.

Let the nuns not involve themselves in secular business. And so that many frauds and losses may at the same time be prevented, let the Bishop diligently take care that their estates are leased, and that this is done under the spear at public auction, unless at some time he judges that another course is expedient.

For maintaining enclosure this precaution also shall be employed: neither wheat, nor other crops, nor provisions shall be stored in any monastery except for the use and necessity of the monastery.

Definite rules shall be prescribed by the Bishop to the administrators, procurators, patrons, and defenders of each monastery, from which they may know every part of their office. Such administrators and ministers of this kind shall be appointed by the Bishop for each monastery subject to his care which does not possess them, yet in such a way that each and every one can always be removed from the charge of that duty at the discretion of the same Bishop.

Within six months an inventory, drawn up in an approved form, of all goods and rights pertaining to any monastery--even one subject to Regulars--shall be carried to the episcopal archive by those whose concern it is, lest fraud be committed in any manner, once the number of nuns has been fixed by the Bishop.

Therefore, if any alienations of those goods and rights should afterward occur, the Bishop shall be informed of them.

When a girl asks to enter a monastery in order to inspect the place where she is considering making profession, it shall first be diligently and carefully ascertained whether this is truly her purpose or whether she is attempting it from curiosity; nor shall she for that reason be permitted to wander through several monasteries.

Girls shall be received both for other purposes and for profession by the secret ballots of the nuns. According to the decree of the First Provincial Council--which, by the authority of the letters of Pius V, has force even in monasteries subject to the law of those Regulars--this same rule shall be fully observed even in monasteries subject to the law and care of Regulars.

Where in these times that religious and ancient custom of solemnly veiling nuns has become obsolete, it shall be recalled to its former use according to the ancient institute and rite, provided that it is done within the monastery.

It shall not be lawful for a nun of any order to put on albs, vestments, or other garments dedicated to the use of the sacrifice of the Mass.

Confessors and chaplains, likewise the priests and other ministers of the nuns whom the Bishop has placed over their care, whoever they may be, shall not take or accept any gift, not even the smallest, nor any food or drink from them under any title, either publicly or privately, under a penalty to be imposed at the discretion of the same Bishop.

Nor, moreover, shall they take anything given as a gift under the appearance or pretext that things of this kind serve ecclesiastical use, such as corporals, purificators, clerical garments, sacred images, and other things of that kind.

Nor shall they accept from them anything else elaborated by manual work or skillfully fashioned, nor even the labor or work bestowed upon cleaning, mending, or repairing garments.

Let the priests who serve the chapel likewise take care not to receive from any nun privately, but only from the Superior of the monastery or from the nun placed over the sacristy, a commission to celebrate Masses. They shall converse only with that Superior or sacristan, and not with other nuns, and then only about matters which pertain solely to their office.

The same shall be observed by the nuns concerning this whole class of matters, a penalty being proposed both for them and for the chaplains at the Bishop's discretion.

But wherever it shall appear proper, with the Bishop's permission, to give some annual stipend to confessors, chaplains, or priests for the support of life, it shall altogether be given as a definite sum of money, unless the Bishop should sometimes concede otherwise--namely, that wheat, wine, or something of this kind be given in place of money.

Let the Bishop choose several pious and likewise diligent men who, especially on feast days, shall approach monasteries of nuns, even those subject to the law or care of Regulars, and inspect them everywhere from outside, to see whether anything is done or carried on contrary to what has been prescribed concerning them, and whether anyone converses with them without having obtained permission.

Whenever a new monastery of nuns is constructed, particular care shall be taken that no window or lookout faces anywhere except inward upon the enclosure of the monastery.

That enclosure shall be closed not by a simple wall, but by the cloisters and porticoes themselves.

In the middle of its enclosure, however, a garden may be established over a great part of it.

Let it be the Bishop's care that monasteries already built be accommodated or refashioned according to the pattern of this form, so far as it can be done.

The lesser offices--such as those placed over the door, the turn, conversations, or the instruction of novices; those placed over the sacristy; those who preside over the nuns who occupy themselves by the industry of their hands; and those who perform the office of scribe or accountant and who minister to the sick--shall be bestowed, by the person who presides over the election together with the confessor, Superior, Vicaress, and Discreets, upon those whom in the judgment of their consciences they deem suitable. By this decree no derogation shall be made from those monasteries in which nuns are customarily elected to offices of this kind by the votes of the Chapter.

The offices of those who have been elected shall be for two years, or, in monasteries where that is the custom, for three at most. When they have completed them, let them remain free from offices for at least an equal length of time. Nor can they be confirmed in the same offices by the nuns unless a grave cause exists, approved by the judgment of the Superior, who can also remove them from office before the appointed time if they administer it badly.

Those who have been elected shall undertake their offices as their obedience demands and shall humbly execute their duties without refusal. Those who act otherwise without a just cause approved by the Superior shall, at his discretion, be deprived of the right of voting, so that they can neither elect others nor be elected by others.

The Superior of the monastery, as the common mother of all the nuns, shall most diligently take counsel for the welfare of both their bodies and their souls. She shall diligently admonish them to be pure of heart, preserve integrity of life, and strive toward the perfection of all virtues. For those who have undertaken religious life, unless they endeavor according to their strength to attain that highest degree, assuredly accomplish less than they ought according to the institute of their life and order--

[The sentence continues in source chunk B6-080.]

§ 3, continued.

[Printed page 510]

--which they profess. Let her remember, however, that she must render to the most just Judge an account of all the faults which the nuns have committed through her negligence or fault.

Above all, let her take care that the peace and concord of the sisters be preserved, with all causes of dissension and discord removed so far as she can accomplish it, so that, as they ought, they may be bound together as one body and one spirit in their Spouse Jesus Christ by the perfect bond of charity.

Let her also strive that each rightly perform her own duty and that no one occupy the office of another except for the sake of assistance and at her own command; that everything be performed in order; and especially that silence be observed at the prescribed hours and places. But if anyone's importunity, in deed or word, has disturbed the sisters' peace and violated charity, let her be most sharply punished by the Superior herself and, if need arises, by the higher Superior of the nuns also, and let the pride of her spirit be subdued.

All the nuns shall render complete obedience and observance to this Superior or to her Vicaress, who in her absence possesses her authority and place, as their vow demands.

But any nun who has neglected her commands and has been unwilling to undergo the penance imposed upon her, or has answered proudly and injuriously without regard for her dignity, or by contumacious defense or excuse has impeded her from rebuking or chastising those who have committed some offense, shall be accused before the higher Superior by those whom we called Discreets, so that she may pay grave penalties for her contumacy and insolence. If the Discreets do not do this, they shall be compelled on one occasion to apply scourges to themselves under the name of discipline and to take their food upon the ground.

Every week the Superior shall also hold an assembly or Chapter of the nuns, for the purpose of correcting the nuns for the faults which they have committed publicly or in the duty of their offices. They shall spontaneously and humbly seek pardon for them before everyone; the Superior shall impose penance upon them and employ the other measures handed down in their institutes for keeping the pious in humility and contempt of self and for making them diligently pursue all virtues.

Let the nuns take care not stubbornly to refuse a penance imposed by the Superior, nor with a malicious spirit to reproach one another with offenses from an earlier time.

The penalty for one who has committed this shall be that she immediately kiss the ground at the feet of each nun and apply scourges to herself as a discipline.

In matters of somewhat greater gravity, the Superiors shall decide nothing unless the greater part of the Discreets, or Mothers of Council, know and consent.

But in matters which require greater deliberation, the Superiors shall summon the whole Chapter of nuns, and what has pleased the greater part of the nuns shall be ratified by them.

In all secret ballots, however, let the nuns take care not to hand the voting balls or counters into one another's hands. The penalty for those who commit this shall be that, deprived of participation in Chapter, they can neither elect nor be elected by vote, at the discretion of the Superior.

None shall be admitted to cast votes concerning any matter referred to them except those who have dwelt in the monastery for three years after making profession.

The Discreets shall excel the other nuns in uprightness and prudence.

They shall not be fewer than four where the nuns are no more than forty; but if there are more, at least six shall be created.

Nuns of mature age and proven uprightness shall be placed over the hearing of the conversations of the others. They shall perform their office diligently and faithfully, and shall stand by the other nuns who are speaking in such a manner that they themselves hear and diligently notice whatever has been said or done, both inside and outside. They shall not permit anything to be uttered so secretly that it escapes their notice, nor anything unworthy of the handmaids of God to be said or done. If anything contrary to this is committed through their fault or negligence, they shall be punished with the gravest penalty at the discretion of their Superior.

The appointed Mistress of Novices alone, and no one else, shall have the care of the novices in a place separated from the other nuns.

She shall instruct the novices in the fear and worship of God and in the observance of religious life. By the example of a life offering no occasion for rebuke and by continual admonitions, she shall endeavor so to instruct them in the manner of a spiritual and holy life that, advancing with God's assistance, they may become His perfect handmaids.

But any nun who has rashly assumed the task of instructing one of the novices shall be deprived of the right of voting, so that she can neither elect nor be elected for as long as shall please the Superior.

During the day the doors of the monastery enclosure shall be locked with at least one key, which shall be kept by the senior doorkeeper so that they can be opened when necessary. They shall by no means be opened unless both doorkeepers are present. At night they shall be locked with two different keys, one of which shall be kept by the Superior and the other by the same senior doorkeeper.

When the doors are opened for some necessary cause, the nuns shall not dare to approach them in order to look at anything outside or to converse with anyone at all, whether man or woman. A nun who dares to do this shall be confined in a cell and remain there as long as shall seem good to the Superior. The woman placed over the door shall be punished by the same penalty if she either permitted it or did not immediately report petulance of this kind to the Superior.

At the time when offices are changed, one or two mature and prudent nuns shall be placed over the labors of the nuns.

At the turn they shall receive the things to be worked upon and distribute them to those fit to perform that work. When the works have been completed, they shall return them through the same turn to their owners after receiving the payment, always in the presence of the nun placed over the turn.

No other nun shall accept anything to be worked upon, not even from kindred or relations by marriage. A nun who acts contrary to this shall on every occasion apply scourges to herself under the name of discipline in the place where the nuns occupy themselves in completing works.

If any nun, not impeded by illness or another just cause, has abstained from labors of this kind through laziness, idleness, or a certain stubbornness, she shall be deprived of side dishes for the whole time during which she has not applied herself to labor.

In the place where the nuns occupy themselves in labors, a reading shall likewise be employed every day. When it has been completed, they shall discuss among themselves what they have heard and, vying to cast out vices, exhort one another to attain the virtues.

Let the Mistress of Labors take care that secular conversation or songs, or anything abhorrent from the condition and institute of nuns, are not introduced.

The Superiors, even if their office is perpetual, the scribes, and all the others who administer the goods of the monastery in any manner shall keep the prescribed account of them faithfully and accurately.

Every three months they shall present to the Chapter a summary account of receipts and expenditures, so that all may be able to understand the state of the monastery's affairs. But every year they shall render separately an account of all the things which they have administered to the higher Superior or his Vicar and, if there are any, to the appointed administrators of the monastery. Those who have claimed the monastery's goods for themselves or wrongfully lost them shall be punished most sharply at the discretion of the Superior.

[Printed page 511]

So that no occasion of fraud may remain, in each monastery a chest shall be established for this use, that the common money be placed in it. It shall be locked with two keys different from one another, one of which shall be kept by the Superior of the monastery and the other by the senior Discreet. The chest shall not be opened, money placed in it, or money taken from it unless the Superior, the senior Discreet, and the nun-scribe who enters its account are present.

The doors of the granary and of the place where flour is kept shall likewise be locked with two different keys, each of which shall be kept by one of the Mothers placed over that duty. She shall always be present when wheat or flour is brought in or carried out.

The Superior and nuns shall in no way be able to alienate, exchange, lease, or contract concerning the goods of the monastery unless the higher Superior of the property or his Vicar knows, consents, and is present, and the other requirements of law are likewise observed. Otherwise the contract shall be invalid and null.

Likewise, they shall not build unless the higher Superior and the citizens who are administrators of the monastery consent. These shall take care that it be done conveniently and becomingly at the least possible expense.

Those placed over the care of the sick shall show themselves pious and merciful toward them, with the greatest patience and diligence they can, and shall show themselves toward them as they would wish others to be if they themselves were sick.

Food and suitable medicines shall be provided to the sick by the Superior and the ministers elected for this purpose, as the resources of the monastery permit.

The Superior, however, shall visit them every day for the sake of charity, both to be a consolation to them and to learn better from them and provide what they need.

But if one dies, the confessor, together with a companion whom the higher Superior has approved, shall enter the enclosure of the monastery when her body is to be given burial, and shall piously and swiftly perform the office which must be discharged at that time.

CONCERNING GIRLS TO BE ADMITTED TO RELIGIOUS LIFE

As soon as girls are offered to receive the sacred habit, the Superior of the nuns shall admonish their parents, or those to whose care they are entrusted, of the excommunication proposed by the holy Council of Trent for those who compel their own or another's girls against their will to receive or profess religious life. The same shall be done by their higher Superior when his consent is required.

In monasteries in which there are fewer than fifty nuns, only two sisters by blood, or three who are of one stock and family, may be received.

But where there are more than fifty nuns, only three sisters, or four women of the same family, may be received, if it shall so appear to the Chapter of nuns.

The Superior and nuns shall not dare to promise anything concerning a girl to be admitted to religious life by their votes, or to convene the Chapter, before the girl has been secretly examined and approved in a free place by the Bishop or by the person to whom he has delegated this duty, has obtained in writing the faculty of receiving religious life in that monastery, and the higher Superior of that monastery has also consented.

All of them shall first inquire diligently concerning the girl's morals, life, age--which must be more than twelve years--and free and pious will.

At least one year before she is examined and proposed to the Chapter of nuns for admission, she shall have disclosed to the Bishop, the nuns, and their higher Superior her purpose of receiving religious life in that monastery, so that an inquiry of this kind can meanwhile be made maturely.

During that same time she shall confess her sins once each month to the confessor of that monastery, or to the person to whom the Bishop has committed the duty of hearing these girls; she shall receive the most holy Eucharist and speak very frequently with the nuns in the places for conversation, so that she may both be examined more accurately by them and be better admonished concerning everything that she will have to do and endure for the sake of religious life within the monastery enclosure, lest at any time she be able to complain and plead ignorance as an excuse.

Secret ballots shall be cast concerning a girl to be admitted to religious life, and afterward likewise concerning a novice to be admitted to profession, so that the individual nuns, impeded by no affection, may freely satisfy their consciences.

A girl of this kind shall not be received into religious life, nor a novice to profession, unless she has obtained two-thirds of the votes.

The admission of a girl to religious life made otherwise than prescribed shall be invalid and null.

The Superior through whose fault or negligence it was done shall be understood to be removed from the administration of her office or even deprived of it for six months by the fact itself.

The Superior shall immediately inform the higher Superior of the outcome of the votes, so that the name of the woman received may be entered by him in the book instituted for this use.

As soon as any girl has been received by the votes of the Chapter, she shall immediately put aside all luxury in dress and empty ornament. She shall be clothed in black, dark-brown, or white clothing, but not silk, with such modesty and submissiveness that all may understand that she has renounced the world in order to serve God religiously. She shall always use this clothing until she enters the monastery and shall meanwhile abstain from dances and empty spectacles.

A girl received in the manner stated shall not be clothed with the garments of the nuns in the monastery until six months after she has been received, and this with the permission of the Bishop and the higher Superior of the nuns. They shall be free either to lengthen or shorten that period of six months as shall appear expedient to them.

To avoid tumult, she shall be conducted to the monastery in the morning by her closest female relatives, with no pomp and no invitation of others, and shall be introduced alone into the interior Church of the monastery. After hearing Mass, receiving Communion, and employing the other solemn ceremonies, she shall be clothed before the other nuns by the higher Superior or the confessor of the monastery, who shall accompany so grave and sacred an action with an appropriate discourse. The same shall also be observed at profession.

The higher Superior or confessor shall employ this precaution: he shall not impose upon the novice girl the name of Gentile women, but that of holy women celebrated by the Church.

After a girl has received the clothing of the nuns, she shall no longer be able to depart from the enclosure of the monastery, unless perhaps before profession she repents of having entered the monastery. But if she has once departed, no faculty of returning shall thereafter be granted to her.

On account of a novice, before profession, nothing shall be given to the monastery according to the decree of the Council of Trent except what is necessary for her food and clothing during the time she is in the novitiate. We will that the whole of this be paid before the girl enters the monastery.

§ 3, continued.

[Printed page 512]

CONCERNING NOVICES TO BE RECEIVED TO PROFESSION

Since, by the decree of the Council of Trent, a profession made before the completion of the sixteenth year and before the completion of the period of probation after receiving the habit is null and produces no obligation, let the Bishops take care that no novice be admitted to profession before that age and time.

Thirty days beforehand the Superior shall inform the Bishop of the time at which a novice is to make profession, so that either he himself or, if he is absent or impeded, another to whom he has given that task may ascertain the novice's will; may examine whether she is of the condition which the rule of that monastery and order requires, and whether the monastery itself is suitable; and, finally, may demonstrate how grave that matter is and how many things the three vows of religion require, so that before she is received to profession she may understand the force of the bond by which she wishes to bind herself.

If the Superior neglects to do this, she shall by the decree of the same Council of Trent be removed from her office for as long as shall seem good to the Bishop.

The novice shall not be examined within the monastery enclosure, but outside it in the public Church of that monastery, so that she may freely and confidently explain her will.

That which, after profession has been made, is given to the monastery as alms for the support of the professed woman shall, at the time when the girl receives the religious habit, be deposited with a man approved by the nuns and their higher Superior, so that it may be available to the nuns at that time without any impediment.

No renunciation of property shall be made by a novice except, as was commanded by the Council of Trent, with permission granted by the Bishop or his Vicar, within the two months immediately preceding profession.

And since nuns who, after making profession, have received the veil ought to recite the divine office of their religious order every day, no one shall be admitted to profession who does not know how to read competently and learn the office. The person whose duty it is to examine them must test this, and shall order her to read in his presence.

The profession, and the day and year on which it was made, shall be preserved in memory in a book made for that use by the hand of the nun who performs the office of scribe, with the signature of the woman professed, provided that she knows how to write, and of the higher Superior who admitted her.

On the day when a girl makes profession or puts on the monastic habit, banquets shall not be held nor sweetmeats given by her relatives and friends in the guesthouses or buildings of the nuns.

CONCERNING THE DIVINE OFFICES, PRAYERS, AND READING OF THE NUNS

Since it especially pertains to consecrated women continually to praise God, the Creator, Preserver, and Redeemer of the world; to give thanks to Him; and to beseech Him to impart His mercy to all men for salvation, all the nuns shall therefore frequent the choir by day and night and be present at the sacred offices celebrated by themselves distinctly and attentively, both with the voice and with a pious affection of the mind. Only those whose excuse of a just impediment the Superior has accepted are excepted.

Each shall be present at the beginning of the divine offices, clothed in the suitable dress of her order and in her own proper place, and shall remain until the end, not departing before the Superior, or another in her place, has given the signal for departure, unless necessity demands otherwise and the same Superior permits it.

Sounds and songs which are not upright and spiritual, conversations, laughter, and whatever else is unworthy of the house of God and of His divine Majesty, with whom we converse in prayer, shall be altogether removed.

Any nun who acts contrary to these commands shall be sharply punished at the Superior's discretion according to the measure of the fault.

And because the prayer of the mind excels that which is expressed only by the mouth by as much as the soul is more excellent than the body; brings incredible consolation and fruit to the pious; and daily heaps new gifts upon them, converting them in a certain manner to God: therefore, in addition to the canonical hours and the other prayers which they are bound by office to have, all the nuns, affiliated women, and converse sisters shall assemble in choir every day, unless necessarily impeded, and employ mental prayer for at least one hour--namely, half an hour after Matins and likewise after None or Compline. With their minds lifted to God, they shall contemplate pious and salutary matters, and especially meditate diligently upon the life and doctrine of our Lord Jesus Christ and His holy mysteries: namely, His Passion, death, Resurrection, Ascension into Heaven, final coming for judgment, the glory of the blessed, the punishments of the damned, and other matters of this kind which pertain to the glory of God and their own salvation and that of their neighbors.

But since the holy Synod of Trent forbids the most holy Body of Christ to be preserved in the choir or the monastery enclosure, rather than in the public Church, let the Superiors bring it about that this decree is obeyed everywhere.

On feast days, so that idleness, from which all evils arise, may be avoided, the nuns shall consume the time remaining to them after the divine offices and customary prayers in sacred and other reading which leads them to a knowledge of God and of themselves and shows the way of perfection and eternal life. They shall do this either separately or together, since reading of this kind is a sweet and fruitful delight of souls, restrains vices, and inflames toward virtues; but, on the contrary, the reading of empty books corrupts minds.

Lest this occur, the higher Superior or confessor shall inspect and review all the books of the monastery, compelling each nun by virtue of obedience to produce her own.

CONCERNING THE PRACTICE OF COMMON LIFE AND THE ABOLITION OF PROPERTY

In all monasteries, as regards food, drink, sleep, and other things, let all live in common, as was decreed by the holy Council of Trent. Let nothing differ among them; let no one be preferred or postponed to another, as the vow of poverty demands, so that "yours" and "mine," and every private possession of things, may be entirely removed in deed and word, as also every superfluous and empty use of things.

Let there be no one who possesses or employs anything as her own, even if it has been granted for a necessity.

Therefore, all the revenues of the monastery, of whatsoever kind they may be, including alms and gains from labors, books also, legacies, and movable and immovable goods which they have received by testament, donation, or any other cause, shall be contributed by the individual nuns for the common utility of the monastery. The Superior, according to her prudence and humanity, shall from these goods make provision especially for the need of the very nun to whom they would have pertained had the vow of poverty not stood in the way.

[Printed page 513]

And so that every occasion of private ownership may be removed from monasteries, confessors and Superiors, for the sake of observing the vow of poverty more exactly, shall endeavor to persuade the nuns to arrange that all linen, woolen, fur, or other garments of any kind be kept in a common place; and that, at the time offices are changed, two of the nuns be placed over shaking out, cleaning, and mending them. These women shall distribute them to the sisters each week according to the season and as use demands, and no one shall keep any garments in her possession except those necessary for daily use. The garments of sick women suspected of contagion shall be kept separately or left with the sick women themselves.

Gifts sent to individual nuns shall be brought to the Superior, and no one shall be able to receive or use one unless the Superior knows and consents. She ought to devote herself entirely to rooting out from the monastery the vice of property ownership as a cause of many evils, nor shall she permit anyone to keep money in her possession.

Three times each year, the Superior, together with the Discreets, shall diligently examine and search the cells and furnishings of the individual nuns, lest anyone possess anything as her own or more than has been granted for her use.

If anyone has been discovered or convicted of retaining private property, she shall for two years be deprived of active and passive voting rights, according to the decree of the Council of Trent, and shall also be punished according to the constitutions of her rule and order; much more shall one be punished who has secretly claimed for herself something from the common property or from that which was assigned for another's use.

If, moreover, a mirror, little dog, ointments, perfumes, or anything of this kind of empty things is found in anyone's possession, the higher Superior shall immediately take care that it is removed from the monastery and that the woman with whom it was found is sharply punished.

No nun, whether a veiled nun or a lay sister, can give as alms, bestow, or sell food, clothes, or goods of any kind, even if they have been assigned for her use, nor can she bequeath them at all. One who acts otherwise shall have her veil taken away for a month and shall be compelled three times to afflict herself with blows as a discipline.

In this matter, however, the Superior shall retain the full power to grant permission to anyone to whom she judges it ought to be granted to bestow something for devotion and religion, or some other small thing, upon relatives and those who have deserved well.

At the sound of the smaller bell, all shall assemble for the blessing of the table, which shall be given by the Superior or Vicaress, or, in their absence, by the senior Discreet.

Then, reclining in their place and order, they shall not depart before thanks have been given to God. One who has not obeyed shall be deprived of side dishes for one day and compelled to sit in the last place at table.

Morning and evening, at the first and second table, some spiritual book which kindles religious devotion shall be read every day, while all who recline listen with silence and attention, so that the soul may be refreshed together with the body.

All the nuns shall, if possible, sleep in one place, very securely locked by the Superior or the Vicaress, whose keys shall be kept by the Superior herself.

Each shall sleep altogether in a separate bed, and also in a separate cell if there is such an abundance of cells that they can contain everyone. But the cells shall be open by day and night so that the Superior may inspect them at every hour. When the signal for going to bed has been given and the sleeping place has been locked, the Superior, her Vicaress, or one of the Discreets shall visit all the cells to observe whether all are sleeping in their own places.

CONCERNING ENCLOSURE AND MATTERS WHICH IN ANY WAY PERTAIN TO MAINTAINING IT

No diligence ought to appear excessive to nuns for guarding that treasure on whose account, renouncing kindred, family property, and all earthly things and cares, they have enclosed themselves within the monastery enclosure.

Therefore, so that their holy purpose may be fortified on that side which lies most open to the devil's snares, let the Bishops take care that two iron grilles or gratings are established at every small window where conversation is held, at least one palm apart from one another.

Between the iron bars of which each grille is constructed there shall be altogether no more than one inch. The bars shall be so solid that they can neither readily be broken nor bent.

To the innermost grille, which the nuns approach for conversation, there shall be affixed an iron plate which cannot be moved and is perforated with small holes for the convenience of hearing only. A black linen cloth, affixed to

wooden tablets in the manner of a window which can be opened when conversation is to be held, shall be placed upon it.

In that plate a square little window of only nine inches may be made. Its key shall be kept by the Superior, and it shall not be lawful to open that little window except when conversation is to be held with the Bishop or the Superiors of the order, with the parents or siblings of the nuns, with others joined by a close degree of kinship, when some legal instrument must be drawn up, or when a sacred discourse must be heard.

As regards the concession of this small window, those monasteries are excepted whose nuns, by law or custom, are never accustomed to be seen by persons outside.

The doors of the places assigned solely to conversation, both inside and outside, shall always be locked. Their keys shall be with the most senior of the nuns placed over hearing conversations, and they shall be opened only when there is need of a longer conversation. Otherwise, through the little grilled window of the door, while the door remains closed, the doorkeeper shall answer those who knock; the sister at the turn shall answer from the turn.

But the places assigned to conversation inside and outside shall always lie open while persons are speaking there, so that it can be seen who they are.

Within one month, the doors through which access lies from the monastery enclosure into the exterior Church shall be obstructed by a wall. If anything contrary to this is committed through the fault or negligence of the Superior, she shall be deprived of both her office and her veil at the discretion of the higher Superior.

All windows and gratings, and every place through which the nuns can look into the exterior Church, shall be walled up, except the window in which the turn is placed, the little window established solely for the reception of the most holy Eucharist, and the window through which they may behold the Body and Blood of our Lord Jesus Christ elevated by the celebrating priest.

That window shall be perpetually covered with a linen cloth, which shall be removed only when the most holy Eucharist is elevated. The arrangement of the window shall be such that the priest cannot behold the nuns from the altar.

Let the Bishops and other Superiors take care that monasteries cannot be looked into from the neighboring buildings, whoever their occupants may be, and especially if the buildings of brothers of any order or of presbyters overlook them. In that case they shall command that the walls be raised higher and new ones built at the expense of those whose Bishops--

[The sentence continues in source chunk B6-082.]

§ 3, continued.

[Printed page 514]

--and those who are the administrators of the monasteries shall judge to be concerned, every appeal being removed.

For this reason they shall also implore the assistance of secular Princes, so that the nuns, free from the sight and hearing of persons outside, may securely walk through the monastery.

Henceforth Regular men shall not migrate to those places, nor buy plots adjoining monasteries of nuns for the purpose of building, from which a view of the nuns may be obtained. We forbid the nuns hereafter to build monasteries neighboring the buildings of Regular men or places from which they themselves can be seen by them.

Buildings next to monasteries of consecrated women shall not be leased to women of ill repute.

Nor shall spectacles, songs, dances, games, and profane and empty things of this kind be practiced there, which could call them away from sacred duty or furnish them with a cause of offense.

As was sanctioned by the holy Council of Trent, it shall under no circumstances be lawful for a professed nun to depart from the monastery enclosure except for a legitimate cause approved by the Bishop.

But permission to depart of this kind shall by no means be granted unless a most grave matter and supreme necessity demand it; nor shall it be granted to those nuns for whom departure is unlawful except by concession of the Supreme Pontiff. Apostates, fugitives, and those expelled from monasteries on account of an offense, who wander with or without the sacred dress, not without scandal to religious life, shall be compelled by the Bishops and their other Superiors, with the aid also of secular Princes being sought, to return to their monasteries, so that there they may pay fitting penalties for their crimes. But if it appears to the Superiors that they ought by no means to be restored to the monasteries, let them be enrolled, together with the goods which they brought to the monastery, among those women whom they call *converse*. When those women have died, the goods shall be restored to the former monastery. If any nun has introduced into the monastery enclosure a male or female of any age or condition, even her mother or sisters, she shall be confined in prison for three months; on every Friday while she fasts, nothing but bread and water shall be furnished to her for food and drink; and her veil shall be taken away for a year. Those placed over the turn and the door shall undergo the same penalty, as shall also the Superiors and any others by whose consent it was committed.

But whatever cleric, whether secular or Regular of any order, or layman of whatsoever status, dignity, rank, or condition, has dared to enter the enclosure of the nuns by day or night shall, besides the penalty of excommunication which he incurs by the law itself under the decree of the Council of Trent, also be punished with other most grave penalties, account being taken of the person and crime. If he is an ecclesiastic or possesses benefices, he shall at the will of the Ordinary also be prohibited from the ministry of his orders and deprived of all his benefices. From this decree we except those to whom the Superior, on account of labor and skill necessary to the monastery, has granted in writing a faculty of entering the enclosure, to be renewed every year. But he shall remember that the Council of Trent has taken away from him the right of granting faculties of this kind except in necessary cases. He shall therefore take care that persons outside are not introduced into monastery enclosures to perform duties which the nuns within can discharge. And so that one and the same rule for discerning this necessity may be observed everywhere, and that ready practice of granting permission may be restrained, the Bishop, having called into counsel all the Superiors of monasteries, even Regulars, shall establish and prescribe what works require the necessary entrance of persons outside into monasteries. Whatever rule he prescribes in this matter shall be inviolably observed by all, even Regulars.

Within the enclosure of a monastery, males and females of every kind, even if they serve the nuns themselves or are advanced in age, shall for no reason pass the night. The penalty of excommunication *latae sententiae* is proposed, which both the person who passes the night and the Superior who permits it shall undergo; other penalties shall be added at the discretion of the higher Superior. Nor shall they keep within the same enclosure oxen, horses, or beasts of burden of any kind.

If the contrary is done, the Superior shall be removed from the duty of her office for three months.

The nuns shall converse with no person outside at all unless that person brings permission written and sealed by the Superior of the monastery or by the person whom he has substituted in his name, and copied without charge in the episcopal chancery. A nun who acts contrary to this shall for three months be deprived of the faculty of speaking with any person outside of either sex, even relatives, and shall be compelled on each Friday during that time publicly to apply scourges to herself under the name of discipline and to pray with the Psalm "Have mercy on me, O God."

Written permissions shall be received by those placed over the turn and carried to the Superior before the nuns named in the writing are summoned. When the Superior has read the writing and recognized the hand and seal of the person whose office it is to grant permission for conversation, after giving her blessing she shall permit those named in the writing to speak only with the persons expressly described, and this at the common little window for conversation, not at the door, in the Church, or elsewhere, with the nuns appointed to that duty always present as

witnesses. Those who approach for conversation shall bring their speaking to an end briefly and shall take care not to consume in empty or useless conversation time, than which nothing is more precious.

It must not be tolerated that nuns, especially on sacred days, wander from prayer and other pious exercises and consume time in conversations which are by no means necessary.

Therefore, on days when the most holy Eucharist is received, whenever feast days of obligation are celebrated by the Church, during Advent and Lent, on vigils of obligation, and finally whenever divine offices are being performed, the nuns shall converse with no person outside at all, unless necessity so demands.

Neither the nuns placed over hearing conversations nor those who will speak shall communicate to anyone at all what they have received from persons outside, lest the monastery be filled with absurd and empty rumors, except to the Superior if it appears expedient to them that some things be reported to her.

Let the Superior and those placed over hearing conversations be vigilant that no one approach to converse with the nuns under the feigned name of the person named in the written permission. If anyone has committed this, he shall be punished by the Bishop; the nun who conversed with him, and those who knowingly permitted it, shall be punished by their Superior with a grave penalty at their discretion according to the prescription of these constitutions.

Whatever cleric, whether secular or Regular of any order, or layman of whatsoever status, dignity, rank, and condition, has approached a monastery of nuns and held a conversation with one of them without obtaining the faculty of speaking as prescribed shall be gravely punished.

By this edict, however, we do not will fathers or brothers to be bound. Without obtaining that faculty of speaking, but with the other rules enacted concerning this very matter observed, they shall be permitted to speak only with their daughters and sisters, but never to enter the enclosure.

[Printed page 515]

No one at all, sacred or profane, male or female, shall be permitted to approach monasteries of nuns for the purpose of teaching the chant which they call figured.

In those monasteries, however, in which the organ is played not by secular persons in the exterior Church but by the nuns inside, the Superior may permit a man approved by the Bishop in morals and age to teach only the nun-organist the art of playing outside at the nuns' little window for conversation, if it is necessary for her to make greater progress in that kind of study.

While learning, she shall remain inside at the small window itself; two of those placed over hearing conversations shall always stand beside her.

Anyone who acts contrary to this, whether the Superior or another, shall be deprived of the veil and afflicted with other penalties at the discretion of the higher Superior.

Henceforth an organ shall not be installed unless the place in which it may fittingly be placed has first been approved by the judgment of the Superior.

The nuns themselves are also forbidden, whether inside or through others outside, to play musical instruments apart from the organ and the harpsichord by which the art of playing the organ is learned.

It shall not be lawful for nuns, for the sake of deposit or safekeeping, to hold in the monastery the money, jewels, garments, or any things of that kind belonging to any person, not even vessels of flowers or plants.

But if they have any at present, they shall return them within three months to those to whom they belong, so that every cause of inconvenience may be removed.

For the contumacious or negligent the penalty shall be deprivation of office for the Superiors and deprivation of the veil for the others.

The nuns shall not use secular male or female clothing even for the sake of relaxing the mind, since it is unbecoming for the handmaids of God to put on garments alien to their profession. But, with decorum always observed and with the Superior's permission, it shall be lawful to relax the mind in a manner upright for every time and action and becoming to virgins consecrated to God.

We also forbid the nuns to make little confections or other things of this kind for the purpose of giving them away, because of the loss of time and the expense bestowed upon them. One who commits or permits anything contrary to the decree shall be punished at the discretion of the higher Superior; but action shall be taken especially against the Superior.

No nun shall be permitted secretly to write letters to anyone except the higher Superior and Bishop, if he must be admonished concerning some grave matter.

Nor shall she open and read letters sent to her unless the Superior has first read them in the presence of the Vicaress or has ordered them to be read in her own presence.

A nun who, contrary to this law, has written or received letters shall not set foot out of her cell for two months, and shall be compelled on every Friday to fast in such a manner that she eats only bread and water. And if those letters contain some suspicion of a crime, the person to whom they were written shall, besides the aforesaid penalty, for six months be deprived both of the faculty of speaking at the nuns' little window for conversation and of her veil.

But so that the Superior cannot be deceived by fabricated letters shown to her which differ from those received and those through which a reply was made, those placed over the turn shall receive all letters which reach the monastery and shall immediately bring them to the Superior. From her they shall also receive letters written by the nuns, closed and sealed in her presence, and afterward hand them to messengers outside.

CONCERNING THE CONVERSE SISTERS

Converse sisters at least forty years of age and approved by the higher Superior shall have the faculty of departing from the monastery enclosure for business necessary to the monastery, yet with the Superior's permission whenever they must depart.

The Superior shall also be free, if it shall so appear, always to retain them within the enclosure; we vehemently exhort her to do this, provided that she can.

They shall not go forth to funerals except those who belong to mendicant orders.

When going out, they shall go forth in pairs, and shall not depart farther from one another than permits them mutually to see and hear each other.

If it should happen that they leave the city, they shall always sleep in the same bed. They shall take care not to enter the house of any person of ill repute, even if that person has deserved well of the monastery.

Nor shall they pass the night in dwellings where no other upright women reside, nor secretly carry letters or instructions.

Nor shall they report to the nuns anything empty which they have seen or heard outside.

For those who offend, the penalty shall be prison, or even a graver penalty, at the discretion of the higher Superior.

CONCERNING SECULAR GIRLS WHO ARE EDUCATED IN MONASTERIES

Secular girls of every birth, condition, and age who now reside within the monastery enclosure for education or another cause shall be compelled to leave the monastery after one year, unless, endowed with all the qualifications required for receiving religious life by the institutes of the monastery and the decrees of the Council of Trent and of

these constitutions, they wish to assume monastic clothing. The Bishops are nevertheless permitted the faculty, for a probable cause, of extending the time at their discretion, with the consent of the Regular Superior in those monasteries subject to him.

Hereafter girls shall not be received into monasteries for education without permission granted in writing by the Bishop and by the Regular Superior if the monastery is subject to him, to which the written consent of the Metropolitan shall also first have been added.

This permission shall not be granted to girls who have persons by whom they can suitably be governed and educated, or to those who have not completed their tenth year, or who are older than fifteen years.

Those who once depart from a monastery shall no longer be admitted either into it or into any other, unless they wish to become nuns. Girls of this kind shall use only black, dark-brown, or elsewhere other-colored clothing, not silk. They shall use no added kind of ornament; they shall not be adorned, nor possess earrings, necklaces, or luxuries of that kind.

They shall not converse with relatives or other persons outside unless the same requirements decreed above concerning nuns in this matter are observed.

They shall sleep, take food, and remain in a place separated from the nuns, except for those placed over governing and instructing them; and they shall have no association with any nun except in the Church when Mass or the divine offices are celebrated.

For the food and education of the girls, no less than thirty gold coins shall be paid to the monastery each year, half of which money shall be paid every six months. But if that money has not been paid during those six months, the girl shall be sent back to her family, whom the magistrates shall compel to satisfy the monastery entirely.

Any one of these girls who wishes to become a nun shall be sent to her relatives or those who have care of her, with whom she shall remain for at least one month before she is examined by the Bishop or his ministers, so that her free will can be inquired into and examined more readily and better.

[Printed page 516]

It shall not be lawful for the nuns to teach either letters or any art at all to girls living outside in their own homes, not even at the little windows or other places for conversation. If the Superior of the nuns has permitted this in any manner, she shall be deprived of the office of administration for six months.

CONCERNING PREACHERS, CONFESSORS, VISITORS, AND CHAPLAINS

Those who preside over monasteries shall employ learned, prudent, and pious preachers, who at least twice each month shall preach the word of God at the grilles for the nuns' conversation or the small windows of the Church and instruct them in everything pertaining to the worship of God and the attainment of eternal salvation.

Preachers shall not be permitted to converse separately with the nuns unless permission is granted to them by the Superior of the monastery.

Confessors advanced in age, prudent, and fearing God shall also be placed over the nuns. At least once each month they shall hear the sins of the nuns and administer the most holy Eucharist to them, as the holy Council of Trent judged ought to be done.

No Regular shall be able to hear the sins of the nuns unless he has first been approved by the general Chapter, the General of his order, or, in his absence, by his Vicar General. He shall furnish proof of this to the Bishop of the place where the monastery is situated or to his Vicar. All confessors of nuns, both secular and Regular, shall be changed after two years, or three at most, unless some just or necessary cause shall appear to the Bishop, or to the General of the order if the monastery is subject to Regulars, to demand that their term be extended.

They shall not be able to enter the monastery enclosure unless this has been conceded to them by the Superior for some cause, except in the case of administering the Sacraments to sick nuns when they labor under a grave and dangerous illness.

While they remain within the enclosure, two or three nuns who excel the others in age shall accompany them. The same nuns shall accompany all persons who enter the monastery enclosure, even Superiors and visitors, after the nuns have first been given the signal to withdraw by the sound of the smaller bell. Unless the Superior observes this custom, she shall be removed from office at the discretion of the higher Superior.

Confessors shall not remain for the purpose of taking food in those places of the monasteries called guesthouses except during the time of confessions.

Even then they shall not sleep there at night unless death threatens one of the nuns, so that they can be at hand to administer the Sacraments and perform the remaining offices of piety, or unless they have no dwelling near the monastery, as occurs in many monasteries situated in the diocese.

No secular or Regular confessor shall be permitted to dwell continually in the guesthouses and buildings of the nuns or to live there at their expense. If persons sleep in places adjoining the monastery, there shall be no windows or turn; and if there are, they shall immediately be covered with a wall, so that nothing done or said in that place can be seen or heard by the nuns.

The grille, plate, and linen cloth of the small window of the place where the nuns confess shall adhere together in such a way that they cannot be removed and that from there persons can only be heard and can by no means be seen.

Confessors who offend in these matters shall immediately be deprived of office, and at the discretion of the higher Superior the faculty both of approaching that monastery and of administering divine things to them shall be taken away.

All Regulars and other clerics of every kind shall undergo the same penalty if they take food or sleep in the places for conversation or guesthouses of the nuns, or give gifts to or receive them from any nun who is not joined to them in the second or a closer degree of kinship.

Higher Superiors, however, may at their discretion converse with them and eat and sleep in the guesthouses while they visit the monasteries, provided that houses of the brethren of their order are not there. If there are such houses, they ought to lodge with them and not be burdensome to the nuns.

The same Superiors shall not receive money, gifts, or rewards from the nuns, so that the nuns may understand clearly that in a visitation of this kind they take counsel only for the glory of God and the salvation of the nuns.

But it shall be lawful for those Superiors who are oppressed by want to live at the expense of the nuns when they visit them or approach for another cause which concerns the nuns' utility.

Regulars who are brothers of nuns shall, with the permission of the Superiors as stated above, be permitted once each year to converse with their sisters who are nuns, and with them alone, in the presence of those placed over conversation. But if they bring any persons with them, those persons shall not converse with the nuns at all, under the penalty established above for those who converse without permission.

The companions of Regular confessors shall be advanced in age and approved by their Superior. They shall not be able to converse with any nun except the Superior and the women placed over the turn and guesthouse, if the confessors need anything while they are hearing sins, under danger of the same penalty.

Furthermore, by the decree of the holy Council of Trent, the Superiors shall every year provide a suitable extraordinary confessor for the nuns subject to them, to whom they shall take care that all make confession. Thus those who need a remedy of this kind on account of some hidden malady of the mind, and who themselves would never dare to ask for it or receive it from their customary confessor, may more freely heal their maladies and escape

the snares of the devil by confessing their sins to the new confessor together with the others.

Priests who are to perform divine service in the public Churches of the nuns shall be of good repute and good morals, and shall also be approved by the person who presides over the monastery.

Those among them who are hired for payment by the nuns shall be chosen not by them, but by the higher Superior or, at his command, by the confessor of the nuns.

Unless they have been granted permission in writing, they shall not converse with the nuns except with those who preside over the sacristy. With these they shall speak at the Church turn as briefly as possible and only concerning those matters necessary for the sacrifice of the Mass.

When the feast day of the nuns' Church is celebrated, the preparations shall not be magnificent and costly, but pious and modest, and shall exhibit religion rather than some empty show.

Musicians employing figured chant or any musical instrument shall not be admitted to it.

The Superior of the nuns shall admit no one to the service and administration of the monastery whose age and morals have not been approved by their higher Superior.

The same higher Superior shall also approve those who now serve the nuns. In this number shall be understood physicians,

[Printed page 517]

barbers, those placed over the oven or bakery, and all others who must enter the nuns' enclosure. Those who administer the monastery's affairs shall every year render an account of their administration to those whom we have mentioned; and within two months they shall provide good sureties to the episcopal chancellors that they will faithfully render an account of their administration. If they neglect to do this, they shall be considered deprived of office.

In parish Churches annexed to monasteries of nuns, perpetual Vicars shall be appointed by the Bishops according to the form prescribed by the Council of Trent.

CONCERNING THE PROPER RULE AND THE CONSTANT READING OF THESE CONSTITUTIONS

Since professed nuns ought to observe not only the precepts of God and Holy Church, but also their own rule and the laws and institutes of their order, it will be worthwhile to renew in their memory as often as possible the duty owed to their vocation and profession.

Therefore, by virtue of holy obedience, we command that in each monastery at least one chapter of the constitutions of the rule or order to which they are bound be read every day by one nun while the other professed nuns listen.

This reading shall begin with the first chapter and proceed thus to the last, and afterward return to the first, so that, with the same order and progression preserved, the practice of this sacred exercise may never be interrupted. We command, moreover, that these constitutions also be read frequently, so that from the frequent recollection of salutary precepts the nuns may become more diligent in discharging their duty. In this matter we admonish the Superior to invite the others to the highest observance of the laws no less by her example than she compels them by her authority.

Finally, all confessors of nuns are commanded once to read and explain all these decrees to all of them. We shall take care that these, translated into the vernacular, are published at the earliest opportunity for the common utility of the province; and the confessors shall vehemently exhort them to observe the decrees altogether as they ought.

It is not our intention that those nuns who live bound by stricter bonds of constitutions and rule should depart from the institutes of life they have undertaken; rather, we command that they observe these decrees also together with them.

I wished to adduce these things from the institution of that most holy and prudent prelate so that Prelates might have a form according to which they may reform monasteries. Since, however, the same things do not suit all places and times, they may omit some and add others according as, with prudent and mature zeal, they judge it fitting for the eternal glory of the divine Majesty, the salvation of souls, and the piety of the people.

CHAPTER XLVIII

Epilogue and Exhortation to the Clergy to Pursue the Perfect Observance of the Gospel's Precepts

§ 1. The calamities of the times now show that my exhortation is indeed superfluous, for they are so grave and frequent that, if anyone has grown hard at their blows, he seems likely to shut out every discourse also. For whom will words move if he remains unmoved by lashes? But if anyone understands that the evils which we suffer occur deservedly, and that disasters are the companions of sins, there is no need of words to make him endeavor to escape them; the destructions themselves have strength enough to strike fear of themselves. Nor is the greatness and dignity of Bishops such that it should be judged unbecoming for them to be admonished by a private man. All who fail in their office must be entreated, admonished, taught, and rebuked, lest they sleep securely amid their evils; those who perform their office must be admonished to continue. No height is beyond a fall; no one is beyond danger. Therefore circumspection must be inculcated in all. From the first See, which is judged by no one, down to the last chaplaincy, which judges no one, there is no security of health; and in all men the assaults of vices display themselves every day like fevers. Indeed, the highest summits of dignities have frequently been besieged by the highest vices; hence come graver falls from on high, made with the crushing of the whole body, and powerful torments for the powerful.

What, then, shall I do? I shall entreat my superiors as fathers and lords, my equals as brothers. Yet all of us are equal when the peril of the soul is at issue, since we all remain ignorant of what evil concerning oneself, and what good concerning others, eternal Wisdom has decreed in the depth of His judgments. Indeed, those who are judged are in less danger, while those who judge are in greater, because they possess more causes of perishing--namely, as many as the souls which can perish through their negligence. Let all, therefore, stand and contemplate their offices and the lives of the martyrs and confessors. They fought and, lest they sin, stood against the force and bitterness of torments. But how shall we be called their sons and successors if admonitions and penalties do not deter us from sin, when neither promises could entice them nor punishments drive them to sin?

Bishops, Priests, Deacons, and others will come to the eternal tribunal of God; we too will come. Their scars and wounds will accuse our wickedness with the greatest power. The Lord will say to them:

The stronger your confession was in suffering, the more illustrious and greater in honor it is. The battle increased; the glory of the combatants increased. You were not held back from the battle line by fear of torments, but were provoked still more to battle by the torments themselves. Brave and steadfast, you came forth with ready devotion to the combat of the greatest contest. Among you I have already found some crowned, but some near to the crown of victory; and all whom the prison enclosed in a glorious company animated by an equal and similar ardor of virtue for waging the contest, as the soldiers of Christ ought to be in the divine camp, so that flatteries do not deceive, threats do not terrify, and tortures and torments do not overcome the incorrupt firmness of faith, because He who is in us is greater than he who is in this world. Nor can earthly punishment do more to cast down than divine protection can do to raise up.

The matter has been proved by the glorious combat of the brethren, who, having been made leaders for the rest in overcoming torments, furnished an example of virtue and faith, engaging in the battle line until the defeated battle line gave way. With what praises, therefore, shall I proclaim you, most valiant brethren? With what proclamation of the voice shall I adorn the strength of your breast and the perseverance of your faith? You endured the harshest examination until the consummation of glory. You did not yield to the punishments; rather, the punishments yielded to you. The crowns gave an end to pains which the torments did not give. The graver butchery continued for a long time for this purpose: not to cast down the faith which stood, but to send the men of God more swiftly to the Lord.

The multitude of those present beheld with wonder God's heavenly contest, the spiritual contest, the battle of Christ: His servants stood with a free voice, an incorrupt mind, and divine virtue; naked indeed of secular weapons, but armed with the weapons of believing faith. The tortured stood stronger than the torturers, and their beaten and lacerated limbs conquered the claws which beat and lacerated them. The long-raging and repeated wound could not overcome their unconquerable faith, although, when the frame of their entrails had been ruptured, it was now not limbs but wounds that were tortured in the servants of God. Blood flowed which would extinguish the conflagration of persecution and quench the flames and fires of Gehenna with glorious gore.

[Printed page 518]

What excuse will remain for us if that day which shall behold the requital of all actions sees us defeated and broken by desires, contaminated by vices? Our ancestors will marvel that we are so degenerate, because they will understand that we were prostrated without violence and without an enemy. They will be astonished that the laws enacted by themselves--the divine laws, the laws of the Church sanctioned by their own blood--were burdensome to us. So many thousands of virgins who endured the most exquisite torments lest they violate chastity will regard it as monstrous that chastity and sobriety are burdensome to priests.

The chief point of salvation in the Church is to refer everything to the ancient canons and to imitate the ancients. Saint Charles Borromeo admonishes his Bishops concerning this matter in his discourse to the First Synod of Milan:

We shall readily restore moral discipline if, in restoring it, we employ the same method and the same deeds by which it was first established and long preserved, following the footsteps of those who, with God as author, acquired for us this greatness of goods by their virtue. I ask, Fathers, that we set before ourselves the sanctity of their lives and their wisdom in the admirable fulfillment of their office. They were upright, chaste, simple, modest, humble, well-mannered, assiduous in prayer and reading, despisers of themselves, and wholly fixed upon the care and thought of another's salvation. They were kind in counsel and work, hospitable, sparing in domestic furnishing and food, beneficent and liberal toward others. They were vigilant over their flocks, cultivating and guarding the Vineyard of the Lord with the greatest diligence and labor.

They continually fed the sheep entrusted to them with the threefold food of salvation--the word, example, and Sacraments. It was also their custom, as imitators of Christ, the Supreme Pastor, who poured out His blood and life for His entire flock, not to hesitate, for the safety of their own sheep, to undertake any labor, encounter every danger, endure every force and injury, and finally, like that good Pastor of the Gospel, to lay down their lives for the sheep. They expected no fruit of this life from it, so that they might obtain the greatest fruits of heavenly recompense.

If, Fathers, we keep these things before our eyes as we ought, we shall readily understand what must be done by us at this time in restoring ecclesiastical discipline. In this matter we must also notice that, just as in forming and establishing the ecclesiastical order Christ the Lord began with the Apostles themselves, whom He willed to be teachers of the Christian life, so we in forming and restoring moral discipline should begin with ourselves, the pastors, who ought to hand down to others examples and precepts of living.

If we perform these duties with the zeal we ought, it will assuredly be a small task to settle the controversies, which the Synod of Trent set before us to be done. For when greed, which is the root and seed of all dissensions, has been removed, we shall readily settle the discords of the present time and leave no place in our province for anyone to dissent hereafter. Therefore, Fathers, let us devote ourselves with our whole breast to this pious and necessary care and diligence of our office. In this acceptable time, on this day of salvation which the Lord has made, let us strive to contribute as much as we can by counsel, labor, and actions, with the Holy Spirit as leader and governor, toward establishing the common safety of the province.

The whole world demands this from priests, for it has not only entrusted souls to them, but has willed them besides to be honored and wealthy. God, the Planter of the Church and Redeemer of souls, demands this, lest through your

negligence those for whom Christ died should perish. The heretics demand this, who, offended by the vices of clerics, made a divorce from religion and truth and even now put forward the same cause as a pretext for their perfidy.