

This translation of all six books of Francisco Suarez *Defense of the Catholic and Apostolic Faith against the Errors of Anglicanism [Defensio Fidei Catholicae et Apostolicae contra Errores Anglicanae Sectae]* is based on the Latin text from the 1872 reprint, Naples, with some supplementation from the original 1613 text, reprinted in *Defensa de la Fe Catolica y Apostolica contra los Errores del Anglicanismo*, Instituto de Estudios Políticos, Madrid 1971, with a Spanish translation by Jose Ramon Eguillor Muniozguren, SJ.

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The volume of the Vives edition of the *Opera omnia* containing the text, vol.24, is accessible at:

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Sydney Penner of Merton College, Oxford, maintains a website with online resources for Suarez and his writings: <http://www.sydneypenner.ca/suarez.html>

Peter L P Simpson. December 2012.
Ad maiorem Dei gloriam.

DEFENSE OF THE CATHOLIC AND APOSTOLIC
FAITH
AGAINST THE ERRORS OF ANGLICANISM

BY
FRANCISCO SUAREZ S.J.

TRANSLATED FROM THE LATIN

BY
PETER L.P. SIMPSON

DEDICATION

PREFACE

Summary: 1. Mind of the author. 2. Collection of the assertions by the most serene James. 3. The order in which these assertions are to be attacked. 4. The method to be followed.

BOOK ONE

HOW MUCH ANGLICANISM IS AT VARIANCE WITH CATHOLIC DOCTRINE

Preface

Summary: Aim of the author and twofold manner of showing the error of Anglicanism

Chapter 1: On the progress of the Catholic Faith and the state of the English people from its first conversion up to the present time.

Summary: 1. The Catholic Faith began in England at the birth of the Gospel. Baronius, for year 35, n.5, from a manuscript history of England, which is contained in the Vatican, 4.colum., at the beginning. 2. The history of that people, Baronius for the year 183, from the book of the Martyrology of the Roman Pontiffs and others. 3. The Catholic Faith advanced in the time of Pope Eleutherius. At the time of Gregory it was restored. 4. It endured up to the time of Henry. 5. Surius in his history of our time. Cochleus in his history of Luther. Maurice Canneus in his history of the Martyrdom of the Carthusians. Fall of Henry VIII. 6. Under Edward the Zwinglian sect was introduced. 7. Under Mary the Faith was restored. 8. Elizabeth imports the Calvinist sect into the kingdom. 9. The state of England under James.

Chapter 2: The Anglican sect has departed from the true faith.

Summary: 1. An unavoidable dilemma is posed. First part of the dilemma. 2. Someone who denies any part of the faith subverts the whole faith. 3. Confirmation of the second part of the dilemma. A certain Calvinist in his bk.2 on the Marriage of Henry, London 1573. A very stupid statement by the heretic. 4. The testimony of Henry VIII shows that before him England retained the Catholic Faith. 5. Second proof of the same point. 6. King James seems to think the faith preached in England by Augustine was not Catholic. When Augustine began to preach in England. 7. The faith preached by Eleutherius was true. 8. The same conclusion is drawn about the faith preached by Augustine. First from authority. 9. Second from comparison of both preachings. 10. Third from the sanctity and miracles of Augustine and his colleagues. 11. Finally from reason.

Chapter 3: That the Church of Christ cannot lose the true faith is shown, and confirmation of the reason given.

Summary: 1. Presentation of the error of heretics who assert that the faith can fail in the whole Church. 2. This error was familiar to the old heretics. Lucifer in the work of Jerome. The Donatists on the evidence of Augustine. 3. From the testimonies of Sacred Scripture it is proved that the faith will never be lacking in the Church. A first supposition is that the Church is one. 4. The perpetual endurance of the unity of the Church is established. 5. Testimony first from Matthew 16 and the expositions of the Fathers. In Sacred Scripture the presence of God imports the idea of help. 6. Distinction between the comings of Christ and of the Holy Spirit. 7. The

conclusion to the truth proposed is drawn. The Church would cease to exist were the faith lost. 8. Two objections by heretics. The response of St. Augustine. 9. That the faith did not fail in the whole Synagogue is demonstrated; satisfaction is made to the first objection. 10. That at the time of Antichrist the faith will endure in the Church is demonstrated; satisfaction is made to the second objection.

Chapter 4: That it is not possible for the Catholic Church to err even through ignorance in matters of faith.

Summary: 1. An evasion to the above argument. 2. The Church cannot even err through ignorance. 3. The same truth is proved by reason; an evasion is excluded. 4. Response by heretics. The response is rejected, and the above conclusion is confirmed by the authority of the Fathers.

Chapter 5: That the Roman Church has the same firmness of faith as the Catholic Church is demonstrated, and an evasion of the sectaries is met.

Summary: 1. Distinction made by sectaries between the Roman and the Catholic Church. 2. This sort of distinction was invented by the more ancient heretics. 3. Foundations of the error. 4. Distinction of the Roman Church into universal and particular. 5. The place in Luke 22 is shown to be to our account. 6. First confirmation. 7. Second confirmation.

Chapter 6: The firmness of the Faith and of the Roman Church is shown by tradition.

Summary: 1. Testimonies from the ancient fathers are examined that assert the Faith of the Roman and of the Catholic Church coincide. The first testimony. 2. The second from Augustine and Jerome. 3. The third from Ambrose. 4. The fourth from Cyprian. 5. The fifth from Irenaeus. 6. The sixth from Athanasius and the bishops of Egypt. 7. The seventh from the bishops of the province of Tarragona. 8. Evasion. Response. 9. Instance. It is refuted. 10. An authority and a conjecture are added. 11. Heretics object that some pontiffs fell into heresy. 12. No Pontiff as head of the Church can lose the faith. 13. Nor can a Pontiff err in things pertaining to the Universal Church.

Chapter 7: Exclusion of a third evasion by the heretics, which they invent through a distinction between the visible and the invisible Church.

Summary: 1. Presentation of a third evasion by heretics about the invisible Church. 2. Foundation of the aforesaid error. 3. Visibility of the Church shown from Isaiah 2. 4. Twofold exposition. 5. A response on behalf of the opinion of the heretics is refuted. 6. The visibility of the Church will endure perpetually. 7. Confirmation from the office of teaching. 8. Confirmation from the visible succession of Pontiffs. 9. The Church always perseveres by reason of visible succession. 10. Confirmation lastly from Ephesians ch. 4.

Chapter 8: The objections of the adversaries are met, and the sense in which the Church is visible is explained.

Summary: 1. Final evasion on behalf of the opinion of the heretics, that the Church is an object of belief for the intellect but is not known to the senses. 2. How the true Church is to be believed. 3. Proof of the first part. 4. Confirmation of the second part. 5. How the Church is visible to sense. 6. Response of the heretics. 7. That the Church is visible to sense through signs is shown. 8. Signs of the Catholic Church. 9. Another sign received from the Fathers: the antiquity and

firmness of the Church. 10. This sign squares with none of the conventicles of the heretics. 11. First evasion of the heretics; refutation. 12. Second evasion; response. 13. Solution of the arguments. 14. Explanation from the Fathers. 15. Explanation of the author.

Chapter 9: The king of England, since he does not admit the complete Scripture nor the unwritten word of God, is shown not to be defender of the truly Christian Faith.

Summary: 1. Faith signifies both the matter and the act of belief. 2. The king of England does not accept the integral Christian Faith. 3. Foundation of the faith of the king of England. 4. The sacred books of both the first and the second order are canonical. Scripture alone is not the integral and proximate foundation of faith. The unwritten word of God is to be received with the same faith as the written. 5. The traditions are confirmed by reason. 6. The evasion of heretics is refuted. 7. From the words of the king himself the same truth is established. 8. An authority to which the Holy Spirit gives his special assistance is necessary in the Church. 9. The Church pays attention to the unwritten word of God with the same certainty as to the written. 10. By the authority of the Fathers are the traditions made firm. 11. The truth is confirmed lastly with examples. 12. Certain of the Fathers, who seem not much to favor the traditions, are explained.

Chapter 10: From the foundation and reason for belief of the king of England he is shown not to be defender of the faith truly Christian.

Summary: 1. The king of England lays down as foundation for belief his own opinion. 2. It is temerity to arrogate this intelligence to oneself. 3. The sacred page cannot be genuinely expounded without a teacher. 4. An effective dilemma against the sure science assumed by the king. 5. How dangerous it is to locate the foundation of faith in private spirit.

Chapter 11: The foundation of true faith cannot be placed in private spirit.

Summary: 1. That in controversies of faith the rule of the Church is to be held to is proved from Scripture. 2. That in things of faith private spirit is to be avoided is shown by Scripture. A genuine interpretation of the words of the Apostle. 3. That private spirit is not the rule of faith is shown from the Fathers. First reason for establishing the same truth. 4. Second reason. 5. The infallible assistance of the Holy Spirit has not been promised to individual believers. 6. How the Holy Spirit teaches everyone. 7. The Holy Spirit on occasion assists some by special privilege. 8. Third reason. 9. Fourth reason. Private spirit is the root of heresies. 10. Fifth reason. 11. Sixth reason. 12. The king of England, when he lays down the aforesaid rule of faith, is in conflict with himself. The exhortation of the same king to the sectaries about unity of faith involves inconsistency. 13. Objections to the opposite opinion. 14. Twofold interpretation of Scripture, one authentic and one doctrinal. 15. Authentic interpretation cannot issue from a private spirit.

Chapter 12: From the name 'Catholic' the Anglican sect is shown not to be the Catholic Faith.

Summary: 1. The name of 'Catholic' is applied to the Faith and to the Church. 2. England affects to the name of Catholic. 3. This name has been introduced for the Church to distinguish it from heretical conventicles. 4. The conclusion is drawn that the true Church is that which truly deserves this name. 5. What it is for the Church to deserve the name of Catholic. 6. The inference is drawn that the name 'Catholic' is owed to the Roman Church. 7. First proof of the assertion. 8. Second proof of the assertion. 9. Finally the proposed assertion is confirmed from the words of King James. 10. The conclusion is drawn that the name cannot be applied to the Anglican sect. First reason. Second reason. 11. Third reason. A sect that has its proper name from its

master is not Catholic. 12. Why each heresy is named from its inventor. 13. Not only the ancient heretics but the new as well are named from their heresiarchs.

Chapter 13: Objections against the doctrine of the previous chapter are met.

Summary: 1. First objection. Catholics used to be called Homoousians, now Papists, etc. Second objection. 2. Solution to the first part of the objection. 3. The names which heretics impose on the Catholics do not indicate novelty of doctrine. 4. Solution to the second part of the objection.

Chapter 14: From the idea of the Catholic name the discussion of the preceding chapter is confirmed.

Summary: 1. 'Catholic' in Greek is the same as 'universal'. 2. The faith is said, first, to be universal by reason of matter. 3. It is said, second, to be universal from the universal or common rule of believing. 4. The Anglican sect lacks the universal rule of believing that is most necessary for true faith. 5. The faith is said, third, to be universal as to all ranks of persons. 6. The Church is universal as to ranks and duties. 7. The aforesaid conditions of the Church are shown to be lacking in the Anglican sect. 8. An evasion is met. 9. England retains not an ecclesiastical but a political hierarchy.

Chapter 15: The Church is shown to be called Catholic because it is diffused throughout the whole world, and resistance is made to heretics.

Summary: 1. Etymology of the word 'Catholic'. 2. The Anglican sect is concluded not to have the true faith. 3. Evasion. It is refuted. Extent of place does not of itself constitute a Church as Catholic. 4. The response of the king is in another way rejected.

Chapter 16: How it is true that the Catholic Church is diffused through the whole globe.

Summary: 1. Reason for doubt. 2. Confirmation. 3. Response to the reason for doubt. 4. In two ways can the Church be diffused through the whole globe. 5. The Church is said to be universal with the universality of right and of fact. 6. The extent of the Church through the world can undergo various vicissitudes. 7. The promises about the preaching of the Gospel through the world have not yet been integrally fulfilled. 8. A universality sufficient for Catholicism was long ago attained by the Church. 9. The Church probably began to have the aforesaid universality from the time of Constantine. 10. For the Catholicism of the Church there is no need that it exceed the other sects in universality. 11. Satisfaction to the last part of the objection. 12. The Catholic Church even in the middle of persecutions has retained its splendor. 13. No sect can be so diffused through the world that it be judged likely Catholic. 14. First reason. 15. Second reason. 16. Third reason. 17. Heretics do not have the spirit of propagating the faith. 18. A concern to restore heretics is necessary to the Church. A certain objection is dissolved.

Chapter 17: The Apostolic Faith does not exist in the Anglican Schism.

Summary: 1. The faith is said to be apostolic from the apostles. 2. What is required for a doctrine to be called apostolic. 3. The best rule for recognizing the faith. 4. From the aforesaid conditions is collected that the Anglican faith is not apostolic. 5. The things that the Anglican sect has in common with the Roman Church pertain to the apostolic faith. 6. The doctrine of the Creeds, as far as the king interprets it, cannot contain the certitude of the apostolic faith. 7. The same is proved by examples. 8. Apostolic writings without the apostolic sense do not suffice for faith. 9. The Anglican sect according to its own dogmas seems repugnant to the apostolic faith.

10. The response of the king is attacked from his deeds.

Chapter 18: An objection against the doctrine of the previous chapter is met.

Summary: 1. An objection of the heretics. What is rejected by the king of England as new. 2. The king tries to preclude the way to a Catholic response. 3. The Roman Church can receive no dogma contrary to the apostles; but the Anglican sect receives many that are contrary to them. 4. The Church can propose some things distinctly to be believed that were not thus believed before. 5. What novelty is repugnant to antiquity of faith. 6. The first way of declaring dogmas of the faith. 7. Second way. 8. In things pertaining to morals, not only addition but also change can be made. 9. Through additions made by the Church the apostolic doctrine is not changed but made more plain. 10. Satisfaction is made to the examples given at the beginning.

Chapter 19: The Anglican sect is shown to be adorned by the blood of no ancient martyr but rather to be condemned thereby.

Summary: 1. The words of the king are weighed. 2. King James asserts that the Anglican faith has been adorned by the blood of the martyrs. 3. The Anglican sect is shown to be attacked by the blood of the martyrs. 4. The ancient martyrs greatly extol the Roman Faith. The evasion of heretics is refuted. 5. The martyrs confirm the faith for any time. The assertion is understood also of articles recently declared. 6. The martyrs were killed for the defense of articles that England disavows. 7. Conclusion against the assertion of the king of England. 8. A repugnance in the words of the king is shown. 9. Evasion. 10. It is rejected and the conclusion is drawn that the aforesaid martyrs did not err in any dogma of faith. 11. Cyprian is vindicated from calumny.

Chapter 20: The true martyrs of our times have made illustrious not the Anglican sect but the Roman Faith.

Summary: 1. The sectaries are not truly martyrs. 2. Declaration by reason from the side of the one inflicting death. 3. An objection is dissolved. The truth of martyrdom is not diagnosed from death alone. 4. On the part of the one accepting death. 5. Although heretics suffer for defending some truth of the faith, they are not truly martyrs. 6. First reason. 7. Second reason. 8. A heretic who has died even for confession of Christ does not obtain martyrdom, nor does he make the faith illustrious. 9. Many Catholics of this time are shown to have made the apostolic faith illustrious by martyrdom. 10. The martyrdom of Catholics is proved from manner of suffering.

Chapter 21: The Anglican sect is hateful even for the sole ugliness of schism.

Summary: 1. King James studies to vindicate himself from the note of heresy. 2. That the Anglican fall was a very grave schism is shown from the etymology of the word. 3. Two kinds of schism are handed down: schism and para-synagogue. What they are. 4. By separation from the Church, even without defection from the faith, schism is committed. Heresy necessary includes schism but not vice versa. The temples of the orthodox faithful retain the name 'Catholic'. 5. The schism of the Donatists. 6. Henry VIII is concluded to have been a schismatic. 7. From the stain of schism the king little studies to free himself. 8. What Chrysostom thinks about schism. 9. King James cannot rightly evade the name of schismatic.

Chapter 22: The Anglican schism has passed over into manifest heresy and apostate doctrine.

Summary: 1. That the Anglican sect has broken out into several heresies is shown by the authority of the Fathers. By experience the same truth is strengthened. 2. A double reason for the

aforesaid fact of experience is assigned. 3. Schism is opposed of itself to charity, and by long duration pours darkness on the mind. 4. That the Anglican schism has already arrived at heresy is concluded from what has been said. To defend the schism Henry VIII thought up a new heresy for himself. 5. It is refuted. No Catholic asserts that the Pontiff can take kingdoms away at pleasure. 6. That the Pontiff is usurping to himself a third part of the goods of citizens is fabricated by the heretics against all right and truth of fact. 7. Catholics are vindicated from some impositions of the king. 8. Many heresies seized on England after Henry VIII. 9. From the signs of heresies handed on by the Fathers the Calvinist sect is shown to be a heresy. First and second sign. 10. Third sign. 11. Fourth sign. 12. Fifth, sixth, seventh, and eighth sign. 13. Ninth, tenth, eleventh, and twelfth sign.

Chapter 23: Those who obstinately follow the Anglican schism can be excused neither from heresy nor from the note of heresy.

Summary: 1. The reasons are proposed whereby the king tries to free himself from the note of heresy. The first. 2. Of the various acceptations of heresy two are preferred. Among Christians heresy is always taken in the bad sense. 3. A doctrine contrary to the faith is aptly called an heretical proposition, but the assent to such doctrine is heresy. What an heretical proposition is. 4. The true rule of faith is established. 5. A proposition which is proposed by the Church as to believed de fide is de fide. 6. Definition of heresy. Explanation. 7. Proper definition of heresy. Proof from Augustine. 8. Proof from the Fathers that one dogma contrary to the faith is sufficient to constitute heresy. Proof by reason.

Chapter 24: The reasons are refuted by which the king studies to escape the stain of a heretic.

Summary: 1. Twofold excuse in the first reason of the king of England. 2. King James was at some time in the Catholic Church. A catechumen rightly baptized by a heretic is truly made a member of the Church. 3. Someone can be a heretic even if he was never in the Catholic Church. 4. The second reason of the king is refuted. 5. His final reason is dissolved. 6. The Creeds, when believed without their Catholic sense, do not suffice for true confession of faith. 7. All the authentic Councils are to be received with equal certitude. 8. A certain evasion of the king is excluded. 9. The reason of the king is shown to be insufficient.

Chapter 25: The Anglican sect wrongly limits its faith and the authority of the Church to the five hundred years after Christ.

Summary: 1. The general rule or limit or boundary for belief which the king of England prescribes to his credulity. 2. Conjectures whereby the king could have been led to lay down the aforesaid rule of belief. 3. Solution to conjectures of this sort. An evasion is met. 4. Solution to the second conjecture. 5. Evasion of the king. Solution. 6. The third conjecture is dissolved. 7. The conclusion is drawn that it is against the faith to attribute false articles to the Roman Church. 8. Second reason. Nothing can come from the Roman Church without at the same time coming from the Catholic Church. The articles reprehended by the king contain the true and Catholic doctrine.

Sum and conclusion of the whole book with an address to the king of England.

To the most Serene Kings and Princes,
Defenders and Sons of the Roman and Catholic Church,
Temporal and Eternal Happiness

Francisco Suarez, of the Society of Jesus.

In a recently published book, the Most Serene JAMES, of Great Britain king, has, as if with friendly trumpet call, summoned Catholic kings and princes to the communion of his own religion, so that those whom Christ, the King of Kings and Lord of Lords, has armed with supreme power for the defense of the Roman Church, which he purchased with his own blood, might be incited by the communication of King James' counsel to the offense of that Church. With vain attempt, however, has the most serene king exercised his pen. For neither shall the gates of hell prevail against her nor could they themselves, founded on the Roman rock and bound to each other with the most firm tie of true piety by Christ the corner stone, be driven therefrom by the frigid gale of the North Wind. Would that King James, following in the footsteps of his ancestors, the most unconquered kings, were to conspire instead with us to adorn the majesty of the Catholic Church, so that he might in zeal for piety not be inferior to those with whom he is in power and empire equal, and should wish rather to be numbered among those kings whom divine authority has constituted as the Church's guardians, than among those whom the rage of impiety has inflamed against the Lord and against Christ.

Since therefore, when he published the index of his own religion, he made war against the Catholic Church neither by means of the royal majesty wherewith he shines, nor by the tumult of arms and by power (which the priest of Christ and a man of religion cannot stand against), but only by the sharpness of his human genius and his pen, I have considered it proper to my office and instruction to go forth into the battle line, not so as to check the name and splendor of so great a king, which I am neither able nor wish to do, but so that the fogs exhaled by the stinking pits of the innovators, wherewith he strives to obscure the Catholic truth, might be dispelled by the rays of true wisdom and disappear into air and vapor; which office, so that I may complete, I have from God the father of lights strenuously prayed for that light, namely the knowledge of sincere truth, which has been handed on by Christ the Lord through the apostles and been expounded in the waking vigils of the holy Fathers, and which he who desires to hold the true way of living and believing ought to seek. May this undertaking be inspired by the sacred influence in whose hand are the hearts of kings. And you, kings and princes of the Catholic globe, who with brotherly affection desire the most serene James to be such as you are, receive under your patronage this work of ours, such as it is, for defense by your authority; for yours is that saying and decree: "We make that our own to which we impart our authority;" your work, therefore, it is so that, defended and adorned with the royal brilliance of your patronage, it might go forth secure to the public, and might appear illustrious to the world and not be deemed unworthy of royal eyes. For not otherwise than under your name can this our work, in which we uphold the cause of God, oppose the book of the most serene king. For this one thought has impelled me, that I might dedicate this our labor with dutiful submission of mind to you, who as heirs of the empire and piety of your ancestors have religiously taken up and constantly attend the protection of the Catholic Church.

As to others, this our labor can serve as antidote; but you have no need of the antidote (which is the supreme piety of God) against the rage of the Innovators, whose poisons, drawn from the stygian streams, cannot do you harm who, being subject and fastened in the unity of the

true and Catholic Faith to Christ the Lord and to his Roman Vicar on earth and Supreme Pontiff as most fine members of his body to the head, are preserved in the virtue of God. In whom, as long as your supreme power is made firm, may it to greater glory of empire increase and advance to an eternal felicity.

Coimbra, the thirteen day of June, of the year 1613.

DEFENSE OF THE CATHOLIC FAITH
AGAINST THE ERRORS OF THE ANGLICAN SECT

With a Response to the Apology for the Oath of Allegiance
And to the Letter to Christian Princes of
The Most Serene James
King of England

Preface of the Author.

Summary: 1. Mind of the author. 2. Collection of the assertions by the most serene James. 3. The order in which these assertions are to be attacked. 4. The method to be followed.

1. I would indeed prefer, as in a not dissimilar cause Ambrose said, Preface to bk.1 *De Fide*, “to undertake the burden of exhorting to the faith than to undertake the burden of disputing about the faith.” But since the very right itself of nature requires, and all laws as well divine as human demand, that the son for the parent, the priest for the Church, the theologian for religion, the religious for things sacred, and lastly the member, however lowly, for the head, should fight in defense, as far as possible, against every injury, therefore I am compelled not to belittle this new kind of writing. For James, the most serene king of Great Britain, in his *Apology* and his monitory *Preface* to all Christian princes of the world, tries to inflict violence on all the above when he imposes on his sect the name of Catholic and primitive faith but on our religion the dishonor of defector; and when he arrogates to himself the name of defender of the Catholic faith, but he brands the Pontiff, the highest Pastor of all the faithful and, under Christ, the supreme head, with the mark of tyranny and Antichristian apostasy; and when he attacks as many as possible of the other mysteries and sacraments of our faith and shakes with his attack the hearts of the pious. And me, after other most learned men, although in erudition and eloquence very unequal, he has induced to advance on this work and forced to descend into a wrestling school to me unaccustomed. Nor does the majesty of the royal dignity frighten me, but rather the truth thereby impugned does the more greatly excite me, lest perhaps the splendor of so great a name confuse the eyes of the weaker; above all because in this cause he seems to have put off the royal splendor, acting the part of doctor rather than of king, when he strives to defend the supreme authority in ecclesiastical things that he has usurped to himself. In Ambrose I remember to have read, bk.2 epist.27 to Theodosius: “Nor belongs it to an emperor to deny freedom of speaking, nor to a priest to refrain from saying what he thinks. Nothing in kings is as lovable as to love freedom even in those who are subject in obedience to them, nothing in a priest as dangerous with God, as base with men, as not to proclaim freely what he thinks. Since it is written, *Psalm* 118 [119].46: ‘I will speak of thy testimonies also before kings, and will not be ashamed.’” Much moved, then, by these divine and sacred words, though diffident of my own genius yet confident in the cause and supported by the truth, I do not fear to speak for it freely. Those things only, however, will I try to bring forward which could not offend the high spirit of

the king, unless the light itself should, by displaying the truth, offend eyes badly affected. For I have decreed to elucidate and guard Catholic truth; not to dispute with his Majesty but rather to serve him, as is my wish, in demonstrating the true and Catholic faith.

2. With the breath of divine favor, then, I will advance to show, in respect of some chief things touched on by the most serene James, the truth of the faith taught by Christ the Lord, handed on by the Apostles, and preserved integrally and unwaveringly by the holy Fathers. But, so that a more open way may be laid out for what needs to be said and so that everything may the more easily be perceived, I will first put before the reader's eyes the aim and intention of the king, and then the order we must follow in making response. For, upon examining attentively and carefully the royal work, I readily judged that the author was directing it chiefly toward upholding with all his efforts the oath of fidelity which he has very recently instructed his subjects to swear to him. And for that reason he has tried to attack the Pontifical rescripts as well as the letters of the most illustrious Cardinal Bellarmine to the Archbishop. But afterwards, when he had received a reply on all these things, the king, being provoked, joined to his *Apology* a *Preface* to all the princes of the Christian world, wherein he strives to stir them up against the Supreme Pontiff as if against a common enemy and usurper of royal right and power, and to move them to general defection from the Roman Church, both by enticing them with hope of greater liberty and more excellent power, and also by instilling in them the fear lest, while they allow, with overmuch and indulgent mildness (as he says), the Pontifical dignity to grow immense, the royal splendor might either be altogether destroyed or at any rate be more obscured than is right. And to prevent it being thought that he is launching this war against the Vicar of Christ, he has progressed to the point of laboring to give persuasion that the Pontiff is not the defender of Christ but the Antichrist himself. Further, lest the sons of the true Church, astonished at the striking novelty, should hold it in detestation, he next names and professes himself defender of the Catholic faith itself, so that the sect which he defends may, for this reason, not seem to be heresy but only disagreement with the Roman Pontiff. He adds further an extended confession of his faith, whereby he strives to prove that he adheres to the primitive and ancient faith and that he denies only (as he says) the novel and recent articles of the faith invented by the Roman Church.

3. In order, then, to proceed in a due order of doctrine that may be of service for both the clarity and the utility we intend in this work, we will divide it into six parts, which will respond to the said points, though in changed order. For in the first place I will show that the schism, which the king himself does not repudiate in his book, can in no way be excused from heresy and from an infidelity absolutely opposed to the faith truly Catholic, and that, thereby, the title of defender of the Catholic faith usurped by the most serene king is not only assumed without foundation but is also plainly contrary to the thing he professes. We have taken the beginning of our discussion from this title, not only because, as affixed to the frontispiece of the royal work, it immediately seizes the admiration, but also because it will give us a handle for establishing certain principles from which the conclusion may easily be drawn that the Anglican sect does not have the foundations of the true faith of Christ; and to this we will devote the first book. In the second, however, we will prove that all the articles of the Roman faith, which the king attacks, are ancient and Catholic and that their opposites cannot be defended without open heresy. The third book will follow next whose purpose is to uphold, according to our strength, the right and primacy of the Supreme Pontiff. Not that I judge everything which could be said of his excellent dignity to be in need of defense (for thus would the book grow immense), but I aim only to show that the Roman Pontiff has not usurped the power of temporal kings but has vindicated "only the

dignity of the supreme priest on which (as Jerome says, *Contra Luciferianos*) the salvation of the Church depends,” and has preserved that right of his against which the gates of hell have never prevailed nor ever shall prevail. Since also the king in his *Preface* complains much about the exemption of clerics from temporal power and from lay jurisdiction, and laments that a third part (as he says) of subjects has been taken away from temporal kings, we will therefore add a fourth book in which we will demonstrate the right to immunity of ecclesiastical persons. Next, in the fifth book, we will try irrefutably to prove, not only that all the conjectures he has proposed about the Antichrist are very flimsy, but also that the Antichrist will labor mightily for the destruction of the Apostolic See, and that thus this name agrees rather with those who thus painstakingly anticipate the office of the Antichrist. For, as Jerome said to Damasus, epist.5: “Whoever does not collect with you, scatters, that is, he who is not of Christ is of Antichrist, etc.” and as Bernard says, epist.124 to Hildebert, bishop of Tours, speaking of Pope Innocent, “Those who are of God are gladly joined to him, but he who stands in opposition is either Antichrist or of Antichrist.” Lastly, in the sixth book, we will, as regard the oath of fidelity, show briefly what there is of injustice and injury in the king’s demand against the Apostolic See, and we will diligently explain what there is of perjury and infidelity involved in the subjects who swear it.

4. Lastly, as to my manner of proceeding and disputing, I will not lay aside the style and scholastic method that are familiar to me and, by very custom, made as it were connatural, even if to men who dissent from us in the faith it be wont to be the less pleasing, perhaps because it is most apt for bringing the truth out of darkness and most effective in attacking errors. For that reason too, although we must chiefly make use of the testimonies of the divine Scriptures, of the Councils, and of the Fathers, nevertheless we will weigh the force of reasonings and will, as much as in us lies, urge their force and effectiveness; we will collect them, not only from the aforesaid foundations of the faith, but also from the light of nature itself, as far as occasion may require. Not that the mysteries of our sacrosanct religion need these reasonings for their defense, but because by them can be not obscurely shown how far they depart from all prudence and from very reason who do not fear, in matters pertaining to the faith, to dissent from the Catholic and Roman Church and to take themselves out of it.

BOOK ONE

HOW MUCH ANGLICANISM IS AT VARIANCE WITH CATHOLIC DOCTRINE

Preface

Summary: Aim of the author and twofold manner of showing the error of Anglicanism.

I have proposed to show that the title of Defender of the Catholic Faith, which the most serene James arrogates to himself, is contrary to his deeds. For I have thought this necessary both because of the Catholics who dwell under his sway, lest it perhaps happen that they be deceived by that fair-seeming title, and because of others who are of the same opinion along with him, so that they may be warned and, if it may be, convicted of that heresy wherein they manifestly dwell. For this is the aim of our work, and if, with God's help, we can attain it, then the fact that this title is certainly vain, and that the head and protector of this schism is an adversary of the Catholic Faith and no defender, will become clear. But we can in a twofold way demonstrate the error of that sect; first generally by showing that there is not in it the foundation of the true Faith and a certain and infallible rule of belief, then by pointing out with the clearest arguments its individual errors, which the king himself professes, and by refuting them with the most certain testimonies. In this book, then, we will initiate the first way, wherein we cannot take a more apt beginning than by at once putting before the eyes of the English the happy state of the true and Catholic Faith which, before the schism arose, they enjoyed. And for that reason I have, in the first chapter of this book, thought it worthwhile to premise a few things about the progress of the kingdom of England in the Christian Religion from the time when it received the light of it up to the present day.

For, just as in moral matters, knowledge of the fact (as the jurists say) is wont to be first necessary for judging of the right, so in the present case knowledge of the more ancient faith is, we judge, necessary both for understanding the cause and origin of error and also for observing how it is repugnant and opposed to the Catholic Faith. For this reasoning indeed is, on the witness of Cyprian epist. 74, a speedy one for removing error among plain and religious minds and for finding and teaching the truth: "For if we make return to the head and origin of the divine tradition, human error ceases and whatever was lying hid under the gloom and cloud of darkness is exposed, once the reason of the heavenly sacraments is seen, to the light of truth. If the channel conducting the water which was before flowing copiously and in abundance suddenly fail, surely one proceeds to the fount of it so that the reason for the failure may from there be known – whether the stream, its veins withering, has dried up in the head, or whether, after flowing thence complete and full, it has come to a stop in mid journey?" Which advice of Cyprian is very much praised by Augustine, bk. 5, *De Bapt.*, ch. 29, who concludes: "it is the best advice and should without doubt be followed." Treading, therefore, in the steps of such great Fathers, let us begin the task.

Chapter 1: On the progress of the Catholic Faith and the state of the English people from its first conversion up to the present time.

Summary: 1. The Catholic Faith began in England at the birth of the Gospel. Baronius, for year

35, n.5, from a manuscript history of England, which is contained in the Vatican, 4.colum., at the beginning. 2. The history of that people, Baronius for the year 183, from the book of the Martyrology of the Roman Pontiffs and others. 3. The Catholic Faith advanced in the time of Pope Eleutherius. At the time of Gregory it was restored. 4. It endured up to the time of Henry. 5. Surius in his history of our time. Cochleus in his history of Luther. Maurice Canneus in his history of the Martyrdom of the Carthusians. Fall of Henry VIII. 6. Under Edward the Zwinglian sect was introduced. 7. Under Mary the Faith was restored. 8. Elizabeth imports the Calvinist sect into the kingdom. 9. The state of England under James.

1. Gildas, surnamed the Wise, (whom Polydore Virgil, Bede, and others follow), testifies in *De Excidio Britanniae* that Britain had already received the Christian Religion from the very beginning of the birth of the Gospel; which matter Polydore, bk.2 *Hist. Anglicanae*, describes as having happened in this manner: “When that Joseph, who, on the testimony of the Evangelist Matthew, was by origin from the city of Arimathea and who buried the body of Christ, came, whether by chance or design, God so wishing, to Britain with no small company, when both he and his colleagues were there preaching about the Gospel and carefully teaching the dogma of Christ, many people were drawn over by it to the truth of piety and were with saving fruit baptized.”

2. The same island was afterwards confirmed, or again first returned to the faith, by the Roman Pontiff Eleutherius, twelfth from Peter, on the testimony of Bede, bk.1, ch.4: “Lucius king of the Britons sent the Pope a letter beseeching him to make him a Christian by his mandate, and he soon obtained the effect of his pious petition, and the Britons kept inviolate the faith they had received up the times of prince Diocletian.” For then (on the testimony of Gildas and from him of Polydore above), “because of the brutality of the persecution, the religion grew so cold that it was almost extinguished.”

3. At length, however (by the inspiration of divine grace), in the year of Christ our Lord 590, in the second year of the emperor Maurice, Pope Gregory the First sent Augustine and Melitus to Britain, and Ethelbert king of Kent, being converted by their preaching and cleansed in the saving font of baptism, brought the same island, which was in the service of idols, back to Christ. Of this last conversion, originating from the Roman See, the cause, manner, order, and progress are expansively pursued by Gregory himself, bk.5, epist.10, 58, and 50; bk.7, epist.112, indict.2; by Bede, above ch.23; by John the Deacon, in his *Vita Gregorii*, bk.2, ch.34; by Baronius, for the year of Christ 596, nos.9-14; and by others, although there is some discordance in the calculation of years which, for the present purpose, is of no relevance.

4. But from the aforesaid time up to the year of our Lord 1534, and about the 25th year of king Henry, 8th of that name, no other religion for around one thousand years, as is proven by the annals of the English, flourished among them save that which up to the present day they commonly call “ancient”, “Catholic”, I say, and “Roman”. In addition even Henry VIII himself was up to this time so devoted to the Apostolic See that in its defense and in defense of the Roman Faith he composed against Luther, then raving against the See of Peter, a just book, which he sent to Leo X, then Vicar of Christ on earth (as is contained in the very constit.45 of the same Pontiff to the still same king Henry), for purpose of examination and approval by Apostolic authority. In this book, while asserting the seven sacraments, artic.2, he endeavors to do battle in defense of the authority of the Roman See thus: “Luther cannot deny that the holy Roman See is recognized and venerated as mother and primate by every church of the faithful, at least by all that are neither by distance of place nor intervening danger prohibited of access; although, if they

say true who come hither also from India, even the Indians themselves, separated by the expanse of so many lands, so many seas, so many wastes, yet submit themselves to the Roman Pontiff. Therefore, if so great and so widely diffused a power has been acquired by the Pontiff neither by the command of God nor by the will of men, but he has claimed it for himself by his own force, when, would Luther please say, did he burst forth into possession of so great sway? For the beginning of such immense power cannot be obscure, especially if its birth was within the memory of men.”

5. These things wrote the king at the time he was most attached to the Roman Church. But afterwards, burning with too great love for Anne Boleyn, and not obtaining from the Apostolic See the license he had often sought, and repudiating his legitimate wife, Catherine, daughter of the Catholic kings of Spain, he took the said Anne, while all right cried in protest, to be his wife. And, so that (as it thereupon seemed) he might act with the more impunity, he constituted himself head of the Anglican Church, decreeing that all were to hold and call him so, and denied authority to the true Vicar of Christ on earth. This is the basis, this the foundation and origin of the new Gospel that was born in England. Nor do the Protestants themselves disavow or blush at the fact, as it is well known from the histories of that time.

6. But to the head of such a church, sprung from the basest principles, there succeeded in the year of the Lord's Incarnation 1546 another head, no less firm and apt for ecclesiastical governance (a boy, I mean, of nine years old, Edward), to rule both bodies, the spiritual and the temporal, although he was himself in need of governance by another. And albeit his father had ordered him to be educated in the Catholic Faith (the title only of primacy of the Church being taken out of it), yet the mandate of king Henry was spurned and Edward embraced the Zwinglian sect, to Henry the most hateful of all, and exercised pontifical authority, because (as is read in one of his rescripts) “all authority for decreeing justice and even jurisdiction of every kind, as well the one called ecclesiastical as the secular, flows from the royal power as if from the supreme head.” Now although many innovations were made over a period of some seven years, yet at last the royal youth, on the eve of the Nones of July, in the 16th year of his age but the 7th of his reign, departed the living, and with his extinction was the Zwinglian sect likewise too almost extinguished from England.

7. For thereupon followed that most happy reign of Mary, the most choice as equally the most religious woman of all, who, having won a victory by heavenly aid unexpected of her enemies, was prompted by her piety and religion alone to spit out the title of primate usurped by her father and brother and had it deleted from the royal style, and the ancient Catholic Religion, which she had always professed, she restored throughout her whole kingdom, with the marvelous cooperation of the divine power and the interposition of the authority of the Pontiff. But England, on account of her father's or her subjects' sins, was by the death of this most illustrious queen after five years and four months deprived of so great a good, the public profession of the Roman Faith.

8. To Mary succeeded in the kingdom, though not in piety and religion, Elizabeth, third offspring of Henry. For she at once introduced, in place of the Catholic Religion, a form of the Calvinist sect into the kingdom. And although it did not seem, in her first Parliament, that she would be called head of the Church, because that name in her father had displeased Calvin, yet the name of supreme governess of the Anglican Church (which comes to the same) she assumed to herself, and she compelled her subjects by solemn oath to confirm it, and by many laws published in various assemblies she wished, decreed, and declared power of every sort in spiritual things to be attached to the royal scepter. And England persisted in this state and

profession of religion as long as she lived.

9. However, upon her death, the most serene James, son of Mary Queen of Scotland and heir to her kingdom, obtained also the scepter of the English kingdom and, not contented with this right, together with it usurped the primacy and supreme spiritual power over the whole of Britain, although he professes either the Calvinist sect or one a little diverse from it, and with all his efforts he studies to have it accepted and observed by his subjects. Even so he professes himself to be not only Catholic but even defender and promoter of the Faith truly Christian, Catholic, and Apostolic. But how much this title departs from the truth, and how much his deeds are contrary to his words, remains to be seen.

Chapter 2: The Anglican sect has departed from the true faith.

Summary: 1. An unavoidable dilemma is posed. First part of the dilemma. 2. Someone who denies any part of the faith subverts the whole faith. 3. Confirmation of the second part of the dilemma. A certain Calvinist in his bk.2 on the Marriage of Henry, London 1573. A very stupid statement by the heretic. 4. The testimony of Henry VIII shows that before him England retained the Catholic Faith. 5. Second proof of the same point. 6. King James seems to think the faith preached in England by Augustine was not Catholic. When Augustine began to preach in England. 7. The faith preached by Eleutherius was true. 8. The same conclusion is drawn about the faith preached by Augustine. First from authority. 9. Second from comparison of both preachings. 10. Third from the sanctity and miracles of Augustine and his colleagues. 11. Finally from reason.

1. The assertion here, presented in the previous chapter by evident deduction from the narrative of what happened and the way things changed, I conclude to as follows. For I ask, was the faith that England received through Augustine and other ministers of the word of God sent by Gregory, and that was retained up to Henry VIII, true or not? For whichever of these two be chosen, we will, as I reckon, easily prove that what the king of England now professes is not truly the Christian Faith. The argument derives, it seems to me, from Augustine, bk.2, *Contra Epistol. Gaudentii*, ch.7, when he presses the Donatist as follows: “Tell me, did the Church, at the time when, according to you, it was receiving culprits of every crime, perish by contact with the wicked or not perish?” And later: “Reply, has the Church perished or not perished? Choose the one you suppose. If it had already then perished, which Church gave birth to Donatus? On the other hand if, after so many were brought into it without baptism (namely without second baptism), it could not perish, reply, I ask, what madness persuaded the party of Donatus to separate itself therefrom by avoiding communion with the wicked?” For we in like manner raise the question whether the Church had perished at the time of Gregory or had not perished. If it had perished what church begat the Anglican Church? If it had not perished, what madness persuaded England under Henry to separate itself from it, or how can that church be Catholic which perseveres in the separation effected by Henry? For, to begin with, if the ancient faith was true, defection from it is repugnant to and opposes the true faith, and the sect which by contrast England now professes is nothing other than a kind of defection from or rebellion against that faith. How then can it be called or accounted the true faith? “For what fellowship hath righteousness with unrighteousness? And what communion hath light with darkness? And what concord hath Christ with Belial? Or what part hath he that believeth with an infidel?” *I Corinthians* 6.14-15. For contraries cannot be joined together in the same thing; but defection from the true faith is contrary to the very Christian Faith, therefore a sect introduced by defection

from the Christian Faith cannot usurp the name of that faith, still less of the truth. For divine faith, such as the Christian is, cannot change or suffer inconstancy; for God, on whose truth it rests, cannot deny himself or (which is the same) cannot retract what he has once said; therefore a sect which was introduced by defection from the divine and Catholic Faith cannot be the divine faith, but is a human invention and a vain opinion.

And this discourse is strikingly confirmed by Paul's rebuke, which no less fits the English than the Galatians, 1.6-7: "I marvel that ye are so soon removed from him that called you into the grace of Christ unto another Gospel; which is not another; but there be some that trouble you, and would pervert the Gospel of Christ," that is (on the exposition of Chrysostom): "there are some that trouble the vision of your mind with their opinions, and wish to subvert the Gospel of Christ: which is single, and beside it there can be no other." Therefore all doctrines which fail of that single Gospel are human opinion and a sect contrary to divine truth. For by the name of 'Gospel', as Augustine expounds bk.3, *Cont. Liter. Petil.*, ch.6, Paul comprehends the whole Catholic doctrine, about which he subjoins, v.8: "But though we, or an angel from heaven, preach any other Gospel unto you than that which we have preached unto you, let him be accursed." Which again he immediately repeats, "so that," as Jerome says, "he might magnify the firmness and stability of the Catholic Faith. Because if it might happen that Apostles and Angels change, yet there should be no withdrawing from that which has been once received." And more extensively by St. Vincent of Lerins, in the whole of ch.12, where among other things he says: "Terrible strictness: to assert the tenacity of the first faith he spared neither himself nor the rest of his fellow apostles. It is too little, even if an angel, etc." Therefore if the first doctrine preached to the English, and by them faithfully accepted, was divine, defection from it could not be transfer to another true faith, but is rather perversion and troubling of the faith.

2. Also Jerome elegantly notes (and it is very much to be considered for the doctrine following) that these things were said by Paul about those who believed in the same God and had the same Scriptures and yet were interpreting them by their own spirit and so were trying to introduce a new Gospel, or to change it, reject it, and convert it to another one. "But they were not able," says Jerome, "because its nature was of the sort that it could not be other than the true one." And he subjoins: "Everyone who interprets the Gospel in another spirit and mind than has been written troubles the believers and overturns the Gospel of Christ so that what is in front is behind and what is behind is in front." Finally Chrysostom, being moved, as appears, by a spirit indeed divine, and gazing at the cause, as if present, of the schism and the state of the Anglican Church, bids us take note, saying: "Let them hear what Paul says, namely that they subverted the Church who brought in some very few things. For, to show that something trifling wrongly admixed corrupts the whole, he said that the Gospel was subverted. For as he who from a royal coin has cut off a little of the imprinted image has adulterated the coin, so whoever subverts even the smallest part of sound faith is corrupted in the whole of it, proceeding always from this beginning to what is worse. Where, then, are those who condemn us as contentious because we have quarrel with heretics, and who keep on saying that there is no difference between us and them, and that the discord proceeds from ambition for principality?" Such, then, is the way that the most serene king of England, or others who profess his schism and sect, corrupt the Catholic Faith that was flourishing before in the kingdom – lest they should say it is in small things, or few things, or in very little things that they have fallen away, or lest they should plead in excuse that the discord is a human one about ambition for principality. For by whatever cause, in however small a thing, they have parted from the doctrine of the faith, they have troubled and lost the whole Catholic Faith. All the more so because it is not in few things, nor in very little

things, but in the greatest foundations of the Faith, as will soon be made clear, that they have deviated. Let it therefore be a thing fixed and manifest that, if the English Faith up to the defection of Henry VIII was Catholic, the sect which from that time it professes is not the true faith but is a troubling and corruption of the Catholic Faith. And these things seem to be enough for the first horn [sc. of the dilemma], for the thing is both *per se* sufficiently clear and evident and, as far as I can conjecture from the words of the king, both he and other Protestants think the other part is to be preferred.

3. They plead, then, this striking reason as excuse for their defection. Before the king's times, that is Henry's, 8th of that name, England had lost the Catholic Faith and hence did not, on account of the change made by Henry, err at all in the Faith but rather then returned to it; and Henry's offense was the salvation of the English because through it, or on occasion of it, they were enlightened and rescued from the darkness in which they were dwelling. For neither was there lacking one of those false prophets (from a Calvinist, in a book on Henry's marriage published in London, 1573) who after this manner exclaimed: "O true marriage, union gained not without divine approval, and heavenly birth and offspring, by which the fatherland was rescued and freed from a slavery and gloom worse than the Egyptian, and recalled to the true cult of Christ." For so great is the infirmity of the human mind that, once abandoned by God and handed over to its own desires, it calls darkness light and light darkness and persuades itself that the light of Gospel truth shone forth among the basest pleasures, and (what is most absurd) attributes an unspeakable marriage to a peculiar divine providence. For in those words are all these errors contained. And one may besides conjecture from the same words that there had already by then been introduced among many in England this opinion about their ancient Faith, that it was false and not Catholic.

4. However this error can be refuted in the first place by the testimony of the same Henry VIII, which testimony must possess authority with the king of England if he wishes to speak consistently and defend with any authority the primacy which he is usurping. For Henry himself, when already dying, wanted and commanded his son Edward, whom he left as his heir, to be educated in the Catholic Faith, with the one exception of the article about the primacy. But by the Catholic Faith he undoubtedly understood the faith which he himself and his kingdom had, along with the Roman Church, before professed. For he always called this Catholic, nor could his words be referred to another faith. That king declared, therefore, and confirmed by his own confession, that the faith which in former times England professed was the Catholic one. Why then does the king of England in the article about primacy so freely and stubbornly follow his predecessor, and in the remaining articles, in which Henry confessed Catholic truth, refuse to imitate him? But if perhaps he reply that he received his sect from his educators from the cradle, at least let him confess that it must be new and recent; from which fact is also easily concluded that it cannot be Catholic but is rather a defection from the Catholic Faith. However, we will pursue this topic more at large in what follows; now let it suffice to have shown that those who give their trust to Henry in the article about the primacy, but detest and refuse his confession of the Catholic Faith, have adopted their opinions without foundation and without consistency.

5. But let us see further in what sense they fashion the idea that the English Faith before Henry VIII was not Catholic. For it can be thought of in two ways. One is that at the beginning indeed the Catholic Faith was preached in England and at the time of Gregory was also received, but that it was afterwards corrupted and lost; the other way, however, if anyone think it, will be that, in the very preaching by Augustine of the faith, a doctrine of faith was delivered to the English that was already corrupted and far different from the Catholic and Apostolic Faith; but

we will show that each of this ways is unbelievable. And, to begin with, if England was Catholic already in the time of Gregory, he who says that it changed before Henry must show at what time the change took place, under which king and which Roman Pontiff, or under what English prelates; and again in what things or articles change was made; but nothing of this has with any mark of truth or probability hitherto been shown or can be shown; by this very fact, then, such an assertion must be rejected as willful and rash and injurious to the kingdom.

Next, if that be attentively considered which Bede and other English histories relate, no schism or heresy will be found which, after Gregory, took hold of the whole race. Nay, no change or variety is read of in all those things which the new heretics now detest. For, as will be clear from what is to be said, there was the same religion of the sacraments, the same faith and veneration of the sacred Eucharist, the same cult of the Saints and use of sacred images, and, what is chief, the same obedience and subjection to the Apostolic See; what defection, therefore, from the Catholic Faith can be contrived which through all that time existed in England? Lastly, since England from that time had always professed the same faith as the Roman Church (for no one can deny this who has read the ecclesiastical histories), the same island could not have lost the Catholic Faith without the Roman Church also having lost it; for each had the same faith. But we will show a little later that the Roman Church did not defect after Gregory from the Catholic Faith, nay it could not at all defect from it; therefore neither was there in the English Church a change then made in the Catholic Faith.

6. It remains for them to say, then, that although England did not change the faith from the time of Gregory up to Henry VIII nevertheless it was not at that time Catholic, because the faith preached by Augustine and other ministers of Gregory was not Catholic. From this it follows that, before Henry VIII, the Catholic Faith was never in England, at least in that part of Britain which did not receive the light of the Gospel until Gregory. Which conviction indeed, as far as I can conjecture, is not abhorrent from the faith, or opinion, of King James, for he lays down in his *Preface* principles and foundations with which this opinion seems to be very much consonant. For there the whole doctrine of the faith, which the Roman Church embraced after the five hundredth year from Christ, he thinks and tries to persuade others was uncertain and suspect. For, on page 43, he says: "Whatever in the four hundred years after Christ the Fathers established by unanimous consent as necessary for eternal salvation, I either think the same along with them or at any rate, with modest silence, I hold my peace; certainly I do not dare to reprehend them." In which words, while on the Fathers of the first four hundred years only does he bestow something of authority, the whole more recent doctrine he holds as suspect, and (which is something to be wondered at) he does not accommodate his faith even to those most ancient Fathers when they speak with unanimous consent but only dares not to reprehend them; all the others, therefore, who flourished in later centuries, even if they establish with unanimous consent something about a matter necessary for salvation, he will dare to reprehend, not to say doubt, their faith. Then, on page 47, he adds that not everything the Roman Church taught before the five hundredth year from Christ as to be *de fide* believed is to be held for the faith. Hence arises, therefore, a strong suspicion that James will not find it difficult to admit that the faith sown by Augustine in England was not pure and Catholic, but that it was with some deformities, nay with things which he calls recent and new, admixed. For since he himself thinks that from the five hundredth year from Christ the Roman Faith began to become defective and to be mingled with false dogmas, and since the preaching of Augustine in England began in the five hundredth and eighty second year after Christ, according to Bede, bk.1 of his *History*, ch.23, what wonder if he concede or reply that the faith preached by Augustine was neither pure nor altogether Catholic?

7. But how many and how pernicious are the dogmas contained in this manner of response or evasion we will try to demonstrate from higher principles of faith in what follows, but now, continuing the discourse begun, we must show that that response is alien to all reason, and contrary to the most received histories, and shameful and injurious to the English people themselves, and finally that it is a most grave imposture on Gregory and Augustine. But first let us suppose that the aforesaid faith was altogether true, pure, and Catholic in the other part of Britain long before the times of Gregory, and that it persevered there for many years. Which I do not think either the king of England or any of his ministers will deny. Because from the time of Eleutherius [175-89AD] and up the four hundredth or five hundredth year of Christ, even the king himself thinks that in the Roman Church the true faith of Christ was preserved pure and unwavering. Since, therefore, that part of Britain received the faith through Eleutherius, was in communion always with the Roman Church in the faith, and resisted the heresies that rose up against it, especially the Arian and Pelagian, as the same Bede relates in several chapters, it is most evident that the British faith in that part and at that time was Catholic. And of this truth we have, besides Gildas, Bede, and other historiographers, very ancient witnesses: Tertullian, close in time to Eleutherius, who in his book *Contra Iudaeos*, ch.7, places among the provinces of the Catholic Church and among kingdoms professing the true faith of Christ “the places of the Britons not reached by the Romans but subject to Christ;” and Chrysostom, who in vol.5, *In Demonstratione Contra Gentiles*, ‘Quod Christus sit Deus’, column 14, when he too is describing the extent of the Catholic Church, says: “For the British Isles too, situated beyond this sea [sc. the Mediterranean] and which are in the Ocean itself, have felt the virtue of the word, for even there churches are founded and altars erected,” and vol. 3, in his sermon for Pentecost, *Hodie Nobis*, etc. Likewise, describing the sanctity of the Catholic Church, he numbers Britain among other provinces and says: “But in Britain before this they as often feasted on human flesh, and now they mortify their souls with fasting.”

8. On this basis, therefore, I draw the following conclusion: the faith preached in England under Gregory was neither contrary to nor diverse from that which was preached to the British under Eleutherius; just as the first, then, was Catholic so also was the later, because in truth it was not in itself first or later but one and the same, which more quickly or more slowly came to occupy the diverse parts of that island. Of which thing the fullest witness is Bede, in the said bk.1, *Hist. Anglicanae*, ch.22, when, referring to the corrupt morals of the British faithful, he says among other things: “Moreover, among other deeds of unmentionable crimes which their historian Gildas describes in his tearful sermon, he also adds this, that they never committed to preaching the word of faith to the race of Saxons or Angles inhabiting Britain along with them. But yet divine piety did not desert his people whom he foreknew, but rather he arranged more worthy heralds of the truth for the afore mentioned race through whom it might believe.” And immediately, ch.23, he starts to narrate the providence of Gregory in sending Augustine with his colleagues to preach the faith to the Angles, and in ch.26 he asserts that those preachers not only taught the apostolic doctrine but also imitated their life. “They began,” he says, “to imitate the life of the primitive Church, namely by serving with constant prayers, vigils, and fastings, and by preaching the word of life to whom they could, and by spurning all things of this world as though alien, etc.” And later: “Many believed and were baptized, marveling at the simplicity of innocent life and the sweetness of heavenly doctrine.” And later he subjoins that many began daily to flock together to hear the word and, abandoning their gentile rites, “joined themselves by accepting the faith to the unity of the holy Church of Christ.” From this narration of Bede, therefore, one should confess that the same Catholic Faith was preached to the Angles as had

first been delivered to the British, and that thus the island was joined in oneness of faith both with itself and with other Christian peoples to the unity of the Church.

9. Besides, from the things about the manner of the Christian religion in each race, place, and time that are related in the same histories or that are *per se* manifest, it is plain that there was between both preachings no diversity of doctrine. For, in the first place, it is held as a thing proven that the dogmas of the faith, which the Protestants themselves and the king of England along with them call ancient, which were contained in the three creeds and were explained and defined in the four first Councils, were preached with complete faith and truth by Augustine and his companions, for Gregory decreed at that same time that the four General Councils, just like the four books of the Gospels, were to be received and venerated, to which Councils he also adds the Fifth, in bk.1 *Epistolarum*, epist.24. Nor do the English Protestants themselves, who glory in this ancient faith and profess that they retain it (which, how true it be, we shall afterwards see), possess it from anywhere else than from Gregory and his minister Augustine, through the tradition and continuous succession of their faithful predecessors; so about these dogmas there is, as far as concerns the present, no controversy.

But as to the other dogmas that they themselves now find fault with in the Roman Catholic Church, as the sacrifice of the Mass, altars, churches built in honor of the Saints, veneration of relics, invocation of the Saints, use of holy images, obedience and subjection to the Roman Church, we as gladly admit that these dogmas were believed and observed in England from the times of Gregory as they themselves are unable to deny that they were believed and observed in Britain from the times of Eleutherius; therefore either let them deny that the faith originally preached in England was Catholic or let them cease to accuse or repudiate as less Catholic the faith introduced by Augustine. The proof for this proposed equivalence is, in the first place, that Bede, in the said ch.26, reports that there was a church built in honor of St. Martin in England in ancient times while the Romans were still inhabiting Britain, namely before the preaching of Augustine, and after that he subjoins: "In this church, therefore, the Britons first themselves began to meet, sing psalms, pray, have masses, preach, and baptize until, when the king had been converted to the faith, they received a greater license for preaching everywhere and for building and restoring churches." And in ch.33 he relates that Augustine dedicated and consecrated a certain church previously built there by the efforts of the ancient Roman faithful, and that, on the encouragement of the same Augustine, a church was built to the blessed apostles Peter and Paul, which his successor Laurentius consecrated.

Now Gildas likewise seems to have described the ancient faith and Christian religion of Britain in his history and his little work *De Excidio Britanniae*, where in column 4, speaking of the time after the death of Diocletian, he thus writes: "They renew churches that had been destroyed to the ground, they found, construct, and complete basilicas to the holy martyrs and everywhere stake them out like signs of victory, they celebrate feast days, they offer sacrifices with pure heart and lips, they all exult as sons in the common bosom of the Church as in the bosom of a mother." And later, column 8, speaking of the time of a certain persecution, he says: "The result was that by massed battering rams all the colonies and all the inhabitants, along with the chiefs of the Church and the people, ... were strewn on the ground." And later: "And the sacred altars seemed to be dismembered corpses covered in scabs of purple blood as if mixed in a certain horrible wine press." And a little later he again makes mention of the "sacred altar" which he calls "the seat of the heavenly sacrifice." And later he deplores the fact that at the time of the persecution there were not heard the praises of God, "the songs of the novices of Christ with sweetly singing voice, nor the church melodies;" and a little later, column 13, he makes

mention of marriages, which he calls “illicit” because they were “made after monastic vow.” And finally at the end of that book he numbers in the ecclesiastical order “bishops, priests, and other clerics,” whom indeed in another work, about the correction of ecclesiastics, he gravely rebukes for their morals, although he very greatly honors their state; and among the rebukes he lists, “rarely sacrificing, and rarely with pure heart standing at the altars.” And later he distinguishes various ecclesiastical grades, especially of bishops and priests, and gravely rebukes them, “who do not have their priesthood from the apostles or the successors of the apostles but buy it from tyrants.” All which things agree with the words that I referred to above from Chrysostom, wherein he relates that in his time there were in Britain churches founded and altars erected. All of this makes manifest how the faith and religion of that time were consonant with what existed at the time of Gregory and which now we observe in the Roman Church; and, conversely, how discrepant from it is the religion which now exists in England – not a reformed religion (as they themselves say), but rather in truth a deformed one, which does not have the heavenly sacrifice or does not receive it in faith, destroys altars, detests priests, and does not admit of temples dedicated in honor of the Saints. Therefore this religion is new and a human invention; but the faith preached in England as well under Gregory as under Eleutherius was true and Catholic, and always persisted up to the aforesaid fall of king Henry.

10. We can confirm this additionally from how that faith was delivered and made convincing to England by Augustine and his companions. For, in the first place, the life of those preachers was as much like the apostolic life as it was different from the new sectaries and their morals; for the first followed a religious life which the latter detest; they celebrated masses and sacrifices, these flee them as a demonic pretense; they served with constant vigils and fastings and spurned all things of this world, as Bede says, but these, given over to the pleasures of the body, seek nothing other than human honor. Bede then says: “They came endowed not with demonic but with divine virtue, bearing a silver cross for banner before them, an image of the Lord Savior painted on a panel, singing litanies for their own eternal salvation and for the salvation of those to whom they came, making supplication unto the Lord.” And with these divine arms, rather than with human ones, in a brief time they brought the king, along with his kingdom, to the unity of the Church and the obedience of the Apostolic See.

Next Bede adds that this was not perfected without many miracles; for he speaks in ch.26 thus: “And when the king was delighted with the most pure life of the saints and with their most sweet promises, which they confirmed to be true with display also of many miracles, he believed and was baptized...” And in ch.31 he relates that so many and so great were the signs performed by Augustine, “that the Pontiff Gregory, lest through the abundance of miracles Augustine run into the danger of pride, exhorted him by a special letter he sent to him.” This letter is 58, bk.9, indict.4, where, among other things, Gregory adds these, which make very much to our purpose: “I know that Almighty God has through your love shown great miracles among the people whom he wished to be his elect, hence may you in the same divine gift rejoice in fear and fear in rejoicing.” Again, bk.2, ch.2, Bede relates that Augustine, in confirmation of the faith, restored sight to a blind man, and later in ch.7 about Melitus, third archbishop of Canterbury after Augustine, added the remarkable miracle of extinguishing a furious fire; and Polydore, bk.4, records about the same archbishop (whom he calls Miletus) that: “when he had well shown many miracles and had begun to be archbishop for the fourth year, he passed from this life to heaven.” Whose thinking, then, could it come into that a faith approved by the sanctity of an apostolic life, and approved by remarkable and not a few miracles, and preached with so much fruit and efficacy of speech, was not Catholic? Or who would dare think, much less say, that all

Christians, religious and apostolic men, and even kings, who were sometimes famed for miracles (as about Edward II Polydore relates, bk.8, not far from the end), who, I say, could believe that all these lacked the Catholic Faith and thence did not attain eternal salvation? Because entry to eternal glory is opened to no one without true faith; but a faith which is not Catholic is not true. Or who could presume with any prudence to put the sect invented by Luther, Calvin, and similar men, which was confirmed by no signs or miracles nor graced by probity of life, before the ancient faith and, by comparison with it, call it Catholic? Let king James, therefore, see what reason he will give for his faith when that faith has been strictly examined, whether he is a defender of the Catholic Faith or rather an attacker of it.

11. Finally in the last place I will not omit another reason that I will use to confirm the same things and to show that the faith introduced in England by the preaching of Augustine was true and Catholic. For if it was not Catholic, there was surely no Catholic Faith at that time in the world, or at least there was not then a faith about which one could be certain whether it was Catholic or not. Hence it turns out as a result that there was not then in the world a doctrine which men who wished to be saved could with full certitude of mind and with firm deliberation choose, embrace, and retain as divine and as delivered entire by Christ the Lord. But all these assertions have the ring of such impiety and bear before them such absurdity that, if they be admitted, the doctrine from which such dogmas follow needs no other assault; for in these assertions it sufficiently betrays its error and impiety. What remains, then, is for us to prove the consequence, which will not be difficult for anyone who considers that there was not then in the world any doctrine of faith in which as many testimonies and signs of truth, of antiquity, and of perpetual succession from the preaching of the apostles concurred as in that which Augustine preached in England. For his faith was none other than the Roman Faith, which was published throughout the whole world, and, having been received in it, was then still enduring; therefore if that faith was not Catholic, there was assuredly no Catholic Faith in the world. And lastly, this very fact is directly proved from the confession of the king himself, because he glories in his sect as if in the Catholic Faith. For he must as a result confess that no other faith, diverse from his sect, is Catholic, because the true and Catholic Faith is a single one only, as Paul testifies, *Ephesians*, ch.4. Therefore the faith that existed before Henry VIII cannot be deemed Catholic by the sectaries, because at that time the present sect of England, which they proclaim to be Catholic and hence true and sole, did not exist in the world. Now this most weighty reason brings, indeed, to the fore the foundation of our faith; but because it is mocked especially by the adversaries in two ways, therefore was there need with an extended defense to make it firm and fortified against the subterfuges of the heretics.

Chapter 3: That the Church of Christ cannot lose the true faith is shown, and confirmation of the reason given.

Summary: 1. Presentation of the error of the heretics who assert that the faith can fail in the whole Church. 2. This error was familiar to the old heretics. Lucifer in the work of Jerome. The Donatists on the evidence of Augustine. 3. From the testimonies of Sacred Scripture it is proved that the faith will never be lacking in the Church. A first supposition is that the Church is one. 4. The perpetual endurance of the unity of the Church is established. 5. Testimony first from Matthew 16 and the expositions of the Fathers. In Sacred Scripture the presence of God imports the idea of help. 6. Distinction between the comings of Christ and of the Holy Spirit. 7. The conclusion to the truth proposed is drawn. The Church would cease to exist were the faith lost. 8. Two objections by heretics. The response of St. Augustine. 9. That the faith did not fail in the whole Synagogue is demonstrated; satisfaction is made to the first objection. 10. That at the time

of Antichrist the faith will endure in the Church is demonstrated; satisfaction is made to the second objection.

1. In the previous chapter we reached the result by course of reasoning that either the Anglican sect is not the Catholic Faith but a defection from it, or conversely that before that sect arose the Catholic Faith must necessarily be agreed to have failed in the world; and hence that King James is compelled either to give up the title of Defender of the Catholic Faith or to affirm that from the five hundredth year of Christ, or some other similar year, up to the rise of Luther, Calvin, or someone or other of that sort, the world lacked the Catholic Faith. The authors of the new dogmas, therefore, seeing the force of the aforesaid discourse, have not been afraid to say that before them the true and pure faith did fail in the Universal Church of God, and that they were in an extraordinary way sent by God to restore the destroyed faith. So is it related by Luther in his *Latina Colloquia*, vol.2, ch. on the Fathers, and Calvin, bk.4, *Instit.*, chs.2 & 3, Melancthon, Bullinger, and others.

And, so far as I can gather from the book of King James, he is himself not averse to this opinion and puts his faith in those innovators, or some of them, or certainly in himself as a new evangelist. For in his *Preface* p.33, before he relates some private facts about certain of his predecessors, he begins with these words: "So that it may hence be clear to all that even in those centuries, when a grosser and blinder ignorance brooded over the world, the kings of England not only did not bear the ambitioned and swelling tyranny of the Pontiffs but also mightily resisted it." Which words, as far as they have regard to the question of the Primacy, will be expounded in the third book; now I will only consider that part of it in which he professes that, before his new gospel, the world was blind in knowledge of the truth. From which principle he later infers, page 47, that the doctors of the Roman Church (for about them he is undoubtedly speaking) "corrupted theology with a new rationale of disputing and philosophizing." But in another place of the same *Preface*, addressing Christian princes, he subjoins: "With Paul I wish that you all become in this one thing such as I also am, in the first place that you should wish to peruse the Scriptures, to seek from them the norm of faith, and to position, not on the uncertain opinions of others, but on your own sure knowledge of them, the foundations of faith." In which words he plainly sets up his very self as the living rule of his own faith; for although he attributes something to the body, so to say, of Scripture or to its letter, yet the sense, which is its soul, he reserves to himself and to his private intelligence, which he calls sure knowledge. And therefore I said that he puts his faith in himself as a new evangelist, holding in contempt and repudiating as false the doctrine of the Roman Church.

2. It is, to be sure, not a new thing for men who defect from the Catholic Faith to wish to cover or excuse their lapse with accusations against the Universal Church. St. Jerome in his dialogue against the Luciferians reports that Lucifer asserted "the whole world is the devil's" and that it was a familiar thing with him to say that "a brothel has been made of the Church." Augustine too, in epist.48 and his book *De Unit. Eccles.*, chs.12 & 13 and very often, reprehends this fault in the Donatists, and in heretics more generally on *Psalms* 101, sermon 2, saying: "But there exist those who say, 'This has already happened;' the Church in all the nations replies thereto, 'all nations have believed in it.' 'But that Church, which was composed of all nations, no longer exists; it has perished.' Such do those assert," says Augustine, "who are not in it. O impudent voice: it exists not because you are not in it! Look lest you for that reason do not exist, for it will exist even if you do not. This abominable and detestable voice, full of presumption and falsity, supported on no truth, illuminated by no wisdom, flavored with no salt, vain, rash, hasty,

pernicious, was foreseen by the Spirit of God, and against them as it were, when that Spirit announced the unity of peoples and kingdoms in coming together into one to serve the Lord, etc.” In like manner Tertullian, bk. *De Praescriptionibus Adversus Haereticos*, ch.7, notes this pretext of heretics too, and attacks it, and among other things laughs at it thus, ch.29: “Whatever be the error, as long as heresy does not err, so long certainly will error reign. Truth, needing to be set free, was waiting for some Marcionists and Valentinians (Lutherans, I add, or Calvinists); meanwhile the Gospel was preached wrongly, it was believed wrongly, so many thousands of thousands were baptized wrongly, so many works of faith were administered wrongly, so many virtues, so many charisms, were performed wrongly, so many priesthoods, so many ministries, were fulfilled wrongly, so many martyrdoms, finally, were crowned wrongly?” Nothing surely could be more aptly said for confounding the preachers of the new Gospel; yet it will not suffice, unless they be refuted also by the divine word.

3. In order, then, to refute this error from Sacred Scripture, as that Scripture was understood by the ancient Fathers, we suppose, to begin with, that the discussion is about the Universal Church of Christ, which Christ himself promised to found in a special way, and much more excellently than the way the Church was before his coming, *Matthew* 16.18: “Upon this rock I will build my Church,” and afterwards he fulfilled his promise, gathering it together little by little and later acquiring it by his blood, *Acts* 20.28, and finally commending it to Peter in these words: “Feed my sheep,” *John* 21.15-17, and giving command to the apostles that they should gather it together from all nations, saying: “Teach all nations, baptizing them, etc.” *Matthew* 28.19. But this Church is only one; for only one was promised by Christ, when he said “my Church,” because although the sheep are many, yet the flock is one, and one is the fold, and one the pastor, namely Christ in heaven and Peter and his See on earth, to whom Christ commended all his sheep, although there be many bishops as co-helpers, “whom the Holy Spirit has placed for ruling [alt. feeding] the Church,” namely the one Church, *Acts* 20.28. And therefore does the Apostle commend this unity, *Ephesians* 4.3: “Endeavoring to keep the unity of the Spirit in the bond of peace. There is one body, and one Spirit, even as ye are called in one hope of your calling; One Lord, one faith, one baptism.” And later he says that all the apostles, prophets, evangelists, pastors, and doctors of the Church have, v.12, been given “for the work of the ministry, for the edifying of the body of Christ.” Which is no other than the Church, as the same Paul expounds in chapter 1 of the same epistle, saying v.22: “and gave him to be the head over all things to the Church, which is his body,” and *Colossians* 1.18: “And he is the head of the body, the Church.” And later, v.24: “for his body’s sake, which is the Church,” and in *1 Corinthians* 12 he most elegantly describes the way this body is composed from its various members, and finally he concludes, v.27: “Now ye are the body of Christ, and members from member,” as the Latins expound it, that is, members connected together and ordered, just as in one body one member is adapted to another, or, as the Greeks read, “members in particular,” that is, you are not a complete body (for he was speaking to a particular church), and for that reason you are not all the members, but in particular or in part. Hence Augustine writes most correctly, *De Unit. Ecclesiae*, ch.2: “The Church is one, which our ancestors named Catholic, so as to indicate it from its very name, because it exists throughout the whole.” And later: “The whole totality that is asserted of Christ is head and body; the head is himself, the only-begotten Jesus Christ, Son of the Living God; his body is the Church, of which it is said [*Ephesians* 5.27] ‘that he might present it to himself a glorious Church, etc.’” Jerome too, against the Luciferians, makes this unity of the Church plain through Noah’s Ark, which was a type of the Church, as is taken from *1 Peter*. Nor do we on this point, as I reckon, have any controversy with the sectaries,

and therefore we believe that, as far as is required by what follows, what has been said is sufficient for us to make this supposition; for an exact explication of this unity and of all the members of the Church, in which explication the heretics are wont to disagree with Catholics, demands a longer treatment, but such a treatment is not necessary for our present intention.

4. I lay down, as a second point, that this Church will endure in its unity right up to the Day of Judgment. For we are speaking of the Church Militant, since of the Church Triumphant no place for doubt or controversy remains. And this assertion could easily be proved of the Church as it was from the beginning of the world up to Moses, and of the Synagogue as it was from Moses up to Christ; but these things are not necessary for our intention, and therefore as to what is said about the duration of the Synagogue, and also the testimonies of the Old Testament, we pass them over. I am speaking, then, of the Church of Christ as I have shown it to have been founded in the New Testament by him. And thus what remains is to prove this property of the Church from the promises made by the same Christ in the New Testament.

5. Now there are of this sort chiefly three promises. The first is *Matthew* 16.18: "Upon this rock I will build my Church and the gates of hell shall not prevail against it." For in these words Christ promised to his Church stability and firmness, against which neither tyrants, nor heretics, nor any other enemies of Christ could prevail. For these are all understood by the Fathers in 'the gates of hell'. But Jerome in particular on that place: "Vices and sins, and the doctrines of heretics he understood by those 'gates';" the same also on *Isaiah* 26, and almost the same is said by Ambrose, in his book *De Bono Mortis*, ch.12: "It is given to Peter that the gates of hell will not prevail against him; those gates of hell are earthly gates;" and later: "They are the gates of crimes." But Epiphanius, in *Anchorato*, whom Eutymius follows on *Matthew*, understands the blasphemies of heretics and their persecutions against the Church; Chrysostom, on *Isaiah* ch.2, and homil.4, on ch.6, and homil. *De Expulsione Sua*, and in the other one cited above, *De Festo Pentecostes*, and *In Demonstratione*, 'Quod Christus sit Deus,' always expounds it of tyrants and infidel emperors attacking the Church through their power. But the same, on *Psalms* 147, at the end, rightly explains it of the whole power of hell, and of all ministers that the devil uses to attack the Church. And this sense is without doubt the truest, because the words are absolute, and under 'gates' is comprehended, as if by metonymy, everything that hell contains. Hence Damascene says very well in *orat. De Transfigur. Domini*: "Against it the gates of hell, the mouths of heretics, the instruments of demons, will indeed launch attack, but they will not prevail." And later: "For we are totally confident that never will it happen that it should be overthrown, since Christ affirmed it." And for the same opinion, Eusebius, bk.1, *De Praeparat. Evangelica*, ch.3, asserts: "The Church, endowed with this name by Christ, planted roots, and, glorified to the stars by the prayers of saints, shines with the light and brightness of the orthodox faith, nor does it turn its back to enemies, nor does it yield to the doors themselves of death, because of those few words which he pronounced: 'Upon this rock I will build my Church, and the gates of hell shall not prevail against it'." In a like way Ambrose, in *orat. Unum esse, Christum*, having set forth the words of Christ cited, says: "Faithful is the speech, the promise unfailing, the Church a thing unconquered, even if hell itself be stirred up, and if those who are in hell make the princes of the world a tumult of darkness." Lastly Augustine, bk.1, *De Symbolo*, ch.6, explaining the article 'holy Church' says that the Church is the temple of God, of which the Apostle says, *1 Corinthians* 3.17: "For the temple of God is holy, which temple ye are," and he subjoins: "It is the holy Church, the one Church, the true Church, the Catholic Church, fighting against all heresies. It is able to fight; it is not able to be defeated. All heresies die out of it as useless twigs from a pruned vine; but it remains in its root,

in its vine, in its charity. The gates of hell will not overcome it.” Nay, adds Hilary, canon.16 on *Matthew*, by these words not only is it promised to the Church that it cannot be conquered, but also “that it should destroy the infernal laws, and the gates of tartarus, and all the bars of death;” so that the gates of hell not only cannot stand against the Church so as to defeat it, but they are not even sufficient to stand against it. For as the same Fathers frequently note, the Church is by the persecutions of tyrants enlarged in number of persons and in merit of sanctity, and by the contradiction of heretics it increases in knowledge, and is more enlightened in recognition of truths.

The second promise of Christ the Lord was *Matthew* 28.20: “And lo, I am with you always, even unto the end of the world.” About which Jerome rightly noted: “He who promises his presence unto the end of the world shows also that they will always be victorious and that he will never depart from among believers.” It is clear, therefore, that the promise was not made only to the apostles present, or to the disciples, but to the perpetually enduring temple of the Church, of which Paul said: “which temple ye are.” Hence wisely did Augustine say, bk.6, *De Gen. ad Litteram*, ch.8: “He spoke to all those whom he saw would be his own: ‘Lo, I am with you.’” Therefore perpetuity for the Church is either supposed in those words or also promised to it. For, in order that we might be secure, Christ promised his presence, that is, his help and protection, as Jerome also explains about *Isaiah* 41 and *Zechariah* 2; and Augustine, tract.50 on *John*, says: “According to his majesty, according to his providence, according to his ineffable and invisible grace, what was said by him said is fulfilled: ‘Lo, I am with you always, even unto the end of the world.’” And Pope Leo, epist.31: “Divine protection will not leave his Church, says the Lord: ‘Lo, I am with you, etc.,’” and epist.92 at the beginning: “Confirming the preachers of the Gospel and the ministers of the sacraments, he says: ‘Lo, I am with you.’” And in the same way was this place understood by Chrysostom, homil.91 on *Matthew*, by Bede, and by other expositors on that place, and by Prosper, bk.2 *De Vocatione Gentium*, ch.2. And it is a customary locution in the Scriptures that by the presence of God is signified protection and singular help, *Acts* 7.9: “And God was with him,” alluding to that verse of *Wisdom* 10.14: “He descended with him into the pit;” and of *Jeremiah* 1.8: “Be not afraid of their faces: for I am with thee.”

6. The third promise, finally, is like the preceding two, for as there he promised his peculiar favor, even according to his humanity, so in *John* 14 he promises the peculiar presence of the Holy Spirit and of the Father along with his own, saying, v.16-17: “And I will pray the Father, and he shall give you another Comforter, that he may abide with you for ever; even the Spirit of truth.” In which words is this among other things much to be noted, that the promise was not made only to the apostles. For although one could also undersand that the Holy Spirit remained perpetually in the persons of the apostles after they had received him, yet Christ does not there promise this only, but also that the Holy Spirit was to be sent to console, teach, and protect the faithful, so that he would not depart anymore from the Church for ever, that is, as long as the world will last (for this is the usual significance of that word in Scripture). Hence he tacitly points to a difference between his advent and the advent of the Holy Spirit, because he came to found the Church, which he was going to acquire with his blood, being after his death to depart from it; but the Holy Spirit was given to the Church so as to remain always in it. Which fact seems to be noted by Chrysostom, homil.74, on *John*, when he says: “This signifies that neither does he depart after death.” And so was this promise understood by Cyril, bk.9, on *John*, ch.45, when he says: “Although the Lord ascended to the heavens after he rose from the dead so as, according to Paul, to be present with God for us, yet he promises to be present with the

faithful always through his Spirit.” And Tertullian in the same way, in *Praescriptionibus*, ch.38.

Nay, that the gift of the Holy Spirit was thus fulfilled is taught openly by Paul, *Ephesians* 4, where he first says, v.8, that Christ, ascending on high, gave gifts to men, but afterwards adds, v.11-13: “And he gave some apostles; and some prophets; and some evangelists; and some pastors and teachers; for the perfecting of the saints, for the work of the ministry, for the edifying of the body of Christ: Till we all come in the unity of the faith, and of the knowledge of the Son of God, unto a perfect man, unto the measure of the stature of the fullness of Christ.” In which testimony are accurately expounded the words, “till we all come.” For in them Paul openly teaches that the Church is built into the body of Christ and is governed by various ministries and graces of the Holy Spirit, and is to remain up to the general resurrection and the perfecting of the saints. On account of these testimonies all the ancient Fathers agree in this dogma of the faith, as is clearly proved by those mentioned, to whom can be added Martialis, epist. *Ad Burdegal.*, ch.11, and Cyprian, epist.55, *Ad Cornel.* Athanasius says in orat. *Quod unus sit Christus*: “The Church is a thing unconquered, even if hell itself be stirred up.” Lastly, Augustine, expounding about the Church the words of *Psalms* 47 [48].8: “God will establish it for ever,” says: “But perhaps that city which holds up the world will sometime be overthrown. God forbid. God has established it forever. If therefore God has established it forever, why do you fear lest the firm foundation fall?”

7. We can proceed from these last words of Augustine to conclude, on the basis of the foundations stated, to the chief assertion and to demonstrate the truth we intended, namely that the Catholic and Universal Church cannot defect from the true and divine faith. For the firm foundation and the form, as it were, that joins together the members of this Church, both with themselves and with Christ, is the faith; if therefore God has established the Church forever, who may fear that the faith of it could fail in the whole of it? For if the whole Church were to lose the faith, it would by that very fact cease to be the Church, and would start being the Synagogue of Satan. Just as the gentiles are outside the Church, because they did not accept the faith, heretics too, by the very fact that they lose the faith, cease to be in the Church, and for that reason they are compared in this respect to the gentiles by Jerome, *Dial. contra Luciferian.*, at the beginning. Finally this truth is sufficiently confirmed by the Apostles’ and Nicean Creeds, in which the king of England professes to put his faith. For these creeds teach that the Church must be believed to be one, holy, and Catholic; but it cannot be one without unity of faith, nor holy without true and divine faith (in the absence of which it is impossible to please God), nor Catholic without universal faith, because it embraces all true dogmas. Since therefore the Church cannot cease to exist as long as the world lasts, and since it cannot exist without at the same time being faithful and holy, neither can it chance to defect from the true faith.

8. But adversaries are wont to object many things against the stability of the Catholic Church in the faith, and to take in review various lapses or defections of the Church. They do so both because at the time of the Old Law the whole Church defected from the faith when the Synagogue adored the calf, *Exodus* 32, and also because the Church will be utterly overthrown when the persecution of Antichrist is waxing strong, as Paul says, *2 Thessalonians*, 2.3: “Except there come a falling away first, etc.,” and Christ, *Luke* 18.8: “When the Son of man cometh, shall he find faith on the earth?” From which the heretics wish to collect that it could then fail, because then the Antichrist has come. To whom we will with Augustine respond in one word: “I believe those things that are read in the Sacred Scriptures; I do not believe those things that are said by vain heretics.” For so he responded to the Donatists, bk. *De Unitate Ecclesiae*, ch.13, who were saying that in their time the whole world was apostate, and that in them alone did the true

faith remain; and they used various examples twisted from Scripture which Augustine meets by saying that he believes those things that are read in the Scriptures, not those things that heretics try to prove by their contentions, and he concludes: “They, therefore, acting either without skill or deceitfully, collect from the Scriptures such things as they find said either about the bad, who are mixed in with the good up to the end, or about the devastation of the earlier people of the Jews, and they wish to turn them against the Church of God so that it may seem as if it has failed and perished from the whole world.”

9. Of this sort certainly are the things that the sectaries of the present day object. For the sin of the Jewish people pertains to the corrupt morals and hardness of that people, not to the defection of the Church; both because the Synagogue was not the Church of Christ, about which we are treating; and also because what was then in the world was not the Universal Church, for in the uncircumcision there could also then be some faithful and just; and most of all because it is false that then everyone among that people lost the faith. For in the first place Moses and Joshua were altogether free of the guilt, and second, although Aaron gravely sinned by cooperating with the people in the sin of idolatry, yet it is far more likely that in the faith he did not err. For never did Moses rebuke him for this sin but only of another, as is clear from the words, *Exodus* 32.21: “What did this people unto thee, that thou has brought so great a sin upon them?” And the same is openly supposed by Augustine, q. 141 on *Exodus*, when he says: “The fact that Aaron bids them take off the earrings from the ears of their wives and daughters, out of which he was to make gods for them, is not absurdly taken to mean that he wished to prescribe difficult things so that he might in this way call them back from their intention.” For, if this is so, it beomes plain that Aaron did not sin from infidelity but because he did not bravely resist the people and, from too much human fear, yielded to them. Finally, that many of the people persisted in the faith is clear from the words of Moses, v.26: “Who is on the Lord’s side? Let him come unto me;” for only he is on the Lord’s side who believes in him; but there were many found of this sort, who came to Moses to avenge the injury done to God.

10. Likewise, it is a thing plainly false and full of error that the Church will perish at some point, or altogether defect at the time of Antichrist. For although there will then be that great tribulation predicted by Christ, *Matthew* 24, which will trouble many and throw them from the faith of Christ, which defection Paul signified in advance with the word “falling away”, nevertheless the Church of Christ will not be altogether destroyed, nor will all its members lose the faith, as Christ sufficiently indicates in *Matthew* 24.22, when he says: “And except those days should be shortened, there should no flesh be saved: but for the elect’s sake those days shall be shortened.” And later, pressing the point more fully, he adds, v.24: “Inasmuch that, if it were possible, they shall deceive the very elect.” There will, then, always be some elect and faithful in whom the Church may remain, nay at that time there will be most illustrious martyrs and most brave confessors of the Catholic Faith. As to what is further touched on at the end of the objection, that now the Antichrist has come, the adversaries object it because of the primacy of the Pontiff; but how false this is, nay ridiculous too, we will see in book five. Finally as to the other difficulty, which lies beneath this objection and response, namely how the Catholic Church could persevere in a few believers and take refuge as it were in a corner, it will be made clear in ch.6.

Chapter 4: That it is not possible for the Catholic Church to err even through ignorance in matters of faith.

Summary: 1. An evasion to the above argument. 2. The Church cannot err even through

ignorance. 3. The same truth is proved by reason; an evasion is excluded. 4. Response by heretics. The response is rejected, and the above conclusion is confirmed by the authority of the Fathers.

1. Some ignorant person or heretic might weaken the discussion of the previous chapter by saying that it does rightly prove that the Church cannot fall into a heresy by which the faith is lost; but this is not enough, nor does it stop the Church from being able to exist among many errors, at least through ignorance, which would excuse it of the guilt of heresy, the result being that, although it err in that way, it would not cease to be faithful and holy and so it would not be destroyed. But if this idea is conceded, the heretics or schismatics will have some excuse for dissenting from the Church in certain things where they contend it is in error. For if they understand it to err by ignorance alone and without heresy, they do not seem to speak so manifestly against the promise of Christ. However, I say that this could be proposed by a Catholic rather than by a heretic, because heretics do not act with the Church of Christ in so moderate a way, but impudently attribute to it lapses and errors contrary to Scripture that cannot be excused of heresy, and therefore some of them, with the same impudence, plead in excuse of their heresy that the Church has lost the true faith and hence that, contrary to Christ's promise, it has perished from the world.

2. Wherefore one must further say that not only can the Church not fall into heresy, but that it also cannot err, whether by ignorance or in any other way, in any dogma wherein, as in a truth revealed by God and to be believed by all the faithful, the Universal Church is united and which it teaches and proposes. For this too is contained in the promises made to the Church, and therefore no Catholic can be in doubt about the truth of this dogma. The fact is made plain, in the first place, by the words of Paul, *1 Timothy*, 3.15: "That thou mayest know how thou oughtest to behave thyself in the house of God, which is the Church of the living God, the pillar and ground of the truth." For the Church is compared to a column as to something that, by stability and firmness, preserves the truth sincere and pure and secures all the faithful in the truth against all oppressors of it whatever. But if the Church could err, how, I ask, could the faith of believers, or the truth of things to be believed, depend on it? But that this is the opinion and sense of Paul seems so clear from the words that it scarce needs any exposition or persuasion, but only the reading of an unperturbed mind. Hence all authors as well ancient as more recent declare that the Church is said to be the pillar of truth on account of its being immovable in the truth. But it is called the ground, either because it has the truth made firm by prodigies and virtues which could be done by no other than by God himself, as Ambrose expounds, or because by it all believers are made firm in the truth, as is rightly taught by St. Thomas, and as is indicated by Chrysostom when he says: "The pillar of the world is the Church, which contains the faith to be preached; indeed the truth of the Church is the pillar and ground." And more clearly Theodoret says: "He called the Church the assembly of believers, whom he said were the pillar and ground of the truth, because, as founded on Peter, they remain fixed and immovable; and they preach the truth of the dogmas by the very realities." And Jerome also adds on the same place: "The Church is called the pillar, on which now alone the truth stands firm, which alone holds up the building." Next Augustine, cont.1 on *Psalms* 110, treating of the words, "He has founded the earth on its firmness," interpreting by 'earth' the Church, he expounds: "It will not be caused to fall for ages of ages, because it is predestined to be the column and ground of the truth." Therefore, because it cannot decline from the truth in those things that it believes firmly and holds to be revealed by God, it is for that reason the pillar and ground.

Besides, this truth is confirmed by the promise of Christ treated of above, *John* 14.16: "I will pray the Father, and he shall give you another comforter [Paraclete]...even the Spirit of truth." For not without cause did he there specially call him the Spirit of truth, making sufficiently thereby that he is promising the Paraclete as Teacher of truth, as Christ himself seems to make plain, *John* 16.13: "Howbeit when he, the Spirit of truth, is come he will guide you into all truth." But we showed above that the promise of the Holy Spirit was made to the Church, that he should remain with it for ever, as Christ himself said; therefore the Church always has the Holy Spirit as guide and teacher, by whom it is specially guided and illumined, and hence it cannot happen that the same Church should err about the truth, and therefore Cyril, bk.10, on *John*, last chapter, said: "When he predicted that the Paraclete would come to them, he named him the Spirit of truth (for he himself is truth), so that the disciples might understand that he would send a virtue not foreign to himself." And later: "This Spirit of truth therefore will lead into all truth, for he knows the truth exactly, whose Spirit he is, and reveals it not in part but completely. For although we know in part in this life, as Paul says, yet it is not a truth mutilated but a truth complete that shines on in this limited knowledge." Which last words are much to be noted, for from them is understood the necessity of this Spirit of truth in the Church, as I will immediately make plain. Next Tertullian, bk. *De Praescriptionibus*, ch.28, as if mocking those who attribute to the Universal Church error about the faith, says for the same reason: "Will the Holy Spirit not have regard for the Church, he who was sent for this purpose by Christ to lead it into truth, who was for this purpose asked for from the Father, that he might be Teacher of truth? Will God's administrator, Christ's vicar (that is, filling his function and supplying for his absence in the office of teaching), neglect his duty and in the meantime allow the Church to understand otherwise, to believe otherwise, than he himself preached through his apostles?" As if he were to say that this is incredible and alien to the promise of Christ and to the providence and goodness of the Holy Spirit.

3. Next, besides the promise of Christ and the very express testimonies of Scripture, we can prove this truth by reason deduced from the principles of the faith. Because if the Universal Church could err in any way in the dogmas of the faith, it could not in any of them be the pillar and ground of the truth, nay it could not believe anything either as altogether certain that could not have falsity beneath, because it could always be in doubt and fear that it was being deceived through ignorance. Someone will perhaps reply that the Church could and should firmly believe the things that are contained in Scripture even if it could err in other things. But this does not remove the difficulty; both because the Church could have doubts about the books of Scripture themselves, whether it was erring by ignorance in believing that some book was canonical which was not, because the authority of the Church is not greater in approving one book than in approving another; and also because, if it could err in some dogma, it could also err in understanding the Scriptures, and therefore it could always doubt whether it was following the true sense of the Spirit, and hence it could believe nothing from the Scripture with certainty; besides too, because the Church needs to be certain, not only about the things contained in the Scripture, but also about other unwritten dogmas, as the most ancient Fathers always taught, a few of whom I will immediately point out; for in the present we are only touching on this by the by. Therefore, in order for the dogmas that the Universal Church believes to be certain, it must not be able to err in any of them. Hence rightly did Gregory Nazianzen say, orat.37, near the end: "One thing coheres with another, and from them a certain truly golden and salutary chain is made;" and therefore, if even one is taken away or rendered uncertain, the whole chain will be broken and become useless, as even Ambrose said, on *Luke* 9, bk.6, at the end: "If you remove

one of these, you have removed your salvation, for even the heretics seem to themselves to have Christ; for none denies the name of Christ; but he who does not confess everything which is Christ's denies Christ." So therefore, he who imputes error to the Church in any dogma whatever destroys the whole faith of the Church.

4. Perhaps, however, the adversaries will easily concede all this, and will not think it inconsistent to admit that the Church, by erring and handing on false dogmas as truths of the faith, can come to that state in which it believes nothing by divine and wholly certain faith but everything by its own opinion. But this response, in the first place, returns to the previous error, that the true Church of Christ can perish; for when it is constituted in that state it would not have true and supernatural faith; therefore it would not be the true Church. And so this response, as to this first part of it, is sufficiently assailed by the things we said in the preceding chapter, and by the foundation which confirmed them and by the testimonies for that foundation. Next, if the Universal Church could reach the state in which it believes nothing by divine faith but only by human opinion, where then will faith be found on the earth? Surely nowhere, because if the true faith is anywhere it has come from the Catholic Church. Therefore if in the Church itself the faith is not certain and supernatural, much less could it be so outside it. Wherefore those who make this reply and think in this way about the Church show, while making it unfaithful, that they themselves lack the faith. For whence will they have the faith if they do not have it through the Church, since God is teaching men now not through himself but through the Church, as is clearly taken from Paul, *Romans* 10?

Finally, those who thus respond, err for this reason that they do not distinguish in the Church between human authority and the authority of the Holy Spirit who rules it, or speaks through it, as often as it as a whole believes dogmas of the faith, or teaches it, according to the promise of Christ just referred to, and according to the mind of the apostles when they hand on a dogma of the faith with these words, *Acts* 15.28: "For it seemed good to the Holy Ghost and to us."

And in this way did the most ancient Fathers think about the authority of the Church. Irenaeus, bk.3, *Contra Haereses*, ch.3, says: "There is no need still to seek among others for the truth which it is easy to obtain from the Church, since the apostles most fully brought into it, like a rich man into his store house, everything which is of the truth, so that everyone who wishes may obtain from it the drink of life; for this is the entrance of life, but all the rest are thieves and robbers, wherefore they must indeed be avoided." Ambrose, bk.3, epist.25, *Ad Verselenses*, says: "No one stands who does not stand in the faith, who does not stand fixed in the opinion of his heart. We also elsewhere read, 'but you stand here by me;' both things were said to Moses by the Lord, 'whereon you stand is holy ground,' and 'Here, stand by me,' that is, you stand with me if you stand in the Church; for he himself is the holy place, the very earth fertile with holiness and rich with the harvests of virtues. Stand therefore in the Church, stand where I have appeared to you, there I am with you. Where the Church is, there is the firm station of your mind, there is the ground of your spirit." And the same Ambrose, bk.3 *De Fide*, ch., says: "We will keep the precepts of our ancestors, and will not violate the seals of our inheritance with the rashness of a wild daring."

And Augustine, *De Utilitate Credendi*, ch.8, speaking of a man longing and laboring to find the truth: "If you wish," he says, "to put an end to labors of this sort, follow the way of Catholic discipline, which has flowed down to us from Christ himself through the apostles, and will henceforth flow to our posterity." For Augustine thought that the faith would never fail, and that it would not otherwise come to posterity than through the tradition and succession in the

Catholic Church. Hence in ch.17, after he said that great is the help of the faith that is believed and preached by the common consensus of the peoples, he subjoins: “This was done by divine providence through the predictions of the prophets, by the humanity and doctrine of Christ, by the journeys of the apostles, by the insults, crosses, blood, deaths suffered by the martyrs, by the praiseworthy life of the saints, and, among all these, miracles worthy of such great things and virtues, according to the opportunity of the times. Since therefore we see God’s so great help and so much fruit and progress, shall we doubt to hide ourselves in the bosom of his Church, which, starting from the Apostolic See through the succession of bishops, has obtained, according to the confession of the human race, the peak of authority, with the heretics meanwhile barking around it in vain and damned partly by the judgment of the people itself, partly by the gravity of Councils, partly even by the majesty of miracles? Not to wish to give the Church the first place is surely the mark either of the highest impiety or of precipitous arrogance. For if there is no sure way to wisdom and safety for souls except when faith before reason cherishes them, what else is ingratitude to the divine help and assistance than to want with so much labor to resist the authority aforesaid?” So far Augustine. With these words he has so splendidly and wisely confirmed the discussion we have given that nothing seems capable of being added to it. And therefore does the same Augustine defer so much to the authority of the Church that, in his book *Contra Epistolam Fundamenti*, ch.5, he did not doubt to affirm: “I would not believe the Gospel unless the authority of the Catholic Church prompted me.”

Finally, Jerome *Contra Luciferianos* about the middle, says: “What sort of thing is this, that you carry over the laws of the Church into heresy?” And later: “If Christ does not have the Church that is diffused through the whole world, or if he only has it in Sardinia, he has become too poor by far.” And lastly, after he has brought many things forward about the Church, he adds thus at the end: “I could spend a whole day on this sort of talk and dry up all the streams of your propositions with the one sun of the Church; but because we have already talked much, I will pronounce for you a brief and open opinion of my mind, that one must remain in that Church which, founded by the apostles, endures up to the present day.” And many like things are found in the ancient Fathers which, in the interests of brevity, I dismiss, and I more gladly say that he who has not listened to these Fathers, even though many have been referred to, will not believe, but will always think up vain subterfuges.

Chapter 5: That the Roman Church has the same firmness of faith as the Catholic Church is demonstrated, and an evasion of the sectaries is met.

Summary: 1. Distinction made by sectaries between the Roman and the Catholic Church. 2. This sort of distinction was invented by the more ancient heretics. 3. Foundations of the error. 4. Distinction of the Roman Church into universal and particular. 5. The place in Luke 22 is shown to be to our account. 6. First confirmation. 7. Second confirmation.

1. The things in the previous chapter from the divine Scriptures, adduced to show that the Catholic Church has been immoveable and has had the singular protection of God in preserving and continually retaining the true faith, are so clear and open that not even the enemies of the Church itself dare entirely to fight in an open warfare against the Catholic Church. So they distinguish between the Catholic Church and the Roman Church and do not dare to say openly about the Catholic Church that it has defected from or lost the true faith, which however they are not afraid to assert boldly against the Roman Church. And in this way they seem to escape all the testimonies of Scripture and the promises of Christ, because these were made about the Catholic

Church and not the Roman Church.

And, to pass over other Protestants, King James does not seem averse to this opinion or distinction. For although in his book he does not expressly propose it, yet from his words it is not unclearly gathered; for he professes himself a defender of the Catholic Faith which, he says, is the faith of the old and primitive Church; wherein he indicates that the Catholic and primitive Church has not perished but persists, for where the Catholic Faith is the Catholic Church too cannot fail to be. But afterwards, in his *Preface* p.40, he did not fear to confess that he neither is nor ever was in our Church, that is, in the Roman Church; and on p.47 he plainly damns articles of the faith “which,” he says, “were fashioned in the workshop of the Roman Church, unheard of before the five hundredth year of Christ;” and on p.48, he has these words: “Although they say I am a schismatic and have defected from the Roman Church, certainly I can in no way be a heretic.” Therefore he makes a distinction between defection from the Roman Church and defection from the Catholic Faith, or from the Catholic Church, for it amounts to the same. Again, on p.54, after these words, he subjoins many like ones: “We have not yet touched on the citadel of the Roman religion, that is the head of the Church, and the primacy of Peter, for those who deny this article deny, in the opinion of Bellarmine, the Catholic Faith.” With these and the like words, therefore, King James sufficiently insinuates that the faith of the Roman Church has failed, while the Catholic Faith endures and perseveres.

2. Nor is this error a new one, for Wycliffe in his article 37, which was condemned at the Council of Constance, session 8, said that the Roman Church is the Synagogue of Satan; which remark I do not find said by him about the Catholic Church, nor perhaps would he say it, lest he should seem to put himself either in the Synagogue of Satan or outside the Catholic Church; which danger, indeed, is common to all heretics. In fact the Paupers of Lyons, otherwise the Waldensians, were before in the same error, who asserted that no one in the faith of the Roman Church, which defected at the time of Sylvester, could be saved, as is related by Antoninus 4, p. ‘Theologali’, tit. II, ch.7, sect.2, and by Aeneas Silvius, *De Origine Bohemorum*, ch.33. But, first, all of them were founded on private opinions or their own errors, and since they could not deny that these opinions were contrary to the Roman Faith, they were compelled at length to babble that the Roman Faith was not true and hence that the Roman Church had defected from the Catholic Church.

3. Or certainly, second, what moved them was that they believe nothing excellent or universal about the Roman Church, but they consider it only as a particular church or diocese and its bishop as one among others possessed of no power outside that diocese. From which principle they inferred that, just as other particular churches and their pastors, even if they were primates or patriarchs, could fail in matters of the faith and did in fact often defect, so too could it happen in the Roman Church and has in fact rather often happened. And in this way these two errors are very closely joined together, as they were joined together by Wycliffe when he said: “The Roman Church is the Synagogue of Satan, and the Pope is not the immediate and proximate Vicar of Christ.” And for this reason the king of England seems to have said that the citadel of the Roman Faith is the article about the primacy of Peter, because we believe that the Roman Faith is founded on that primacy in the way that Christ promised to found his Church on a rock, and therefore the king himself, by denying the primacy, is compelled to deny the Roman Faith, and to persuade himself and his fellows of its failure.

4. Therefore, in order to base on this foundation the beginning of our attack on this error, we must distinguish a double function or a double pastoral in the Roman Bishop. One is particular and proper to the diocese of Rome, of which the Pontiff is the immediate bishop. The

other is the universal care of the whole Church of Christ, of which he is universal Pastor and supreme Bishop in the case of all particular churches, although he is not immediate bishop of them individually. And indeed about the first power and office there is no controversy between us and Protestants. But the second universal power and its supreme even universal jurisdiction over the Universal Church are denied by the adversaries, but we now assume it and constantly assert that the article about it pertains to the Catholic Faith; however the proof of it we reserve for book 3, lest we be compelled to overturn our proposed order and bring confusion into what we are now treating of. But these two functions, although they can according to the way they are distinct in themselves be divided in the persons just as they are separated in other episcopacies, nevertheless, from the fact that the functions were joined together in Peter, they are never found to be separate and they will, by divine ordinance, perhaps never be separated; which thing we are not now dealing with because it is not relevant to the present purpose, but in the third book we will touch on it, at least in passing. Up to this point, then, the Roman Bishop has always been the same as the Bishop of the Catholic Church, the way that he is often named by the ancient Fathers.

From this fact we understand that by the name of the Roman Church two things can be signified, first that particular church which is confined within the limits of its diocese and has its own merely particular bishop, precisely considered, so that he may exercise immediate jurisdiction over it. And of the Roman Church taken in this sense we are not speaking, because it is clear that it is not the Catholic Church but a member of it. And therefore about this church, as so considered, we cannot say that it has Christ's promise of never defecting from the Catholic Faith, because nowhere is such a promise found; nor is it necessarily included in the promises made to the Universal Church, because the Universal Church could remain in the true faith, in obedience to and union with the Supreme Pontiff, as he is Pontiff and Universal Pastor, even if that particular church should defect from the faith and throw off its bishop from itself by violence – which we say for the sake of explaining the thing, though we piously believe that God will never permit it.

But in another way the Church which retains the True Faith of Christ is wont to be called the Roman Church because it obeys the Roman Bishop, although it is not united to him as to a private bishop but as to the Universal Pontiff; and so too it is said to be the Roman Faith and the Roman Religion, which is preserved, confirmed, defined, or approved by the Roman Pontiff as the Vicar of Christ. And in this way too the particular Roman Church, as conjoined to its bishop not only as to a particular ruler but also as to the universal Doctor of the whole Church, is placed together with the Catholic Church in the privilege of not erring nor defecting from the faith as long as it remains in that union with its head; for this is also possessed by any other particular church when considered under the same reason and union. And this follows from the general principle, namely that Peter and the Faith of Peter are the immovable foundation of the Church, on which, as long as a church, although a particular one, be founded, it never errs from the true faith. However, there is this difference between the Universal Church and particular churches which one can consider, that any particular church can be disjoined from this rock of Peter and fall; but the Universal Church cannot, because about it alone is it written: "The gates of hell will not prevail against it."

When the meaning of the words, then, is made plain and understood in this fashion, we say that the faith of the Roman Church is the Catholic Faith, and the Roman Church has not defected and could not defect therefrom, because of the Chair of Peter present in it. This assertion we propose as certain and necessary in the Catholic Faith, and we collect it from the

divine Scripture as follows: the faith of Peter was Catholic and could not defect; but the faith of the Roman Church is the faith of Peter; therefore the faith of the Roman Church is the Catholic Faith, from which that See can never defect. The argumentation is legitimate, but the individual propositions assumed in it need to be proved. The first part, then, is known of itself, namely that the faith of Peter was Catholic; for, if it is understood of the person of Peter, it is not brought into doubt even by heretics; for the faith of Peter was what has been preached to the whole world from the beginning; and it most of all is apostolic and primitive. But if it be understood of the See of Peter, even the Protestants themselves confess that for many years the same Catholic Faith endured in the same See of Peter, and Jerome and Augustine sufficiently testify to the fact up to their own times, the former in his epistle to Damasus about the name ‘hypostasis’, and the latter in his book *Contra Epistolam Fundamenti*, ch.4, where, among the four things that were most justly keeping him in the bosom of the Catholic Church, he numbers this one: “From the See itself of Peter the apostle, to whom the Lord after his resurrection commended the feeding of his sheep, the succession of priests up to the present bishop.” Where he openly supposes that the Catholic Church was then the one which was conjoined with the See of Peter and which contained the sheep commended to Peter, and hence that the Catholic Faith had persisted in that See up to his time, which will be confirmed in the point following by many testimonies and reasons.

5. It remains, therefore, for us to prove the second part assumed in the proposition, namely that this faith could not defect in Peter, not only as to his person but also as to his see, and consequently not only for some definite time but simply as long as the Church of Christ will last. Now the proof is chiefly from the words of Christ, *Luke 22.31-32*: “Simon, Simon, behold, Satan hath desired to have you, that he may sift you as wheat: But I have prayed for thee, that thy faith fail not: and when thou art converted, strengthen thy brethren.” For rightly did Tertullian say, bk. *De Fuga in Persecut.*, ch.22, that Christ had there asked that the devil not be permitted so much that Peter’s faith should be in peril. Which prayer was efficacious and obtained what was asked for, as is sufficiently proved by the excellence of Christ himself, for he was heard for his reverence in those things which he requested absolutely, as is made plain in the present case by the words: “I have prayed for thee;” and it is made more plain, or rather the granting of the prayer and its infallible effect is supposed in those last words: “And when thou art converted, strengthen thy brethren.” And therefore does Pope Leo IX well ask: “Will there be anyone of such great madness as to dare to think that his prayer, in whom to will is to be able, is in any respect vain?” So there is in this part almost no controversy or difficulty. But there could be difficulty in another point, namely whether that prayer was made only for the person of Peter, and therefore whether its effect ended with him or rather was made for the See of Peter in his person and will thus last as long as the See lasts; therefore what remains is for us to prove that it must be understood in the second way.

We prove it in the first place from the authority of many Supreme Pontiffs, who, recognizing this prerogative of their dignity and of their See, proved it from these words of Christ, and though they seem to speak in their own cause yet they are most worthy of trust, both because they are very old and taught this as by continuous tradition, and also because many of them are saints and martyrs who sealed the true and Catholic Faith with their blood, and finally because the most ancient Fathers bestowed the same honor on the Roman See and Faith. So, the above testimony is used to confirm this truth by Pope Lucius in his epistle to the bishops of Gaul and Spain, near the end, where he says that his See holds unerring the norm of the apostolic faith as it received it from its own authors, the princes of the apostles of Christ, according to the divine

promise of our Savior, and he refers to the words cited. Like things are contained in Pope Marcus' epistle to Athanasius, which is in vol.1 of the Epistles, although it is not referred to in the volumes of the Councils, and in Felix I's epistle 3 to Benignus, and in Pope Agatho's epistle to the emperor Constantine, which was read in act.4 of the Sixth Synod, and was approved in act.8, and in Nicholas I's epistle to the emperor Michael, after the middle, and in Leo IX's epistle to Michael, ch.7, and in Innocent III, ch. 'Maiores', *De Baptismo*. But more fully than by the others is this point made plain by Pope Leo, in serm.2, *In Natali Petri et Pauli*, ch.3, where, after having set down the words of the Gospel, he subjoins: "The danger was common to all the apostles from their trial by fear, and they had equal need of the help of divine protection, since the devil desired to attack them all, to destroy them all; and yet a special care is taken up by Christ for Peter, and he prays in particular for Peter's faith, as if the state of the others would be surer if the mind of the Prince were not conquered. In Peter, therefore, the courage of all is fortified, and the help of divine grace is so ordered that the firmness, which is bestowed through Christ on Peter, is through Peter conferred on the apostles. For after his resurrection too the Lord, after the keys of the kingdom, said three times with mystical insinuation to the blessed apostle Peter to each of his three professions of eternal love: 'Feed my sheep;' which duty even now the pious pastor without doubt does, and performs the mandate of the Lord, confirming us with exhortations and not ceasing to pray for us, that we not be overcome by any temptation." Which words are repeated by the same Pontiff in sermon 3 *De Assumptione Sua*, and he adds: "Justly do we rejoice in the merits and dignity of our leader, giving thanks to the eternal Redeemer King, our Lord Jesus Christ, who gave so much power to him whom he made prince of the whole Church, that if anything even in our times is rightly done through us, it is to be assigned to his work, to his governance, to whom it was said: 'And when thou art converted, strengthen thy brethren.'"

6. From these words are other reasons collected by which this sense is confirmed. One is taken from a change in Christ's words; for first he spoke to all the apostles, predicting that almost all were to be tempted; but afterwards he says especially to Peter: "I have prayed for thee;" therefore he also obtained something special for him. But personal perseverance was not unique to Peter, for Christ prayed for the others too, saying, *John* 17.11: "Holy Father, keep through thine own name those whom thou hast given me." And although at the time, when he prayed for Peter, he had not yet offered that universal prayer, nevertheless there would have been no peculiar favor for Peter unless he had requested some more special privilege for him. But Christ, in that singular way of calling Peter so that he would pay heed, "Simon, Simon," (for such is what the Greek has), and of praying for him, wished without doubt to signify a greater prerogative. Nay, if the thing is attentively considered, in each place Christ the Lord prayed for Peter and for all the apostles and for the Universal Church present and future, but yet in a diverse way; for in the writing of John he first expressly prayed for all the apostles, of whom Peter was one and special, and in them was the Church virtually contained, for whose sake was that prayer especially made which a little later Christ completed when he said, v.20-21: "Neither pray I for these alone, but for them also which shall believe on me through their word: That they all may be one," namely with the unity of the Faith and of the Catholic Church. In the writing of Luke, however, Christ directly and expressly prayed for Peter alone, but indirectly and by a certain consequence he prayed also for the other apostles, as he indicated in the subjoined words: "And when thou art converted, strengthen thy brethren." "So that the firmness which is bestowed through Christ on Peter is through Peter conferred on the apostles," as we related a little above from Pope Leo. And hence that prayer is extended to the whole Church, which is also

comprehended under the name of brothers, as Theophylact indicated on that place, saying: “The sense is plain: Because I have you as Prince of the disciples, when, having denied me, you have wept and come to repentance, confirm the rest. For this befits you, who after me are the rock and foundation of the Church.” Hence Pope Agatho above said: “The Lord promised that Peter’s faith would not fail, and he admonished him to confirm his brothers, which that the Apostolic Pontiffs, predecessors to my littleness, always confidently did, is acknowledged by all.” And Leo IX above indicated the same sense when he said: “From the See of the Prince of the apostles, that is from the Roman Church, as well through Peter himself as through his successors, the inventions of all the heretics have been rebuked, convicted, conquered, and the hearts of the brothers in the faith of Peter, which hitherto has not failed nor will it ever fail, are strengthened.”

7. Hence, from these last words the sense of the first promise is made more open, and another very fine reason for the aforesaid interpretation is given. For thus is Peter here commanded to confirm his brothers as he is ordered in *John 21* to feed Christ’s sheep; for they who are here called brothers and there sheep are the same; but there they are called sheep on account of the mildness and obedience of subjects, but here they are called brothers so as to show that the duty of an ecclesiastical pastor is not to dominate but to confirm as brothers those who are weaker, “of a ready mind...being ensamples to the flock,” as the same Peter said, *1 Peter* 5.2-3. Just as, therefore, “feed my sheep,” was said, not to Simon for his person alone but to Peter for the office which was conferred on him, that it might endure in his successors, so when it is said to him, “strengthen thy brethren,” a certain chief part of that office is signified in advance, which is to strengthen and as it were sustain the brothers and the Church in the true faith; for although this is done principally by divine virtue, yet this virtue uses man as instrument, so that it might govern men in the way that is fitted to men. And although others, pastors and doctors of the Church, cooperate therein by teaching and preaching, nevertheless to supply it by legitimate and ordinary power, and by an authority that is certain, discriminating the false from the true, condemning heresies, and defining Catholic doctrine, is proper to him to whom it was said: “Strengthen thy brethren.” Hence, just as this office is necessary in the Church for the preservation of the true faith, so those words were said to Peter by reason of a pastoral office that was going to flow perpetually into the Church and to endure there always; therefore too the first promise, “that thy faith fail not,” was made, not merely to the person, but to the office and See of Peter. For that is why Christ specially prayed for him and gained that privilege for him, because the office of strengthening the brethren required that help on the part of God; therefore, as the office was going to be perpetual in the See of Peter, so also the privilege. And all this is signified by Leo I in those words: “He prays in particular for Peter’s faith, as if the state of the others would be surer if the mind of the Prince is not conquered,” and in the other authors whom we referred to above. And more openly Theophylact, after he has said: “because I have you as Prince of the disciples...confirm the rest,” adds: “But one may understand that it was said not only about the apostles, that they were confirmed by Peter, but about all who will be the faithful up to the end of the age.” Which although he seems afterwards to expound it by way of example, because in the person of Peter it preceded his weeping for his offense and remains perpetually in the memories of men, yet Christ did not speak of example but of confirmation by the word of faith, and therefore the better understanding is that this is done perpetually through the see of Peter.

And this truth and interpretation of the promise can be made more fully firm by comparison of this place with the others on which the primacy of Peter is founded. Which is also signified by Leo I in the cited words when he compares these words, “Strengthen thy brethren,”

with those, “Feed my sheep;” which comparison we have already clarified. Hence although this promise be not so clear, we would collect sufficiently from the sole office of feeding the sheep of Christ in the doctrine of the faith that this privilege in the See of Peter is necessary. Because if in that See the faith could waver, the faith could be in danger in the whole Church of Christ, both because the Church is bound to obey Peter and his successors when they teach from his chair (as is collected from the words of Christ mentioned, because the first and most necessary food of the faithful is the true doctrine of faith), and also because otherwise there would not be a sure reason for discriminating true doctrine from false in the Church, and thus the faithful could not be confirmed, let alone confirmed unshaken in the Catholic Faith. Which reason we will urge more in what follows. And this truth is similarly confirmed by the other promise of Christ: “Upon this rock I will build my Church,” for that rock is Peter and his successors, as we will show below. But he is called rock because of his firmness in holding up the building, and therefore, as the building of the Church is going to be perpetual, so the rock is too, that it might be suited for holding up the building. Wherefore, just as the Church could not be perpetual unless its faith could not fail, so neither would the rock be suited, nor have the firmness, for holding up the building if it could fail in the faith. And therefore rightly did Origen say, tract.1, on *Matthew*: “Neither against the rock, on which Christ builds his Church, nor against the Church itself, will the gates of hell prevail.” And Cyril in *Thesaurus* (as cited in the *Catena* of St. Thomas on *Matthew* 16) said: “According to this promise of the Lord, the Apostolic Church of Peter (that is the Roman Church) remains immaculate from all seduction and heretical trickery, over all leaders, and bishops, and over all primates of the churches and of the peoples, in its Pontiffs, in the fullness of faith and authority of Peter. And although other churches may be put to shame by the error of certain people, it reigns alone unshaken, etc.” Which words, though they are not now found in Cyril’s *Thesaurus*, are very trustworthy on the basis of the authority of St. Thomas.

Chapter 6: The firmness of the Faith and of the Roman Church is shown by tradition.

Summary: 1. Testimonies from the ancient fathers are examined that assert the Faith of the Roman and of the Catholic Church coincide. The first testimony. 2. The second from Augustine and Jerome. 3. The third from Ambrose. 4. The fourth from Cyprian. 5. The fifth from Irenaeus. 6. The sixth from Athanasius and the bishops of Egypt. 7. The seventh from the bishops of the province of Tarragona. 8. Evasion. Response. 9. Instance. It is refuted. 10. An authority and a conjecture are added. 11. Heretics object that some pontiffs fell into heresy. 12. No Pontiff as head of the Church can lose the faith. 13. Nor can a Pontiff err in things pertaining to the Universal Church.

1. From what has been said in the preceding chapter the proof stands that the faith of the Roman Church is the faith of Peter and hence is the Catholic Faith, from which that See can never defect. But we can confirm the same truth and promise from the very way things have turned out and from tradition. For if the Apostolic See did not have in this matter a special privilege it would at some time have failed in the faith, even when teaching *ex cathedra*, or it would have approved some heresy, as we see to have happened in other churches, including those begun by the apostles; for such is the human condition and weakness that in so great variety and multitude of persons error may easily happen unless there be assistance from the Holy Spirit. But that this has never occurred in the Roman Church is testified to by the Pontiffs cited and also by Pope Eusebius, epist.3 to the bishops of Tuscany and Campania, when he says: “Salvation is first to guard the rules of right faith and in no way to deviate from what has been

established by the Fathers. Nor can the sentence of Jesus Christ our Lord be passed over, when he said: 'Thou art Peter and upon this rock I shall build my Church.' And the things he said are proved by what has in fact happened, because in the Apostolic See the Catholic Religion has always been preserved without stain." And Pope Gelasius in his epistle to the Augustus Anastasius: "This," he says, "is what the Apostolic See most guards against, that it be stained by no mark of depravity, no infection whatever, since the glorious confession of the Apostle is the root of the world. For if (which may God forbid, because we are confident it cannot happen) any such thing should happen, whence might we dare to resist any error, or whence might we request correction for the erring?"

2. Nor was it the Roman Pontiffs alone who had this thinking about the Roman Church or the See of Peter, but the other Fathers did too, as well Latin as Greek. I have already referred to Augustine, *Contra Epistolam Fundamenti*, ch.4, where, when he posits as sign of the Catholic Church the succession of the Roman Pontiffs, he makes it plain with sufficient clarity that the Catholic Church is not disjoined from the Roman Pontiff, and thus that the Roman and the Catholic Faith are one and the same. Hence the same Augustine, bk.2 *De Gratia Christi et Peccato Originali*, ch.8, says about Pelagius: "He was not at all able to deceive the Roman Church; for the most blessed Pope Zosimus recalled to mind what his predecessor, worthy of imitation, had thought about his doings. He paid attention also to what the faith of the Romans, praiseworthy in the Lord, thought about him, whose harmonious eagerness he saw to be aflame in concord against his error." And in bk.2, *Contra Duas Epist. Pelagianor.*, ch.4, he says: "Since in the letters of the venerable Innocent the antiquity of the Roman Church was clearly displayed, he who departed from the sentence of the Roman Church would certainly be a sinner against it," where (as often elsewhere) he accepts and venerates the faith of the Roman See as the Catholic faith. Second, Jerome's epist.57 to Damasus, 'Quoniam vetusto...' has the words: "I am joined in communion to the Chair of Peter; on this rock I know the Church to be built; whoever eats the lamb outside this house is profane." Where openly he judges the Catholic Church to be the same as the Roman. From which fact also, in bk.1 *Apologia contra Ruffinum*, col.3, he draws this conclusion: "Which Faith does he call his own? That with which the Roman Church prevails? Or that which is contained in the volumes of Origen? If he responds 'the Roman', then we are Catholics;" where too he eloquently teaches that the Catholic Faith is the same as the Roman. But that this faith is immaculate too he testifies in the third book of the same Apology, a little before the middle, as follows: "Know that the Roman Faith, praised by the apostolic voice, does not receive deceptions of the sort, even if an Angel should preach otherwise than has been once preached." And in the introduction to his second book on *Galatians*, he praises the faith and religion of the Romans with the conclusion: "Not because the Romans have another faith save the one which all the churches of Christ have, but because in them devotion is greater, etc."

3. Let the third witness be St. Ambrose, who in his book *De Obitu Satyri Fratris* says towards the end, referring to the prudence and caution of his brother: "He called a bishop to himself; and he did not think any grace true save the grace of the true faith; and he asked of him whether he was in union with the Catholic bishops, that is, with the Roman Church." In which words too he thinks that union with the Roman Church and with the Catholic Church is one and the same. Hence, bk.1, epist.4, he writes thus to the emperors: "Your clemency will have to be on guard that the head of the whole Roman world, the Roman Church and the sacrosanct faith of the apostles, not be disturbed, for from it the rights of reverend communion flow to all." And in epist.7 of the same to Pope Siricius, he writes: "Let the Creed of the apostles be believed, which the Roman Church always guards and preserves undefiled;" and serm.2 *De Sanctis*, which is

about the Chair of Peter, and serm.11, which is the second about Peter and Paul, he declares in a way strikingly in support of our point how the Church is founded on Peter and has therefrom continual firmness of faith.

4. Let the fourth be Cyprian who venerated the Roman Church in exactly the same way, but especially in epist.55 to Cornelius, col.12, when he says about certain heretics: "They dare to have recourse to Peter's Chair and to the Principal Church, whence springs sacerdotal unity, and do not dare to ponder that those are Romans, whose faith is praised by the preaching of the apostle, to whom faithlessness can have no access." Hence the same Cyprian, epist.52, at the beginning, says: "You have written to me to transmit a copy of the same letters to Cornelius our colleague, so that, having set all care aside, he may now know that you are in communion with him, that is, with the Catholic Church." Where he openly thinks that it is the same thing to be in communion with the Roman Church and with the Catholic Church. And epist.76 to Magnus, he says: "The Church is one, which cannot but be one both within and without." Whence he infers: "If it is with Novatian, it was not with Cornelius; but if it was with Cornelius, who succeeded to Fabian by legitimate ordination, Novatian is not in the Church." Where too he supposes the Catholic Church to be one with the Roman Church. The same in epist.40, near the middle: "One Church and one Chair founded on Peter by the voice of the Lord." And later: "Whoever gathers elsewhere, scatters." He repeats almost the same in his book *De Unit. Eccl.*, not far from the beginning, and among many other things he says: "Does he who forsakes the Chair of Peter, on which the Church is founded, have confidence that he is in the Church?"

5. The fifth is Irenaeus who, in bk.2 *Contra Haereses*, ch.3, says: "Since it is a long task to count the successions of all the churches, we point to the tradition of the greatest and the most ancient Church, the one known to all to have been founded and established by the two most glorious apostles Peter and Paul at Rome, to the tradition which it has from the apostles, and the faith announced to men, which has reached up to ourselves through the successions of bishops; and we confound all those who, whether through their evil pleasure, or their vain glory, or their blindness and evil opinion, in any way gather where they ought not. For every church, that is, those who are everywhere the faithful, must agree with this Church, because of its more powerful principality, where those who are everywhere have always preserved the tradition which is from the apostles."

6. Sixth we can add Athanasius and the bishops of Egypt in their epistle to Pope Marcus, in which they ask for copies of the Council of Nicea, where they say among other things: "We beg that from the authority of the holy See of the Church, which is mother and head of all churches, we may deserve to secure them through the present legates for the correction and restoration of the orthodox faithful, so that, supported on your authority and strengthened by your prayers, we may both escape ourselves unharmed from the afore-mentioned rivals of the holy Church of God and be able to pluck back from them those who have been committed to us." In these words he manifestly supposes that the sound and complete faith then existed in the Roman Pontiff, and that there also existed in him authority for correcting heretics and for confirming the faithful in the true faith.

7. Seventh, we can here adduce the testimony of the bishops of the province of Tarragona, in epist.2 to Pope Hilary, where they first recognize the privilege that the Roman Church has from the primacy of the Vicar of Christ, then they subjoin: "Therefore, to begin with, we adore God in you, whom you serve without complaint, and we have recourse to the faith praised by the mouth of the apostle, seeking responses from the place where nothing with error, nothing with presumption, but all with pontifical deliberation is prescribed." And along with

these can be counted Ruffinus in his exposition of the Creed, at the beginning, where he says: "In diverse churches some things are found added to these words, but in the Church of the city of Rome this deed has not been detected, which I think is for this reason, that no heresy has from there taken its beginning, and that there the ancient custom is preserved." The words also from Cyril cited above sufficiently confirm this truth, which Gennadius, in addition to citing St. Thomas, the Archbishop of Constantinople, also refers to in his defense of the Council of Florence, ch.5, sect.12, but in a slightly different way, namely: "We should, as members, follow the head, that is the Roman Pontiff and the Apostolic See, whence we must seek what we should believe and think and hold, because to it alone does it belong to check, refute, confirm, order, loose, and bind." Next Theodoret in his epistle to the Roman priest Renatus is usually alleged, where he says: "That holy See holds the reins of government for ruling the churches of the whole world, both for other reasons and because it has always remained free of heretical foulness." But because I was not able to take a look at this epistle, I add that its opinion is very much consonant with what the same Theodoret passes on in his epistle to Pope Leo, which is contained in the second volume of the Councils, where he extols the Roman Church with the greatest praises. But in particular he says: "Faith is conspicuous in adorning it, as well as that witness, worthy of faith, the divine apostle, who exclaims 'your faith is spoken of throughout the whole world.'" And about the Roman See itself he says: "To you it is fitting to be first in all things, for your See is of all the greatest and most illustrious, and it presides over the whole earth." And later: "But it has the tombs also of the common Fathers, the teachers of truth Peter and Paul, which illumine the souls of the faithful." And later: "But the apostles' God has now also made the apostles' See illustrious and distinguished, since he has placed Your Holiness thereon, who shines forth with the rays of the orthodox Faith."

8. Perhaps someone will say that these things were said by the Fathers, not because of some singular privilege of the Roman Bishop in keeping the faith intact, but only because of the conspicuous piety and sincere faith of the Roman people, which greatly flourished at the beginning of the Church. For it is only this that is signified by Paul in the words of *Romans* 1.8: "First I thank my God through Jesus Christ for you all, that your faith is spoken of throughout the whole world." Just as too in *1 Thessalonians* 1.6-7 he praises the faith of the Thessalonians, saying: "Having received the word in much affliction, with joy of the Holy Spirit: So that ye were ensamples to all that believe, etc." In reply I say that there is no doubt that the apostle in the said words commends the faith of the Roman people, and some of the words of the holy Fathers recall the same praise; yet, nevertheless, they praise the Roman Church more frequently because it always guarded intact and immaculate the faith once received, as is sufficiently clear from the words cited.

9. But the adversaries will instance that these things were said by these Fathers about the Roman Church before the six hundredth year of Christ, during which time they themselves also confess that the true and pure Catholic Faith endured in the Roman Church and See; yet this fact does not prevent it from thereafter having fallen slowly little by little and from have lost the purity of the faith, as the story has it that they themselves invent. But, in the first place, this does not weaken the testimony of the said ancient Fathers, because they not only record the fact but also point out that the right (if I may so say) or the foundation of the fact is perpetual; so they not only teach that the Roman Faith was in their time Catholic but also that it has this by a proper privilege and prerogative that would endure continually in that See. This is evident first from those who found this right on the promise of Christ: "That thy faith fail not," as has already been explained. Next, the reason is the same for those who draw this conclusion "because the Church

is built on this rock,” as Jerome said. Again from the fact that they set down union with the Roman Church to be a sure sign of the Catholic Church, as is clear from Jerome and Ambrose, and most of all from Augustine. For when he set down among the signs of the Catholic Church the succession of the Roman Bishops, he without doubt signified two things above all. The first is that the series and succession of bishops in that episcopacy among so many persecutions, without support of human power, with the same excellence of dignity and power, is chiefly not from human providence but from divine, and from the promise of Christ that “The gates of hell shall not prevail against it,” but it always endures, as the same Augustine in his psalm against the party of Donatus openly declares, saying: “We are grieved when we see you thus lying prostrate. Number the priests, even from the See itself of Peter, and see who in the order of Fathers succeeded to whom. It is the rock which the proud gates of hell will not conquer.” The second thing is that the Catholic Church is infallibly conjoined with the See of Peter, and hence that the faith is the same for both of them; for if this be not supposed the sign is of almost no moment. Finally the conclusion is drawn that this was the mind of the said Fathers, because they attribute this privilege to the Apostolic See as being necessary for carrying out the office committed to it, namely to confirm the subjects in the true faith, and to remove the authors of heresies and of false doctrine from the Church, and to cut back all the rotting members that have already died off. Which reason indeed many of the cited Pontiffs point to.

But if the English Protestants, besides these ancient testimonies, want newer ones, let them, in the first place, listen to their own most grave historian Bede, in bk.3 of *Histor. Anglican.*, ch.25 at the end, or to a certain wise priest therein by the name of Wilfrid, who, having cited the decrees of the Roman Church for defining a certain controversy about Easter, thus concludes: “If, having heard the decrees of the Apostolic See, nay of the Universal Church, and these confirmed by sacred letters, you disdain to follow them, without all doubt you sin. For even if your fathers were holy, is that single littleness of theirs, from a corner of a distant island, to be preferred to the universal Church of Christ which is throughout the world?” To these I add the testimonies of Gregory, who was occupant of the See up to the six hundred and fourth year of Christ, and testifies about the integrity of the faith of his See in bk.3 of epistles, indict.12, epist.32, and often elsewhere. And so in epist.41 to Boniface he speaks thus: “I exhort you, while there is still time left in life, that your soul not be found separated from the Church of the same blessed Peter, to whom the keys of the heavenly kingdom were committed, and to whom the power of binding and loosing was assigned, lest, if his kindness here is despised, entry there into life will be closed.” And bk.4, indict.13, ch.77, ep.32, he inveighs against John the bishop of Constantinople, who had dared to usurp the name of Universal Bishop, and uses first of all the words and promises of Christ. “For to all who know the Gospel,” he says, “it is a thing established that the care of the whole Church was committed by the holy voice of the Lord to the apostle Peter, prince of all the apostles; yes, to Peter it is said, “Feed my sheep;” to him it is said, “I have prayed for thee, that thy faith fail not: and when thou art converted, strengthen thy brethren;” to him it is said, “Thou art Peter and upon this rock I shall build my Church.” From which words Gregory intends to conclude that only the Roman Bishop is in truth Universal, although because of modesty he is not accustomed to be called so. But then he adds that the bishop of Constantinople could not be Universal, since many patriarchs there have been authors of heresies, which God forbid should happen to the Universal Bishop (as he indicates), “because the whole Church collapses when he who is called Universal falls.” In which he clearly thinks that it pertains to the stability of the Church that the supreme and universal See be immutable in the faith. Which he openly confirms in bk.6, indict.5, ch.201, otherwise ep.37, saying: “Who

does not know that the holy Church is made firm on the solid base of the Prince of the apostles, because this Prince brings firmness of mind in his name, so that he is called Peter from *petra* (rock), to whom it is said by the voice of truth: ‘I will give thee the keys...,’ to whom it is again said, ‘Strengthen thy brethren.’” To these can be added the opinion of Leo IX, in epist.1, ch.7, when he says: “By the See of the Prince of the apostles, that is, by the Roman Church, both through Peter himself and through his successors, the lies of all the heretics have been condemned, refuted, and defeated, and the hearts of the brethren have been confirmed in the faith of Peter, which has not failed hitherto nor ever will fail.” Which things this Pontiff wrote after the one thousand and fiftieth year, and he founded them on the promise of Christ as regard future time, but as to past time he assumes them by evidence of the fact, which is known to the whole world.

In addition we can, for confirmation of the same truth, adduce Isidore in his last epistle to Eugene, bishop of Toledo, where he first says of Peter: “He stands forth above the rest, and he first received from the very son of God and of the Virgin the honor of the pontificate in the Church of Christ;” and he confirms it with the testimonies of *Matthew* 15 and *John* 21, and then he subjoins: “Christ’s dignity of power, although it is transmitted to all the bishops of the Catholics, yet more especially does it forever remain, by a certain singular privilege, in the Roman Prelate, as in the head which is above the rest of the members. Therefore, he who does not reverently show the Roman Prelate due obedience makes himself guilty, as severed from the head, of the schism of the Headless, because the holy Church guards this as an article of the Catholic Faith, which unless each faithfully believes and firmly he cannot be saved – as the Church approves in the saying of St. Athanasius about the faith of the Holy Trinity.” Although Eugene does not in these words expressly assert that the Roman Church cannot defect from the faith, yet he supposes that up to his own times it has not defected, and he sufficiently indicates that it will always be the same when he says that its privilege will remain for ever. The same is handed on by Bernard, who, epist.109 to Innocent, implores his authority against the rising new heresy, saying: “To your Apostleship must be referred all dangers and scandals emerging in the reign of God, those especially which touch on the faith. For I think it a fitting thing that the losses of the faith are there most of all made good where the faith can experience no defect. This surely is the prerogative of your See. For to whom else was it at any time said: ‘I have prayed for thee, Peter, that thy faith fail not?’ Therefore from Peter’s successor is required what follows: ‘And when thou art converted, strengthen they brethren.’” In these words he sufficiently proves everything that has been said and the true understanding of the promises of Christ. Hence in bk.2 *De Considerat. ad Eugenium*, ch.8, he says that the Roman Pontiff is “the prince of bishops and, in power, Peter, and pastor not only of the sheep but also of all the pastors;” and many other things he says by which the same truth is established. And in a sermon about the privileges of St. John the Baptist, he says that the Roman Church is mother and mistress of all the churches, to which is said: “I have prayed for thee, that thy faith fail not.” Next St. Anselm, archbishop of Canterbury, when dedicating his book *De Incarnat.* to the Pontiff Urban, calls him the Supreme Pontiff of the Universal Church that is in pilgrimage on earth, and he subjoins in chapter 1: “Since divine providence has chosen Your Holiness and committed to you the guarding of the Christian life and faith and the ruling of the Church, to no other is reference more rightly made if anything against the Catholic Faith arises in the Church, so that by your authority it may be corrected,” and he pursues other things whereby he makes sufficiently plain what he thinks about the Roman Church. To these can be added two testimonies which have been given by men who were Greeks. One is from Theodore Studita, in epist.4 to Naucratus, which is number 6 in bk.2,

where he says about heretics: “I am witness now before God and men that they have torn themselves away from the body of Christ and from the supreme crowning throne whereon Christ placed the keys of the faith, against which have never prevailed, nor will ever prevail up to the end, the gates of hell, that is, the mouths of heretics, as he has promised who does not lie.” And in another work *De Cultu Imaginum*, a fragment of which is related in bk.3 of the holy Library, speaking of the Romans he says: “So great is their faith that there too would the rock of the faith seem to be unbroken, namely, the rock founded on the word of the Lord.” Which testimony is referred to and praised by Gennadius Scholarius, ch.5, *Defensio Concilii Florentini*, sect.12, where he himself says, sect.17: “If the divine See does not think rightly, Christ lied when he said, ‘Heaven and earth will pass away but my words will not pass away;’ for twice he promised the Church, that he would be with it, and that the gates of hell would not prevail against it.” Where other things too he adduces from the Fathers of the Third and Fourth Synod. And other innumerable things can be reviewed from Catholic theologians, but because it would be prolix and does not seem necessary, I pass them over.

However, the Protestants perhaps, who do not accept the testimonies of the ancient Fathers for their own times or for ours, also reject the testimonies of more recent ones, because, according to the story they invent, these were written after the defection of the Church. But those who fall into so great an audacity and temerity are sufficiently refuted by their very own judgment and choice, that they are being led to destruction and are speaking against all human prudence, since they despise and weaken both all human faith and the credibility of the divine faith itself. Therefore it is enough for us to have shown according to the sacred Scriptures, as they were understood by the holy Fathers, and according to the tradition of the same Fathers, that the Roman Church, by reason of the Apostolic See and the Chair of faith, is not other than the Catholic Church, nor has it defected nor can it defect more from the faith than the Catholic Church. We add further that if, despite all these things, the adversaries contend that the Roman Church has defected, they must designate the time and year in which the defection began, and under which Pontiff, and in what matter or article the error occurred; for if they can show none of this, as in fact they cannot, they are certainly unworthy of all faith. And indeed, about the individual times, centuries, years, and Pontiffs the fact has been shown with the greatest diligence by Cardinal Baronius in his *Annals*; and therefore at the beginning of the seven hundredth year he very prudently speaks as follows to the reader: “Attend in your heart, and look in your memory, whether you find in the Catholic Church anything diminished of the things which you saw in all the other previous centuries.” And later: “The thing itself is witness, the facts shout out, and the writings of all the saints with remarkable agreement preach that never has the holy Catholic Church of God turned aside from the royal way, etc.”

10. But as to what regards the matter of defection or the particular errors which the heretics attribute to the Roman Church, we will say a few things later, at least about what the king of England touches on, for in this brief work we cannot expressly respond to everything, and the thing has been done by other Catholic doctors as occasion offered, and also by us according to our capacity in other books of Theology. But I will not omit to add a moral conjecture which Tertullian supplies me with in his book *De Praescript. Adversus Haeretic.*, ch.28, where he says: “How is it likely that so many and so great churches have erred in the one faith? No event among many has a single result, and the error of doctrine ought to have varied in the churches. Besides, what is found single among many is not error but tradition. Does anyone dare say, then, that they who handed on the tradition have erred?” The conjecture is almost plain surely, and it is made sufficiently convincing by the experience of both old and new heretics; for

as soon as they are separated from the Church they are divided into various and different sects. But the Roman Church has always retained unity of doctrine, while the other churches that profess the Catholic Faith agree with it; therefore the sign is evident that the Church has never deviated from the first and original faith. And therefore, as often as some church or some faction of men decline towards another faith, it becomes known at once to be separate from the Church both Catholic and Roman; but in the Roman Church, or in the See of Peter, never has a like defection or separation from the ancient faith or from other members of the Catholic Church been known; therefore the evasion and imposition of heretics is frivolous and unbelievable.

11. But heretics are wont to make particular objection about certain lapses and errors of certain Roman Pontiffs, whether in their persons or in doctrine. And in the first place they contend that some really were heretics and had lost the faith. Hence they can conclude that the words of Christ, "That thy faith fail not," are not found to be true in the caes of all the Roman Pontiffs, and thus that those words were not pronounced about them, and that to this extent they did not obtain the privilege or promise of never erring. Next, they object that some Pontiffs, who although they were not accused of heresy, handed on through human ignorance to the Church a false doctrine. But to these objections, proposed in particular and singly, a copious and erudite satisfaction has been made by the illustrious Bellarmine, bk.4, *De Summo Pontifice*, and by Cardinal Osius against Brentius, and by other writers of our time.

12. Briefly, then, about the first part, there is open to view a received distinction about the Pontiff qua believer, as he is a private person, or qua teacher, as he is a Pontiff. For we say that the promise of Christ pertains to him as taken in the second way; for in this way he is the rock on whose firmness depends in its kind the firmness of the Church. But in this way no trace of heresy is shown by heretics to exist in the whole succession of Supreme Pontiffs. But, when considering the person of the Pontiff in the first way, even Catholics are in controversy about whether a Pontiff could be a heretic, and the quarrel is still undecided whether some Pontiff was, not by presumption alone, but really such. But this question does not pertain to the foundations of faith, and therefore we now pass it over. And for the sake of avoiding controversy we easily grant that it is not necessary for the promise of Christ to extend to the person of the Pontiff as he is one of the individual believers. But if someone insists that the person of Peter as individual believer could, for the same reason, have defected from the faith, notwithstanding the promise of Christ, we reply first that the reason is not the same about Peter, because to him was the promise immediately made, and therefore it was made to him not only as to his office but also as to his person; but to the others it only descended by succession, and therefore it was communicated to them as successors of Peter. Next we add that Peter not only had this promise but also the other promises that were common to the apostles, by reason of which all of them had, so to say, personal confirmation, as well in grace as in faith and doctrine.

13. But to the other part, about the errors that are attributed to the Pontiffs, we say briefly that it is one thing to speak about the decrees of Pontiffs insofar as they thereby define something or approve it as to be believed or observed by the Universal Church; it is another thing to speak of the private judgments, opinions, or reasons of Pontiffs. For in the present treatise we are treating of the former decrees, and in them is found no false dogma that Pontiffs handed down by way of definition and proposed to the Church for belief, as anyone will easily understand who reads what the authors cited, and Canus in bk.6, *De Locis*, chs.1 & 8, pursue more at large. But in private judgments or opinions, or even in the reasons which they sometimes use, as it is not necessary that in these they have the certitude of faith, so it is not necessary that they have infallible truth in them either, because this is neither necessary for the firmness or purity of the

faith of the Universal Church, nor is it even consonant with the mind and intention of the same Pontiffs. For by the very fact that they are speaking by way of opinion or human valuation, they profess that they are speaking with human reason and wisdom, not with the infallible assistance of the Holy Spirit. But if someone with prudent and pious mind even considers what they handed on in this second way, perhaps he will find nothing which they did not hand down wisely and establish on a sufficiently probable foundation.

Chapter 7: Exclusion of a third evasion by the heretics, which they invent through a distinction between the visible and the invisible Church.

Summary: 1. Presentation of a third evasion by heretics about the invisible Church. 2.

Foundation of the aforesaid error. 3. Visibility of the Church shown from Isaiah 2. 4. Twofold exposition. 5. A response on behalf of the opinion of the heretics is refuted. 6. The visibility of the Church will endure perpetually. 7. Confirmation from the office of teaching. 8. Confirmation from the visible succession of Pontiffs. 9. The Church always perseveres by reason of visible succession. 10. Confirmation lastly from Ephesians ch. 4.

1. In the book of the most serene king of England we find nothing expressly said about this evasion, or about the invisible Church, but we cannot pass it over without confronting it, both so that we might make reply to most of the heretics of this age, for we desire to satisfy all and persuade them of the truth, and also so that we may make the discourse we have begun more fully perfect and so that all vain subterfuges may be blocked. Although many of the heretics, then, because of the open testimonies of the Scriptures, do not deny that the Church of Christ or the Catholic Church will endure and remain perpetually in the true faith, yet, so that they may somehow escape the force of reason and the light of truth, they distinguish a double Church, one true and firm, the other only apparent; they say the first is invisible, the second visible, to bodily eyes. With this distinction supposed, they reply that the invisible Church is the true and Catholic Church of Christ to which the promise was made that it would never fail nor the gates of hell prevail against it. But they say that the other apparent and visible Church, although it may persevere in this external appearance, can fail in the faith, and consequently in the subsistence of the true Church, and that it has already failed in the Roman Church, whose form and appearance they thus depict.

2. Now the foundation of this opinion, insofar as it supposes the true Church to be invisible (for this only is the focus of the present disputation), is that the form constituting the true Church is invisible in itself and is not made by any sign so manifestly visible that it could be therein seen. Such form therefore is simply invisible. For whatever is visible can be seen either in itself or at least in some other thing as in a sign. If therefore the form constituting the Church can be seen in neither of these ways, surely it is altogether invisible. Therefore the true Church too, as it is such, is invisible, because although the persons from whom it is constituted may be seen materially, as it were, with respect to their bodies or their external human actions, yet as far as they constitute the Church they cannot be seen. So similarly, if the soul of man, which in itself is invisible, could not be seen through external working, surely man qua man would be invisible; and if the human body exercised no movement of life which could be sensed, surely it would qua living be invisible, even if the body itself was materially seen.

But it remains to prove that the form of the Church is invisible in both ways set down above. And, to begin with, in every opinion, including ours, it seems necessary to say that the form of the Church is in itself invisible, whether it be predestination (as some of the heretics

have said), which is sufficiently invisible, or whether (as others have said) it be charity, or whether it be faith, as Catholics also teach, because not only charity but faith too is a spiritual form as regards its internal quality and so it is in itself invisible. But if there be also added the sacrament of faith, which is baptism, this too is not visible as it is a sacrament; and consequently the spiritual character too, which is also necessary, according to the opinion of Catholics, for constituting someone a member of the Church, is not seen. But further, that this form of the Church cannot be seen in signs or through visible signs is proved by the fact that there are for charity or faith no external signs which cannot be made falsely without interior faith, whether these signs be external works of divine cult, or obedience to the prelates of the Church, or acts of governance on the part of prelates themselves, or works of confession and of profession of faith. Next, the same applies even to the very works of miracles as well; for these too can be corrupted and exteriorly fabricated in such a way that they are not necessary signs of the true faith; therefore nothing visible is left whereby the true form of the Church may be visible. But merely external signs or works do not suffice for constituting the true Church; for just as a particular person, if he does not interiorly believe although he feigns outwardly to be one of the faithful, is not a true member of the Church, especially if he does not have the character of baptism, so any congregation or multitude of men, even if it congregate through external works of religion and faith, would not be the true Church if it did not have internal faith; therefore, since this faith is always invisible, both in itself and in another, the true Church is also invisible. Which foundation is particularly present in the opinion of Protestants, who reduce the faith of each person into private spirit or a revelation made proper to each person, for that private spirit is without doubt invisible.

And discussion of these things seems above all to touch both on the point of controversy and on the motive of heretics. But as to the other things which are wont to be adduced by them against external cult, so as to prove that in the Church there ought only to be a spiritual and hence an invisible cult, these are not accepted by all the heretics of this time but there is division between them on this matter, nor do they have any importance for the present case. Because although the law of grace comes into being principally in the spirit, yet it does not exclude works, which proceed from internal charity; and likewise, although the Church's adoration takes place in spirit and in truth, yet it does not exclude an external cult proceeding from the interior one, as has been shown in the proper place about the law of grace, about religion, about the sacraments, and about sacrifice. As to the other things too that are wont here to be added, about the fact that the Church sometimes lies so hidden, because of the force of persecution, that it cannot be seen, these do not pertain to the present place but to another that is to be treated of below about the universality of the Church. But in addition to the foundation here stated, heretics add on some testimonies to which response must be made. For first they object from Scripture the verse of *Luke* 17.20-21: "The kingdom of God cometh not with observation: Neither shall they say, Lo here! Or, Lo there! for, behold, the kingdom of God is within you," for by the kingdom of God here the Church is understood, which elsewhere is called, *1 Peter* 2.5, "a spiritual house" and, *Hebrews* 12.22, "the city of the living God," where the Church of Christ seems to be distinguished in this property from the visible Synagogue. Secondly, they bring forward the words of the Creed, "I believe in one holy Church," for if it were visible it would not be an object of belief; if therefore the Church is to be believed by faith, it cannot be seen. Lastly they add the place of Augustine, bk.20 *De Civitate Dei*, ch.8, where he divides the Church into the predestinate and the non-predestinate.

Nevertheless it must be said that the true Church, which Christ founded on the rock and

to which he promised that the gates of hell would not prevail against it, is visible; and consequently that the adversaries' evasion is futile, because if this Church is visible and cannot defect from the true faith, and if they themselves have defected from it, as is evident of itself and as they themselves do not deny, it is manifest that they do not have the true faith but heresy. But the proposed foundation, which we believe to be a dogma of the faith, we must first simply prove from Scripture and the Fathers. Then the thing itself (that is, what this visibility of the Church consists in) we must so explain that, once the ambiguity of words and tergiversation have been removed, it can be proved by reason from the principles of the faith.

3. First, therefore, that the Church is visible is proved from the verse of *Isaiah* 2.2-3: "And it shall come to pass in the last days, that the mountain of the Lord's house shall be established on the top of the mountains, and shall be exalted above the hills; and all nations shall flow into it. And many people shall go and say, Come ye, and let us go up to the mountain of the Lord, to the house of the God of Jacob." In which place many of the Fathers by "the mountain of the Lord" understand Christ who, in *Daniel* 2.34-35, is said to be "a stone cut out without hands...[which] became a great mountain," as is clear from Augustine, tract.1 on *1 John*, and oration *Contra Iudaeos*, chs.7 & 8, and from St. Jerome on *Isaiah* 2, *Micah* 2, *Daniel* 2, and from Tertullian, bk. *Contra Iudaeos*, ch.3. But others seem to understand by 'mountain' the Church, as Augustine, bk.4, *Contra Crescon.*, ch.58, and Chrysostom on *Isaiah* 2, and Cyril, bk.1, on *Isaiah* 2. However, they do not disagree in the thing, for in that place the talk is about Christ and the Church as about body and head, and, according to the rule of Augustine, what is said about the body can also be understood of the head, and conversely. Hence in another place, *Daniel* 2, about the stone cut out that became a great mountain, it is said, v.35, "and it filled the whole earth," namely, Christ did through his Church. But since in the place from *Isaiah* a mountain and a house of the Lord are distinctly posited, rightly do we understand through 'mountain' Christ and through 'house' the Church. Hence it is said that "the mountain of the Lord's house shall be established," that is, of the Church with Christ its head. Therefore it is there predicted that, as Christ came visibly into the world and by his preaching, signs, and miracles was made known and illustrious to all, so the Church of Christ was going to be visible and to be so made known in the world that it could be recognized by everyone. This point is made sufficiently clear by the following words, which are of all the gentiles saying: "Come ye, and let us go up to the mountain of the Lord, to the house of the God of Jacob." For men are not invited to come save to a house that can be known and seen by them.

And so does Chrysostom explain it more copiously than the rest when he says: "This thing is so clear that it needs hereafter no interpretation in speech; the very native quality of things has thus sounded out with a voice resounding more clearly than any trumpet, showing to all the glory to be gazed at and the splendor of the Church, for the sun is not resplendent with as much brightness, nor again does the light gleaming from it pour out a radiance as brilliant, as the things done by the Church. For the house of the Lord is set on the highest mountains." And later: "The power of the Church reaches up to the very skies, and as a house placed on the top of the mountains it shows itself conspicuously to all, so much so that it has become more famous yet than all else." A like opinion is advanced by Augustine, bk.3, *Contra Epist. Parmeniani*, where he says that the just are "throughout the whole city which cannot be hid, because it is founded on a mountain. The mountain I say of Daniel, wherein grew the stone cut out without hands and filled the whole earth." And in the cited tract.1 on *1 John*, near the end, he says: "Is not the stone, which is cut out of the mountain without hands, Christ who is from the kingdom of the Jews without the work of a husband?" And a little later: "Do we point to that mountain with a finger?"

And later: “Do we thus point to the Church, my brothers? Is it not open? Is it not manifest?” And after a few intervening remarks: “And when it is said to them (namely heretics), ‘ascend,’ they say, ‘it is not a mountain,’ and more easily do they turn their face against it than seek there a habitation.” And later, having put forward the place from *Isaiah*, he asks: “What is as manifest as a mountain?” And immediately he objects: “But there are also unknown mountains, as Olympus, etc.” He replies; “Those mountains exist in parts, but this mountain does not so, because it filled the whole earth; who gets lost in this mountain?” And later about heretics he says: “They do not see the mountain. No wonder. Because they walk in darkness and do not have eyes, but the darkness has blinded them.”

And in the same sense do many Fathers interpret the words of Christ, *Matthew* 5.14: “Ye are the light of the world. A city that is set on a hill cannot be hid.” For that this city is the Church is taught by Augustine in the said tract.1, where he says: “Behold the city of which it is said: ‘This is the city set on a hill.’” The same in bk.3, *Contra Parmenian.*, ch.5, and bk.2, *Contra Literas Petilian.*, ch.32, after the verse, *Psalms* 19.4, “Their line is gone out through all the earth.” Later he says that for this reason is it the case that “the true Church is hidden from no one, which is why the Evangelist said, ‘A city set on a hill cannot be hid,’ and therefore the same psalm draws the connection, v.4, ‘He hath set his tabernacle in the sun,’” which he himself on the same psalm expounds, namely that “he has in manifest light placed his Church, that it may not be hid.” And later: “Why, O heretic, do you fly into the darkness?” And many like things he has in his book *De Unitat. Ecclesiae*, and bk.3, *Contra Faustum*, ch.13, where he sets down as a sure sign of the Church of Christ that “it stands out and is manifest to all, because it is the seat of his glory, *Jeremiah* 17, and the holy temple of God, *I Corinthians* 3.17,” and afterward he sets down the place from *Matthew*. The same in the sixth book, ch.17, and in bk.2 *Contra Cresconium Grammaticum*, ch.36, where he has these notable words: “The whole Church stands out and is conspicuous, a city to be sure which cannot be hid, being set on a mountain, through which Christ dominates from sea to sea and from the river to the uttermost parts of the earth.”

In the same way is that place expounded by Jerome, bk.6, on *Jeremiah* 30 where too he applies *Jeremiah*’s own words, v.18, to the Church, “the city shall be builded on her own height and the temple shall be founded in its order.” Jerome says: “More fully and more perfectly in the Lord our Savior and in the apostles are these words fulfilled, that the city is builded on its height, about which it is said that a city placed on a mountain cannot be hid, and the temple is founded in its order and its ceremonies, so that whatever is fulfilled carnally in the earlier people is fulfilled spiritually in the Church.” And he expounds the words of *Amos* 1.2: “The Lord will roar from Zion” about the watch tower of the Church, “because, being set on a hill (says *Matthew* 5.14), it cannot be hid, and from it, when the Lord has spoken out his voice through the Old and New Instruments and through the teachers of the Church and has sounded it as a clear trumpet, then the doctrine of the heretics and of the circumcision will be dried up.” And very elegantly does Chrysostom ask, incomplete homil.10 on *Matthew*: “What is this city?” and he replies: “It is the Church of the saints of which the Prophet said ‘Glorious things of thee are spoken, city of God;’ but the citizens of it are all the faithful of whom the Apostle says, ‘you are the citizens of the saints and the servants of God, etc.’” And later: “This city therefore is set on a hill, that is, on Christ, etc.” And then, joining them together with the other words in v.15, “Neither do men light a candle,” he says: “Through a second comparison Christ wishes to show how he himself makes his saints manifest and does not wish them to be hid.” And later he asks: “What is the candlestick?” And he replies: “The Church, which carries the word of life.” And he adduces the verse of Paul *Philippians* 2.15-16: “Among whom ye shine as lights in the world: Holding forth

the word of life.” Next on the same sentence Rupert rightly there said: “How great, how spacious a city!” And later: “It cannot be hid; the order or reason of judgment or of divine counsel does not allow it to be hid and unknown, which for this purpose was built and for this purpose there hang from it a thousand shields, the whole armor of the strong, so that all who face danger among adversaries, who compete among Jews, pagans, and heretics for the faith, may know they should have recourse to this city and be fortified together within it.”

4. Hence we can, third, establish the same proof by reason taken from the properties that Scripture and the Fathers attribute to the Church. The first condition of the Church of Christ is that it is founded on Peter, *Matthew* 16; from which foundation it cannot be removed, as was shown above, and as we will say more at large in book three; but this foundation is visible, for it is set in place for governing men; therefore the Church itself too must be visible. And for that reason one of the most powerful signs for recognizing the true Church is the succession of bishops in the pontificate of Peter, as we noted above from Augustine, and from Irenaeus, bk.3, ch.1; and the same is taken from Cyprian, epist.76 to Magnus; but if the true Church were not visible it would not need a visible head nor could it be founded thereon. The second property is akin to this first one, that Christ built a Church of such sort that it could be ruled through men, according to that verse of *Acts* 20.28: “Take heed therefore unto yourselves, and to all the flock, over the which the Holy Spirit hath made you bishops, to feed [alt. rule] the Church of God, which he has purchased with his own blood.” Where without doubt the discussion is of the true Church founded by Christ; for it alone did he acquire by his own blood and provided with a fitting governance, which he committed to men and bishops; therefore such a Church must be visible, so that its rulers may look upon it and know it.

The third condition is that the Church can see perceptible actions and hear the human voice, according to the word of Christ, *Matthew* 18.17: “Tell it unto the Church.” For how may someone speak to a Church that he cannot see, or how will the Church hear the word of man if it is itself not visible? And for that reason too Paul says, *1 Corinthians* 10.32: “Give none offence, neither to the Jews, nor to the Gentiles, nor to the Church of God.” Therefore we can see the Church and take care not to offend it, according to that verse of Paul *1 Timothy* 3.15: “That thou mayest know how thou oughtest to behave thyself in the house of God, which is the Church of the living God;” for how could Timothy know this if he did not know the true Church? And there are infinite like locutions which suppose a certain definite knowledge of a visible Church, as is that in *1 Corinthians* 15.9: “I persecuted the Church of God,” and *Acts* 5.11: “And great fear came upon all the Church.” And like things can be seen in chs.8, 9, 11 and through almost the whole book; and sometimes the discussion is about the whole Church, sometimes about a part of it, or about a particular visible church; but the reasoning about the parts is the same as about the whole; for if the parts are visible, much more will the whole body be visible that consists of them.

5. Perhaps, however, the heretics, convicted by these testimonies, will confess that the primitive Church, which existed at the time of the apostles and a little thereafter, was visible, but afterwards, with the passage of time, the visible Church failed and an invisible one was made. From which response we gladly take the first part. And from it, in the first place, we prove against the heretics that the true Church can be visible, since at some time it was such. From this too incidentally is shown that the reasons of heretics to prove that the Church is invisible are futile; for if they were worth anything they would show that there was something repugnant in the Church being visible, when, however, this fact itself proves there is none. Next, just as we have shown from the Scriptures that the Church in its origin, so to say, was visible, so must they

themselves show from the Scriptures that there exists an invisible Church, or that in the Scriptures it is preached that at some point such an invisible Church will exist in the future. A similar argument is urged against the Donatists by Augustine, bk. *De Unit. Eccles.*, ch.17, when he says: "Let them read this to us from the Sacred Scriptures and we will believe; let them, I say, read this to us from the canon of the divine books that so many cities, which have up to the present day kept the baptism consigned to them by the apostles, have perished from the faith." Which argument he pursues in ch.18, taking as supposition at the beginning that the Church is known manifestly in the Sacred Scriptures; and afterwards in ch.19 he again insists: "Setting aside the snares of delays, let Donatus show that the Church has been retained in Africa alone when so many nations have been lost, or that it is from Africa to be repaired and filled in all nations, and let him show it in such a way that he not say, 'It is true because I say so', etc." For he enumerates at large all the things which heretics are wont to invent, and he adds: "Let those figments of lying men or the portents of deceiving spirits be removed;" and afterwards he concludes: "But let them show whether they possess the Church not otherwise than from the canonical books of the divine Scriptures." This argument is all the stronger against the heretics of the present time in that they themselves preach that nothing is to be believed except what is read in the Scriptures. Since therefore we have it from the Scriptures that the Church is visible, and nothing is read there about its being changed into an invisible one, nor can any trace of this be found in the Scriptures, then certainly Protestants are speaking neither consistently nor with any foundation.

6. But further, we prove from the same Scriptures and the Fathers that the second part of their response is false; for the locutions of Scripture, which prove that the Church was visible at the time of the apostles, prove the same about the true and apostolic Church at any time. First, because the promise of not failing was made to the visible Church insofar as Christ founded it on the rock, as is clear from the words: "Upon this rock I shall build my Church and the gates of hell will not prevail against it;" for the word 'it' refers to the same visible Church. Again from Paul *1 Timothy* 3.15, after he said the words: "That thou mayest know how thou oughtest to behave thyself in the house of God, which is the Church of the living God," he subjoins: "which is the pillar and ground of the truth;" but we showed that the first words are understood of a visible Church wherein someone can behave; but the word 'which' refers to the same Church; therefore the visible Church is pillar and ground of the truth, and hence it is perpetual, because, as I showed above, this property can never be separated from the Church. Add that this property can never agree with the Church if the Church is at some time to be invisible; for it is the pillar and ground of the truth by always and without fail teaching the truth and correcting errors; but it could not do this with authority and efficaciously if it was invisible, for there could always be doubt whether it was the true Church speaking. Next, many of the locutions adduced from Scripture were advanced as holding of it for any time at all; therefore they prove about all time that the Church is visible. The assumption is clear, for when Christ admonished, in *Matthew* 18.17: "Tell it unto the Church; but if he neglect to hear the Church, let him be unto thee as an heathen man and a publican," he was instructing not only the men who were listening to him, nor the primitive Church only, but his whole Church, as enduring perpetually into the future. Therefore he was supposing that his Church was always going to be visible, so that it could be heard and could hear. And the same argument can be taken from the words of Paul just cited; for the admonishment to behave in a fitting way in the Church, or to act without offending it, is extended to all time and is to be kept at every time; therefore the Church is always such as to be able to be seen.

7. There is besides another striking property of the true Church, which continually requires this visibility, namely that outside it salvation cannot be preserved or found, as it is a certain truth of faith which is handed down by Cyprian, epist. 74, where he has the sentence: "No one can have God as Father who does not the Church as mother." Which he repeats in his book *De Unit. Ecclesiae* not far from the beginning, where among other things he compares the Church to Noah's Ark, saying: "If anyone who was outside Noah's Ark was able to escape, he too who is outside the Church will escape." And he speaks openly of the Church founded on the chair of Peter; and he hands on the same doctrine in many other places. Again Augustine, in bk. *De Unitat. Ecclesiae*, chs. 2 & 19, teaches the same thing, and he confirms it by the fact that "no one comes to salvation and eternal life except he who has Christ the head; but no one could have Christ the head except he who was in his body, which is the Church." Wherefore from this property it is rightly collected that the true Church ought at every time to be visible, because at every time it is the body of Christ, to which all must be united who wish to obtain salvation; and it is the city of refuge, to which they must have recourse who wish to be protected and defended from enemies. But it would be contrary to right order, and we have already related it from Rupert, that a Church instituted to this end should be placed in shadow and darkness; therefore, since it is preserved perpetually for the same end, it must also be perpetually conspicuous, clear, and visible. And therefore very appositely did Irenaeus say, bk. 1 *Contra Haereses*, ch. 2: "The Church disseminated in the whole world, as if inhabiting one house, diligently guards this faith; and likewise it believes those things as having one soul and one heart, and agreeably preaches, teaches, and hands them on as possessing one mouth." And later he subjoins: "As the sun, the creation of God, is one and the same in the whole world, so also the light, the preaching of the truth, shines everywhere and illumines all who wish to come to the knowledge of the truth." Which comparison is also imitated by Cyprian, bk. *De Unit. Eccles.*, when he says: "The Church is one, which is extended more broadly into a multitude by the increase of fertility; as the rays of the sun are many but the light is one so take the ray of the sun from the body, its unity does not admit of division of the light." Which place is cited by Augustine, bk. 1, *Contra Crescon.*, ch. 36, when he says: "This (namely the city of the Church) blessed Cyprian commends in such way that he says, bathed in the light of the Lord, it stretches out its rays through the whole earth, etc." And thus too Origen, tract. 3, on *Matthew*: "The Church is full of brightness from the East to the West, and it is full of true light, which Church is the pillar and ground of the truth." And it is signified by Augustine and others who, as we said above, adapt to it the verse of the psalm: "he has placed his tabernacle in the sun," and the verse of Jeremiah: "it itself is the seat of his glory, which stands out and is apparent to all." And therefore it is also compared by other Fathers to the candlestick that holds the candle, "so as to shine," says Chrysostom, "that is, so as to appear and illumine those who are either in the house of the Church or in the house of all the pure." Next, for this cause, the same Chrysostom says, hom. 4, on *Isaiah* 6, "it is easier for the sun to be extinguished than for the Church to be obscured."

8. Again in another way we can refute the aforesaid evasion of the heretics, and confirm Catholic truth, by taking the same principle conceded by the adversaries, that the Church of Christ in its origin was visible and most known, as is sufficiently proved from Scripture, and it is especially manifest from the words of Christ and of *The Acts of the Apostles*. For this Church is propagated and preserved in the way it was founded; therefore as it was visible at the beginning so it is perpetually preserved. And indeed the minor premise, as regards propagation, is clear from the same *Acts*. For the Church first put down roots in Jerusalem, afterwards it increased through Judea, then extended to Samaria, and at length spread through all nations and the whole

globe, and always in all places it was visible. And it is in this way that particular churches are as it were made known and manifest, both in the said sacred history and in the apostolic letters, and they are put forward and named in the book of the *Apocalypse*. But as for what concerns preservation or duration, it is clear too that the Church has, so to say, in a sensible way persevered through a continuous and visible succession of Pontiffs, bishops, doctors and the other faithful and members of the Church; and from this too we can collect that it will persevere in the same way as long as the world will last, because the same reason holds for any time whatever.

In this discourse it only remains to prove that the duration of the Church was always, by reason of succession, in a visible state; but this can be proved in the first place from the doctrine of the Fathers. For Tertullian, *De Praescript.*, ch.20, thus describes the continuous duration of the Church: “The apostles, once faith in Jesus Christ had first been witnessed to in Judea and churches there established, traveled thence over the world and preached the same doctrine of the same faith among the nations, and founded churches from which other churches borrowed and daily borrow the vine-graft of the faith, so that churches should come to exist and be thereby themselves esteemed apostolic; as offspring of the apostolic churches every kind must be counted back to its origin.” And so he concludes that from all the churches a single one coalesces. Which is true of the Church not only as it exists together at the same time, but also as it persists successively through the communication and union of the present with the past and through legitimate succession; which he explains more in ch.32, saying that the churches which profess themselves apostolic must show the order of their bishops, by taking it back to the apostles.

9. The same doctrine is handed on at large by Cyprian, bk. *De Unit. Eccles.*, and epist.76, where among other things he says: “Nor can he be counted a bishop who, having despised the evangelical and apostolic tradition, succeeds to no one and has sprung up from himself,” and so he posits as a note of the Church the succession of Pontiffs. And in epist.69 he says that: “The bishop is in the Church and the Church in the bishop, and if anyone is not with a bishop he is not in the Church, and in vain do they flatter themselves who, not having peace with the priests, sneak up and secretly believe themselves to be with some in communion, although the Church, which is a single Catholic one, is not cut nor divided but is certainly connected and joined by the bond of priests who are in harmony with each other.” In the same way is this continuous unity of the Church declared by Irenaeus, bk.3, *Contra Haereses*, chs.2 & 3. And Augustine thinks the same *Contra Epistolam Fundamenti*, and in the other places cited, and also Vincent of Lerins and the others above mentioned. Among whom there is a common sentiment that the Church has persevered through continuous succession in the same hierarchical order in which it was founded, and hence in the same visible state in which it was known and manifest; since otherwise there could not be agreement about continuous succession and tradition.

10. And this discussion can deservedly be founded on Paul, *Ephesians* 4.11-13: “And he gave some apostles, and some prophets, and some evangelists, and some pastors and teachers; For the perfecting of the saints, for the work of the ministry, for the edifying of the body of Christ; Till we all come in the unity of the faith, and of the knowledge of the Son of God, unto a perfect man, unto the measure of the stature of the fullness of Christ.” For from these words it is clear that this Church, which grows together from several members after the fashion of a single body and is preserved through their mutual work and the flowing of them into each other (as the same apostle taught, *1 Corinthians* 12), will have the same form “till we all come together to the perfect man.” And hence teachers and pastors are to endure in it through continuous succession

and to rule it in a perceptible way and teach it; which can in no way be made sense of unless the true Church should persevere always visible and touchable (so to explain it) in a human way, for the head cannot be visible and the body invisible, as Augustine rightly said, ep.48 to Vincentius, near the middle.

Chapter 8: The objections of the adversaries are met, and the sense in which the Church is visible is explained.

Summary: 1. Final evasion on behalf of the opinion of the heretics, that the Church is an object of belief for the intellect but is not known to the senses. 2. How the true Church is to be believed. 3. Proof of the first part. 4. Confirmation of the second part. 5. How the Church is visible to sense. 6. Response of the heretics. 7. That the Church is visible to sense through signs is shown. 8. Signs of the Catholic Church. 9. Another sign received from the Fathers: the antiquity and firmness of the Church. 10. This sign squares with none of the conventicles of the heretics. 11. First evasion of the heretics; refutation. 12. Second evasion; response. 13. Solution of the arguments. 14. Explanation from the Fathers. 15. Explanation of the author.

1. In these ways, then, as I think, has sufficient demonstration been given from the principles of the faith and from the testimonies of Sacred Scripture that the true Church ought to be cognizable or known. Someone could, however, say that the conclusion is not sufficiently drawn therefrom that the Church is visible or apparent to the external senses, but at most that it is believable, as it is proposed for belief in the Creed; and that in this way it is known to the intellect but not to sense. Hence the heretics could elude everything we have adduced by saying that their own church, which they say is invisible, is sufficiently known to those who have true faith. And the Protestant Anglicans especially (with whom there is said to endure a form of ecclesiastical hierarchy and a shadow of the episcopacy and of ministry) could say that among them the Church perseveres in that external and sensible form which it had in the times of the apostles. And yet, they say, there can be no discerning by sense that it is the true Church any more than that the Roman is, nor conversely, and therefore they call it invisible; but it is not unknowable, because they hold it to be by their own faith sufficiently known.

2. This is the final objection and evasion which I could think of on the part of the heretics, and I have not judged it should be omitted because through the solution of it every tergiversation of the Protestants will be taken away, and the efficacy of the testimonies and the reasons which we have adduced will be more understood, and the remaining objections too, that were set down at the beginning [chapter 7 §2], will the more easily be dissolved. To make an attack, then, on the thing we first take what seems to be conceded in this objection, that the true Church is known or knowable, at least by faith, as everything we have hitherto adduced sufficiently testifies. And on this point we add two things. One is that this is to be understood not of the Church as it is grasped confusedly or universally, by abstracting from this or that congregation of men existing in the world that could attribute this name to itself, but it is to be understood of the Church taken definitely and in particular, as it is in a congregation of such men professing the faith of Christ. The other is that this Church is to be in particular believed in, not by any probable or human faith, but by most certain and infallible divine faith.

3. Each of these things can be proved from the Creed of the apostles, wherein we profess that we believe the holy Catholic Church. For this is to be understood of a definite and of a singular Church. For since the true Catholic Church is only one individual and particular, that locution, which seems indefinite, is equivalent to a singular one; just as he who says he sees the

sun is understood at once to be speaking of that single sun which is in the world. And in this way does Augustine expound it *De Fide et Symbolo*, ch.10, and Ruffinus in his exposition of the Creed, and everyone else. For by the force of that faith we are bound to believe that it is the true Church in which we are and whose faith we profess, and consequently we are bound to believe that the conventicles of the heretics are not the true Church but the synagogue of Satan, *Apocalypse 2*, or as Ruffinus says, the Church of the wicked; therefore, so that we may be able by means of the faith to discern the true Church from the false, that faith must concern some such congregation in particular. Next, from the reason given above about the necessity for this knowledge, the conclusion evidently follows that this faith should be about an individual such Church, because we must seek a Church in which we may be sanctified, or which we may believe, or in which we may be able to receive the true sacraments with fruit and persevere to the end and finally be saved. But no one can seek a Church in general or abstractly conceived, because the search in question is not a speculative but a practical one, necessary for the chief operations of this life; but such searching or joining must be concerned with a particular Church, because actions, as the Philosopher said, concern singulars; therefore too we can and must know a singular and individual Church, holy and apostolic.

4. Hence is the second thing we proposed also easily proved, namely, that we must believe this Church not only with human faith and opinion but most of all with divine and Christian faith. First, because we are with this certain and divine faith to believe whatever is contained in the Creed, but one of the things proposed for belief in the Creed is this particular and individual Church, as I have made plain; therefore we are to believe it with infused and altogether certain faith. Second, this is very much confirmed by Augustine, epist.28, where he says that this faith is no less founded on Scripture itself than is faith in the man Jesus Christ. "For how," he says, "are we confident that from the divine writings we have received an evident Christ but not an evident Church?" Hence he often objects there against the Donatists: "You are uncertain where the Church is;" and chiefly to this he tries to draw them, as to a great absurdity. "But we," he concludes, "are for this reason certain that no one could justly separate himself from the communion of all the nations, that none of us seeks the Church in his own justice but in the divine Scriptures, and observes it to be given as it was promised."

Third, the same is proved from the necessity declared above of knowing the true Church; for faith in the true Church is, in its order and according to God, the foundation for the rest of what is believed and for all the actions necessary for salvation; since we receive from it the Sacred Scripture, according to that widely publicized opinion of Augustine: "I would not believe the Gospel if the authority of the Church did not move me," *Contra Epistolam Fundamenti*, ch.5. From the same Church we receive the true sense of the Scriptures, as we will touch upon in the next chapter; from it we receive the creeds, the sacraments, the precepts, the counsels, and everything that pertains to salvation; therefore if faith about the Church itself were only human opinion, all the rest would be held only by opinion; so divine faith would perish. And, conversely, there would be no congregation of heretics that did not believe with sufficient faith that it was holy and Catholic, because each heretic believes his church to be holy and apostolic, but he believes with human faith, which is capable of being false; but in this respect he differs from a Catholic; therefore the faith which the Catholic conceives about the true Church is far higher, and therewith altogether infallible and divine.

5. Moreover, we can from these points collect and add, third, what is of the greatest service to our intention, namely, in which true sense this Church is said to be visible. For by a twofold reason is it reckoned to be of this sort: first, because the Church which we believe by

faith to be true is a certain object which can be seen by sight, heard by the ears, and in some way dealt with by the hands. For this is customarily enough for some believed object to be said to be sensible, even if we believe about it some invisible mystery; thus the sacraments are called sensible although the formal reason of the sacrament or its truth are not perceived. Nay even Christ the Lord was a visible object when he walked on earth, and yet by divine faith he is believed to be true Messiah by many who could rightly say that they see the Messiah whom they were hoping for and whom they believed to be present, according to that verse of *Matthew* 13.17: "Many prophets and righteous men have desired to see those things which ye see." And after his resurrection the same Christ the Lord said to Thomas, *John* 20.29: "Because thou hast seen me, thou hast believed." Which Gregory made plain when he said: "He saw one, he believed the other;" yet about him whom he saw he believed what he did not see, and thus that faith had a sensible object. Such therefore can we say about the Church, for about it, which we see in these persons and these places, we believe that it is holy and apostolic, which fact we do not see with bodily eyes.

6. Finally the Protestants will lay down as obstacle that their own church too is in this way visible, because their congregation, which they see, they believe to be the true Church. We reply, to begin with, that on this point we have with them no contention, because we do not hesitate at all over whether their congregation is visible or not; but it was they who invented the term of the invisible Church. Yet this difference always intervenes, that they falsely believe the congregation they see to be the true Church, but we believe with certain and infallible faith that the Catholic or Roman Church, which we also see, is the true Church. Next there is another difference; for the adversaries cannot avoid saying that their own congregation, or the association of their opinion, at some time did not exist or that it was invisible, namely before they existed, because then it was seen by none, or it was not known as the object about which they were to believe that it was the true Church of Christ. Nay, it was on account of the time when they themselves did not exist that they thought up that way of speaking about the invisible Church, so that they might in some way be able to say that the true Church had never ceased to be in the world, although for many years, as for example from Pope Gregory up to Luther or Wycliffe or someone similar, it was invisible. Which they also lay down only according to their own brain and without foundation; for if the true Church was altogether unknown and invisible for all that time, on what ground can they show that it existed somewhere, or who revealed it to them? For if they only collect it from the promises and predictions about the perpetuity of the Church, they must confess that it always continued visible, that is, cognized and known in particular, because such was what was predicted and promised, as has been shown, and because it was always so believed by the Christian world, just as the Apostles' and Nicene Creeds have always endured in the world from the time they were made and have always been believed in the true Church.

7. A second reason on account of which the true Church can rightly be said to be visible, not only as to the material congregation of men but also as to the internal form and reason of the Church, although not in itself but in another, as the Scholastics are wont to say, is that it has been allotted visible or sensible signs and effects whereby it may be seen. Just as the soul of a horse or also of a man can be said to be visible, though otherwise than the body is; for the body is seen in itself and the soul not in itself but in its acts or its operations. Hence the body can be said to be visible in an animal way, that is merely sensitively; but the soul in a rational way, that is, with the aid of reason, by joining discourse to sense. As Paul said, *Romans* 1.20: "For the invisible things of God from the creation of the world are clearly seen, being understood by the things that are made;" or as Christ the Lord, when asked by John through his disciples, *Matthew* 11.3, "Art

thou he that should come, or do we look for another?” replied, vv.4-5, “Go and shew John again those things which ye do hear and see: The blind receive their sight, and the lame walk, etc.” As if he were to say: in the signs which I do you can see that I am the Messiah, because I exhibit those things that were predicted in the prophets, *Isaiah* 35, 6. And for this reason the same Lord said, *John* 15.24: “If I had not done among them the works which none other man did, they had not had sin,” because, that is, by these was it made manifest that they were obliged to have faith in him.

8. We say, then, that in this way is the Church visible, that it has always exhibited the signs and, as it were, the visible rays of its truth, so that in them, or through them, it could and ought to be seen. Which, in the first place, I take from all the testimonies of the holy Fathers whereby I have proved above the visibility of the Church, for all of them explain it by its visible effects which have made it openly visible to the world. Also especially from the words of Augustine just cited: “each of us seeks the Church...in the divine Scriptures and observes it to be given as it was promised.” For a Church was promised having the sort of properties and signs in the completion of which it could be seen. This is made plain from the words of Christ, *Mark* 16.15: “Go into the whole world, and preach the Gospel,” as if he were to say: Plant the Church by sowing the word of the Gospel and by baptizing; for from baptized believers it is to be gathered. And at once he subjoins, v.17: “And these signs shall follow them that believe,” and he sets down five sensible signs as sure indications of his Church, which are read afterwards in *Acts* to have been fulfilled; for these were not given for recognizing the faith of individual believers but of recognizing the congregation of the faithful who truly believe in Christ, which is the true Church.

And in this way through these signs, understood as to the letter, and through other works of holiness that were signified through them (as was Gregory’s interpretive intention, homil.29 on the Gospels, and Bernard’s serm.1 *De Ascensione*), the Church was made visible at once from its beginning, and has continued afterwards in the same way, as we showed above. Not through the duration and continuation as it were of all those signs, but through a continuous succession which is also in its way visible and evident to men; and in this way in those signs is the Church seen which now is, because it is the same as that which was then, and its unity is from that very succession sufficiently recognized. Hence Augustine appositely enough says, bk. *De Utilitate Credendi*, ch.26: “Those things were done most opportunely so that, when by them a multitude of believers had been gathered and propagated, their useful authority would be converted into very morals.” He then makes the addition that “because those signs,” although they are not as frequent, nevertheless “lest they should become worthless by repetition,” as in the same place the same Augustine further adds, “or lest the mind should always seek visible things,” as the same says in bk.1, *De Vera Relig.*, ch.25, have indeed not altogether ceased in the true Church of Christ but they happen at opportune times according to the disposition of divine providence, as Augustine also noted above, and bk.22, *De Civit. Dei*, ch.8.

9. Additionally, besides those transitory signs, as it were, which were more necessary at the beginning of the nascent Church, other signs were given which can be called permanent and, as it were, intrinsic, because they are so requisite in the Church itself that they last always along with it. Which things are said by Catholics to be the Notes of the true Church, which have been very extensively handled by many of them, but we are not now taking up that province; for some of those signs are, with a view to the present purpose, enough and it is on them we have touched. One sign, and most commended by the Fathers, is antiquity, which we have declared by the name of succession and origin, and our discussion in chapter 8 will return to this same sign. A

second sign is that the Church remains founded on the same rock on which Christ founded it, and that it perseveres unmoved and faithful, and on this point are sufficient the things said in chapters 3 and 4, and which we will add in book three. Another sign, which in bk. *De Unit. Eccles.* and in many others is much commended by Augustine against the Donatists, is spatial extent, or (so to say) the ubiquity of the Catholic Church diffused through the whole world, and about this we will add some things in chapter 10. These, then, are all the visible signs, and through them is the Church made visible, not in an animal but in a rational way, and a way proper to faith, because, on the supposition of the promise and prediction of such signs of the true Church of Christ, when those signs are seen to be in some congregation the true Church is seen to be believable, at least in terms of general reason, according to the way of speaking of St. Thomas, *Ila Ilae*, q.1, a.4, ad2 and ad3, and a.5 ad1, that is, by these signs any prudent man sees that one should believe about this sort of congregation, but not about another, that it is the true Church.

10. Moreover, once the visibility of the Church is explained in this way, no follower of the new dogmas, or no defender of the Anglican sect, can say at all that his congregation is the visible and true Church; and the same I think is to be decided about any conventicle of heretics. The proof is that they do not exhibit the signs or have the notes by which the truth of the Church of Christ may so there appear that it would be believable according to prudent reason that it is the true Church which Christ established and which he promised would endure perpetually. For the congregation under that sect does not have antiquity, as is clear from the fact above referred to. Nor does it have an origin worthy of the Church of Christ, for as Tertullian, *De Praescript.* ch.30, said in a simile (changing the words): “Where then is Luther? Where then Calvin? For it is clear that they did not exist long ago, and clear that belief in the Roman Church was first in the Catholic faith until, under the pontificate of Leo X, they, because of ambition and restless affection of mind, disseminated the poison of their doctrines.” On which matter we will say more below in chapter 12. Next, their association does not have the foundation of the rock on which Christ founded his Church and on which he promised it would endure, as has been shown, but rather they directly profess defection from that foundation, nay they attack it with vehement hatred. In addition to these things, their association is not widely extended but lies hidden in a certain corner of the earth, and it does not even occupy the whole of that, nor does it have agreement there in doctrine but an almost infinite variety and division. I pass over the fact that it has no signs of supernatural virtue, nor of divine light or true sanctity, since it so easily abandons the ancient lights of the Catholic Church, the saints, I mean, the Fathers and the doctors, and as it were contemns them, and it laughs petulantly at the path of exceptional sanctity and perfection. What prudent man, therefore, when he has attentively considered all these things, could think, let alone confidently believe, that there is the true Church of Christ?

11. Perhaps some of the heretics will say that they do have sufficient signs of the true Church, because they have the true Scriptures, and the legitimate sense of them, and the sacraments of Christ, and a life good and honorable and in conformity with the precepts of Christ. But these are in part common to all heretics and also to the true Church of Christ, as to have Scripture, and some of the sacraments of Christ, and a show of virtue or religion, at least in appearance, and therefore from these alone the true Church cannot be made visible in the aforesaid sense. But some are false, as we believe, and are in themselves obscure, and must be believed rather than seen, and therefore they are ineptly brought forward as signs of the visible Church. Such is what they say about the true sense of Scripture; for this sense is often hidden and needs rather to be defined by the true Church. And the case is similar with what is said about the number, truth, and legitimate use of the sacraments. But as for what regards sanctity of life,

although in individual persons it is hidden and uncertain, yet in the profession and state of its perfection the Anglican sect has nothing to commend it and nothing wherein to be compared with the sanctity of the Catholic Church. Wherefore the adversaries would more correctly say that in this sense their church is invisible, and they should as a consequence confess that it is not the true church; for the true Church of Christ is visible, not only because there is definite knowledge where it is and in what visible persons, but also because it exhibits itself to the senses to be evidently credible as the true Church of Christ, as has been sufficiently declared and proved.

12. I know there will not be lacking those who say that although in their sect all those signs of a visible and evidently credible Church are lacking, yet they themselves are rendered certain within by a peculiar spirit or revelation of God that the true Church is with them. But this evasion is more to be laughed at than attacked; for, as Augustine rightly said, bk. *De Unit. Eccles.*, ch.2: “When there is a question between us and heretics where the Church is, what are we to do? Are we to make enquiry in our words or in the words of Christ? I think in the words of Christ who is truth and very well knows his own body.” Which he pursues at large, excluding not only private spirit but also the interpretation of Scripture according to the sense of heretics. Hence this evasion of a private spirit is common to all and each dogma of that sect, and therefore, as to this part, we will in the following chapter more fully bring this disputation to completion.

13. Now there only remains for us to make satisfaction to the reason for doubting and to the objections posed at the beginning, which will indeed, from what has already been said, be a very easy business. The chief foundation, therefore, on which the adversaries rest for support, only proves that the interior form of the Church, which is true faith with baptismal character, is not in itself visible or sensible. It does not however prove that there is not a visible and mystical human body about which it is certainly clear that such form exists in it. Again, it does not prove that that form is not visible in something else, or in signs, by which it is sufficiently made manifest. Because, although by these signs faith or sanctity may not be sufficiently shown in the individual members of the Church, because of the pretense that could exist in any determinate person, nevertheless these signs do sufficiently show that in this body there exists the true faith of Christ and true sanctity, because without them the true Church of Christ cannot exist. But I say ‘sufficiently show’, not because these signs make the gifts evidently manifest, for they are supernatural and hidden and are believed through faith, but because they do at least make the thing evidently credible in the sense in which we said that the Church, as regard this point, is visible in its notes and signs.

14. As for the testimony of *Luke* 17, the reply is that this testimony is often wont in this matter to be objected by the Fathers against the heretics who assert that the Church is hidden or secret. Thus Augustine, bk.13, *Contra Faustum*, ch.13, expounding the similar place in *Matthew* 24.23-26, says: “The Lord, seeing ahead, says that a city set on a hill cannot be hid, etc., so that they may not be listened to who bring divisions into religion, saying, Lo here is Christ, lo there, etc.” And later: “Nor are they to be listened to who under the name as it were of a secret and apocryphal truth and fewness of men say, Lo in secret chambers, lo in the desert.” And bk.1 *Quaestionum Evangelicarum*, q.38, by the lightning, which cometh out of the East and reacheth even unto the West, he understands the Church, which quickly captured the whole world, and he connects the places together: “After the authority, therefore, of the Church is clear and manifest through the world, he consequently admonishes the disciples and all the faithful, and those who wished to believe in him, not to believe in schismatics and heretics. For each schism and each

heresy either has its place in the world, holding some part of it, or, in dark and secret conventicles, deceives the curiosity of men.” And in this sense he explains the whole of Christ’s sermon, and therefore he says that Christ warned them beforehand, “Do not believe” those who say “Lo here, lo there is Christ.” And Origen thinks the same, tract. 30 on *Matthew*, when he says: “They do not point to him in the Church, which is full of lightning, which is full of true light.” And the same opinion is insinuated by Jerome on *Matthew* 24, at the words, v.26: “If they shall say to you...,” where he says, “or in the inner chambers of heretics, who promise the secrets of God, do not believe.” And this opinion is very true and is contained virtually in the words of Christ, although it be not there principally intended.

15. So in the place, then, from *Luke* 17, there are two parts or two opinions of Christ to be distinguished. The first, which is referred to in the objection, is where Christ speaks of the kingdom of God where ‘kingdom of God’ without doubt does not signify the Church but Christ himself or his coming. For the Pharisees asked Christ, v.20, “when the kingdom of God should come,” that is, when it will come. Because they were not asking about the Church, but about the kingdom which they were hoping to obtain through the Messiah, and they were calling that the kingdom of God, not because they thought something heavenly or spiritual about it, but because they were hoping for it from a special gift of God through the virtue and power of the Messiah, or because they had heard Christ himself often speaking about the kingdom of God; but they themselves did not think anything about the kingdom of the Messiah save what was temporal and belonged to exterior power and majesty. And that is why Christ responded to them, vv.20-21: “The kingdom of God cometh not with observation: Neither shall they say, Lo here! or lo there!” Where he is not speaking of heretics but is excluding an expectation of the Messiah by way of the coming of a temporal king, who is wont to be expected with definite observation of time and with other signs preceding, from which it is customarily to be conjectured where he is or when he will come. And in order to take away their false thought about a future advent of the kingdom of God, as if it had not yet come, Christ adds, v.21: “For behold, the kingdom of God is within you,” because the Messiah, whom they were hoping for, they already had dwelling among them, although without the royal trappings that they were thinking of. It is also probable that the Jews had asked about the kingdom of God, which Christ was preaching, although they did not understand of what sort it was. But Christ replied that the kingdom, as far as it can in this life be obtained, is spiritual, and therefore is not something that can be hoped for at a certain time or place, because it is both within man and in the power of each to have it within himself, if he wish to receive Christ through faith and love.

The second part of the opinion of Christ is very distinct from the first, so that some think that the words were not spoken consecutively or at the same time, and at any rate it is certain from the Gospel that in the first part Christ spoke to the Pharisees by replying to them; but in the second part he spoke to his disciples and through them to all the faithful, by forestalling them and saying, vv.22-23: “The days will come... And they shall say to you, See here: or, see there.” And this part without doubt pertains to the second coming of Christ, and it contains the prediction of many who are to be transformed into false Christs and especially antichrists; against whose performance and deceptions Christ, giving warning in advance to the faithful, fortified them beforehand not to give their trust to those who point and say, “Lo here, or lo there is Christ.” And so from that place nothing is collected that is relevant to the present cause; for rather this second part is adapted very well against heretics, as I noted above. But the first part, understood about the first coming of Christ, clearly does not pertain in any way to the question about the Church. Nay too, those words do not at all exclude the first coming of Christ from

being sensible and visible, so that he may be looked for in some definite place and pointed to, as the Magi inquired “where the Christ was to be born,” and rightly was the response given to them, “in Bethlehem of Judea.” Namely, through the sign of the prophet, for such signs given by the prophets were rightly being looked on for the expectation and knowledge of the Messiah, nay through such signs he himself sometimes made himself manifest. Therefore in those words he is excluding human thinking, lest he be thought to be inquired after or expected through signs and human observations and with the trappings of a royal king, etc. But if the response of Christ be understood of the spiritual kingdom of the soul, it is clear that it is spiritual and internal, and that for this reason it is not visible and is not bound to a definite place and time insofar as such a kingdom is found in individual persons. And in this way too the whole Church can be called the kingdom of God, and the city of the living God, and the spiritual house, and invisible in itself as concerns sanctity and spiritual gifts, and yet visible as to the persons in which it exists, but not through human reasonings, nor here or there, but through definite indications given by Christ and the prophets, and in any place and at any time because it is perpetual and universal, as Augustine observed.

As to the words of the Creed, we have made it sufficiently plain how the holy and apostolic Church can be seen and believed; for it is seen as to the persons from which it is made up, but it is believed as to true faith, sanctity, and the other divine gifts by which it is joined to Christ as his mystical body. Again it is seen through visible signs, but it is believed by reason of truth and supernatural object. To the place from Augustine I reply that Augustine never distinguished the Church of the predestinate and the reprobate as two Churches, nay not even as two parts of the same Church. For only at the beginning of that chapter 8, bk.20, *De Civitate Dei*, speaking of antichrist, he says: “Never will the Church predestinate and elect before the foundation of the world be seduced by him,” where Augustine does not distinguish the Church but names it from its more important part, just as in ch.9 he says that sometimes a whole is denominated from its part. For Augustine was showing in the said chapter that the Church was not to be seduced by antichrist, namely in its totality or as to its chief part, and for that reason he called it predestinate, not because there is some invisible church made up only of the predestinate, but to signify, as regard the chief part of it, which exists in the elect and predestinate, that it cannot be deceived, as is signified in the words of Christ, *Matthew 24.24*: “Insomuch that, if it were possible, they shall deceive the very elect.”

Chapter 9: The king of England, since he does not admit the complete Scripture nor the unwritten word of God, is shown not to be defender of the truly Christian Faith.

Summary: 1. Faith signifies both the matter and the act of belief. 2. The king of England does not accept the integral Christian Faith. 3. Foundation of the faith of the king of England. 4. The sacred books of both the first and the second order are canonical. Scripture alone is not the integral and proximate foundation of faith. The unwritten word of God is to be received with the same faith as the written. 5. The traditions are confirmed by reason. 6. The evasion of heretics is refuted. 7. From the words of the king himself the same truth is established. 8. An authority to which the Holy Spirit gives his special assistance is necessary in the Church. 9. The Church pays attention to the unwritten word of God with the same certainty as to the written. 10. By the authority of the Fathers are the traditions made firm. 11. The truth is confirmed lastly with examples. 12. Certain of the Fathers, who seem not much to favor the traditions, are explained.

1. So far a demonstration has been given in general that the true faith is not in the

Anglican sect, because that sect was introduced by defection from the true faith. And, taking this as occasion, we digressed to show that the faith from which it earlier defected (which was not other than the faith of the Catholic Church, Roman and visible) had always been, and was always indubitably going to be, the true faith; so that therefore it is most certainly clear that in the Anglican schism the true faith cannot exist. And although from this fact it be luminous even to the blind that the king of England, who professes himself head and protector of that schism, is not the defender of the true faith, yet, because he adorns himself with three illustrious titles and extols the faith which he defends, for he calls himself defender “of the truly Christian, Catholic, and Apostolic faith,” therefore I have thought it worthwhile to run singly through these three prerogatives of the faith, and show from the individual reasons for them that a title of this sort cannot agree with him who defends the Anglican schism.

Attacking the thing, therefore, from the truly Christian faith, I note that in two ways can the faith be denominated truly Christian, namely from the matter believed and from the reason for believing. For even the name itself of faith sometimes signifies the things believed, or the doctrine itself of the faith, as Athanasius said in his Creed: “This is the Catholic Faith, which unless each will have believed faithfully and firmly, he cannot be saved.” Sometimes, however, it designates the act or virtue of believing, as it does in Paul *Hebrews* 11.1: “Now faith is the substance of things hoped for, the evidence of things not seen.” In the former way, to be sure, that faith will be called truly Christian which was truly delivered by Christ or by the apostles in his name. But, in the latter way, assent to the same doctrine, when not conceived by human opinion or reason but is entirely divine and has so much certainty and firmness that no place is left for fear or doubt, will be labeled true faith, according to that verse of Paul, *2 Timothy* 1.12: “For I know whom I have believed, and am persuaded that he is able to keep that which I have committed unto him.” Which words, although they indicate confidence, or sure hope, yet that hope is founded on the certitude of faith, and thereof the apostle speaks about it literally when he says that he is certain of the omnipotence of God, for this is the object, not of confidence, but of assent. But more evident are the words in *Galatians* 1.8: “Though we, or an angel from heaven, etc.” Hence clear too is that statement of Athanasius in his Creed: “which unless each will have believed faithfully and firmly, he cannot be saved.” And that of Basil, homil. *De Vera ac Pia Fide*: “Faith is of things that have been said, an approval giving assent without any hesitation, with complete persuasion of mind about the truth of that which has been preached by the office of God.” And that of Bernard, epist. 190: “If faith is tossed about, is not our hope vain? Our martyrs were foolish, then, when they sustained such bitter things on account of things uncertain, and when, for a doubtful prize of reward, they did not doubt to enter through a harsh death into eternal exile; but God forbid that we should think that anything in our faith or hope hangs on a doubtful judgment.”

2. About faith, then, taken as the matter or the doctrine of faith, the king of England contends that he retains the truly Christian faith, because he embraces Scripture, the creeds of the Church, and the first four General Councils, and has faith in them. But although these things are necessary for any truly Christian man, they are yet not sufficient for integral Christian faith, for it is necessary to believe these things and not to omit others; for he who offends in one becomes guilty of all. But in two things does the king of England most offend: first, because he attacks most fiercely many Catholic dogmas, and, as is proved from his *Preface*, he professes errors contrary to the Christian faith. But because, to demonstrate this fact, it will be necessary to bring the individual errors forward and show their falsity, therefore, lest we digress from the proposed controversy, we will defer the matter to the next book, where we will prove what we now

suppose, that the Anglican sect cannot, in respect of dogmas, be said to be the truly Christian faith. Because although it agree therewith in many things which it has taken from it, yet in the understanding of the same dogmas and in the confession of them it dissents a great deal; but a faith is not said to be truly Christian unless it is in no matter, however small, discrepant with the doctrine of the true Church, which is the same as the doctrine of Christ.

3. Passing over, then, for the present the matter of faith, we will deal now with the manner and foundation of believing insofar as it is necessary for truly Christian faith. For King James in his *Preface* to Christian princes says near the end: "With Paul I wish you all to be such, in this one thing, as I also am: in the first place that you should wish to peruse the Scriptures, from which you should wish to seek the norm of believing and not place the foundations of faith on the uncertain opinions of others, but on your own sure knowledge." In which words the king makes plain the foundation of his own faith, and he establishes it solely on the Scriptures understood by a certain sure science of his own. From these words, then, we will take two chief foundations, so as to show that his faith is not truly Christian, and hence that he does not have wherewith he might be able to glory in the title of defender of the faith. Our first argument will be taken from the defect of integrity of faith; for a faith which is not integral cannot be the true faith; but in those words the king shows that he does not have an integral faith; and this argument we will urge in this chapter. But the other foundation we take from that particular science on which he has thrown the foundations of his faith; this sort of faith indeed can neither be divine nor certain nor Catholic, as we will describe in detail in the next chapter.

As for what concerns the first point, then, although the king in the aforesaid words does not add a phrase excluding other foundations of faith, yet, when his whole discourse is attentively considered and his various words in the said *Preface*, we plainly collect that this was the mind of the king. For, in the first place, a little before those words on p.156, at the beginning, he mocks traditions and says: "Not paying attention to the empty, shifting, and perverse traditions of men." For although he seem to be speaking of human traditions, yet he thinks that every unwritten tradition is human, empty, shifting, or perverse; both because he never makes mention of unwritten divine tradition, and also because a little before he indicates that the word of God is only found in Scripture. For he prays "that God might instill in us a mind to think that which we are bound in conscience, according to the prescription of the divine word, to supply for the planting and spreading of the Gospel, being submissive to our true and only pastor's command and voice, which we hear in the Scriptures." Where that phrase "which we hear in the Scriptures" is to be pondered, for it is set down to indicate that we are not bound to be submissive to the voice of God that is not contained in Scripture. And as for what he says of the "only pastor", although it might have a true sense, yet I am afraid it was set down to exclude the voice of any other pastor, even if he have been placed by the prince of pastors over his flock. And in this sense above, on p.47, he laughs at "the office of the Roman Church," and p.57 he completely denies that "there is any earthly monarch of the Church who by the infallibility of his spirit can never err in his opinions." Which he repeats on pp.61 & 62, and in this way he overturns every other rule and foundation of faith besides Scripture.

And although on pp.42-44 he seem to join together with the Scriptures the three Creeds and the first four General Councils and the unanimous consent of the Fathers who flourished in the first four hundred years after Christ, yet never does he say (which is a thing to be noted) that he believes or has faith except in the Scriptures. For about the Creeds he says that he "swears on them," and about the Councils that he "venerates them and receives them as Catholic and orthodox" or that he "adheres to them," as he says on p.62. He signifies, therefore, that he does

not rest on these as on foundations of faith, but he accepts them, because he feels and judges that they do not contain error or that they have taught nothing pertaining to the faith that is not in Scripture. He therefore adheres to them judging rather (so to say) the Councils and the Creeds by his own sure science, which he has from the Scriptures, than using those Councils and Creeds as rule and norm of his judgment. Which he makes more plain about the unanimous sense of the Fathers, for he sometimes says that “he thinks along with them, or if he does not so think, he keeps silent because he does not dare to reprehend;” he subjects to his own judgment, then, the unanimous consent of the ancient Fathers even in things that “they lay down as necessary for salvation,” for thus he expressly speaks. Scripture alone, therefore, does he posit as proximate rule of faith, and that not in its completeness, nor as regard all its parts (the way the Church Roman and Catholic embraces it), but he excludes from the canon the books which he calls of second reading or order, for all those books he places among the apocryphal ones which Bellarmine (whom he cites), bk.1, *De Verbo Dei*, ch.4, reckoned were to be placed in second order.

4. This foundation of faith, therefore, thus received and understood, can neither be sufficient nor firm. To prove which I lay down what we are agreed on between us, that the books of Scripture which are called of first order are canonical, and also that whatever is in them is the true word of God, and hence that it is of itself the most firm foundation of the faith, provided that is that the books are believed in the proper way. But we make the addition, to begin with, that not only these books but also those called of second order, which have already been approved by the Church and are received in the canon, are the foundation of the faith, and that, in this respect, the foundation, as it is received by the king, is mutilated and insufficient. But, for proof of it sufficient for us now is the authority of the Council of Trent, which is an infallible authority of the Catholic Church, as was shown in chapters 3 and 4, and we will in the following point confirm this too. We add next that Scripture alone, as it includes also all these books, is not the integral foundation, proximate and (so to say) formal and express, of the Christian faith. For although, in a certain sense, whatever the Christian faith believes can be said to be founded on Scripture, whether proximately, because it is therein formally contained, or remotely, because an authority is approved in Scripture on which some truths are founded, whether this authority be tradition or the Church, according to the way of speaking of Augustine, bk.1, *Contra Cresconium*, chs.32 & 33, and of other Fathers, whom we will introduce at the end of this chapter – nevertheless, according to the true and Catholic Faith, one cannot deny that beside Scripture there is given in the Church of Christ the word of God not written in the canonical books, which is to be accepted with the same faith as the written word is. Which assertion, if it were to be dealt with of set intention, would require a prolix disputation about divine and human traditions; but because it does not regard the present intention, but we are only touching on it by the by so as to tease out the thing we do intend, therefore we will briefly confirm it as a side issue, using authority and reason alone.

The proof is first, then, that Scripture itself distinctly establishes this, for in it we are commanded to hold not only to the written word of God but also to the word handed on by speech and voice alone, which we call the divine unwritten tradition. Wherefore they are indeed seriously hallucinating who condemn or despise or think uncertain all tradition as being human. For although every tradition is guarded by men and reaches those who are later from those who are earlier by the vicissitude of times, nevertheless the word itself that was preached from the beginning, although it was not written down, can be divine or contain divine teaching when preserved in the Church through tradition. The assumption is proved from that verse of 2

Thessalonians 2.15: “Therefore, brethren, stand fast, and hold the traditions which ye have been taught, whether by word, or our epistle.” In which words two points are most to be noted, which Theophylact briefly and learnedly touched on when he said: “From here indeed it is also evident that many things were handed on even by speech without writings, that is, *viva voce*, not by letter only.” There is the first point. The other is: “But both these things and those are in like manner worthy of faith. Therefore too we reckon the tradition of the Church worthy of faith. It is the tradition. Seek no further.” Which he took from Chrysostom, *orat.4* on the same epistle. And almost the same is contained in Theodoret on the same place, and in the rest of the expositors, nay almost all Catholic writers use this most powerful testimony to prove from sacred Scripture the unwritten traditions. But beside this one there are other testimonies of Scripture in which we are bidden by the apostles to believe and hold the things handed down, as *2 Thessalonians* 3.6: “Now we command you, brethren, in the name of our Lord Jesus Christ, that ye withdraw yourselves from every brother that walketh disorderly, and not after the tradition he received of us.” And *1 Corinthians* 11.23: “For I have received of the Lord that which also I delivered unto you,” namely by word, for he had not yet written about that mystery; and at the end he concludes, v.34: “And the rest will I set in order when I come.” And at the beginning he says, v.2: “Now I praise you, brethren, that ye remember me in all things, and keep the ordinances, as I delivered them unto you.”

5. From these and the like places, which for the sake of brevity I pass over, we can draw out this reason, that the word of God is the same and of the same authority whether it is written or only handed on by word of mouth; therefore, if it has been retained and preserved in the Church of Christ, it is to be received with the same faith. The antecedent is not only certain but even *per se* evident; for the material sign (so to say) does not increase or diminish the truth of the speaker. And that is why Paul said equally: “whether by word, or our epistle.” Nay (which is a fact to be attentively considered), Christ did not command his apostles to write but to preach the Gospel to every creature, *Mark* 16.15; and he adds, v.16: “He that believeth and is baptized shall be saved; but he that believeth not shall be condemned;” therefore the word only preached and not written is truly the word of God. Hence Paul *1 Thessalonians* 2.13: “When ye received the word of God which ye heard of us, ye received it not as the word of men, but as it is in truth, the word of God.” Now it is clear that “the word of God which ye heard of us” is properly and strictly the word of the voice, although it not be written down. This word, then, was the Gospel preached at the beginning and was confirmed by signs and miracles, according to what is subjoined by Mark in the same place, v.20: “And they went forth, and preached everywhere, the Lord working with them, and confirming the word with signs following.” Moreover, from this word of speech was the written word rather in large part derived, as Luke at the beginning of his Gospel testifies, saying vv.1-3: “Forasmuch as many have taken in hand to set forth in order a declaration of those things which are most surely believed among us, Even as they delivered them unto us, which from the beginning were eyewitnesses, and ministers of the word; It seemed good to me also, etc.” Very certain it is, then, that the unwritten word is as equally divine and hence as infallible as the written, and is to be received with the same faith.

6. They will perhaps reply that this does indeed have place if it were clear that some unwritten word of God had remained in the Church, but as it is there is none which is not written. For the word of speech, which at the beginning of the preaching of the Gospel was sufficient for the faith of the hearers and was to be preserved for future believers – divine providence so disposing things – this word has been written down and nothing necessary for salvation or for full faith is left that has not been written down, and therefore now Scripture alone is the rule of

faith. But, so as to make this response of some moment, the heretics must prove to us what they have put in the last place, namely that no preached word of God has been left unwritten. Nay, in order to speak consistently, they must prove it from the Scriptures, because they themselves say that nothing is to be believed except what is contained in the Scriptures. And certainly, if Scripture were necessary for belief, it would be desired most for this article, on which in large part the integrity and firmness of the faith depends and because of which all those things which the Catholic Church believes to be unwritten are with so much confidence rejected. But, assuredly, the adversaries are unable, I will not say from the Scriptures, but even from any history or testimony worthy of faith, to give proof of their contention. But we collect the opposite from the Scriptures, for John, at the end of his *Gospel*, says, 21.25: “And there are also many other things which Jesus did, the which, if they should be written every one, I suppose that even the world itself could not contain the books that should be written.” And Paul, *1 Corinthians* 11.34: “And the rest will I set in order when I come,” which, however, are not read as having been written. And in *Acts* 20 Paul alleges a saying of Christ when he says, v.35, “ye ought...to remember the words of the Lord Jesus, how he said, It is more blessed to give than to receive,” which is not read as written anywhere. And in this way too could many other things have been omitted. Hence the most ancient Fathers recognize, besides written dogmas, also unwritten ones. For, to pass over Dionysius *De Ecclesiast. Hierarch.*, ch.1, Origen at the beginning of *Peri Archon* and in tract.29 on *Matthew*, Tertullian in bk. *De Praescript.* and in bk. *De Corona Militum*, and Clement in his epistles, the most substantial witnesses are Irenaeus, bk.3, *Contra Haereses*, chs. 2 & 3, Basil, bk. *De Spiritu Sancto*, ch. 27, and bk. *Contra Eunomium*, Epiphanius, *Haeresis* 61, near the end, Jerome, bk. *Contra Luciferianos*, Augustine, epist. 118 & 119 to Januarius and 86 to Casulanus, and Cyprian, bk. *De Cardinalibus Christi Operibus*, ch. ‘De Ablutione Pedum’, or the author of that book.

But the adversaries could press the point further by saying that, although the unwritten word of God regarded in itself may be very potent for faith, yet because it is transitory and held to be in its nature flowing and passing away – for it can be preserved only in the memory of men, which easily fails – therefore, unless it be written down, it cannot be preserved intact and pure and cannot, in this respect, suffice for founding the faith. But this response subverts the authority of the Church too, as it supposes that the Church does not have the assistance of the Holy Spirit for preserving the unwritten word of God in its purity, and consequently it takes divine authority away even from the written word, and reduces everything to human conjecture. And, to demonstrate each point, permit me to ask the king of England whether he believes that those books, which he receives as canonical, are canonical and contain the true and pure word of God, and believes this with divine and infallible faith, or only with human faith on account of the repute these books have carried everywhere and because of the common opinion of men? If he say the latter, he is placing all this faith in human authority, which without doubt is liable to error, unless divine authority intervene at the same time; for it cannot be that he believes the things which are written in those books with greater faith than he believes that those books are canonical, that is, are the word of God, since the very word of God is the reason for believing the rest. But if he believes with sure and indubitable divine faith that in those books is the pure word of God, or that those books are canonical, we ask further why he believes it; for he cannot believe it because it is written in them, both because it will scarcely anywhere therein be found expressed with complete clarity, and also because, even if it did occur, we would ask about this word itself why he believes it to be divine, or written at the direction and with the inspiration of God. Therefore, he must confess that the rule and foundation of believing this particular truth at

least, namely that those books are the divine Scripture, is not Scripture itself, and hence that there is a word of God that is not written in the canonical books, which is what we are now calling tradition.

7. Nay, from the words of the same king in his *Preface*, if he is pleased to speak consistently, he will be compelled to make this concession. For on p.44 he first says that he has that faith in the Scriptures which a Christian man ought to have, and at once he subjoins: "The apocryphal books themselves too I hold in the place which antiquity attributes to them." From which words I collect that tradition could, by the words of the king, have given those books the authority which in his opinion they have been allotted; for what is antiquity but a sort of tradition? Therefore, by similar reason, he cannot deny that the other books, which he thinks have greater authority, obtained that authority also from antiquity, which was, perhaps, in their case greater and more constant. But if by this conjecture alone he is led to receive in the canon these books rather than those, he does not have a sufficiently firm and unshaken foundation for that faith of his which in this way he upholds. First because, although some book, by the received and indubitable repute or judgment of men, may be held to belong to a certain author and may always, beyond human memory, have been without controversy reputed so, nevertheless all this authority does not transcend human faith, and falsehood can strictly lie beneath it; therefore the same will hold of the canonical books, unless their authority receive from elsewhere a greater certainty.

Second, because, although it may be that those books were written at the dictation of the Holy Spirit, antiquity alone cannot infallibly show that they are pure in the way the Holy Spirit put them forward and that they have not, in the course of time, been corrupted, or have not by chance, or negligence, or lack of skill, or the malice of the enemies of the faith, especially Jews and heretics, been polluted. Third, because from the various translations of the same books the same ambiguity could arise, which could not by antiquity alone and its conjectures be removed with certainty and infallibility, as experience itself sufficiently shows; for so great is the variety in readings and versions, and so great even in some very small things is the controversy whether they were in the original Scripture or not, that one can scarce by faith in antiquity alone weigh with care what is altogether more likely much less what is thoroughly certain and indubitable.

8. From this discussion, therefore, we conclude that there must be in the Church some sure authority, which the Holy Spirit especially assists, so that it can infallibly discriminate the canonical books from the non-canonical; and this authority we say is in the Catholic Church, which although it should necessarily use for this discrimination the rule of tradition, as the prior discussion sufficiently proves, yet, because tradition itself can be ambiguous and because it has descended to us proximately and immediately through the hands of men, therefore the same Holy Spirit must be present to the Church both for faithfully guarding the deposit of the Scriptures that has been committed to it, and also for approving, with the same certitude, the tradition which suffices to procure sure faith in definite books and to discriminate this faith from other faith less constant and less certain. Either, therefore, the king of England admits that this infallible spirit is in some man or congregation of men, or he denies this sort of power altogether. If he choose the latter, he reduces everything to each one's private judgment, and he violates the firmness of the faith and the unity of the Church, as I will show in the final part of this chapter. But if he choose the former, assuredly, unless he wishes to contradict Scripture itself and all prudent reasoning, he can only concede this assistance of the Holy Spirit to the Catholic Church, or to its head, both because it was promised to that Church alone, as we showed in chapters 3 and 4, and also because this assistance ought not to be through a private spirit but through a public one, and one

given for the common utility, as we shall expand on more lavishly a bit later.

9. To the Church, therefore, has been committed the keeping of the Scriptures, and to it has been divinely given the preserving of them faithfully, purely, and sincerely, and the discriminating of the true from the false, the certain from the uncertain, the complete from the mutilated, and therefore Augustine, bk. *Contra Epist. Fundamenti*, ch.5, is not afraid to say: “I would not believe the Gospel if the authority of the Church did not move me.” From which principle we further conclude what was proposed, namely that the Church can preserve the unwritten word of God with no less authority and fidelity than the Scriptures themselves. Both because the promise made to the Church was not limited to the word of Scripture, but an announcement was made simply that the Church is “the pillar and ground of the truth,” and because Christ made a promise simply of the Holy Spirit to teach us all truth, namely all truth necessary and fitting for the Church. And also, because the conjecture about the transitory and permanent word is of little moment, once the assistance and virtue of the Holy Spirit is in place. Nay, the difference is almost nil, because although the unwritten word, when once or twice pronounced, is transitory, yet when often repeated it is easily preserved, and such is what happens in the body of the Church, through the frequent confession and celebration of the mysteries of the faith. Hence the unwritten word can be said not only to be retained in memory but also to be preserved in the oft repeated words, and deeds, and external signs of the faithful; nay too, although this word not be written down in the canonical books, yet it always remains spelled out either in the decrees of the Pontiffs and the Councils or in the memorials of the Fathers. But there would, on the other hand, have been no less difficulty and contingency in preserving the written word in its purity if it were to be done by human industry and diligence alone, because, as we said, written words can easily be corrupted or mutilated or altered a great deal on account of translations into various languages or the copying down of the originals. Therefore, in the case of both words, the assistance of the Holy Spirit is necessary and sufficient, and hence, for confirming the faith, the unwritten word of God is no less efficacious than the written, provided each is sufficiently proposed by the Church.

10. And there are very grave witnesses for this truth. To begin with Ireneaus, in the third book *Contra Haereses*, ch.4, concludes as follows from what he has said about traditions: “One should not be looking still among others for the truth that is easy to get from the Church, since the apostles have very fully brought into it, as if into a rich depository, everything that belongs to the truth, so that all who wish may take from it the potion of life. For this is the doorway into life, but all others are thieves and robbers.” And, declaring more fully the sufficiency of the unwritten word, he asks in this manner: “What, then, if not even the apostles had left us Scriptures? Ought we not to follow the order of tradition which they handed on to those to whom they committed the churches?” And he introduces as example the many nations of peoples who received the faith of Christ before it was written down, and who for many years retained it by tradition alone before they received the Scriptures.

With this agrees Augustine who, in the afore mentioned ch.5 *Contra Epist. Fundamenti*, after the cited words, at once very prudently asks: “Those I have submitted to when they say: ‘Believe the Gospel,’ why would I not submit to them when they say to me: ‘Do not believe Mani’?” Which now, with change of name, we can say: Do not believe Luther or Calvin. And then he continues: “Choose what you wish. If you say to me: ‘Believe the Catholics,’ they themselves warn me to put no faith in you. If you say: ‘Do not believe the Catholics,’ you will not do well to force me to the faith of Mani, because I have believed the Gospel itself [sc. which you use to persuade me to follow Mani] on the teaching of the Catholics.” By which argument

Augustine convicts all sectaries and their followers that either they should not believe the Gospel, namely that it is the Gospel, or they should believe the rest of what the Catholic Church teaches, because they cannot deny that they have the Gospel from the Church, and they have no reason to attribute authority to it for taking up the Gospel but not for the other things that it teaches. Hence the same Augustine subjoins: “If you say, ‘you have rightly believed those who praise the Gospel but not rightly believed those who blame Mani’ (or, which is the same, Calvin), do you think me so stupid that, without any reason given, I should believe what you wish and not believe what you do not wish?” Which point he afterwards pursues at large and elegantly. And he has a like discourse in bk. *De Utilit. Credendi*, ch.14.

There is also a striking place in the same Augustine, bk.1 *Contra Cresconium*, chs. 32 & 33, where he confirms the same truth by his own authority and with an evident example. For he deals there with the fact that there is no need to baptize those who have been duly baptized by heretics, and he teaches that it is a dogma of the faith, as indeed it is, and he says first: “We certainly follow in this matter the most certain authority even of the canonical Scriptures.” And afterwards he subjoins: “Although no example of this thing be certainly proffered from the canonical Scriptures, yet the truth of the same Scriptures, even in this matter, is held to by us when we do this because it has now pleased the Universal Church, which the authority of the Scriptures themselves commends, that since the Sacred Scripture cannot deceive anyone who fears to be deceived by the obscurity of this question should consult thereon the same Church, which the Sacred Scripture without any doubt points to.” In which words, to begin with, Augustine confirms, as I said above, that not every truth to be believed of the faith is proximately and (so to say) formally contained in Scripture, although remotely any truth could be founded on Scripture insofar as Scripture commends the authority of tradition and of the Church. Next Augustine is witness here that the Church is judge of controversies which might arise about things of faith, and that it can by its own authority confirm and make certain the tradition about which before there was doubt. Hence I collect by the by how inconsistently they are behaving who receive some books as canonical and reject others from the canon that are equally approved by the Church, on the ground that there was once doubt about them. Hence even the king of England, who speaks in this way in his *Preface*, is either involved in the same inconsistency or certainly he is convicted of being led by no certain and indubitable rule but by mere human conjecture in admitting these books and rejecting those from the canon, and consequently he has certain and truly Christian faith of neither set of books, nor of the contents of them, but only human conjecture and opinion.

11. Next, from the cited words of Augustine, we have the posited truth confirmed by a very good example. For that a person once duly baptized is not to be baptized again, although the first baptism was given by a heretic, is a truth to be held by Christian faith, although it is not express in sacred Scripture. We can adduce a like example which, as I reckon, not even the Protestant Anglicans reject: namely, that infants are, with respect to validity, rightly and fittingly baptized, which, since it is not found written in the canonical books, is received from tradition approved by the Church, as Augustine thinks, epist. 28, and bk.4, *De Baptism.*, ch.24, and bk.10, *De Genesi ad Literam*, ch.23, and bk.3, *De Peccat. Mer.*, ch.6, with Cyprian, epist.59, and Origen, hom.8 on *Levit.*, and hom.14 on *Luke*. There is another example too about the perpetual virginity of the God-bearer, which although many of the new heretics or Protestants perhaps do not admit, yet the king does not seem to spurn it, since on p.45 of his *Preface* he calls her the Blessed Virgin. And, whatever others think, it is enough for us that the dogma has been handed down with unanimous consent from the Fathers. “Whom,” as Augustine said, bk.2, *Contra*

Iulian., chs.1 & 10, “Christian peoples ought to prefer to your profane novelties, and they should choose to adhere to them rather than to you.” For, as he adds later: “what they have found in the Church they have held on to; what they have learnt they have taught; what they have received from the Fathers they have handed on to the sons.” Than which nothing more fitting could be said either for commending the authority of traditions by their origin, or for making plain how the common consent of the Fathers is conjoined with tradition. The same can also be seen in Augustine, bk.1, *Contra Iulian.*, ch.2, Jerome, epist.50, to Pammachius on behalf of the bk. *Contra Iovinian.*, and in bk. *Contra Helvid.* And these things seem, on this point, enough to prove that Scripture, although it be in its order a great foundation of faith, is yet not sufficient for us of itself without the support of tradition and of the Church, which will be made more manifest in the next chapter.

12. Against this truth from the Scriptures I find nothing from reason that needs responding to. But from the Fathers there are some things to note and expound. For Basil, homil. *De Vera ac Pia Fide*, says it is a very certain sign of pride “to reject any of the things that have been written, or to introduce any of the things that have not been written.” But either he is speaking of addition in Scripture itself, by adding something apocryphal to it, for he says later, that the apostle prohibited “taking away anything of what is contained in the divine letters or, which God forbid, adding anything;” or he understands some introduction that is private and done without the authority approved in Scripture itself. For it is otherwise clear that Basil himself greatly commends unwritten tradition, bk.2, *De Spiritu Sancto*, chs.27 & 29. And to the same sense must be referred what he says in *Morali*, rule 26: “Whatever we say or do ought to be confirmed by the testimony of Scripture,” namely proximately or remotely, as he himself eloquently declares in rule 1, from the summaries.

Thus too is to be understood Augustine, bk.3, *Contra Litt. Petil.*, ch.6, when he expounds that verse of Paul, *Galatians* 1.8: “Though we or an angel from heaven...” and adds: “Besides what you have received in the legal and evangelical Scriptures,” that is, proximately or remotely; for he himself elsewhere expounded that what is against the Church is against the Scripture. Thus too he says, bk.2, *De Peccatorum Merit.*, last chapter, that in an obscure matter one should hazard nothing when the sure and clear instructions of Scripture give no help. For whatever the Church teaches has the help of the sure instructions of Scripture. Besides, Augustine is treating of very obscure things that are not to be defined by human presumption; but things that are received by approved tradition cannot be said to be very obscure or to be introduced by human presumption.

In addition Jerome on *Matthew* 23 is customarily cited for he says of a certain opinion: “Because it does not have authority from Scripture it is contemned with the same ease as it is approved.” But there he is speaking of a certain history, namely, of the killing of Zacharias, the father of John the Baptist, between the temple and the altar, which does not pertain to tradition or the definition of the Church. The heretics are also accustomed to cite Jerome on *Haggai* 1, where he says: “The word of the Lord pierces what is said without the authority and testimony of Scripture.” But Jerome is handling that verse, 1.11: “And I called for a drought, etc.” against the heretics, who, without the authority of the Scriptures, “of their own accord,” he says, “find and fabricate certain things as if by apostolic tradition,” where rather he tacitly admits apostolic tradition along with Scripture but blames those who fabricate it of their own accord and without foundation.

Chapter 10: From the foundation and reason for belief of the king of England he is shown not to

be defender of the faith truly Christian.

Summary: 1. The king of England lays down as foundation for belief his own opinion. 2. It is temerity to arrogate this intelligence to oneself. 3. The sacred page cannot be genuinely expounded without a teacher. 4. An effective dilemma against the sure science assumed by the king. 5. How dangerous it is to locate the foundation of faith in private spirit.

1. To be treated of in this chapter is the other part of the foundation for faith relied on by the king of England, who, when he desires other Christian princes to be as he himself is, namely locating the foundation of faith in certain knowledge, which they will receive from the Scriptures by reading them over, shows that it is certain he lays for foundation of his faith the knowledge of Scripture acquired by himself. From this foundation and reason for belief in the Scriptures, then, I collect that he does not hold, much less defend, the truly Christian faith. And to begin with he is confronted at once by the admonition of Paul to Timothy, *1 Timothy* 6.20-21: “O Timothy, keep that which is committed to thy trust (that is, the deposit of faith and doctrine, as the Apostle himself declared in his second epistle to him), avoiding profane and vain babblings, and oppositions of science falsely so called: Which some professing have erred concerning the faith.” For, from the aforesaid words of the king, when these are compared with the words of Paul, it is at once apparent that what Paul predicted has happened to the king, namely that through “science falsely so called,” which he professes, he is straying away from the true faith. For, as Chrysostom there rightly said: “When something is produced by one’s own thoughts (especially in divine mysteries and things concerning the faith), it is not knowledge.” Deservedly, then, is it named “science falsely so called,” and an occasion for all errors, because of the great presumption which it customarily denotes. And for that reason Augustine, when explaining the same words of the Apostle, in tract.97 on *John* near the end, said about those who promise sure knowledge: “Nothing do they so love than to promise knowledge and to deride as ignorance the faith of true things that little children are bidden to believe. Hence be on your guard (as he most prudently premises in the same tract., near the beginning), especially you who are little children and still need milk for food, lest you give your ears to men deceived and deceiving, so as to know things unknown, since you have minds weak in discriminating things true and false.” And later he draws a comparison between the vanity of those who promise knowledge of the truth, though they are ignorant of the truth, and the foolish and clamorous woman, knowing altogether nothing, of whom Solomon said, *Proverbs* 9.13-16: “For she sitteth at the door of her house, on a seat in the high places of the city, To call passers by...Whoso is simple, let him turn in hither, etc.” and he pursues the comparison at length.

2. Besides one may ask what the king understands by “certain know-ledge.” For it is not likely that he is speaking of that certain knowledge in the manner of the philosophers so as to signify a clear and evident cognition of things, since it is *per se* plain to everyone that, from the reading of the Scriptures, evident knowledge is not obtained of the things or mysteries which are related in the same Scripture, and therefore the same Scripture itself requires faith and not vision of its truth. Nay it itself teaches that faith is of things that do not appear, *Hebrews* 11; and for that reason Peter, in his second letter, 1.19: “We have also a more sure word of prophecy; whereunto ye do well that ye take heed, as unto a light that shineth in a dark place, until the day dawn, and the day star arise in your hearts.” Therefore a proper, that is, evident science cannot be promised or demanded, which might be the foundation of faith. Nor further could the king understand by certain knowledge the very faith itself, which is both certain and, insofar as it a certain excellent cognition, sometimes wont to be called by the name of knowledge (taken in a certain general

meaning), as *2 Corinthians* 5.1: “For we know that if our earthly house, etc.” The king could not, I say, be speaking in this sense; for he says that on this certain knowledge the foundation of faith must be placed; one thing, then, is the faith, another the foundation on which it is based. So by certain knowledge he seems to mean a certain and indubitable sense of Scripture. For two things are accurately distinguished by Augustine, bk.12 *Confessions*, ch.23, when he says: “I see that two kinds of disagreements can arise when something is announced through signs by truthful messengers, one about the truth of the things, another about the intention of him who does the announcing;” and ch.24 he posits an example in Moses’ words: “In the beginning God created the heaven and the earth,” when he says that he is confident in saying that God created in his word things visible and invisible, but not so confident in saying that Moses intended this by those words. But the king of England indicates, by contrast, that he has arrived by certain knowledge at what Moses or any canonical writer wished to write, and that on this knowledge he founds certain faith of the things that are contained in such Scripture. And, what is more marvelous, he invites all Christian princes to this manner of faith, and tacitly promises them a like knowledge if they read over the divine letters.

But let him listen to Augustine in the said book 12, ch.25, saying to God: “Send the rains of softening into my heart so that I may bear patiently such as tell me this, not because they are divine and have seen what they say in the heart of your servant (that is, Moses), but because they are proud and do not know the thought of Moses but love their own thought, not because it is true but because it is theirs.” And later: “That temerity is not of knowledge but of daring, nor did sight but disease give it birth.” And Vincent of Lerins, ch.14, after he had depicted the heretics with many words who say: “On our authority, on our rule, on our exposition condemn the things you used to hold and abandon the ancient faith, etc.” he subjoins: “I dread to speak, for the things are so arrogant they seem incapable even of being refuted without impiety.” Therefore sufficient for us to object against this knowledge the words of Paul when he says, *Romans* 12.3: “Not to think more highly than one ought to think; but to think soberly, according as God hath dealt to every man the measure of faith.” Treating of which place, Irenaeus, bk.5 *Contra Haeres.*, ch.20, reads, “but to think prudently,” and he judges that contained there is an admonition and a warning against heretics, of whom he says: “They profess that they themselves have knowledge of good and evil, and they raise above God, who made them, their own impious sense. They think, therefore, above the measure of their sense.” Therefore, to think prudently, he says, is to beware of them. “Lest by eating their knowledge,” he says, “which tastes of more than it ought, we be cast forth from the paradise of life,” by which he understands the Church, of which he had said earlier: “We ought to flee to the Church and be educated in her bosom and nourished on the Scripture of the Lord, for the paradise of the Church has been planted in this world; therefore, from every tree of paradise you will eat the fruit, says the Spirit of God, that is, eat from all the divine Scriptures, but you may not eat with an over-exalted sense nor may you touch the universal quarrels of heretics.” But who has a more exalted sense than he who presumes to have acquired a sense of Sacred Scripture with sure knowledge merely by reading it over?

3. For I ask further of the king, by which doctor, by which leader, has he acquired this certain knowledge of Scripture and offers it to others to obtain? He will reply, as I opine, what someone else did in Augustine’s *De Utilitate Credendi*, ch.17: “When I read it by myself I know it myself,” for this the king signifies when he says: “Not to place the foundations of faith on the uncertain opinions of others but on your own sure knowledge.” But what of Augustine? He continues and says: “Is it so? Imbued with no knowledge of poetry you would dare without a master to attain to Terence Maurus?... Then you rush upon those books, which, whatever they

are, yet they are holy and, by the confession of almost the whole human race, famed to be full of divine things, and you dare without a preceptor to pronounce judgment on them.” Therefore is this presumption alien to the spirit of the holy Fathers and, on the testimony of Augustine, in the same book ch.17, it has pride for mother. His words are: “If each and every discipline, however low and easy, requires, so as to be able to be learnt, a teacher and master, what is more full of rash pride than not to wish to come to know the books of the divine sacraments from the interpreters of them, or to want to condemn them unknown?” Further, this is against the ordinary prudence of the Holy Spirit. For why has the Holy Spirit provided the Church with pastors and doctors if the sense of the Scriptures is not to be gained from doctors but by one’s own genius and industry? Or how can each of the faithful, with the prudence or modesty which Paul requires, prefer not only himself to the doctors of the Church in understanding Scripture, but count even his own sense alone as certain knowledge, and leave behind whatever diverges from it as the uncertain opinion of men?

Far otherwise, indeed, did Augustine think of himself who, in bk.3 *Confessions* ch.5, speaks thus: “I decided to apply my mind to the Sacred Scriptures to see of what sort they were; and behold I see a thing not discovered to the proud, nor open to the view of children, but humble of entry, high in ascent, and veiled in mysteries; and I was not such that I could enter into it or lower my head to go inside.” Hence St. Basil in *Regulae Breviores*, no.235, asks: “Is it necessary to learn much from the Scriptures?” And in sum he replies that bishops, pastors, or doctors of the Church ought to have great care for it; but about the rest he says: “Let each be mindful of the words of the Apostle, not to be wiser than he ought to be, but to think soberly, and, according as God hath dealt measure to every man, to learn carefully and pursue what belongs to his office, nor curiously to inquire anything further.” And in the same way are the words of the Apostle expounded by Ambrose, who, among other things, says: “Not even if someone is of good life ought he from that to claim for himself prudence of doctrine.” And indeed, when all authority is lacking, natural reason itself and experience teach that it is vain for any of the faithful, including the unlettered and uneducated and those involved in secular business, to promise certain knowledge of the Scriptures merely through the simple, albeit frequent, reading of them.

More correctly, indeed, does Jerome say, epist.103 to Paulina, that Scripture is a book sealed with seven seals “which even the learned cannot open unless he who has the key of David unlock it.” And therefore he much praises the modesty of the Eunuch, *Acts* 8.30-31, when, upon Philip asking: “Understandest thou what thou readest?” he replied: “How can I, except some man should guide me?” And at once Jerome says with great humility of himself: “I am not holier than that eunuch, nor a more eager student.” And later he thus concludes: “These I have briefly touched on so that you might understand that you cannot enter on the Sacred Scriptures without someone going before and showing you the way.” And afterwards he greatly deplores the fact that in every art, even a very low art, none can be what he wants to be without a teacher. “Only the art of the Scriptures,” he says, “is one that everyone everywhere claims to himself; the talkative old woman, the silly old man, the wordy sophist presume upon it, mangle it, teach it before learning it.” With which words he would seem to be depicting the sectaries of our time, but in them the thing is more ominous, more dangerous, because they require the individual faithful to have that certain knowledge as foundation of their faith. For thence it necessarily turns out that faith is impossible for some people, for those who are not only unable to acquire that certain knowledge but are not even capable of a probable understanding of the Scriptures; but to others, who have less sharpness, occasion is given for destroying themselves and confusing

others. And therefore very wisely does Augustine warn, *De Utilitat. Credendi*, ch.10, that it is necessary for faith to precede knowledge. So that “those too who are able to fly, lest it be a dangerous inducement to them, be compelled to walk a little way, which is also safe for the rest. This is the providence of true religion, this the divine command, this you have received from our ancestors, this has been preserved up to us; to wish to disturb this and overturn it, is nothing other than to seek a way to true religion that is sacrilegious. Those who do this, even if what they want is conceded to them, cannot reach where they intend; for let them exceed in any sort of talent you please, unless God be present, they crawl on the ground.”

4. Finally, to make advance upon the private spirit which the king points to, I ask about this same knowledge, which is said to be certain, of what sort its certitude is; that is, whether it be human and acquired by the sole force and sharpness of intelligence from the reading of Scripture and from the signification of the words, or whether it be divine, given by the Holy Spirit through special grace and donation? Whichever of these is said, it is repugnant to certitude and unity of faith and contains very serious disadvantages; therefore such certain knowledge cannot be the foundation of truly Christian Faith. The first part here can easily be shown. To begin with, because if that knowledge gets its certitude only from human discourse and conjecture, and if it is the foundation of faith, faith cannot be more certain, since the building cannot be firmer than the foundation. Second, because now not Sacred Scripture but human sense will be the foundation of faith; for as Jerome rightly warned, on *Galatians* 1: “The Gospel must not be thought to be in the words of the Scriptures but in the sense; not on the surface but in the marrow; not in the pages of the words, but in the root of reason.” Hence he infers: “Scripture is useful then for hearers when it is not spoken without Christ, when it is not put forward without Peter, when he who preaches it does not present it without the Spirit, otherwise the devil too, who speaks of the Scriptures, and all the heresies, according to *Ezechiel* (13.18), will therefrom ‘sew pillows and make kerchiefs on the head of every stature [to hunt souls]’.” And finally he concludes: “There is great danger to speaking in the Church, lest perchance by a perverse interpretation there be made from the Gospel of Christ a Gospel of men or, what is worse, of the devil.” The danger is much greater, therefore, if each believer place the foundation of his faith in his own interpretation and in his own human sense, for thus not only will the Gospel of God become a Gospel of men, but there will be as many Gospels of Scripture as there are heads of men. Which is thus elegantly explained by the same Jerome against the Luciferians at the end of his Dialogue, where he says: “Let them not flatter themselves if they seem to themselves to be confirming what they say from chapters of the Scriptures, since the devil too spoke certain things from the Scriptures, and since the Scriptures do not consist in reading but in understanding; otherwise, if we follow the letter, we ourselves too can also make up a new dogma for ourselves, so as to assert that they who wear shoes or have two tunics should not be accepted into the Church.”

Finally, the thing itself considered in itself even appears impossible; for how can it come about that by human discourse and conjecture alone someone might, by reading Scripture, attain very certainly to the sense intended by the Holy Spirit? For this certitude, since it does not come from divine faith, as is supposed in this member [of the dilemma], must be founded in some evidence; otherwise the certitude will not be according to reason but pertinacity and stubbornness of will. But in such matter there cannot be evidence; both because the mind and intention of the Holy Spirit is most hidden and able to be manifold; and also because there can be ambiguity in the signification of the words themselves; and finally because of innumerable other difficulties which arise in the interpretation of divine Scripture. Therefore that certain science,

explained in this way, is nothing other than a certain voluntary pertinacity taken for judgment, whereby each wishes that which pleases him more to be certain, as Augustine acutely discusses and proves, bk.11, *Contra Faustum*, ch.2. There he speaks of heretics who admit, according to their own judgment, some part of Scripture which is on their side, while some other part, which is against them, they for that reason spit out and deny is canonical; and in this way they make themselves the rule of truth. But the point can be applied in the same way to judgment of the true sense of Scripture, in which, as I said along with Jerome, true Scripture consists.

It remains to discuss the second part of the dilemma posed above. For the sectaries seem most to mean this part when they say that judgment about the true sense of Scripture is not to be taken from the Church but from each one's proper spirit, not human but divine spirit, which moves each one to attain certainly and infallibly the sense intended by the Holy Spirit; and this spirit which they call private, they wish to be the rule of faith. But here too the error, understood in this sense, is evidently opposed not only to divine Scripture and the Fathers but also to right reason, which must be directly shown in the next chapter.

Chapter 11: The foundation of true faith cannot be placed in private spirit.

Summary: 1. That in controversies of faith the rule of the Church is to be held to is proved from Scripture. 2. That in things of faith private spirit is to be avoided is shown by Scripture. A genuine interpretation of the words of the Apostle. 3. That private spirit is not the rule of faith is shown from the Fathers. First reason for establishing the same truth. 4. Second reason. 5. The infallible assistance of the Holy Spirit has not been promised to individual believers. 6. How the Holy Spirit teaches everyone. 7. The Holy Spirit on occasion assists some by special privilege. 8. Third reason. 9. Fourth reason. Private spirit is the root of heresies. 10. Fifth reason. 11. Sixth reason. 12. The king of England, when he lays down the aforesaid rule of faith, is in conflict with himself. The exhortation of the same king to the sectaries about unity of faith involves inconsistency. 13. Objections to the opposite opinion. 14. Twofold interpretation of Scripture, one authentic and one doctrinal. 15. Authentic interpretation cannot issue from a private spirit.

1. This truth can be demonstrated by authority and at the same time by reason. For first, divine Scripture everywhere gives two warnings. One is that in controversies of faith we should consult the rule of the Church; the other is that we should fear private spirit, especially if it disagrees with the common rule. The first is clear, even in the Old Testament, *Deuteronomy* 17.8: "If there arise a matter too hard for thee in judgment...then shalt thou arise and get thee up into the place, etc." And about the priest it is said, *Malachi* 2.7: "For the priest's lips should keep knowledge, and they should seek the law (of God) at his mouth." And Christ the Lord said, *Matthew* 23.2-3: "The scribes and the Pharisees sit in Moses' seat: All therefore whatsoever they bid you observe, that observe and do," which without doubt he said much more for his Church, and for the Seat which he was going to set up in his Church, according to what was said above in chapter 4. And thus we see it observed by the apostles, *Acts* 15, where a certain question that had arisen about legal matters was entrusted for decision not to a private but to the common spirit, saying, v.28: "For it seemed good to the Holy Spirit and to us." Thus Paul too, although he was not in doubt that he had the infallible direction of the Holy Spirit, went up to Jerusalem so as to communicate his Gospel with the other apostles, and especially with Peter, *Galatians* 2.2: "lest by any means I should run or had run in vain," that is, so that his doctrine might be approved by the whole Church through a universal rule, as Jerome noted on that very place, and epist.87, which is also 11 among the epistles of Augustine, and Tertullian, bk.4 *Contra Marcionem*, ch.2

2. The second is also clear from the words of *1 John* 4.1: "Believe not every spirit, but try the spirits whether they are of God." This testimony the heretics abuse to prove that each Christian should be judge of doctrine and Scripture. Which is a sufficient example to demonstrate how much there is of danger and error in this private spirit and in making use of one's own judgment about the certain sense of Scripture; since it is so easy, with a perverse spirit, to interpret the same words against the intention of the Holy Spirit, as is made clear in this place. For the apostle John in those words warns the faithful against easily believing private movements, impulses, or thoughts without much testing and discretion. But this proving should not be through the same private spirit, for in such testing the same danger would exist; it ought therefore to be through another more known and more certain rule. And, setting aside the spirit that moves to work in practice (on which account is the discerning of spirits most of all given, about which Paul speaks in *1 Corinthians* 12.10), and speaking of the testing of the spirit in the matter of doctrine, that alone is sufficient which is through the rule of the Church, of which sort is definition by the same Church. And therefore, when the private sense of Scripture is against the doctrine defined by the Church, there is it certain that it is not from the good spirit but from the bad; but when it is not against the doctrine of the Church, it will, until it is proved by the Church, not have been examined as to what sort it is, but it must be proved by other conjectures, and especially by its greater or less agreement with the doctrine of the Church. And in this way did the holy Fathers understand this place when they said that John is forearming us in these words against all the private spirits of the heretics and against doctrines contrary to the Church, as is pursued at large by Augustine, collecting it from John's subsequent words, in serm. 30 & 31, 'De Verb. Apost.' The same is urged by Pope Anacletus, epist. 1, where he joins with these words others of the same epistle, 2.24: "Let that therefore abide in you, which ye have heard from the beginning;" and later, v.27: "and even as it has taught you (that is, through the apostles and the Catholic Church), ye shall abide in him." The same is very well handed on by Athanasius, orat. 1 against the Arians, near the beginning, where, treating of this place among others, he says that: "the demon, father of all heresies, professes the name of the Savior, and he is clothed with the sayings of the Scriptures and indeed proposes their words, but the true meaning he steals away from them, and then, after darkening with deceits the meaning that he himself has fabricated, he makes himself the murderer of those who err."

Hence too Paul says, *2 Thessalonians* 2.1-2: "We beseech you...that ye be not soon shaken in mind, or be troubled, neither by spirit, nor by word, etc." Where he forestalls two deceivers, the spirit, that is, and the word of false prophets, about which he says, *2 Corinthians* 11.13-15: "For such are false prophets, deceitful workers, transforming themselves into the apostles of Christ. And no marvel; for Satan himself is transformed into an angel of light. Therefore it is no great thing if his ministers also be transformed as the ministers of righteousness." Hence all things that are adduced in the Scriptures about avoiding false prophets, as *Ezekiel* 3, *Deuteronomy* 13, *2 Peter* 2, etc., can be reckoned not undeservedly as advanced about this private spirit. For this private spirit is customarily the same as the one that speaks in false prophets when they teach or prophesy against doctrine previously revealed, who are by this rule to be rejected, as is handed down in the place from *Deuteronomy* 13. Next, the same is the intention of Paul, *Galatians* 1.8: "Though an angel from heaven preach any other Gospel unto you than that which we have preached, let him be accursed." By which exaggeration Paul wished to signify that the private spirit, whether teaching new things or expounding Scripture against the Catholic doctrine previously received in the Church, cannot be a spirit from heaven, but is either human or diabolic or impure, according to the distinctions given by Bernard, serm. 'De Sex vel

Septem Spiritibus'; which place was so understood also by the Fathers, as I related above in chapter 2.

3. Private spirit cannot, therefore, be the rule of Catholic Faith, but rather by this rule is this spirit itself to be discerned, as the Fathers everywhere teach, especially Augustine, *De Unitat. Eccles.*, chs.11 & 9, and very well in the preface to *De Doctr. Christ.*, where he says that to expect to have this spirit is "to tempt God" and that such thoughts are to be avoided "as most proud and dangerous." The same is taught by Vincent of Lerins, ch.14 at large. Next, this very thing is what Jerome gestures toward, epist.152 to Minerius and Alexander, near the end, in these words, which he says are the Savior's: "Be money changers who are tried, since whatever coin is adulterated and does not have the image of Caesar nor is marked by the public mint, will be rejected; but the coin that brings to the light the face of Christ will be placed in the purse of our heart." But only the Catholic Church is discerned in clear light, as I showed above, and it alone has the public mark for indicating the true Scripture and the true sense of it. And the same opinion is followed by Damascene, bk.4, *De Fide*, ch.18, where, after commendation of sacred Scripture, he subjoins: "Let this be our care, that we may be honest money changers, namely accumulating true and pure gold and repudiating the adulterated." From these, then, it is sufficiently clear how this private spirit, as it is extolled by the sectaries, is alien to the spirit and sense of the holy Fathers; and the same point will also now more evidently emerge from what we will adduce in the reasons that follow.

The first reason, then, against the aforesaid error can be taken from what has just been said. For faith truly Christian is common and public; therefore the foundation of it also ought to be public and common. The antecedent is known of itself, because the Catholic Faith is proposed to all for belief, and unity and agreement in this faith are prescribed to all; it is therefore common and public. Hence rightly does Augustine say, bk.11 *Confessions*, ch.25: "Your truth is not mine, nor his or his, but belongs to all of us whom you publicly call to communion in it, admonishing us sternly not to want to have it privately, lest we deprived of it; for whoever claims as proper to himself what you propose to be enjoyed by all, and wants that to be his own which belongs to all, is driven off from what is common to what is his own, that is, from truth to falsehood. For he who speaks falsehood speaks from what is his own." Hence the first consequent is easily proved; both because (to speak in the manner of philosophers) the measure and the thing measured need to be homogeneous; but the foundation of the faith is the rule and measure of the faith, nor can it be adequate and commensurate to the faith if it is particular and private though faith is public and common; and also because it is not consonant with divine providence to direct and govern men through a private spirit to the choosing of a faith that ought to be common.

4. This fact is made more explicit in the second reason, because in order for this foundation of faith to be firm and infallible, there is need of the assistance of the Holy Spirit, or of his special direction and illumination in distinguishing the true sense of Scripture; but this assistance has not been promised to the individual faithful when perusing Scripture and privately judging its sense, but it has been promised to the Church or to its pastors, above all in matters that are necessary to the faith; therefore the foundation of the faith ought to be, not private judgment, but the public judgment of the Church. The major is sufficiently proved by what has been said, because, once the public assistance of the Holy Spirit has been taken away, there is left a purely human spirit which is frequently mistaken, and therefore it cannot be the foundation of certain faith. In addition the major is also proved by the words of Peter in the cited second epistle, where after he had said, 1.19: "We have a more sure word of prophecy; whereunto ye do well that ye take heed," he subjoins, v.20: "Knowing this first, that no prophecy of the scripture

is of any private interpretation,” that is, of one’s own intelligence; which holds most true of an interpretation that is certain, because such an interpretation cannot be contrary to the true sense of the Holy Spirit. The reason for this truth is subjoined by Peter when he says, v.21: “For the prophecy came not in old time by the will of man; but holy men of God spake as they were moved by the Holy Spirit.” As if he were to say that Scripture is to be interpreted by the same spirit as the one by which it was made. “For the Spirit searcheth all things, yea, the deep things of God. For what man knoweth the things of a man, save the spirit of man which is in him? Even so the things of God knoweth no man, but the Spirit of God.” *1 Corinthians* 2.10-11.

5. But the minor proposition, as to its first part about the assistance of the Holy Spirit that has been promised to the Church and its head, has been proved by us in chapters 3 and 4, because this promise is contained in the promise about faith being perpetual and unfailing in the Church. Besides the fact that Christ too promised both his own assistance and the Holy Spirit to teach the Church all truth, namely all truth necessary and opportune for any time, to which most of all has regard the true and certain understanding of Scripture in necessary matters. But the second part, wherein we deny that this promise was made to the individual faithful, we prove to begin with by requiring some place of Scripture in which the promise was made, which request we can deservedly make of those who deny that anything is to be believed which is not written; but there is no place, not even an apparent one, that they can bring forward. For although it is said in *1 John* 2.27: “The same anointing teacheth you of all things,” and in *John* 6.45: “It is written in the prophets, And they shall all be taught of God,” these and the like things are understood according to the manner and order that is consonant with divine providence and that is signified in the sacred Scriptures. For Paul teaches, *1 Corinthians* 12, *Romans* 12, and *Ephesians* 4, that there are various gifts of the Spirit in the Church, among which are put the gift of prophecy, the interpretation of speech, the discerning of spirits; and it is added that the acts and ministry of these gifts do not belong to all, because, *Romans* 12.4, “all members have not the same office,” for, *1 Corinthians* 12.17, “if the whole body were an eye, where were the hearing?” And likewise we can say: if all were knowers, where were the disciples? What are teachers for?

6. The Holy Spirit teaches everyone then in an ordered way, namely the common people through teachers, and the teachers themselves through Councils, and especially through the Vicar of Christ. And in this too there is preserved order and manner; see Augustine, Introduction to *De Doctrina Christiana*. For the Holy Spirit immediately provides everyone in some way with help for receiving or handing on supernatural doctrine, according to the office or need of each. And so he helps all the faithful and illuminates them interiorly for believing what he teaches through his preachers; for, as Paul says, *Romans* 10.17, “faith cometh by hearing,” because God by a common law does not teach men save through men. For that is why Paul asks there, v.14: “How shall they believe...without a preacher?” Yet because, *1 Corinthians* 3.7, “neither is he that planteth any thing, neither he that watereth; but God...,” therefore the interior grace of the Holy Spirit is necessary for conceiving faith, and in this way are “all taught of God,” as Augustine both there and everywhere expounds against the Pelagians. But pastors and doctors of the Church are by more special helps and gifts taught by the Holy Spirit, as far as is expedient for the common good of the Church; and so, for the most part, this is not done through express revelations, nor through infallible judgment, but to the extent necessary and as much as the status and duties of each require. But the Great Pontiff and legitimate Councils, when they define something, teach it through a singular assistance such that they cannot err, lest they lead the whole Church into error.

7. Nor do we deny that sometimes the Holy Spirit teaches some privately about the mysteries of faith, or about the sense of Scripture, in such a way as to render them certain about the truth of the doctrine or about the revealed sense. Yet this is a special grace which cannot be generally attributed to all the faithful, and therefore Paul, above mentioned, said about these gifts, *1 Corinthians* 12.11: “The Spirit dividing to every man severally as he will;” and *1 Peter* 4.10: “As every man hath received the gift, even so minister the same one to another.” And besides, such private doctrine or revelation must first be proved, according to that verse of *1 Thessalonians* 5.21: “Prove all things; hold fast that which is good.” But the first and chief proof is that it not be against the ancient and received doctrine of the Church, because God cannot be contrary to himself. And next, that it be consonant with good morals and be worthy of so great a Teacher. And next, if such private revelation not be sufficiently proposed to the Church through any certain signs, while it could be useful to the recipient, it could not be valid for creating certain faith among the other faithful, as Innocent III wisely taught, because otherwise the faithful might very often be exposed to manifest danger of error. Since, therefore, the heretics can neither show from the Scriptures that private knowledge which, as they imagine, is certain for themselves from the infallible assistance of the Holy Spirit, nor can they even show it by any signs or virtues, why should they be believed, especially since the opinions they form through such knowledge are contrary to the Holy Spirit speaking through the Church? And it is surely a remarkable thing that they should wish to sell us a private infallible spirit and persuade us of it without any evidence or testimony of the Holy Spirit, when they themselves dare altogether to deny the sure assistance of the Holy Spirit to the Church’s public judgment about the doctrine of the faith, which assistance has been manifestly promised.

8. A third reason can be added, that the infallible assistance of the Holy Spirit is no less necessary and sufficient for judging the virtue of Scripture itself, that is, which books in it are canonical, by discriminating them from those that are not canonical, than for giving sure judgment about the true sense of Scripture, as was seen above. But the assistance of the Holy Spirit for first judging the legitimate books is not given to the individual faithful; nor do I reckon that hitherto there has been a heretical man so proud as to arrogate to himself a private spirit for discerning the canonical from the non-canonical books, nor so dull or rash as to say that this judgment is to be committed or permitted to individual believers for each one’s decision, or dreamy spirit. Therefore assistance as regard making this judgment is to be referred to the Church, or to him who bears the office of Christ. Therefore the same is to be said about the spirit for infallible attainment of the true sense of Scripture; for the reason and the necessity are the same. And this reason is touched on by Augustine, bk. *Contra Epistolam Fundamenti*, ch.5, and *De Utilit. Credendi*, ch.14, whose opinions I already related above, and in sum they say: “the One whom we obey and believe when he says that this book is the Gospel, the same we should believe when he says that this is the sense of the Gospel;” because neither of these is made certain except by the same spirit, because (as I have often said from Jerome) the Gospel consists more in the sense than in the parchments. Hence the providence of God for his Church would have been greatly diminished if he had given it a spirit for being certain about the sacred books but not about their sense, since the sacred books are of little use for certitude of faith unless a like certitude is had about their sense as well. Rightly then did Irenaeus say, bk.4, *Contra Haereses*, ch.25: “Where the charisms of God are placed, there ought one to learn the truth – from those with whom is the succession of the Church from the apostles, and with whom is evident that which is sound and irreproachable in conversation of life, and unadulterated and incorruptible in speech. For these both guard our faith and expound the Scriptures to us without danger.”

9. From these things too is taken a fourth reason, a moral one indeed, very effective, and much commended by the Fathers. For this private spirit not only cannot be the foundation of faith, but rather is it the root of heresies and a great occasion for schisms. For, as I said, this private spirit is not made proof of by others, nor is it sufficiently shown or proposed to them; therefore this knowledge which is private in each one is not useful for generating faith in others; therefore, by the force of such knowledge, the faithful cannot come together in one faith; therefore occasion is given to men for each of them to sell his own dreams and imaginations as sure faith, and thence arise heresies and schisms. This reason is touched on wisely by Tertullian, bk. *De Praescriptionibus*, ch.15 and following, where he teaches that one should not dispute with heretics about the Scriptures, and he subjoins a reason, ch.17, because “such heresy,” he says himself, “refuses to receive some of the Scriptures; and if it receive any, it overturns them by additions and subtractions to the disposition of its own teaching; and if it does receive them it does not receive them whole; and if it receives them whole up to a point, nevertheless, by thinking up diverse expositions, it overturns them,” that is, perverts them; and therefore he adds: “an adulterated sense disturbs the truth as much as does a corrupting pen. Their presumption in its diverse kinds necessarily has no wish to acknowledge the authority that abandons them; they rest for support on what they have falsely composed, and what took from ambiguity its beginning.” Hence he adds, ch.19: “Before coming to dispute over the Scriptures, settlement must first be made about whose the Scriptures are, from whom and by whom and when and to whom the discipline was delivered by which they became Christians, for where the truth of the faith and of Christian discipline appeared there will be the truth of the Scriptures, of the expositions, and of all the Christian traditions.”

In the same sense the same Tertullian said, bk. *De Resurrectione Carnis*: “There could not be heresies if the Scriptures too could not be badly understood.” And he returns to the same as Augustine said on *John*: “Heresies have not come to birth except when good Scriptures are not understood well, and when what in them is not understood well is also asserted rashly and boldly,” that is, as certain and infallible and dictated to them specifically by the Holy Spirit. And therefore he adds later: “Far from me too, most beloved, be vain presumption, if I want to behave sanely in the house of God, which is the Church of the living God, the pillar and ground of the truth,” where he tacitly prefers this rule to every private spirit. So too did Cyprian speak, epist.55: “Heresies do not elsewhere arise, nor are schisms elsewhere born, than from this, that the Priest of God is not obeyed, and that the one priest in the Church at the time, and the judge in the place of Christ at the time, is not thought on.” Which he repeats in epist.96, and bk. *De Unitate Ecclesiae*, and often elsewhere. But all heresies that fabricate a private spirit do so to escape the judgment of the Church and to make each individual himself the rule of his own faith, as Augustine indicated, bk.11, *Contra Faustum*, ch.2.

10. There follows in addition from this a fifth and very pressing reason, that otherwise there could be no end to controversies in questions which arise about the faith; for each heretic affirms that he has been illuminated by God and that the others are deluded. Therefore, unless someone be judge also over all private judgment, someone who has authority from God for discriminating infallibly the false from the true, it is impossible to settle quarrels of the faith or to preserve in the Church one infallible faith. The proof is that if one must believe private spirit, since it pronounces contrary things through different heretics, they cannot each be true but one or other of them is saying what is false. And there is no greater reason to believe that the spirit of God is in one of them than in another, because none of them displays any certain sign of their divine spirit; and human conjectures, albeit they can sometimes be diverse, do not suffice for

certain faith. Therefore faith is in flux and is plainly split apart if the private spirit of each individual is established as the foundation of faith. And therefore rightly did Clement, *1 Epistol.* 5, fiercely inveigh against those who wish to define controversies of the faith by their own judgment.

Jerome was correct too against the Luciferians: "If there be not in the Church one supreme power, there will be as many schisms as there are priests;" and Augustine, bk. 22 *Contra Faustum*, ch.36, when speaking to the heretics says: "You see that you are doing it to remove divine authority out of the way, and to make each individual's mind the author of what in each one thing he should accept or reject." And bk.11, ch.2, he pursues at large almost the same discourse about the particular controversy whether this book, or this part of it, is canonical or not. For if one person says it is and another that it is not, neither should be believed on the basis of his testimony alone. And although one of them try to bring for his side many witnesses and conjectures, "Even if he try to do this," says Augustine, "he will achieve nothing," and he adds: "And see in this matter what is achieved by the authority of the Catholic Church, etc." But to dispute about the true sense of Scripture is the same as to dispute about the truth of Scripture, because, as I have from Jerome often said, Scripture consists in the sense more than in the letters. Nay, the same reason as serves for this particular controversy serves for any other controversy of faith. And therefore did the same Augustine say in general, bk.7 *De Baptismo*, ch.35: "Safe it is for us not to go forward with any temerity of opinion in things that have not been introduced in any regional Catholic Council or defined by any plenary Council." And he concludes that whatever has been strengthened by the consent of the Universal Church is secure. And contrariwise he says in epist.18: "To dispute against that which the Universal Church thinks is a mark of the most insolent pride." And lastly, bk.4, *De Trinitate*, ch.6, he says with sufficient elegance: "No sober man thinks contrary to reason, no Christian contrary to Scripture, no peacemaker contrary to the Church."

11. Finally connected to these is a sixth reason; for if private spirit were the rule of one's own faith, there would be no heresy or heretic, or at least no one could be judged or condemned by men as a heretic or compelled to hold some common faith; all which things are very absurd and contrary not only to Scripture and the Fathers and reason, but also to the words and deeds of the king of England himself; therefore, etc. The consequent is proved: for there is no heretic except he who is in conflict with the rule of faith; but if private spirit is the rule of the faith, no one who says he believes in Christ or the Gospel or Scripture is in conflict with the rule of faith, because no one is in conflict with this own judgment and private spirit, as is manifest of itself. And hence it plainly follows that there is no heresy properly speaking, because there is no rule for doctrine itself considered as such, but it has its rule in each man, and there is no certain evidence which private spirit is the true rule; therefore no doctrine taken in itself can be judged heretical, at least by men. Hence the consequence *a fortiori* is that no man can be condemned as a heretic, both because no one departs from the rule which he is bound to follow, as has been shown, and because about no one's doctrine can it be evident that it is heretical, as was also proved. Also lastly an inference *a fortiori* is drawn that no one can be compelled to another faith besides the one that, from reading the Scriptures, he says he is following by his own certain knowledge and his own private spirit. The inference is proved, because if that is the foundation of faith, no one can be compelled to part from it; neither therefore to follow another faith.

Perhaps there will not be lacking heretics who easily concede all these things. For, as is reported, some have already said that each can be saved by that faith which either the Holy Spirit truly tells him interiorly, or which he himself in some certain way considers to be dictated to him

by the Holy Spirit. By which principle the things we have said, as well as others no less absurd, are entailed, as that someone can without true faith be saved, contrary to clear Scriptures. The inference is manifest because an instinct that is thought to be from the Holy Spirit and is not leads to error; therefore it is not true faith; therefore if that opinion suffices for salvation, error also suffices, and true faith is not necessary. Hence further it follows that there is salvation outside the Church, which is also contrary to Scripture and contrary to all the Fathers, as I said above and as can be seen in Cyprian, bk. *De Unit. Eccles.*, and in Augustine in his similar book, in almost the whole of it, and *De Fide et Symbolo*, bk.3, ch.11, and bk.4, ch.10; and in Fulgentius, *De Fide ad Petrum*, chs.37 & 39; and in Pacianus, epist.2 to Sempronius. The consequent is patent, because where true faith is not, neither can the true Church be, as neither, on the testimony of Paul, can the Church subsist without unity of faith; therefore if one can be saved without true faith, one can also have salvation outside the Church. Next, those who so think are speaking not only against Scripture and the Fathers but against all right reason; for they both take away certitude of faith from all believers and bestow free license on all heretics and schismatics, and lay out the broadest way for every dissension, all which things are contrary to the right order of the most wise providence of God. For in that case he would not have prescribed unity, agreement, and safety in the certitude of his faith, but he would have left the Church without a way or manner of keeping this faith certain and of preserving its unity.

It cannot, therefore, be denied that the things we have inferred in this sixth reason are very absurd, as that either there is no heresy or that no heretic is damnable; for both are contrary to Paul, for in *Galatians* 5.19-21 he numbers among the works of the flesh dissensions and sects, by which the Fathers have understood heresies most of all. And *Titus* 3.10-11: "A man that is an heretick after the first and second admonition reject; Knowing that he that is such is subverted, and sinneth, being condemned of himself." Hence it is clear that individual spirit not only does not excuse from heresy but rather individual spirit is heresy's root; for what is individual spirit, or that certain knowledge had by each, but individual judgment? Thus rightly does Tertullian remark, bk. *De Preascriptionibus*, ch.6: "Therefore did Paul say that a heretic is condemned of himself, because he also chooses for himself that in which he is condemned. However, it is not licit for us to introduce anything by our own decision, and not to choose either what another has introduced by his own decision. We have the apostles of God for authors, who did not even themselves choose anything that they introduced by their own decision, but faithfully passed on with reasons the doctrine they received from Christ. Therefore even if an angel from heaven preach another Gospel, let him by us be called accursed." And in ch.7 he adds that the doctrines introduced by individual judgment "are doctrines of men, and born from the genius of the wisdom of the age by the itching ears of demons." And in the same way Augustine, epist.85, otherwise 222, and bk.2, *De Nuptiis*, ch.31, and other Fathers commonly say that all heresies either are born from, or are founded in, the fact that their authors either by their own passion twist the Scriptures to their own senses or by their own judgment and pride err in expounding them; therefore private spirit cannot exclude heresy; nay, to the extent it is individual, it is most apt for heresy, because heresy is introduced by one's own choice and judgment. And consequently neither is it apt for founding the faith, most of all because, although it is a spirit, it has no token of the gift of the Holy Spirit, who rests on the humble.

12. Next, the king of England himself too, when he lays down such a foundation for faith as is repugnant to the condemnation of heresy and heretics, is clearly fighting against himself. Both because he himself, in his *Preface* p.43, condemns all heretics whom the ancient Fathers condemned, and therefore he most contends in that place that he exempts himself from the

number of heretics and purges himself from the mark of them; and on p.55 he confesses that he has labored to destroy the anarchy of the Puritans, and (as is matter of public repute) has in various ways forced his subjects into Calvinism. This thing, therefore, is in plain conflict with his foundation about sure knowledge obtained by individual judgment and spirit. For if he himself judges that this is the firm foundation of his faith, and if he exhorts all Christian princes to be like himself, why does he not concede to his subjects the same liberty of faith? Is a temporal king in this respect of better condition than his subjects? Certainly he must show that the infallible assistance of the Holy Spirit, which he denies to the Supreme Pontiff, is present to himself or has been promised to himself. Or if he has no greater privilege in this than the rest, by what right can he compel others to follow his own faith, or judge others to be heretics more than himself, since he himself points to no greater sign of the Holy Spirit than others do? Hence too I notice, by the by, that the same king is laboring in vain, since in his *Preface* p.157 he exhorts all sectaries or all Protestants to preserve unity of true faith among themselves and to retain the communion of the spirit in the bond of peace. For such unity and concord are plainly repugnant to the foundation of faith that he proposes to himself and others, as has been shown, and the very experience of things makes the fact sufficiently clear. Hence very well does Tertullian say, *De Praescriptione*, ch.42: "I lie if they do not depart among themselves from their own rules, when each by his own decision modulates the things he has received, in the same way as he who handed them on composed them by his own decision. The thing's own progress brings to reality its own nature and the character of its own origin. The same thing was permitted to Valentinians as was to Valentinus, the same to Marcionites as to Marcion: to make innovations in the faith by their own decision. Next, all heresies, when thoroughly examined, are discovered to disagree in many things with their authors. Most do not even have churches; without mother, without see, their faith an orphan, they wander, as if exiled from themselves, far and wide."

13. It remains to give satisfaction to certain testimonies that Protestants twist to favor their own error about their besieged foundation of faith; some of these testimonies, which seemed to be the chief, we removed above in passing. But they add others in which we are commanded to search the Scriptures, *John* 5.39, as the Thessalonians did, *Acts* 17.2-3. And they add that the Scriptures, especially in matters of faith and morals necessary for salvation, are clear and can be understood by everyone, as is taken from Augustine, bk.2, *De Doctrina Christiana*, ch.9, where he says that: "In those things that are set down openly in Scripture everything is inculcated that contains faith and morals for living." The same thought is in Chrysostom, hom.3 on *2 Thessalonians*, near the end, where he says: "All things are lucid and right which are in the divine Scriptures; manifest are all things that are necessary." And similar things are contained in hom.13 on *2 Corinthians*, at the end, and hom.33 on *Acts*, toward the end, and hom.3 'De Lazaro et Divite'. Ambrose too indicates the same on *Pslam* 118 [119] octave 14, about those words, v.105: "Thy word is a lamp unto my feet." From this the Protestants therefore conclude that, since Scripture is clear, no other rule is necessary but only that Scripture be attentively read and understood. Especially so because to him who does what is in him and asks, intelligence and wisdom will be given, *James* 1.5-6; and he who wishes to do the will of God will know the teaching of Christ, as he himself promises, *John* 7 [v.17: "If any man will do his will, he shall know of the doctrine, whether it be of God, or whether I speak of myself."]. Lastly they add what Christ said of himself, *John* 5.34: "I receive not testimony from man, etc."

However, these are thoroughly empty and futile, because if the circumstances of the particular places are attended to, they were said on occasions far different and with a far other mind and intention. For, first, who denies that the Scriptures are to be searched and read

through? Or where is this done with greater diligence and fruit than in the Church Catholic and Roman? This study, then, is necessary, but it requires manner and selection and prudence. Next, no one denies either that the doctors and the wise men of the Church can by their individual industry and genius think something out for investigating the meaning of the Scriptures, and can interpret them by human wisdom. For this all the Fathers did, not by special privilege, but by an ordinary law most consonant with the Scriptures themselves and with the natural condition of man; and so is this practice observed now too by Catholic doctors.

14. But a twofold interpretation of Scripture must be distinguished, one we can call authentic, the other common or private. Which distinction the adversaries seem to conceal or to ignore, although however a similar one is very frequent among jurists in the interpretation of their civil laws. For one is authentic, that is, has the force of law, about which the laws themselves say that to him it belongs to interpret the law to whom it belongs to make the law; the other is doctrinal only which, although it not have that authority, yet it has its own utility for human governance. In this way, then, some authentic interpretation of Scripture is necessary; and not less in things which pertain to faith and morals than in others, nay the more so the more that in them a sure and indubitable sense is necessary. Nor is it significant that they are customarily clearer, because it is always possible for them to contain ambiguities from the variety of significations or senses, and chiefly because they are all wont to be perverted by heretics, as Augustine testifies, bk.2, *De Nuptiis*, where he speaks thus: "It is no wonder if the Pelagians try to twist our sayings into the senses they want, since they are accustomed, after the habit too of other heretics, to do it even in the case of the Sacred Scriptures, not where something is obscurely said, but where the testimonies are clear and open." For these reasons, therefore, an authentic interpretation is necessary. But besides this one a doctrinal interpretation is also necessary for the edification and utility of the Church and for resisting heretics, because: "All scripture given by inspiration of God is profitable for doctrine, for reproof, for correction, for instruction in righteousness: That the man of God may be perfect, thoroughly furnished unto all good works," as Paul said, 2 *Timothy* 3.16-17.

15. The first interpretation, then, cannot be done by a private spirit, and about this everything we have said proceeds; for this interpretation is what pertains to the foundation of faith, and therefore only by him can it be done to whom Christ specifically promised the key of knowledge; and then is testimony received, not from man, but from God through man. For Christ himself promised to his Church both his own assistance and the magisterium of the Holy Spirit. But the second interpretation of Scripture, since it does not of itself have infallible authority, can be human and be done by private authority, provided it not be done rashly and at will, but in such a way that it not be repugnant either to other places of Scripture, or to definitions of the Church, or to the common sense of the Fathers. Nor, however, is even this sort of interpretation permitted to everyone, but to the doctors of the Church who have been called to this office; but to others, although the reading of Scripture can sometimes be useful according to the capacity of the reader, yet not for interpreting it, but for understanding it simply, in the way it is expounded commonly in the Church. Nor too is Scripture to be read for examining the faith by one's own knowledge, but rather to be read by faith for drawing out of it other advantages and fruits; and in this sense do the Fathers speak in the places cited, and Basil too can be looked at, in serm. 'De Vera et Pia Fide', and in *Regulae Breviores*, interrogat.95, where he teaches this very well, albeit briefly.

Chapter 12: From the name 'Catholic' the Anglican sect is shown not to be the Catholic Faith.

Summary: 1. The name of 'Catholic' is applied to the Faith and to the Church. 2. England affects to the name of Catholic. 3. This name has been introduced for the Church to distinguish it from heretical conventicles. 4. The conclusion is drawn that the true Church is that which truly deserves this name. 5. What it is for the Church to deserve the name of Catholic. 6. The inference is drawn that the name 'Catholic' is owed to the Roman Church. 7. First proof of the assertion. 8. Second proof of the assertion. 9. Finally the proposed assertion is confirmed from the words of King James. 10. The conclusion is drawn that the name cannot be applied to the Anglican sect. First reason. Second reason. 11. Third reason. A sect that has its proper name from its master is not Catholic. 12. Why each heresy is named from its inventor. 13. Not only the ancient heretics but the new as well are named from their heresiarchs.

1. Since the appellation 'Catholic' has always distinguished the Church of Christ from the Synagogue of Satan, and the true faith from heresy, as the symbols of the faith sufficiently prove as well as the tradition of the Fathers (some of whom we have referred to and we will refer to more in this chapter), for that reason the king of England, desiring to avoid the note of heresy as he showed in his *Preface*, assumes the title of defender of the Catholic Faith, whereby he professes to believe and to hold the Catholic Faith. But since it has been established that he is defender and champion of the particular sect of Anglicanism, if we show that it is not the Catholic Faith, we will also prove that he is not defender of the Catholic Faith; and he will become such a defender at the time when, after coming to know the truth, he has returned with piety and sincerity to the bosom and obedience of the Catholic Church (which may God accomplish). But although, from what has been said so far, it has become sufficiently clear that a sect that does not have a firm foundation of faith can in no way be the true Church or profess the Catholic Faith, nevertheless, to make the fact more evidently clear, we have deemed it worthwhile to show the same thing through the most ancient tradition of the Church by a plain deduction of the very appellation of 'the Catholic Faith'. But in this attribute two things can be considered, namely both the name itself, or the denominations taken from it, and the things or the property signified by the name, and from these two things diverse arguments are customarily adopted by the Fathers for recognizing the true faith or Church; and therefore we will speak first about the name and afterwards about the reason for the name.

Now we suppose first of all that this name 'Catholic' is accustomed to be attributed both to the Church and to the Faith; for in the Apostles' and Nicene Creeds we confess one Catholic Church, and the Athanasian Creed says about the collection itself of the articles of the faith: "This is the Catholic Faith, which unless each faithfully and firmly believe, he cannot be saved." But on which of these, namely the Church or the Faith, this name was first imposed I confess I have not discovered; for the Church could be called Catholic because it professes the Catholic Faith, and contrariwise the Faith could be called Catholic because it is held and handed on by the Catholic Church, or to be sure this name could be attributed to each considered in itself, because the reason for it, or every property which is indicated by it, is found *per se* both in the true Church and in the true Faith, as we will make clear in the following chapter. But one thing is certain, namely that these two are so connected that they cannot be separated, because neither can the Catholic Faith exist outside the true Church, nor the Catholic Church exist without the true Faith; for where the Catholic Church is, there also will the Catholic Faith be, and contrariwise, and therefore we will speak always about them indifferently.

2. Secondly, we must establish that this name is very ancient, although there were not lacking even ancient heretics who dared to murmur against it, as is reported of Sympronianus

Novitianus by Pacianus, epist.1 & 2 *Contra Parmen*. And perhaps there may not be lacking some of the innovators of this time who spurn it because it is not found written down in the canonical books. However, as far as I conjecture from the words of the king of England, the Anglican sect does not reject it, nay it affects the name of ‘Catholicism’ as the name of the true faith, religion, and Church, and desires to attribute it to itself, as in the very title of Defender of the Catholic Faith the king himself sufficiently shows. For the reason that this term is found approved in the cited Creeds, such that under its denomination we are commanded to recognize and confess one Catholic Church and Faith, therefore the king of England, who professes to admit the said Creeds, cannot deny the name or the thing signified by the name. Next, reverend antiquity and the agreement of the Fathers from all ages shows that this name was not introduced into the Church without the divine will. “Certainly,” says Pacianus in the said epistle 1, “what has for so many centuries not failed has not been borrowed from man: the term ‘Catholic’ does not bespeak Marcion, or Apelles, or Montanus, or heretical authors. Many things have been taught us by the Holy Spirit, whom God sent from heaven as Paraclete and master for the apostles. Much by reason, as Paul says, and by axiom and (as he says) by nature itself. What? Does the authority of apostolic men, of the first priests, prevail little with us?” And later: “Come, if those [heretical] authors were not able to usurp this name, will we be adequate to deny it? And will the Fathers follow rather our authority, and will the antiquity of the Saints give way as needing emendation, and will the times now rotting with vices scrape away the white hairs of apostolic antiquity?” Which things this very grave Father wrote one thousand and three hundred years ago, testifying then that this name was very ancient, and deservedly so. For it is clear from the Apostles’ Creed that it was approved by them, for in it we profess “the holy and Catholic Church”. These words in the Creed are not less ancient than the rest, and they are thus read and explained by all the ancients, by Cyril, Ruffinus, Augustine. Therefore the Church from the time of the apostles has always, along with the Creed itself, preserved also the name of ‘Catholic’. Hence Pacianus even wonders at the name “because for so long time it had not failed.” Therefore worthy of much greater wonder is that it has been preserved up to our own times and has been attributed to the same Church. So now greater evidence shows that this name was not given or preserved without the special providence of God, and that it has always truly indicated, and continues to indicate, what its meaning signifies and because of which it was imposed.

3. Third, then, we must suppose that this name has been attributed to the Church and Faith of Christ to distinguish it from the doctrines and conventicles of heretics. The same Pacianus in the same epistle 1 is witness: “Since, after the apostles, heresies had appeared and were struggling under diverse names to mangle and tear apart God’s dove and queen, was not the apostolic populace demanding its own name whereby to mark out the unity of the uncorrupted people, lest the undefiled Virgin of God should be mangled in its members by the error of some? Was it not fitting for the principal head to be sealed with its own name?” Which necessity he makes plain using an example, when he says: “If perhaps I have entered a populous city and found Marcionists, Novatians, and the rest of that sort who call themselves Christians, by what name might I recognize the congregation of my own populace except it be called Catholic?” Hence he later concludes; “Christian is my name, but Catholic my surname; the former names me, the latter shows me; by this I am proved, by that I am pointed out.” The same cause and necessity for this name is established and acutely explained, as is his habit, by Augustine, bk. *Contra Epistol. Fundamenti*, ch.1, where he numbers among the ties that hold him in the Church “the name itself of Catholic, which not without cause has the Church alone thus obtained among so many heresies, so that, while all heretics wish to be called Catholics, yet when some stranger

asks where to go to visit the Catholic Church, none of the heretics would dare to point to his own hall or house.” He teaches the same in bk. *De Vera Relig.*, ch.7, whose words I will afterward refer to.

The same reason for this term is handed on to us by Cyril of Jerusalem, *Cateches.* 48. For because the name of ‘Church’, absolutely taken, can signify both the ancient synagogue and any congregation, even of the malicious too, that is, of heretics, “for that reason,” he says, “the confirming faith has now handed down that you should say ‘and in one, holy, Catholic Church’, so that you may flee the filthy conventicles of those men, and persevere in the Catholic Church wherein you have been reborn.” Where he calls confirming faith the Creed which he expounds. And at once he warns us not to seek where the Church is but where the Catholic Church is. “For this,” he says, “is the proper name of this holy Church and mother of us all, who is the spouse of our Lord Jesus Christ, the only begotten Son of God.” And the same reason is pointed to by Hilary, canon 10 on *Matthew*, for when he explains the words of Christ, 10.11: “And into whatsoever city or town ye shall enter, inquire who in it is worthy; and there abide, etc.” he interprets worthy house as the Church which, he says, “is called Catholic.” Because there were going to be many of the Jews who, although they believed in Christ, yet lingered in the works of the law; others who would by pretense pass from the law to the Gospel; but many who would be brought over into heresy and tell the lie that Catholic truth was with them. “Therefore he admonishes them,” he says, “that they must look for someone worthy to dwell with; that is, they must carefully and diligently frequent the Church which is called Catholic. And hence the usage also of the Church and of all the Fathers has made sure that the true faithful are distinguished from heretics by this name of Catholics, as we read everywhere in the Fathers and as we see approved by use; and we have experienced it not only among Catholics but also among heretics themselves, as will become more fully evident from what must yet be said.

4. Fourth, we infer from this and establish as certain that that Church is true, and in it is the true and Catholic Faith, which rightly and deservedly, that is, according to the primitive imposition of this name, is called Catholic. This manifestly follows from what has been said, because it has been shown that this name was imposed by the Apostles’ Creed to denote the Church of Christ which they founded; therefore it is held as a thing tested in the faith that at that time the true Church was signified by that name, and consequently that the Church founded by the apostles had the properties which are required in the true Church and which are indicated by that name, as will be more clearly evident in the things to be put forward below. For it is clear that the apostles were not ignorant of the true Church and of its properties, and that they had authority for imposing on it a name adapted to truth and the use thereof. And hence further it happens that the Church founded by the apostles, insofar as it has always endured through true succession (as we saw above), has also always deserved the name of ‘Catholic’, nor has it ever lost it. The proof is, first, that it is always one and the same, not by likeness of kind alone, but also by numerical moral identity (to speak with the philosophers), on account of continuous legitimate succession; therefore truth and the property signified by the name always belong to it; therefore the name itself also belongs. Second, that this Church has always professed the faith of the Creed in which it is itself called Catholic, although however it cannot err in the faith, as stands already proved above with sufficient clarity. Third, that it has not lost the name through any change in reality, because it would have lost the property signified by the term; for, if it had lost it, it would not, as is supposed, be the same Church; nor has it lost it by removal or change of the name alone, because the Church itself has not deprived itself of that name or changed the name’s signification, as from usage and the symbol of the faith is sufficiently clear. Nor is there

outside it on earth a power that could deprive it of such name, neither in right, because it does not have a superior, nor in fact, because the gates of hell cannot prevail against it in this respect either, as we will prove more at large below.

Hence, finally, the conclusion is drawn that the Church on which rightly and deservedly this name is bestowed is the true Church of Christ and preserves in itself the Catholic Faith, and that as a result no congregation which is divided and separated from the Church, even one brought together under the name and confession of Christ, can in any way make rightful claim to this name for itself. Each part is clear from what has been said. The first part, indeed, because such a Church is the same numerically with that which from the beginning and always had that name; the second part, however, for the contrary reason, that the true Church is only one and that this name is attributed to a single and true Church only. Every church, therefore, which is not the one and true Church, or a part of it, cannot be called Catholic. A clear confirmation of the same comes from the reason for imposing such a name. For it was invented for always distinguishing the true Church from false ones, and therefore it was not imposed as a common name, but as a proper and singular name, for signifying this individual mystical body to which such properties have been allotted; therefore this body will rightly be called by that name in any and every place where it is, but it is otherwise with any other made up body divided from it.

5. Hence it is clear too, by the by, what it means to deserve such a name, and clear that the true Church claims it for itself as by its own right; for this claim is nothing other than to have a true and indubitable succession from the primitive Church to which the name was first given; for since a claim is made, through that succession, to all the ancient goods and rights (so to say) of the Church, the proper name is thought necessarily also to belong with them in the same way. And a clarification can be given by example from human things, for each family's name, whereby its nobility and antiquity are pointed out, does not thus by force of first imposition pass otherwise to anyone save by reason of origin and succession; and it is then made clear who deservedly and as by his own right makes claim to that name when he demonstrates direct and legitimate succession from such a root. One must hold the same, therefore, and in a much higher way and with more certitude, about the Church as regard the appellation 'Catholic'. Indeed in a more excellent way, because the succession of the Church, although it is by multiplication of diverse natural persons (so to say), is nevertheless by preservation of numerically the same mystical body, of which all the persons succeeding each other in turn are members. And therefrom follows also a greater certitude, because the name is not *per se* first imposed on the individual members or persons, but on the whole body, which, since it is always the same, retains and perpetually keeps with more tenacity and firmness the name of its own dignity. Most of all, finally, is this certitude taken from the continual profession of faith whereby the Church itself always confesses that it is Catholic. For since falsehood cannot lie beneath this faith, it is altogether very certain that the true Church of Christ rightly claims this name to itself, which no heretic, even if he give faith to the Apostles' and Nicene Creeds, can deny, at any rate in a general way, about the true Church of Christ, insofar as we have hitherto been speaking of it.

6. Next we add, fifth, that the Church which now obeys the Roman Pontiff (which, to speak distinctly, we now call Roman) rightly and deservedly claims to itself the name of Catholic, and its faith, for the same reason, is to be judged and called Catholic. This assertion follows evidently from what has just been said, with the addition of what was treated of in chapter 4. But there we drew attention to the fact that the name of Roman Church is sometimes received for the Universal Church, which obeys the Roman Pontiff as the universal Vicar of Christ, and sometimes for a particular diocese, which is also subject to the same Pontiff as to a

particular and proximate bishop. In the present, indeed, we are speaking about the Roman Church in the former way, because the name of Catholic is imposed primarily on the Universal Church. Also, although particular churches are customarily called Catholic, as is clear from the way of speaking of Augustine, Pacianus, and Cyril above, and from common usage, just as any one of the faithful is called Catholic, either by profession of the Catholic Faith or because he is part of the Catholic Church, so any particular church possessed of both reasons can much more be called Catholic, and thus too the particular Roman Church is most of all Catholic, which will be clear *a fortiori* if it is proved of the universal.

7. First, then, the assertion can be proved in the same way as the ancient Fathers, cited above, proved that the Church that existed at their time was Catholic, because it was the one that the apostles founded and on which they had imposed this name; and from the same Fathers and from others it is clear that they were also speaking of the Church which we now call Roman, because they were speaking of a Church united to the Roman Pontiff as to its head and to the Vicar of Christ; as is clear from Augustine, who for this reason conjoins the succession of Roman Pontiffs together with the name ‘Catholic’ among the signs of the true Church, and from Cyril, who says that: “the holy Christian Church is the one of which the Savior said to Peter: ‘Thou art Peter and upon this rock I will build my Church and the gates of hell shall not prevail against it.’” Pacianus finally, although he does not declare it with such lucidity, yet uses the authority of Cyril for establishing his opinion about the Catholic Church; but Cyprian himself, certainly in epistle 75 to Cornelius, calls the Roman Church the root and matrix of the Catholic Church; each of them understood, then, by the Catholic Church the one that was serving under the Roman Pontiff. Many other things from the same Cyprian, Irenaeus, Jerome, and Ambrose we reported above in chapters 3 and 4; and other things can be read in Augustine, epist. 165, and everywhere in his books against the Donatists, and in Optatus, bk. 2, *Contra Parmenianum*, where he says that a Church is shown to be Catholic from union with the chair of Peter. Finally, Tertullian, in *Praescriptionibus*, ch. 30, says that: “Catholic doctrine is in the Roman Church;” which is the same as to say that that Church is Catholic. But it was shown by us above that the Roman Church is the same now as it was in early times; therefore to this Church alone does the name ‘Catholic’ by right belong.

8. In addition, now too has place the proof which the same Fathers are accustomed to take from the agreement of the whole world. For just as in the time of Augustine, for example, so also now, and in all the years between, all men, as well faithful as infidels, when using the phrase ‘Catholic Church’ and when speaking simply and without special affection or malice, understand and signify by that term the Church which is now in communion with the Roman Pontiff; therefore here is a sign that this Church alone is the one to which by proper right this name is due. Thus does Augustine argue, bk. *De Vera Religione*, ch. 7, when he says: “The Christian religion is what we must hold to, and communion with the Church which is Catholic and is named Catholic, not only by its own members, but also by all its enemies. For heretics themselves too, and the alumni of schisms, whether they will or no, when they are speaking, not with their own members, but with strangers, call nothing else Catholic than the Catholic Church. For they cannot be understood unless they distinguish it by this name, by which it is by all the world called.” And the proof is the same as the one Cyril says, that where there is a diversity of sects mixed in the same place with the true Church, one must not ask, lest one be deceived in the inquiry, for the Church alone, but for the Catholic Church; for by that name everyone understands the one which retains the ancient faith. And that this fact persists up to present times in the same way is clear from evident experience, as I noted above; for everywhere he who

wishes to show he professes the Roman Faith names himself Catholic; and so also the heretics themselves, when they speak sincerely and in the common way, are accustomed to designate and mark the same faithful with the glorious title of Catholics. Therefore, etc.

9. Moreover the king of England has confirmed this for us by his royal authority; for in his *Apology*, guided as it were by custom and not adverting to the contradiction in his words, he calls those whom he very fiercely pursues and attacks over and over again Catholics, although he is bound to defend them if he is to call himself, by a true and not fictive title, defender of the Catholic Faith. From the same title there also occurs another argument (which they call *ad hominem*), whereby the king of England can be convinced that the Roman Church must be admitted by himself to be Catholic; for he himself wishes to rejoice as by hereditary right in the title of defender of the Catholic Faith, which was by the very great Pontiff Leo X conceded to his predecessor, Henry VIII; therefore he tacitly admits and approves both the concession and the title in the sense in which it was given by the Pontiff; therefore, whether he will or no, he confesses that the Roman Church and its faith at the time of Leo X, and when Henry VIII defended it against Luther by a book written on the Sacraments, was by true and legitimate right called Catholic, and that beside it no other church could rightly be named Catholic, save insofar as it is conjoined with it; because the integral Catholic Church, so to say, cannot be but one. Yet certainly the Roman Catholic Church did not cease to be because King Henry separated himself from it, but rather he ceased to be Catholic; for heretics or schismatics, when they go out of the Church, divide and change themselves, but they cause no other change in the Church beyond a certain diminution or division of a member; therefore this Church always by right retains the name of 'Catholic', for no change in faith has been made in it; nay that no change can be made was shown above.

10. Sixth and last among all these I conclude to what was proposed, namely that the Anglican sect or congregation, or whatever church at all which that sect professes, cannot by right be called, and thus cannot either be, Catholic.

The proof is first that this name is not due, nor can by right be attributed, save to one Church, and to that which is the true Church of Christ; for thus do we all confess in the Creed that there is one Church true and holy and Catholic; but it has been shown that the Roman Church is Catholic; therefore the Anglican is not Catholic. The proof of the consequence is that the Anglican Church is neither Roman nor united to it but altogether divided from it, both in faith and dogmas and also in obedience and the bond of charity.

Secondly, the same can easily be shown from deficiency of succession and of origin from the primitive Church which was the first to be called Catholic. For the Anglican Church does not have this succession; therefore neither can it secure the name of 'Catholic' by hereditary right, as they say. The consequence is evident from what has been said. But the antecedent has been proved at large in the whole discourse of the first and second chapters, and it will again occur necessarily in the next chapter; and here is a brief declaration. Because the Anglican sect, as to what is most proper to it and is as it were the difference that distinguishes it, not only from the Catholic Church, but also from every church of the wicked, namely, as to its recognition of the temporal king in respect of supreme head in matters ecclesiastical and spiritual, began from Henry VIII seventy four or seventy five years ago, and no mention was before made of it in the world; nor does that kind of republic or of spiritual head derive its origin from the primitive Church, because it has no foundation in Scripture or in the preaching of the apostles, as we will show at large in book 3; therefore it lacks, as to this part, the said succession. But as to the second part, which can be viewed in the other dogmas wherein it departs from the Roman

Church, it had its beginning from Calvin, and in part too from Luther, who assuredly does not have succession in doctrine from the apostles or the Catholic Church. For if it were from it, it would have remained in it; but it has gone out from it, because it has thought up new errors contrary to apostolic doctrine, as has very often been proved by other Catholic authors and is clearer than the noonday light; therefore, as to this part too, the Anglican sect lacks succession. This fact will also become more evident in book 2, when we expound the confession of faith of the king of England; therefore that sect has no true or apparent title by which it could be labeled Catholic.

11. Third, we can use an argument or sign which the most ancient Fathers used for recognizing a congregation or sect that was not Catholic, and for distinguishing it from the Catholic. For, as often as some sect has a proper name from the master or teacher of such doctrine, and his followers take their name from the same teacher, this is a sign that neither the doctrine nor the persons nor their congregation are Catholic. Which sign is explained at large by Athanasius, orat.2, *Contra Arianos*, near the beginning, when he says: "Never has the Christian people received its name from its bishops, but from the Lord in whom it has believed, nor from the apostles, nor from the teachers and ministers of the Gospel... But they who trace the origin of their faith from elsewhere deservedly bear before them the name of their authors." And then he shows the fact by running through all the heretics up to the Arians, saying: "When blessed Alexander was throwing out Arius, those who adhered to Alexander remained Christians; those who went away together with Arius, abandoning the name of our Savior to Alexander and those with him, were from then on called Arians." And he adds that from then on even after the death of Arius the same name was kept; and he says among other things: "All who were of the same opinion with Arius, having from him his notes and marks, are called Arians; which in truth is a great and outstanding argument. For those who come from the nations into the Church do not transfer to themselves the name of those who catechize them or who hand on the rudiments of the faith, but the name of the Savior, and begin to be called Christians before the gentiles. But they who from this class go off to those fellows, and make transition from the Church to heresy, abandon the name of Christ and take on the title of Arians, as being they who retain no more the faith of Christ but are considered to be comrades of the Arian madness." Which he pursues at large, concluding therefrom that those who are so named are not only not of the number of the Catholic Church, but are also not even Christians, because they have already deserted the apostolic faith.

Next Chrysostom, homil.33, on *Acts*, near the end, when he poses the question of a gentile who wants to become a Christian and who finds, among those who profess this name, divisions in dogmas, and is therefore in doubt which party to choose; and among other pieces of instruction which he posits for discerning the true and Catholic Faith or Church, one is: "They (that is, the heretics) have certain people from whom they are named, for as the name of heresiarch is, so also is the sect called; but to us our name was given by no man but by the faith itself," signifying by this last term that from the Catholic Faith are the Catholic faithful, or also the very Catholic Church, called. And thus he concludes the same question: "Are we cut off from the Church, do we have heresiarchs, do we have our names from men, do we have some leader as he has Marcion, he Mani, he Arius? Yet if we have been allotted someone's appellation, yet not as from princes of heresies, but as from those who are set over us and govern the Church. We do not have teachers on earth; God forbid; we have one in the heavens. And as for them," he says, "they have made the same pretext. But their name is present to accuse them, etc."

The same sign is handed on by Lactantius, bk.4, *De Vera Sapientia*, last chapter, where

he says that many have fallen away from the doctrine of God by believing false prophets and leaving the true tradition, and he subjoins: “But they, entangled in demonic frauds which they should have foreseen and avoided, have lost through imprudence the divine name and cult; for since the others are named Marcionites, Arians (add, Lutherans, Calvinists), or whatever, they have ceased to be Christians, who, having lost the name of Christ, have put on human and external titles; only that Church then is Catholic which retains the true cult; here is the fount of truth, etc.” With this doctrine St. Jerome also agrees in his *Dialogus Contra Luciferanos*, ch.9, elsewhere last column, where he hands on this rule: “If anywhere you see those are said to be Christians named not from the Lord Jesus Christ but from someone else, as Marcionites, Valentinians, etc., know that it is not the Church of Christ but the Synagogue of Antichrist; for from this very fact, that they were established afterwards, they indicate that they are those whom the Apostle warned in advance would exist.” Thus too Optatus, bk.3, *Contra Parmenian*., column 4, greatly reproves Donatus with this argument, saying: “When, before the time of his pride, all who believed in Christ were called Christians, he has dared to divide up the people with God, so that those who follow him are not now called Christians but Donatists.” Which he pursues at large. Next the same is taken from Augustine, the cited book, *Contra Epist. Fundamenti*, ch.4, and the book, *Contra Serm. Arianorum*, ch.36, where he says: “The antiquity of Catholic truth is such that all heretics impose diverse names on it, although they themselves, in the way everyone labels them, obtain each their own name.”

12. But the cause and reason for this sign can be given from the nature of the thing, because every heresy thinks up some novelty against the ancient faith, but, when new things exist, new names are necessary for signifying them and for discriminating them from others. For this reason, then, as the schools of the philosophers have received their name from their authors or first teachers, so also the sects of the heretics have received their names from their masters too, by whom they are distinguished. And so did Irenaeus say, bk.1, ch.20, near the end, on the sectaries of Simon: “They also have both a title and a name, being from Simon, the prince of their most impious opinion, called Simonians;” and Justin Martyr, in his *Dialogus cum Tryphone*, page 26, said in general about heretics: “From novelties they spring up with the appellation of the men from whom each teaching and opinion had its origin.” And later: “And some of them indeed are called Marcians, others Valentinians, others by another name; each one is named from the prince of their opinion and teaching, just as also in the case of those who think something to philosophize about for themselves each of them thinks that he should impose for himself a name of the philosophy he studies from the parent of his teaching.” Thus, then, has it been observed to be in heresies as if by a moral necessity and as a consequence from the nature of things. But yet the Catholic Church always observes antiquity and admits no novelty contrary to prior faith, and therefore it does not need a new name but always retains the ancient one, as it also retains the religion originally instituted by Christ.

13. But this very thing which the ancient Fathers taught about the ancient heretics we see also to be observed in the new ones; for, when Luther rose up, his followers were from him called Lutherans, from Calvin Calvinists, from Zwingli Zwinglians, and thus about the others, as is made plain from the common habit of speaking of the whole Christian world and of all the writers of this time. Nay, as to the sectaries of Luther, it is clear that he himself called them Lutherans in the Augsburg Confession, not far from the beginning. So reports Stapleton, bk.1, *Controv.* 4. Since, therefore, the Anglican sect is in fact not other than the Calvinist sect, it no less shares the same name, and what it is is pointed out by that mark, that is, not as Catholic but rather as defecting from the Catholic. Which, if perhaps it is not so called by most people,

because Calvin did not approve of its first foundation, can certainly be called Henrician, because, since King Henry was the first author of that error, his followers can receive their name no less from him than other heretics have from their leaders borne away their names. Perhaps, however, this name is not received in use, either because Henry, although he introduced the above dogma, wished the Catholic religion in other things to be preserved in his kingdom, as we noted above; or certainly because not by his own authority alone but by celebrated act of his Parliament was it established that the king should be adopted as supreme head of his Church. So Maurice Canneus, chapter 9 above. But this does not prevent the sect being especially from this fact too titled Anglican, because by special choice of the kingdom or Parliament not only has that article been defined but also a mode of religion is to be observed that is mixed up with various new errors; therefore, however things may be, the sect always needed a new name, so that it might be known and discerned, and it shares in that name from its proximate inventor or founder; therefore the said indication has place in the Anglican church too, and consequently, from the testimony of all the Fathers who gave the sign, it is not Catholic.

Chapter 13: Objections against the doctrine of the previous chapter are met.

Summary: 1. First objection. Catholics used to be called Homoousians, now Papists, etc. Second objection. 2. Solution to the first part of the objection. 3. The names which heretics impose on the Catholics do not indicate novelty of doctrine. 4. Solution to the second part of the objection.

1. Against the discussion given in the previous chapter the Protestants can make two objections. One is that even Catholics are wont to be called by new names when controversies about doctrine arise, and so either the title is no indication or from it should even be inferred that the faithful are not Catholics. The assumption is plain because, at the time of Arius, those who dissented from him and defended the Council of Nicea were called 'Homoousians'. Nay, at that time the faithful were called Romans, as is taken from Victor of Utica, bk.1, *De Persecutione Vandalica*, near the end, where he relates that when Theodoric had ordered the faithful Armogastes to have his head cut off, the priest Iocundus advised that he rather be killed by different afflictions. "For if you kill him with the sword," he said, "the Romans will begin to proclaim him martyr." Which remark Gregory of Tours expounds in bk.1, *De Gloria Martyrum*, ch.25 and says: "For they call Romans men of our religion." Next, now as well those whom we call Catholics the king in his *Preface* calls Pontificians and the crowd calls Papists, and likewise the Church that we call Catholic the king calls the Roman religion. A second objection is that just as we claim to ourselves the name of Catholics, so too do the heretics contend that their religion is Catholic, and consequently they even call themselves Catholics. And if other names imposed by others do not harm us, so too may they themselves say that from the other names imposed on them no presumption of false sect is taken against them, but rather is by those names indicated the reformed religion, as the king too says, or the pure and true Gospel, as the Puritans and Evangelicals contend.

2. To the first part, to begin with, I say in general with Augustine in his book *Contra Sermon. Arianor.*, ch.36, that the antiquity of Catholic truth is disposed in such a way "that all heretics impose diverse names on it, although they themselves acquire their own individual names as they are by everyone called." By which words he indicates the difference, that, as often as such names are imposed on Catholics, they are only imposed by heretics and are not received by others, because they are not necessary with respect to others but the heretics themselves invent them, either to the injury and dishonor of Catholics or so as to sell themselves as

Catholics. On the contrary, however, the peculiar names of heretical sects are, as by the nature of the thing, born along with them, as I said, and so they immediately come into use with everyone, even the sectaries themselves, who call themselves by the same names. And in this way, Augustine, in the said ch.36, *Contra Serm. Arianor.*, says about the name of ‘Homooousians’: “Arians and Eunomians, not other heretics, call us Homousians, because by the Greek word ‘Homooousion’ we defend against their error the Father, and the Son, and the Holy Spirit.” Never, therefore, was that the name of Catholics but it was invented by heretics, and not by all but by those to whom the name ‘Homooosion’ was dangerous, because by it their error was uncovered and their tergiversations evaded. And the same can be observed in the heretics of this time; for because the Vicar of Christ, whom we call Pope and Supreme Pontiff and Roman bishop, is attacked by them with hatred, therefore, to the ignominy of those who obey that See and to inflame envy of the same See, they call Catholics Papists, Pontificians, and Romanists. But just as the Arians could not introduce against the Church the name they invented, but they alone abused it, so also these names invented by the heretics circulate only among them, but Catholics neither use them nor are they worried by them, because they can do them no harm.

3. In which fact is also very much to be noted that these names which heretics impose on Catholics are such that they do not even indicate any separation from the Catholic Church, nor any novelty or singularity in doctrine. Which also about the name of Homooousians was indicated above by Augustine when he says that by that very name they are shown by the heretics to be defenders of the true Trinity, because there could not be true Father and Son unless these were of the same nature. Hence he rightly concludes: “Behold those who, as if by the stain of a new name, call us Homooosians, and who do not consider that they themselves, when they think that stuff, are insane.” This very thing has also happened to the new heretics; for when they call us Papists or Pontificians they do not bestow on us anything new but what was common at all times to all Catholics, and so, whether they will or no, they are calling us by the same names Catholics. For the names both of Romans and Romanists we showed a little before already once signified Catholics; just as we also showed above from Jerome, Ambrose, and others, that the Catholic Church was once called Roman or was reputed for the same. That, therefore, our faith be called by the king of England the Roman religion can be heard without offense, if it is said with a right mind, because the Roman religion is neither new nor private but is the same as the Catholic, and both names are a mark of antiquity, not of novelty. Thus also can be accepted what Chrysostom, in the said hom.33 on *Acts* propounded, that “it is not unfitting for the faithful sometimes to accept a name from those who preside over and govern the Church,” namely, when by such names nothing else is signified but due order and the ancient institution of ecclesiastical hierarchy and monarchy. But we see the opposite happening in the case of the proper names of heretics, for all of them denote either new invention of doctrine, especially those that are taken from the names of heresiarchs, or division and separation, as is in general the name of ‘sectaries’, or in particular the name of ‘Anglican sect’, or another like one.

4. To the second part of the objection I respond that it is no new thing that “heretics tell the lie that with them is Catholic truth;” for Hilary already once noted it about the Arians too, canon.10 on *Matthew*; and Augustine, bk.15, *Contra Faustum*, ch.3, said: “The impudence is remarkable when the sacrilegious and impure society of the Manichees doubts not to boast it is the chaste bride of Christ; wherein what does it accomplish against the chaste members of the holy, true, Catholic Church? etc.” And later: “Do not (he says to the Church) be deceived by the name of truth; this alone you have in your milk and in your bread; but in that (namely the congregation of the Manichees) there is only the name of it (namely the usurped name of truth),

not it itself.” About the Donatists too Augustine often reports the same, and specifically does Optatus, bk.1, *Contra Parmenian.*, near the end. There is no marvel, then, that today too the Protestants usurp the name of Catholics, so that they may not be seen at once to be confessing their own heretical doctrine, just as Satan too transfigures himself into an angel of light so that he can hide and deceive. But so great is the force of truth that even the heretics themselves have not dared, except timidly and with blushing, to arrogate to themselves the name of Catholics, as in bk.2 *De Schismate Anglicano*, Sander noted in Edward VI. Hence it happens that, although some do so force themselves, they are not thus named by others and by the world as a whole, nor are they known by that name. Which is observed to be far otherwise in true Catholics; for they do not assume to themselves the name of Catholics, but receive it, as if by hereditary right, from the ancient faith itself that they profess; and so they are everywhere called by that name, and through it they are known by all as to what religion they are of, namely the Roman and Apostolic; and by the heretics too themselves they are so called, when these are speaking frankly without disguise and in the common way. The fact, then, that the same heretics in some peculiar way abuse that name in no way prevents the attribute being absolutely, and when considered in itself, a certain sign of the true and orthodox faith.

Chapter 14: From the idea of the Catholic name the discussion of the preceding chapter is confirmed.

Summary: 1. ‘Catholic’ in Greek is the same as ‘universal’. 2. The faith is said, first, to be universal by reason of matter. 3. It is said, second, to be universal from the universal or common rule of believing. 4. The Anglican sect lacks the universal rule of believing that is most necessary for true faith. 5. The faith is said, third, to be universal as to all ranks of persons. 6. The Church is universal as to ranks and duties. 7. The aforesaid conditions of the Church are shown to be lacking in the Anglican sect. 8. An evasion is met. 9. England retains not an ecclesiastical but a political hierarchy.

1. In the preceding chapter we distinguished two things in this name of Catholic, to wit, the denomination or designation that the word itself takes, and the reason for the name, or the property signified by it; since, therefore, we have shown that the first appellation points to the true Faith and Church, the fact will now become more evident as we explain the reason for the word. We will show, then, that the properties signified by this word are not found in the Anglican schism, and that therefore the Catholic Faith or Church cannot exist in a schism of this sort. But for proof of this we suppose that the word ‘catholic’, according to the etymology taken from the Greek, signifies the same as universal or common, as all the Fathers immediately to be cited in this matter suppose, and it is so common and accepted that there can be no controversy on the point. The whole controversy, then, can be located in the explanation of which universality is by the force of that name required in the Church or the Faith. For there can in the faith (for with the faith we are now principally dealing, although it be almost the same as dealing with the Church because of the likeness of reason and the connection, as I said above) – there can, I say, in the Catholic Faith be considered a multiple universality. And although, as Augustine in this matter adverts, epist.48, col.10, there should be no dispute about the name, nevertheless it cannot be doubted but that the faith, which is universal according to every reason consonant with the Scriptures and the Fathers, is most and properly the Catholic.

2. First, then, the Faith can be said to be universal on the part of the matter, because, namely, it embraces all the dogmas pertaining to the true faith of God without diminution or

division. Which etymology seems to have been indicated by the Donatists, who, as Augustine above relates, did not wish “the name of Catholic to be understood from communion with the whole world, but from observation of all the divine precepts and sacraments.” Whose opinion, although Augustine reprehends it as to its first negative part, as we will see a little later, he only says of the second derivation of the word that “if it be perhaps from this called Catholic, that it truthfully keeps the whole, of whose truth some bits are found even in the diverse heresies,” nothing stands in the way of it, nay it even redounds to the favor of the Catholic Church, because it is the only Church that retains the truth intact, and preserves all the divine sacraments instituted by Christ, and teaches and believes in accord with his spirit. It can also be said to observe all the divine commands, both in order to the faith, because those things too are numbered among the dogmas of the faith that are revealed by the faith; and also in order to obedience and charity, because since the true Church is said and believed in the Apostles’ Creed to be holy, and since there cannot be true holiness without observation of the commands, the Catholic Church cannot exist without observation of all the commands. For true holiness is not possible without charity, *1 Corinthians* 13, *Galatians* 5, *Romans* 5; and charity brings with it observation of all the commands, *John* 14 & 15. Therefore, just like holiness, so universal observation of the precepts too is necessary in the body itself of the Catholic Church, although in its individual persons, so that they may be called and truly be Catholics, this observing of all the commands is not necessary as far as concerns the will, because they can retain without it an integral faith even about the precepts themselves; which fact must be shown elsewhere, for to the present business it seems to contribute little.

If, therefore, we wish, from this property, to name the faith Catholic, it is surely manifest that in the Anglican sect the Catholic Faith is not found, because it does not have integral truth. But this must be shown later in book 2 by demonstration and designation of the errors in which it is involved, and by refutation of them, as far as the brevity of this work will permit. But we can prove it now in general from the discussion given at the beginning of this book, because that sect began through defection from the true faith; therefore, although it admit some part of the doctrine of the faith, it does not retain it intact and inviolate; therefore its faith, that is, the matter of its faith (for this is what we are now calling faith), is not universal and hence not Catholic either, according to the said etymology. Next, the Roman Faith also in this sense is Catholic, as what was said in chapters 4 and 5, where we showed that the Roman See could not defect from the true faith, continues sufficiently to prove. But the Anglican sect is in many things pertaining to the faith, and chiefly in the point about the Primacy (which that it has regard to the faith, I will show below in book 3), at variance with the Roman Church; therefore as to universality of matter it is not Catholic.

3. Secondly, there is required in the true faith universality or community on the part of the reason for believing, and on the part of the rule by which it may be distinguished with certainty from the false; hence, on this head too, the Christian faith could be called Catholic. For although the Fathers do not expressly touch on this etymology of the word, yet it is not to be disapproved of, because it is not contrary to the other properties or universalities that they consider in that word, nay it is virtually contained therein; for the faith cannot be universal either as to matter, persons, places, and times unless it also be allotted a reason and rule of believing that is universal and common and public. Hence, whatever may hold of the etymology of the word, about the thing itself there can be no doubt that the Christian faith requires, first of all, such reason for believing as is universal and the same in every matter proposed for belief. Which reason, as the theologians say, is divine truth itself, or (which is the same) the word of God

wherewith he himself gives testimony of the truth, according to the verse of Paul, *1 Thessalonians* 2.13: “For this cause thank we God...because, when ye received the word of God which ye heard of us, ye received it not as the word of men, but as it is in truth, the word of God;” and that of *1 John* 5.9: “If we receive the witness of men, the witness of God is greater.” This testimony, therefore, should be the same in all matters for belief, and thus there is said to be a universal reason with respect to Christian faith, otherwise it would not be equally certain in all of them, nay there could not either be certain faith in anything, if it should in any way disagree with that universal reason. Some rule also is necessary which may infallibly propose to us as revealed by God the things to be believed, which in chapter 6 was shown had to be public and general; because there could not be faith that is uniform, so to say, or the same in all the faithful, unless all agree in the same common rule of belief; therefore, so that the faith can be Catholic, there is need that it be universal also in rule and reason for believing.

4. Now it can easily be seen from what has been said that in the Anglican sect this property cannot be found; therefore on this head too that sect cannot be reputed the Catholic Faith. The assumption is plain, first, because that sect admits some of the truths revealed by God, and in its own way believes them, but it denies others, as we will from the very confession of the king show below. For although he does not concede that what he denies has been revealed by God, yet he shows by that very fact that he has, not divine testimony, but his own decision and conjecture for ultimate and primary reason of belief; for if he were really to rely on divine testimony in believing, he would believe everything equally that has been confirmed by the same divine testimony. But this defect in reason for believing comes from defect of a universal rule, which might with certitude and infallibly propose what has, and what has not, been revealed by God. For in that sect there is no universal and public rule of this sort, but each is a rule to himself, as we saw above; therefore such faith cannot be Catholic, or (to explain the thing more clearly) such a way of believing cannot be Catholic, that is, suitable for Catholic Faith. Nay, the fact that many of those who believe in this way agree in some matter of faith does not come from reason, or from a rule of belief, but either from some human custom, or from human fear, or from some other like reason. Hence also it happens that, in order for there to be agreement in any way in that sect, the greater part of the men who adhere to it must abandon the rule of belief proper to the sect, which is each one’s proper judgment as it seems certain to him, and follow the judgment of others, whether the king, or Parliament, or the ministers. For how otherwise could the crowd believe? Therefore such faith, by the force of its rule and its reason for belief, is not only not Catholic but is also not even in any way universal, that is, one and common to many; and, so as to become in some way common, it becomes a faith purely human, that is, founded on the private judgment of some man or some particular human community; therefore it is, by this reason especially, very far distant from the property of Catholic Faith.

5. Third, faith or the Church can be said to be Catholic because it is universal as to all ranks and orders of persons, which Cyril of Jerusalem taught us in these words, *Catechesis* 18: “The Church was before sterile, but now it is the parent of many children. For after the first one was extinguished, God, as Paul said, placed in this second Catholic Church first indeed apostles, next prophets, third doctors, next virtues, then graces of cures, helps, governments, and every kind of virtue, I mean wisdom, and intellect, temperance, and humanity, and irreproachable patience in persecutions, which through the arms, triumphing and opposing, of justice, through glory and ignominy, first indeed in persecutions and tribulations crowned martyrs and Saints with diverse and much flourishing crowns of patience, by which the Church itself is adorned, but now, in times of peace, by the grace of Christ, it has due honor from kings, and the great, and

every class of men.” In these words he indicates the various ways by which the Church can be said to be Catholic, because it embraces every class and rank of persons. One of these ways, both more known and easier, is that it is useful to all men of whatever nation, province, tongue, quality, or condition, nay necessary to them for salvation as well, and therefore it calls all to itself, whether Jews or gentiles, etc., according to that verse of Paul *Colossians* 3.11: “Where there is neither Greek nor Jew, circumcision nor uncircumcision, Barbarian, Scythian, bond nor free: but Christ is all, and in all.” This way is also indicated by Augustine, on the words of *Psalms* 65 [66].1: “Make a joyful noise unto God, all ye lands,” where he says: “Not only the land of Judea, then. You see, brothers, how the universality of the Church, diffused through the whole world, is commended, and do not grieve only for the Jews, who envy the gentiles this grace, but lament more for the heretics; for if they are to be grieved for who have not been gathered, how much more those who, having been gathered, are separated off?” However, this universality, explained in this way, differs little (as is proved by these words of Augustine) from universality of place, and it will immediately be more explained along therewith.

6. A second way is indicated by Cyril, that the Catholic Church ought to consist of all the members and ranks, graces and gifts, with which the Apostle Paul depicts it. Hence Augustine says, bk.1, *De Doctrina Christiana*, ch.16: “The Catholic Church is the body of Christ, as the apostolic doctrine commends, and it is even called his spouse. His body, therefore, with its many members bearing diverse offices, he ties together with the bond of unity and charity as if with the bond of health.” So, since the Church is Christ’s bride which he presented to himself, *Ephesians* 5.27, “a glorious Church, not having spot, or wrinkle, or any such thing; but that it should be holy and without blemish,” that is, abounding in all kinds of virtues and graces, to its beauty pertains that it be whole and consist of every variety of members and of all graces, ministries, operations, and virtues of which Christ wished to make it consist. About which Optatus writes thus, bk.2, *Contra Parmenian.*, not far from the beginning: “The Church has its own definite members, bishops, priests, deacons, ministers, and the multitude of the faithful.” But of the variety of these members, and of the duties of each, and of how they are always necessary to the Church, is not here the place to say, for it requires a whole work about the ecclesiastical hierarchy. Let it therefore be enough for us that in the mystical body of Christ, from the opinion of Paul, the said variety of members is required, which is going to endure in it up to the consummation of the saints. And so, according to the opinion of Cyril, the Church could, from this universality of members and variety of gifts, rightly be called Catholic. And, as I have already said, whatever may hold of the imposition of the name, there can in the very thing be no denying that this integrity and variety has regard to the splendor and majesty of the Catholic Church, and is not only useful but also necessary for its preservation and perfection; and therefore a Church cannot be reputed Catholic which is destitute of this excellence and integrity.

7. Now it is not difficult to show that this perfection of the Church is not found in the Anglican schism. First, indeed, and chiefly, because it does not have a pastor and bishop to whom to adhere, which, according to the teaching of Christ, is most necessary for the truth of the Church, as from *Matthew* 16 and *John* 21 is not obscurely gathered. Therefore Cyprian too, epistle.69, thus defines the Church: “The Church is a people united to its priest, and a flock adhering to its pastor.” But the Anglican congregation is united, not to the priest, but to the king, nor does it adhere to its pastor, for there is no pastor of the flock of Christ save him whom he constituted, and he did not constitute the king so but Peter and his successors. “Hence,” says Cyprian, “you ought to know that the bishop is in the Church and the Church is in the bishop, and if anyone is not with the bishop he is not in the Church, and that he flatters in vain those

who, not having part with the bishops of God, sneak up and with some in secret believe themselves in communion, although the Church, which is One Catholic Church, is not split nor divided but certainly is connected and joined with the glue of the priests who with each other together cohere.” With these words he graphically depicts all the conventicles of the heretics, and especially the Anglican conventicle, which (taken in a universal way especially) is not in the bishop, nor the bishop in it, nor does it have priests with whose glue to be joined, unless perhaps they say that the ministers are priests or the king a bishop, which would be ridiculous enough. They do not even say it themselves, because they do not believe there are priests in the Church, just as they also deny there is a sacrifice, nor can the thing even be thought about those ministers, since they have not been legitimately ordained.

8. But if perhaps the ministers contend that England does not lack its bishops to which individual groups of people adhere, we reply, in the first place, with the same Cyprian, epist.76, that they are not true bishops but only in name. Because “he cannot be counted a bishop who, despising the evangelical and apostolic tradition, is successor to no one and has sprung up from himself;” nor he either who has not been ordained according to the legitimate rite of the Church. Next, I reply that Cyprian spoke not only about particular individual churches, but also about the Universal Catholic Church, for he teaches that is one in such a way that it ought also to be conjoined to one common bishop. For thus, epist.76, he said that the Church is one “which was with Cornelius, who succeeded by legitimate ordination to Fabian.” And epist.55, to the same Cornelius, “Not from elsewhere,” he says, “have heresies arisen, or schisms been born, than from here, that the priest of God was not obeyed, and that it was not thought on that there is one priest at a time in the Church and one judge at a time in the place of Christ, whom if, according to the divine teachings, the universal brotherhood obeyed, no one would move anything against the college of priests.” Where he openly speaks of one bishop supreme, and calls him, as by antonomasia, “priest of God” and “judge in the place of Christ” and “one priest whom the whole brotherhood obeys.” And in his book, *De Unit. Eccles.*, he at large teaches the same, and in his epistles he thus expounds time and time again the unity of the Catholic Church. Therefore, a congregation of men which does not adhere to one bishop but to one temporal king, and does not have either true bishops or true priests, bears before it no appearance, much less the truth, of the Catholic Church.

9. Nor is anything conferred on King James that in his *Preface* he often repeats that he has restored the ecclesiastical hierarchy everywhere in his kingdom, and that he has defended it against the Puritans; for he has not retained and defended the true ecclesiastical hierarchy, which Christ instituted, but a human and political one, which he himself, led by a certain evident conjecture, wished to be imitated. For this is what he himself frankly confesses when, on page 54, he says: “And the eagerness with which I have always applied myself to the defense of the bishops and of the ecclesiastical hierarchy (for the sake only of political order), with that same eagerness I have attacked the confused anarchy and equality of the Puritans.” And again, on page 56, he repeats that he allows of some difference between bishops and the institution of patriarchs; but he adds: “for the sake of order and differentiation,” and, a little after page 57, he inculcates the same a third time, adding: “For it is thus I wish to be understood.” Far different, therefore, is that shadow of a hierarchy from the truth instituted by Christ and handed down by the Fathers.

For Christ did not place bishops in the Church merely because of political order, but, *Acts* 20.28, “to rule [alt. feed] the Church of God which he hath purchased with his own blood,” and to carry the care of it, not only an external and political care, but most of all one that is spiritual and procures the salvation of souls, according to *Hebrews* 13.17: “Obey them that have

the rule over you, and submit yourselves: for they watch for your souls, as they that must give account.” For which reason Cyprian, epist.55, calls the power of bishops for governing the Church “sublime and divine.” And deservedly, indeed, because it was given by Christ, God and man, and with admirable power for remitting and retaining sins, and for loosing and binding on earth what is to be held ratified in heaven. For the Church of Christ is not a merely political body, but a mystical one, and in a way divine, and therefore it needs a hierarchy, not for political order only, but for a spiritual end, “for the perfecting of the saints, for the work of the ministry, for the edifying of the body of Christ,” as Paul said, *Ephesians* 4.12. And therefore, a diversity of these members and ranks does not consist in external endowments or temporal goods, but in diverse gifts “differing according to the grace that is given to us,” as Paul pursues in *Romans* 12 [v.6] and *1 Corinthians* 12. In these gifts and graces the Catholic Church has always abounded, and up to the present day we see the same excellence and variety of gifts in the Roman Church. But how far from this perfection and splendor of grace are the conventicles of the Protestants is rather to be deplored than described, and too well known by the whole world to need our proof, especially because sufficient proof of the thing can be taken from the very confession of the king. For, from what we have noted in his *Preface*, two things are collected. One is that in things that concern the faith his own private spirit is the rule. Hence let it be a consequence, since interior conscience depends on faith, that there is no other rule both for doctrine and for conscience necessary in the Church than each one’s private spirit. The other is that the difference of ministries, if there is any in the Church which he himself is building up, has only for external policy and order been constituted; for which end no one doubts that a certain human prudence is sufficient; therefore all reason for diverse gifts and graces of the divine Spirit there ceases. Nor is it wonderful, since the faith too, which is the foundation of all graces, is there lacking, which happens necessarily to those who, as Cyprian says in bk. *De Unitat. Ecclesiae*, “having despised the tradition of God, seek after strange doctrines, and introduce magistracies of human institution,” as remains testified elsewhere by Cyprian.

Chapter 15: The Church is shown to be called Catholic because it is diffused throughout the whole world, and resistance is made to heretics.

Summary: 1. Etymology of the word ‘Catholic’. 2. The Anglican sect is concluded not to have the true faith. 3. Evasion. It is refuted. Extent of place does not of itself constitute a Church as Catholic. 4. The response of the king is in another way rejected.

1. The chief and most received etymology of the word ‘Catholic’ is the one taken from universality of places, which the Fathers frequently use against heretics, especially Augustine when disputing in many places against the Donatists, and expressly in the whole book *De Unit. Ecclesiae*, where he runs through almost the whole Scripture proving that the Church of Christ is the one that is diffused over the whole world, and supposing that it is thence called Catholic; and in bk.2, *Contra Epistol. Gaudentii*, ch.2, since Gaudentius had dared to affirm, and on the testimony of Cyprian, *De Unit. Eccl.*, to confirm, that the party of Donatus was the Catholic Church, he says against him: “Attend to which Church he [Cyprian] said was Catholic. The Church, he said, bathed in the light of the Lord spreads its rays through the whole world, extends its branches with abundance of fertility upon the whole earth. Yet there is one head and one origin and one mother, abundant in successions of fertility. Come, therefore; you are deceiving even yourselves, and you wish to deceive others with your impudent lies; if your Church by the testimony of this martyr is Catholic, show it spreading its rays through the whole world, show it

extending its branches with abundance of fertility over the whole earth; for from this is it even by the Greek word named Catholic.” He pursues the same at large in epist. 48 & 170, and bk.2, *Contra Literas Petilianis*.

The same etymology is handed on by Optatus of Milevis, bk.1, *Contra Parmenian*., where at the end he relates that two bishops were sent to Africa to proclaim in Carthage where the Catholic Church was. “And the latest opinion of the bishops Eunomius and Olympius is said to be of the sort that they said the Catholic Church was the one which was diffused over the whole world, and the opinion of nineteen bishops already given a little while ago...could not be dissolved;” and bk.2 at the beginning, arguing against the Donatists, he says: “The property of the Catholic name, because it is rendered ‘reasonable’ and ‘everywhere diffused’, where then will it be?” Also about this truth is the whole third chapter in Vincent of Lerins: “In the Catholic Church itself we must take the greatest care to hold thus what has been by all believed, for this is truly and properly Catholic (which the very force and reason of the name, that comprehends truly everything universally, makes plain); but this only so happens if we follow universality, antiquity, agreement.” Of which words, antiquity pertains to perpetuity of time, about which we will speak in the next chapter, but agreement can pertain to other reasons and etymologies fetched from Augustine and Cyril, although these two words, as they are made plain by Vincent, seem to be referred by him to antiquity and agreement of traditions. Universality, therefore, as concerns the present, is what he himself expounds: “But we will in this way follow universality if we confess this one faith to be true, which the whole Church through all the world confesses.” Next, Cyril of Jerusalem, teasing out the same word in the said *Catechesis* 8, concludes thus: “The power of kings indeed has at certain places and nations its bounds, but the power of the Catholic Church is without borders through the whole world.” And Pope Felix I, epist.1, at the beginning, elegantly made the contribution that the Church was built on the four sides of the world.

In this way too do the rest of the ancient Fathers speak about the extent of the Catholic Church, although they do not always explain the word ‘Catholic’, as Jerome on *Isaiah* 54, on the verse, v.3 “and thy seed shall the Gentiles inherit,” says that the seed is what Christ went out to sow, *Matthew* 13. “Which seed will also ‘make the desolate cities to be inhabited’, so that the Churches of the nations may rise up in the whole world.” And later: “This is about the greatness of the Churches, which, instead of the one place of Judea, and it a very narrow one, will broaden out their boundaries over the whole world.” The same on *Isaiah* 60: “The Church,” he says, “which was first congregated from the people of the circumcision, marvels that the multitude of the nations in the whole earth flies toward it.” And on *Psalms* 66 [67], at the beginning, he says that the dove (on which *Song of Songs* 6.9) is the Church diffused in the whole world. The same on *Matthew* 26, on the words, v.13, “this Gospel shall be preached in the whole world.” Likewise Ambrose, on *Psalms* 39 [40], treating of the words, v.9: “I have preached righteousness in the great congregation,” says, “Why is it that he added, ‘great’, except because before it was not great? What is great except that which is congregated from the parts of the whole globe of the earth, when from East and West, from North and South, the peoples of the nations are called?” And in the same place about the same Church he understands that verse of *Psalms* 34 [35].18: “I will give thee thanks in the great congregation: I will praise thee among a grave [alt. much] people,” and he adds: “There is the Church great, then, where the people are grave, that is, not a restless and fickle people who sit down to eat and drink and get up to play. A people is grave who keep faith in their God and who are not moved by any levity, nor waver or fluctuate,” and there he pursues copiously the other properties of the Church. In the same way is the same ‘great

Church' expounded by Chrysostom on the said *Psalms* 39 [40], where he says: "Blessed David promises that he will to the great Church, collected in the whole earth by divine grace, preach the justice of God and the truth of his prophecy, both his greatly expected salvation and his immense mercy." Also on *Psalms* 106 [107], he says that through the words, v.2: "Let the redeemed of the Lord say," the voice of the gentiles is declared who are from every region of the earth collected by the Savior and snatched from the jaws of the devil into his holy Church. And so too does he expound what follows in the same psalm, v.3: "And he gathered them out of the lands, from the East, and from the West, from the North, and from the South," and says: "We accept that this has indeed happened to the Jews in this way (for they too live spread over the whole world); but yet he himself has summoned and gathered the gentile Church in all parts of the globe, both Eastern and Western, both Southern and Northern. Moreover one may see assemblies of this sort in all parts of land and sea."

Lastly Tertullian, bk. *Contra Judaeos*, ch.7, adducing the prophecies and promises about the kingdom of Christ, and especially that of *Isaiah* 45.1: "Thus saith the Lord to his anointed, to Cyrus, whose right hand I have holden," he adds: "Which very thing we see fulfilled. For whose right hand does God the Father hold save Christ's his Son? Whom all the nations heard, that is, whom all the nations believed in, whose preachers too, the apostles, are displayed in the psalms of David; into the whole earth, he says, *Psalms* 18 [19].4, their sound has gone out, and their words to the ends of the earth. For in whom else have all the nations believed if not in Christ, who has already come? For in him did also other nations believe, Parthians, Medes, etc.," and he continues by enumerating the innumerable provinces of the Church in which Christ reigns, and then he therewith joins: "For who could rule over all if not Christ the Son of God, who was announced to be ruler of all the gentiles for ever?" And reviewing afterwards the very many kingdoms of the world, each one of which in any part of the globe was always contained within fixed boundaries, he finally concludes: "But the kingdom of Christ and his name is spread everywhere, is everywhere believed, cultivated by all the nations above enumerated, etc." Where, although Tertullian does not speak of it under the name of the Catholic Church, yet he was not ignorant that it was the kingdom of Christ; what, therefore, he says of the kingdom of Christ, he understands of the Catholic Church. In this way too do the Fathers, especially Augustine, interpret all the similar prophecies about the kingdom or inheritance of Christ, as in *Psalms* 2.8: "Ask of me, and I shall give thee the heathen for thine inheritance, and the uttermost parts of the earth for thy possession," and the like.

2. It is clear, then, from the Sacred Scriptures as thus understood by the ancient Fathers, that it is a property of the Church of Christ that it be diffused through the whole world; and from the confession of the same Fathers it is plain that this property is signified by the name 'Catholic'. From which principle is rightly collected that the sect which is not only contained within the limits of one kingdom, and not diffused through the whole world, but even condemns the Church that is diffused through the whole world and is therefrom separated, cannot be Catholic. But the Anglican sect does not pass beyond the limits of Britain ("which," as Tertullian above said, "is enclosed within the circuit of Ocean"), and it condemns the Roman Church, from which it has separated itself, as is from the fact narrated earlier known to all; therefore it cannot be the Catholic Church nor can it retain the Catholic Faith. With this argument the Fathers always attacked the heretics; and with it the African bishops, chiefly Augustine, harassed and conquered the Donatists; but it is no less effective against all the Protestants, since the cause is very much similar, and since it was shown that the Church Roman and Catholic is the same now as the one that flourished in the time of the aforesaid Fathers.

3. But this reason King James seems to have wanted tacitly to resist when at the end of his *Preface*, page 156, he said: “We are, by the kindness of God, not so despised either in number or dignity that we cannot by good example surpass our neighbors; since of the Christian world and of all the orders in it, from kings and free princes down to men of the lowest condition, nearly a half part has now come to agreement in our religion.” However, although this be true to the extent it is asserted by the king, it does not suffice for such a sect existing in all that multitude of men to be capable of being called Catholic; for all that multitude has defected from the true and Catholic Church, as I will a little later explain with the employment of examples. But the reason is that, although amplitude and multitude of peoples be one of the properties of the Catholic Church, yet it is not sufficient for constituting it Catholic; for none of the Fathers said this, and some of them openly thought that it was constituted Catholic not only from mere universality of places but from the other properties too which are conjoined with it. For Vincent of Lerins says that he is Catholic “if he follow universality, antiquity, agreement.” Optatus proclaimed that the property of the name Catholic is that it be “reasonable and everywhere diffused.” Cyprian, with whom Augustine agreed, requires in addition to multitude “one head, and one origin, and one mother suffused with divine light,” the rays of whose light are spread over the whole globe. Cyril again comprehends many other things under the name Catholic, as we saw. I add Bede, on *Song of Songs* 6, where he says that the Church is called Catholic “because through all parts of the world it is built up in one peace and one fear of the Lord.”

4. But we give now another response to the king, since it is one thing to agree in religion, another to agree in a common reason for schism and withdrawal from the Catholic Church, as is evident of itself; for from the one way many turn aside, who for some reason, conceived rather in the mind than subsisting in the thing, agree in turning aside and in erring from the way, but do not agree in one way, nor in one end toward which they tend. Thus therefore must we distinguish in the present case. Perhaps in fact it is true (though I do not affirm it) that, when all the sects of schismatics and heretics are considered who have defected from the Roman Church and are now over the whole globe as well to the East as to the West dispersed, a multitude is made up of all them that is nearly a half part of the whole Christian world. But that multitude is not one body politic, as is clear of itself, nor mystical nor ecclesiastical, because they do not agree either in the same faith, or in the same ecclesiastical governance, or in the same rule of believing; therefore neither can that whole multitude of peoples or of sects be called the Catholic Church, since it is not one Church, nor can any particular sect among them be called Catholic, since it neither is part of anything of the Catholic Church nor does it by itself alone suffice to constitute the Catholic Church, as the principal reason given proves.

There is need, then, for the king to speak of agreement in one religion, that is, in one way of salvation, and in one faith; but in this sense we do not believe that the Anglican sect has occupied, not merely a half part of the Christian globe, but also not even perhaps a third part of the British kingdom. The first part we prove from the words of the same king. For, when speaking to schismatic princes and schismatic, he inserts these words: “Although among you there is not yet a good agreement on some details or other I know not what.” Therefore he thinks that they have not yet agreed in doctrine, and so a little later he exhorts them to unity and concord. And although, veiling that discord, he says it is in certain details, or in matters “indifferent,” as he says a little later and often says elsewhere, yet in truth of fact there is disagreement in the gravest matters, having the greatest regard both to the substance of the faith and the salvation of the faithful, such as in the doctrine of the Sacraments and especially in the truth and real presence of Christ the Lord in the most holy Eucharist, and in the manner of man’s

justification by faith, and in the necessity of works, and in obedience to the commandments, and in many other things which must later be weighed in the balance each one; in which things the Calvinists do not agree with the Lutherans, nor the Zwinglians and others similar with these.

Add that paying obedience to the Church is so necessary for salvation that Christ said, *Matthew* 18.17: “If he neglect to hear the Church, let him be unto thee as an heathen man and a publican;” and, nevertheless, those sectaries, when explaining the governance of the Church on which this obedience depends, are at variance no less among themselves than with us; the disagreement, then, is not in matters indifferent but in things most necessary; nor does it concern details only, which are wont to be placed by jurists in subtle points that serve principally for speculation, but in things that are held in our hands and are necessary for right living. And, as to what most touches the present cause, there is so much disagreement even in the article about the royal primacy that only the Anglican sect approves it and seems to uphold it. From which head alone, and viewed in itself, a sufficient reason is taken that the Anglican congregation cannot be esteemed the Catholic Church. Because the opinion about the primacy limits and restricts that sect to the bounds of that temporal kingdom, and, as far as it itself goes, divides the Church of Christ into as many parts as there are temporal kingdoms in the world; nor is there left to it the true unity of the one fold that Christ wished there to be in his Church, but at most a sort of concord or likeness, so to say, which King James longs for. But it could never obtain even that, as I said above, because since all agree in following their own judgment, they must disagree in reason of opinion and government.

Moreover, from here easily we give account of the second part, wherein we conjecture that the Anglican sect has not seized even a third part of the island of Britain. For, to pass over the fact that in all parts of that island there are very many faithful who do not subject faith to his judgment but bring their understanding to the obedience of Christ and are not separated from the Roman Church in spirit and mind at least, even among those who have defected from it there is no agreement in religion and faith. For as the king himself supposes in his *Preface*, there are many Puritans under his sway, whom he himself persecutes, and thus the whole kingdom has at a minimum been divided into three parts, namely, Catholics, Puritans, and semi Calvinists; and if trust is to be given to report, many even among these are Lutherans, others Zwinglians, or belonging to other sects. Nay, among the very semi Calvinists too there is believed to be no agreement in faith, however it may be with the external form of religion. Therefore, speaking in the sense that makes for the present cause, in no way can what the king says stand, that nearly a half part of the Christian globe has agreed in his religion.

Wherefore, Luther, Calvin, and the other heresiarchs of the present time freely, not to say impudently, respond that often what is good is approved by rather few, and thus that it is not a note of the true Church or Faith that it be in a multitude of nations and in an approved agreement of peoples, for thus Luther is said to have written in his bk. *De Notis Eccles.* that the devil has, next to the Church, built a far bigger and ampler shrine; and Calvin in the *Preface* to his *Institutes* excused in this way the paucity of his congregation, because scarcely ever have human things been so well disposed that more people should be pleased by what is better. Like things are held too by the Magdeburgians, *Centuriae* 1. However (which in all the controversies of this is a thing most to be considered) those new heretics in all their sayings and replies imitate the ancient heretics, which is a great sign of their error; hence I think they should be met in no other way than by the words of the Fathers who confuted the ancient heretics. Augustine, in his book *De Unit. Eccles.*, ch.2, has the following: “Between us and the heretics the question is where the Church is; what therefore are we to do? Are we to seek for it in our words or in the words of its

head, our Lord Jesus Christ? I think we should seek for it in his words, who is truth and very well knows his own body.” And in ch.3: “Let us not hear: ‘I say this, you say that;’ but lest us hear, the Lord says this; books of our Lord certainly exist, there let us seek for the Church, there let us plead our cause.” As if he were to say that in the divine Scripture the Church of Christ diffused through the whole globe is preached, and therefore the blasphemies of the heretics are to be despised who dare to call it the Church of the demon. And in ch.9 he relates that the Donatists said they were convinced that the Church of Christ was in the whole world at the beginning, but afterwards it perished because of the free and corrupt wills of men. To whom Augustine responds: “But as if the Spirit of God did not know the future wills of men, which utter madman said this? Why then did he not rather proclaim that this would be the case, because he knew the future about the wills of men? etc.” And in ch.13 he thus writes: “They say, ‘we believe those things and we confess they were completed, but afterwards the whole world apostatized and only the communion of the Donatists was left’ (or, with change of name, only the Anglican or Calvinist sect). Let them read these things to us,” says Augustine, “and we will in no way resist. But if they do not read them in the Sacred Scriptures but try to prove them by their own contentions, I believe the things that are read in the Scriptures, not that stuff which is said by vain heretics.” And in ch.15 he refutes in similar words “the cunning of heretics wanting to turn the words of God from the truth in which the words are to the perversity in which they themselves are.” And next he responds to certain Scriptures which the heretics were making to fit their own conventicles. Also finally, in ch.19, he concludes: “Setting aside the snares of delay, let him show that the Church has been retained in Africa alone when so many nations have been lost, or that it is from Africa to be repaired and filled in all nations, and let him show it in such a way that he not say, ‘It is true because I say so’, or because that colleague of mind said it, or they did, etc.”

The same reply will we give to Luther when he says that the Church exists in his sectaries, that he show it to us; for we do not believe him, nor is it in any way credible that God has built a Church against the Church which he founded and to which he promised perpetual protection, especially since indication not of the divine Spirit but of human ambition and liberty has appeared in the author of that synagogue. From Calvin too we require proof of the things he vainly says, and we add besides that he sufficiently shows his pride when he rashly dares to prefer his own judgment to the multitude and authority of so many Fathers illustrious for wisdom and sanctity. Hence, finally, we say that, although, by the crowd’s comparison, sometimes the better things are approved by the fewer people, nevertheless those things that are approved as better by the many wise are by any prudent man to be judged such and the contrary rejected. Which judgment is far more certain when such approval is not only made firm by human authority but also by divine. Yet in Sacred Scripture in this way and by the holy Fathers has the Catholic Church been approved that is diffused throughout the whole globe, from which the conventicles of the heretics are very far distant; and therefore they cannot be nor be named Catholic.

Chapter 16: How it is true that the Catholic Church is diffused through the whole globe.

Summary: 1. Reason for doubt. 2. Confirmation. 3. Response to the reason for doubt. 4. In two ways can the Church be diffused through the whole globe. 5. The Church is said to be universal with the universality of right and of fact. 6. The extent of the Church through the world can undergo various vicissitudes. 7. The promises about the preaching of the Gospel through the world have not yet been integrally fulfilled. 8. A universality sufficient for Catholicism was long

ago attained by the Church. 9. The Church probably began to have the aforesaid universality from the time of Constantine. 10. For the Catholicism of the Church there is no need that it exceed the other sects in universality. 11. Satisfaction to the last part of the objection. 12. The Catholic Church even in the middle of persecutions has retained its splendor. 13. No sect can be so diffused through the world that it be judged likely Catholic. 14. First reason. 15. Second reason. 16. Third reason. 17. Heretics do not have the spirit of propagating the faith. 18. A concern to restore heretics is necessary to the Church. A certain objection is dissolved.

1. So as also to make satisfaction especially to Catholics themselves, another objection is not to be omitted here, which Augustine touched on in epist.48, that the Catholic or Roman Christian world is a moderate part of the whole world; how then can this Church be named Catholic from the fact that it occupies the universal world? The assumption can very easily be demonstrated; for a little above we thought it necessary to concede that the multitude of schismatics and heretics occupies nearly a half part of the Christian world; but, in addition to these, there are in the world Mohammedans who alone perhaps possess as many areas of the world as those who profess faith, whether false or true, under the name of Christ. Next the gentiles too and the idolaters occupy many and great provinces of the world; the Jews as well are wandering over innumerable other parts of the world; therefore there can be no doubt but that, with respect to the whole world, the extent of the Church of Christ is very limited and restricted; therefore it cannot by the title of universality be named Catholic.

2. The difficulty is also increased because it is not against the truth of the Church that it be so oppressed by persecutions and schisms that the true faith will at some time persist in a lesser part of those who confess Christ. A suitable example is from the time when the Church was so afflicted by the Arian heresy that Arianism had truly occupied the universal Christian globe, as is clear from Hilary in his book *Contra Auxentium*, and from Jerome in his book *Contra Luciferianos*, where, in column 13, he says: "Then was the name of 'ousia' abolished, then was the condemnation of the Nicene faith shouted aloud. The whole world groaned and marveled to see itself Arian." Hence Gregory Nazianzen, orat.25 to the Arians, who were glorying of their multitude, spoke thus: "Where finally are those who reproach us with our poverty, and insolently boast of their own might, who define the Church by multitude and scorn the little flock?" In which words he seems both to concede that there was at that time a small number of faithful facing a multitude of heretics agreeing even in the same error, and consequently he seems to deny that multitude pertains to the notes of the Church, as Billi also there notes. Nay he seems to allude to the words of Christ, *Luke* 12.32: "Fear not, little flock;" and from those words to collect that a small flock suffices for the true Church, which the heretics of this time gladly accept, so that they may glory of their fewness, adding that verse of *Matthew* 7.13: "Enter ye in at the strait gate;" and later: "Because strait is the gate, and narrow is the way, which leadeth unto life, and few there be that find it."

3. To the former part can be replied, first, that the name of 'Catholic' has not been imposed on the Church to distinguish it from gentileism or paganism or Judaism, for it is sufficiently distinguished from all these under the name of Christians or the Christian Church; but this name was imposed on it to discriminate it from the sects of the heretics. For although heretics are not Christians as to truth of faith, yet, because they do not altogether deny Christ but worship and confess him in their own way, for that reason they have under the Christian name their own mode of infidelity, and so (as we have noted from the Fathers) there has been added to the truly Christian faith the cognomen of Catholic, whereby it is distinguished from the sects of

the heretics. Moreover, thence it comes about that, from the force of such name and its reason, there is no necessity that the extent of the Church surpass the multitude of all the faithful, but enough that it be in its own way dispersed through the universal globe and that therein it exceed any sect of heretics whatever.

4. Next, to explain this further, we note that in two ways can the Church of Christ be understood as needing to be diffused through the whole globe, namely, either by right and by institution and power, or by fact and, so to say, actual possession. In the first way it is manifest that the Church of Christ, from when it was instituted, was Catholic and Universal; both because it was instituted for the whole world and not, like the Synagogue, for a certain nation; and also because from then on it received the right to preach the faith of Christ through the whole world, according to the verse of *Mark* 16.15: "Preach the Gospel to every creature;" and *Acts* 1.8: "Ye shall be witnesses unto me both in Jerusalem, and in all Judea, and in Samaria, and unto the uttermost parts of the earth." Next too, because it has power on earth for governing the whole globe in those things that have regard to the salvation of the soul, or that are referred to it, according to *Matthew* 18.17: "If he neglect to hear the Church, let him be unto thee as an heathen man and a publican;" and *John* 21.16: "Feed my sheep." This universality of the Church then, which we can call of right or of sufficiency, could be enough for it to be called truly Catholic. Nay, Augustine, bk.2, *Contra Petilianum*, ch.38, since Petilianus had objected: "If you say you have the Catholic Church, 'Catholic' is that which in Greek means singular or whole. Behold, you are not in the whole who have yielded in a part." Augustine replied that 'Catholic' signifies the same as 'according to the whole', hence, "it received the name of 'Catholic' when the Lord himself said, 'Ye shall be witnesses unto me', etc." and he concludes: "Behold whence it is called Catholic." Wherefore it seems that the Church received this name from the apostles before the faith had been effectively disseminated through the whole world, for the apostles constructed their Creed before they were distributed through diverse parts of the world.

5. Nevertheless, not only on account of right, but also on account of fact and possession, so to say, did the Church receive that name. For the apostles knew that the promise of Christ was infallible and was to be fulfilled not long afterwards; and therefore they made establishment of it in such way as if had already in fact occupied the world, because in morals what is little distant seems to be nothing distant, and especially among those who by faith were reckoning a future thing to be already done. But, after their preaching, the extent of the Catholic Church began in very reality to be such that it could be seen as it were with the eyes. Hence Augustine in the place just cited, after the words, "Behold whence it is called Catholic," subjoins: "But, having closed your eyes, you are bumping into the mountain which, according to the prophet Daniel, grew from a little stone and filled the whole earth." Augustine, therefore, thinks, and the other Fathers above mentioned think, that the prophecies about the Church of Christ going to be diffused through the universal globe, and the promises made by Christ about founding and making firm the same Church, have already long ago been fulfilled. But at what time that began to be so, and by what certitude one can be certain of it, is not easy to explain.

6. Therefore we must further note that this diffusion of the Catholic Church through the universal globe can, as to greater or lesser increase, be allotted various states in amplitude of the Church; and that it is not certain among the holy Fathers and expositors of Scripture whether the prophecy and promises about this universality of the Church have already been in every respect fulfilled, or whether something remains to be fulfilled, which may to the end of the world, or near to it, be left to be consummated. For as to what Christ the Lord said, *Matthew* 24.14: "This Gospel of the kingdom shall be preached in all the world for a witness unto all nations; and then

shall the end come,” Jerome and Bede understand them of the consummation of the world, and they signify that that preaching has not yet been fulfilled. Nay, Jerome indicates that the completion of it will be a sign of the approaching judgment, and accordingly that an increase to such a degree in the extent of the Church is not to be fulfilled until the end of the world, or the time close to it.

Toward which opinion Augustine too inclines, bk. *De Unit. Eccles.*, ch.17, where, treating of the same words of Christ, he says: “The faith itself of all nations has not yet been fulfilled,” and later, adapting the parable of the “man which sowed good seed in his field,” *Matthew* 13.24, connects with it: “This field is the world, in which the word of God bears fruit and increases,” as is said in *Colossians* 1.10, “up to the harvest, that is, up to the end of the world.” But the same Augustine, epist.78 to Hesychius, interprets the above words of Christ in a negative way alone, namely, “and then the end shall come,” that is, “before the Gospel is preached in the whole world, it will not come.” But how long after the completion of preaching the Gospel in the whole world, “is,” he says, “uncertain.” Hence it is uncertain too at what time is integrally to be fulfilled the promise about the diffusion of the Gospel, and of the faith or the Church, through the whole world. But Augustine in the same place holds it for certain that, at his own time, the promise has not yet been fulfilled, when he says: “If therefore the servants of God take up this labor so that, having traveled the whole earth as much as they could, they collect what remains of the nations where the Gospel has not yet been preached, we might hence be able somehow or other to note how far this time is from the end of the world.” Which also he confirms more at large in epist.80, near the end, because in his own time, “there were,” he says, “innumerable nations to whom the Gospel had not yet been preached.”

7. This argument also proves that up till now those promises have not been integrally completed, because in our age the new world, as they say, and very large provinces, where the Gospel was not preached, have been found, for converting which to the faith we see inaccessible places being traveled by the servants of God and churches established in them anew. Hence, therefore, rightly is it concluded that the Catholic Church is not said to be diffused through the whole globe for the reason that that diffusion of the Church has already in the whole universe and in all provinces been reached. Nay, Augustine adds in the said epist.80: “Although in all the nations where the Church is not yet it needs must sometime be; yet there is not need that all who are there should believe, because all nations are promised, not all men of all nations, for the faith is not of everyone.” From all these things, therefore, it is left very uncertain when the Church began to have in fact, and not only in hope, the universality which the name of Catholic denotes. Again, it is uncertain how much extension of the Church and multiplication of churches in the various provinces of the world will be necessary for the same effect. Finally, it is much more uncertain how numerous a multitude of men the same property requires for it to exist in very fact.

8. Nevertheless, it should be certain from the common sense of all the Fathers who so understand the Scriptures, that the Catholic Church has obtained, not only in our times, but also in many centuries into the past, a state (so to say) of sufficient universality that it may be said to be diffused through the whole globe. For, besides the predictions of the prophets and the promises of Christ, Paul already in his time said of the preaching of the apostles, *Romans* 10.18: “Their sound went into all the earth, and their words unto the ends of the world.” Which although Augustine interpret to be a prophecy about the future that is put forward, on account of its certainly, by a verb in the past tense, yet Jerome understands that it has now been in some way fulfilled, and he is agreeable to Paul’s context in the same place and in others; for, in

Colossians 1.6, Paul says about the Gospel: “Which is come unto you, as it is in all the world; and bringeth forth fruit, as it doth also in you.” Next, it is certain that the Church so increased up to the times of Augustine and other Fathers that it could simply be said to be diffused through the whole globe, as they themselves say; therefore, at least at that time it already had the said state, as they themselves preach. But it also retained it, or rather increased in it up to Gregory, as is collected from what was said above and from the epistles of the same Gregory to the bishops of the East and of the various provinces of the West. Now from that time up to our own age it has not lost the same state, but rather we see that it has increased over more and new provinces, although in certain others it has diminished; therefore it is simply true and certain that the Catholic Church is diffused through the whole globe. And although we may not be able to designate with certitude the time in which it began to have this state of universality complete, it matters not; for enough that there be certain clarity that it was from the beginning established for this end, and that within a few years it sufficiently obtained it, as according to the order of divine providence was expedient.

For the same reason too, although the limits of this extent cannot be designated with certainty, nevertheless we can say that, after sufficient preaching of the Gospel, there was need for the Catholic Church to have in the world a certain universal splendor, whereby its dignity and majesty could be recognized and discriminated from the crowds of heretics. For this pertained, to begin with, to the excellence of the kingdom of Christ, which was promised not only in heaven but also on earth, although on the earth itself it will not be an earthly or temporal kingdom but a heavenly and spiritual one. Next, because the Church was instituted by Christ for the salvation of men, so that much more universally and abundantly than before it might be communicated to both Jews and gentiles; and so there was need for the Church to grow at once, such that within a brief time it should be established in the aforesaid state, wherein, as far as it can, it could be to the advantage of all the regions of the world, or at any rate to the greater and more principal part of them. But for this end there was need that it should at once, or as soon as was morally possible, become known to the whole world. For as Augustine, *epist.* 48, column 10, urges: “How are we confident from the divine letters that we have received a manifest Christ if we have not thence received also a manifest Church?” so also do we assert that Christ could not reign in the world unless the faith of believers was diffused through the whole world.

9. Now it can be said with great probability that the Church began to have this state at least from the time of the emperor Constantine, when, after public peace had been conceded to the Church, even temples and churches began to be publicly built, and the Apostolic See began to have befitting honor and splendor, and General Councils could be convened, and the Church began in all other things that have regard to the majesty of the Church of Christ to be publicly recognized by the universal globe that was then known, so that one mystical body and one spiritual republic was instituted for the universal care and salvation of souls. Moreover, this conjecture of ours seems to have been insinuated by Augustine, *conc.* 2, on *Psalms* 103 [104], where, expounding the words, v. 6: “The waters stood above the mountains,” he interprets them of the flood of persecutions of the nascent Church and says: “For there was, before too long, a time when the land of God, the Church of God, was covered over with the waters of persecutions; and they so covered it that not even the great ones themselves, who are the mountains, appeared. For when they were in flight everywhere, how did they not appear less?” And later: “The waters covered them and stood above them, and they said, ‘Press down, press down,’ and they were prevailing over the martyrs, and Christians were fleeing everywhere, and by a sort of flight the apostles were concealed.” But afterwards he asks: “But for how long?” He

replies: "Hear what follows, v.7, 'At thy rebuke they fled,' and this was done, brothers; from the rebuke of God the waters fled, that is, from the pressure of the mountains they receded. Now the mountains themselves are visible, Peter and Paul. How do they stand out? Those who before were pressed down by persecutors are venerated now by emperors. For the waters fled at the rebuke of God, because the heart of kings in the hand of God turns whither he wished, he commanded that through them peace be given to Christians, he shone forth, and the apostolic authority stood out. When the waters were above them, did the greatness of the mountains cease? But yet, so that all may see the eminence of the mountains, by which mountains there was salvation to the human race (because I lifted up my eyes to the mountains, whence cometh my help), at the rebuke of God the waters fled, from the voice of his thunder they will fear, who is now not afraid of the voice of God? Through the apostles, through the Scriptures, through his clouds, the sea was still, the waters feared, the mountains are bare, the emperor has given command. But would he have given command if God had not thundered? Because God wished, they commanded, and it was done." These are the very elegant and wise words of Augustine, by which he sufficiently makes plain at what time the Catholic Church began to have the state agreeable to its name. And it should, by the by, be noted that he does not attribute this state of the Church to the emperor as to the author of it, but only as to the remover of the impediments, and as attributing peace; nay, that neither does he number the emperor among the mountains of the Church, but the apostles, that is, in their successors, and he says specifically, "Peter and Paul are visible," through which two he without doubt understands the Apostolic See, and to the same See pertains the question: "How do they stand out?" because on that See the Church is founded, which then began, as he said, to have the state agreeable to its name.

10. Further, satisfaction is hence made to the first part of the objection; for we concede that it does not pertain to the universality of the Church explained by the name 'Catholic' that in it there should be a greater multitude of men than in the false sects, for this was nowhere promised to it and depends on the most high counsel of God in his predestination. And, as far as we can collect from the Scriptures, by the divine counsel is it rather permitted that there are more bad in the world than good, infidels than faithful, nay perhaps even within the Church itself there are more sinners than just. Hence Augustine in the said epistle 48, columns 13 & 14, says in a similar difficulty: "The Church is that of whose fewness it is said: 'narrow is the way which leadeth unto life;' and few there are that walk therein, and again it is that about whose multitude it is said, 'Thus will your seed be as the stars of heaven,' namely the same holy faithful and the good, and in comparison with the many bad they are few, and in themselves they are many, who come from East and from the West, etc." And later: "Therefore is the whole world placed in the evil one because of the tares which are in the whole world, and Christ is the propitiator of our sins and those of the whole world, because of the wheat which is in the whole world." And later he declares it with the comparison of the threshing floor, where the grain is little in comparison with the chaff; yet they are many in themselves, and are gathered "from the four winds, from the summits of the heavens to the ends thereof, etc." (*Matthew* 24.31, *Mark* 13.27). He delivers the same in bk.13, *Contra Faustum*, ch.16, and very well in bk.20, whose last words are these: "That fewness is to be acknowledged which the Lord chiefly commends in the huge and innumerable multitude diffused in the world; which fewness is called fewness as of the grains in comparison with the multitude of the chaff, but he makes it in itself so great a mass of grain that it surpasses by an incomparable multitude all your good and bad whom the truth condemns equally." For he compares the Church with one particular sect of heretics, and says that not only is the Church more extensive, but that even the just alone of the Church surpass incomparably all the heretics

of such a sect; which to me is a thing very probable when with any heresy a similar comparison is made, although it not be necessary for the present cause.

Therefore it does not matter that there are fewer faithful in the Church than there are infidels in all the sects of the gentiles, pagans, Jews, and heretics; because about this comparison nothing has been revealed or promised, nor does it pertain to the universality of the Catholic Church that it should in number either of persons or peoples, provinces or kingdoms, exceed the infidels, but only that it should in itself be most ample and diffused through the whole globe. Hence Augustine against Petilianus, who wanted the fewness of the Donatists to suffice for a Catholic Church, responds, in bk.2 against him. ch.45: “You were afraid of the multitude of the world when compared to your multitude, and you yourself wished to compare yourself to the praise of the fewness that walks along the narrow way. Would that you had compared yourself not to the praise of the way but to the way itself! Surely you would have seen that the same fewness is in the Church of all the nations, but few are called just in comparison to the many wicked, just as in comparison with the chaff a few grains can be said to be a very rich crop, which grains yet by themselves, when reduced to a mass, fill the storehouse.” And in almost a like way in epist.48, column 9, when Vincentius says that in comparison with the whole world the amount of Christians is small, he replies to him: “You do not wish to notice, or you make pretence of knowing, how many barbarous nations in so short a time the Gospel has already come to, etc.”

11. From what has been said it is also easy to reply to the second part of the objection made, for now it has with Augustine been made plain what fewness is commended in the flock of Christ. Although by other titles and reasons too the flock of Christ could be called tiny by comparison with the infidels – either if, that is, the talk be of the predestinate compared with the reprobate, or because of the “devotion of humility”, as Bede said, bk.4, on *Luke*, ch.54, or because of the abjectness of condition of the disciples, who listened then to Christ because they were poor or of the lowest condition, or because of voluntary poverty or of denial of the world’s glory – the servants of Christ in the world are reputed worthless. Still it is clear that the narrow and strait way is not repugnant to the extent of the Church, because Christ proposed that strait way to the whole world, and thus his Church, although it be diffused through the whole globe, strives to enter through that narrow gate, and although there be few who try to enter in comparison with the infidels, yet are they simply many, called from the diverse provinces of the whole world; and similarly, although they be fewer who enter than who try to enter, yet even those fewer are sufficiently many, and are called from the whole globe. Besides, too, not of them only does the Church of Christ consist, which has in it not only the predestinate but also the rejected, not only the good but also the bad.

12. Next, it is also clear from what has been said that it is not unfitting for the Catholic Church to be sometimes much repressed, or even diminished, because of insurgent heresies and other persecutions. Because not only is it not repugnant to the predictions or promises made to the Church of Christ, but rather was that very thing often predicted by Christ, and it pertains to the narrow way that leads to life. Hence Bede, expounding that verse of *Mark* 6.47: “the ship was in the midst of the sea, etc.,” says that by that ship the labors of the holy Church are designated, “because sometimes the Church is not only afflicted but polluted by so great pressures from the gentiles that, were it possible, its redeemer would seem to have for a time deserted it.” But one must add that, from when the Catholic Church began to be diffused through the whole world, never has it, because of persecutions or insurgent heresies, so lost its splendor and as it were possession that it ceased to be sufficiently illustrious and diffused through the whole earth. This

was signified by Augustine, epist.48, column 12, when he said: "It is sometimes obscured and as it were clouded over with a multitude of scandals, when sinners bend the bow to shoot arrows under a darkened moon at the righteous of heart, but still then it stands out in the firmest of its own." And this could easily be shown from the promises of Christ, and from the perpetual tradition and succession of the Church Catholic and Roman, if it had not been sufficiently demonstrated in chapter 5 about the visible Church.

Moreover, on this foundation Augustine responds to the example adduced of the time of the Arian heresy, when he says: "For then was the time of which Hilary wrote, etc." And later: "For who does not know that at that time many of little sense were deluded by obscure words, while others yielded to fear and agreed under pretence?" And later: "Although they too, who then were most firm and could understand the insidious words of the heretics, were few indeed in comparison with the rest, but yet even they themselves went some boldly into exile, some lay low over the whole globe. And thus the Church, which grows in all nations, is preserved by the instruments of the Lord, and it will be preserved up to the end, until it altogether holds all the nations, even the barbarous ones." In which words Augustine seems to concede that the faithful were at that time in a smaller number than were the Arian heretics, and that nevertheless the Church was preserved in its universality through the whole world. Which, from the hypothesis, is very true because of all that has been said above, and because also now the Catholic Church remains founded most firm on the rock, and possessed of universal power and of Catholics subject to it dispersed through the whole globe; for it matters not that they be sometimes fewer, especially for a brief time. Most especially so because the Church has always retained the authority of the Nicene Council and continuity with the ancient Church, whose splendor, as being the same with it, it participates.

This same response also has place in the time of the persecution of Antichrist, nay at that time it seems more necessary, because all that hiding and lessening of the Church seems to be predicted by Christ the Lord. But of the time of the Arian heresy I judge it more likely that the heretics never, even in numbers, surpassed the Catholics. For although in the little council of Rimini a greater part of the bishops were deceived by the Arians, and therefore Jerome said that the whole earth groaned and marveled that it was Arian, nevertheless that error was not with heretical spirit, as the same Jerome and Augustine signify, and Ambrose, bk.3, *De Fide*, last chapter. And so almost all, when they understood the fraud, at once began to profess and clearly teach the true faith. Next, although perhaps in the East the multitude of heretics was greater, yet it was not in the West, nor simply in the whole world. For Basil openly testifies to the fact, epist.72 to the Evaisenenses, when he writes: "Stand in the faith, look at the world itself, and see how small is that portion which labors with this sickness, but the rest of the Church, which has from one end of the world to the other received the Gospel, follows this sane and right doctrine." Athanasius too, in the Synodical epistle to the emperor Jovinian, which Theodoret reports in bk.4, *Hist.*, ch.3, speaking of the faith defined at the Council of Nicea, says: "To this all churches everywhere have assented, as the Spanish, the British, the Gallic, the Italian, of the whole etc." And after enumerating many others he adds: "the Churches finally of the East, a few excepted that favor the Arian sect; for of all of them we have in very truth a known tested judgment, and we have received letters from them, and, most holy Augustus, we know it for certain; but no prejudice thence can arise against the whole earth." For that reason too Hilary above calls blessed and glorious the bishops of Gaul and Britain, who retained perfectly the apostolic faith, and by their example brought many Eastern bishops back to a saner mind. Hence at that time too the true faithful retained the name of 'Catholics'.

Moreover, in this way can be understood what Nazianzen says about heretics wanting to measure the Catholic Faith by the multitude of believers; for perhaps in his own city or bishopric there were more Arians than Catholics, and from that multitude clearly the Catholic Faith was not be collected, just as, though perhaps now there are in England more heretics than Catholics, no sign thence of Catholic Faith may be taken; especially because, although it might happen that a heresy is much diffused, it would, because of defect of other conditions, never have the sign of the Catholic Church, as I said above and as there Billi notes.

13. Hence I conclude lastly that never could any heresy be so diffused through the universe, or so under such circumstances increase in number of followers, that thence one could likely judge that it was the Catholic Faith; but rather always the opposite can with sufficient certainty be evident, from the defect of mode of universality promised to the Catholic Faith. This might be sufficiently proved by the examples of all the heresies that there have hitherto been, for what happened to all the sects of heretics in past times will, it must be believed, happen in other times; for the same reason of limitation, so to say, or of determination to a limited place, or nation, or paucity of followers, is found in them all.

14. Now the first reason is that every heresy is introduced through defection from the Catholic Faith, and consequently it deviates from the certain rule of believing, and therefore never can it be made universally persuasive as the true and indubitable faith. This is elegantly indicated by Augustine in his book, *De Pastoribus*, ch.8, where, after he had said that there are various heresies in various provinces which do not recognize each other, but that the Catholic Church is everywhere with them all and knows them all, because it is diffused over all, he subjoins: "It (that is, the Catholic Church), increasing like a vine, is everywhere diffused; they are like useless twigs cut off by the scythe of the farmer as desert for their sterility, so that the vine may be deemed vine and not cut. So those twigs, where they are cut off, there they remain, but the vine, increasing through all parts, knows its own twigs, those that have remained in it, and, next to it, those that have been cut off from it; yet from there it calls back the erring." These words are very much to be noted; for they rightly make plain both the difference between the Catholic Faith and any particular sect whatever, and the reason proposed. The same reason is contained in almost the same words in Augustine's, bk.4, *Contra Crescon.*, ch.60, where he refers to Cyprian's book *De Unitate Eccles.*, saying that the Church extends its branches through the whole world. But about heresies Cyprian adds: "We did not leave them, but they left us; and when heresies and schisms have afterward been born, while they are establishing diverse conventicles for themselves, they have left the head and origin of truth." Hence he rightly collects that they cannot be assembled in the name of Christ, or come together in universal fraternity.

15. Hence too arises a second reason, which in the same place Cyprian touches on, saying: "Heresies are made, and come to be, when a perverse mind does not keep peace, when a discordant faithlessness does not keep unity." For hence it happens that those who abandon concord with the Church are not in concord with themselves; which also, as I said above, proceeds from defect of foundation, because, since they do not in their believing rely on the rule handed down by God, but on their judgment and opinion, they must, if they endure a little while or are multiplied, split up at once into various sects; "since the visions of their heart frustrate them," as the same Cyprian said in the same place; and therefore they do not persevere nor are extended with that unanimity which the Catholic Faith requires. Which is very well declared by Augustine, bk. *De Pastoribus*, ch.8, where he adapts to heretics the words of Ezekiel, 34.6: "My flock was scattered upon all the face of the earth;" and he adds: "Not, all the heretics upon all the

face of the earth; but yet there are heretics upon all the face of the earth, some here, some there, yet nowhere are they lacking. They do not know themselves. One sect in Africa, one heresy in the East, one in Egypt, one in Mesopotamia, for example. In diverse places they are diverse, but one mother, pride, has given birth to them all, just as one mother, our Catholic mother, has given birth to all the faithful Christians diffused in the whole globe. No wonder, then, if pride bring forth dissension, charity union.” Hence the same Augustine, epist.48, adapts to heresy also that verse of *Song of Songs* 1.8: “If thou know not...go thy way forth by the footsteps of the flock[s], and feed thy kids,” and he thus expounds: “If you do not know yourself, go you out; I do not eject you, but go out, so that it may be said of you: they went out from us but they were not of us; go you out by the footsteps of the flocks, and not of one flock, but of diverse flocks, and wandering flocks. And feed thy kids, not as Peter does, to whom it was said, ‘Feed my sheep,’ but ‘feed thy kids beside the shepherds’ tents’, not in the tent of the shepherd, where there is one flock and one shepherd.”

16. We can add next a third reason, that in the sect of heretics there is not found a spirit of propagation, so to say, of the faith, without which the Catholic Faith itself would never have grown nor have been diffused through the whole world, “because faith is from hearing, but hearing through the word of Christ” [*Romans* 10.17]. And therefore in the Church of Christ, so that it might be Catholic, there was necessary first a universal power of preaching the Gospel through the whole globe, which Christ gave to it together with the precept to preach his faith in the whole world, *Matthew* 28, *Mark* 16, *Acts* 1. And in this way does Paul assert, *Galatians* 1, that the Gospel of the uncircumcision had been entrusted to him as of the circumcision to Peter, and *2 Corinthians* 5.19-20: “God was in Christ, reconciling the world unto himself...and hath committed unto us the word of reconciliation. Now then we are ambassadors for Christ, as though God did beseech you by us.” There was necessary next a spirit of propagating the faith conformed to this power, both for effectiveness of preaching, and for conceiving an affection and care for drawing men to Christ, and therefore the Lord himself commanded the apostles to stay in the city until they should be endued with virtue from on high, *Luke* 24, *Acts* 1. Which spirit Paul shows very much in his epistles, and he describes his various gifts given for this goal of the Church, *Ephesians* 4, and *1 Corinthians* 12.

17. Now that the heretics do not have this spirit can be made plain in this way. Because two things chiefly pertain to this propagation of the Church. One is to convert to Christ the heathen who do not in any way believe in him; the other is to call those who err in the profession of the faith of Christ, and have gone out from his Church, back to him and to illuminate them in the true faith. But neither of these duties have any heretics anywhere exercised, not even the Protestant Anglicans, however much they boast of it and contend for it. For, as to the first, never have heretics been seen preaching the faith to new nations, or converting the heathen to the faith. The witness is Tertullian, bk.1, *De Praescrip.*, ch.42, saying: “About the administration of the word, what should I say? Since their business is not to convert the heathen but to overturn our own.” And the reason is that in them there is not the true word of God, and therefore neither can they have the efficacy of the word. Again, they are not led by the spirit of Christ, but by their own, and so “they rather cause the ruin of standing buildings than the building of fallen ruins,” as Tertullian said in the same place. Finally, since they are outside the Church, they cannot have the power of preaching the faith of Christ, because this power, as I said, was given to the Church in the apostles, and it has remained in their successors, and from them should preachers of the true Gospel be sent, according to that verse, *Romans* 10.15: “How shall they preach, except they be sent?” And thus is it observed in the ecclesiastical histories that the Church has not been diffused

among the nations except by Catholic preachers sent by the apostles or by the Apostolic See, which also about the English themselves was shown above.

18. But besides this care of propagating the faith among the heathen, there is necessary in the Catholic Church a care for preserving it and of bringing back to it all who, while not altogether denying Christ, deviate from the Church. For this is very much necessary for its pastoral care and universal propagation. Hence Augustine, in the said ch.8, *De Pastorib.*, says: “Our Catholic mother, and the pastor within her, everywhere seeks the erring, comforts the infirm, cures the weak, binds up the broken, some broken by these (namely by these heretics), some by those, who do not have knowledge of each other.” But how could this care be found in an heretical sect? For since it has spread by defection from the true faith and stamped thereon with its foot, how could it bring other wanderers back to the way of salvation? You will say, it will at any rate have care to snatch other believers in Christ into its own opinion, and in this way at least it could grow. I reply, even if this should happen, God permitting it because of men’s sins, yet in no way thence could it be prejudicial to the splendor and extent of the Catholic Church, because the gates of hell will not prevail against it, as I have already declared. I add that, considering the nature and condition of heresy, morally it cannot be nor can it ordinarily be feared; both because, since heresy is repugnant to God and the truth and is a merely human business, it cannot prevail against the light of the Church wholly and for very long; and because, as I said, the heretics themselves disagree easily with each other, and so they lose their force when spreading the same sect over various regions; and because, for the most part, they do not fall into a sect of this sort unless led by a spirit of pride, or ambition, or liberty; and, therefore, they care for the propagation of their sect no more than is of service to this end or to some human contention.

Of which thing the reader will not make a light conjecture if he reread the words of the king of England at the end of his *Preface*, where, speaking generally to Christian princes, he shows himself solicitous of propagating the faith, and prays “That God instill into himself and into other princes a mind of seriously thinking what they are held to supply for the planting and propagation of the Gospel.” Whereby he tacitly tries to persuade temporal princes to arrogate to themselves and to usurp the pastoral office that was, as we saw, committed to the apostles alone and to their successors; but at once he shows by what spirit he is being carried when he says: “Next, so that we may maturely and prudently consult for the security of our scepters, and not suffer the Babylonian monarch to snake about more widely.” And other things there are which he pursues and which I now omit, because they are to be treated of in the third book. But, through the ones I have indicated, he makes sufficiently plain that his only study is “to conjoin spiritual liberty with temporal, and to obtain temporal quiet and security” in his own schism, for these more or less are his words. From everything that has been said, then, the conclusion is sufficiently drawn that nothing Catholic or nothing universal is discovered in the Anglican sect.

Chapter 17: The Apostolic Faith does not exist in the Anglican Schism.

Summary: 1. The faith is said to be apostolic from the apostles. 2. What is required for a doctrine to be called apostolic. 3. The best rule for recognizing the faith. 4. From the aforesaid conditions is collected that the Anglican faith is not apostolic. 5. The things that the Anglican sect has in common with the Roman Church pertain to the apostolic faith. 6. The doctrine of the Creeds, as far as the king interprets it, cannot contain the certitude of the apostolic faith. 7. The same is proved by examples. 8. Apostolic writings without the apostolic sense do not suffice for faith. 9. The Anglican sect according to its own dogmas seems repugnant to the apostolic faith.

10. *The response of the king is attacked from his deeds.*

1. It is a thing tried among all those who treat of sacred doctrine that that is the true and Catholic Faith, namely doctrine to be believed by faith, which the apostles handed down; and that is why it is called the apostolic Faith, just as the Universal Church is also called apostolic in the Nicene Creed. For this cause, therefore, the king of England profess that he is not only defender of the Catholic but also of the apostolic Faith, and as a consequence he wants the Anglican sect, which alone he really guards, to be the apostolic faith. But although from his words one can easily be understand that a sect which is not Catholic cannot be apostolic, and that what is new and recent is cannot arrogate to itself the antiquity of apostolic doctrine, nevertheless, so as more openly and distinctly to demonstrate the thing, and make satisfaction to everything that could arise, it has seemed worthwhile to refute specifically this attribute too of the royal title.

2. But first of all must be laid down that two things are necessary for faith or doctrine to be apostolic; one is that it have taken its origin in some way from the preaching of the apostles and from their words or writings; the other is that it have come to us through legitimate tradition or succession. The first is indicated by Paul, *Ephesians* 2.19-20, when he says: "Now therefore ye are no more strangers and foreigners, but fellow citizens with the saints, and of the household of God; And are built upon the foundation of the apostles and prophets." Which Augustine touches on, and about these foundations he understands that verse of *Psalms* 86 [87].1: "His foundation is in the holy mountains," and he asks: "Why the foundations of the apostles and prophets?" He replies: "Because their authority carries our infirmity," that is, because on the prediction of the prophets and the preaching of the apostles we in believing most closely rely. For the apostles preached what the prophets predicted; and, says Ambrose on *Ephesians* 2, "the prophets disposed the foundations, the apostles laid them," which foundations are nothing but the dogmas and doctrine by them predicted. Hence very gravely does Irenaeus say, bk.3, ch.1: "We do not recognize the disposition of our salvation through others than through them through whom the Gospel came to us; which indeed they then preached, but which afterwards, by the will of God, they handed on to us in the Scriptures, the future ground and pillar of our faith." The reason is that a faith or doctrine is not denominated apostolic except because it was handed down by the apostles, in the way in which a doctrine or law is wont to be denominated from its author; with this difference observed, however, that other human doctrines are wont to take their own fitting names for themselves from men as from the principal authors, but the faith did not thus receive its name from the apostles; but just as the Old Law is said to be Mosaic from Moses, not as author, but as promulgator, so the Christian faith is said to be apostolic from the apostles, not as authors, and as it first preachers and promulgators. And therefore, after Paul said in the cited place, "built upon the foundation of the apostles and prophets," he added, vv.20-21: "Jesus Christ himself being the chief corner stone; In whom all the building fitly framed together groweth unto an holy temple in the Lord." For he himself is the principal foundation, and basis of all foundations which are built on him, and we ought to look unto him as "the author and finisher of our faith," *Hebrews* 12.2.

The second thing, which I proposed about legitimate succession, is very frequent in the Fathers, whom in great part I referred to in chapters 3 and 6; but it is especially made plain by Irenaeus, bk.3, ch.3, when he says: "To examine the tradition of the apostles is present to hand in every Church, whoever wishes to hear the truth, and we are able to count those who by the apostles were instituted bishops in the churches, and their successors up to ourselves." And bk.4,

ch.43: “One ought to obey the priests who are in the church, those who have succession from the apostles, who together with the succession of the episcopacy have received the sure charism of the truth according to the pleasure of the Father.” The same condition for discerning apostolic from foreign doctrine is extensively handed on by Tertullian, bk., *De Praescriptionibus*, where, among other things, he has these, that all apostolic churches exhibit some Apostle constituted bishop there, or an apostolic man ordained there by one of the apostles, from succession of which apostolic seed he has the transplanted shoots. But he calls apostolic men those who conversed with the very apostles, and received doctrine from them and ordination and power, as Titus, Polycarp, Clement, and the like. But since many churches were instituted after those ancient times, he adds about these: “however, they conspire in the same faith and are deputed, for consanguinity of doctrine, no less apostolic.” They conspire, then, in the same doctrine also by legitimate succession, because, although such churches were taught neither by the apostles, nor by apostolic men, that is, men sent or ordained immediately by the apostles, they did at least have a beginning through someone sent by another who had power, to whom came, along with it, the doctrine of the apostles, as the English church began through men sent by Gregory, the German by bishop Boniface sent by Gregory II, and thus about others. For those who do not enter through this door are without doubt thieves and robbers. “To whom (as Tertullian elegantly says) it is deservedly said: Who are you? When and whence did you come? What are you doing in me who are not mine? (he speaks in the name of the Church). Mine is the possession, I have firm origins from the apostles themselves, whose the thing was, I am heir to the apostles; as they stipulated in their testament, as they committed to faith, as they swore on oath, so I hold.”

3. The same foundation is used by other Fathers for the same end of separating true doctrine from false errors, as Vincent of Lerins does extensively in his book against the profane novelties of heretics, and Optatus uses it in bk.2, *Contra Parmenian*, and Jerome *Contra Luciferianos*, at the end, where he says one must adhere to that Church “which, founded by the apostles, endures to this day,” and he indicates the same in epist.65 to Pammachius and Oceanus, where he urges even the new comers of our time, as also the old ones of his age, with this question: “Why do you bring forward what Peter and Paul refused to present?” Again Ambrose, on *1 Corinthians* 4, at the beginning, says that someone is known to be a false prophet when he hands on something that is discordant with apostolic tradition. Thus too did Augustine speak of the Church, bk.1, *De Symbolo ad Catechumen.*, ch.6: “All heresies have come from it as useless twigs from a pruned vine, but it itself remains in its root, in its vine,” that is, in the same origin that it had from the beginning. But as to how it remains in that root, the same Augustine makes plain, bk.28, *Contra Faustum*, ch.2, when he says: “Brought down by certain succession from the sees of the apostles up to the present bishops,” and later he adds that that Gospel is to be believed which from the time of the apostles “with an uninterrupted series of times the Church by sure succession of connection has brought down to our times.” He has like things in bk.1, *Contra Adversarium Legis, et Prophetarum*, ch.20, and bk., *De Utilitate Credendi*, ch.17. Lastly a very good rule is handed on by Origen in the *Preface* to his book, *Peri Archon*: “Since there are many who suppose themselves to think what is Christ’s, and some of them think things diverse from prior ones, let the ecclesiastical preaching be preserved that is handed on by order of succession from the apostles and remains in the churches up to the present; that truth alone is to be believed which is discordant in nothing with ecclesiastical tradition.”

Again we can by reason easily make this plain, because the apostolic faith is that only which was preached or written by the apostles; but we did not hear the apostles preaching nor see them writing; therefore we cannot know for certain that any doctrine was preached or written by

the apostles except by the hands and mouths of those who either heard or saw them, or who received the same doctrine, through more or fewer successions according to the antiquity of times, from those who heard the apostles; therefore, so as to make it certainly clear that such doctrine endures altogether pure and the same, it is necessary that that succession be continuous and uninterrupted. Nay, as I said above in chapter 6, the singular protection of God is necessary in order that, in so long a repeated succession of times and generations, the doctrine may be kept intact and unfailing and with the highest authority; but this divine protection was not promised except to the Church which, through legitimate succession of Pontiffs and the faithful, has always remained the same; therefore without such a series and succession no faith could be judged apostolic.

4. From this necessary foundation, then, we conclude thus: that faith now is to be deemed apostolic which, having been preached by the apostles, has been derived through legitimate succession down to us; but the Anglican sect was neither preached by the apostles nor has from their doctrine or tradition been legitimately derived; therefore it is not the apostolic faith. About the first proposition enough has been said; the second remains to be declared and proved, for the king of England will strongly deny it. Since for this cause, perhaps, in his *Preface* pages 42, 43, & 44, in order to show himself Catholico-Christian (as he himself says), he professes to believe, admit, or venerate the Scriptures as to the books of first order, the three symbols of the faith, and first four General Councils, thinking that the apostolic faith is sufficiently contained in these sources. But what he says about himself, we think is said about the whole Anglican sect or congregation, which recognizes the primacy of the king himself. Thus therefore he will reply, to the reason given by us, that the apostolic doctrine has, through the said books of Scripture, the Creeds, and the Councils, sufficiently come down to him and his, and that there can be no more certain or more legitimate way of receiving the apostolic faith by, as it were, hereditary succession than through the Scriptures, Creeds, and the said Councils, and that every other doctrine, which is not contained in these, he holds suspect and refutes as if recent, or at any rate he does not accept it in the canon of the faith.

5. But this halved confession of faith does not undo the force of the reason given, as now briefly in general, but more extensively in book 2 in particular, I will show. Therefore in the Anglican sect, or (which we repute now to be the same) in this profession of the king, a distinction must be made between what it has in common with the Catholic and Roman Faith and what is proper to it or diverse. For England retains many things from what it before believed as Catholic, and these we must say it has in common with the apostolic faith; but there are others wherein it has defected from the Roman Church, which we call proper to it. As to what concerns the former, then, we concede that that part pertains to the apostolic faith, but that yet, not from the Anglican congregation, or credulity, but from the Roman Church has it testimony for this antiquity. For whence did England have those books which prevail in authority with the king save from the Roman Church? Or how could they obtain that degree of authority unless they had through legitimate tradition reached the Catholic Church and had been approved by the same? What am I to say about the true and sure sense of such books? Certainly only from the same origin, tradition, and approval could it be clear what was the mind and opinion of the apostles in such writings; never could the apostolic faith be dug out with certainty, much less proved, from the same books, because the doctrine does not consist in the words or the books but in the meaning, as in a similar case I demonstrated above from Jerome. Which point is to be understood not only about the books of Scripture, but also about the Creeds and Councils, since the same reason holds of them all, as appears manifest of itself.

Wherefore, although the doctrine of such books, considered in itself, is the Catholic Faith, or rather part of it, as I will now say, nevertheless, as it is retained by the sectaries, it is either not apostolic or cannot be believed with certainty to be such. The first indeed, because the sectaries cannot be certain that those books of Scripture, which they admit, are apostolic, since it is by their own decision that they admit some, and deny others, and admit some as to some of their parts and not as to others. For, by this liberty of discriminating between the books of Scripture, their whole doctrine, as far as they are concerned, is rendered uncertain and as if human, because it could only be believed by human opinion or faith and not by divine. Which reason could also be applied to the Councils, because by no certain authority or reason do they admit some of them, reject others, although these have the same weight of authority, or in them is seen the gravity of the judges, or the assistance of the Holy Spirit. Besides, too, there is another reason both about the Creeds and about the Councils; for the doctrine in them is not admitted by these sectaries for the reason that there it is handed down or defined, but that it is in their judgment contained in Scripture, and in this way the Creeds or Councils are not for them a foundation for certitude that the doctrine is apostolic, but only their own judgment is, as I deduced extensively in chapters 6 and 7. Thence is taken a second general reason, because doctrine does not consist in the letter but in the sense; thus, for a doctrine to be apostolic, there is need that not only the books but that their sense have an origin and certain descent from the apostles themselves; but for the sectaries the sense does not have this, because they are led by their own decision, or the private spirit that they invent; therefore, either their doctrine is, even in the thing itself, not apostolic, because they err in the sense of Scripture; or, although by chance it happen that it is in itself apostolic, it does not with them have that sort of certitude, because they measure it by the same measure.

6. Wherefore it helps not that King James, on page 42, says that he “interprets the three Creeds in that sense which the Fathers wanted for them and the Councils by which they were made and described.” For I ask, whence does he know this will of the Fathers and the Councils? He will say, perhaps, that he knows it from their words. But what if the words have from varying signification or the interpretation of men various senses? Whence does he discern that the will of the Fathers and Councils was that this sense was in those words and not another? He will say, I believe, that “by his own certain knowledge” he knows it and believes it. For since he says that about the Scriptures, he will more easily affirm it about the Creeds and the Councils. But that certain science is altogether null, as I showed in chapter 7 from the Scriptures, the Fathers, and manifest reason; therefore the king cannot prove to us that he is interpreting the Creeds in the sense which the Fathers wanted for them, but by chance will it happen that sometimes it is so, and often it will not be so, and therefore such a doctrine thus believed cannot have the certitude of apostolic doctrine.

7. We may prove this further by examples. One of the articles of the Apostles’ Creed is “He descended into hell,” which words are not further explained by Athanasius. But the Church, taught by the Fathers, understands those words properly of a true, and real, and local descent of Christ, in his soul separated from the body, to the subterranean places of hell. But Calvin and others understand it of the pains of hell, which they imagine that Christ suffered in the garden and on the cross. If the king, therefore, believes those words of the Creed accepted in this second sense (which we presume of the king, since he professes the sect of Calvin), let him show to us who revealed to him that that sense was intended by the apostles, especially since it is outside the proper and ordinary signification of the words, and is against the understanding of all the old Fathers when in any way interpreting the Scriptures about that article, as has been shown by us

elsewhere; therefore he does not in this retain the apostolic doctrine, however much he may boast that he accepts the Creeds. And the same argument can be made in other articles of the Creed, as in that wherein we confess that Christ was born of the Virgin Mary, or that he will come to judge the living and the dead by their deeds, as we confess in the Creed of Athanasius, or wherein we profess one Catholic Church, the communion of saints, the remission of sins. For all these things are understood in far different sense by the Protestants than was handed down by the apostles or Councils, as could easily be shown if the brevity of this work would permit. Therefore in vain does the king, who protects Protestants, say that he interprets the creeds in the sense which the authors wanted; for he cannot show from them a sense of this sort, and therefore that doctrine cannot be shown to be apostolic, and consequently, as concerns him and his followers, there is nothing in the Creeds that could with certainty be reputed apostolic doctrine.

8. We conclude then that it is not enough to retain the apostolic words or writings, unless “they also be understood apostolically,” as Gregory Nazianzen says, *orat.52*, elsewhere *epist.2* to Cledonius. But what it is to be understood apostolically or not apostolically he makes plain when he says: “Because the same words, if rightly understood, are conjoined with piety; if badly expounded, do not lack impiety.” And before he had said it is the practice of heretics “that when they see themselves refuted and overwhelmed by the common opinions that the Scriptures exhibit, they confess indeed the pious words and build around them a lying sense.” But he signifies that an indication of non-apostolic understanding of this sort is novelty contrary to the ancient tradition of the Church, saying: “O huge absurdity! They announce to us a wisdom hidden since Christ; a thing that is surely worthy of tears. For if the faith had its beginning no more than thirty years ago, although almost four hundred years have already flowed by from when Christ was manifested, vain to be sure was the Gospel for so long time, vain also our faith, in vain did the martyrs perform their martyrdoms and in vain did such and so many priests have charge of the people.” Therefore to the apostolic doctrine must be joined the apostolic sense; but the sense will be apostolic if it has taken its origin from the apostles, which the perpetual agreement and preaching of the Church makes manifest. Since, therefore, the king of England, although he receive the Apostles’ Creed and the rest, yet does not retain unfailing their apostolic sense, he cannot be said, even as to this part, to profess the apostolic faith.

9. I come to the second part of the aforesaid doctrine proper to the Protestants, and to almost all the sectaries of this time, which the king too along with them accepts and prefers to the faith of the Roman Church. About this part, then, we can show in two ways that it is not apostolic. First in general from the principles hitherto discussed; for all the things that are proper to that sect are contrary to the ancient faith of the Universal Church, because they were introduced through defection from it, as was shown in chapters 2 and 3; therefore they cannot be from apostolic doctrine, but from the empty novelty of men thought up in their own brain. The consequence is proved from the foundation posited, that the beginning of apostolic doctrine is to be traced back through a sure series to the times of the apostles and their preaching; therefore those dogmas, which began a few years ago, and whose beginning is known to have been by defection from the ancient faith, cannot be apostolic doctrine or faith. For this argument is implicitly used by Gregory Nazianzen in the place just cited, and the same is used by Athanasius in Theodoret, *bk.4, Histor.*, ch.3, when he says to the emperor Jovinian about faith in the divinity of the Divine Word: “May you know for certain, Augustus, that this same thing has from all memory of the ages been preached.” This rule is also used by the emperor Theodosius in Sozomen, *bk.7, Histor.*, ch.12, for getting rid of the insurgent heretics, namely, by making examination of doctrine through that which holy and apostolic men always handed on, so that

what was in agreement with it was received as apostolic, but what in disagreement was repulsed; and other Fathers frequently use the same rule of antiquity, and it is greatly commended by Vincent of Lerins in his golden book against profane novelties of words.

A second way of showing that the Anglican sect, as to the things that are proper to it, or in which it adheres to Calvin, Luther, Zwingli, or other Protestants, is not the apostolic faith, can be by descending to individual dogmas, and showing their novelty and degree of error. But because we are not taking up the province of disputing about all the dogmas which have in these times been brought into controversy by the heretics, and because it would be overly long and laborious, we will not at present pursue this mode of proof. But we will in the following book not omit to weigh individual points foreign to the Roman Faith which King James touches on in his own confession of faith, and we will reply to him with the utmost brevity according to opportunity of space.

We think it now enough, for the sake of example, to propose the article about the primacy, which seems to be most proper to the Anglican sect. For the Anglican sect proposes this article to its sectaries for belief, namely, that the temporal king is in his kingdom the supreme head in spiritual matters, whom all bishops and priests, or (as the sectaries say) ministers, are held to obey. We ask, therefore, which of the apostles taught this, or left it written in the Church of Christ, or how could a dogma be derived from the apostles which before Henry VIII was not heard in the Church of Christ? But that this be so, we do prove now in no other way than that we never read in the Gospel that the Church was committed to kings, but to Peter, the apostles, and bishops, *Matthew* 16, 18, 28, *John* 21, *Acts* 20; nor do we read in the apostolic letters that the faithful were commanded to give obedience to kings in things that pertain to the salvation of the soul, but to overseers who will give account of the souls committed to them, *Hebrew* 13; nor do we read in the histories that any Christian and Catholic king arrogated such power to himself or exercised it in the Church. All which things we will expressly deal with in book 3, and therefore it suffices now to have insinuated them, so that we may therefrom conclude that the sect which took its beginning from this dogma and is in some way founded on it (for on its account chiefly has it separated itself from the Roman Church), can in no way be reputed the Apostolic faith.

10. Perhaps the king may say that the article is not counted by himself, or by his ministers, among those that are to be held by Catholic Faith. For he seems to have used this correction on page 62 of his *Preface*, when he said: "But I frankly pledge that as often as any chapter of the religion which I profess is shown not to be ancient, Catholic, and apostolic but new and recent (in things, that is, that have regard to faith), I will at once depart therefrom." However, if under that limitation or correction he comprehends his own article about the primacy, and does not number it among the things that have regard to the faith, certainly he is very unjustly compelling his subjects to acknowledge such power of dignity in himself. For how could they justly be compelled if they themselves are not held in conscience to acknowledge such dignity in a temporal king? Or how can they be held to acknowledge it if they are not held to believe it? Or by what right can they be held to believe that article if it is not to be believed according to the Catholic Faith? A reply could be that it is to be believed by political faith, so to say, or royal faith, that is, founded in the authority, precept, of testimony of the king or his council. But this is very absurd, and alien to all reason even human, because the dignity and power of governing the Church in spiritual things is not a thing found out by human reason, but ought to be given by Christ, according to that verse of Paul, *2 Corinthians* 10.8: "For though I should boast somewhat more of our authority, which the Lord hath given us for edification, and not for your destruction;" and therefore Christ himself said, *Luke* 10.16: "He that heareth you

heareth me; and he that despiseth you despiseth me;” therefore as to that dignity and power which is in the king, it cannot stand by mere natural reason, nor could the king, if it has not been given to him, by his own will usurp it. Therefore, if this has not been revealed, as it in fact has not been, and therefore the English are not held to believe this article by faith (as is supposed in the said response), then certainly there is no human authority which could justly compel them to believe it, since it is about a thing which surpasses human power and knowledge, which is not had through revelation – to omit the fact that it is contrary to the things that have been revealed, as I will afterwards show. Therefore if the king wishes to speak consistently with the things he is doing, he must place among the articles of his faith this one about his primacy, and so, from that alone, we conclude that his faith is not apostolic.

Chapter 18: An objection against the doctrine of the previous chapter is met.

Summary: 1. An objection of the heretics. What is rejected by the king of England as new. 2. The king tries to preclude the way to a Catholic response. 3. The Roman Church can receive no dogma contrary to the apostles; but the Anglican sect receives many that are contrary to them. 4. The Church can propose some things distinctly to be believed that were not thus believed before. 5. What novelty is repugnant to antiquity of faith. 6. The first way of declaring dogmas of the faith. 7. Second way. 8. In things pertaining to morals, not only addition but also change can be made. 9. Through additions made by the Church the apostolic doctrine is not changed but made more plain. 10. Satisfaction is made to the examples given at the beginning.

1. Against the discussion of the previous chapter the adversaries could object to us that the Roman Pontiffs too propose many things to be believed *de fide* that neither were preached by the apostles nor are so ancient that they could be derived through a continued series from the apostles; therefore the Roman Faith too cannot be, or be called, Catholic. This inference has a foundation in the things which we have just brought forward against the adversaries. For, so that a doctrine may be apostolic, it is not enough that some part of it was preached by or derived from the apostles, for even the Anglican sect has this, nay and any heretical sect, which always mixes true with false. If therefore the Roman Church too has new things mixed with old, its doctrine cannot be judged simply apostolic, especially as regards things wherein it is at variance with other sects of men professing Christ, because in these dogmas too it is new just as are the other sects introduced under the name of Christ. The assumed proposition can be proved, to begin with, by the examples which the king in his *Preface* relates and calls novel and recent, as the invocation of the Blessed Virgin and other saints, and the cult of relics, and the veneration and adoration of images, and other things that we will run through later.

2. Nor will we satisfy him by saying that these cannot be called new since they may be shown to have been observed by the Church a thousand and more years ago; for he himself recognizes only as sufficiently ancient what “the whole Catholic Church already thence from the times of the apostles without intermission for many centuries afterwards constantly taught and believed,” as he says on page 72 and as he confirms with the testimony of Vincent of Lerins. And dogmas that may be found of this sort (so as to show himself a follower of apostolic doctrine) he confirms that he will never refuse, although he wishes this too to be understood of a dogma of the faith not simply but with a limitation, “as far as it be necessary for salvation.” Next we can add examples of certain things which the Roman Church now believes *de fide*, which are confessedly held not to have been taught by the apostles, as that the Blessed Virgin never committed venial sin, that the books of the Maccabees are canonical, and such like, which for the

sake of brevity I set aside.

3. To this objection we say, in the first place, that it is one thing to believe something repugnant to the dogmas and doctrines preached by the apostles, but another thing to believe something by way of addition to doctrine preached by the apostles that may not have been by them expressly declared, or that at any rate may not be clear that it was. The first kind of credulity or doctrine is repugnant to apostolic doctrine, because this doctrine is altogether immutable, as God and his word are immutable, as Paul signified, *Galatians* 1.8 by the exaggeration: "Though an angel from heaven..." and therefore he said, 2.18: "If I should build again the things which I destroyed, I make myself a transgressor;" and *2 Corinthians* 1.18-19: "But as God is true, our word toward you was not yea and nay...but in him was yea." And so it is an evident sign of non-apostolic but rather apostate doctrine to hand on even the least thing contrary to the words or writings of the apostles; for that is sufficient, not only for showing the falsity of such dogma, but also for overturning the faith of such doctrine as regard certainty, as I have already explained. But in the doctrine of the Roman Church no dogma of this sort is or can be found, according to the promises of Christ treated above, and we will easily show it by responding later to all the examples which the king adduces. However, in the sect of the king of England are numbered many things which are plainly repugnant to the doctrine of the apostles, even doctrine written down by them, as is: to deny the unwritten traditions, to resist in dogmas the Universal Church, which is the pillar and ground of the truth. Again: to deny every rule of faith besides private spirit, or at any rate so to establish it that everything is necessarily called into doubt; again: to preach that a temporal king is free and permitted not to obey any bishop or pastor of the Church, even the supreme one, and other like things that are connected with these, to pass over other more special ones that are born from these general ones, as: to deny the truth of the body and blood of the Lord in the Eucharist, and the other things that we will afterwards treat of.

4. But truly it is not repugnant to apostolic doctrine that, according to passage of time, some things which were preached before may be more distinctly and expressly handed on; yea rather, in this way can some things be added for belief in one time that were before not expressly and, so to say, formally preached, provided they are not repugnant to more ancient ones and are proposed by legitimate power, that is, are defined by the Church. The objection made proves this, as well as the custom of the Catholic Church, which has arisen by a certain necessity of the human condition and has so manifest and cogent a reason that it is not likely God left his Church without this sort of power, or without sufficient providence and help for using it without danger of departing from apostolic doctrine. The proof and declaration is that the custom of the Holy Spirit was always not to teach the Church at once about everything that pertains to supernatural doctrine, but by the opportunity of times according to his most hidden providence. One may see this in ancient times; for, to pass over the times of natural law, in the Synagogue itself sacred doctrine grew in the course of time, as God at various times sent prophets. Next, because, notwithstanding Scripture, doubtful or ambiguous things could sometimes arise, God established a priestly place and tribunal through which that people could be more and more illumined in things. Besides too, in the primitive Church itself the Holy Spirit did not teach the apostles everything at the same time, but about the calling of the gentiles Peter was instructed afterwards, *Acts* 10, and about the cessation of the legal prescriptions the Church was in the apostolic Council made more certain than it was before. Thus, therefore, after the times of the apostles the Church could be illumined in many things that could in a later time be necessary but not before, either because of doubts newly arisen, especially when heretics rose up or other rash men

perversely expounding obscure things of the faith, or also because this is the natural condition of man, that he should advance in knowledge little by little, which even God wished to be observed in his Church, according to that verse of *Proverbs* 4.18: “The path of the just is as the shining light, that shineth more and more unto the perfect day.”

5. Therefore Paul too, *1 Timothy* 6.20, said that not only novelties but “profane and vain babblings” should be avoided, because, as St. Thomas there notes, not all novelty is to reprehended, since the Lord said, *John* 13.34: “A new commandment I give unto you,” but profane novelty, that is, contrary to divine and sacred things. Which was the opinion of Augustine before in tract.97 on *John*, near the end, and almost the same is contained in Vincent of Lerins, ch.37, when he says: “What is meant by ‘profane things’? Things that have nothing of the sacred, nothing of the religious, that have things altogether estranged from the inner chambers of the Church, which is the temple of God. Profane babblings, he says, that is, novelties of dogmas, things, opinions, which are contrary to age, to antiquity.” Wherefore things that are not contrary, but serve rather for better understanding the things that are ancient, cannot be called profane novelties; nay, nor altogether novelties, because they are contained in the more ancient things, were virtually or, as they say, implicitly believed, and therefore, when they are afterwards more explicitly handed on, they are called not so much *new* things as old things *newly* proposed. Which, that it is most useful in the Church and often necessary, is clear of itself, and is very well taught by the same Lerins ch.27, and Chrysostom, hom.71, on *John*, giving exposition that the command of mutual love is called new, although it be ancient, because of the manner.

6. We can also declare this more fully by distinguishing in the matter of the faith what pertains only to knowledge of the truth, and what has regard to morals and observances and ceremonies, for in both some addition or explication can be made, but not in the same way. For, in things that have regard to knowledge, it happens in two ways. First, by defining no truth newly, but by retaining an ancient truth and, where there is need, newly explaining it, as in the Council of Nicea the divinity of the Word was defined, and in the Council of Ephesus the substantial union of two natures in the person of Christ, and in the Lateran Councils and the Councils of Florence and of Trent the real presence of Christ the Lord in the Eucharist. And sometimes it happens in declarations of mysteries of this sort that new names are thought up by the Church, by which the truth defined is more explained and the calumnies and tergiversations of heretics avoided and uncovered; and there is in these words not profane novelty, but prudent and faithful necessity. So the word ‘homoousion’, or ‘consubstantial’, which the Arians, because it uncovered their errors, were reprehending as new, was always approved by the Fathers defenders of the faith, as is plain from Ambrose, bk.1, and bk.3 *De Fide*, last chapter, and from Athanasius often in his orations against the Arians, and from Augustine, tract.97, on *John*, where he says: “The Fathers constructed against the impiety of the Arians the new name ‘homoousion’, but they did not signify a new thing by such a name, for that is called ‘homoousion’ which is ‘I and the Father are one,’ namely of one and the same substance.” Similarly, because of Nestorius, who denied that the Virgin was Mother of God, the Council of Ephesus decreed that she should be called ‘Theotokos’, in Latin ‘Deipara’ (‘God-bearer’); speaking of which word Cyril, epist.1 to Presbyter. etc, says: “I marvel if there are any who doubt whether the Blessed Virgin is or is not called God-bearer anywhere; for if our Lord Jesus Christ is God, how is the Virgin, who bore him, not God-bearer? This faith the divine disciples handed on to us, and although they made no mention of this word, we are taught by the holy Fathers that so they thought.” And the same holds, proportionally, about the word ‘transubstantiation’ for explaining the sacrosanct mystery of the Eucharist. And the same of like words, about which Augustine said generally in the said

tract.97, that “there are some novelties of words that are fitting to the doctrine of religion.”

7. In a second way, new explication of the faith can be made through the Church by adding and defining a new proposition or truth to be believed *de fide*, because this is often necessary when new controversies or heresies arise. An example is found in the truth defined in the sixth synod against the Monothelites about the two natural wills of Christ, which under those terms was not before handed down as *de fide*. Another and clearer one is about not re-baptizing those rightly baptized by heretics. For this truth before was so doubtful that Cyprian along with many bishops thought the contrary, and nevertheless afterwards, in the Council of Carthage and others, it was defined by the Church, which without doubt sufficed for certitude of faith, as Augustine rightly taught, bk.1, *Contra Crescon.*, ch.32. But although these seem to be new, nevertheless the doctrine is apostolic, because it is virtually contained in it, and by the apostles themselves was not ignored. For they received the gift of the Holy Spirit, who expounded everything to them, as Epiphanius said, *Haeres.*, 66, and more extensively Tertullian in *Praescriptionibus*. Which, however, is not to be understood of the day of Pentecost alone, for also afterwards at opportune times they could be more taught or illumined about certain things. Yet it was not possible, or certainly not necessary, that the whole theological doctrine, so to say, which the apostles were taught by the Holy Spirit, they should in the same way hand on to the Church, or teach others, but what was for that time most fitting; and so it was not necessary that all truths or conclusions be distinctly handed on or declared. Or, perhaps, many of the things that pertain to the greater explanation or more subtle knowledge of the articles of faith were taught verbally, which afterwards were called into doubt, either because of some heresy, or sometimes because of ignorance, as is in fact clear from Cyprian’s epistle 74 and others. Which ignorance notwithstanding, the truth about not repeating baptism pertains to apostolic tradition, as Augustine asserted when treating the same place of Cyprian, bk.5, *De Baptismo*, ch.26.

8. On the other hand, however, in things that have regard to morals and the practice of the Church, not only is addition but also change easier. Because, as Epiphanius said, *Contra Aerium Haeres.*, 75, near the beginning: “The apostles could not at once establish everything, but the Church received a fullness of dispensation for occasion of places and times; for individual things do not have everything from the beginning, but by progress of time those things required for perfection were supplied.” Which point he pursues at large. The reason too is clear, because things that pertain to external morals, and especially what depends on human institution, are of themselves more subject to variation, and the same things do not agree to all times, and therefore cannot for every time be immutably fixed. Neither too could everything be determined by the apostles, because the Church did not at that time have the same state which it afterwards acquired, or which now it has obtained. Nay, even in their own time not everything was disposed all at once by the apostles; for Paul, *1 Corinthians* 11 recalls that he had before handed on to the Corinthians the use of the divine sacrament, and yet afterward there he taught many of the things that were to be watched over in it, and at the end he subjoins, v.34: “And the rest will I set in order when I come;” and in ch.14, and often in other epistles he handed on other practical lessons little by little. And, conversely, *Acts* 15, the apostles handed on some precepts opportune for that time which they knew were not to be kept perpetually in the Church, as about abstaining from things strangled and from blood.

9. But in all these additions, or changes, it is to be observed that the doctrine is always the same and consonant with apostolic doctrine. For, to begin with, nothing is introduced in this sort of thing which is repugnant to divine positive or natural right, because the Universal Church cannot err in faith or morals, as was shown above. Next, whatever there may be in this class, it is

derived from the legitimate power given by Christ to his vicars and to the pastors of the Church for governing it, about which we will speak in book 3. Therefore, although in things that pertain to morals or external cult, there is sometimes variety, there is no reprehensible novelty, nor does it introduce change or variation in the doctrine of the faith, nay nor addition of anything which was not virtually contained in evangelical and apostolic doctrine. Finally, to this whole illustration of the Church can rightly be applied the elegant sentence of Vincent of Lerins, who in ch.28 thus objects: "Perhaps someone will say: Will there then be no progress of religion in the Church of Christ? Plainly there may be, and a great deal. For who is that man so envious of men or so hating God who would try to prevent it? Yet in such way that it truly be progress, not change, of faith. Accordingly, it pertains to progress that each thing should be increased in itself; but it pertains to change that something is transformed from one thing into another. There must, then, be growth and much and strong progress, by degrees of age and of centuries, in the intelligence, knowledge, and wisdom both of individuals and of all, both of one man and of the whole Church; but only of that kind, namely in the same dogma, the same sense, and the same judgment."

10. From these, then, abundant satisfaction is made to the difficulty posed; and as to the examples which the king objects, we will make response in particular in book 2. Now in general, both to these examples and to those we add, we easily, from what has been said, make reply that they all have a foundation either in Scripture, or in apostolic tradition, or in other principles of faith. And because they were either not sufficiently declared, or obscured by passage of time, or called into doubt, they could be declared by the Church and defined anew; for the Church has power for this, and has at the same time along with it the assistance of the Holy Spirit promised by Christ; and thus always has it been observed in the Church of Christ when necessity required. And therefore the Catholic Church is not in these things to be compared with the synagogues of the heretics, whose novelties are contrary to the ancient dogmas and are therefore profane; but the new definitions of the Church not only do not conflict with the ancient ones but rather are derived from them through legitimate power, and therefore, if new things need to be said, they are not profane but holy; or certainly they are not dogmas simply new but ancient and apostolic, whether they have been declared or defined many years ago or fewer years ago. And it matters little that the king of England requires a certain time of antiquity, and a certain mode of necessity, for believing or not rejecting something. For by this is proved that the Catholic Faith, whose pillar and ground is the Catholic Church, does not confess that in believing it has no certain and universal rule of faith handed on by the apostles, or that therefore it does not profess the apostolic faith or cannot defend it.

Chapter 19: The Anglican sect is shown to be adorned by the blood of no ancient martyr but rather to be condemned thereby.

Summary: 1. The words of the king are weighed. 2. King James asserts that the Anglican faith has been adorned by the blood of the martyrs. 3. The Anglican sect is shown to be attacked by the blood of the martyrs. 4. The ancient martyrs greatly extol the Roman Faith. The evasion of heretics is refuted. 5. The martyrs confirm the faith for any time. The assertion is understood also of articles recently declared. 6. The martyrs were killed for the defense of articles that England disavows. 7. Conclusion against the assertion of the king of England. 8. A repugnance in the words of the king is shown. 9. Evasion. 10. It is rejected and the conclusion is drawn that the aforesaid martyrs did not err in any dogma of faith. 11. Cyprian is vindicated from calumny.

1. The king of England adds in his title of defender of the faith two other prerogatives, or praises of the faith, or rather sect, which he defends. One is that it is the faith of the old and primitive Church, about which nothing further needs to be said because that property, rightly understood, is not other than an attribute of the apostolic faith. For the primitive Church is not other than the true and Catholic Church which exists now, but it is the same according to the state it had at the beginning of its planting, which was the time of the preaching of the apostles; and so, for a faith to be of the primitive Church is nothing other than for it to be the one which the apostles handed on to the Church. But when to this term ‘faith’ in that title there is added ‘of the old and primitive Church,’ the virus of error seems to lurk within the words. For the indication is that the faith of the old and primitive Church has failed in the Universal and visible Church, and that it was restored by the innovators and that, as so innovated, it is defended by the king. For although the words do not themselves manifestly assert this, we can, from other principles and doctrines of the Protestants, be not unjustly afraid that the king puts himself forward as protector in this sense of the faith of the old Church. But, whatever the sense be in which the thing was asserted, it is sufficiently attacked by what has been said. For, in the first place, it was shown that that sect is not, in what it has proper to itself, the apostolic faith; therefore neither can it be the faith of the primitive Church, since that was most of all apostolic. Next, although in things as regard which it agrees with the Roman Faith it retains in some part the faith of the primitive Church, however in many it errs from the true sense of the primitive Church, and the true things it retains it preserves rather by chance and human opinion than by the true spirit of the primitive faith. Therefore, as to this part, we think sufficient what we have said about the attribute of apostolic faith.

2. As second praise and ultimate prerogative of his faith, the king of England posits that “it is illustrious with the blood of several bishops and faithful martyrs,” which I could even rightly omit, first because this praise is proper to true, Catholic, and apostolic faith, as even the king himself in the words of his title seems to think; since, therefore, it has been demonstrated that that sect is neither the true faith nor apostolic or Catholic, there remains sufficient proof that it is not worthy of such praise. Second too, because the testimony of martyrs does not make faith true, but rather true faith makes the martyrdom true that was undertaken for it; for, as Cyprian elegantly says, epist.23, “martyrs do not make the Gospel, but through the Gospel true martyrs are made.” And therefore too Augustine says, *De Verb. Apost.*, ser.14: “Martyrs for this reason, because faithful.” Therefore, the blood of martyrs, although it give glory to the true faith, yet does not of itself show it but supposes it. Yet because, as many relate, the Protestants glory much of the testimony of martyrs, and because from the very words and confession of the king we can take up no light argument to repress that presumption and convict the error, therefore about this point too it has seemed good to subjoin a few things.

3. But I think it necessary first to ask two questions of the most serene king. One is whether he understands that a part of his faith or the whole of it was made illustrious by the blood of the martyrs; the second is which martyrs he is speaking about, whether about the ancient ones who preceded Calvin, Luther, and other heresiarchs of our times, or also about the new ones who were consumed after the rise of the Anglican schism. For it is very important to discriminate these things accurately, so that one may without ambiguity understand which faith was by which blood rendered truly and not fictively illustrious.

We can, therefore, as I have touched on in the previous chapter, speak of the faith of England as to the part of the ancient faith which it retains and has in common with the Roman Church from which it learnt it, or as to the dogmas wherein change and defection have by the

new sectaries been made. Speaking, then, about the first part, or about the ancient faith, and consequently also about the ancient martyrs, it is very true that that faith was made very illustrious by the blood of the holy martyrs. But this in no way helps the Anglican cause; nay it plainly condemns it. Because those martyrs gave testimony, not to the Anglican, but to the Catholic and apostolic Faith, and in this way they made it illustrious with their blood. The witnesses are the most ancient Fathers who very often assert that the Church of Christ was by the persecutions of the tyrants who killed the martyrs made more illustrious, and was not only not diminished but rather miraculously increased, according to the celebrated opinion of Pope Leo, serm.1, 'In Natali Petri et Pauli': "The Church was not diminished by the persecutions but increased; and always the Lord's field was clothed with richer grain; when grains which are individual fall, they are born multiplied."

Nor is the opinion of Augustine dissimilar in his book *De Catechizandis Rudibus*, ch.24: "That vine, which through the whole earth, as was prophesied about it and announced before by the Lord himself, was spreading fruitful branches, it sent them forth the more fully the richer the blood of the martyrs by which it was watered, to whom, dying innumerable in all lands for the truth of God, even the persecuting kingdoms themselves yielded, were converted to the acknowledgment and veneration of Christ, their neck of pride broken." Like things he writes in his *Preface to Psalm 40* [41], where he says that the Jews killed Christ in himself but the pagans wanted to kill him in his body; and he subjoins: "The martyrs were killed, the outpoured holy blood prevailed to multiply the Church, Christians were more and more multiplied, and what his enemies said is not fulfilled [v.5], 'when shall he die and his name perish?'" And elegantly does Tertullian, in *Apologetico Extremo*, say to the tyrants: "Inflict torment, torture, for your iniquity is proof of our innocence. We become more as often as we are by you cut down; the blood of Christians is seed." And many things are contained in his book *Ad Martyres*, and Justin Martyr, *Contra Tryphonem*, and Cyprian, epist.11: "O our blessed Church, which the honor of divine esteem thus illumines, which in our times the glorious blood of the martyrs makes illustrious; before she was white with the works of the brothers, now she is made red with the gore of martyrs." But these Fathers are speaking, as is clear from their writings, of the Universal or Roman Church, or if sometimes they are speaking about some particular church (as Cyprian about the African), it amounts to the same, because he speaks about it as a part of the Catholic Church and as conjoined through the same faith with the Roman See, as from other writings of his mentioned above is manifest. Since, therefore, it has been shown that the Roman and Catholic Church, which now is, is the same as the one that existed in the time of the apostles and the said doctors, clearly the universal glory of the ancient martyrs redounds to this Universal Church which exists now.

4. Hence can also further be concluded that the whole faith of this Catholic Church is confirmed and made illustrious by the same blood of the ancient martyrs. The proof is that the faith of the primitive Church, and which existed at the time of Cyprian, Augustine, and other Fathers, endures the same through legitimate succession in the present Catholic Church, as was also demonstrated; therefore the blood of the martyrs, which gave testimony to the ancient faith of the Church, provides the same for the faith of the present Church. Therefore it is the Roman faith which was made illustrious by the blood of the said martyrs. They will say, perhaps, that this is true only as to those dogmas of the faith which were believed at that time in the Church, but not as to other new ones which were afterwards, as the Protestants misrepresent, imported in the Church through men. But this is very easily refuted, because the faith of the Church is always one, nor does it vary because of accidental increase or diminution as to the greater or lesser

declaration of things, or as to other circumstances which depend on the succession of times. Which fact is so true that Augustine, tract.45 on *John*, said also about the Synagogue and the Church of Christ: "Times have changed, not the faith." Which he affirms also bk.18, *De Civitate Dei*, ch.47, and bk.19, *Contra Faustum*, ch.14, and it is taken from that verse of 2 *Corinthians* 4.13: "Having the same spirit of faith." By which words (as Chrysostom there notes, hom.9) the Apostle shows that: "the same Spirit is he who exercise his power in both Testaments." With much greater reason, then, since the Church of Christ is at all times ruled by the same Holy Spirit, it always retains the same faith, even if it is, as regard some things, made more plain by the same Church at one time than at another.

5. Wherefore the martyrs, who at one time made the Catholic Faith illustrious with their blood, confirmed the whole faith and the faith at any time existing equally, and greatly adorned it, because the things which were made plain in a later time were contained virtually in more ancient times, and all things are so connected with each other that one of them could not be made illustrious or confirmed by the testimony of the martyrs without all of them being equally made illustrious. Just as, contrariwise, one of them cannot be denied without all the rest losing their certitude and therefore being virtually denied. I declare the thing with an example: for many martyrs died for confession of the Trinity in the Church before the Church had declared and defined that the Holy Spirit proceeds from the Son, and nevertheless the faith of this article is not less sealed by the blood of those martyrs than the faith of the rest of the articles which were then expressly confessed. By which reason too, he who dies for the faith expressly confessing one article, if he believes it by Catholic Faith, confesses virtually the whole faith of the Catholic Church, and seals it with his blood. Thus, therefore, by the blood of this sort of true martyr, at whatever time it was shed, the whole Catholic Faith, in whatever state of time it be considered, was made illustrious.

6. Add that many of the ancient and chief martyrs eloquently handed on the same dogmas, which are now by heretics reprehended in the Church, and afterwards sealed them with their blood. This can be seen, to begin with, in the martyr and Pontiff Ignatius, who in his epistles commends the ecclesiastical hierarchy and the due subjection of the laity to the pastors of the Church, and compares the bishop in his office to a king. For in epist.10 to the Smyrnaeans he puts the bishop before priests and deacons and bids them "honor him after God as the prince of the priests, who carries the image of God because of his principality, and of Christ because of his priesthood;" and similarly he commands the king to honor him, "because in created things none is like him, nor is anything in the Church greater than the bishop." And to the Antiochians he says: "Be subject to Caesar in those things where there is no danger to the soul." To the Philadelphians he says: "One Eucharist is to be used because one is the flesh of our Lord Jesus Christ, and one his blood which was shed for us, one altar." And to the Romans he says: "I want the heavenly bread which is the flesh of Christ the Son of God;" and in his epistle to Hero he bids him keep the traditions of the apostles; and in particular, in his letter to the Philippians, "Lent and the Lord's Day, etc." And this faith afterwards he made illustrious by a glorious martyrdom. Who therefore would deny that this holy Pontiff and martyr was a witness of the faith which the Roman Church professes, since there can be no doubt either about his sanctity and doctrine or about his letters, as Jerome testifies *De Scriptorib. Ecclesiast.*, and Eusebius, bk.3, *Histor.*, ch.30? This testimony was also confirmed with his blood by Polycarp, who in his epistle to the Philippians first counsels them to beware of false doctrines, so that "we recur to that which was handed on to us from the beginning." And afterwards he commends the epistles of Ignatius saying: "From all of them much progress will come to you. For they contain faith,

patience, and all edification pertaining to our Lord.” We can also add the glorious Irenaeus, both bishop and martyr, who most openly teaches the primacy and ecclesiastical traditions of the Roman Church, bk.3, *Contra Haereses* from the beginning over many chapters, and the truth of the body and blood of the Lord in the Eucharist, bk.4, ch.34, in which principles the whole Roman Faith is virtually contained; this holy martyr, therefore, also gave testimony to it. In the same way we can adduce Justin professing faith in the truth of the Eucharist, and innumerable Roman Pontiffs who most constantly defended the primacy of their See, and with the same constancy confirmed their whole faith with blood.

7. From which things we finally conclude on this point that, if the king of England strives to commend his faith from the splendor and clarity that the true Christian faith has from the blood of the ancient martyrs, the blood of the same martyrs, whether he will or no to be convinced, condemns his sect as to all those things wherein it has from the Roman Faith defected. The inference is proved. For it has been proved that by that blood was made illustrious the whole Catholic Faith which today persists in the Roman Church, not only as to the things that Protestants have wished to retain from it, but also as to everything that they have chosen should be abandoned, many things indeed which were already then explicitly believed in the Church, but others which were in these, and in the infallible authority of the Church, at least virtually contained. Hence between this title of the king and his confession of faith I consider there to be a repugnance that he himself perhaps has not noticed; for in the title he confesses that the apostolic and primitive faith was made illustrious by the blood of the martyrs, but afterwards, in the confession of his particular faith, he overturns the ancient faith, because he denies many dogmas of the faith, not only novelties, as he himself says, but ones that are equal or prior in antiquity to the martyrs, and he introduces new ones by which the testimony of the martyrs must necessarily be nullified. For in this way the ancient Fathers used to rise up against the innovators of their own times.

8. In particular there is Nazianzen, epist.2 to Cledonius, saying: “O huge absurdity! They announce to us a wisdom hidden since Christ; a thing that is surely worthy of tears. For if the faith had its beginning no more than thirty years ago, although almost four hundred years have already flowed by from when Christ was manifested, vain to be sure was the Gospel for so long time, vain also our faith, in vain did the martyrs perform their martyrdoms and such and so many priests have charge of the people; and their grace is that of verses not of faith.” A like opinion is contained in Tertullian, *Praescriptionibus*, ch.20, where, as if mocking the same heretics, he infers: “Error will surely reign as long as heresies do not err. The truth was waiting for the Marcionites to be liberated (let us say Calvinists), meanwhile it was being wrongly believed.” And much later: “So many martyrdoms, finally, crowned wrongly.” To this too has regard the opinion of St. Ambrose, bk.3, *De Fide*, ch.7, where he says, speaking of the Council of Nicea: “Who of us would dare to reopen the priestly book sealed by the confessors and already consecrated by the martyrdom of many? Those who were compelled to reopen it (that is, in the Council of Rimini), afterwards however, when the fraud was condemned, sealed it; those who did not dare to violate it stood out as confessors and martyrs.” Which very grave opinion we rightly apply to all the legitimate Councils and definitions of the faith approved by the Church, since in them was sealed the priestly book written under the governance of the same Holy Spirit. But our intention is especially confirmed by the word that Ambrose subjoins: “How can we deny the faith of those whose victory we preach?”

9. Perhaps the adversaries will dare to say that the ancient holy Pontiffs and martyrs did not err in the confession of Christ or of the Trinity or of other mysteries for the defense of which

they shed their blood; but that they could have erred and did err in other things wherein they oppose the adversaries' own opinions, nor is it necessary that they confirmed with their blood whatever they believed but only that for which they did not doubt to meet death. For thus the martyr Cyprian made illustrious the faith of Catholics by his death, although he believed through human ignorance that those baptized by heretics should be re-baptized, since he in no way confirmed this opinion with his blood nor died to defend it.

10. This evasion, however, contains great impiety and temerity. Because, to begin with, it cannot be thought that Ignatius, Polycarp, and the like very holy martyrs erred in dogmas of the faith through heresy or pertinacity, otherwise they would not have been true martyrs, because there cannot be true martyrdom in heresy, as I will immediately infer below, and so they would not have made the Christian Faith illustrious with their blood. But to think this is very impious and contrary to the perpetual and universal tradition of the Church, and is altogether rashly thought up against all the faith of history and without any foundation. Next, neither can error through ignorance be presumed in these Fathers in dogmas of the faith; for if the ignorance was culpable, it would certainly be repugnant to their sanctity; if invincible, it is so contrary to their wisdom and office that it cannot fall under suspicion. Both because many of them received the doctrine of the faith from the apostles themselves, while others did so from apostolic men and disciples of the apostles. And also because the dogmas, about which we are speaking, were very necessary for the common faith of the Church in which they themselves were very grave pastors and doctors, as about the Eucharist, the traditions, the Church, its spiritual power and infallible faith, and the like. And therefore they were teaching these things not as doubtful but as certain, not in a corner but in sight of the whole Church, not with the contradiction of either other bishops or the Roman Church, but with the common consent of all; therefore without any doubt they taught, not from ignorance or opinion, but from certain faith, and accordingly they comprehended in that faith, for which they died, all those things.

11. Wherefore the case of Cyprian is far different. For to pass over the fact that Augustine (epist.48 towards the end) sometimes insinuates that he retracted that opinion before his death, the matter did not then pertain to dogmas necessary to the faith, nor was it commonly by the Church received, and the Supreme Pontiffs (though not yet by definition) contradicted it, and therefore neither did Cyprian himself so adhere to it that he reputed it among the dogmas of his faith. Nay, I dare rather say that the contrary dogma, which was afterwards defined by the Church, Cyprian always virtually believed. For though he then thought it by private and human opinion, he believed much more firmly that the Church could not err, and he was ready to relinquish his own opinion if the Church defined the contrary; as is taken from Augustine (bk.1 *De Baptismo*, ch.18) in the aforesaid epistle saying about him: "The unity of the whole earth and of all nations he held with his love and defended with his disputation." And explaining this more later he says: "Either he did not hold altogether what you recite that he thought, or afterwards he corrected it in the rule of truth, or this mole as it were on his most white heart was covered with the breast of his charity, while the unity of the Church, growing in the whole globe, he most copiously defended, and he most perseveringly held the bond of peace." As if he were to say that whatever Cyprian thought by private opinion, he was always subject in his mind to the rule of the Church; and in this way we say that he himself simply confirmed with his blood the faith of the Christian Church.

In these things, therefore, which the most ancient Pontiffs and holy doctors handed on as of certain faith to the Church without dissension, nay, with the common acceptance of the Church, there cannot be thought to be ignorance, otherwise the whole of their doctrine would

waver, and therefore, when they shed their blood for their faith, they made illustrious by the same blood everything that they taught of this kind, or left written. And for this reason did Vincent of Lerins gravely warn in advance that novelties contrary to such antiquity were to be guarded against, ch.33: “For if,” he said, “these are received, the faith of the blessed Fathers must either wholly or in great part be violated, all the faithful of all ages, all the saints, all the virgins, all the priests, so many thousands of confessors, so great an army of martyrs, so great a crowd and multitude of peoples, the whole body, lastly, in almost the whole word incorporated through the Catholic Faith already in the head of Christ, must be pronounced to have in so long a tract of centuries been ignorant of, erred about, blasphemed, did not know, what they believed.”

Chapter 20: The true martyrs of our times have made illustrious not the Anglican sect but the Roman Faith.

Summary: 1. The sectaries are not truly martyrs. 2. Declaration by reason from the side of the one inflicting death. 3. An objection is dissolved. The truth of martyrdom is not diagnosed from death alone. 4. On the part of the one accepting death. 5. Although heretics suffer for defending some truth of the faith, they are not truly martyrs. 6. First reason. 7. Second reason. 8. A heretic who has died even for confession of Christ does not obtain martyrdom, nor does he make the faith illustrious. 9. Many Catholics of this time are shown to have made the apostolic faith illustrious by martyrdom. 10. The martyrdom of Catholics is proved from manner of suffering.

1. I come to the second part about the new martyrs, who after the rise of the Anglican schism in the Church endured suffering, so that if perhaps the king of England wishes to speak about these, let us defend the Catholic opinion in this part too. For whom, I ask, does he call martyrs? Those who in his sect or for it were killed? Or those rather who for the faith of the Roman Church were killed by the defenders of that sect? But about these latter he cannot speak, for they made illustrious, not the Anglican sect, but the Roman Faith contrary to it, because they died in execration of that sect. Nay, although they were killed by gentiles or pagans only for Christ and for those articles of faith which England receives, their glory redounds to the Catholic and Roman Church and to its faith in which they died, and consequently they condemn all heretical depravity contrary to it. But if the king speak of sectaries punished for their pertinacity, he undeservedly calls them martyrs; for in fact they are not martyrs, but malefactors justly chastised. First, indeed, because, as Cyprian rightly said, bk., *De Unit. Ecclesiae*: “That death is not the crown of faith but the punishment of faithlessness.” Second, because “not the punishment but the cause makes the martyr,” as Gregory reports from Cyprian, bk.2, *Reg.*, epist.36, and as Augustine hands on, serm.50, *De Sanctis*, which is the sixth about the martyrs, and more extensively in cont.2, on *Psalm* 34 [35], explaining the words, v.23: “Stir up thyself, and awake to my judgment, even unto my cause, my God and my Lord,” Augustine says: “Not unto my punishment but unto my cause, not unto that which the thief has in common with me, but unto that which the blessed do, who suffer persecution for righteousness’ sake; for this cause is distinct, while the punishment is alike for the good and the bad. Therefore not the punishment but the cause makes the martyr.” Those, therefore, who are killed because of heresy or schism are not martyrs, otherwise thieves and malefactors should all be called martyrs, as extensively pursues Augustine in the same place, and in epist.50, and bk.4, *De Baptism.*, ch.17, and in other places, which we will at once introduce; but specifically in serm.2, *De Sanct. Vincent.*, he gives a reason: “Because they endure pains with stubbornness, not constancy, with vice, not with virtue, with perverse error, nor with right reason, with the devil holding them not pursuing them.”

Which reason is also very well pursued by Chrysostom, orat.1, *Contra Iudaeos*.

2. We can in addition prove with a moral reason that this death, undertaken for false error, is not martyrdom, whether it be considered on the part of the cause, or on the part of those inflicting it, or on the part of those accepting it in defense of error. Not indeed on the part of the cause, as was said, because that death is not for Christ. "But that shed blood alone makes a martyr which is shed for the name of Christ," said Jerome in epsit. to Philemon, at the beginning, and he declares it more generally on *Galatians* 5, at the end. Nor on the part either of the one punishing, because he who thus punishes the pertinacious does not do it in hatred of the truth, but in defense of it, and not by unjustly persecuting the person but by justly avenging the offense and the stubbornness in him.

3. You will say that this is what the controversy is between us and the heretics, namely, whether the sectaries, who die for their sect, are dying for error or for truth. We reply that this controversy cannot be defined merely from the fact of suffering of death; for as I just said from Augustine, many died for the defense of error. And it is clear that often two men die for contrary doctrines, one of which must be false, and consequently one suffers for error and one for truth; therefore, by the suffering alone, truth cannot be discerned from error. Hence it is an ancient thing in the Church that heretics glory in their martyrs, as Eusebius reports about the Montanists, bk.5, *Histor.*, ch.18, and Augustine about the Donatists, epist.50 & 68. Epiphanius too reports that certain heretics were called 'martyrians', because they gloried greatly of the number of their martyrs. Nor heretics only, but heathens too and philosophers obstinately underwent death, either for their false religions or for the republic or for some other human cause, and especially for the glory of men; therefore a death bravely borne does not discriminate the cause, and it is from the cause to be judged (see Tertullian in *Apologetico*, ch.5). And for the same reason, death is not of itself a sign of error or truth. Therefore the controversy must be settled on other principles. But this we did in the preceding chapters; for we showed that the Anglican schism errs from the truth in all those things in which it has defected from the ancient Catholic and Roman Faith; therefore death inflicted for such defection, and pertinacity therein, is not persecution of the truth but correction and just punishment of error.

4. Besides, if this punishment be considered on the part of those receiving it, never could it be reputed martyrdom. Because either they suffer recognizing their error and confessing their offense, and then are they giving testimony rather to truth than to error, not however through martyrdom but through pious and just confession and penance. Or they die denying the offense and confessing the faith with deceiving mouth, hiding the error which they retain in their heart, and in this way too they are not martyrs for the true faith, which they do not believe, nor do they die for it, nor are they witnesses of the error which with their mouth they do not confess but deny. Or finally they die because of pertinacity in their error, preferring rather to die than to retract it, and this sort of death too cannot be martyrdom, because it does not proceed from the pious and right will which true martyrdom requires. Hence the saints and true martyrs underwent death for their faith with great reason and prudence, because they could, even in a human and moral way, be certain that only that faith was credible according to right reason; but those sectaries, on the other hand, die most imprudently and altogether rashly for their private sects and opinions. For what reason or prudence allows one, in matters the gravest and pertaining to religion, to relinquish, on the persuasion of one or another man, sometimes a vicious and very bad man, the ancient faith received by the consent of the Church, through the whole globe diffused, and reinforced by divine signs and miracles, and made illustrious, finally, by the blood of very wise holy men? Certainly it is morally evident that to undergo death voluntarily for such

a cause is very imprudent and plainly rash, and accordingly it is not fortitude of mind, nor does it proceed from affection of divine charity, because charity always operates prudently. It is therefore pertinacity of mind, not martyrdom, because, as right theology teaches, martyrdom is a virtuous and prudent act, proceeding from the charity that bids fortitude. Let Optatus in a like cause be read, bk.3, *Contra Parmen.*, towards the end.

5. Further, there is a demonstration that in men of this sort, separated from the Catholic Church, not only death when undergone for their errors, but also death when undergone for some truth which they retain, is not martyrdom. For the doctrine of Augustine is to be noted, bk. *De Patientia*, chs.26 & 27, where he tacitly distinguishes two ways in which a heretic or a schismatic can suffer for his faith, namely, either so as not to deny his error, or so as not to deny Christ or some other thing which he has retained from the Catholic Faith. We have hitherto spoken about the first way of suffering, because the evidence is greater there that it is not only not martyrdom, but also that it is not an act in any way good, but is the most imprudent rashness. But of the second way the same Augustine indeed says that the patience is laudable, because not to deny Christ is less evil, even if the belief in him is not held with perfect faith. Nay, he also adds that the fortitude is a gift from God, although it not be of those gifts which are proper to sons, but of those which are communicated to slaves. Hence, therefore, we say that that death is not martyrdom, because martyrdom is a gift of the just and infallibly leads to glory, according to *Matthew* 10.32: "Whoever therefore shall confess me before men, him will I confess before my Father which is in heaven;" but that death does not lead to glory, "for without faith it is impossible to please God," *Hebrews* 11.6. And because he who lacks faith does not have charity; but about that Paul said, *1 Corinthians* 13.2: "And though I give my body to be burned, and have not charity, it profiteth me nothing." Which reason Augustine touched on, bk.4, *De Baptism.*, ch.7, and Cyprian, *De Unit. Eccles.*, saying that: "the taint of heresy is not washed away even by blood;" and again: "An unatoneable guilt is not purged even by suffering." And epist.73, towards the end: "Not even the baptism of public confession and of blood can profit a heretic for salvation." To which opinions of Cyprian Chrysostom seems to allude, homil.11, to the Ephesians, in the moral part at the beginning, saying: "But a certain saint said something which carries great audacity before it but yet he uttered it. What is it then? He said that not even the blood of martyrdom can wipe out this sin," that is, the sin of dividing the Church by schism or heresy. But Chrysostom himself adds in confirmation of the same opinion: "For tell me, for what cause are you a martyr? Is it not for the glory of Christ? You who have given up your life for Christ, why do you ravage his Church, for which Christ poured out his life?"

6. Again, there is a general reason, that outside the Church there is no salvation, as was said above, and as is a common axiom of the holy Fathers; but martyrdom is not separate from salvation; therefore outside the Church there cannot be true martyrdom. Thus more or less does Fulgentius conclude, *De Fide ad Petrum*, chs. 37, 38, & 39, and Augustine, epist.204, saying: "Established away from the Church, and separated from the tie of unity and the bond of charity, you will be punished with eternal suffering, even if you were burnt alive for the name of Christ." The same is very well said by Pacianus, epist.2 to Sempronianus, where he compares the passion of Donatus the pseudo-martyr with the martyrdom of Cyprian, in accord with the doctrine of the same Cyprian. And he, speaking in epist.52, about the middle, of the one who goes over from the Church to heretics and schismatics, says: "And if he is a little later killed for the name (that is, of Christ), after having been established outside the Church and divided from unity and charity, he cannot be crowned with death." Where he openly speaks of the manner of passion about which we are now treating. And he repeats the same at the end of the epistle, and in epist.54 where he

also rightly says: "He cannot be suited for martyrdom who is not armed by the Church for battle; and the mind fails that is not roused and set on fire by receiving the Eucharist." And in his exposition of the Lord's Prayer he indicates another reason, saying: "Nor does God accept the sacrifice of the dissident," and he adduces that verse of *Matthew* 5.24: "Go thy way; first be reconciled to thy brother;" and later he indicates another with these words: "He cannot be with Christ who preferred to be an imitator of Judas than of Christ."

7. Another reason is introduced by Augustine, bk.1, *De Sermone Domini in Monte*, ch.5. Because Christ did not say absolutely that they are blessed "which are persecuted," but he added, "for righteousness' sake," *Matthew* 5.10. "Now," says Augustine, "where sound faith is not, there cannot be justice, because the just man lives by faith." Which reason proceeds of every heretic, whether he die for error, or in error for some truth. It can also be thus explained. Because he who errs obstinately in one thing, though he believe something, but not as he ought, does not believe with Christian faith; and so his faith does not pertain to justice, and therefore, though he suffer for the truth, as it is believed by him, or rather chosen for him by his own judgment, he does not suffer persecution for righteousness' sake. This too seems to me to have been signified by Augustine in tract.6 on *John*, near the end, where he introduces Donatus boasting: "Behold we suffer many evils;" to whom he responds: "If you were to suffer this for Christ, not for your honor. They suffer troubles, but for Donatus, not for Christ. See how you suffer, for if you suffer for Donatus, you suffer for the proud." Which words, although they very much agree with the one who suffers for his error, or for the master of his heresy, nevertheless they are also true in whatever way a heretic suffers for his faith; because, although it happen that it be a true and otherwise Catholic dogma for which he suffers, yet, if he is a heretical Calvinist, he suffers not for Christ but for Calvin, for though he believe Christ, he does not believe in Christ, but in Calvin, or certainly in himself, if by his own judgment he chooses what he is to believe.

8. Moreover I seem to take this also from the same Augustine in sermon 117, *De Diversis*, where he poses a doubt how that sentence "every man a liar" stands with the sure testimony of the martyrs, who were men. "For martyrs," he says, "were truthful, because they died for the truth; for that is why they are martyrs, because they suffered for the truth;" therefore if they were truthful, not every man is a liar. He replies that man is a liar when he speaks from what is his own; but the martyrs did not speak from what was their own, but from the Spirit of God, and therefore it was not so much they as the Spirit of God that spoke in them, according to the verse of *Matthew* 10.20: "For it is not ye that speak, but the Spirit of your Father which speaketh in you;" and hence their testimony possesses what makes it certain. To which we can add that, as often as a heretic speaks, although by chance he speak true, he is always speaking from his own, because he is led by his own spirit, and he defends or professes his private opinion, and therefore we say that his testimony is by its nature deceitful, although in one or other dogma it happen to be true. And accordingly although a heretic die for confession of Christ, his testimony neither makes illustrious nor confirms the faith of Christ; so death for such a confession is neither martyrdom nor merits the name of martyrdom. As to what the king of England says, then, that he defends the faith illustrious with the blood of the martyrs, if he be understood of those pseudo-martyrs whom the Protestants call martyrs, it can in no way stand, whether it be referred to the true faith of Christ or to the Anglican sect.

9. There have been, to be sure, in our age many holy and Catholic men, both in other places and chiefly in England, who contended most constantly for their faith, about whom it is most truly said that they made illustrious the Catholic and apostolic faith with their blood, because far different from the Protestants is their condition, cause, life, and way of dying for

Christ. For as they are in all these things very far distant from those men, so they most splendidly imitated the ancient martyrs, and therefore they were true martyrs, and with their blood they made illustrious the Roman Faith. For, in the first place, they always retained the Catholic and apostolic Faith, and they suffered within the Church, to which they were conjoined in peace and obedience. Next, they suffered persecution for the same Church, and for its faith and obedience, and thus far for righteousness' sake. Nor for any other cause (even if the adversaries, to hide the glory of the martyrs, make up other temporal and human ones) did they suffer imprisonments, torments, and the bitterest deaths. Of which thing here is no light sign (which in a similar case Eusebius considered, bk.3, *Histor.*, ch.9), because although they had offended the republic in no other thing, nay rather sometimes they were distinguished for manners and innocence of life, the one confession of the Roman Faith and obedience to the Pope so inflamed the minds of the persecutors that they punished them more violently than others the most criminal. When however (as we have heard from those worthy of faith), if it happen that someone defects in that confession, and consents to his judges in false religion, even if he be worthy of death for other offenses, they easily condone and release him.

10. Lastly, as to what has regard to manner of suffering, our martyrs cannot be accused of any inconstancy or imprudence, because they are led, not by their own judgment, but by the public judgment of the whole world, and they retain the ancient faith, and they follow the steps of the old saints and martyrs, and many among them are found distinguished in life, sanctity, maturity of judgment, erudition and prudence, and are found ready to give an account of their faith, but since they make no impression on minds obdurate and inflexible against the Catholic Faith, they undergo torments and death with alacrity and patience. These martyrs, then, although new, truly made the ancient faith illustrious, but the new Anglican sect, on the contrary, they refuted and confounded; and therefore not on account of these martyrs either could the king of England propose those words in his title, since he defends, not the ancient faith, but the Anglican sect.

Chapter 21: The Anglican sect is hateful even for the sole ugliness of schism.

Summary: 1. King James studies to vindicate himself from the note of heresy. 2. That the Anglican fall was a very grave schism is shown from the etymology of the word. 3. Two kinds of schism are handed down: schism and para-synagogue. What they are. 4. By separation from the Church, even without defection from the faith, schism is committed. Heresy necessary includes schism but not vice versa. The temples of the orthodox faithful retain the name 'Catholic'. 5. The schism of the Donatists. 6. Henry VIII is concluded to have been a schismatic. 7. From the stain of schism the king little studies to free himself. 8. What Chrysostom thinks about schism. 9. King James cannot rightly evade the name of schismatic.

1. After the king of England, at the beginning of his *Preface*, proposed at large the reason and occasion for his work, and after interposing many things that do not pertain to this place, he tries with all his strength to excuse himself from the stain and note of heresy, either to avoid the infamy of so great a crime or to guard his name as defender of the Catholic Faith. I however, lest I seem to want to contend with the king or to offend his person, will speak of the cause itself, and by treating of it in general I will show, to begin with, that the beginning of the Anglican defection and separation from the Church was the crime of schism in its most proper and gravest sense. But I will show next that, through long duration and pertinacity, it passed over into manifest heresy. From which it will easily be clear that no Christian or baptized man, of

whatever condition or state he be, who obstinately adheres to that sect and its errors is incapable not only of obtaining salvation but also of being excused from the crime of heresy. And since the king at the same time complains of the name of apostate, I will also in the following say what should be thought on this point as regard the name and guilt of apostasy.

2. As for what regards the first point, then, there will not be need of much proof. For he who has considered the fact itself and the beginning of the Anglican fall, as we related it in chapter 1, and is not ignorant of the common doctrine about the guilt of schism, and the difference that, handed on by the Fathers and theologians, it has from heresy, will easily understand that the Anglican lapse began through a very grave schism. For schism in its general signification, according to the etymology of the word, indicates dissension and a certain moral division, but by antonomasia it now properly signifies division of the Catholic Church through voluntary separation from it, by gathering together under the Christian name a particular congregation or conventicle outside the unity, communion, and obedience of the Church. Such more or less is how St. Thomas defines schism, *IIa IIae*, q.39, a.1, and the Theologians, nay the Jurists as well; it was the opinion too of the ancient Fathers, whom I will immediately report, and it has a foundation in Scripture. For in Scripture schism is wont to signify division of judgments, as *John* 9.16, where, when some were saying: "This man is not of God," but others: "How can a man that is a sinner do such things?" it is added: "and there was a division [schism] among them." But this diversity of judgments is wont to be, as it were, the beginning of schism, which is consummated in the division of minds and of concord. When it is also in matter of religion, then is it most called schism. Thus is the word used by Paul, *1 Corinthians* 1.9: "God is faithful," he says, "by whom ye were called into the fellowship of his Son Jesus Christ our Lord." And immediately, as if exhorting them to keep the unity of this fellowship, he says, v.10: "Now I beseech you brethren, by the name of our Lord Jesus Christ, that ye all speak the same thing, and that there be no divisions [schisms] among you." Which he further made plain about division against the unity of the Church, saying 12.25: "That there should be no schism in the body; but that the members should have the same care one for another." Where, although he speak of the natural body of a man, yet he adduces it to declare what is to be preserved in the body of the Church, whereof he concludes, v.27: "Now ye are the body of Christ, and members in particular [or: members of member]."

3. There can, however, be distinguished in the Church two classes of schism, according to the doctrine of Basil, epist.1 to Amphilochus, can.2, who is also followed by Theodore Studites in epist.4 to Naucracion, where they distinguish three members: heresy, schism, para-synagogue. "Heresies," he says, "are what are completely broken off and alienated from the very faith; schisms are dissensions among those who disagree among themselves over certain ecclesiastical causes and questions that are curable; para-synagogues are congregations that arise from insolent priests, bishops, peoples who refuse to obey." But, with the first member now set aside, the other two indicate two classes of dissension among members of the Church, one private and the second more public; the first stands on private contentions and enmities, but the second proceeds as far as to make public conventicles and as it were diverse churches. The first dissensions then are called schisms by the Fathers, but the second para-synagogues. Now, however, the first discords have retained the general name of dissensions, and the name of schism is used to signify the other kind of division of the Church through private conventicles, and so is it taken in the present case, the word para-synagogue being set aside because it is not now in use.

4. Thus, therefore, is it manifest that schism is committed by separation from the unity of the Church, contrary to its charity, even if in dogmas dissension not yet intervene. So Jerome on

those word in *Titus* 3.10: “A man that is an heretick after the first and second admonition reject,” said: “Between heresy and schism we think there to be this difference, that heresy has perverse dogma, but schism, because of Episcopal dissension, separates equally from the Church, which indeed at the beginning can in some respect be understood as diverse from heresy.” Now as to why he says “at the beginning” we will make plain in the next point. But he says “in some respect” because heresy necessarily involves schism, for it most divides the Church, because when faith is divided, the unity of charity cannot fail to be cut, just as, when faith is lost, charity cannot fail to be lost; but conversely, on the other hand, schism can be separated from heresy, just as charity can be lost without loss of faith. Just as once Meletius was a schismatic and not a heretic; for, as Epiphanius, *Secta* 68, relates, always “was he of right faith. For his faith did not change at any time from the holy Catholic Church.” But because he made his own congregation against Peter, bishop of Alexandria and his superior, and divided the Church, he was held to be a schismatic. It can also be observed, by the by, that when the Meletians built their own churches and the successors of Peter possessed the old ones, the old churches always retained the name of Catholic Church, but the others were called churches of the martyrs.

5. It was similar at the beginning of the schism of the Donatists, because of the ordination of Caecilian as bishop in the church of Carthage against the will of Donatus, as is taken from Augustine, bk. *De Haeresib.*, heresy 69. Hence the same Augustine, bk.2, *Contra Cresconium*, ch.7, speaks thus: “Although between schism and heresy I endorse the distinction whereby schism is said to be a recent dissension in a congregation because of some diversity of opinions, for never can a schism happen unless those who make it are following something diverse; while a heresy is an inveterate schism; yet, since your definitions are of help to me, I would more gladly call you schismatics than heretics.” For Cresconius recognized schism but denied heresy, because there was no diversity, as he said, in doctrine, which Augustine easily accepts, though afterwards he also shows that the schism had passed over into heresy. But as to his statement that there is no schism without diversity of opinions, it must be understood in a general way, because dissension of minds is not without diversity of opinions. But it is not to be taken about diverse opinions in dogmas of the Catholic Faith, as is manifest from other places of Augustine. For bk.1, *De Fide et Symbolo*, ch.10, he says: “Heretics and schismatics call their congregations churches, but heretics, by thinking false things about God, violate the faith itself, while schismatics, by unjust divisions, part from fraternal charity, although they believe the things that we believe.” And bk., *Quaestionum Evangelicor.*, from *Matthew*, q.11, he says: “The question is wont to be posed how schismatics differ from heretics, and this answer is wont to be found, that schismatics are made not by diverse faith but by a break up in society of communion.” And it is treated extensively by Optatus, bk., *Contra Parmenianum*.

6. From this sure principle, then, and from the fact above narrated about the Anglican fall, the conclusion is openly drawn that Henry VIII was a schismatic. For that he was himself a heretic even at the beginning is not clear to us, because it was not on account of deception of mind, but for some other ugly and shameful occasion, that he denied obedience to the Supreme Pontiff and separated both himself and his kingdom, as far as he could, from the unity of the Roman Church. But whether he was also a heretic we will touch on below, for now it is not necessary. For whatever he thought in his mind, it is sufficient that indeed for mere concupiscence he erred in practice and split the Church, so that he became a schismatic, nay author of a very grave schism, in that, by authority and example first, then most by fear and violence, he compelled many others to go along. In this way, then, this vice began to seize on the English nation and was derived in this way from parents to sons, so that it perseveres up to the

present day.

7. Wherefore King James too himself has not studied to purge himself of this crime; nay he seems as it were to despise and hold it for nought, when, on page 58, he says: "Although they say I am a schismatic and have defected from the Roman Church, certainly I can in no way be a heretic." But we say, conversely, that, although he deny he is a heretic (which point now we are not treating of), he cannot deny that he is a schismatic, since he both confesses in his own *Preface* that he is baptized and not only preserves knowingly, and with eyes open, the schism that was begun, but studies also with great contention and all the strength of his power to propagate it. But he should consider that in the eyes of God schism is not far distant from heresy, for Augustine, bk.1, *De Sermone Domini in Monte*, ch.5, puts the two on a level, saying: "Many heretics, who deceive souls with the Christian name, suffer many such things but for this reason are they excluded from the reward, because it was not said merely: 'Blessed are they which are persecuted,' but it was added, 'for righteousness' sake;' but where sound faith is not, righteousness cannot be. Nor may schismatics promise themselves anything of that reward, because, in like manner, where charity is not, righteousness cannot be. For love of neighbor does not work evil. Which, if they had, they would not shred the body of Christ, which is the Church." And what is more serious, in bk. *De Vera Religione*, ch.6, he numbers schismatics not only with heretics but also with pagans and Jews, saying: "Neither in the confusion of the pagans, nor in the rubbish of the heretics, nor in the languor of the schismatics, nor in the genealogy seeking of the Jews does religion exist, but among those alone who are called Catholic or Orthodox Christians, that is, lovers of integrity and followers of what is right."

8. Let here be added St. John Chrysostom, who so magnifies the offense of schism that he compares it with the sin of the crucifiers of Christ, saying: "Nothing angers God in like degree as that his Church is divided, even if we do innumerable good works; no lesser punishment than those pay who rend his body will we pay who rend the full ecclesiastical assembly." But he is speaking in the first part about the true body of Christ. Hence he subjoins: "For that indeed was done to the profit of the whole world, although not with that intent; but this has no utility anywhere, but by that very fact it is in loss greatest." And he adds words that should be considered by the king and his advisers as well as by his subjects. "These things are said, not only to those who wield magistracies, but also to those who are ruled by them." And afterwards he signifies that this crime is more dangerous than heresy, perhaps because it is wont to be the beginning of heresies, and therefore it is most necessary to beware of it at the beginning, and put the axe to it as to the root. He says therefore: "These things have been said by me about them who give themselves indiscriminately to those who rend the Church, for if they do indeed have contrary dogmas, was it for this very thing especially that it was unfitting to mix with them? But if they think the same, much more so. Why? Because it is the sickness of ambition, and of love of command, and of bearing magistracy." Next, Optatus of Milevis, bk.1, *Contra Parmenianum*, calls schism "an enormous outrage;" and later he says: "Schism is the height of evil, and you will be least able to deny it." He is speaking in fact to the Donatists; but let the Anglicans understand it said also to them, since they can adduce neither a diverse reason nor a likely excuse.

9. But perhaps King James will deny that he is a schismatic, for also he does not say in these words, "although I am a schismatic" but, "although they say I am a schismatic," and that not simply, but with an addition, because he attaches, "and that I have defected from the Roman Church." But I ask whether, at any rate with this addition, he be truly or falsely said to be a schismatic from the Roman Church. Certainly he cannot affirm that this statement is false, because it has been evidently proved by the public and notorious fact itself. But if he does not

dare to deny a thing so clear, let him know that the addition does not lessen the offense but increase it, or, so to say, constitutes it at a higher grade of schism. For if what Jerome said is true, that a schism is constituted through separation from the Church “because of Episcopal dissension,” then a schism that is constituted because of dissension from the Supreme Pontiff, the Pastor of all bishops, will deservedly be called not only schism simply but even the greatest of its kind. For, as Bede rightly said in his homily *De Sanctis Petro et Paulo*: “Blessed Peter, who confessed Christ with true faith, followed him with true love, specifically received the keys of the kingdom of heaven and the principate of judiciary power, so that all believers throughout the world may understand that, whoever from the unity of the faith or from its society in any way separate themselves, such can neither be loosed from the chains of sin nor enter the gate of the heavenly kingdom.” Where, by the name of Peter, he without doubt understands his See, and calls “its society” either the Church or union with the See of Peter; therefore, he judges being separated from this society enough to constitute schism. The same, if he be rightly weighed, is thought by Optatus of Milevis, bk.1, *Contra Parmenian.*, column 5, where, to prove that Parmenian, not Caecilian, was a schismatic, he thus speaks: “For Caecilian did not depart from Maiorinus your uncle, but Maiorinus from Caecilian; nor did Caecilian withdraw from the See of Peter or of Cyprian, but Maiorinus, in whose chair you sit, which had no origin before Maiorinus.” He supposes him, then, to be a schismatic who withdraws from the See of Peter; but he adds, “or of Cyprian,” because sometimes a schism can happen by separation from the nearest bishop, by introducing a new chair without origin. And he adds (which is of greatest service for the present purpose): “Since it is manifestly clear that these things have been done, it evidently appears that you are heirs of traitors and of schismatics.” Thus, therefore, we evidently conclude, from the Anglican fact, that Henry VIII, who deserted the See of Peter and erected a new one without origin, was a schismatic, and that his heirs continue in imitating him in the same schism.

Besides, it was shown above that the Roman and the Catholic Church are the same, and that by those names only diverse properties or relations of the same Church are signified; for it is called the Catholic Church of Christ insofar as it is universal, but called Roman insofar as it is founded on the See of Peter, with which it is always conjoined; therefore a schism from the Catholic Church is the same as a schism from the Roman Church; therefore, if the king cannot deny that the separation of England is a schism from the Roman Church, he cannot escape its being also a very grave schism from the Catholic Church. And, to be sure, he who has considered the fall of Henry and his division from the Church, and compares him with the schismatic Donatus and other ancient schismatics, he will find in him altogether the same or greater reason of schism from the Catholic Church, nor will he be able to think of a likely reason of difference, except perhaps by imagining, with the heretics, that the Universal Church, which once was Catholic, had already collapsed and was extinct at the time of Henry. But this vain and willful refuge was sufficiently refuted above from the Sacred Scriptures and the common sense of the ancient Fathers. Let the king, then, indubitably know that he is separated from the Catholic Church, since he can with no color deny or hide it, and let him greatly fear the sentence of Augustine saying: “Whoever is separated from this Catholic Church, in however praiseworthy a way he suppose himself to be living, by this wickedness alone, that he is disjoined from the unity of Christ, he will not have life, but the wrath of God remains upon him.”

Chapter 22: The Anglican schism has passed over into manifest heresy and apostate doctrine.

Summary: 1. That the Anglican sect has broken out into several heresies is shown by the authority of the Fathers. By experience the same truth is strengthened. 2. A double reason for the

aforesaid fact of experience is assigned. 3. Schism is opposed of itself to charity, and by long duration pours darkness on the mind. 4. That the Anglican schism has already arrived at heresy is concluded from what has been said. To defend the schism Henry VIII thought up a new heresy for himself. 5. It is refuted. No Catholic asserts that the Pontiff can take kingdoms away at pleasure. 6. That the Pontiff is usurping to himself a third part of the goods of citizens is fabricated by the heretics against all right and truth of fact. 7. Catholics are vindicated from some impositions of the king. 8. Many heresies seized on England after Henry VIII. 9. From the signs of heresies handed on by the Fathers the Calvinist sect is shown to be a heresy. First and second sign. 10. Third sign. 11. Fourth sign. 12. Fifth, sixth, seventh, and eighth sign. 13. Ninth, tenth, eleventh, and twelfth sign.

1. Since the king of England seems to abhor the name of heresy rather than that of schism, we must further show that the Anglican schism has at last reached the point that it has broken out not only into one but into several and manifest heresies. We prove this in the first place from a certain most true doctrine of the holy Fathers, who say that long lasting schism passes over into heresy. Thus Jerome, on the said place from *Titus* 3, said that at the beginning schism could in some respect be understood as diverse from heresy. “Besides,” he adds, “no schism fails to fabricate some heresy for itself, so that it may seem to have rightly withdrawn from the Church.” And therefore Augustine said, bk.2, *Contra Cresconium*, ch.7, “heresy is an inveterate schism,” because, as I said, heretics are wont at the beginning to be separated from the Church as to obedience and union because of some controversy, or indignation, or unfulfilled greed, or unobtained ambition; but afterwards, so as to be able to persevere in schism, they pass over to heresy. Which might easily be shown, with examples begged from the antiquity, as by a sort of induction, the way we read everywhere about Novatus in Cyprian and Augustine, who, in epist.164 to Emeritus, says to them: “Nor do we make objection against you except the crime of schism, which you have also made into heresy by your evil persistence.” Thus too, about the sect of Meletius, the same Augustine reports, bk. *De Haeres.*, that it passed over at length to the Arians, although at the beginning it was only a schism; which thing has happened also to the English. For at the beginning, when Henry followed neither Luther nor Calvin, they were made schismatics by him, but after not much time they passed over to the Calvinists.

2. But a twofold reason for this fact of experience can be given. One, which Jerome touched on, that those who persevere in their schism at once desire (as is natural) to give honor to and defend their deed and audacity, and therefore they descend into a heresy by which to give it honor, whether by praising as good what is corrupt, or (which reduces to the same) by denying that what has been handed on by the Catholic Church is commanded. In all which ways and others heresy is involved. Because although to do evil, which the law of Christ prohibits, is not heresy, yet to think with pertinacity that what the faith teaches to be prohibited is not evil, is plainly to be deemed heretical. The second reason is that, although schism can be in strict rigor distinguished or prescinded from heresy, it is however so akin and near to it that, if it persevere, it is easily transmuted into it. Hence Ambrose, bk., *De Obitu Satyri*, when narrating that Satyrus, after his shipwreck, looked for a Church in which to give God thanks for his liberation, and called a bishop to him, and asked him “Whether he was in agreement with the Catholic bishops, that is, with the Roman Church,” he later subjoins that, after Satyrus learnt that the bishop was a schismatic, he did not wish to give thanks there nor to communicate with him, because, although the bishop was heir to the Luciferian schism and not an heretical one (as he signifies), nevertheless (he says): “he did not however think that there was faith in schism. For although

they had faith toward God, yet they did not have it toward the Church of God, whose limbs and members, as it were, they were allowing to be lacerated. For since Christ suffered for the Church, and the Church is Christ's body, they by whom Christ's passion is nullified, and his body torn apart, do not seem to be showing faith to Christ." Which I thus interpret, namely that a schismatic at the beginning acts against the faith, which he owes to the Church, in practice or in very deed, or he certainly acts against the faith, that is, the fidelity and obedience that he owes to the Church; but afterwards, so as to persevere in his schism, he also denies to the Church the faith which consists in believing that the Church itself is the unique spouse of Christ, the pillar and ground of the truth. Which transition is very easy; for if Paul wrote to Timothy that those who put away a good conscience have made shipwreck concerning the faith, *1 Timothy* 1.19, how much more easily must it be believed to happen in an obstinate schism against the Church of Christ? Therefore Satyrus feared, or did not think, that there was faith in schism.

3. Add that schism arises proximately from some hatred of one's neighbors. For, although it be wont to arise from some contention, or ambition, or inordinate greed, or envy, as the Fathers hand on and as experience teaches, yet properly and of itself it is opposed to the charity which is owed to the Church of Christ, and so it includes hatred of one's neighbor; but this hatred is nourished and increased by perseverance in schism, and it easily leads in this way to blindness of mind and to heresy, according to the mind of Augustine on that verse of *1 John* 2.11: "He that hateth his brother is in darkness, and walketh in darkness, and knoweth not whither he goeth, because that darkness hath blinded his eyes." Which words about schismatics are interpreted by Augustine there in tract.1, when he says that those who are so blinded from hatred of the true Church that they do not see it, also "knock their head against it more easily than seek there a habitation." Thus too did Optatus says, bk.1, *Contra Parmenian.*: "Schism, with the bond of peace thrown away, feelings destroyed, is born from spite, nourished on rivalry, and strengthened by quarrels; so that, with their Catholic mother abandoned, the impious sons, as they withdraw and separate themselves from the root of mother Church, cut off by the scythes of envy, they depart in their error as rebels." In which words another reason is also indicated. For schismatics, since they are cut off from the Church and gather together a synagogue outside it, disdain by that very fact to follow the Church, especially when they continue obdurate in schism, and therefore they begin to lack the rule of truth, from which it follows, by a sort of necessity, that they lapse into errors and heresies, either by inventing a new one or by adhering to one already invented, so that they may seem to have something distinct from the Church they have left. For if they were to persevere in the same faith, "they could not do something new, or anything save what they learnt long ago with their mother," as Optatus above said. For which cause Cyprian often affirms that: "schisms and heresies rise from this, that the priest of God is not obeyed, nor is there thought to be one judge at a time in the place of Christ," as he says, epist.55. And in epist.69 he adds that: "a congregation persevering in schism lacks, within a short time, true bishops and pastors, because true succession and ordination ceases." Thence, finally, the consequence is that it also lacks true doctrine and holiness; for, so as to conserve the Church in the unity of the faith and in the sanctity of life for the perfecting of the elect, God has given it pastors and doctors, as Paul testifies, *Ephesians* 4.11-12.

4. Now the reasons proposed evidently hold of the Anglican schism. For clearly it is sufficiently long lasting, for it has endured for 70 years or more, and although it was interrupted for a brief time in the reign of Mary, it immediately went back to it, and it has thereafter endured for more than 50 continuous years. Next, since it began through separation from the Chair of Peter, and by denying obedience to the Supreme Pontiff, although at the beginning the attempt

was only in fact, from inordinate love of luxury, afterwards it erred about the right itself, and the doctrine was introduced whereby it began to be preached in England that the Church of Christ does not have one spiritual head, nor is the Roman Pontiff to be recognized as such head, but in each kingdom or republic supreme in temporal matters there is a proper head that is supreme in spiritual matters and that it is none other than the temporal king or prince or senate, respectively. All which doctrine is heretical and contrary to Sacred Scripture and to the perpetual sense of the same Church and to the tradition of the Fathers, as we will expressly show in book 3. In this way, therefore (which touches on the first reason), there was fulfilled in Henry VIII to the letter what Jerome said, for “he constructed this heresy for himself so he might seem rightly to have withdrawn from the Church.” For royal majesty, or rather human presumption, could not so stubbornly persevere in a very grave crime except by falling into another more grave by which to defend the first and contend that it was rightly done. Which error so adhered to Henry’s mind that not only did he not doubt to die in it, but he also confirmed it with a new command about educating his son in the same error, the faith being retained in other matters. Or, certainly, if he did not believe it in his mind, he very greatly showed therein (which has regard to the second reason) how great a hatred he had conceived against the Roman Church; since against his mind and with the eternal death of his soul he wished to die in the same schism and to guard it exteriorly by way of dogma or doctrine and make it perpetually firm in his son and in his kingdom. Since England, therefore, on this point tried to usurp not only the fact but also the right, and to defend the doctrine, it is manifest indeed from this alone that that sect is not only schismatic but also heretical.

Now after the death of Henry the schismatic English kingdom embraced the Calvinist sect, although perhaps not in its purity but mixed with the Lutheran and with others; and in this way too what we said in the second reason, about long lasting schism, we see fulfilled in that sect and from the same causes or roots and with the same effects and heretical signs. For, to begin with, hatred against the Roman See has increased from day to day in a remarkable way, and as it gets stronger every day and gets rooted in the minds of all, the result, by the industry of the demon, is that parents and masters impress from infancy on the minds of their children such a conception or apprehension about the Pope that simple and common men, when they hear the name of the Pope, conceive him a cruel monster, a horrendous idolater, and finally a sort of monster rather than a man. And no wonder if the common people dwell in so great error, since the king himself in his *Preface*, page 14, dares to affirm: “The Pontiffs have unjustly usurped for themselves by ambitious tyranny authority over the rights of temporal kings.” And again, page 22: “This power over kings unjustly usurped by the Pontiffs.” Again on page 23, that Catholics have also built up an empire for the Pontiff so “huge and unbounded that he can bestow and take away kingdoms at pleasure.” For this he attributes to Cardinal Bellarmine. Again on page 24: “That great pastor can at his whim lead you like sheep to the slaughter.” Page 27: “Although anciently clerics desired nothing beyond the tithes and were content to live on them, now the Pope, head of the clerics, only rests in receiving a third part of citizens and goods and estates in all provinces and kingdoms.” Further, page 61, he numbers among the chief articles of the Catholic Faith “a secular dictatorship of the Pontiff over kings.” He is speaking about Cardinal Bellarmine, and he understands by that secular dictatorship an absolute power of domination. And elsewhere, page 62 in the same sense, among the many things he relates or rather mocks as usurped by the Pontiffs he puts this: “endowed with all power both spiritual and temporal.” And later: “Who worship the Pope as God and hold him such as if he were Scripture speaking.” But afterwards, about the same Catholics, he says, page 128, that: “they attribute to the Pontiff

supreme power in temporal things over kings and princes, that is, in the sense declared by myself in other places.”

5. These and the like are the colors wherewith the king depicts the Supreme Pontiff and his governance, in which however there is nothing that is not made up by seducers or badly or rashly interpreted and believed and written by the king through ignorance of the truth; so that it is no wonder that the uncultured people are deceived by these fabulous exaggerations, since the seducers have been able even to trick and deceive the king. For, in the first place, that the Pontiff does not usurp the power of kings is known to the whole world, and the Pontiffs themselves have wished it in their common right to be testified of them. For Alexander III is speaking of the king of the English when he says: “We, paying attention to the fact that it pertains to the king not to the Church to judge of such possessions, lest we should seem to detract from the right of the king of the English, we give command, as to our leaving judgment of possession to the king, etc.” And of the king of Gaul Innocent III said: “Let not anyone think that we intend to disturb or lessen the jurisdiction of the illustrious king of the French.” And elsewhere the same Pontiff affirmed that “a king does not recognize a superior in temporal affairs.” It is clear, therefore, that Pontiffs do not usurp the rights of kings. Hence it is by far most certain and most known that none of the Catholic doctors affirmed that the Pontiff “can bestow and take away kingdoms at pleasure”. For those who do not wish even in one judgment to disturb royal jurisdiction, how will they disturb very kingdoms at their pleasure? But it is much more intolerable to think, much less to write, that this pastor can “at his whim” kill the sheep or exercise a tyranny like that indicated in this exaggeration. Nay rather, to place in him not only the power but even the use is the very grave and impious slander of those who, by deceiving the king, have wished to make him angry. But this fact will be more evidently clear from what we will show about the Pontiff’s legitimate power over Christian kings in book 3, where we will also explain the just use of it; for perhaps the sectaries are making this stuff up not only from malice but also from ignorance and defect of theological doctrine.

6. Next, as to what is asserted about the Pontiff, that now he “only rests in receiving a third part of citizens and goods and estates in all provinces and kingdoms,” it is contrary to all canon right, as we showed in our work on tithes; nor is it less contrary to use, as is very well known in all Catholic kingdoms and provinces. But if perhaps the talk is about estates and goods voluntarily donated to the Church, the observance in the Church has always been that goods of this sort do not lessen the rights of tithes, nor are they computed among them, but are along with them conserved for pious ecclesiastical uses. Besides that, even with all those counted in, the assertion is made without foundation that it is a third part of the goods of the Catholic world, and the fiction is much more willful that that portion or measure is exacted and that without the least part of it the Pontiff does not rest.

7. Lastly, as to the king’s remark that Catholics worship the Pontiff as God, and hold his words as sacred Scripture, it is understood easily to have been said by exaggeration to generate, in men who do not know how to distinguish terms, the same reputation we have stated about the Pontiff. For how is it likely that the king believed that some Catholics attribute to the Pontiff the worship due solely to the true God? But if, by the name of God, only he is signified who, in a singular way, either represents God or shares his excellence, according to the phrase of Scripture and the explanation of Christ when he says, *John* 10.35: “If he called them gods, unto whom the word of God came;” why are Catholics reprehended because they cultivate and venerate with due honor the Vicar of God? Again, it is not likely that it came into the mind of the king that every word of the Pontiff is reputed by Catholics as Sacred Scripture, since he ought not to be ignorant

that the holy theologians deny that even the very definitions of Councils and Pontiffs are Sacred Scripture. Although they as constantly as most truly teach that these are equal in certitude of truth; but not about all the words of the Pontiff, but about those which he defines when teaching the Universal Church *ex cathedra*. About which point something was touched on above, and in book 3 we will make some addition. These things, then, are said by the by, so that it may be understood how stubborn is the hatred and how inveterate the madness against the Roman Pontiff that has, through the long duration of the schism, taken possession of English breasts.

8. Now from this hatred has followed that blindness of mind which Augustine described, whereby it comes about that the Anglican sect does not see the very high and very clear mountain of the Church but rather knocks its head against it. Hence also has it happened that England, destitute of the rule and direction of the Catholic Church, has turned aside to the synagogues of the heretics. For not even was it necessary to build a new heresy, because at that time innumerable heresies had become to occupy the North and they were spreading like a cancer and omitting no occasion for introducing the enemies of the faith. Moreover, thus was it related in chapter 1 that, after the death of Henry, contrary to his declared will, there prevailed in the kingdom at the time of King Edward the Zwinglian heresy. But afterward, in the time of Elizabeth, Calvinism was introduced, and has continued the same up to the present day, either altogether or in greater part; for perfect stability or conformity cannot last in sects of this sort, as was proved above. But it is undoubted that Calvin was a great heresiarch and that his sect is heresy; therefore there can be no doubt that the Anglican sect, which is Calvinist, whether pure or mixed with other errors, is a heresy, and that all who obstinately follow it are heretics. There remains only the proof that the Calvinist sect is heresy; but this we will show in what follows in two ways, both by responding to what King James in his *Preface* adduces in excuse for his fall into heresy, and by refuting what he objects in accusation of the Catholic Church; for he proposes as many articles of accusation as there are errors of his sect.

9. But, first, I have wanted, in the end of this chapter, to show the same by briefly indicating in the universal sect of the Protestants all the signs of heresy which are handed on by the Fathers. The first sign is an origin infected either by pride, “for one mother, pride, has given birth to all heresies,” as Augustine said, bk. *De Pastoribus*, ch.8; or “by envy,” which (as Chrysostom wrote, hom.7, on *Romans*, in the moral part) has brought forth all heresies; or “by greed of piling up money” (as Basil said on *Isaiah* 5); or by other vices, which Paul extensively enumerates 2 *Timothy* 3.2-8, from “Men shall be lovers of their own selves,” up to, “men of corrupt minds, reprobate concerning the faith.” For that Luther was such (Echius writes in his *Actis Lutheri*, Surius in his *Compendio*, Sander in *Visib. Mon.*, bk.7), and that by ambition and envy he defected from the faith, is known and can be read in the histories of that time. But that Calvin excelled in similar haughtiness and wickedness of morals, there are many witnesses, whom Prateolus, bk.3, on the word ‘Calvin’, mentions. The second sign was touched on above about discord and separation from obedience to the Roman See, which Cyprian often notes in his epistles, as I related a little before. And Augustine bk.2, *Contra Litt. Petiliani*, chs.51 & 72, most reprehends the Donatists because they blasphemed against the Roman and Apostolic Chair, wherein the new sectaries most imitate them and surpass them.

10. The third sign is inconstancy and division of doctrine, for nothing is more contrary to certitude and truth of faith. On which matter enough was said above. But now I will adjoin the excellent words of Basil on *Isaiah* 5 where, when he had said that heretics seem wise to themselves and to be superior to others, he subjoins: “Therefore is everything stuffed with opinions that fight among themselves and with those who hand on dogmas crying out against

their own authors; when each individual insists more obstinately on guarding his own dogma, and they violently smash through the things that please the diverse parties, and overthrow and refute them with the most bitter wrangling.” And epist.82, at the end: “Never do they firmly persist content with the same words.” The same thing is dealt with at large by Athanasius, epist. *De Decret. contra Arian. Haeresim*, at the beginning, and orat.1 *Contra Arian.*, near the beginning, where he says among other things: “While they are always writing, themselves changing their own ideas, they display their unsure faith, or rather their sure infidelity and madness.” With which agree the words of Hilary, bk.3, *De Trinit.*, near the beginning: “Heretics come against the Church, but while all the heretics conquer themselves in turn, yet they do not conquer anything for themselves.” Likewise and very well speaks the author of the incomplete homil.20 on *Matthew*, and Tertullian in *Praescriptionibus*, ch.40. And that this inconstancy is found most in Luther, Calvin, and their followers has been often noted by Catholic doctors, especially by Cardinal Bellarmine in his *Controversiae*, and extensively by Coccius, bringing together very many things, bk.8, *Thesaurus* art.7, 8, 9, & 10; and Salmer, vol.1, *In Epist. Pauli*, in the *Prolegomena*, disp.6, reports that the duke of Saxony was wont to say that he did indeed know what his people believed in the present year, but what they would believe the next year he did not know. Moreover, it is credible that this mutation is found in the Protestants of England, but, because I have not searched the thing out, I do not affirm it nor is it necessary; for it is enough that they adhere to a doctrine that began with that instability, for in the true faith there is not ‘yea’ and ‘nay’ but there is only ‘yea’, as Paul said, *2 Corinthians* 1.18-20.

11. The fourth sign, and perhaps among Protestants the greatest, is to throw about the word of God, corrupting and mutilating it, about which too we have said much. But the singular boasting of heretics about the word of God is described by Vincent of Lerins, chs.35 & 37. But their elevation and deception in expounding it is blamed by Basil, just cited, and Athanasius, orat.1 & 2 *Contra Arian.*, and orat. on that verse “All things have been given to me by my father” near the end, Nazianzen orat.51 or epist.1 to Cledonius, again epist.46 to Nectarius. Again orat.36, otherwise 2 *De Filio*, and 4 *De Theolog.*, at the beginning, and next in orat.37 after the middle, and best in orat.42 he indicates the way in which heretics are wont to cite the word of God unfaithfully or incompletely, saying: “You proffer indeed the things which you lessen and diminish; but what they express you pass over; you ponder what he suffered, but what he voluntarily did you do not add.” Much is in Augustine, bk.7, *De Genesi ad Litteram*, ch.9, and *De Unitat. Eccles.*, chs.12 & 13, and bk.2, *Contra Litter. Petil.*, ch.61. Hilary is very good, bk.2, *De Trinit.*, at the beginning, and Jerome on *Isaiah* 4 and *Galatians* 1. But about the mutilation of the Scriptures Augustine often mocks them, *Contra Donatistas*, and very well and generally Tertullian, *De Praescriptionibus*, ch.17.

12. A fifth sign, most evident of all and involving open heresy, is to despise the Catholic Church and to attribute error to it, denying it is Catholic and attributing that term to oneself. About which can be seen Lerins, ch.26, and Augustine, *De Unit. Eccles.*; many things were also said above and it was shown at the same time how this is proper to Protestants and to the Anglican sect. A sixth sign is consequent on it, not to acquiesce in the Councils, from Athanasius, orat.1, *Contra Arianos*, a little from the beginning. And it is, I think, the same as to admit of one’s own accord some councils but to reject others, because they do not acquiesce in the Councils but rather discriminate between them and approve or disapprove them by their own decision. A seventh is akin to it, to despise the authority of the Fathers, wherein Calvin was very free, who even dared to compare the Fathers to the Pharisees, as once the Donatists did, in Augustine bk.2, *Contra Litter. Petil.*, ch.61. An eighth sign is consonant with the preceding ones,

to be led by one's own spirit, whether human or the satanic spirit of an angel of darkness transfiguring itself into an angle of light. Hence appositely does Hilary say, bk.1, *De Trinitate*, that heretics "are arbiters of religion for themselves, although the work of religion is in the duty of obedience alone;" where he seems to allude to the verse of Paul, 2 *Corinthians* 10.5: "bringing into captivity every thought, etc." And in bk.2 at the beginning, he says about the same people: "They interpret the words of God according to the sense of their own will." And many like things are contained in bk.3, a little from the beginning, and often Tertullian, *De Praescriptionibus*. We also adduced many things above.

13. A ninth sign of heretical rashness is colored eloquence, with precipitation and too much liberty of speaking. About which Nazianzen, orat.33, at the beginning, speaks thus: "But these men, would that, as they have a tongue fluid and sharp and vehement for attacking the nobler and more approved words, so would they also put at least some or even equal effort into action. Which, if they would do, they would at least be cavilers less, and would not conduct themselves in words as absurdly and insolently as in a game of dice." But, about their precipitation in speaking, Gregory can be read, bk.7, on *Job* 2. A tenth sign can be novelty, contrary to ancient doctrine, or by defection from the ancient faith; about which we spoke above, and Chrysostom can be seen, hom.47, on *Matthew*, Tertullian, *De Praescriptionibus*, ch.3, and other Fathers expounding that verse of *1 John* 2.19: "They went out from us." Let the eleventh be loss of the Catholic name and a new denomination from their author, about which and the like things much was said above. But I will add here a twelfth and last sign handed down by Tertullian, *De Praescriptionibus*, ch.41, of the behavior of the heretics themselves, which he himself there extensively describes, and he says it is "futile and earthly." But among other words these are most to be noted: "Their ordinations are rash, light, inconstant; now they put neophytes in place, then those bound to secular life, now our apostates, so as to oblige them with glory because they cannot do so with truth. Never advancing more easily than into the camps of rebels, where the very being there is deserving of merit. Thus today one man is bishop, tomorrow another, today a deacon who was yesterday a lector, today a priest who was yesterday a layman, for they enjoin even on laymen priestly offices." These signs, therefore, I have briefly reviewed, so that they can be compared with the morals of the Protestants and the state of Anglicanism; for if the comparison be done with prudent consideration, no one could doubt that that sect is open heresy and hence that those who profess it are heretics.

Chapter 23: Those who obstinately follow the Anglican schism can be excused neither from heresy nor from the note of heresy.

Summary: 1. The reasons are proposed whereby the king tries to free himself from the note of heresy. The first. 2. Of the various acceptations of heresy two are preferred. Among Christians heresy is always taken in the bad sense. 3. A doctrine contrary to the faith is aptly called an heretical proposition, but the assent to such doctrine is heresy. What an heretical proposition is. 4. The true rule of faith is established. 5. A proposition which is proposed by the Church as to believed de fide is de fide. 6. Definition of heresy. Explanation. 7. Proper definition of heresy. Proof from Augustine. 8. Proof from the Fathers that one dogma contrary to the faith is sufficient to constitute heresy. Proof by reason.

1. What has been said in the previous chapter can be argued against by the reasons with which the king contends in his *Preface* that he is purging himself of the crime of heresy; therefore, how much weight these reasons have must be carefully examined. And first at any rate

he denies, on pages 39 & 40, that he is an apostate; next he contends that he cannot be called a heretic either; but these claims will be better treated by us in reverse order. That he cannot, then, properly be called a heretic “even by the rules of the Catholics,” he proves in the first place more or less in these words: “Since I had a father and paternal grandfather who thought the same about the faith [sc. as the king thinks now], and since I was never in the Church of the Catholics, I cannot, even by their own rules, properly be called a heretic.” Secondly, he argues in effect in this way: although I was baptized in the rites of the Catholics and although I dissent from them in religion, I cannot be called a heretic because there is between us no quarrel about the substance of baptism, nor any controversy on this head of doctrine, since we are all baptized in the name of the Father and of the Son and of the Holy Spirit. The third and strongest reason, which he himself proposes at large, we collect summarily thus: the king of England puts faith in the Sacred Scriptures, which is due from a Christian man, and “gladly swears to the three symbols of the faith,” and he venerates and receives the first four General Councils as Catholic and orthodox; and, whatever the Fathers have in the four hundred years since Christ established with unanimous consent as necessary for salvation, he does not dare to reprehend but either thinks the same or keeps silent; therefore he cannot rightly be deemed a heretic, except perhaps (he says) by those “who worship the Pope as God and hold him such as if he were Scripture speaking, so that also they do not define heresy otherwise than as any opinion whatever in causes of the faith contrary to papal decision.”

These things are what the king adduces in his defense, and although he places the whole weight of his excuse on the last reason and touches on the others by the by, nevertheless we think none should be passed over, so that we may make satisfaction more fully both to the king himself and to every reader, and so that we may seem to leave nothing untouched. But first, because of the final words of the king, two things need to be made clear. First, what heresy is, or what suffices for constituting it; second, who is properly a heretic and when consent to some error makes a man a heretic. Both of these questions are touched on by Augustine; the first in his epistle ‘ad Quod vult Deum’, preamble to his bk. *De Haeresib.*, and the second in the preface to the same book, and he says that both are difficult to define and promises to ask in the second part of the work how heretic should be defined; however he did not write that part, and so he left in that work both points undecided. It is necessary from other places of the same doctor, and from the doctrine of other Fathers and theologians, to explain what must be thought and held for certain in this matter, so that the dispute can, without ambiguity of words, rest on some firm foundation.

2. The name of heresy, therefore, has received various significations, even in the use of theologians, but two in the present context are most to be distinguished, since, because of them, heresy is defined variously by theologians. But the two can be explained by comparison with faith; for heresy is opposed to faith, and therefore, just as sometimes the doctrine revealed by God is called faith but the assent, whereby such doctrine is believed, is more often called faith, so heresy is sometimes said to concern the heretical doctrine itself, sometimes also the assent voluntarily afforded to such doctrine. For these two are without doubt very diverse, no less in false doctrine or faith than in true; and the use of the term makes sufficiently clear that the name of heresy is taken to signify both. For when Paul said, *Acts* 24.14: “But this I confess unto thee, that after the sect which they call heresy, so worship I the God of my fathers [alt. so worship I my Father and my God],” he was speaking of the doctrine of the Gospel. Hence the Syriac version has ‘doctrine’ for ‘sect’, and the Greek term signifies ‘after the way’, which is wont properly to be said of the whole reason of some doctrine, which also the term ‘sect’ very well

indicates. But Paul did not wish to call the doctrine of the Gospel heresy (as Theophylact notes very well), because it was not according to men's choice, from which is taken the name heresy [Nb. 'haireisis' in Greek means choice] (as is noted by Tertullian, *De Praescriptionibus*, ch.6, Jerome, on *Galatians* 5 and *Titus* 3, and Isidore, bk.8, *Etymologiae*, ch.3), but according to the will and revelation of God. And therefore, in the Gospel law and among Christians, the name of heresy is taken in a bad sense, and signifies a doctrine which some man chooses for himself that is repugnant to the doctrine of God. And hence, as a result, such choice of doctrine by assent to it is called heresy; for the two are so conjoined that the passage from one to the other is easy. In this way too does Paul in *Galatians* 5 put, among vices of the flesh, 'heresies', as Jerome translates and notes according to the Greek term, although the Latin Vulgate translates as 'sects'; and in *Titus* 3 Paul says that a heretic is condemned by his own proper judgment; but it is clear that a heretic is condemned for heresy; Paul indicates, therefore, that that proper judgment is heresy, where also Jerome thinks the same and more clearly Tertullian, in the said ch.6.

3. In order more distinctly, then, to define each part, we will call the first an heretical proposition and the second heresy; for it is likely that, by ecclesiastical use and custom, the sin which is committed by choosing a false doctrine so as to believe it or committed by voluntary and free assent to such doctrine, was called heresy, for this is more what is indicated by the true etymology of the word. Therefore an heretical proposition is one that departs from the rule of Catholic truth and opposes it or contradicts it. Thus does Augustine teach, bk. *De Vera Religione*, chs.5 & 6, where he calls it "a corrupt doctrine averse from the rule of truth;" and in ch.7 he says: "It is a corrupt opinion deviating from the rule and communion of the Catholic Church;" and orat. *Contra Iudaeos, Paganos, et Arianos* ch.20., he calls it "an error of heretics against the true faith of the Catholic Church." Likewise Tertullian, *De Praescriptionibus* ch.6, says it is "an adulterous doctrine which someone by his own decision and choice introduces or, when introduced by another, embraces." But when he calls it 'adulterous' he means against Christ or the Church, just as, ch.37, he says that "heretics do not have from Christ what of their own choice they follow." And in the same sense he says of heretics, ch.44, that "they have defiled with heretical adultery the Virgin faith handed down by Christ." Finally, the use of that word is common in the said signification and there is no difference on the point between us and Protestants. But because a proposition is established or defined as heretical by departure from the rule, and because it is opposed, by way of privation, to a proposition or truth of the faith, therefore, to comprehend the formal reason of an heretical proposition, one must set first the rule of believing and explain what is necessary for some proposition to be deemed *de fide*; for, once this is put in place, it will be easy to see that an assertion contrary to it is heretical.

Moreover, this point is touched on by the king in the last words cited above, and he mocks Catholics who define heresy as "any opinion in causes of the faith that is contrary to papal decision." But he should, since this definition displeases him, provide another, whereby to explain to us what he understands by heresy, so that he may in this way show that he is free of the stain of heresy. But, without doubt, he can in no way explain it, unless he fall altogether into an inextricable labyrinth by assigning, for rule of faith, Scripture alone, and it as understood by his own and private sure knowledge. Which doctrine, as I showed above, not only spreads out a very broad way for all errors, but also hands down for rule of Catholic Faith what Paul assigned for rule of heresy, that is, the believer's own judgment. For Paul says about a heretic, *Titus* 3.11: "He that is such is subverted, and sinneth, being condemned by his own judgment [alt. condemned of himself]." Because "he chooses for himself wherein he is condemned," as Tertullian adds, "therefore is he also named heretic." The rule, then, of heresy is one's own

proper judgment, that is, contrary to the judgment of the Church. But those who reduce to their own proper spirit the certitude of faith and the true sense of Scripture establish nothing else for rule of faith than their own proper judgment. For what is proper spirit save proper judgment? Or how is that spirit discerned by those who trust in it save by their own decision? They confound, therefore, the rule of faith with the foundation of heresy; and so it is no wonder that they hold heresy for faith and reject faith as heresy. Besides which, as I was saying above, they can rightly condemn no one as a heretic, since no one is bound to follow in things of faith another's proper judgment or private spirit; no one, then, will be a heretic, by disagreeing with the rule of faith that they establish.

4. Solid and Catholic doctrine, therefore, says that Sacred Scripture is the rule of faith, not on its own, nor understood in a private sense, but along with other rules which are commended in it and preserve and discern and interpret it, I mean tradition and the Church itself, which is the living rule, through which the Holy Spirit speaks and which he rules and makes to be the pillar and ground of the truth. And therefore, although Scripture and tradition contain the pure and true word of God, which is the primary rule of faith, nevertheless, because the Church is what infallibly explains and proposes to us the Scriptures, the traditions, and their sense, therefore the Church is wont by the Fathers to be stated as the sufficient rule of faith. Hence Irenaeus, bk.3 *Contra Haereses* ch.4: "There is no need to seek among others for the truth which is easily received from the Church;" and, ch.11 at the end, he puts the spirit of the Church before every private spirit, and bk.4 chs.43 & 45, he says that in the Church alone is there true tradition and true understanding of Scripture. Cyprian, epist.73, says that the doctrine of the Church is to be firmly held and taught, and in epist.76 extensively. Augustine too everywhere uses this sole rule of the Church for confirming truths of the faith, as is clear from the places just mentioned, and from bk. *De Haeresibus* at the end, where he says that, for some doctrine to be received by none who is faithful, it is enough to know that the thinking of the Church is against it as foreign to the faith. The same very well in bk.1 *Contra Cresconium* chs.32 & 33, and epist.48, and in other books against the Donatists; again epist.99, and in epist.118 ch.5, he says: "to dispute against a doctrine of the Universal Church is a mark of the most insolent madness." He posits the same for rule of faith and of true doctrine, *De Vera Religione* chs.5, 6, & 7, bk.1 *De Moribus Ecclesiae Catholicae* ch.30, bk.3 *De Libero Arbitrio* ch.23, and very gravely in bk. *De Utilitate Credendi* ch.17, where he says of the Church: "It has obtained the height of authority, and not to want to give the primacy to it is a mark either of the truly greatest impiety or of precipitate ignorance." Many other things too we have adduced above, both from the holy and ancient Fathers and from the very Scripture.

5. From which we briefly infer that that proposition is *de fide* which the authority of the Catholic Church proposes to us as to be believed *de fide*; for in this rule is contained everything that has been defined either in Scripture or in the approved Councils. Hence, on the other hand, that proposition is heretical which is contrary to a definition of the Church, or to any proposition defined by the Church in the way explained. But about the Church we have been speaking and about its definitions in order now to abstain from the question of the power of the Roman Pontiff for defining truths of the faith, which power the king seems to have wanted to involve in his words, lest we be diverted from our aim and intention. For although it is very true that the definition of a Pontiff speaking *ex cathedra* contains infallible truth, and that all the faithful are held to believe it firmly, yet this is not diverse from what we have said; for when a Pontiff defines, the Church is speaking through its head, and the body is not separate from the head nor the head from the body; but because it is more limited, for the Church can in other ways too

propose truths of the faith, the Pontiff also approving, as by General Councils and by the universal consent of the Church, and therefore, so as to comprehend everything and avoid controversies, we have spoken in a rather general way. For definitions ought, as far as possible, to be common and beyond controversy. In this way, then, does sufficient explained seem to have been given, according to opportunity of place, about what heresy is as to its matter, or what an heretical proposition is.

6. Now, from what has been said about an heretical proposition, a definition can easily be given of what, as it is the work or vice of men, heresy is. Heresy, therefore, is deliberate assent to, or credulity in, some heretical proposition. And it reverts to what the scholastics say, that it is false opinion about the things of faith. Therefore, both a doctrine of the faith and a doctrine contrary to it can be said to be the matter that heresy is concerned with, though in a diverse way: a doctrine of the faith by falling away from it or judging it false, but a contrary doctrine by choosing it as true and giving faith to it. Now we say that heresy is voluntary assent, both because heresy according to its name proceeds from a proper and voluntary choice, and also because heresy is taken in the bad sense; such that it involves, not only a false assent of the mind, but also guilt and lapse of the will; and therefore, as we will soon say, although someone may err by assenting to a proposition contrary to the faith, he does not fall into heresy proper, that is, his assent is not deemed heretical or heresy proper unless he recognizes its repugnance to the Catholic Faith and, that fact notwithstanding, chooses and believes such doctrine as true. For this reason, in fact, Paul said, *Titus* 3.10: "A man that is an heretick after the first and second admonition reject." For although Paul does not hand on the reason or substance of heresy but teaches the way of avoiding heresy, he insinuates nevertheless that heresy is not committed until someone knows, and sufficiently adverts to, what the doctrine is that he is choosing.

This condition, therefore, on the part of the one giving assent is necessary, but on the part of the matter we say in general that heresy is assent about something contrary to the faith. For the matter of faith is multiple, because there are in it dogmas pertaining to God one and three and to his attributes, others to the humanity of Christ and his hypostatic union with the Word, and in general things having regard to the redemption of men, and with these are connected those that have regard to the institution and hierarchy of the Catholic Church, to its sacraments, morals, and ceremonies, also to true remission of sins, and true justice, and the reward and punishment of human deeds; when, therefore, we put indefinitely the matter of faith in the definition of heresy, we are embracing all the aforesaid dogmas. For true and proper heresy is committed in any dogma at all of faith. For if a thing has been revealed by God, it is to be believed with the same certitude of faith, whatever the matter dealt with. Hence also it happens that for true heresy, which destroys the whole faith, voluntary assent contrary to one dogma alone of the faith is sufficient in any matter at all. Because a single lie, even in the least thing pertaining to the faith, would destroy the supreme authority of God, and any false assertion, if it could be found among the dogmas of the faith, would render all the rest uncertain and ambiguous, and accordingly any assent at all contrary to any dogma of the faith at all is heresy, totally destroying the faith. Hence Paul, writing to the Galatians, who wanted to choose an opinion false and contrary to the Gospel about the observance of legal rituals, although they were not erring in other mysteries of the faith, says, 5.4: "Christ is become of no effect unto you, whosoever of you are justified by the law." And later, v.7-9: "Ye did run well; who did hinder you that ye should not obey the truth? This persuasion cometh not of him that calleth you. A little leaven leaveneth [alt. corrupteth] the whole lump." By these words he indicates that that error (if they were obstinate in it) was enough to make of no effect and to corrupt the whole of their faith. For thus did the schism of the

Donatists pass over into heresy, their obstinate mind adhering to one or another error in the matter of baptism or the Church, even if in other things of the faith they were not in error, as I have often related from Cyprian and Augustine, and as I will confirm again in the following point.

7. Finally, from what has been said is collected who properly and in strictness is called a heretic; for, from Origen on *Titus* 3.10: "A man that is an heretick, etc.," in Pamphilus on the *Apologia*, he is one "who professes that he believes in Christ and tries to change or subvert some dogma received in the ecclesiastical order." It is taken in fact from Paul, in the said place of *Titus*, joined with the exposition of the Fathers, and the common consent of the doctors, and the received use of that term in the Church. For the name of heretic is not attributed to all infidels, but only to those who, while confessing Christ, deny his faith in part, for the other infidels are called rather Jews, pagans, or gentiles. A heretic, then, is he who under the Christian name (for he says he believes Christ) corrupts the truth of the faith of Christ by thinking something against it. But there is need that he do it by his own choice, and with sufficient knowledge and judgment; for if the error happen through ignorance, or lack of knowledge, it does not constitute a heretic, because he is not condemned by his own judgment and he does not commit heresy proper. By this reason too does Augustine distinguish between a heretic and one who believes heretics. For the book *De Utilitate Credendi* begins thus: "If, O Honoratus, I thought one and the same man to be a heretic and a believer in heretics, I would think that in this cause both my tongue and my pen should rest. But, as it is, there is between these two a very great difference, since a heretic, as my opinion says, is he who, for the sake of some temporal advantage, and especially for his own glory and supremacy, generates and follows false or new opinions (that is, in matter of faith); but he who believes a man of this sort is a man fooled by some image of truth and piety." For Augustine wished, in the first member, to signify that, in order to constitute a man erring in the faith a heretic properly and simply, he must by his own choice and while seeing that he is dissenting from the Universal Church throw himself into error; and because this does not morally happen save for a human vice or motive, Augustine therefore posited in the definition of a heretic the other particulars, which declare more the occasion or cause of voluntary error than the intrinsic condition of heresy. But in the other member he teaches that error caused by ignorance does not, although it be contrary to faith and the Church, constitute a man a heretic. But the fact will be far more certain if such ignorance is probable (as they say) or invincible; but if it is by grave negligence and too much facility it will not excuse guilt altogether, yet it will excuse that degree and magnitude of guilt which, according to the common usage of the wise and of the whole Church, suffices simply to constitute or denominate a heretic.

The same doctrine is also contained in epist. 16, at the beginning, of the same Augustine, where he says: "They who defend their own opinion, although a false and perverse one, without pertinacity or animosity, especially an opinion which they did not by the audacity of their own presumption give birth to but received from parents who were misled and fell into error, and yet seek the truth with careful solicitude, ready to be corrected when they have found it, these are in no way to be counted among heretics." On the contrary, however, in bk. 18 *De Civitate Dei* ch. 51, he speaks thus: "Those who in the Church of Christ think something unwholesome and corrupt, if, when censured to think what is sane and correct, they stubbornly resist and refuse to emend their pestilential and deadly dogmas but persist in defending them, they are heretics and are to be held, when they go outside, among practiced enemies." Finally, bk. 4 *De Baptismo* ch. 16, with the use of an example, he declares both members, saying: "Let us constitute two sorts, one of whom thinks about Christ what Photinus thought, and is baptized in his heresy

outside the communion of the Church; while the other thinks the same but is baptized in the Catholic Church thinking that it is the Catholic Faith. This latter I do not yet say is a heretic, unless, once the doctrine of the Catholic Faith has been made manifest to him, he prefers to resist and to choose what he held before; but before this happens, manifestly he who was baptized outside is worse.” Which testimonies I report for this reason, that many things can be noted in them which have great weight in the present cause, as I will also immediately indicate.

Therefore, on the evidence of Augustine, there must be pertinacity in heresy for him who chooses it to be held a heretic. And this pertinacity we have signified by the word ‘choosing’, along with Jerome on *Titus* 3, and Tertullian in the said ch.6 *De Praescriptionibus*, who for that reason, in book 1 *Contra Marcion*. ch.1, signifies that he is most a heretic who draws back from his earlier faith, “and, the light of his faith extinct, loses the God whom he had found, so that from this already he can be marked out as a heretic, who, having deserted what was before, has afterwards chosen for himself what formerly he was not. For what was introduced afterwards will as much be reckoned heresy as what was handed on formerly and at the beginning will be held so.”

8. Now, in the description, I spoke in the singular of dogma or assent contrary to the faith, so as to point out that to constitute a heretic it is enough that he voluntarily dissent even in only one thing from the doctrine of the Catholic Church. Which, from what has been said, is sufficiently clear of itself; and it is extensively handed on by Origen, in the cited place on *Titus* 3, in his review of many special dogmas that pertain in great part to the present cause, when he adds that one of them is sufficient to constitute a man a heretic. Augustine too, in the places mentioned, although he speaks sometimes in the plural of him who generates false or new opinions, more often speaks in the singular about him who defends obstinately a perverse opinion or something unwholesome. Hence, in his book *De Haeresibus* at the end, he distinguishes two classes of heretics in these words: “There are heretics, it must be confessed, who in a single dogma, or not many more, attack the rule of truth, as the Macedonians or Photinians and whoever else are like this. But others, story-tellers (to call them so), namely those who weave together empty stories, and these long and involved ones, are full of so many false dogmas that even they themselves cannot count them, or only with very great difficulty.” And certainly Luther, Calvin, and the like are to be put in this second order; for they have multiplied so many errors and passed them on in such a confused and inconsistent way in their controversies about the Church, about justifying faith, about the necessity of works, freedom of choice, the sacraments, and the like that they can scarcely number or perceive them. Again, Henry VIII, king of England, if he believed in his mind that he could do in right what in fact he took, will have to be numbered among heretics of the first order, since in one dogma at least he chose to think contrary to the Catholic Church. For the fact that one dogma suffices is readily clear from what has been said. Since a heretic is denominated from heresy, because he embraces it or commits it, but one false dogma, or voluntary assent to it, suffices for heresy, therefore it suffices also for constituting a heretic. Again, one false dogma destroys the whole faith, and voluntary assent to it, even if it be only one and in a single matter, destroys the whole divine faith in such a man; therefore it constitutes him truly a heretic. Lastly, it constitutes him an infidel and not of some other sort, as is clear; therefore it constitutes him a heretic.

From these principles, then, which are very certain, and King James cannot deny them if he wishes to be wise, let him himself pass judgment about himself whether he is by his own self condemned, to speak in the manner of Tertullian, *De Praescriptione* ch.6, and of Cyprian ep.55 at the end. For we very greatly desire that the king is not a heretic, and we flee from naming him

so, for we know that Augustine, when disputing with the Pelagians, serm. *De Verb. Apost.* last chapter, said: “We could perhaps, if we wished, call them heretics, but we do not call them so.” However, he did not, for that reason, omit to show them the truth and summon their conscience and in all ways convince them, so that they might be rebuked and return to a better mind. He also gives a very good reason: “Because, in things not yet made firm by the full authority of the Church, error must be borne, but it must not progress to trying also to shake the foundation itself of the Church. It is not expedient. So far, perhaps, patience is not to be reprehended, but we should be afraid lest there also be blame for negligence.” Since, therefore, we are contending with King James in that cause in which he strives to shake the foundation of the Church, we with like affection too, though with less genius or authority, study to point out his state, not so as to call him heretic, but so that he may come to his senses and see lest he be what he refuses to be rightly called. For assuredly his excuses will, even to the king, appear of no moment as he carefully weighs them. For no other excuse (without any doubt) can be thought up to escape the reasons and proofs adduced.

Chapter 24: The reasons are refuted by which the king studies to escape the stain of a heretic.

Summary: 1. Twofold excuse in the first reason of the king of England. 2. King James was at some time in the Catholic Church. A catechumen rightly baptized by a heretic is truly made a member of the Church. 3. Someone can be a heretic even if he was never in the Catholic Church. 4. The second reason of the king is refuted. 5. His final reason is dissolved. 6. The Creeds, when believed without their Catholic sense, do not suffice for true confession of faith. 7. All the authentic Councils are to be received with equal certitude. 8. A certain evasion of the king is excluded. 9. The reason of the king is shown to be insufficient.

1. In his first reason, then, the king indicates two heads of excuse: one, that he had a father and paternal grandfather of the same sect as he now professes; the other, that he was never in the Catholic Church. In the previous chapter I deemed it necessary to omit what pertains to the truth of history, because many either deny it or call it into doubt. For since the king never knew his father or his grandfather, whom he lost before the use of reason, and since he was educated by heretics and always dwelt among them, he could have easily been deceived in this matter, so that they might lead him more easily into their own error. Nevertheless, whatever his grandfather or father thought about the faith, their lapse will not excuse his own heresy if, after sufficient warning and instruction, he has not corrected it. Let him, I beseech, re-read the opinion of Augustine cited a little above from epistle 162, where, speaking specifically of those who believe a false and perverse doctrine which they did not by their own audacity give birth to but received from parents who had been seduced and fallen into error, he only then does not assign them among heretics when they do not defend such doctrine with pertinacious mind but are solicitous for the truth and ready to correct their error. But, contrariwise, in other places he condemns without any distinction as a heretic he who is obstinate in error, whether he invented it himself or learnt it from a false doctor or parent. Which fact is also manifestly shown by reason itself, for the error of a parent, when it can now be discerned by the offspring, does not excuse, nay it rather accuses, the offspring's guilt.

2. But as to what the king adds, that he was never in the Church along with the Catholics, it can, in the first place, be from his confession rightly denied, when a true principle of theology is added to it. For he himself confesses that he was baptized in the Catholic rite, since he was still under the care and power of the most serene king and of his Catholic mother; but from these

principles is manifestly concluded that he himself was begotten spiritually in the Catholic Church, not in the synagogue of heretics, because baptism too, by which he was reborn, is the Catholic Church's own proper gift, although it be sometimes possessed and administered by heretics, as Augustine says, bk.1 *De Baptismo* ch.10; and the king was then under the power of his most serene mother, who was united to the Catholic Church as a member of it by the faith which she professed; therefore he is also a regenerated son of the Church as a member of the same. Nay, even if none of his parents was Catholic, he was by baptism alone, rightly ministered and not unworthily received, made a member of the Catholic Church, because he received through baptism the true justice and faith of Christ along with Christ's character; therefore he was conjoined to the Church through the sacrament of faith and through the faith of the sacrament, which is altogether enough for him to be a member of it. For just as a catechumen is truly faithful and a Catholic, if he was baptized out of necessity by a heretic, since with true faith and fitting disposition he is fully sanctified and united to Christ as the head and to the Catholic Church as his body, according to the doctrine of Augustine, bk.1 *De Baptismo* ch.2; therefore the same must be thought about an infant, even if he be baptized by an heretical minister and under heretical parents. Because although the ministers or the parents were in private error, nevertheless he was baptized in the faith of the true Church, and by the same infused faith which he received in baptism he was made a member of it, even if he be detained under the power of those who are foreign and enemy to the Church. Therefore, as long as the king of England did not lose baptismal justice and faith, he was in the Catholic Church; for he was regenerated by it, according to the doctrine of Augustine, bk.1 *De Baptismo* ch.10, and from the same he had the character and faith which conjoined him to it. For at that age, when he was not capable of an act of faith, the habit suffices for the aforesaid union, since it also suffices for union with Christ; therefore he cannot, under that head, be excused of having defected from the Church when he lost the faith by his own act of heresy.

3. Also although these things be very true, there can be added besides that one is able to be truly and properly a heretic even if one has never been in the Catholic Church. For if someone was from the beginning instructed by heretics not rightly baptized, and if later, after sufficient censure, he remain obstinately in the error once conceived, he is truly a heretic, because he begins to be an infidel under the Christian name, and yet he was never in the Church, because he had neither baptism nor true faith, whether in habit or in act. And in this way do the Councils and Fathers sometimes teach, that heretics not rightly baptized are, when they come to the Church, to be received through baptism, as the Council of Nicea canon 19 determined about the Paulianists. Therefore they were heretics, although they were never before in the Catholic Church. But the reason is that being rightly baptized does not belong to the idea of heretic, but sufficient is that, although he confess Christ, he obstinately thinks in his own faith against the Catholic Church. Nay rather, although someone not only be not truly baptized but even never a Catholic, he can be a heretic if, recognizing and confessing Christ, he does not profess Christ's true faith in its integrity. For this is enough for the infidelity of heresy, even if the person so erring had never before professed the Catholic Faith and afterwards left it; for this is necessary for the circumstance of apostasy but not for the proper stain of heresy, which can be found without that circumstance according to the doctrine of St. Thomas, IIa IIae qq.11 & 12. But we are speaking of the heretic as to guilt, not as to punishments of the Church, because in order to incur those he will need to have the character of baptism, speaking properly, as is more at large treated of in the said place about infidelity. This therefore is now enough to show that the excuse of the king has a foundation neither in what he assumes nor in what he infers.

4. In his second excuse too the king does not conclude correctly, for although someone be rightly baptized and maintain no error about baptism nor any controversy in that matter with Catholics, nevertheless, because of errors obstinately conceived in other articles of faith, he can be a heretic. Otherwise neither Arius nor Luther nor others like them would have been heretics; for they were rightly baptized and they did not stir up controversies about baptism or its rite, but they became heretics because of other heresies. Therefore it matters little for the present cause that the king was rightly baptized and that he has no controversy with us about baptism, but what must be considered is whether in other matters of the faith he dissents from the Catholic Church. For as Augustine said, *epist.48* (dealing with another matter): “It is not Christian sacraments that make you a heretic but corrupt dissension.” He is in fact addressing the Donatists, about whom he a little afterwards says: “You are with us in baptism, in the Creed, in the other sacraments of the Lord, but in the spirit of unity and the bound of peace, lastly in the Catholic Church itself, you are not with us.” Any dissension at all, then, from the Catholic Church in a doctrine of the faith makes a heretic of him who professes to believe in Christ although he neither lack baptism nor be in error about baptism.

5. There remains the final reason wherein the king enumerates the things he believes so as thence to prove himself to be a Catholic. But certainly he does not rightly conclude, because he neither sufficiently believes what he enumerates nor sufficiently enumerates what a Catholic ought to believe. He first says, then, that he puts faith in the Sacred Scriptures; but in which ones? Not in all those that the Catholic Church approves, but he chooses for himself which to believe. Therefore the faith he puts in the Scriptures is not Catholic; for the Catholic Faith is universal, and from nowhere else than from the Catholic Church, as Augustine testifies, does it receive the Scriptures. Next, what sense of the Sacred Scriptures does he with his faith believe? That sense, surely, which he believes he has found by his own sure knowledge. He does not then believe the Scriptures with Catholic Faith; for the Catholic Faith in no way rests for support on private judgment and private spirit, but it holds the rule of the Catholic Church in expounding the Scriptures. But these things were treated of extensively above.

6. Second, the king enumerates the symbols of the Faith to which he says he swears. But about these, as I also noted above, he must be asked whether in everything he receives the symbols in the sense in which the Catholic Church receives them; for if he does not dare affirm this (because in truth it is not so), the fact that he holds to or swears to the letter of the symbol is not enough to show him a Catholic. There is the sentence of Cyprian, *epist.76 ad Magnum*, where, after he has said that schismatics, that is heretics, are equivalent to gentiles, he subjoins: “But if someone opposes this and says that Novatian holds the same law as the Catholic Church holds, baptizes with the same symbol as we also baptize with, recognizes the same God the Father, the same Son, the same Holy Spirit, and that on this account he can usurp the power of baptizing, because he seems not to disagree with us in the baptismal interrogations; let whoever thinks he should make this opposition know that, first, we and the schismatics do not have one law of the symbol, nor the same interrogation. For when they say, ‘Do you believe in the remission of sins and life eternal through the Holy Church?’ there is a lie in their questioning since they do not have the Church, etc.” In this sentence of Cyprian I only consider that to receive the words of the symbol, or to swear to them, is not enough for profession and true confession of faith unless they are believed in the Catholic sense, and that (as Cyprian also subjoins) to confess the Father, the Son, and the Holy Spirit, even in the Catholic sense is not enough if the other articles, about the remission of sins and about one, holy, and Catholic Church, are held in a perverse sense, as it is clear the Protestants understand them. For it is

manifestly proven, from what was said above about the Church, how much they all err in the article about the Church, which is sufficient now for us, since here is not the place to dispute about the other articles.

7. Third, the king enumerates the first four General Councils and says that he venerates them as Catholic and orthodox. Where also a question occurs that must immediately be asked: why does he receive these rather than the fifth, or the sixth, or the other authentic Councils up to the Council of Trent? For if we consider external appearance or solemnity, so to say, there was not less in the later General Councils than in the first four; for they were confirmed and convened by the same pontifical authority, and the convoking was equally universal, and the attendance was equally numerous or sometimes greater; or if it was sometimes less it matters little; the same happened indeed in the first four Councils and it is altogether accidental to the unanimity of the Council; and I say the same proportionally about the wisdom and sanctity of the persons coming to the Councils and celebrating them. But if we consider in the Councils their internal and primary virtue, which is the assistance of the Holy Spirit, and the king believes this and recognizes the fact in the first four Councils, and for that reason venerates them, why does he not believe and recognize the same in later Councils and receive them with equal veneration? Certainly I do not see what he could respond, save either that, after the times of the first four Councils, the Catholic Church had already perished and defected from the true faith and therefore its Councils, however general, were not now true Councils but congregations of the faithless; or that he and his are able, through their own private spirit, to discern between the true and the false Councils, and to approve through it the first four and not the rest. But about these and the like responses, how vain and willful they are, and how incredible in themselves to any prudent man, and lastly how erroneous and contrary, not only to the holy Fathers, but also to the Sacred Scriptures, has been sufficiently demonstrated by us above.

8. Perhaps the king had another counsel for venerating those Councils rather than others, not because he believes that the assistance of the Holy Spirit was promised to true Councils, nor even because he believed they could not err, but because he judges that in fact they did not err but taught in conformity to the Sacred Scriptures, which he does not judge about the other Councils. But if thus he thinks about the Councils, this is not to believe in a General Council as a rule of faith but to approve or reject a Council by one's own judgment; but to receive Councils in this way pertains rather to human opinion than to faith. And hence also the result seems to follow that Protestants do not venerate those Councils by receiving them fully and in their totality, but only in that part of doctrine which does not contradict themselves, though not in the other decrees, especially the moral ones, nor in the manner of teaching the truth from the traditions of the Church and the consent of the Fathers, nor in the recognition of the Apostolic Roman See, to which the Councils always granted primacy, as was eruditely noted in his *Apologia* by the most learned Cardinal Bellarmine, ch.7, and as we will, according as occasion occur, declare in what follows.

Fourth, finally, the king mentions the unanimous consent of the Fathers, namely of those who existed in the four or five hundred years after Christ. Where the same objection immediately occurs, because he discerns gratuitously and by his own judgment alone between the Fathers of greater and lesser antiquity, since many, unequal in time, were not inferior in either sanctity or wisdom, and (which is chief) they did not, in things pertaining to faith and salvation, depart from the steps of the more ancient ones, as Gregory the Great, Gregory of Tours, Isidore, John Damascene, the Venerable Bede, Remigius, Peter Damian, Anselm, Bernard, Thomas, Bonaventure, Laurentius Justinianus, and others similar. Next, among those ancient Fathers are

rightly numbered Dionysius and Ignatius, whom some Protestants not only do not admit but even load down with insults. Next, they defer almost not at all to Leo I and Innocent I and other holy Pontiffs of those times merely because they were Pontiffs, although they wrote with no less wisdom. Next, they readily reject even other Fathers, as often as they begin to perceive them contrary to themselves, whether by denying that the writings are theirs, although these circulate under their names, or by attributing error to them. Hence in this point too the king does not profess that he believes everything that those Fathers taught with unanimous consent, even about things that pertain to salvation, but only that he does not reprehend them, or at least keeps silent, which is little and less for integral confession of faith, because from unanimous consent of this sort in such matter ecclesiastical tradition arises, which, always unbroken in the Catholic Church, suffices for rule of faith, as was proved above.

9. Wherefore, although we might concede to the king that what he professes in that reason, about the faith which he puts in the Creeds and the four Councils, is simply true, yet his reason does not rightly or sufficiently conclude; otherwise we will have to deny that many of those condemned as heretics by the Church were heretics. For Helivadius, and those who by Epiphanius, *Haeres.* 78, are called Antidicomarianitae, are numbered among the heretics by Augustine, *Haeres.* 56 & 84, although they put faith in the Scriptures, the Creeds, and the Councils, because they contended only that the most blessed Mary had by Joseph other sons after Christ; although that is not expressly against Scripture, the Creeds, or the four Councils, yet it is against the ecclesiastical tradition received by all Catholics. Next, we have a very good example in the Donatists, about whom Cyprian above said that, by persevering at the beginning in the same faith and religion and use of the sacraments, they made a schism by splitting the Church and usurping the chair and the primacy. But Augustine adds, bk. *De Haeresibus* on 69: "When obstinate defense was made firm, they turned a schism into a heresy," and so they became heretics. But, when explaining how they first became heretics, he adds: "As if the Church of Christ, because of the crimes of Caecilian, whether true or, as appeared more to the judges, false, perished from the whole earth where it was promised it was going to be, and remained in Africa in the party of Donatus, being extinguished in the other parts of the earth as by the contagion of communion." In which words Augustine not obscurely insinuated that the Donatists were made heretics by thinking badly of the Church, from which by schism they had separated. And yet the Donatists said that they believed the Scriptures and the Apostles' Creed for the other Creeds and the four General Councils had not yet come about when Donatus began; but afterwards they did hold a definite faith in them (as far as we collect from Cyprian and Augustine), and yet solely for the error by which they began to think badly of the Church they became heretics. But if someone were to consider rightly, he will find the same to have happened with the Protestants, and especially with the Anglican sect, which began through schism and the usurpation of the primacy and, afterwards, proceeded to the point that because of communion with the Roman Pontiff, on whom they have imposed crimes and errors, they pronounce that the visible Universal Church has defected.

Augustine adds besides about the Donatists: "They even dare to re-baptize Catholics, where they have further confirmed themselves to be heretics, although it has pleased the whole Catholic Church not to annul common baptism even in heretics themselves." But he says that through this is it further confirmed that they are heretics, because they have added a new heresy; which notwithstanding, Donatus might say that he admitted Scripture and the Creed and a single true baptism, which he contended was in his Church. But all this, if not in the same matter of baptism, one may in many other like things see in the Anglican sect. For after it began to think

badly about the Church, it received and taught many things against the Church's universal sense and definition, by which it was further confirmed in heresy, as Augustine said a little above. We can besides bring as example all the heretics who have private and individual errors, and are reputed heretics by the Universal Church, although they say they believe, by badly interpreting them all, the Scriptures, the Creeds, and the four General Councils, or those Councils that had in their times been completed. Thus from these things is collected what is related by Origen (on *Titus* 3 in Pamphilus on the *Apologia*) about the various errors whose individual instances are enough to constitute a man a heretic. Again from these things is collected what Augustine, Epiphanius, and others relate about the Pelagians, Anabaptists, Monothelites, Jovinianists, and others, whom it is manifest were heretics; and the Protestants themselves do not doubt so to call many of them. Therefore the excuse is not sufficient when, notwithstanding, many things are believed against the Church, either by interpreting Scripture or the Creeds otherwise than the Church itself thinks or by condemning many things that have been approved and defined by the authority of the same Church. But that such is his faith the king of England not only does not deny, but even expressly affirms, by accusing the Catholic Church of various errors, for he objects to as many errors in it as he concedes he finds heresies in his own sect, and as many times does he teach that the Universal Church can err in faith and morals, which is heretical.

Chapter 25: The Anglican sect wrongly limits its faith and the authority of the Church to the five hundred years after Christ.

Summary: 1. The general rule or limit or boundary for belief which the king of England prescribes to his credulity. 2. Conjectures whereby the king could have been led to lay down the aforesaid rule of belief. 3. Solution to conjectures of this sort. An evasion is met. 4. Solution to the second conjecture. 5. Evasion of the king. Solution. 6. The third conjecture is dissolved. 7. The conclusion is drawn that it is against the faith to attribute false articles to the Roman Church. 8. Second reason. Nothing can come from the Roman Church without at the same time coming from the Catholic Church. The articles reprehended by the king contain the true and Catholic doctrine.

1. Before we refute the errors of the Anglican schism one by one in the next book, I have thought it worthwhile in the present chapter to propose and diligently examine certain words of the king, by which he prescribes certain boundaries, so to say, to his credulity and his agreement with the Catholic Church. Now the words are of this sort: "But if the workshop of the Roman Church has recently fashioned articles unheard of and unseen before the five hundredth year of Christ, I am not, I believe, to be condemned for a heretic if I do not accede to these novelties and recent inventions."

2. These words certainly contain a sort of general rule for belief, or a certain limit, measure, or boundary which the king prescribes to his credulity, namely, that it not stretch into articles of the faith propositions which were defined in the Church after the five hundredth year of Christ; but he seems to take as supposition that he believes everything which in the first five centuries the Church believed as *de fide* necessary. Nevertheless, he does not put this second affirmative part as expressly as the other negative one. For although a little later he seem also to profess it, yet the words are changed and more confused and ambiguous, lest perhaps he be constrained by them, as I will consider later by urging and requiring a certain solemn promise of the king's. Therefore now, about the other part, in which the king runs away from believing anything defined in the Church after the five hundredth year, I judge it necessary to demand of

the most serene king a reason for this rule of belief or rather of non-belief. For it is not likely that he himself by his own decision has established the boundary of that time for himself, otherwise his whole faith will not only be merely human but will even lack prudent reason, because how much repugnance it has to the Christian faith is perspicuous to all; for giving a reason for which faith we should be ready, according to the warning of *1 Peter* 3.15, which Augustine, epist.222, explained of giving a reason leading to belief. The king could, therefore, have been moved to thus limiting his faith, either because he decreed that he was to believe nothing except what by his sure knowledge he understands to be written in those canonical books which he admits; or because he believes that the Catholic Church was governed by the Holy Spirit in preserving the faith pure through five hundred years and no more; or because he is not speaking of the Catholic Church but of the Roman Church and says that at that time it erred. But these things are not sufficient to excuse the error of the limitation; nay, each and every one of them proves that the limitation is both against faith and against reason, as will be clear from examining the three said parts.

3. For the first reason is easily refuted from what was said above. Both because we showed that it is against faith and against reason to admit some books approved by the Church and to repudiate others, since none could possess the faith of the canon except through the authority of the Church, and this authority is the same in all of them, and, accordingly, if it is found false in one it becomes uncertain in all. Also because it would be against the principles of the faith and against natural reason to reduce faith to private spirit and preach it as certain and necessary for everyone. Besides there occurs here a special reason, that that private spirit can even suggest something to be believed about Scripture in a way other than it was believed in the first five centuries; and conversely, someone can approve some sense of Scripture which was also by some private spirit thought out after five hundred years of Christ, although it be contrary to the dogmas received in the five prior centuries; for there is no greater reason about one time than about another, when once someone persuades himself that faith is to be given to this private spirit. But if perhaps the king say that the spirit declares to him that, in the first five centuries, no error was made by the Church in understanding the Scriptures, and that afterwards there was error, certainly he cannot show where he reads this, so that, through his sure knowledge, he understands it to have been authentically and canonically written; and thus it is clear that that discrimination or limitation of times has without foundation been by the king himself prescribed. But if the king be led by human conjectures alone, we will at once show that none of them are of any weight or moment, hence he wrongly puts them before certain and indubitable faith.

4. I come to the second reason, and I ask in a like way whence it is evident that the Catholic Church was for the first five hundred years governed and preserved in the true and pure faith by the Holy Spirit. Certainly, from nowhere else than the promises of Christ, otherwise the thing is propounded willfully and without foundation. But Christ the Lord, as is proved from the Scriptures, did not make a period of five hundred years the fixed limit of his promise. Without foundation, therefore, in the Christian Faith, is a boundary of this sort made fixed. Nay truly, it is contrary to the foundation of the faith, because the promises of Christ are indefinite and, so to say, unbounded; therefore it is against the faith to prescribe them a boundary. Rather in fact in these promises the Lord often added about the promise of the Spirit, *John* 14.16, "that he may abide with you for ever," and about his own protection, *Matthew* 28.20, "to the end of the world." Therefore if, from the five hundredth year of Christ, the Church ceased to be protected by Christ and governed by the Holy Spirit, the promise has, for the greater part of the time, been false and faithless, and thus without cause is it believed that it was fulfilled in those earlier times;

or conversely, if the faith of the Catholic Church is for this reason believed to be pure in the first five centuries, by the same faith must it be believed that it has lasted pure through the eleven following centuries.

5. Perhaps the king will say that in the first five centuries the Church preserved the true faith, not because it could not err, but because in fact it did not err, but it did err afterwards. But if he thus thinks of the primitive and ancient Church up to the five hundredth year, assuredly he does not believe by divine faith that the Church in all that time did not err, because nowhere is this revealed nor is it written in the canonical books, except insofar as the said promises are found in them and the testimony of Paul calling the Church the pillar and ground of the truth; which words are both without limitation of time and, because of the infallible assistance of the Holy Spirit, are pronounced so as never to be in error. If therefore they be not accepted in this sense, the king does have whence to believe by faith that the Catholic Church did not err in the first five centuries, or did not err in the Council of Nicea, or in the other three; nor even can he believe with certain faith the very Creed of the Councils of Nicea and Constantinople, at least as to the additions made in them and especially as to the article about the Catholic Church as it was enduring at those times. Therefore the king is led by human conjectures alone or histories or his own proper judgment in believing that in those centuries the Church did not err; and he could believe the same about the not much dissimilar nor unequal later centuries, if he had not from false teachers imbibed the contrary error from his cradle. Therefore, the limitation and distinction of times shows at once that such faith cannot be Catholic, nor founded on the divine word.

6. The third reason, indeed, or excuse (if the king really asserts that he is not speaking of the Catholic Church but of the Roman) was more than sufficiently rejected in chapter 5, because neither was the Roman Church ever separated from the Catholic, nor was the Catholic Church, once it had been founded in the Roman, ever divided from it. Besides, if the king is speaking of the Roman Church after the five hundredth year of Christ, he should go on also proclaiming the same things about the same Church for the five previous centuries; both because he only speaks of the “workshop of the Roman Church” in that whole opinion, and also because his opinion would otherwise not be sufficiently consistent with itself or firm. Therefore, he must concede that in those five hundred years the Roman Church did not err, and that a false article did not proceed from its workshop; for those articles, which he reprehends as novelties and recent, he confesses himself were unheard of in the first five centuries; therefore he confesses that he has nothing to reprehend the Roman Church for in those first five centuries, and that accordingly, at least for the same centuries, it did not err. But, with this posited, we will confirm, by going over, the discussion just completed. For the Roman Church is either believed not to have erred in those first five centuries because, on account of the assistance of the Holy Spirit, it could not err, or because in fact, and as if by chance, it did not err. The first member, though it be very true, I know the king must not admit, lest he attribute so great a prerogative and signal privilege to the Roman Church for even a brief time, especially because, if he wishes to speak consistently and he recognizes it before one time, he can in no way refuse it for another time. Because, for whatever time it be admitted, it must be founded on the promise of Christ, but the words of Christ, “I will pray for thee, etc.,” and these, “the gates of hell shall not prevail against it,” do not have any limitation of time but, being proffered indefinitely, comprehend all future times.

The king will therefore deny, as I believe, that the Roman Church ever had this privilege, and he will the more choose the other member, namely, that by the fact itself it so happened that in those five hundred years the Roman Church did not err, although it did not have the privilege of not erring, and consequently he believes, not with certain faith, but with human conjecture and

free opinion, that in those five centuries the Roman Church did not err. Hence, further, it follows that the same must be asserted about the Catholic Church; which, that it is absurd, was already made plain and remains so. But the consequence is plain; because in all those five hundred years the Catholic Church was believing what the Roman Church believed, and those articles which proceeded from the workshop of the Roman Church proceeded from the workshop of the Catholic Church. For its Pontiff was, in the four General Councils of those times (which Councils can most be said to be the workshop of the Catholic Church), head and presider, and from his confirmation and approval they had the strongest firmness, as by the acts of the same Councils is clearly manifest, and as will on a more suitable occasion be said below; therefore, there cannot be a greater certitude about the purity of the faith of the Catholic Church for that time than about the firmness of the faith of the Roman Church. Hence, if this is reduced to human opinion, their whole faith will totter, and the authority of the first four Councils will be merely human, and the Athanasian Creed will have no authority other than human. Because the greatest authority it has it received from the Roman Church, and we inferred above the same about the Nicene and Constantinopolitan Creed. Add, finally, that the Fathers of that time always attributed, not to human industry, but to the assistance of the divine Spirit, the firmness and purity of the faith of the Roman See, and attributed the perpetual succession of its bishops as if to the miracle of divine protection, as we have recently testified from Cyprian, Augustine, and others; and it is very clear from the decrees and epistles of the Pontiffs of the same See and of those times, but about all of these supposition was made in the discussion that they had preserved the faith pure, and among them were many very holy martyrs and very close to the apostles, as Clement, Anacletus, and the like. But others were very wise and holy confessors, as Leo I, Innocent, and others.

7. From which, finally, we conclude that it is against all faith to attribute to the Roman Church its being, after the five hundredth year of Christ, the workshop of false articles of the faith. First, because it was shown that the purity of the faith, which it had in the first five centuries, was preserved, not by human counsel alone, but by divine privilege; but this privilege was not taken away nor lost in the five hundredth year of Christ; both because this is neither proved nor can be proved, and there is, against the most ancient privilege, granted from the lips of Christ himself, no presumption unless it is be proved; and because most of all the perpetuity of that privilege is sufficiently proved from the Scriptures and from the common tradition of the Fathers, as was done above, and we will perhaps add something in book 3.

8. Second, because, even after the first five centuries, the workshop of the Roman Church cannot be separated from the workshop of the Catholic Church; but to affirm that from the workshop of the Catholic Church false articles of the faith have ever proceeded is plainly heretical, because it is nothing other than to say that the Church of Christ has lost the Catholic Faith, and hence that it has perished; therefore one no less errs by thinking in this way of the Roman Church. The first proposition will be made clear with one or other example. For the fifth or sixth General Synod was not less the workshop of the Catholic and at the same time Roman Church than was the third or the fourth; therefore if the Roman Church could err, or did err, after those five hundred years, the same can be thought of the whole Catholic Church. From which opinion King James seems to be not far distant, for on account of that cause he does not receive the General Councils celebrated after the five hundredth year of Christ. But far otherwise did Gregory the apostle of England think of the fifth synod, bk.1 *Register* epist.24 at the end, where, when he had said that he receives and venerates the first four Councils just like the four books of the holy Gospel, he subjoins: "The fifth Council too I venerate equally." And later he speaks

about all five when he says: “All the persons, indeed, whom the aforesaid venerable Councils reject, I reject; whom they venerate, I embrace; because, as long as they were by universal consent established, he destroys himself and not them whoever presumes either to loose what they bind, or to bind what they loose; whoever, therefore, is of other mind, let him be anathema. But whoever receives the faith of those synods, peace be upon him, etc.” Let the king of England, then, fear the anathema pronounced by the most holy Gregory, and let him ponder there his reason, “as long as they were by universal consent established;” for Gregory evidently concludes that it is against all reason, where the same cause of sure authority is so manifest in the Councils, to recognize it in some and not in others merely because of the difference of times. Which reason is expounded excellently by Bellarmine when comparing the sixth synod with the third, in the said ch.7, to which nothing can be added.

And in the same way all following times can be run through, for always the Roman Church and the Catholic were conjoined, or rather were one, and therefore never did anything proceed from the workshop of the Roman Church which did not emanate from the Catholic Church. Neither, then, can anyone attribute the blot of falsity to the workshop of the Roman Church without attributing the same to the Catholic Church, or without saying that for so many centuries there was no Catholic Church in the world, or at any rate without affirming that after the five hundredth year of Christ it lay hidden and was made invisible, which are portents and monstrosities in themselves incredible and contrary, not only to the divine Scriptures, but also to reason, nay to sense too, as was sufficiently discussed above.

But if anyone perhaps feigns that it has, from these things, at most been proved that from the General Councils, and hence from the workshop of the Catholic Church, there have not proceeded false articles, yet others were invented by the Roman Pontiffs without the said Councils, about which the king of England could have been speaking, and that in this way the Roman Church is, in his opinion, separated from the Catholic; let him notice that this response begs another question, namely whether the Pope might define a matter of faith without a General Council, which now we do not need; both because the king without doubt is not speaking in this sense, because he also does not admit the later Councils, and many of the articles which he reprehends were approved in General Councils, as we will see; and also because, though we grant that some of the said articles were not in the beginning introduced by General Councils, nevertheless they were received and approved by the universal assent of the Catholic Church, and so are not separated from the consent of the whole Catholic Church; and finally because, by running through the individual articles that the king touches on, we will show openly that they are reprehended without cause, nay rather that they contain the true faith, whether they were legitimately defined by General Councils or by the authority of the Supreme Pontiffs. Hence it could, on the contrary, rather be shown, by the by and as by a certain induction, that the Roman See, which has hitherto not erred in its definitions, in no way can err, whether the definition be made with a General Council or by the Pontiff alone speaking *ex cathedra*. About which point we will touch on some things in book 3, although a proper consideration and disputation about it is neither necessary nor, as I said, opportune in this place.

Sum and conclusion of the whole book with an address to the king of England.

A correct, full, and secure way and reason of finding the truth and the Catholic Faith we have, for our little measure, tried to show and, with signs sure and founded on the Word of God,

to make clear; and since neither has the Catholic Faith ever strayed, or can stray, outside the true Church of Christ, nor has this unique spouse of Christ ever strayed, or can stray, from the sincere truth of the faith, to this unique mistress thereof we have, like to the sun shining in the world, pointed as with a finger; and, that it is not other than the one founded on the See of Peter, we have, partly with the written partly with the unwritten word of God, provided proof. Hence it was as a consequence necessary that we should give conviction that the error of the Anglican sect cannot be excused from the note of heresy; which, with the liberty that becomes a Catholic doctor, and with the modesty that is due to the royal majesty, we have not doubted to do, mindful of that most prudent opinion of the Pontiff Gelasius to the emperor Anastasius: "Far be it, I beg, from a Roman, or a Christian, prince that a truth made evident to his senses he should judge to be an injury."

It remains for the most serene King James (which I humbly and earnestly ask) not to become obdurate when hearing the word of God, but, all human affection set aside, to perpend, according to the sharpness of his genius wherewith he is endowed, the antiquity of our Catholic Roman Church but the novelty of the sect which he embraces, the firmness of that, the instability of this, to take up the doctors of that, most wise and for sanctity and antiquity venerable, to dread the obscure and novel impostors of this, for so may it happen, as I desire, that he should upon the truth of that, but the pretense of this, look with a clearness greater than light, and should with Hilary begin to say: "Finally has the age now of this world brought forth for us these most impious doctors; the faith which thou, O God, hast taught had aged masters. Therefore let me, those ones all unheard, so believe in thee that from henceforth I should be always thine." And thus may it happen, most prudent king, that the title of defender of the Catholic Faith, in which you rightly glory, may be by you deserved and, with a true and just title, possessed; for our kind Mother the Church does not envy you this name (which you are not ignorant was given by pontifical donation) but longs for it to be unconquered; if, however, to those things, which we have hitherto said, you turn your mind, surely you will understand that, not by resisting the Roman Church, but rather by humbly obeying it, will you obtain that title. For if you persist in attacking the Church you necessarily waste away your strength; for as Chrysostom said: "If you make war on a man, perhaps you will conquer, or perchance you will be conquered; the Church no force can conquer, for heaven and earth will pass away but the words of Christ will not pass away." But if you begin to embrace the sincere faith of the holy Church, and to love dearly its glory and purity, and if you retain it constantly, then you will obtain eternal the true title of defender of the Catholic Faith. And, so that this happen, we urgently implore the divine majesty; and we have before your majesty gladly laid this our work, whatever sort it be, and we proceed, drawn by this hope, to show the other things, wherein your ministers have imposed on you.

BOOK TWO

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mass can be said to be private. First from defect of an assembly of people. 4. A mass private in this way is altogether reprehensible. 5. No ecclesiastical precept obliges to sacrificing in the presence of many persons. 6. Secondly, a mass is said to be private because only the priest communicates in it. 7. Thirdly a mass is said to be private from circumstances of time and place. These circumstances do not render it illicit. 8. The custom of celebrating in private places is confirmed by miracles. 9. The custom of celebrating mass at any opportune time is confirmed by examples.

Chapter 7: On the errors about the cult and invocation of the Blessed Virgin noted in the king's Preface.

Summary: 1. What the difference is between the words 'honoring', 'adoring', and 'venerating'. 2. Several kinds of adoration. Worship (latria). Service (dulia). With what adoration the Blessed Virgin is to be adored. 3. What the king argues against in the veneration due to the Blessed Virgin, and his objection. The objection gathered from the words of the king. Satisfaction is made to the objection. The true sense of Nazianzen is reported. 4. King James argues against the invocation of the Blessed Virgin. Foundation of King James. His triple objection against the mode of invoking the Blessed Virgin. 5. This mode of invoking the Blessed Virgin is very ancient in the Church. 6. Response to the words of the king. The beatific vision consists very well with knowledge and love of creatures. The Blessed Virgin can intercede for us without losing her felicity. 7. The first objection against the mode of invoking the Blessed Virgin is dissolved. The Church does not attribute to the Blessed Virgin command over Christ the Lord. 8. The second objection is solved. 9. Satisfaction is made to the third objection; and declaration is given of how the Blessed Virgin repels demons. 10. How the Blessed Virgin destroys heresies.

Chapter 8: On the things noted in the king's Preface about the cult of the saints.

Summary: 1. Scripture and the Fathers testify that there should be a cult of the saints. 2. King James recoils from the word 'adore'. 3. King James seems to embellish the saints with civil honor rather than religious. The Catholic Church venerates the saints with a holy and religious cult. 4. Proof from the Fathers that the custom of honoring the saints with a holy cult is very ancient. 5. Tacit objection of the king. 6. Satisfaction is made to the king's objection, and it is shown that there should be a cult of all the saints approved by the Church. 7. The custom of celebrating the feast days of the martyrs draws its origin from the apostles. 8. On what authority the Church rests in the cult of the saints.

Chapter 9: On the invocation of saints.

Summary: 1. By what conjectures King James looks down on the invocation of saints. 2. The antiquity of the custom of invoking saints is deduced from the Fathers. 3. Augustine makes satisfaction to the objection of heretics. 4. Other testimonies from the Greek Fathers. 5. Before the Lord's advent the saints were not invoked, and for what cause. 6. The prayer of one person for another is pleasing to God. 7. To ask another to pray on one's behalf is a holy thing. 8. By parity of reasoning the conclusion is drawn that it is licit to pray to saints who have finished life. 9. The invocation of saints is neither bad nor prohibited. 10. The objection of the king against this doctrine. Solution. Christ the Lord is invoked as Redeemer, but the saints as mediators to him. 11. A second objection from the letter of St. Paul to the Colossians. Solution. 12. The sense of Paul. 13. Third objection. 14. Response. 15. Someone who thinks badly of the invocation of saints is not benefited by invoking God through Christ. 16. The invocation of some saint can sometimes be necessary for salvation. 17. The invocation of saints is safer and more useful. 18. An evasion of heretics is excluded.

Chapter 10: On the custody and veneration of holy relics.

Summary: 1. What cult King James attributes to the relics of saints. 2. That the relics of saints are adored by Catholics with the cult of worship is falsely invented by Protestants. 3. The calumny of heretics is refuted from the Fathers. 4. Catholics venerate saints and their relics with the same cult. 5. The relics of saints are to be approached with a higher than civil cult. 6. The veneration of relics is pleasing to God. 7. The same truth is confirmed by miracles. 8. By the relics of saints demons are put to flight. 9. The public display of parts of relics is ancient and holy. 10. Relics, although not parts of saints, claim for themselves the same veneration.

Chapter 11: On the true veneration or adoration of holy images.

Summary: 1. England is stirring up the heresy of the iconoclasts. 2. The faithful never pray to images. To

pray before an image and to supplicate an image are very different from each other. 3. Catholics recognize in images no intrinsic sanctity. 4. Images are said to be holy from something extrinsic. 5. To give the cult of worship [latria] to images is prohibited. 6. The adoration of images had its beginning from the apostles. 7. An evasion is refuted. 8. The end of images. Prayer in no way tends to the image, but adoration can deal proximately with it. 9. Only intellectual creatures receive on their own account the honor of cult. 10. The veneration of images is concluded to be as ancient as the use of them. 11. The veneration of sacred images is approved by miracles. 12. Insulting images is a very grave sacrilege. 13. Natural reason commends the veneration of images.

Chapter 12: Satisfaction is made to the objections of the king against the veneration of images.

Summary: 1. King James' words of astonishment against the veneration of images. 2. First, second, and third objection. 3. Satisfaction is made to the first objection. The veneration of images is not prohibited by any positive divine precept. 4. There is no natural precept to prohibit the veneration of images. From the places in Exodus 20 and Deuteronomy 5 it is shown that no conclusion follows. 5. Satisfaction is made to the second objection. The veneration of images is very far distant from idolatry. 6. For what reason an idol is said to be nothing. 7. The adoration of some creature is consonant with Scripture. 8. The third objection is met. 9. Satisfaction is made to the second example.

Chapter 13: On the images of God as God

Summary: 1. Objection of the king against adoration of the image of God. The image of God is double. 2. The proper and formal image of God cannot be described. 3. A description of the metaphorical image of God is not evil and not prohibited. 4. Exposition of the places of Scripture speaking about the images of God. 5. Instance of the king. Explanation.

Chapter 14: On the adoration of the cross of Christ.

Summary: 1. Objections of King James against the adoration of the cross. 2. Dilemma of the king attacking the adoration of Christ's cross. First, second, and third confirmation. 3. No power of accomplishing miracles has from contact with the body of Christ on the cross been derived. 4. The Catholic doctrine about the adoration of the cross of Christ is explained. 5. The dilemma of the king is met. 6. Response to the first, to the second, and to the third confirmation.

Chapter 15: On the error about purgatory.

Summary: 1. King James mocks purgatory. First and second foundation. 2. The error of Protestants about the redemption of Christ and about the justification of the impious. 3. The application of the merits of Christ to men is not done through the non-imputation of sins. 4. Some sins also exist in just men, which do not take away grace. 5. Not any sin at all cuts off friendship with God. 6. It is shown from the Fathers that the article about purgatory is very ancient. 7. After the day of judgment there will remain no place for purgatory. 8. Indulgences on account of the merits of Christ are lavished on the Church by God.

Chapter 16: On errors about the rites and benedictions of the Church.

Summary: 1. The blessing of bells and other like benedictions seem trivialities to Protestants. 2. The institution and use of bells. 3. Use of this sort was introduced in the Church over one thousand years ago. 4. It is shown that nothing can be faulted in the blessing of bells. 5. The objection of heretics is solved. 6. Instance.

Sum and conclusion of the whole book with an address to the king of England.

BOOK 2: ON THE PARTICULAR ERRORS IN THE MATTER OF CATHOLIC FAITH WHICH THE KING OF ENGLAND PROFESSES

Preface

Hitherto we have spoken of the true foundations of our faith on which the whole Catholic doctrine is, under God, supported. On these the rest can easily be built, if indeed he who hears the Church also hears God, but he who spurns the Scripture, as handed on and explained by the Church, spurns its authority also. For the Church is the pillar and ground of the truth, and, as Paul Orosius very gravely says, bk.7 ch.33, “he who attacks it is an enemy; and he who is not joined to it is an alien.” But because the most serene king of England strives greatly to shatter the things that have been built on this foundation, we will try, to the best of our ability and our grasp, to defend and confirm them; and therefore not all the dogmas of the faith must be treated, but those that from page 44 of his *Preface* the king attacks in his confession; nor will we touch on all of these but those that seem to be chief and have bearing on the cause. The order will not be his but that of doctrine and we will begin from what is chief; the other things we will pursue in the due order that I have said. Only those things that pertain to the primacy and to Ecclesiastical monarchy, to the exemption of clerics, and to the Antichrist, will we remit to subsequent books, because they demand their own and more extended disputation.

Chapter 1: On the presence of the body and blood of Christ in the sacrosanct sacrament of the Eucharist.

Summary: 1. Five errors of the king of England about the sacrosanct sacrament of the Eucharist. 2. First conclusion. 3. The assertion is shown from the ancient fathers. 4. An evasion of the heretics is met. What Ambrose understands by the figure of the body. 5. To represent is the same as to make re-present. 6. Augustine is vindicated from an improper interpretation. 7. By figurative signification Augustine understands mode of sacramental eating. Places in which Augustine teaches the Catholic truth simply. 8. The same is shown from the Greek Fathers.

1. The most serene king of England, desiring to show that the title of defender of the faith, in which he desires to glory, is true and has a foundation in reality itself, has put forward a confession of his faith whereby is evidently proved how much he errs from the truth of the Catholic Faith. For after what he had said in general about the foundations of the faith, he numbers one by one several articles of the Roman Faith and rebuts them as recent and novel, nay as pernicious too. And having reviewed several things, to which we will afterwards return, he in this way subjoins: “Among these articles I number private Masses in which the sacrificing priest bears the person of the people and of the priest at the same time. Among these too there is mutilation of the sacrament, whereby a half part of it has been taken away from the laity; transubstantiation; elevation for the purpose of adoration; processions carrying around the sacrament during supplications.” In these words five errors are contained, which I will review in different order so that we may begin from the foundation. The first is that in the consecration of the Eucharist transubstantiation does not take place; the second is that the Eucharist is not to be adored and that therefore it is a corrupt custom to elevate it, for the sake of adoration, in the

sacrifice; the third is that the usage of carrying round the sacrament during supplications is an abuse; the fourth is that the custom of the laity communicating only in the appearances of the bread is to be condemned as against divine right; the fifth is that private Masses are not to be admitted. The first of these errors supposes two others, one of them indeed the chief in this matter and the foundation of the rest. It is that Christ the Lord is not really and substantially present under the sacramental appearances of the Eucharist; as I reasonably believe this to be the opinion of the king, who is said to profess, in chief part, the sect of Calvin; but it seems that the king has been made ashamed of that man's infamy and therefore has blushed to confess in express words an error already long ago condemned. The second error is included in the denial of transubstantiation, namely that after the consecration the substance of bread and wine remain; for if the substance of bread and wine were to remain there, even if the flesh and blood of Christ the Lord were to become present under the same appearances, the assertion of transubstantiation would without any doubt be false.

2. So as to lay down, then, the first and chief foundation of this mystery, we assert that according to the Catholic Faith the body and blood of Christ the Lord must be believed to be truly and really contained under the legitimately consecrated appearances of bread and wine. This faith cannot be said by the king to be novel and recent, nor to have come from human or unwritten tradition alone; for it is founded on the express words of Christ related by the three Evangelists, Matthew, Mark, and Luke, and by Paul, namely: "This is my body," and "This is my blood," or, which is the same, "This is the cup of my blood" or "in my blood." Nor need we delay in reporting and refuting the tropes, figures, and metaphors wherewith the Protestants have tried to corrupt these very clear words; both because, as I said, I have not assumed the province of refuting these controversies on set purpose; and also because, as Tertullian warned, to dispute from the words alone and from private spirit about the sense of some Scripture with heretics, who revere neither the Church nor the Fathers, is useless. Although they could most from this place be convinced how vain the private spirit is they are led by in expounding the Scriptures so as not to contradict their own opinions. For in these words, considered in themselves, there is no trace of figurative speech; nor does the occasion of establishing the new testament, on which Christ pronounced them, permit metaphor; for the prudent are on like occasions not wont, especially without sufficient explication, to speak metaphorically and obscurely. Add that Christ the Lord added rather words that are sufficiently able to exclude metaphor; for he says: "This is my body which is given for you," and "This is my blood which is shed for many." Paul too says, *1 Corinthians* 11.27: "Whosoever shall eat this bread, and drink this cup of the Lord, unworthily, shall be guilty of the body and blood of the Lord." And later, v.29: "[he] eateth and drinketh damnation to himself, not discerning the Lord's body." Lastly, the concord and conformity of these words of Christ with the promise he made, *John* 6, and with his preaching and the figures of this mystery and with other words of Paul, *1 Corinthians* 10, greatly confirm and illustrate the same sense.

3. But passing over, as I said, disputation about the Scriptures alone, enough now is it for us to reply to the king that this faith is not new, nor was the aforesaid sense of Christ's words discovered after the five hundredth year of Christ, but has been handed on by all the Fathers of the first five centuries who touched on the words of Christ or explained the mystery. Of which truth we will bring forward, not all the witnesses who

could be adduced, but those who are sufficient; for he who does not hear them would not even believe if a thousand were brought forward. The first witness, then, is Hilary, bk.8 *De Trinitate*, where he first prefaces: "We must in the things of God not speak in human or secular sense, etc." And after having adduced the words of Christ in *John 6* he concludes: "About the truth of the flesh and blood there has no place been left for ambiguity, for now, by both the profession of the Lord himself and by our faith, it is truly flesh and truly blood, and when taken and drunk they make us to be in Christ and Christ to be in us. Can it be that this is not the truth? Let it not be true, to be sure, for those who deny that Christ Jesus is true God." Calvin, then, for whom this is not true, has no less impiously than ignorantly denied the truth and consequently the divinity of Christ.

4. A second very grave and rich witness is Ambrose, bk.4 *De Sacramentis* ch.4, where, among other things, he says: "This bread is bread before the words of the sacraments; when consecration is added, from the bread the flesh of Christ comes to be." And next, so as to take away astonishment, and to dissolve with a single word the ratiocinations of infidels fetched from vain philosophy, he subjoins: "When the time comes to accomplish the venerable sacrament, the priest does not use now his own words but the words of Christ; therefore the word of Christ accomplishes the sacrament. Which word of Christ? Surely the one whereby all things were made, etc." And afterwards, in ch.6, he so explains the words of Christ and concludes: "Ought we then to have doubt about his faith and testimony?" But perhaps there will not be lacking a heretic to try to inflict violence on the very clear words of Ambrose, because at the beginning of his fifth chapter he relates that the priest in the Mass says the following words: "Make this offering consecrated, reasonable, acceptable, because it is made into the figure of the body and blood of our Lord Jesus Christ." For, because he said "into the figure," an impudent man may turn all the other things to a figure, though it be in open conflict with them. But the true and clear sense is that, through consecration, the body of Christ is truly made to be under the appearances, whereby also the appearances are made to be a sign of the body and blood which they contain under them, and this Ambrose called being made into the figure, that is, into the sacrament of the body and blood lying hid there but truly and really existing. And this fact is to be noted by the by to explain the rather obscure words, if they sometimes turn up, of the Fathers, which words are to be explained from places of theirs that are clear and contain the full doctrine, and not, conversely, the full doctrine satisfactorily explained elsewhere to be obfuscated because of one obscure word. And the same sense and the whole truth of the mystery are explained by the same Ambrose in his book *De Initiandis* ch.9. But the Catholic Church, to avoid the calumny, does not use that mode of speaking in the canon of the Mass, "made into the figure etc.," but it says: "so that it may become for us the body and blood of your most dear Son, Our Lord Jesus Christ."

5. Let the third witness be Jerome expounding the words of Christ in *Matthew 26*, where he thus speaks: "After the Passover in type was completed and he had eaten the flesh of the lamb with his disciples, he took bread, which strengthens the heart of man, and moved on to the true sacrament of Passover, so that, as in his figure Melchizedek, the priest of the Most High God, had made an offering of bread and wine, he himself too might represent the truth of his body and blood." Where also perhaps a heretic will spring up to interpret the word 'represent' into some fiction or metaphor. But the force of the word and the mind of Jerome are clear; for to represent is the same as to make a thing

present, especially a thing that was before promised or was predicted as future or was longed for. Which fact we can expound from the words of Seneca, epist.95 at the beginning: "You seek from me that, what I had said I must do on your day, I should represent and write to you etc.," that is, that I should fulfill by writing etc. Sufficiently suited to the thing are also the words of Cicero, *Philippic* 5: "I would gladly have offered my body if freedom could, by my death, be represented to the city," that is, restored or made to be present. In this way, then, did Jerome say that Christ, by representing, that is, by making present, the truth of his body and blood, and by offering it thus present to the Father, he had fulfilled what, in the offering of bread and wine by Melchizedek and in the immolation of the Paschal lamb, had been prefigured. And this true sense is more explained by the same Jerome, in epist.150 to Hedibias question 2, saying: "Let us hear that the bread, which the Lord broke and gave to his disciples, is the body of the Lord, since he himself says to them: 'Take, and eat, this is my body.'" And later: "Moses did not give us the true bread, but the Lord Jesus did, himself the guest and the banquet, himself eating and the one eaten; we drink his blood and without him we cannot drink, and every day in his sacrifices we tread out the red wine from the fruit of the true vine." "Than which words," says Marianus Victor, "nothing more lucid and more clear could be said about the truth of the body and blood of Christ." But it is further confirmed by the same Jerome when he says in other places that the priests make the body of Christ with their holy mouth, epist.1 to Heliodorus, epist.85 to Evagrius, and almost the same on *Malachi* 1, and on *Galatians* 5 he says: "I know moreover that the wine is consecrated into the blood of Christ." And best on the words of *Titus* 1.8: "But a lover of hospitality etc.," he says: "There is as much difference between the shew-bread and the body of Christ as there is between a shadow and bodies, between image and reality, between patterns of future things and the things themselves which are figured by the patterns."

6. Let the fourth witness be St. Augustine, who in innumerable places teaches this truth. But he seems to me to be perspicuous, and to admit of no tergiversation, in *Contio* 1 on *Psalms* 33 [34], where, after a very extensive discussion of the sacrifice of the Lord's body and blood "which the faithful and those who have read the Gospel know, and which is now diffused through the whole world," he says that, "in it Christ has changed his face from his humility," that is, "because the word, which is the bread of angels, is made flesh, is become the bread of men, because in his body and blood he wished our salvation to be." After these, I say, which he pursues in many words when explaining the truth of this mystery, he at last adapts to this mystery the words of *1 Kings* [*1 Samuel*] 21, as he himself reads them, v.4, "He was borne in his own hands," and he says: "Who is carried in his own hands? In the hands of others a man can be carried, but no one is carried in his own hands; how it may be understood of David himself according to the letter we do not find, but in Christ we find it. For Christ is borne in his own hands when, commending his own very body, he says: 'This is my body;' for he was bearing that body in his own hands; humility itself belongs to Our Lord Jesus Christ, humility itself is much commended to men." Where greatly to be weighed is what he says, that in this mystery and in Christ alone is it fulfilled, according to the letter, that he carried himself in his own hands; for when he says 'according to the letter', he excludes figure and trope. For to carry himself in his own hands in figure or image is no miracle, nor a great work, nor proper to Christ; for David could carry himself in his hands in his own image. Neither too would by such a work the humility of Christ be much commended, but his humility was

very great because the Word made flesh became also the bread of life so that it might truly and really be eaten by men. And so rightly does Guitmund urge this place, bk.3 *De Sacramento* at the beginning. But one must note too that Augustine in *Contio* 2 on the same psalm added this phrase, “in a certain way,” when he says, “he took into his own hands what the faithful know, and he himself carried himself in a certain way, when he said: ‘This is my body.’” Which phrase some man perhaps among those who live in shadows might maliciously seize on and overturn the whole truth. But there could scarcely be a blindness so great as to suppose Augustine said contrary things in so brief a discussion, or that he added something which would destroy the whole mystery he had explained. Therefore by that phrase ‘in a certain way’ (which in my judgment is better read in separation and with the force of a substantive than as a combined phrase and adverbially) Augustine only wished to signify that Christ did not carry himself in his own hands in a bodily, that is, a visible way, and by feeling and holding in his own hands the weight of his body, but in a mystical way, yet in a true and a real and a so singular way as could not be saved by mere figure or image. And this is very much to be observed in the doctrine of Augustine, that he often conjoins those two things, namely the truth of the body with the sacramental and mystical mode, and therefore the one is not to be excluded, or badly explained, because of the other.

And thus there is a very good testimony of the same Augustine in tract. *De Cataclysmo*, where he first says that, “blood and water, which flowed from the side of Christ, are the twin sacraments of Mother Church.” Which he expounds by adding: “This blood inebriates the mind so that I forget the love of the world, etc.” And more clearly later, when expounding the words, *Exodus* 16.19 “Let no man leave of it till the morning,” he says: “This now is done, for the lamb is eaten in the night of this age, so that, when the morning has come which will not have evening, the sacrifice of the image of the lamb may no longer be offered, but that the lamb himself, whom we daily immolate, eat, and whose blood we drink, we may find there to be him, the perfect priest, who, it is clear, was slain here for our salvation.” Which place can also suffer cavil because of the words, “the sacrifice of the image of the lamb.” To obviate this difficulty someone might perhaps understand those words of the sacrifice of the type, the paschal lamb, for the following words are expressly about our sacrifice, “the lamb himself, whom we daily immolate, eat.” But the exposition does not square with the context. For Augustine had said: “This now is done, for the lamb is eaten in the night of this age.” Where he openly embraces the time too of the law of grace, for he also adds that this age endures up to that morning which will not have evening, that is, to that state of glory where we will find (as he subjoins) the lamb, the perfect priest, “who, it is clear, was killed here for our salvation.” And on that morning, he says, there is no longer to be offered the sacrifice “of the image of the lamb,” because, namely, during this age it is always being offered. Therefore the sacrifice of the Eucharist too he calls the sacrifice of the image of the lamb. But by this he does not exclude the truth of the presence of the lamb whom he affirms is daily immolated and eaten, but because this sacrifice is not bloody but mystical, and because in this way it is the offering of an invisible lamb under a visible appearance, so that it may also be a remembrance of the same lamb visibly immolated, therefore he calls this mystical sacrifice the sacrifice of the image of the lamb, that is, a sacrifice representing the lamb slain for us, according to the words of the same Lamb, *1 Corinthians* 11.25: “This do ye, as oft as ye do it, in remembrance of me.”

7. When a like observation is applied, there is a sufficiently open testimony of the same Augustine, in bk.2 *Contra Adversarium Legis et Prophetarum* ch.9, where he says: "The Mediator of God and men, Jesus Christ, giving us his flesh to eat and his blood to drink, we receive with faithful heart and mouth, though it seem more horrible to eat human flesh than to destroy it, to drink human blood than to shed it." These words are very express. But he adds at once a certain general rule, which the Calvinists can abuse, when he says: "In all the Sacred Scriptures, according to the rule of sound faith, if anything said or done is expounded figuratively about things or words of any sort which are contained in the sacred pages, let that exposition not be taken contemptuously but heard wisely." But let them pay attention to and understand the words, "according to the rule of sound faith," which is the Catholic Church, the unanimous consent of the Fathers, and agreement with other Scriptures and mysteries of the faith, the propriety of the words being retained where it can be done without unsuitability. And thus, in the aforesaid words of "eating the body and drinking the blood of the Lord," Augustine admits the figurative and mystical signification as to the mode of eating and drinking, namely the sacramental mode, whereby the horror that there could have been in such eating and drinking is taken away; for this figurative signification is according to the rule of faith and necessary for the truth of the mystery. Yet Augustine does not admit a figurative signification as to the, so to say, substantial eating of Christ, and therefore he adds: "whom we receive with faithful heart and mouth," because such a figure is neither necessary nor according to the rule of faith, rather it is contrary to it. And according to this rule Augustine, in tract. 26 & 27 on *John*, expounds at large the words of Christ, 6.53: "Except ye eat the flesh of the Son of man, and drink his blood, ye have no life in you," together with the words, v.63: "It is the spirit that quickeneth; the flesh profiteth nothing; the words that I speak unto you, they are spirit and they are life." But in many other places the same holy doctor simply affirms that Christ has given us his body to eat and his blood to drink, as in his exposition on *Psalms* 33 [34] near the end, and *Contio* 1 on *Psalms* 48 [49] near the beginning, and *Enarratio* on *Psalms* 65 [66] before the middle, and his exposition of *Psalms* 93 near the beginning, and *Sermo* 2 'De Verbis Apostoli' ch.1, and bk.50 *Homiliarum* the final one, elsewhere bk. *De Utilitat. Poenitent.* ch.4, and bk.2 *Contra Litteras Petiliani* ch.37, and bk.1 *De Peccatorum Meritis* ch.24, where he says: "Without baptism and the body and blood of the Lord, salvation and eternal life are to be hoped for by no one." And therefore he says that the Christians in Carthage were wont to call baptism salvation and the Eucharist life; and sometimes he adds, to make it more plain, that we drink the blood whereby we are redeemed, as in bk.12 *Contra Faustum* ch.10 he very well says: "The blood of Christ has a loud voice on earth, when, after it has been received, all the nations reply, 'Amen.' This is the clear voice of the blood to which the blood itself gives expression in the mouth of the faithful, who are by the same blood redeemed." Finally in bk.20, against the same Faustus, ch.13, he says: "Let the bread and the cup, not any at all, but the one with sure consecration made mystical, be for us the body of Christ. Accordingly, what is not made so, although it be bread and cup, is food for refreshment, not a sacrament of religion, except in that we give blessing to the Lord and do him thanks in each of his offices." And thus too in bk.2 *De Peccatorum Meritis* ch.26, he says about blessed bread, or the bread of catechumens, that it is holy, and holier than common foods, "since it is a sacrament," that is, a sacred sign, "although," he says, "it is not the body of Christ," because, that is, the body is in a far

higher way the very sacrament of the Eucharist.

Let the fifth witness be Cyprian, who, in his sermon *De Coena Domini*, broadly thus explains this divine mystery, and, among other things, says: "The Master sets inconsumable food before the disciples." And later: "A food of immortality is given that differs from common food." And much later: "That common bread, changed into flesh and blood, procures life and increase for bodies, and therefore, the infirmity of our faith, aided by the accustomed effect of things, is taught by a sensible argument that in visible sacraments there is the effect of eternal life, and that we are united to Christ not so much by a corporeal as by a spiritual transition." And later: "That bread, which the Lord handed to the disciples, becomes, when changed not in appearance but in nature, the omnipotent flesh of the Word." Which he immediately explains with the example of divinity lying hid under humanity, and adduces very good reasons for so great a mystery. And, after interposing a few things, he says: "The Universal Church is invited to this feast, an equal portion is given to all, it is handed out whole, etc." By all which things he gives evident witness of the presence of the Lord in this Sacrament. But if anyone should call into doubt whether the work be Cyprian's, we reply, to begin with, that it has by almost all the graver theologians and expert authors been attributed to Cyprian, because the style, phrasing, and doctrine sufficiently point to him. Next, if perhaps it not be Cyprian's, no one surely can doubt that it is of some very grave Father of the same period. And lastly, in very many undoubted places the same Saint, though in fewer words, shows the same faith of the same Sacrament, as in epist. 11 he expounds the Eucharist, that is, "the holy body of the Lord," and more broadly in epist. 63 he says: "Christ offered a sacrifice to God the Father, and offered this very thing which Melchizedek had offered, that is bread and wine, namely his own body and blood," which he pursues through almost the whole letter. The same in epist. 54, 56, & 75, and bk. *De Lapsis* at the beginning and often elsewhere.

A sixth and very grave witness is Pope Leo in *Sermo* 6 'De Ieiunio Septimi Mensis,' who writes: "Since the Lord says, 'except ye eat the flesh of the Son of man, and drink his blood, ye have no life in you,' you ought so to communicate in the sacred table that you doubt naught in any way about the truth of the body and blood of Christ; for that is taken up in the mouth which is by faith believed, and in vain is 'Amen' said in reply by those who dispute against what is received." He hands on the same in *Sermo* 4, 'Quadragesimae,' and *Sermo* 7, 'De Passione.' And in epistle 23, to the clergy and people of Constantinople, he says, against the heretics who deny the truth of our flesh in Christ: "In what darkness of ignorance, in what torpor of indolence do those fellows lie, that they neither learn by hearing nor recognize by reading what in the Church of God is so unanimous in the mouth of all that not even by the tongues of infants is the truth of the body and blood of Christ left unmentioned among the sacraments of the common faith." Very good too is the opinion of Optatus, bk. 6 *Contra Parmenianum*: "What is the altar save the seat of the body and blood of Christ?" and this: "You have broken the cups that carry the blood of Christ." Many things can also be read in Tertullian, who is older than those reported above, bk. *De Resurrectione Carnis* ch. 8, and bk. *De Pudicitia* ch. 9, and bk. 3 *Contra Marcion* ch. 19, and bk. 4 ch. 40, where n. 662 of Pamelius collects many other places of his and joins Lactantius to him, and defends both from the calumnies of heretics, up to n. 668. There are also testimonies grave and altogether to be noted in Gaudentius, tract. 2 on *Exodus*, and in Paulinus, epist. 3 to Senerus near the end, and

epist.4 to the same a little from the middle, who are equally ancient with the former. Nor must Gregory be omitted, bk.4 *Dialogorum* ch.58, and bk.2 on *1 Kings* not far from the beginning, nor Bede, bk. *De Mysteriis*; for although these Fathers lived after the five hundredth year of Christ, they only teach what they have received from earlier Fathers. Which continuous tradition is later shown by Paschasius, in his book *De Corpore et Sanguine Domini*, and by those next who rose up against Berengarius, especially Lanfranc, Guitmund, and Alger, with whom must be numbered Anselm too, bk. *De Corpore Christi*, and Bernard, in epist.190 at the end, and St. Thomas, Bonaventure, and others. For from all of them can be made evidently clear the universal and perpetual sense of the Catholic Church, as far as Latin writers are concerned.

8. There remains for us to skim a few things from the Greek Fathers, a rather few words from whom, in the interest of brevity, I will report, for many are very clear and sufficiently obvious. But I will in particular keep quiet about the older Fathers, Dionysius the Areopagite, Ignatius, and Martial, because their writings, although sufficiently received and mentioned by the most ancient Fathers, are called into doubt by heretics. Therefore let Chrysostom be the first, in *Homilia* 60 to the people, and 45 on *John*, wherein these very choice things, among others, are contained: "So that we might not only through charity become this (that is, one body with Christ) but might also in very reality be mingled with that flesh, this is effected through the food which he has bestowed upon us, wishing to show the longing which he has in our regard. Wherefore he mingled his very self with us and mixed his body into us." And later: "Parents indeed hand their sons over to others to be nourished; I however, he says, do not so, but I nourish with my own flesh and set my very self before you." And again: "I wanted to be your brother, I assumed for your sake flesh and blood, to you my very flesh and blood in turn, by which I am made your kindred brother, I hand over." Which opinions, indeed, if they are carefully weighed one by one, will furnish individual and very good reasons for the institution of this marvelous Sacrament, which, through the effects of this Sacrament, he copiously declares. Next, he confirms the same truth from the virtue of the institutor, both there and in *Homilia* 83 on *Matthew*, where he says: "Not of human virtue are the works put forward; he who then did them in that supper, the same does them also now. We hold the place of ministers; but he who sanctifies and makes the change is himself." And later: "Let us hear, and let us dread; he has given us to be filled with his holy flesh; he sets himself immolated before us." Many like things are contained in the *Homilia* 'De Proditione Judae' at the end, vol.3, and *Homilia* 'Ad Neophyt.' Vol.5, and *Homiliae* 24 & 27 on *1 Corinthians*, and *Homilia* 3 on *Ephesians* 1, and many things in bk. *De Sacerdotio* at the beginning, especially from the words: "O miracle, O kindness of God, he who sits above with the Father is, in that moment of time, felt by the hands of all, and gives himself over to those who wish to receive and embrace him, etc."

Second, there is a striking testimony from St. Cyril in epist.10 to Nestorius: "We complete an unbloody cult in the Church, and in this way do we come to the mystical blessings, and are sanctified, made partakers of the holy flesh and of the precious blood of the Savior of all of us, Jesus Christ; nor do we receive it as common flesh, God forbid!, nor as flesh of a man sanctified and conjoined to the Word by a unity of dignity, or as possessing a divine habitation, but as truly vivifying and made proper to the Word himself." And in this way he at once explains the verse of *John* 6.53, "except ye eat the flesh of the Son of man." Now this letter is referred to in the Acts of the Council of

Ephesus, and in the ancient Councils it is inscribed as the letter of the Council of Ephesus to Nestorius, and therefore Lanfranc and Guitmund mention this testimony under the authority of the Council of Ephesus. But in the complete Council of Ephesus found by the efforts of Theodore Peltan and given by him in Latin, vol.1, ch.14, the same letter is referred to under the name of Cyril and of the Synod of Alexandria, which seems to have happened before that of Ephesus. But afterwards in the same Council of Ephesus, vol.2, ch.5, the same epistle of Cyril to Nestorius was read and although, as Peltan notes at the place, the Fathers are not read there to have acclaimed it as they did the other epistle of Cyril to Nestorius, ch.3, yet there can be no doubt that the epistle was approved in the same way by the whole Council. Hence in the Council of Chalcedon we often read that the doctrine of Cyril was approved in the Council of Ephesus and, at the end of the whole Act of the Council, his two epistles are said to have been approved, and the twelve anathemas are specifically confirmed that are contained at the end of the same epistle to Nestorius. Therefore this testimony has greater force from the authority of the Council of Ephesus, which is one of the four first Councils that the king admits.

But further, the same Cyril, in his book to Euoptius, responding to Theodoret on behalf of his anathemas, he refers, in defense of the eleventh, to the words of Nestorius, that we eat the flesh of Christ, which remark Cyril approves, understanding the words of Christ literally. But he reprehends Nestorius insofar as he separated the body of Christ from his divinity; but he himself teaches that, “for this reason we receive vivifying flesh and food remaining unto eternal life, because we receive flesh united to the Word of God.” Which he also repeats in bk. *De Fide ad Reginas*, under the title ‘That Christ is the life, from the Gospel of John,’ and it too is referred to in the Council of Ephesus, vol.1. He says the same at large and very well, bk.4 on *John* 12: “The Lord gave his body for the life of all, and through it he again causes life within us, and in what way I will say briefly according to my strength, for, since the vivifying Son of God lived in the flesh, he refashioned it into his own goodness, that is, into life, and, joined to it in his totality, so to say, by an ineffable mode of union, he made it vivifying, because his nature is vivifying, and therefore this flesh vivifies those who partake of it.” Which point he pursues at length through the following chapters up to ch.17. But especially to be noted is the thirteenth chapter, where he reprehends the heretics who imitate those of Capharnaum when they demur, *John* 6.52: “How can this man give us his flesh to eat?” He says: “For they cry with great impiety against God, nor does it come into their mind that nothing is impossible with God, etc.” But in chapter 17 he admirably describes how Christ remains in us, and we in him, when we eat him, with the example of liquefied wax into which another is poured so that the one is with the other mixed all through; for by that example he is striving to make clear that we eat Christ, not by faith alone, but truly and really and corporeally.

This very thing too is what Cyril of Jerusalem, in *Catechesis* 4, connects together with the words put forward by Christ: “Since Christ himself thus affirms and says of the bread: ‘This is my body,’ who may thereafter dare to doubt? And when the same confirms and says: ‘This is my blood,’ who may doubt and say that it is not his blood?” And later: “Wherefore, with all certitude, let us take up the body and blood of Christ, that we may be made joint partakers of his body and blood and become Christo-phers, that is, Christ-bearers, since we will have received his body and blood into our members.” Which he pursues extensively. And in *Cathechesis* 5 he says: “So that the tasters are

bidden, not to taste bread and wine, but that which is under the appearances, that is, of bread and wine, the body and blood of the Lord.” And in like manner are the words of Christ expounded by Epiphanius in his *Ancoratum*. “And there is no one,” he says, “who does not have faith in the word, for he who does not believe that it is truly he, as he himself said, that man has fallen from grace and salvation.” Next, the same truth is confirmed by Athanasius, in bk. *De Incarn. Christi* at the end, where he says: “We are admitted into the communion of the body of the Lord, as he himself said, *John* 6.51: ‘The bread that I will give is my flesh for the life of the world;’ for the vivifying spirit is the flesh of the Lord, since it was conceived from the vivifying spirit.” Gregory Nazianzen also, *Orat.* 3, which is the first against Julian, and *Orat.* 4, which is the second on the holy Passover, towards the end: “Without shame,” he says, “and without doubt, eat the body, drink the blood, provided you are held by desire for life, etc.”

The same thought is in Gregory of Nyssa, in bk. *De Vita Moysis*, or on the perfect life, about the middle, when he says: “We are to take up the heavenly food, which no action by arts of agriculture has produced for us, but bread without plowing, without any human work, is prepared for us. Flowing down from above it is found on earth, for the bread which descends from heaven, which is true food, which is through manna obscurely signified, is a certain incorporeal thing; for by what manner does an incorporeal thing become food for the body, yet a thing, which is not incorporeal, is wholly body?” And later: “That miraculous bread, therefore, without agriculture, changes its virtue by variety of quality to the condition of those who receive it.” By which words he sufficiently indicates how highly and exaltedly he thought of that food. Also many other things are contained in Basil, in his *Exhortatione ad Baptismum*, where he calls the Eucharist “living bread,” saying: “Nor would Israel ever have drunk from that spiritual rock if they had not been baptized in a figure, nor will anyone provide you with true drink unless you are truly baptized. They received the bread of angels after baptism, and you, how will you eat the living bread if this sacrament has not been received?” And in his book *De Baptismo* in its third part, wherein he shows that, “he who is regenerated through baptism ought thereafter to be nourished with participation in the divine mysteries,” he understands Christ’s words, both of the promise in John and of the institution in the other Evangelists, literally and simply. And like things are contained in *Regulis Moralibus* rule 21. Justin Martyr too, in his second *Apologia pro Christianis* at the end, teaches this truth very openly, and confirms it from the very ancient tradition and custom of the Church. Next the same is contained in Irenaeus, bk.2 *Contra Haereses* ch.34, some of whose words I will refer to immediately, and bk.5 ch.2, refuting those who deny the truth of the flesh and blood in Christ the Lord and his assumed nature, he says: “And thus, in accord therewith, clearly neither has the Lord redeemed us with his blood, nor is the cup of the Eucharist a communion of his blood, nor is the bread, which we break, a communion of his body.” In these words the equivalence is very much to be noted. For this holy martyr judged it equally absurd and contrary to the true faith to deny that the true body and blood of Christ is communicated to us in the sacrament of the Eucharist as to deny that we are redeemed by the true blood of Christ. And he gestures toward a proof, that just as the Apostle says we have redemption through his blood, “so Christ has firmly made the cup to be his blood, which is shed, and the bread, which is from the creature, to be his body.” Hence he concludes: “When therefore the mixed cup and the broken bread receive the word of God, they become the Eucharist of the body and

blood of Christ.” By these evident testimonies, then, it is sufficiently proved that the most ancient faith of the Church, and the genuine sense of the words of Christ, were that Christ himself is truly and really present in the Eucharist.

Chapter 2: The substance of bread and wine does not remain under the consecrated appearances.

Summary: 1. From the Fathers it is shown that this truth was believed in the first five centuries. 2. An evasion of heretics is rejected.

1. A second truth is, in the assertion of transubstantiation, included in the Eucharist, that, after the consecration, the substance of bread and wine do not persist, which is embraced as *de fide* certain by the Church Roman and Catholic, founded too on the words of Christ and perpetual tradition, as the Council of Trent, in session 3 ch.4 can.4, recently declared, and many other Councils before it, which now do not need to be referred to since they are not admitted by the king. Therefore we will put forward only the testimonies of the ancient Fathers, so that it may by them be clear that this sense of Christ’s words and this faith is not new or recent, but was believed in the first five hundred years in the Catholic Church and was accordingly handed on by the apostles. All the Fathers, then, who teach that through consecration the bread is changed, converted, or crossed over into the body of Christ, likewise openly contend that the common bread does not remain after consecration. Because what crosses over or is converted into another does not remain in its own essence, which it had before, as is evident of itself; and many of the same Fathers made it plain in express words. Justin especially, in the said *Apologia 2 Pro Christianis*, when he says, speaking of the Eucharist: “For neither do we take common and ordinary bread or ordinary drink, but in like manner as the Word of God became the man Jesus Christ our Savior and possessed flesh and blood for our salvation, so too have we received that the food, which is consecrated by the prayers of the speech we have received from him and by communion in which our blood and flesh are fed, is the flesh and blood of Jesus Christ, of him who was made man;” and immediately he adduces the words of Christ and gives manifest witness that they were in this sense handed on by the apostles.

In the same way Irenaeus, bk.4 ch.34, says: “In like manner as the bread from earth, when receiving the invocation of God, is not now common but the Eucharist, consisting of two things, an earthly and a heavenly (that is, the appearances of bread and the body of Christ), so too our bodies, when receiving the Eucharist, are not now corruptible, having hope of resurrection.” In which words he openly denies that common bread remains under the consecrated appearances, but a celestial one does, made of the flesh of Christ and the appearances of bread. In the same sense too did Cyril of Jerusalem speak, *Catechesis* 3, ‘mystagogica’: “The bread of the Eucharist, after the invocation of the Holy Spirit, is no more common bread, but it is the body of Christ.” And in *Catechesis* 4 he says: “At one time he changed water into wine, which is close to blood, by his mere will; and he in whom we believe, will he not be worthy to have changed wine into blood? Just as, therefore, after the transmutation of water done in Cana of Galilee, the substance of water did not remain, so neither does the substance of the wine remain in the chalice after it is changed into the blood of Christ.” Hence he later concludes: “Let my soul exult in the Lord, knowing this and holding it for certain, that this bread, which

is seen by us, is not bread, even if taste perceive it to be bread, but is the body of Christ.” And almost in the same way speak Chrysostom, Gregory of Nyssa, and Eusebius of Emesa, whom I referred to elsewhere. And there are some very good words of Epiphanius wherein he insinuates the same truth, *Sermo* ‘On the Praises of the Virgin’, to whom he thus speaks: “Hail, most holy Virgin, who, like an intellectual bush, hold the fire of divinity without burning. Intellectual offering, which brought fire and the hot bread of life for the world to eat, about which Christ, the Savior of the world, says: ‘Take, eat, this is my body, which is broken for you for remission of sins.’” Which words he so understands that he believes and professes the bread to be nothing but the bread of life.

But among the Latins this is very wisely explained by Ambrose in bk.4 *De Sacrament.* ch.4, where he thus writes: “You say, perhaps, my bread is ordinary. But that bread is bread before the words of the Sacraments; when consecration has arrived, from the bread the flesh of Christ comes to be.” And later: “If there is so great force in the word of the Lord Jesus that things which were not should begin to be, by so much more effective is it to make things that were change into another.” And later: “Therefore, that I might respond to you, it was not the body of Christ before consecration; but after consecration, I say to you, that it is now the body of Christ; he himself said, and it was done; he himself commanded, and it was created.” Which he repeats again later. And in ch.5 he confirms the same from the principle, “that the word of Christ is able to change a whole universe of things.” And in his book *De Initiandis* ch.9 he says: “We use so many examples to prove that it is not what nature formed but what blessing consecrated, and that there is greater force in blessing than in nature, because by blessing is nature too itself changed.” And later: “But if human blessing is strong enough to change nature, what do we say of divine consecration itself when the very words of the Lord Savior are operating?” which he pursues more extensively in the same place. It is also signified by Augustine, bk.20 *Contra Faustum* ch.13, when he says: “The bread and cup, not any at all but with sure consecration, are made for us the mystical body of Christ, not born.” This final word Alger, in bk.1 *De Sacramentis* ch.6, accurately thus considers: “Since mystical bread is not born, nor is it in this divine sacrament of grace created by any origin or condition of earthly nature, but it so becomes the body of Christ that it ceases to be bread, how is Christ said to be em-breaded in bread which no longer exists?” Lastly Cyprian, in his sermon *De Coena Domini*, speaks in the same way, saying: “The nourishment of immortality is given, different from common food, retaining the appearances of corporeal substance, but proving by invisible effect the presence of divine virtue.” And later: “That common bread, changed into flesh and blood, procures life and increase for the body.” And later: “That bread, which the Lord handed to the disciples, changed not in appearance but in nature, is, by the omnipotence of God, made flesh.” And several like things in what follows he hands on, whereby he confirms the same truth.

2. In the same sense too did Tertullian speak, bk.4 *Contra Marcionem* ch.40: “The bread taken and distributed to the disciples he made to be his own body saying, ‘this is my body.’” He appears, the Protestants will say, to destroy the sentence when he adds, “it is the figure of my body.” But without doubt he did not understand the words in the sense in which the adversaries take it; otherwise, in the same context too, he would say conflicting things and he would be contrary to himself in many other places. Either then, he understood that, not the bread now consecrated, but the bread offered long ago or in some way sanctified was the figure of the body of Christ, as in the offering of

Melchizedek or in the shew-bread, because Christ was to be given to us as food under the appearances of bread; because of which too body is by Jeremiah called by the name of bread when he says, 11.19: “Come, let us put wood on his bread” [alt.: “let us destroy the tree with the fruit thereof”], which place is there mentioned by Tertullian, and from it and from other words the same Tertullian calls it there “the old figure.” And this sense is extensively confirmed by Pamelius along with Gagneus and others. Or, to be sure, if Tertullian called consecrated bread the figure of the body of Christ, by figure he understood nothing other than the sacrament; for although the body of Christ is truly in the consecrated host, nevertheless it is at the same time a sign of the body of Christ there contained; and in this way Tertullian wished to explain that the consecrated bread was not true or material bread, because only the appearances of it are there containing, and thus figuring, the body of Christ, because for that reason was it also once called bread and by bread was it prefigured in former times. And this sense he confirms when he adds: “But it would not have been figure if it was of a truth not body.” Again: “Or if for that reason he feigned bread to be his body, because it lacked the truth of body, then it was bread he should have delivered for us.” For by these words he explains that Christ not fictively but really made the bread his body, not merely by imposing it for sign thereof, nor by uniting it to himself by way of the body, but by converting the same into his very own true body. This then was the opinion of Tertullian, which in bk. *De Orat.* ch.6, and bk.2 *Ad Uxorem* ch.5, he confirms, where is this remark: “And if he know, he believes it not to be the bread which is spoken of.” And like things are contained in bk. *De Pudicitia*, and bk. *De Resurrectione Carnis*, and other similar ones. In addition also to the aforesaid more ancient Fathers, everyone who flourished after the five hundredth year of Christ embraced the same truth: Damascene, Theophylact, Gregory, Bede, Remigius, Paschasius, Alger, Lanfranc, Anselm, Bernard, Bonaventure, and others whose testimonies are obvious, and so I point to their names only through the window, so that, from the continuous consent in diverse times of the Fathers, it may be clear that the sense of the Church has always been the same, and that no novelty has been introduced in this mystery by more recent Pontiffs.

Chapter 3: On the truth of transubstantiation.

Summary: 1. Transubstantiation is shown to have been held in all centuries. 2. The name of transubstantiation is ancient and was also introduced by the greatest authority. The Council of Florence, in place of transubstantiation, used its definition.

1. Finally, from these two Catholic and very ancient principles, that, under the consecrated appearances, the substance of Christ’s body is present and that the substance of bread is absent, the truth of transubstantiation, which the king wrongly mentions among recent novelties, evidently follows. For since he carps at transubstantiation, is he, I ask, running from the thing itself or is he only avoiding the name? If the question is about the thing, the testimonies of all the Fathers of the first five centuries prove overwhelmingly that transubstantiation is not new, but was the tradition in all centuries. For by transubstantiation the Church understands nothing other than the conversion or transition of the bread into the body of Christ, or (which is the same) the departure of the bread not simply into nothing but the body of Christ succeeding in its place. Or, conversely, transubstantiation is nothing other than a marvelous action whereby the body

of Christ is constituted under the appearances of bread, and the substance of bread is expelled. But, certainly, the conversion of bread to body is even in these words confessed by the ancient Fathers mentioned, and they often use in the same sense the name of transmutation of bread to body, or they assert that the bread becomes body, or finally they distinctly deny that after consecration the natural bread remains, and they testify that it is the mystical, heavenly, and true body of Christ; therefore they teach, in the thing itself, nothing other than transubstantiation; therefore the thing transubstantiation is not new but very ancient and Catholic truth.

2. But if the king finds novelty in the word of transubstantiation alone, he is without doubt wrong to be offended, because although it does not have the antiquity which he wants, the Church used it over four hundred years ago, and approved it with the greatest agreement and authority in the Lateran Council under Innocent III [1213 AD], at which were present almost 480 Greek and Latin patriarchs, archbishops, bishops, and many other abbots and prelates, and the legates of the emperors of Rome and of the East, and of the kings of Spain, Gaul, England, and others, along with the Supreme Pontiff and the cardinals. But in its first chapter there is thus written: "Truly there is one Universal Church of the faithful, outside which no one at all is saved. In which the same Jesus Christ himself is priest and sacrifice, whose body and blood in the Sacrament of the altar is truly contained under the appearances of bread and wine, bread being transubstantiated, by divine power, into body and wine into blood, so that, for perfecting the mystery of unity, we ourselves from his should take what he himself took from ours." Nor must one think that the word was invented by the said Council, for we find before that time that Gaufred, a Cistercian monk, used it in an epistle to Cardinal Atanensis, as Baronius reports for the year 1188 n.18, where he also indicates that it was then received in common use by theologians. And we find the same word in a certain authentic history which the same Baronius reports for the year 1192, at the end. The beginning, then, of the custom of using this word for the mystery of the Eucharist is unknown. But yet it was, before the Lateran Council, not confirmed by public authority, but there the Universal Church did consent to the use of the word 'transubstantiation' for explaining this mystery. And later, the Council of Florence, though it did not use the word, put in place of it its definition or description, saying: "The substance of the bread is converted into the body of Christ and the substance of the wine into his blood." For nothing else did the Lateran Council mean by the word 'transubstantiation' than the conversion of the whole substance into another complete substance, since indeed this conversion's kind was very well signified and expressed by that word. For it both prescind from the word 'mutation', which, in physical strictness, is wont to require a subject, and excludes any error asserting that there remains, under the appearances of bread, either the complete nature of bread, or a part of it as matter or form, or anything of it, as the very being or subsistence of the bread. And therefore rightly did the Council of Trent, session 13 ch.4 and canon 2, assert that the conversion of the whole substance of bread into the body, and of the whole substance of wine into the blood, of Christ "is agreeably, properly, and most aptly called by the holy Catholic Church transubstantiation."

Finally, in the previous book it was shown that the Church devises new words, especially in ecumenical Councils, to declare and defend ancient mysteries of the faith against insurgent heretics and their new opinions, tergiversations, and calumnies; why then could not the Councils of the Lateran and of Trent, with a like institution or approval

of terms, imitate the ancient Councils of Nicea I and Ephesus I? What then does the king have to complain of in the word ‘transubstantiation’, since he cannot deny the thing if he wishes to be Catholic not only in name but, which we greatly wish, in truth as well? Or how can he deny that transubstantiation is very ancient by the fact that the word itself is less ancient, since in not dissimilar cases similar tergiversations by heretics were very gravely reprehended by Athanasius, Cyril of Alexandria, and other Fathers their equals? And let this, according to the convenience of the present place, be enough about the substance and truth of this mystery, and let us pass on to the other errors mentioned.

Chapter 4: The Eucharist is with the adoration of worship (*latría*) suitably adored and elevated for this purpose and borne round in procession.

Summary: 1. It is shown that Christ the Lord is to be adored with the cult of worship. 2. This article is shown from the Fathers to be wrongly reckoned among the recent ones by the king. 3. The elevation of the Eucharist is very laudable and ancient. 4. The bearing round of the Eucharist in supplications is shown not to be blameworthy but rather very laudable. Reason taken from the end. 5. An evasion of heretics is refuted. The Church is able to establish whatever is suitable to the greater cult of God. 6. In the beginning of the Church this bearing round was not useful.

1. It is not difficult to draw this truth clearly from the principle of faith laid down, and to refute with sufficient evidence the other error of the Protestants, whereby they tax or deny the adoration of the sacrosanct Eucharist. For that Christ the Lord, the true God man, is to be adored with the singular and perfect adoration of worship is expressly taught by Cyril along with the Council of Alexandria in his epistle to Nestorius about excommunication, when he says: “Since we confess that the Word is united to the flesh by way of hypostasis, we adore the one Son and Lord Jesus Christ.” And in anathema 8 he condemns this way of speaking, “the man assumed together with God the Word is to be adored and glorified;” and he pronounces anathema on him “who no more with one adoration honors Emmanuel or adapts to him one glorification in the way the Word was made flesh.” Which doctrine was approved by the 1st Council of Ephesus and by the Council of Chalcedon, as I related above, and was received by the Church; nor can it be denied by the king of England, who professes to venerate the first four Councils. Especially because we often read in the Gospel that this sort of adoration was given not rarely to Christ the Lord, and was not refused by him but rather approved, as is clear from *John* 9 in the blind man by Christ enlightened who, when now believing, v.38, “fell down and worshipped him;” and 20.28 in Thomas saying, “My Lord and my God.” And Paul, *Philippians* 2.10, speaks of adoration when he says: “at the name of Jesus every knee should bow.” And in *Romans* 14.11 he interprets of Christ the verse of *Isaiah* 45.23, “every knee shall bow to me, and every tongue shall confess to God.” It is therefore *de fide* most certain that Christ the Lord in his visible appearance is to be adored with the most perfect cult. Since, therefore, it has been shown that the same Christ, God man, is truly and really present in the Eucharist, no one who really believes the mystery of the Incarnation and the Eucharist can deny that the Eucharist is to be adored.

Or perhaps, because Christ does not exist there in a natural and visible way and is hidden under the sacramental appearances, is he then, at last, not to be adored as if he

were an object for bodily eyes? But this only happens to those who for faith use merely their senses, who, to be sure, would not adore Christ in visible appearance because they do not see the divinity of the same. He then who is led by true faith in his religion and his adoration, just as he adores the invisible Word along with the flesh under which he is hidden, so he adores the Word made flesh although hidden in sacramental appearances. Hence, just as Christ the Lord said to Thomas, *John* 20.29: "Thomas, because thou hast seen me, thou hast believed," for, by seeing Christ's body and his wounds, he believed him to be God and as such adored him, so any Catholic giving faith to the words of Christ and seeing the appearances consecrated by the words of the same, looks by faith upon God under them, and thus he adores the sacrament.

2. For which cause this religion and adoration of the Eucharist is also very ancient in the Church, which no one can deny who has read the ancient Fathers; whom I will briefly call to mind so that by this reason too it may be clear that the king of England does not rightly count this article among those that are new and recent. And, to begin with, Ambrose, bk.3 *De Spiritu Sancto* ch.12, first says about the angels that they worship not only the divinity of Christ but also "his footstool," which he understands of the mystery of the Incarnation, and he interprets footstool as "that earth which the Lord Jesus took up in his assumption of the flesh," and thus does he expound the words of *Psalms* 98[99].5: "Worship at his footstool," when he says: "By footstool is understood earth, but by earth the flesh of Christ, which today also in the mysteries we adore, and which the apostles adored, as we said above, in the Lord Jesus, for Christ is not divided but one." Where he openly speaks of the perfect adoration of worship, and he makes this adoration of him lying hid in sacramental appearances equivalent to the adoration of Christ existing in his proper appearance. And in the same way are the aforesaid words of *Psalms* 98[99] expounded by Augustine on that place, when he moves the same question, in what way we are commanded to adore the footstool of God, which is said to be earth [stone] in *Matthew* 1.3, and he replies: "Being tossed about I turn myself to Christ." And later: "For from the earth he took earth, for flesh is from the earth, and from the flesh of Mary he took flesh, and because in this flesh he walked here, and gave his very flesh to us to eat for salvation; but no one eats that flesh unless he has first adored; the discovery is made of how such a footstool of God is adored, and how we do not sin in adoring but sin in not adoring." Which I would that the king of England would attentively read and consider. In like manner does Augustine, in *Contio* 1 on *Psalms* 21[22], understand about this sacrament the words, v.29: "And they that be fat upon earth shall eat and worship," which he expounds in the same way in *epist.* 120 ch.7, and in *epist.* 118 ch.3, when, comparing him who comes frequently to the Eucharist with him who for reverence' sake abstains, he says: "Let each do what according to his faith he piously believes should be done; for neither of them dishonors the body and blood of the Lord, if they contend earnestly to honor the most salutary sacrament."

In addition, Cyril of Jerusalem, *Catechesis* 5 'mystagogica', where he generally describes the rite of the liturgy, he first teaches, when he treats of communion, with how much reverence the body of the Lord is to be received, and next, after communion of the body of Christ, he says: "Come also to the cup of his blood, not extending your hand, but bowing forward by way of adoration and veneration." Many things does Chrysostom pass on in *Homilia* 24 on *1 Corinthians*, especially at the end, where he says: "This body was also revered, when lying in the manger, by the Magi, and adored by them with great fear

and trembling; let us, then, citizens of heaven, imitate even the barbarians.” And later: “Not only do you see this body as they did, but you know his virtue and dispensation;” later still: “Let us therefore stir up ourselves, and let us fear, and let us show a reverence greater by far than those barbarians.” Where also is to be considered the equivalence between the adoration of the visible Christ in his proper appearance and in the sacrament. In addition, *Homilia* 3 ‘De Incomprehensibili Dei Natura’ near the end: “The angels too,” he says, “bow the knee to the Lord in this sacrament, interceding for men and saying: ‘for them we supplicate for whom you lavished your blood, for them we pray for whom you sacrificed this body.’” He also adds there that, “the deacon in the Mass is wont at the time of the consecration to bring the ‘energoumenoi’,” whom he calls the ‘afflicted’, that is by the demon, “and he commands them,” he says, “to bow their head.” Gregory of Nazianzen can also be looked at, *Orat.* 11 ‘De Sancta Gorgonia,’ and Origen, *Homilia* 6 on *Joshua*, and Eusebius of Emesa, *Homilia* 5 on Easter, Theodoret, *Dialogus* 2 & 3, and John Climacus, who in *Gradus* 23, ‘Dominum’, says, “receiving the heavenly thing I adore;” and Damascene, bk.4 *De Fide* ch.13. Nor does the king adduce anything against this truth, nor could anything, I am easily able to conjecture, be brought against it.

3. From which foundation that is overthrown, without any trouble indeed, which the king adduces on this point about the elevation of the Eucharist, for the sake of adoration, after the consecration. For this cannot be reprehended as bad, just as not as new either; the first point is plain from what has been said, that if it is thought holy to adore the Eucharist, to bring it forward and display it to the people for adoration cannot be bad; therefore to elevate the same sacrament for the same end cannot be reprehensible but is rather very laudable. For what in the substance of that act or in its mode can be thought of as worthy of blame? But that the custom is not new is clear from Dionysius 3 ch. ‘De Ecclesiast. Hierarch.’ p.3, where he says about the consecrating priest: “And thus he consummates the most reverend mysteries, and in signs holily displayed he exposes it to the eyes,” and Basil, bk. *De Spiritu Sancto* ch.27, places this among the apostolic traditions, although he calls it, not elevation, but “display of the divine body and of the holy cup.”

And although the thing not be so old, nothing prevents it being received with all faith and reverence once the Church approves it. And therefore rightly did the Council of Vienne condemn, among other errors of the Beguardi and Beguinae, this error “that they ought not to rise at the elevation of the body of Jesus Christ nor do reverence to the same.” Which, however, they asserted not of all the faithful but of certain very perfect ones, because they said it was a mark of imperfection to descend from the highest contemplation to the ministry of the Eucharist, which error was a ridiculous mockery by demons. And for that reason too it is a very laudable custom of the Church that, at the time when the body of the Lord is elevated, the bell is rung, whereby those standing around are stirred up to adore the Lord. Nor likewise is this so new but that it was approved more than four hundred years ago by Gregory IX, on the evidence of Naucerus, *Generat.* 42. And Ivo of Chartres more than five hundred years ago gave thanks to the queen of the English for the bells which she had donated as a gift to the church of Chartres, indicating that they were wont to be rung at the time of the consecration. Customs of this sort, then, since they are ordered to the best end and contain in them nothing improper or unfitting to the divine cult, are, whether they possess little or much antiquity, to be held as altogether laudable.

4. Now hence there is response also to the third article noted by the king, namely about the usage of bearing round the divine sacrament in supplications, which Protestants are wont to condemn as superstitious, because new and invented by human ingenuity and introduced for the cult of the Eucharist. To which we will briefly reply confessing, to begin with, that it is not a very old custom, although neither is it altogether very recent; since it was introduced more than three hundred and fifty years ago by the authority of the Supreme Pontiffs Urban IV and Clement V along with the General Council of Vienne, as is contained in Clement's single 'De Reliquis et Venerat. Sanctorum.' And it was by universal consent of the whole Church and with marvelous acclamation and profit immediately taken up, and was confirmed and has increased day by day. Which that it was done not without the special providence and thoroughly divine approval of the Holy Spirit can be doubted by no one who has given faith to the promises of Christ, whereby he promised that he and the Holy Spirit would be present as perpetual governor and protector of his Church. Next, in this point too has place the reason given, that an institution of this sort, and the solemn bearing round of the Eucharist, has the best end, and in the action itself there is no shadow of superstition, but rather great utility and very great aptness for the end proposed to it. For the end of that solemnity is to excite, by remembrance of so great a benefit, the Christian people to the giving of thanks, and to move them to perceive more richly the grace and fruit of so great a sacrament, as the aforesaid Pontiffs in the exordium and discussion of that chapter with the greatest piety made plain. But the action is of itself indifferent, hence, when done for a good end and with due faith and reverence, it becomes very honorable and religious, as we read in figure about the bearing round of the Ark in *Numbers* 14 and especially in *2 Kings* (*2 Samuel*) 6, and *1 Chronicles* 15.

5. What, then, the adversaries find fault with in this solemn rite I know not. Perhaps they will say that the Church could not introduce a new rite of this sort. But this is asserted by them without Scripture, without reason, without any foundation at all, nay contrary to Scripture and reason. For Scripture has never prohibited this; nay everywhere it signifies that things which pertain to the cult, to the ceremonies, and to the rites of this sacrament have been committed to the providence and disposition of the Church, according to that verse of *1 Corinthians* 11.34: "And the rest will I set in order when I come." Next, in the Old Law there was a power of instituting some new feast, as is clear from *2 Maccabees* 4 and *Esther* and *Judith* last chapter; and accordingly does this power much more exist in the Church, and thus the Church has from the beginning been accustomed to institute feast days for praising God in his saints; therefore, with greater reason it could institute a special day in honor of the Saint of saints and in remembrance of so great a benefit, as Clement V above virtually argued. Then, the natural condition of human nature requires variation and change in these things, hence it is incredible that Christ left his Church, congregated from men, without power of this sort.

6. At the beginning, then, of the nascent Church this celebration could not only not be necessary but also not even useful, because Christians, living among infidels and subject to them, could not without danger honor this sacrament with so public and solemn a rite. But afterwards, although it could have been done, yet for a long time this sort of solemnity was not judged necessary, because this mystery was with pure and sincere faith held by all those who professed Christ, and every day, or at least on individual Sundays and feast days the remembrance of it was recalled with great devotion and fruit. But

afterwards, when advancing errors against the truth of this sacrament were multiplied, and the charity too and devotion of the faithful seemed to be abating, very prudently indeed was a solemnity of the sort instituted, so as to confirm the minds of the faithful more in the faith of so great a sacrament, and to excite them to more ardent gratitude and love. Wherefore rightly did the Council of Trent pronounce an anathema on those who asserted that this sacrament was not to be adored, and who altogether denied that it was to be venerated in a special festive celebration and solemnly borne around in supplications. For in all these things either there was supposition of error in opposition to the contrary truth of the presence of Christ in this sacrament, or at any rate other errors were included not less in opposition to the true faith, as that the Universal Church could err in morals, or could not command save what was found commanded in Scripture, or, which follows therefrom, that all the ceremonies instituted by the Church are superstitious, and the like things, which have in other places been sufficiently refuted, and which will, in what follows, rather often arise to be confronted.

Chapter 5: On the communion of the laity under the appearances of bread alone.

Summary: 1. The king wrongly finds fault with the communion of the laity under one kind. Objection of the heretics. 2. Solution. In the use of the Eucharist under one kind two things are to be considered. To the sacrificing priest communion under one kind is not permitted. 3. Communion in the appearances of bread alone was in use from the beginning of the Church. Serapio as an old man received the Eucharist in the appearances of bread alone. 4. Ambrose similarly. 5. To take the Eucharist home with them was once permitted to the faithful. 6. This mode of communicating was not forbidden by Christ. 7. Christ the Lord communicates the whole effect of the sacrament under any kind. 8. There is no precept given about communicating under both kinds. Evasion of heretics. The evasion is rejected and the true sense of the precept about performing the Eucharist is stated. 9. A place in Luke 22 is brought forward as objection. It is explained. 10. A place in John 6 is brought forward as objection. It is explained. 11. The exposition handed down is confirmed. 12. The same is confirmed from the Fathers. 13. The same sense is proved by the custom of the Church. 14. The very ancient custom of the infirm communicating under the appearances of bread has also the same sense. 15. To a sick person, unable to swallow, a host dipped in unconsecrated wine was administered. 16. To receive in sacrifice, or from superstition, the body without the blood is forbidden. 17. The established truth is confirmed by reason.

1. When the king in his fourth article accuses the Catholic Church of novelty in that it presents the Eucharist to the laity in the appearances only of bread, he seems to be stuck in the same rut; for he relies on the fact that in its usage and rites the Church cannot add or subtract anything, which taken universally and without limitation has been shown by us to be contrary to reason and Scripture. For although the Church is not able to change things which are of the substance of the sacraments and were instituted by Christ, nevertheless things which pertain to the accidentals of the rite and to the manners of the users are capable of variation and can be changed by the authority of the Church according to the opportunity of times. But in the present article the adversaries are wont to say and urge that this change was contrary to Christ's institution and precept. For Christ prescribed to all the reception of both kinds in the words of *John* 6.53: "Except ye

eat the flesh of the Son of man, and drink his blood, ye have no life in you.” That these words were thus understood at the beginning of the Church seems to be proved by the ancient usage of all the faithful communicating. Add too that the mutilating of the sacrament seems to be contrary to its institution, and hence, on the supposition of such institution, to be intrinsically evil.

2. But in these objections too the heretics do not leave behind the proud presumption whereby they prefer their own judgment to the authority of the Catholic Church, and they dare to say that, in expounding the true sense of Scripture and of Christ, it can err, nay has in fact erred. Because, therefore, they must, in this article, be chiefly proved wrong from the contrary foundation, and because that was sufficiently confirmed above, therefore we will, for the present, give satisfaction to the said objections in brief, and we will at the same time show that the custom of the Church is neither new nor foreign to the words of Christ. But, so that we may proceed more clearly, two things in the Church’s usage of one kind only must be distinguished. One is whether it is licit sometimes to eat the body separately from the use of the chalice, or whether this is always and, as it were, intrinsically bad; the other is whether it is licit to deprive the faithful of the use of the chalice for the whole of their life, because, although we posit that it is possible sometimes licitly to receive one kind without the other, nevertheless a question can remain whether it is licit never to receive both, for it might sometimes, or in the course of one’s life, be necessary to receive both even if it is sometimes licit to receive one kind only. Next, one must distinguish between the offering of the Eucharist as it is a sacrifice, and participation in it as it is a sacrament. For, as often as this sacrament is performed, a sacrifice is offered to God, as the Catholic Church teaches (whatever heretics think, which is not now to be treated of), and because this unbloody sacrifice is an image of the bloody sacrifice offered on the cross, which Christ the Lord wished to be represented by the consecration of each kind being done separately, therefore the Church never permits either the sacrament to be performed in one kind only or the sacrificing priest to consume in one kind only. And thus, about the mutilation of the sacrifice, or of the priestly or sacrificial communion (so to express the thing), there is no question, for we confess that it is never licit; and it is probable, although not *de fide* certain, that it is forbidden by divine right, or perhaps that, on the supposition of the institution, it is intrinsically evil. But these things we leave to the theologians; for we are only dealing now with lay communion or participation in the sacrament outside the sacrifice.

3. On the usage then of communicating in the appearances of bread alone from what has already been consecrated, we say, to begin with, that it is neither evil in itself nor was it ever forbidden in the Church, nay neither is it new but was from the beginning of the Church in use therein. And since from this usage the rest is sufficiently proved, and sine the king most reprehends novelty of this sort, we will make chiefly the usage clear. First, from the ancient usage of reserving the Eucharist under the appearances of bread alone and of ministering it to the infirm, and of carrying it home or on a journey, that is, for consumption at an opportune and necessary time. Now we collect this custom first from what Eusebius, bk.6 *Histor.* ch.36, narrates from Dionysius of Alexandria about the old man Serapio, who, since he had done penance, having being deprived a long time of communion on the ground he had sacrificed to idols, being finally on the point of death, bade a priest to be called to him; but since the priest, being troubled too by sickness,

could not come to Serapio, “he gave a very small particle of the Eucharist to a messenger, bidding him to put it moistened into the old man’s mouth,” which, when it was done, the old man departed happily from among the living. From which history is clearly bequeathed that the particle was of consecrated bread, and was reserved for time of necessity, and was given without wine or blood in place of full communion, and that communion had been waited for not without miracle or singular grace from God by the holy old man, and it was accordingly pleasing to God, as is indeed proved by the holy death of the old man immediately following.

4. Not dissimilar is what Paulinus writes about Ambrose conducting his soul at the end of his life, that Honoratus, a priest of the church of Vercelli, heard, while lying on his bed, a voice three times saying to him: “‘Arise, hurry, because he is soon going to depart.’ Who, going down (Paulinus says), offered to the saint the body of the Lord, which, when he received, he gave up the spirit, carrying a good viaticum away with him.” Where there is no mention of blood. Besides, the same custom of the Church is shown by a history that the same Ambrose reports of his brother Satyrus, in his funeral oration for him, namely, that he carried with him from the ship the body of Lord, by whose virtue he was saved from shipwreck, as we have already twice touched on above. Again Gregory of Tours, in bk. *De Sancta Patrum Vita* ch.3, reports of the bishop St. Gallus, since he had received a revelation of his approaching death and that he would depart after three days [or: after the Triduum (of Easter)], “called the people together, and having broken bread for them all, shared out communion with holy and pious will.” This is also confirmed by the ancient custom of conserving the Eucharist for the infirm, which is taken from the 2nd Council of Tours under Pope John III, celebrated in the year 570, and from the Council of Macon a little later under Pelagius IV canon 6, and from Bede, bk.4 *Histor. Anglor.* ch.24. For it is not likely that the Eucharist was ever reserved under the appearances of wine, since it would easily in a brief time turn sour and be corrupted; it was reserved, then, only in the appearances of bread, as is done even now.

5. There was also another ancient custom whereby it was free for the body of the Lord (which men received in their hands, women in clean linen cloths, from Augustine, *Sermo* 252 ‘De Tempore’) either to be consumed by the faithful in Church or to be taken home with them for private communion at an opportune time; which communion happened without doubt in the appearances of bread alone. And thus is it taken from Tertullian, bk.2 *Ad Uxorem* ch.5, where he says: “Let not your husband know what you taste in secret before all food; and if he knows, he believes it not to be the bread that is so called.” And in the same sense can be understood the words of the same, in bk. *De Orat.* final chapter: “Having received the body of the Lord and having reserved it, each is saved, both participation in the sacrifice and execution of the office;” although these words might best be understood of the prior reservation for the infirm. The said custom is also collected from the words of Cyprian, bk. *De Lapsis* not far from the end, where he relates about a certain woman, “since she tried with unworthy hands to open her pyx, wherein was the holy thing of the Lord, she was frightened off from daring to touch it by fire flaring up therefrom;” which he reports among miracles of the Eucharist. That holy thing, then, closed up in her private pyx was nothing other than the body of the Lord carried to her own home according to the aforesaid custom, which he also mentions in his book *De Lapsis* when he says: “Sent forth and still bearing, as was his wont, the Eucharist with him.” Which custom seems to have lasted only in the first five hundred

years. For in the Council of Saragossa, in the year 518, ch.3, he is anathematized who is proved “not to have consumed the received grace of the Eucharist in Church.”

6. It is manifest, then, that the usage of communicating only in the appearances of bread was very ancient in the Church; therefore it cannot be blamed as a novelty by the king of England, since it is proved to have existed in the first five centuries. And for the same reason it cannot be blamed because of abuse or some disorder, since even the heretics themselves confess that in those former centuries the customs of the Church were pure and in agreement with the word of God. Now the theological and Catholic reason is that Christ the Lord never forbade the taking of one kind without the other, nor is it perverse by force of institution and from mere consideration of the nature of the thing. The first part we sufficiently prove against adversaries by seeking from them a place of Scripture where the prohibition is written down. For since they cannot show it, they are sufficiently refuted in their own principles that no such prohibition was specially laid down by Christ. But we add that it cannot be had even from the tradition of the Church, but rather the opposite, as we will see. Nay, if the opinion is true of those who say that Christ after his resurrection gave consecrated bread to the two disciples, *Luke 24*, we have thence by the example of Christ that this sort of communion in one kind is approved; and certainly Augustine plainly supposes it, bk.3 *De Consensu Evangelistarum* ch.25, and *Sermo* 140 ‘De Tempore’, and Bede and Theophylact on that place.

7. But the second part, besides its being sufficiently approved by the authority of the Church, can also be shown from the principles of the faith, because Christ the Lord, who is as if the substance of this sacrament, exists whole under the individual appearances, and is able to give life to the receiver under each of them even when separately received; therefore the taking of the bread alone suffices for receiving Christ, and for receiving the effect of the sacrament, and for the sacramental signification which is found in the usage of the Church, insofar as it is a sacrament. For in whatever way this sacrament is taken, it always signifies a perfect banquet sufficient for restoration of the soul because of the excellence of the heavenly bread contained and signified under the appearances of earthly bread. Just as this sacrament too, as it is the bread of angels, was sufficiently signified by the manna or by the shew-bread without the addition of drink or wine, although, when it was prefigured under the idea of sacrifice and oblation, both appearances intervened, as in the oblation of Melchizedek when he offered bread and wine.

8. What remains is that we connect together, at least cursorily, some things about the proposed second part, namely about the continual removal or separation of the non-consecrating faithful from the use of the chalice. On this point we say briefly that Christ never prescribed to the pastors of the Church that they should at any time communicate their subjects under both appearances, nor did he establish this sort of communion for the faithful themselves under necessity of law or salvation. We prove the first part, to begin with, because such a precept is not found written down, for this is enough for the adversaries, as I have already said. Perhaps they will say that this precept was given by Christ to the pastors of the Church when he said to his apostles on the night of the Supper: “Do this in remembrance of me.” By which words he commanded them to do what he himself had done; but he himself “took, blessed” and “gave” both kinds to them as they reclined; therefore he wished and prescribed the same to be done by his ministers. But, to begin with, since Protestants do not wish, against the universal sense of the

Church, either the substantial rite of this sacrament nor the offering of sacrifice to be proved by these words, assuredly they can by no likely reason collect thence a precept of communicating under both kinds; especially because there is not even contained in those words a precept of communicating as often as one assists at the sacrifice of the Mass, as we showed elsewhere, and as we will touch on below from the ancient Councils. Therefore, by those words Christ did not prescribe that deed to be imitated as to all the circumstances which he then observed according to the opportunity of time and occasion, otherwise it would be necessary to communicate always at night and after supper, nay after the washing of feet too. Again it would be necessary by divine right to carry it out with unleavened bread, as Christ did. Again, as often as the sacrament is carried out, it would necessarily have to be bestowed to others, and for the same reason the priest would have to distribute all the bread which he had consecrated, and it would have to be received from that priest alone who carried out the sacred act, and as soon as he had finished the consecration, and then it would be necessary to distribute it before the consecration of the chalice; for thus did Christ the Lord do; but all these things are incredible and against the abiding custom of the Church. Therefore, only the substantial rite of this sacrifice and sacrament is prescribed in those words, as the Council of Trent taught, session 22 ch.1; for the rest, which is accidental, the Lord committed to the disposition of the Church, as I said already, and as Augustine, epist.118, affirmed.

9. But there are not lacking among the adversaries those who would collect this precept from other words of Christ the Lord in *Luke 22* [*Matthew 26.27*]: “Drink ye all of it,” which they plead are understood not only of those who were then present but also of all the future faithful; and they say that not without mystery and as it were prophetic spirit was that word added in the distribution of the blood rather than of the body, so as to warn in advance and prohibit the future custom in the Roman Church of excluding the faithful from participation in the chalice. But this weighty thinking is frivolous; for although we concede that the words comprehend men in the future, they ought in no way to be understood about all the faithful, but at most about all priests, because only the apostles were there, who were then ordained priests, as the Council of Trent sufficiently indicated, session 22 ch.1 and canon 2, saying that Christ consecrated the apostles priests at the Supper; saying to them, and to their successors in them, “Do this, etc.,” where, although he does not expressly make the consecration exclusive, yet by naming only the apostles he sufficiently signified that they alone were there present at it. And the same is collected from *Matthew 26* and *John 13* and the other evangelists. For he names only the disciples, and Matthew expressly added the number twelve (26.20), and those whom he names in particular were all the apostles. And next, it is the common sense of the Church that Christ washed the feet, not of all the disciples, but only of the twelve apostles; therefore he only had them present at the Supper, and to them alone he said: “Do this;” therefore only to them did he say: “Drink ye all of it.” Next, it is silly to refer the word ‘all’ to the future faithful, since Christ spoke to those present alone, and about the chalice alone, which he offered to them, which could not be divided except among those present. And thus did Mark expound that what Christ prescribed was immediately there fulfilled, when he says, 14.23: “and they all drank of it.” Neither is there in that word or sign any mystery found, but because Christ first broke the bread and divided it into twelve pieces and handed his bread to each one, it was not necessary to say: “Take ye all and eat;” but because he offered one chalice for them all to drink of, therefore he expressed that fact in

his words. Which is expressed in other words, and without that distributive, by Luke when he says, 22.17: "Take this, and divide it among yourselves;" where the word 'yourselves' designates only those present and not people in the future.

10. Now the second part, about the necessity imposed on the faithful of communicating at some point under both kinds, is wont especially to be founded on the words of Christ in *John* 6.53: "Except ye eat of the flesh of the Son of man, and drink his blood, ye have no life in you." But this place cannot be urged by Calvinists, since they themselves commonly deny that Christ the Lord was in the whole of that chapter of *John* speaking of the sacrament of the Eucharist. Next, many Catholics too have denied that the words are to be understood of the sacramental eating of the body and blood of the Lord, whose opinion the Church has not hitherto condemned, nor has it declared the sure sense of those words, but has only excluded the one thing as false that heretics now approve. Hence the Council of Trent, session 21 ch.2, said that, "from the speech of the Lord is not collected that communion under both kinds was prescribed by the Lord, in whatever way it be according to the various interpretations of the holy Fathers and doctors understood." But the more probable exposition seems to be that there indeed is imposed on the faithful the necessity of communion in Christ in the Eucharist, but that there is no obligation imposed on the faithful all and singly of communion in both kinds, but only of receiving the flesh and blood of Christ, whether it be taken in one act or in many. Because the whole necessity is placed on union with Christ through reception of this sacrament, which suffices for salvation and life; but for life the eating of the whole Christ suffices, as we will confirm immediately by eliciting it from his words. Just as belief in Christ is sufficient for salvation, and that is to believe his flesh and his blood, although these not be believed in individual or distinct acts, so, because the whole Christ is contained under the individual appearances, the reception of the Eucharistic bread alone suffices for salvation, because in it the whole Christ is received, and (so to say) his blood is in very fact drunk, though it not be received by way of drink. Hence it happens that he wholly fulfills the precept who receives the body of the Lord; and, contrariwise, it follows that he alone violates the precept, and incurs the threat of Christ, who abstains from the body and blood of the Lord, as is rightly expounded by Fulbert of Chartres, epist.1 to Deodatus at the end. And Christ's words do admirably contain this sense, such that the negation included in the word 'except' falls on the whole of the following sentence: 'if ye do not eat of the flesh of the Son of man, and drink his blood, ye have no life in you.' And thus does Ambrose read it, bk. *De Commun. Essentia Patris* etc.: "He who does not eat my flesh or drink my blood will not have eternal life." And in the same sense does Augustine expound it, tract.26 on *John*, whose words I will relate a little later.

11. By those words, then, the Lord wished only to show how necessary it was for the faithful to receive the very Christ into themselves through this sacrament. But he wanted distinctly to explain the receiving of his body and blood, not because it was necessary to receiving them in distinct acts, but either so as distinctly to put this sacrament forward, or to signify his passion, in whose remembrance this Sacrament is always to be celebrated, or because in the future it would be necessary in the Church for his flesh and blood to be received under diverse appearances, although this necessity was not to be imposed on all but on those who do the sacrifice. But that this intention of Christ the Lord in the words mentioned is the one we said is proved from the mind of the Council of Trent in this way. For Christ the Lord himself said that the eating of the

heavenly bread suffices for salvation; therefore he did not establish as necessary the receiving of wine in its proper kind and as distinct from the receiving of the bread. The consequence is evident because one kind cannot be sufficient if both are necessary. But the assumption is clear from many words of Christ the Lord in *John* 6, namely, v.50: "This is the bread which cometh down from heaven, that a man may eat thereof, and not die." And later, v.51: "if any man eat of this bread, he shall live for ever; and the bread that I will give is my flesh, which I will give for the life of the world." And later, after the aforesaid words in which he taught the necessity of flesh and blood, he adds, v.56: "He that eateth my flesh, and drinketh my blood, dwelleth in me, and I in him." Where the word 'and' is indeed taken as copulative, not however conjunctively but disjunctively (as the dialecticians say), according to the property of the word and the requirements of the matter, and according also to the common usage of Scripture. For when it is said in *Exodus* 2, according to the Hebrew reading, v.15: "He that smitteth his father and his mother shall be surely put to death," the sense is not conjunctive, that whoever kills both parents together, but disjunctive, that as well he who kills his father as he who kills his mother shall die. Thus, therefore, in the present case the sense of the said words of Christ is: "He that eateth my flesh dwelleth in me and I in him, and he who drinks my blood dwelleth in me and I in him;" therefore the receiving of either kind suffices for salvation. And the reason is indicated by Christ in the following words, v.57: "he that eateth me, even he shall live by me;" as if he were to say, whether someone eats my flesh or whether he drinks my blood, he receives me whole, and therefore because of me he lives. Hence again he subjoins, v.58: "he that eateth of this bread shall live for ever."

12. In addition, the ancient Fathers understood there to be no other precept under those words than that we should receive Christ sacramentally and spiritually; nor do they put the force on his being received under one or both kinds but only on our being united to him by eating or receiving him. Thus does Cyril of Alexandria, bk.4 on *John* 14, render the reasoning of those words in these words: "Nor can they be sharers in faith along with sanctification in blessed life who have not received Jesus through mystical benediction." And later: "Because the body of Christ is able to make alive and to renew what is corrupt with its touch alone, how may we not live who taste and eat that flesh? For those who share in him he will altogether remake to his immortality." Where the word of exclusion placed in the antecedent is to be noted; for by the force of the inference its sense is carried over also to the consequent. The same too in Chrysostom, *Homilia* 46 on *John*, where he thinks that by these words, as well as by the following ones, Christ wanted to teach nothing other than that what others thought impossible was necessary, and to persuade them that he was the true food which saves the soul: "So that they might not think he was speaking obscurely in parables but might know that it was altogether necessary for them to eat his body." And Theophylact has almost the same on that place.

In addition, Augustine, tractat.26 on *John*, expounds the aforesaid words of Christ, "Except ye eat etc." by those that follow, v.54, "Whoso eateth my flesh, and drinketh my blood, hath eternal life," when he says: "This life he then does not have who does not eat the bread nor drink the blood." And later: "He who does not eat his flesh and drink his blood does not have life in himself." He is only deprived of life then if he receive neither kind; but, contrariwise, both "he who eats his flesh and he who drinks his blood has life," as the same saint adds. And tract.27 he says generally that Christ gave his body to eat on account of eternal life, and "the sign," he says, "that someone eats and

drinks is this, if he remains and is remained in, if he abides and is abided in.” But Christ remains in him who eats only the bread and he in Christ, as Christ himself testified; therefore, on the testimony of Augustine, he eats and drinks sufficiently because he receives the whole Christ and is perfectly restored, which is most of all signified by that distinction of words, as is taken from the same Augustine, *Sermo* 1 ‘De Verbis Apostoli’, and from Eusebius of Nicea, *Homilia* 5 ‘De Paschate’, and Cyprian, in *Sermo* ‘De Coena Domini’, who says among other things: “Drink and food pertain to the same idea: just as by these the corporeal substance is nourished and lives and is preserved safe, so is the life of the spirit nourished by this proper food, etc.”

13. Nor is the ancient custom of the Church foreign to this sense of the words of Christ, but rather confirms it. For although it is true that in the primitive Church the use of both kinds was frequent and common to the faithful, nevertheless it is certain too that the other use of eating in one kind was begun from that time. For what Luke reports in *Acts* 2.46 about the use of the breaking of bread is referred by many to communion under one kind. And indeed from the force of the words nothing else can be collected. Hence, although it is certain that all the faithful then communicated in the breaking of bread, it is not certain, nor can it be proved, that all communicated under the appearances of wine; nay, it is more likely that not all were compelled to this. For (to keep silent about the rest for the present) those who were converted to the Faith from among the Nazareans were not then prohibited from observing the legal prescriptions; therefore it is not likely that they were compelled to receive the chalice, since, by their special profession, they abstained from wine. The same can also be thought about the many abstinent, who either never used wine or had a horror of it. Although, therefore, the use of the chalice was then in use, that it was of necessity imposed on all, either always or sometimes, cannot be shown by any sufficient testimony nor by any sufficient conjecture. Nay rather, that the use of the bread alone was general and common to all is indicated by the aforesaid words of Luke and confirmed by those of Paul, *1 Corinthians* 10.17: “For we being many are one bread, and one body: for we are all partakers of that one bread.”

And likewise the ancient Fathers, although they sometimes make mention of the use of both kinds, more often speak of the eating of the body of Christ alone, because that use was more general and was judged sufficient. As is clear from Ignatius, epist.13 to the Ephesians, where he first says: “Take care to congregate frequently for the Eucharist, and the glory of God.” And at the end he subjoins: “Obedient to the bishop and priest, breaking one bread with unbroken mind, which is the medicine of immortality, the antidote to death, procuring life in God through Jesus Christ, the remedy that purges vices and repels all evils.” The same is taken from Jerome, epist.50 to Pammachius, which is an apology for his books *Contra Jovinianum*, near the end: “Let each prove himself, and thus come to the body of Christ, not because communion put off for one or two days makes one a holier Christian, as because today I was not worthy I will be worthy tomorrow or the day after, but because, while I grieve that I did not communicate in the body of Christ, I may abstain a little from the embrace of my wife, so that I may put love of Christ before love of spouse.” And bk.2 *Contra Jovinianum*: “As if we too do not equally receive the body of Christ.” Like things are read in his dialogue *Contra Luciferianos*. Again in Augustine epist.180 to Honoratus, where he says that the devil often persuaded apostasy on the faithful “who were absent from the daily ministry of the Lord’s body.” Hence later he exhorts the pastors of the Church with these words: “Let us

more fear that the members of Christ, deprived of spiritual nourishment, be killed than that the members of our body, crushed by enemy assault, be tortured.” Finally the same is signified by Tertullian, bk. *De Orat.* last chapter, where he says: “One’s station is to be quitted after receiving the body of the Lord.” And later: “After the body of the Lord is received, and reserved.” Which words are clearer about the body alone, because the blood under the appearances of wine could never be suitably reserved.

14. Hence this custom is very greatly confirmed from the communion which was always handed to the infirm by way of viaticum. For if at any time the Eucharist is necessary by divine right, it is most of all so at the moment of death, as is the common opinion, very agreeable to reason, of theologians, because affirmative precepts then most strongly oblige when necessity is also most urgent, and when the time suitable for fulfilling the precept is coming to an end. But at that moment the Church was not accustomed to give both kinds but only the body of the Lord; it is a sign then that the Church always thought that communion under one kind was sufficient for salvation. For that the custom was very ancient is collected from Ambrose, from Gregory of Tours, and from the others adduced on the preceding point, and more clearly so from the Council of Nicea, ch.12 point 14, otherwise chs.13 & 18, for in chs.12 & 13 it is said about those who are departing the body: “The rule of the ancient law will be observed even now, that they not be cheated of the final and necessary viaticum of their life.” But in ch.14 a deacon is prohibited “from handing the body of the Lord to others,” and there is added: “But if there be no bishop or priest in attendance, let the deacons proffer it, and let them eat.” And like words are in the Gelasius’ epist.6 to the bishops of Lucania: “in the distribution of the sacred body he does not, in the presence of a bishop or a priest, have the right of exercise,” that is, a deacon does not. In which places mention is not without cause made of the body alone of the Lord, because a deacon, since he cannot consecrate, cannot give the Eucharist except from preconsecrated and reserved elements, but the body of Christ was only reserved under the appearances of bread. And the like, as reported by Gratian in ch. ‘Pervenit’ *De Consecratione* dist.2, is the fact that in the Council of Rheims ch.2 priests are reprehended “who hand over to a layman or a woman the sacred body of the Lord for carrying off to the infirm.” Where too there is mention of the body alone, because it had to be reserved from a consecration done before, and only the body was reserved. Since, therefore, this sacrament was reserved chiefly as viaticum for the infirm, it was always judged sufficient to be given as viaticum under the appearances of bread. Therefore it was also judged sufficient for fulfilling the divine precept about communion in this Sacrament.

On which point can be noted a history reported by Bede, bk.4 *Anglicanae Historiae* ch.14, about a certain monk to whom, when ill, Peter and Paul appeared and revealed to him his approaching death. “But first,” they said, “you must wait until the Masses are celebrated and thus, when you have received the viaticum of the body and blood of the Lord, you may be raised up, loosed from illness and death together, to eternal joys in heaven.” And yet later there is added about the prelate of the monastery, “He ordered Masses to be said and all to communicate in the accustomed way, and at the same time a particle from the same sacrifice of the Lord’s oblation to be carried off to the sick boy.” Where I weigh the word ‘particle’, which signifies only some small part of consecrated bread, and the fact that it was given for viaticum of the Lord’s body and blood, because through it the whole sacrifice was participated, and in it each kind was

contained; I weigh also that he says that all communicated in the accustomed way. But the same Bede reports, in bk.2 of the same history ch.5, that the custom in England then was “to give the Eucharist to the people under the appearances of bread which, when the barbarians saw, they called it shining bread,” and they begged it from the priest, who replied to them: “If you wish to be washed in the saving font, you can be sharers in the holy bread.”

15. On behalf of the same custom can also be noted a decree of the 2nd Council of Toledo ch.11, where a canon of the 1st Council of Toledo is referred to, which says: “That if anyone not take the Eucharist received from the Priest let him be expelled as sacrilegious.” Which canon the later Council explains must be understood if someone does it by will and not if it happen by impediment of infirmity. For many of the infirm, as is said there, reject the Eucharist offered to them, not from disbelief, but because “apart from the drinking of the Lord’s cup they cannot swallow down the Eucharist handed to them.” In which words is sufficiently indicated that the ordinary custom was of giving the infirm the Eucharist without drinking from the cup, and a second canon of the older Council seems to understand it in the same sense. But some collect thence that to the infirm who could not swallow the host viaticum was to be given in the appearances of wine alone; but that it is indeed not repugnant to divine right is however not there said. It might be more collected from the 4th Council of Carthage ch.76, where about the infirm in a like case it is said: “If the dying man has constant belief, let the Eucharist be infused in his mouth;” for infusion is of something liquid. But nevertheless it could be understood of a particle of the host which, when placed in a cup with unconsecrated wine, can properly be said to be infused in the mouth of the infirm. And, if one pays attention to the present custom of the Church, such an infirm person should receive communion rather in this last way than under the appearances of consecrated wine, because it both has less of danger and is more in accord with the custom of the Church; for the use of the cup outside the sacrifice is generally forbidden, and there is no necessity that compels to the use of equity, since the other mode of communicating, which is not *per se* forbidden, is sufficient. For although, in the 3rd Council of Braga ch.1, that mode of communicating seems to be prohibited, as the Gloss seems to have understood, on ch. ‘Is qui’ 26 q.6, because it is said there that “intincted Eucharist” is not to be given to the people; nevertheless that prohibition is either not extended to a case of necessity or (which I consider truer) is not laid down in that sense but is against certain people “who were handing intincted Eucharist to the people as complement to communion.” For they were immersing it in consecrated wine, or they were moistening the Eucharist and giving it as complement to communion, which was superstitious because communion is sufficiently complete in the appearances of bread alone administered without any intinction, and when both kinds were to be received, as they sometimes could be, they were administered separately, in the same way that Christ the Lord offered them.

16. Nor is it an obstacle to this custom that sometimes the taking of the body without the taking of wine was prohibited, as Gratian reports from Pope Gelasius on ch. ‘Comperimus’, *De Consecrat.* dist.2, which others attribute to Leo; but I find in neither of them the epistle to Maioricus and John from which it is cited. But whosoever was the prohibition, it is not an obstacle, either because it is referred to the sacrificing priests, as there Gratian along with the Gloss intended and which some of the scholastics follow, for such a prohibition was laid down in this way in the 12th Council of Toledo ch.5, or

(which is more in agreement with the text and with history) what was prohibited there was only doing it from superstition, as is said in the text, “since they learn the obligation from some superstition or other,” that is, judging the taking of wine not to be licit. Which seems to have been the error of the Manicheans; for as Pope Leo relates in *Sermo* 4 ‘Quadragesima’ ch.5, since they felt that in Christ there was no true flesh, so as to hide their infidelity, they did not dare to be present at our mysteries. “But,” he says, “in order more safely to escape detection, they moderate themselves in the communion of the sacraments in this way: they receive the body of Christ with unworthy mouth but the blood of our redemption they altogether refuse to drink.” To abstain from the cup in this spirit and error, then, was not only prohibited but was always *per se* evil and sacrilegious. But this same fraud and hypocrisy of those heretics shows that communion in the body without the cup was then usual among the faithful, and that the custom was reckoned holy and religious, otherwise the Manicheans would not have dared to introduce that usage, if it was new, to hide their error. Hence then too the Pontiff might prescribe that the body not be taken without the blood, where it would be necessary to avoid that scandal, for although it is not clear to me that it was done, nevertheless the power was not lacking. And yet therefrom it cannot be collected that Christ prohibited the receiving of one kind without the other, but the inference only is that the Church could prescribe or prohibit something which Christ did not prescribe or prohibit, which is very likely; and from the same principle we conclude that the Church, when occasion of time and general reason demanded it, could have prohibited the use of the cup to the laity, although Christ did not prohibit it but gave it without precept.

17. Hence this truth may, lastly, be made convincing with reasons, whereby it can be shown, in the first place, that it was not fitting for Christ to prescribe and establish under necessity of salvation the use of the cup for the faithful all and singly. Both because the whole Christ was going to be under the individual appearances and can bestow all the necessary and fitting effect of this sacrament to those who receive him under any kind; and also because it could scarcely be done without great disadvantage and danger against the reverence due to this sacrament, which, either because of the multitude of communicants or because of their variety, both in conditions and affections of body as in prudence and caution of soul, or lastly because of the carelessness of the ministers, could in no way, according to the human condition, be avoided. Next, it might by the contrary reasons be proved that the Church acted most prudently in introducing and approving this custom of the laity communicating under the appearances of bread alone, because there came thence to them no spiritual disadvantage that might pertain to the effect of this sacrament; nay, this mode of communicating might be more useful to the same, both for exercising their faith more perfectly toward this sacrament, namely by seeing with the eyes of faith that Christ was in the whole sacrament and that the same Lord was whole in the individual parts of the sacrament; and also for greater observance and purer worship of the same sacrament, as has been sufficiently explained. For it is not worthwhile to delay over explaining these and other reasons, because we have provided it fully, according to our ability, in our theological commentaries, to which these reasons more belong than to a disputation about the foundations of the faith.

Chapter 6: On Private Masses.

Summary: 1. The king abhors private masses. The mass, even if it is done in secret, is a

true sacrifice and of itself a public act. 2. The mass as to its substance is always a public action. 3. Various ways in which a mass can be said to be private. First from defect of an assembly of people. 4. A mass private in this way is altogether reprehensible. 5. No ecclesiastical precept obliges to sacrificing in the presence of many persons. 6. Secondly, a mass is said to be private because only the priest communicates in it. 7. Thirdly a mass is said to be private from circumstances of time and place. These circumstances do not render it illicit. 8. The custom of celebrating in private places is confirmed by miracles. 9. The custom of celebrating mass at any opportune time is confirmed by examples.

1. I come to the last point touched on by the king concerning the divine mystery of the Eucharist, about private masses, whose use he places among novel and recent rites and finds fault therewith. But the words of the king must be noted when he says: "I number among these articles those private masses, in which the sacrificer assumes the person of the people and of the priest at the same time." For in those words the king seems to speak about the mass as about a true sacrifice, otherwise he is wrong to insert the nouns of 'sacrificer' and 'priest', and to suppose that the priest in the mass intercedes for the people and so needs to be distinguished from them. For this reason I am in doubt whether, in those words, he is speaking from his own opinion, believing what it supposes about the sacrifice of the mass, since Luther, Calvin, and other Protestants deny it, or whether instead he only intends to refute Catholics from their own principles. We, however, presuppose the Catholic doctrine about the truth and propriety of this sacrifice and say, to begin with, that the mass, whether it be done publicly or in secret, is always a true sacrifice, and accordingly that it is never so private that it is not in itself a public action, for it is done by the priest as by a public minister constituted by the authority of Christ and in the name of the Church for things relating to God, so that he may offer sacrifice to God for the whole Christian people. And therefore rightly did the Council of Trent say, session 22 ch.6, that: "masses, although none communicate in them, must be considered truly common, partly because in them the people communicate spiritually, but partly because they are celebrated by a public minister, not for himself alone, but for all the faithful who pertain to the body of Christ."

2. According to this Catholic doctrine, then, there is no mass which (so to explain the thing) is *per se* and substantially private; for as to the one principally offering, who is Christ, and as to the minister, who is the priest, and as to the thing offered, which is the flesh and blood of Christ, and as to God, to whom the offering is made, and as to the Catholic Church, for which the offering is made, the mass is common; but these are the things that most pertain to its substance, and can be said to be *per se* appropriate to it. Some masses, therefore, can only be called private from the conditions or circumstances which are found in the celebration thereof. But since these circumstances can be multiple, they must be discussed and considered one by one whether in any sense the blame or rather calumny of Protestants against the Catholic Church might have any likely foundation.

3. And first indeed a mass can be said to be private which is celebrated without an assembly of the people. Which sense is indicated by the king when he affirms that he calls masses private "in which the sacrificer assumes the person of the people and of the priest at the same time." But this, if it be carefully considered, can be neither necessary nor strictly true unless it be supposed that the priest is altogether alone when he

sacrifices; for if he have ministers, or at least a minister, the latter will assume the person of the people and not the priest alone. But such private masses, wherein no one ministers to the priest, are not permitted nor have ever been permitted by the Church; for the Church forbids mass to be said by a priest without a minister. For in the Council of Mainz under Leo III ch.43 it is said that no priest can rightly perform mass alone, and thus is it observed by the universal custom of the Church and taught by all Catholic doctors. But this is enough for the priest not to be said to assume alone the person of the people and of the priest at the same time; for the minister, whether on his own or together with the person of the priest, assumes the persons of the people. For since Paul says in *Hebrews* 5 that the Pontiff [high priest] is created to make offering, as for the people, so also for himself, there is nothing inappropriate in at least the priest himself assuming, together with the minister, the person of the people. Nay rather, if we consider the general idea of sacrifice on its own, no necessity is, from the force of it, collected for any minister or any people standing by; for it is clear that Abel, Abraham, and other patriarchs in the law of nature sometimes offered sacrifice alone without other ministers or assistants, because although the priest was alone he could, in the name of the people, make offering both for himself and for all of them at the same time. Hence, that now someone is required to minister to the priest is by special institution, which seems to be more ecclesiastical than divine, because it is required more on account of accidental ceremonies than the essential rite of consecration.

4. Hence, therefore, it happens that no likely cause can be given for being able to blame a private mass for this circumstance, that is, which has no one assisting at it besides a single minister, because in such a mode of offering nothing is done either against natural law or against precept or custom of the Church. The first point is clear from what was said, and it is manifest of itself, because neither the common idea of sacrifice nor the special mode or dignity of the Eucharistic sacrifice requires the presence of many, for it can with due reverence, devotion, and completeness of rite be done by a priest along with one minister alone. Again, no precept of Christ can be pointed to, because neither his action on the night of the Supper nor the words which he then spoke to the apostles contain such a precept, as can, by a likeness of reasoning, be collected from what we delivered on the previous point. Again from what Cyprian hands down, epist.62 to Caecilius towards the end, and Augustine, epist.118 ch.6, who say that Christ did not prescribe the observance to us, when we perform this mystery, of all the circumstances which he observed, but those which pertain to the substantial rite. Thus, therefore, although he celebrated it in the presence of many, he did not for that reason prescribe it always to be done so. Otherwise at least twelve people assisting would always be necessary, or also no more should be permitted, because Christ did not call all the disciples but only the twelve apostles to the Supper, and for similar reason this sacrifice ought not to be offered in the sight of women but only of men. Next, the multitude of assistants or of the number of them necessary for the performance of this sacrifice cannot be designated; therefore neither was precept given that it should be done absolutely in the presence of many; because it cannot be shown to have been written or handed down more in one way than in another.

5. Now by ecclesiastical precept it can seem to have once been established that masses not be said except in the presence of at least two witnesses, as is contained in the Council of Nantes ch.30, and others report it from Anacletus, in epist.1, where he says

generally about priests: "Let them not sacrifice alone but let there be witnesses with them;" but afterwards more are required among bishops. However, this right either was not generally introduced in the Church by way of rigorous precept or was abrogated by the contrary custom, because in things which are accidental there can be variety in the Church, as reason or occasion of time requires. And so, where priests were multiplied, it could have been judged either necessary or more convenient for one minister to suffice, lest on account of the mere paucity or penury of assistants the divine cult should be lessened in the Church and priests themselves be deprived of the fruits of the sacrifices.

6. In a second way a mass can be said to be private wherein only the priest consumes the sacrament and communicates; and against this Protestants bring much violence, feigning that it is not only contrary to the ancient custom of the Church but also against divine right. But they are led only by the spirit of contradicting and calumniating the Roman Church, because they feign such a precept without foundation, as can easily be shown by what has often been discussed. For from the deed or words of Christ no divine precept about this thing can be collected, as the testimonies adduced and reason prove, because the mere deed of Christ does not induce a precept, nor is it by any words of Christ sufficiently indicated. Next, although it be true that at the beginning of the Church there was more frequent observance of the faithful who assisted at the breaking of bread participating therein, yet that this was done by obligation of a precept especially divine can be shown by no indication, and it is more likely that it came from the devotion and fervor of the faithful at that time. Especially since Paul says, *1 Corinthians* 11.28: "But let a man examine himself, and so let him eat of that bread," for there could even then be many present at the sacrifice who, when examining themselves, found they were not disposed for communicating, and therefore it was also always easier in the Church to hear mass than to communicate in it; which would not be so if, as often as mass is heard, it was necessary to communicate, because there is not the same examination of conscience and the same state of justice required for each. Next, a little after the departure of the apostles from this life, times began to be designated at which alone the faithful were obliged to communicate, although however outside those times, and at least on Sundays, they were bound to hear masses. Rightly, then, did the Council of Trent condemn those who say that masses are illicit at which only the priest communicates. On which point we discussed many things in our scholastic disputations.

7. Third, a mass can be said to be private from other circumstances, as from the place, because it is said in a private house and not in a public temple deputed to the whole people; or from the time, namely because it is not at the accustomed hour at which the people are wont to come to sacrifice, but at some other hour convenient for the one sacrificing; or from the mode, because it is not done with singing or other like solemnities. And about all these ways it is certain that a private mass is not made illicit unless something is done against a special prohibition of the Church, or against the reverence due to the sacrament. The general reason is that in these accidental rites there is nothing defined by divine positive right, and therefore whatever is not *per se* evil, or prohibited by the Church, is indifferent. Hence, as far as regards the place, the only *per se* necessity is that the place be approved by the pastors of the Church, according to the ancient canons very gravely commended and renewed by the Council of Trent. But I say '*per se*' because it was always customary in the Church that, for prudent cause or necessity, masses in private places or houses might be said according as time and

opportune occasion was offered.

8. That this custom has also been confirmed by miracles is revealed by ancient histories. For Paulinus in his life of Ambrose reports that, when he was once at Rome, he offered sacrifice in the house of a certain noble matron, and a paralytic lying on a bed was miraculously cured. And Augustine, bk.22 *De Civitate Dei* ch.8, reports that a certain priest offered his sacrifice of the body of Christ in a certain private house that was suffering the noxious violence of demons, and that by his prayers the inhabitants of that house were freed from the vexation of the demon. Theodoret too, in *Historia Religiosa* ch.20, tells about himself that he offered the mystical sacrifice in the private house of a certain man called Mar (Sea) for his consolation. Finally the Supreme Pontiff Pius I, in his epist.1 to Justus bishop of Verona, has: "Euprepia has assigned to the poor the title to her house, where we now staying performed mass along with our poor." Which masses indeed, as regard their mode at least, seem to have been private, but as to place there can be doubt, because by titles are signified houses transferred to the divine cult, as Baronius notes for the year 112 n.4. But because Pius does not say that the house had been dedicated to the divine cult but that it was assigned to the poor by Euprepia and that she still lived in it with the poor, it is likely enough that it was not a Church dedicated to public divine office, but was a house intended for the habitation of the poor wherein masses were said privately. And this was very much wont to happen at the time of persecution by tyrants or heretics, as is taken from many things mentioned by Victor, bk.3 *De Persecutione Vandalica*, and Sozomen, bk.7 *Historiae* ch.5, and Augustine, in *Breviculo Collation.* Ch.17. Again, at that time masses were said in crypts. Hence Pope Cornelius, stressing to Lupicinus bishop of Vienne the violence of the persecution, says: "Nor in the better known crypts is it licit for Christians to perform mass;" where I weigh that word 'better known', for it signifies that masses could be said privately and secretly in more hidden ones. Next, masses were then said in prisons, as Cyprian testifies in epist.5, in whom must be noted the prudent warning: "In such a way that the priests too, who there make offering among confessors, alternate in turn one by one with the deacons;" by which words he also signifies that those masses were private as to mode and as to assembly of persons.

9. Wherefore, by these examples can easily be proved that it was by custom received that masses might be said at any opportune time, because it was neither necessary nor morally possible to observe in so great a variety of occasions and places a definite hour for celebrating. Add that it was always licit for priests to celebrate daily, if they wished, as we read said of the apostle Andrew: "I immolate daily to the Almighty God not the flesh of bulls nor the blood of goats but the immaculate Lamb on the altar." Jerome too, in epist.150 to Hebidias q.2, says of himself: "Daily in his sacrifices we tread the red wine from the fruit of the true vine." Which must necessarily be understood of private masses which were said by him daily. For about the same Jerome Epiphanius says, epist. to John of Jerusalem, which is number 60 among the epistles of Jerome, that he was not accustomed to celebrate public masses. About Cassius too, bishop of Narni, Gregory reports, in *Homilia* 37 on the Gospels, that it was his custom "to offer daily hosts to God, so that hardly any day of his life went by on which he did not immolate the host of reconciliation to God." And like things are frequently found in the histories of the lives and doings of the saints, from which can manifestly be collected that they did not observe a certain day of the week or a public and definite hour of the day for celebrating, but

according to their own devotion or convenience chose an hour within the time of day permitted by the Church. And hence it is *a fortiori* clear that masses private as to intention of offering or other circumstances were in the same way always licit and in use; both because there is about them the same reason, and also because masses could not otherwise be so frequently celebrated. And this suffices for the present point, wherein I find no reason for doubt or difficulty which pertains to the dogmas of the faith; but other things, which have regard to the sacrifice of the mass, are not touched on by the king, and have been elsewhere, namely vol.3 p.3 disp.73ff., expressly treated of by us.

Chapter 7: On the errors about the cult and invocation of the Blessed Virgin noted in the king's Preface.

Summary: 1. What the difference is between the words 'honoring', 'adoring', and 'venerating'. 2. Several kinds of adoration. Worship (latria). Service (dulia). With what adoration the Blessed Virgin is to be adored. 3. What the king argues against in the veneration due to the Blessed Virgin, and his objection. The objection gathered from the words of the king. Satisfaction is made to the objection. The true sense of Nazianzen is reported. 4. King James argues against the invocation of the Blessed Virgin. Foundation of King James. His triple objection against the mode of invoking the Blessed Virgin. 5. This mode of invoking the Blessed Virgin is very ancient in the Church. 6. Response to the words of the king. The beatific vision consists very well with knowledge and love of creatures. The Blessed Virgin can intercede for us without losing her felicity. 7. The first objection against the mode of invoking the Blessed Virgin is dissolved. The Church does not attribute to the Blessed Virgin command over Christ the Lord. 8. The second objection is solved. 9. Satisfaction is made to the third objection; and declaration is given of how the Blessed Virgin repels demons. 10. How the Blessed Virgin destroys heresies.

1. Among other things that King James, in giving reason for his faith, writes in his *Preface*, he makes confession of some things that he has taken from Catholic Doctrine, with which, however, he in other things disagrees, and these latter we must briefly consider and show that they are not less certain than the former ones. First, then, when he calls Mary the most holy Blessed Virgin, he seems to think about her perpetual virginity rightly, for she who kept her virginity at some time cannot be called simply Virgin if she afterwards lost it. Next, he recognizes that she was true Mother of God from the fact that it pleased our Savior to take from her a human body for himself, and that in Christ human nature could not be separated from divinity; which is said rightly, as being borrowed from the 1st Council of Ephesus along with Leo the Great and Cyril of Alexandria. In addition, he says that "he piously and frankly confesses and constantly contends that the Virgin has been raised to a heavenly glory above all orders of blessed men and spirits, with the exception of her son at once God and man." In which confession I praise and embrace the truth; yet I ask for the sure faith of it and require its foundation. For if the king, when he says that he piously and frankly confesses that truth and constantly contends for it, means to signify that he has only a certain pious credulity and constant opinion of that truth, he does not satisfy confession of Catholic Faith. For the very ancient tradition sprung from the apostles and delivered right up to us by the unanimous consent of the Fathers, and received from the Universal Church without any dissent or hesitation, is what for Catholics makes certain faith in that truth. But if the most serene

king wished to indicate this truth by his words, he must necessarily confess that something is to be firmly believed which is not expressly written down in the canonical books. Nevertheless, because we agree in truth of doctrine as to this part of it, and enough was said above about the mode and rule of believing, therefore I do not delay over confirming this truth and remit the reader to what we wrote elsewhere.

Next, the king professes to venerate the most Blessed Virgin, which we also read and admit gladly. Nor do we move question about the word ‘venerate’ or ‘adore’, although perhaps the king was purposely eager to admit first but later to be cautious; for this too we do not doubt could be done without blame, if it was done with sound mind and in a legitimate sense. For the Council of Trent, session 25, in the decree on the invocation and veneration of saints, observed this way of speaking when it said: “let us adore Christ and venerate the saints.” Epiphanius, *Contra Haeresim* 78, although he teaches that the Virgin is to be presented with honor and veneration, denies that she is to be adored, that is, with the adoration of worship or with divine cult, of which he there treats, and which by antonomasia is wont to be signified by the word ‘adore’ stated simply.

For greater clarity, therefore, and to explain purely and sincerely the sense of this dogma without ambiguity of words, there are three words to be noted, namely, ‘honor’, ‘adore’, and ‘venerate’; for the two first are distinguished by Augustine, *Contra Sermonem Arianorum* ch.23: “For,” he says, “everyone who adores honors; but not everyone who honors adores;” for we honor not only those superior to us but also equals; nay inferiors too, moreover a king sometimes honors a subject, as is said in *Esther* 6. But adoration seems to be shown only to one more powerful and superior, as a sign of dignity and excellence. Honor, therefore, is a testimony of virtue absolutely considered, in whatever way it be compared to the one honoring. But adoration too is witness of virtue, with, however, recognition of superior dignity and excellence, and therefore he who honors does not at once adore; but contrariwise, he who adores necessarily also honors. But the word ‘venerate’, although it seem to come closer to the propriety of adoring, because it indicates the showing of reverence and observance, is sometimes however wont to be taken for the word ‘honor’ and with the same signification, as is clear from English [Latin] propriety and use. In the present case, therefore, care must be taken lest we take the word ‘venerate’ only in this last signification; for to honor the Virgin is too little, unless it be done with due submission of mind and due estimation of her excellent virtue and dignity. But honor shown in this way is properly veneration and reverence, and can also be called a kind of adoration.

2. For the word adoration itself too is general and has various grades or kinds; for a certain kind is shown as sign of supreme and uncreated excellence which is called ‘worship’ (*latría*), and it is sometimes wont to be signified by the word ‘adoration’ stated simply; but there is another kind, which is shown for indicating a lesser excellence, in which signification the word ‘adore’ is sometimes taken in Scripture, as in *1 Kings* [*1 Samuel*] 24 & 25 and *3 Kings* [*1 Kings*] 1, and often elsewhere. And in the same way theologians make a distinction between an inferior adoration (which they call ‘service’ [*dulia*] by an accommodation of words) and the supreme adoration of worship, and under the first member they establish, with a certain singular excellence and perfection, the observance due to the Virgin and call it hyper-service [*hyperdulia*]. Which words will perhaps not please the king, but we will not dispute over them provided the thing is not

displeasing, and provided by the word ‘venerate’ we signify not any honor but that which is shown to the Virgin with due estimation and submission of mind as sign of her singular excellence and sanctity. For rightly did Augustine say, bk. *De Genesi ad Litteram* ch.4: “Provided that what needs to be understood is understood, there is no great need to care about what it is called.” We therefore in this mind confess that the Blessed Virgin is to be venerated and we refrain from the word ‘adore’ lest it offend anyone weak in the faith. Nor does the king seem foreign to this sense; for he immediately confesses that the Virgin is the true Mother of God, which no prudent man can deny to be a singular excellence; and he adds in addition that the Virgin is placed in heavenly glory above all orders of blessed spirits; therefore he must, when he says he venerates her, be showing her honor with recognition of the excellence of the same and in witness and signification of it.

3. But these things notwithstanding, the king murmurs something in protest or finds some fault in the cult and veneration which we Catholics bestow on the Blessed Virgin when he says: “But I would not dare have her in derision nor pronounce impious words against God, attributing to her not only the name ‘divine’ but the name ‘Goddess’ too.” To which he adds other things which properly pertain to invocation, and therefore they will more agreeably be handled later. But this blame seems to contain this objection more or less: for cult or adoration is exhibited not only in deeds but also in words signifying divinity; therefore since those words signify divinity in the Virgin, they contain adoration simply, or adoration of worship; therefore they have regard not to honorable and due observance but to the disgrace of idolatry. But this objection has no foundation nor is of any importance. I deny it has a foundation because never has the Church Roman or Catholic used those words in praising or invoking the Blessed Virgin, and therefore if anything of this sort is found in some private doctor it is wrongly bestowed on her. I add too that similar words are very rarely found in Fathers or learned theologians who are of some authority with us. I remember only to have read the word ‘Goddess’ in Gregory Nazianzen in a tragedy about the suffering Christ, at the end, where he thus speaks: “O venerable Virgin, chaste, most happy, blessed now in the celestial vault of the blessed, your human seat having put off whatever decay it had, adorned with the cloak of eternity, held as a Goddess immune from old age.” But from these sorts of words or similar ones a frivolous occasion, I say, is taken for blame or objection, because it is clear from the faith and wisdom of the writer as well as from the preceding and following words that it was not used for signifying true Deity by essence but by a certain excellent participation therein. Hence we can reply to the king with the words of Christ the Lord, *John* 10.35: “If he called them gods, unto whom the word of God came, etc.” Since, therefore, Scripture calls just men, princes, and judges gods because of a certain participation, what wonder that Gregory Nazianzen, for signifying, among all created things, the excellence, dignity, and nearness (so to say) of the Virgin to God, used the name of Goddess? For that reason indeed most of all, that he did not assert simply she was Goddess but was held as a Goddess, for the word ‘as’ diminishes and names only a certain participation and imitation. Just as Christ the Lord said, *Matthew* 5.48: “Be ye therefore perfect, even as your Father is perfect;” and *John* 17.22: “That they may be one, even as we are one.” Lastly we can add that Nazianzen, by using as it were poetic license and being compelled by necessity of sung verse, faithfully inserted that word beyond accustomed practice, not fearing any danger, as in fact there was none, that he would lead

readers into any error. And these things now are enough for what the king touches on about the veneration of the Virgin.

4. Now against the invocation of the same Virgin the king inveighs more seriously, for he blames both the substance, so to say, and the mode. For he denies, to begin with, that we should pray to the Virgin, and he indicates the egregious foundation of the dogma and marvelous reason, or rather conjecture, when he says: “Not even that fact do I bring into my mind, that she is living so idly in heaven that she is open to the absurd prayers of any stupid man whatever, and involves herself in his affairs and business.” And later: “In heaven, in the eternal refuge of holy souls, is she placed in eternal felicity, never called away from such great joys by any care or worry about earthly things.” From which things this reason seems to be summarily collected: the Blessed Virgin cannot have care for our affairs or attend to our prayers except by being called away from her felicity; but this cannot happen; therefore we must neither do nor try it. Next, in the manner of interrupting the Virgin, he taxes three things most strongly. First, that we pray to her, so that she acts not only by prayers but also by command along with her son, and that she has command over him and dominates him. Second, that we hold her in ridicule when we feign that she descends to earth for the kisses and embraces of priests. Third, that we similarly believe that she contends on our behalf with the demons in sharp and stubborn altercation. Others lastly add that we make her omnipotent by attributing to her that she alone destroys all heresies in the whole world, and by asking her to make us blessed by showing us her son, and finally by calling her our hope, which is proper to God, and our mediatrix and advocate, which is proper to Christ.

5. However, as to what concerns the first part, Protestants have therein followed Constantine Copronimus, about whom the Suda thus transmits to memory: “The most impure of all mortals dared to prescribe that no one should make imploring intercession to Mary.” See Baronius vol.9 for the year 767 n.27. Which error the Church at once held in detestation, and the authors who report the error show sufficiently that the custom of invoking the Virgin was very ancient in the Church. For thus says Theophanes, that if anyone falling or grieving uttered the wonted cry of Christians and said: “Mother of God, help,” he was condemned as an enemy of the emperor. And Theosterictus, a writer of that time speaks, in Nicetas, thus: “She whom Christ chose for his domicile, I mean his most glorious Mother, superior to all created things, the safety of all men, the protection of the world, who, because of the excellence of her virginity, stands next to God, her venerable name, I say, he strove in every way to expel from the Church; yes intercessions to her, whereby the world stands, he wished not even to be named, since he said that she was unable to help anyone.” Against which error it will be enough now to display this way of invoking the most holy Virgin from the holy and more ancient Fathers as from witnesses of apostolic tradition.

Let the first, then, be Ambrose, in prayer 2 in preparation for mass, where, after he had prayed to God to obtain charity, he subjoins: “And so that this prayer of mine may be efficacious, I seek the support of the Blessed Virgin Mary, whom you made to be of such great merit that she first among women should offer the new gift and none beside her should receive it so new.” To this I adjoin Augustine, who in his bk. *Meditationum* ch.35, after a long prayer to Christ the Lord, concludes thus: “Because of your goodness, receive the prayers of your servant, and give me the effect of my petition and my desire, with the intercession and prayer and effective request of the glorious Virgin, your bearer

Mary, my Lady, together with all your saints. Amen.” And in ch.40 he thus prays the Virgin: “Holy and immaculate Virgin, Mary bearer of God and Mother of our Lord Jesus Christ, deign to intercede for me with him whose temple you deserved to be made.” And in sermon 18 about the saints, he has an outstanding prayer to the Virgin, from which the Church has taken the words, “Holy Mary, succor of the wretched, etc.” Now it is to be noted that in the Antwerp edition that sermon is by some attributed to Fulgentius; but I do not find it among his works, and therefore rightly have the theologians of Louvain placed it, not in the appendix, but among the true works of Augustine. But Fulgentius himself in his sermon ‘De Laudibus Mariae ex Partu Salvatoris’ says: “Come, virgins, to the Virgin, come, mothers, to the Mother;” and after many like things he concludes: “Therefore every course of nature did the Virgin Mary in our Lord Jesus Christ receive, so that she might come to the aid of all women who flee to her, etc.”

To these may be added Gregory Nazianzen, who in *Orat.* 18 relates about Saint Cyprian that blessed Justina, when harried by the demon, fled to God, and afterwards he adds: “And praying as a suppliant to the Virgin Mary, that she might bring help to a virgin in danger, she fortified herself with fasting and sleeping on the ground, etc.” And in the cited tragedy near the end he adds this: “Immune from old age, from the highest ether, be present, kind to my wishes, accept my prayers, O renowned Virgin, when to you, parent of the Word, but beyond measure and law, alone among all this honor belongs.” Which prayer he most piously and elegantly pursues to the end, and concludes it with these three verses: “Queen, Mistress, boon of the human race, be always Friend to mortals, and Greatest safety in every place for me.” With the same faith and piety Chrysostom, in his preface to *Psalms* 118 [119] station 3 at the end, says: “These, brothers, are the monuments and teachings of the Fathers, drawing from which we have, with the attention it was right to use, imparted to you the commandments, that is, of God which may be to your profit, so that, according to your sincere faith and religion, your actions too may be honest. In which the Lord God will confirm you, giving to you his rich mercies, and through the intercessions of our undefiled Lady, the God-bearer and ever Virgin, etc.” I omit Athanasius, Gregory of Nyssa, and others, whom I mentioned when disputing of this matter elsewhere, vol.2 p.3 disp.23. It pleases to add here Basil, archbishop of Seleucia, who was present at the Synod of Constantinople, although also in the Council of Chalcedon action 1, at the end, it is said he was deposed, not however because of the faith, and was a little after restored, as is collected from action 5. He therefore in his *Orat.* 1 ‘De Annuntiatione Deiparae’, among the many other things that he says about the praises and intercession of the Virgin, finally concludes with this prayer: “O thrice sacrosanct Virgin, look on us from heaven with propitious eye, and now indeed lead us hence with peace; and at the throne of the judge make us stand free of confusion, and make us at last partakers of the place at your right hand, etc.”

To these can be added many things from Damascene, *Orat.* 1 ‘De Nativitate Mariae’ at the end, and *Orat.* 1 ‘De Dormitione’ of the same, and Epiphanius, in his *Sermo* ‘De Laudibus Virginis,’ and Ephrem ‘De Laudibus’ of the same, Bede in a like homily ‘De Sancta Virgine’, Anselm in his book *De Excellentia Beatae Virginis*, especially the last chapter, and Bernard in his homilies on ‘Missus Est,’ and his sermons ‘De Assumptione’, and Ildephonsus in his bk. *De Virginitate Mariae*, Laurentius Justinianus, and very many other Fathers, whether more ancient or more recent. For in all of them will frequently be found most devout prayers to the Blessed Virgin, along with

great reverence, praises, and encomia about her excellence, and exhortations to the faithful to pray for the Virgin's intercession with great confidence. And from all these we collect evidently that this custom is not new but very old, and did not even at any time grow old or change, but was preserved always in the hearts and mouth of the faithful. Wrongly therefore does the king seem to place it among the customs which he calls recent and novel.

6. Now the reason which he objects to it seems truly to be unworthy of the royal genius, and appears rather to belong to another man little versed in the mysteries of the faith and things theological. For those who know how to contemplate the felicity of the saints are not ignorant that the vision of divinity, which makes men and angels blessed, does not prevent them from being able to know and care for what is done among us. For that beatific vision is a certain eminent participation in the divine knowledge whereby God comprehends himself, and therefore just as the contemplation which God has of himself does not prevent him from considering our affairs and from very exactly providing for all, so the contemplation of the blessed in its own grade and proportion does not necessarily exclude knowledge of our affairs; nay rather it confers it on each according to the grade and status of his felicity. Hence also it happens that, without diminution or interruption of their felicity, the blessed might love us and intercede for us according to the grade of their charity. For thus about the holy angels did Christ say, *Matthew* 18.10 that they "do always behold the face of my Father which is in heaven;" and nevertheless he calls them angels of men, saying "their angels," that is, guardians, according to that verse of *Psalms* 90 [91]: 11 "He shall give his angels charge over thee, to keep thee in all thy ways." If therefore the blessed angels can guard men and are not by this care and concern for earthly things called away from the eternal joys of their felicity, who can think that the Blessed Virgin cannot hear our prayers and intercede for us without being distracted from her felicity?

But if this seem rather difficult to someone, because he believes the Blessed Virgin to be far more felicitous and more intent on eternal joys, he is manifestly deceived; for along with that very felicity and its joy there also increases both the power of considering human things together with divine ones and the affection of charity for taking up care for them, according to the nature of her status, and for the greater glory of God. Hence Christ too himself, although from the beginning of his conception he was happier by far in his soul than is now the Blessed Virgin, nevertheless he always had the highest care and concern for our salvation, and he interceded for us and now also hears our prayers and has care for us; nor on that account is he called away from such great joys of his eternal felicity.

However, as to what the king says that he cannot bring into his mind that the Virgin is living so idly in heaven that she is open to the absurd prayers of any stupid man whatever, I ask what he understands by absurd prayers, or in what sense does he say that the Virgin is open to them? For prayers can be said to be absurd whereby something absurd or indecent is asked of the Virgin, and the Virgin hears these prayers but does not comply with them. Nor is it foreign to the perfection of the Virgin or to her outstanding felicity that she has a leisure wherein she can hear these prayers; for God himself has leisure that he too is open to prayers of this sort, and sees them, not so as to receive them, but so as rather to punish them. Because that leisure is not vain or vicious, but is the leisure of contemplation, free indeed of all labor, but not destitute of knowledge and of

very deep providence for all things; that leisure then the Blessed Virgin in her own grade participates. But if the king calls absurd all those prayers that are made by low and mean men, or even by great sinners, this does not at all stand in the way of their finding an entrance open to the Virgin, if they are made faithfully and honorably, and they are not only known by her but also accepted, as far as she judges it expedient according to the order of divine providence, which is common also to the other saints, as we will say in the following chapter.

7. But to the first objection against the mode of invoking the Virgin, founded on the word ‘command’, we give the same response which we presented above about the name ‘Goddess’. For the Church was not accustomed to ask of the Virgin that she give command to her son; nor to teach that the Virgin has this power or that she was sometimes accustomed to use it. But yet Augustine, bk.2 *De Symbolo ad Catechumenos* ch.5, signifies that the Blessed Virgin, when she said to Christ, *John* 2.3: “‘They have no wine’, made trial that she could command her son as mother,” but for that reason Christ replied, v.4: “‘Woman, what have I to do with thee?’ so as to distinguish between God and man,” and to signify that the virtue of doing miracles was from divinity, according to which he was not subject to his mother. Hence Augustine tacitly blames those who say that the Blessed Virgin can make requests of her son by command. But neither must it be thought that the Virgin spoke to her son at the marriage in this way, but by humbly asking and from charity requesting, as we have with Hilary, Ambrose, Cyril, and other Fathers reported elsewhere. Nor also is it likely to us that this was suspected by Augustine of the Virgin, since there is, in his words, no foundation or trace of such suspicion. Augustine, therefore, only seems to indicate that Christ responded thus so as to take away the suspicion from everyone. Or certainly Augustine used the word ‘command’ in a wider sense for a word of asking with maternal confidence, hence he says at the same time: “she made trial to command as mistress who recognized herself to be handmaid.” She could not then ask from proper command if she recognized herself to be handmaid. Thus, therefore, the Church never requests of the Virgin that she order or command. And I have only found Peter Damian, *Sermo* 1 ‘De Nativitate Mariae’, saying: “She came not only asking but also commanding, Mistress not handmaid;” not for that reason, however, does the Church approve that way of speaking; nay, she neither permits it to the faithful, if they should wish commonly to use it. And nevertheless Christian piety teaches that the words, which are said by way of trope and exaggeration, are interpreted with sound mind. For in *Joshua* 10.12, at the voice of Gedeon, “Sun, stand thou still,” it is said that the sun stood still, v.14, “the Lord hearkened [alt. obeyed] unto the voice of a man;” but if God obeyed, man commanded. But the locution is metaphorical, to exaggerate the efficacy of the prayer of a man with God. Thus therefore did Peter Damian speak, by exaggerating how great is maternal confidence with a son.

8. To the second objection we reply that it is founded on a false calumny perhaps made up by some Protestants; for in the books of Catholics I do not reckon anything of the like is found. For although it often be said, and is pious and likely, that the Blessed Virgin sometimes, at their supplication, appears for their spiritual consolation and speaks, whether of herself or through the ministry of angels, never however have I read that something unbecoming or something not most modest has happened in apparitions of this sort. Or certainly if something has been read anywhere of this sort, which may not receive a pious and prudent interpretation, one must believe either that it was the work of

the demon transforming himself into an angel of light, or (which often happens) that they are deceptions of malicious men who, to escape the authority of revelations or to stamp a note of ignominy or infamy on these celestial visitations, do not fear to make up fables of like sort.

9. To the third objection, about putting demons to flight, we reply that this effect often happens through the prayer of the Virgin, and therefore it is often attributed to her by the Fathers; for Cyril of Alexandria, *Homilia* 6 against Nestorius in the said Council of Ephesus, among many other things that he preaches about the excellence and efficacy of the Virgin, says: “Hail, through whom heaven exults, through whom angels and archangels are made glad, through whom demons are put to flight.” And Laurentius Justinianus, in his sermon ‘De Annuntiatione’ calls her, among other things, “she who puts demons to flight.” The Church too prays to the Virgin: “Mary, Mother of grace, do thou protect us from the enemy.” And Surius reports that St. Richard, the English Cistercian bishop, at the moment of his death always had those words in his hear and voice together, and commanded them to his chaplains, so that they might not cease to pronounce them in his ears. Finally, Christ said about his faithful, *Mark* 16.17: “In my name shall they cast out devils.” What marvel is there, then, that the most blessed Mother of Christ should be powerful in putting demons to flight? But, as to what is said in the objection about the stubborn and sharp altercation of the Virgin with the demon, it smacks of the novelty of innovators, and is a way of speaking invented by them for mocking the piety and devotion of the faithful; for it was never asserted by Catholic doctors that the Virgin had altercation with the demon, but either that she gave command to him or (which is more frequent) secured his flight by prayer to her son.

10. Moreover, in this way too the Virgin is said to conquer all heresies, namely through Christ, who is the true light that lightens every man who does not wish to be condemned by his own judgment. And thus too many other effects of grace are attributed to the Virgin, not because she effects them of herself, but either because she bore for us Christ the author of all graces, or because she achieves them for us through him and from him. And thus too is the Virgin said to be our hope, either because through her we obtained Christ who is our hope, as Epiphanius expounded in his sermon ‘De Laudibus Virginis,’ or for explaining the great confidence with which we have recourse to her. And in this way can easily be understood very many other locutions of the saints, wherein things which, according to their excellence, are proper to Christ, are through singular participation attributed by them to the Virgin, by imitating the phraseology and mode of speaking in Scripture. Which sense is so well known to the faithful and is *per se* patent that it may suffer no calumny nor does it need greater interpretation or persuasion. Which response Canisius, bk.5 *De Beata Virgine* ch.10ff, and other Catholic writers have copiously and eruditely made; and we too in other places have touched somewhat on it, vol.1 p.3 q.26 a.1 in com., and vol.2 disp.23 sects.2 & 3, and vol.2 *De Religione* tract.1 bk.3 ch.9 n.4ff. But about the name of Advocate or Mediatrix we will speak generally in chapter 9, about the saints.

Chapter 8: On the things noted in the king’s *Preface* about the cult of the saints.

Summary: 1. Scripture and the Fathers testify that there should be a cult of the saints. 2. King James recoils from the word ‘adore’. 3. King James seems to embellish the saints with civil honor rather than religious. The Catholic Church venerates the saints with a

holy and religious cult. 4. Proof from the Fathers that the custom of honoring the saints with a holy cult is very ancient. 5. Tacit objection of the king. 6. Satisfaction is made to the king's objection, and it is shown that there should be a cult of all the saints approved by the Church. 7. The custom of celebrating the feast days of the martyrs draws its origin from the apostles. 8. On what authority the Church rests in the cult of the saints.

1. There are many things that the king, in his *Preface* and his profession of faith, objects against the true doctrine which the Catholic Church believes and professes about the saints who have finished their life; and they can be reduced to four heads, namely to the cult and the invocation of saints, the adoration of relics and of images, which we will pursue in brief because we do not intend to give a full disputation but only a sufficient response, showing by the by that what the Church observes in these matters is not only not recent or new, but rather that those cannot be excused of pernicious novelty and rash error who have dared to find fault therewith.

About the cult, then, of the saints the king has been thus pleased to state in his *Preface*: "I cultivate indeed their memory, for honoring which our Church has therefore publicly instituted as many solemn days as by the authority of Scripture we read are reported in the register of the saints. But I do not suffer my credulity to be deluded by the great number of trifles written down in the acts and legends of the more recent saints." From which words we accept the royal confession in respect of the part which he at least in general contends for, that holy men reigning with Christ are by us to be cultivated as worthy of honor and veneration. For that is taught not only by Scripture and the holy Fathers and the tradition of the Church, but by natural reason too, as those words of *Psalms* 138 [139].17: "But greatly honored are your friends to me, God [alt. How precious also are thy thoughts unto me, O God]." that is, I think thus that the friends of God are greatly to be cultivated and honored, or your friends, God, I cultivate greatly and venerate. Which testimony was used for confirming this truth by Jeremias of Constantinople in his response to the Protestants ch.15, and so also is it expounded by Basil when he says in his scholium: "You knew me beforehand, he says, even when I yet was not, you led me, and I give payment in turn, so that I may escort with honor those who love you." Where much to be noted is what Basil indicates and what he collects from the words of David, that so pleasing is it to God to honor his friends that it might be offered as service in gratitude for the benefits received from him. For as Ambrose rightly says, in *Sermo* 1 'De Sanctis': "Whoever honors the martyrs honors Christ too, and he who spurns the saints spurns the Lord too, since he himself says to his saints, he who honors you honors me, and he who spurns you spurns me." Thus too Jerome, epist.53 to Riparius: "We honor the servants so that their honor might redound to the Lord who said: He who receives you receives me." Which is also in this way explained by Athanasius, bk. *De Virginitate* near the end. Other things I purposely omit because we have frequently and elsewhere treated of them (vol.1 p.3 disp.52), and because, as I said, the king of England professes that he too cultivates the memory of the saints.

2. But I will not omit to notice that here too the king has abstained from the word 'adore' and has used the word 'honor'. But we, according to what we noted in the previous chapter, avoiding questions of words, do not insist on them provided their sense be true and Catholic. Therefore, if the word 'adore' by antonomasia signify the cult of worship [*latria*], all Catholics know that in this sense the saints are not to be adored, in

which sense Jerome above asserted that the saints are honored by us, not adored; for rather, by honoring them, we adore God; and bk.1 *Contra Vigil.*, when he said: “Who has adored the martyr?”, adds in explanation of it: “Who has thought a man to be God?” And in the same way speak Justin, Epiphanius, Damascene, and often Augustine. And nevertheless, when the word ‘adore’ is taken in more ample signification, the same Augustine did not doubt to say, in *Sermo* 25 about the saints: “The most blessed Peter, the fisherman, now the multitude of believers adores on bended knee, through our Lord Jesus Christ.” Contrariwise, however, when the word ‘cult’ is taken in a stricter way, the same Augustine said, epist.44 to Maximus the Grammarian: “Lest it escape your notice and draw you imprudently into sacrilegious abuse, know that none of the dead receives cult from Catholic Christians;” yet in explanation of it he subjoins that: “Nothing finally is adored as divine which is made or fashioned by God.” For by adding the word ‘divine’ he declares that he is speaking about the cult and adoration of worship.

3. Besides this ambiguity of the word ‘cult’ and ‘adore’, there is also another that one must beware of, because the words of the king are slippery and redolent in this part too of Calvinism. For Calvin conceded that civil honor and cult was to be paid to the saints who have finished their life; but he denied that sacred and religious cult could be given them without idolatry. But the king’s words are such that they could easily be understood of civil cult, for the solemn days too, which he says have been instituted in his pseudo-church for honoring the memory of the saints, are said to have been instituted only on account of civil honor, in the way that these are also wont sometimes to be instituted for the birthdays of secular kings and princes. But if the king is only in this sense speaking of the cult of the saints, wrongly does he limit these solemnities of his only to those who are reported by the authority of Scripture in the register of the saints; for we can cultivate dead benefactors and illustrious men with civil cult, even if we are not certain about their felicity, provided at least that it not be certain they are damned. But the Catholic Church judges that not only civil but also sacred and religious cult is to be bestowed on the saints; although it not be the cult of worship but of an inferior nature, for the signification of which theologians have adapted the name of ‘service’ [*dulia*], as we explained in the cult of the Blessed Virgin, for the reason is the same in the other saints in their degree. For we venerate them because of a certain excellence superior to every civil dignity, and we acknowledge that they are established in the height of eternal felicity, as in their mode superior to us and singularly excellent in that order; rightly, therefore, do we profess that they are to be adored with a cult that is sacred and more excellent and distinct from the civil.

4. That this doctrine indeed is not recent but very ancient we can easily prove by the testimonies of the holy Fathers. For Ambrose in the said *Sermo* 1 ‘De Sanctis’, which is for the feast of St. Luke, concludes thus about the treasure hidden in a field: “Therefore, brothers, as often as we celebrate the memory of the martyrs, we should, leaving aside all other secular acts, come together without any delay to render honor to them who brought forth salvation for us with the pouring out of their blood, who were with so sacral a victim offered for our propitiation to the Lord.” The honor of the saints, then, on the testimony of Ambrose, is not only civil; for that is wont to be shown to secular acts, but this one is to be bestowed for actions that are religious and sacred, in conformity with faith and the sacred cause for which it is given. Hence Damascene said, in bk.4 *De Fide* ch.16: “The things that God is honored by are the same that his servants

take delight in, wherefore we honor the saints with psalms, hymns, and spiritual canticles.” Therefore this cult, which is presented for spiritual actions, is in its own way spiritual; nor is it for that reason equal with the divine, because always the spirit and intention in adoring is far different. But this cult is most conjoint with the divine cult, and it redounds wholly to the supreme reverence of God, as Athanasius, Jerome, and Ambrose above note, and Basil in *Orat.* for the forty martyrs. Therefore too the Church is wont to honor the saints with almost the same things that God is honored with, as fasts, vigils, prayers, and other like actions, as is taken from the 3rd Council of Toledo ch.23, from Jerome *Contra Vigilantium*, from Cyprian epist.34 & 37, and from Augustine bk.20 *Contra Faustum* ch.21. Hence rightly does Eusebius of Caesarea, in bk.13 *De Praeparat. Evangelica* ch.7, thus say: “Honoring the soldiers of true piety as friends of God, we come also to their monuments, and we make our vows to them as to holy men, by whose intercession to God we profess to be not a little aided.”

5. Nor are Protestants wont to object against this mode of veneration and cult of saints anything that seems to be of any moment; and of whatever sort it is, we have replied to it elsewhere. In the present case, however, the king tacitly objects that the Catholic Church is wrong to venerate publicly any man who has finished this life whose eternal felicity is not clear from the authority of Sacred Scripture, and therefore he says that his Church (which he does not dare to name Catholic, nay he distinguishes it, willy nilly, from the Catholic) keeps the solemnities only of those who are said to be saints by the authority of Scripture. And he virtually confirms it, in that otherwise the faithful are exposed to the danger that their credulity may be deluded by adoring a damned man as a saint, which seems to be a great absurdity, contrary to a prudent way of operating. But, to persuade of this danger, he adds that “in the acts and legends of the saints are very many trifles written down.”

6. However, the king is always stuck in the error that nothing can or should be believed for certain except what can by the authority of Scripture be immediately (so to say) or proximately proved; but that this is contrary to the same Scripture and contrary to the authority of the Church confirmed in the same Scripture was shown above abundantly enough. And in the present it can be sufficiently proved by the example of the Innocents killed by Herod, who can by no authority of Scripture indeed be proved to have been sanctified by death and to be reigning now with Christ; and nevertheless, resting on the authority of the Church, we have a cult to them without danger or falsity. As Augustine rightly hands on, bk.3 *De Libero Arbitrio* ch.23, and bk.2 *De Symbolo ad Catechumenos* ch.5, and bk.3 ch.4, and in his sermons on the Innocents, which are numbers 8 & 9 on the saints; and Origen, *Homilia* 3 on diverse persons near the end, speaking about the same Innocents says: “Always, as is proper, their memory is celebrated in churches in accord with the full order of saints.” And later: “Therefore well and according to the will of God have the holy Fathers commanded their eternal memory to be celebrated in churches, either as dying for the Lord, or for Jews and gentiles who were going to believe, or even for their own parents, so that the intercession of their sons should be of the greatest benefit to them.” And many things can be seen in Cyprian, *Sermo* ‘De Stella, Magis, et Innocentibus’.

7. In addition, it has clearly been a custom of the Church from the time of the apostles to make in sacrifice memorial for some of the martyrs in particular, and to note the day of martyrdom so that it might be solemnly celebrated from year to year, as is

taken from Cyprian, epist.34 & 37, from Cyril of Jerusalem, *Catechesis* 5 ‘mystagogica’, from Eusebius, bk.4 *Histor.* ch.14, elsewhere ch.15, where he makes special mention of the martyr Poycarp, and from Tertullian, bk. *De Corona Militis* ch.3, where he puts this among the written traditions, which has the highest authority in the Church, and it is confirmed by Pope Clement, bk.8 *Constitut.* ch.39. It is not a new thing, then, in the Church to have a cult of some of the saints, although their sanctity and felicity cannot be proved by the authority of Scripture. The thing is excellently confirmed by the words of the bishops of Europe in their epistle to Leo, and it is testified by the speeches, or addresses, or homilies of the ancient Fathers given in the honor and cult of many saints in particular, wherein they often speak excellently of the honor due to saints. There is in Gregory Nazianzen, for instance, oration 18 on St. Cyprian, and orations in praise of Basil and Athanasius, and in Gregory of Nyssa there is an oration on the martyr Theodore, and there are many similar ones in Ambrose, Augustine, Chrysostom, and others, as about St. Ignatius, St. Laurence, St. Gervase, St. Protasius, St. Philogonus. But especially to be noted are the words of Chrysostom in a sermon on the martyrs Iuventus and Maximus, vol.3, which he begins thus: “Yesterday blessed Babylas with three children brought us here together, but today a part of the holy soldiers in the battle line displays the army of Christ; their ages are unequal but their faith equal; those were earlier in time, these more recent. And although the Church, possessed of pearls new and old, has so great a treasure, yet of all there is one grace.” And later: “Knowing this you do not honor the old saints in one way and the more recent in another, but all of them with the same alacrity. For you do not search out the time but you search for the courage, the faith, the fervent zeal, and the virtues that the saints bear before them, for whose honor we today come together.”

Let the king, therefore, cease to despise the saints whom he calls novel, because it is not antiquity but true sanctity and felicity that makes them worthy of such cult and honor. Nor let him fear to be in error or deceived by honoring as saints those honored by the Church, which is the pillar and ground of the truth; but rather let him be afraid of the censure given by Augustine, which I think should in this our time be held before the eyes and very often repeated. For in epist.118 ch.5, when he distinguishes the morals of the Church into three orders, he puts in the first order those things “that the authority of divine Scripture prescribes,” about which he says that “it is not to be doubted but that we should do as we read.” But in the third order he puts those things “that vary by places and regions,” about which he says that in each province that is to be kept which is wont to be done neither against faith nor against honest manners. But in the middle order he puts those things “that the Church keeps in the whole world, which,” he says, “to dispute that it should not so be done is a mark of the most insolent insanity.” Not, to be sure, for any other reason than that the Catholic and Universal Church, in things that it approves and observes by common consent, is not allowed to err by the Holy Spirit whom Christ peculiarly promised to it so as to be especially ruled by him. Therefore, when the Universal Catholic Church does not doubt about the felicity of any saint and agrees on his cult, it is not licit for a Catholic and prudent man “to dispute that it should not so be done.” For since truth and purity are no less necessary in the cult and correct judgment of saints than in other moral matters, each Catholic, without any doubt, can and should say with Bernard: “What I have received from the Church, I too hold and pass on with security; what I have not received, I confess I would admit with more scruple.” He is

speaking to the canons of Lyon about this very matter of honoring the saints which we are treating of.

8. Wherefore, what the king adds about the trifles written down in the acts and legends of the saints makes no difference to the cause; for whether it be true or said by exaggeration, the cult which the Church offers to some saint not canonized in Scripture is not founded on any human history, even a grave one, much less one of suspect authorship, but is founded either on ancient tradition with the universal consent of the whole Church, or in the authentic declaration of a Pontiff, which we call canonization, which is done with such great examination of morals and miracles, and with such grave inquisition and diligence, that by itself it might be able to confer a certain moral certitude and security; but when joined with the assistance and government of the Holy Spirit, which we believe to have been promised by Christ, the certitude is made far greater, and it excludes all moral danger and all prudent doubt. But without this certitude no one is compelled to honor a man who has finished life. But if one believes by one's own special opinion that someone is a saint and honors him privately, he is not to be at once condemned but warned to examine the thing prudently first, and afterwards to show due circumspection in the manner of honoring. For if these things are observed, no trifles will harm the true faithful, if perhaps there were any in the lives of the saints; because if the faithful are able to discern them they will not put faith in them, or if in anything they are perchance deceived, the error is not wont to be pernicious but about things indifferent. Nay, even in these things great care and diligence is exercised by the pastors of the Church so that, as far as may be, histories of the saints emended and purged of errors circulate in the hands of the faithful. But we have heard that there are in circulation in England certain histories about the doings of the saints that are not only of uncertain authorship but have even been for the most part made up by enemies of the faith, and we do not wish the royal credulity to be deluded by them. Therefore we warn the king, who so religiously refuses to allow his credulity to be deluded in these things, that he should with far greater care not tolerate his faith in matters that are necessary for the salvation of the soul to be corrupted, I do not say by the trifles, but by the very pernicious errors of Calvin, Luther, and Protestants.

Chapter 9: On the invocation of saints.

Summary: 1. By what conjectures King James looks down on the invocation of saints. 2. The antiquity of the custom of invoking saints is deduced from the Fathers. 3. Augustine makes satisfaction to the objection of heretics. 4. Other testimonies from the Greek Fathers. 5. Before the Lord's advent the saints were not invoked, and for what cause. 6. The prayer of one person for another is pleasing to God. 7. To ask another to pray on one's behalf is a holy thing. 8. By parity of reasoning the conclusion is drawn that it is licit to pray to saints who have finished life. 9. The invocation of saints is neither bad nor prohibited. 10. The objection of the king against this doctrine. Solution. Christ the Lord is invoked as Redeemer, but the saints as mediators to him. 11. A second objection from the letter of St. Paul to the Colossians. Solution. 12. The sense of Paul. 13. Third objection. 14. Response. 15. Someone who thinks badly of the invocation of saints is not benefited by invoking God through Christ. 16. The invocation of some saint can sometimes be necessary for salvation. 17. The invocation of saints is safer and more useful. 18. An evasion of heretics is excluded.

1. Although the king, as he himself says, numbers this invocation of saints among the novel and recent articles of the Roman Church, and although therefore he does simply neither approve it nor admit it, yet he does not sufficiently explain in what degree or for what very weighty cause he rejects it. For sometimes he signifies only that it is superfluous and that the other way of invoking God through Christ alone is safer and more efficacious for salvation, yet sometimes, by raising objection, he indicates that this invocation of saints is superstitious and prohibited. Three things, therefore, we must briefly show. First, that this custom is not new in the Roman Church but very ancient, and by perpetual tradition constant in the Catholic Church. Second, that it is not disordered but pious and religious. Third, that to make use of this invocation of saints is not less safe but more safe and more useful by far than to lack it. So we will show these things and make satisfaction to the objections that the king insinuates.

2. The antiquity, then, of this custom of praying to the saints who have finished life is shown first by the testimonies of the Fathers, whereby they hand down that the saints are to be honored; for they also teach at the same time that they are to be invoked by us and sometimes they place this very prayer as part of the cult and honor of the saints; but at other times they assign, among other causes for the cult, that, since the saints are solicitous for our salvation and pray for us, it is just that we honor them, or conversely they say that we honor them so that they may help us by their prayers, as Augustine says bk.20 *Contra Faustum* ch.21, and he has almost the same in bk.21 *De Civitate Dei* ch.27. Hence they frequently suppose, or openly teach, that the saint in heaven intercede with God for us. Which fact is handed on in general, although as if dealing with something else, by Popes Cornelius epist.1 to all the faithful, Anacletus epist.3, Leo *Sermo* 2 'Apost. Petrus et Paulus', and *Sermo* 1 & 4 'De Ieiunio Pentecost.', and *Sermo* 5 'De Ieiunio Septimi Mensis'. Hilary on that verse of *Psalms* 124 [125].2: "As the mountains are round about." Ambrose epist.39 to Horatianum, and bk.10 on *Luke* 21 a little from the beginning, and best in bk. *De Viduis* after the middle, and bk.2 *De Iacob et Vita Beata* ch.10, Gaudentius *Sermo* 'De Petro et Paulo', Augustine bk.2 *Quaestionum in Exodum* q.108. Again best in *Psalms* 85 [86] at the end: "The Lord Jesus Christ still makes request for us; all the martyrs who are with him make request for us. Their requests do not pass away unless our sighs pass away." And about St. Cyprian he said, bk.7 *De Baptismo* ch.1: "They help us with their prayers."

Thus too Jerome more diffusely against Vigilantius says: "If the apostles and martyrs when still constituted in the body can pray for others, when they still had to be concerned for themselves, by how much more after their crowns, and victories, and triumphs," which he pursues at large. Hence, in epist.25 to Paula on the death of her daughter Blesilla, he says: "For you the Lord makes request, and for me, as I am secure about his mind, he secures pardon for my sins." In which words of the Fathers two things are to be considered: one is that the saints not only in general but also in particular pray for us and our necessities. The other is that from the fact the saints pray for us is very well collected that they can also be very honorably prayed to by us, because when we pray to them we most seek from them that they intercede for us, for as they know our necessities, so that they may pray for them, thus also do they hear our prayers, which they present to God, and because of them they are inclined to pray for us. Hence, the same Jerome, in his life of Hilarion at the end of the whole book, mentions the devotion of a

certain holy Constantia who “was accustomed to spend nights in vigil at the tomb of Hilarion, and conversed with him as if with one present to help her prayers.” Cyprian finally, in his bk. *De Mortalitate* at the end, speaking of our heavenly fatherland says: “A great number of dear ones wait there for us, parents, brothers, sons; for us a populous and copious crowd longs, already secure of their immortality and still solicitous for our salvation.” And in his sermon ‘De Stella, Magis, et de Innocentibus’ he says: “Translated from their cradles to heaven they are made senators and judges of the supernal capitol, obtaining pardon for many who are undeserving.” And epist.57 to Cornelius he writes: “If any of us have already gone before from here by the swiftness of the divine regard, our love perseveres with the Lord, our prayer with the mercy of the Father does not cease for our brothers and sisters.” In which words (as Pamelius excellently notes) Cyprian openly supposes that the saints reigning with Christ, just as they pursue with the same charity the living whom they knew here, so also do they pray for them. And the same faith is shown by Cyprian, in bk. *De Habitu Virgin.*, when he says to virgins in his final words: “Be mindful then of us, when virginity begins to be honored in you.”

3. In St. Augustine there are infinite testimonies for the antiquity of this truth, some of which I will note. One is in tract.1 on *1 John* 2.1 about the words: “If any man sin, we have an advocate with the Father, Jesus Christ,” which heretics are wont to object to us on this matter, and Augustine himself also objects to himself, saying: “But someone says: Therefore the saints do not ask on our behalf; therefore bishops or superiors do not ask on behalf of the people.” He responds, however: “But pay attention to the Scriptures, and see that superiors too commend themselves to the people; for the Apostle says to the people, ‘praying at the same time also for us’; the Apostle prays for the people, the people prays for the Apostle, we pray for you, brothers, but you too pray for us, let all the members pray for each other in turn, let the head for the members make request,” namely in a more excellent way, as he who is alone the propitiation for our sins, and through whom all others pray, whether they intercede for themselves or for others. Nor does it matter that there Augustine seems to be speaking about saints here living, both because in truth he does not restrict his words but speaks about saints absolutely, and also because the reason he insinuates when he says, “let the members pray for each other,” is general, because wayfarers are members, not only among themselves, but also with the blessed, in the one mystical body of Christ, and finally because, excepting Christ as singular advocate, Augustine establishes a general rule about the members, that they might be intercessors for their brothers, if others are in need. Add that in *Sermo* 44 ‘De Tempore’ he speaks about the holy dead when he says: “Then without any doubt do the holy martyrs intercede for us when they recognize in us anything of their own virtues.” And in a certain tract about the exposition of the Creed, which was once *Sermo* 181 ‘De Tempore’, and is now placed 59 in the appendix, because it seemed to those in Louvain not to be Augustine’s but taken from the writings of Gregory, though to me it is redolent more of the phraseology and doctrine of Augustine than of Gregory, but however it be, certain is it at least that it is of great authority. In that place, then, ch.13, “the communion of saints” he thus explains, “that is, we are with those saints who have died in the faith which we received, bound in society and communion of hope. If therefore we wish to have communion with the saints in eternal life, let us think about imitating them; for they should recognize in us something of their own virtues, so that they may deign to supplicate the Lord on our behalf.” In which two testimonies Augustine supposes another

foundation for this truth, namely that after this life the saints know our actions and are, according to the exigencies of them, moved to pray on our behalf, which moving can most be done by prayers and petitions offered to them. There are also other places wherein Augustine, not only by teaching but also by praying, displays the antiquity of this custom, as in bk.7 *De Baptismo* ch.1, after he said about blessed Cyprian that: “Now not by his body, which is being corrupted, weighed down, his soul gazes on truth,” he adds: “May he by his prayers help us who labor in the mortality of this flesh as in a murky cloud, so that, by the gift of the Lord, we may, as much as we can, imitate his works.” But especially in him can be seen chs.24 & 40 *Meditationum*, where he most devoutly prays to all the saints in general and to several in particular. And although in his words many things can be noted whereby both the reason for, and the fruit of, prayers to the saints are made plain, yet to avoid prolixity I dismiss them and I will add some few things from the Greek Fathers.

4. Among these Fathers Chrysostom very often commends the prayers for us of the saints, and he requires at the same time our cooperation through imitation of them, as in *Homilia* 79 to the people, at the end, and in a certain *Sermo* 2 ‘Contra Desperationem’, and on *Psalms* 48 [49].7 about the words: “A brother will not redeem, a man will redeem [alt. None of them can by any means redeem his brother, nor give to God a ransom for him],” where he asks, “What then? Are the prayers of the saints vacuous? By no means, but they have even great strength when you also bring help to them.” Which words someone might restrict to the saints here living; but in fact Chrysostom is speaking simply, and the reasoning is the same, as I will now say. He also speaks in the same way in *Homilia* 5 on *Matthew*. But especially to be noted is a place in *Oratio* 8, among the ten recently translated, near the end, where are contained these words: “We have our Lady, Holy Mary, Bearer of God, but we need the prayers of the apostles too. Let us also speak to Paul in the way that they of ancient times also did [*Acts* 16.9]: ‘Come over into Macedonia, and help us.’” In which words I note, by the by, that Chrysostom thinks that we can now speak with Paul in just the same way as others spoke with the same here living. And he subjoins: “Let us pray, as I said, to the holy, glorious Virgin and Bearer of God, Mary, let us pray to the saints and the splendid apostles, let us pray to the holy martyrs.” And later he elegantly teaches that we must not wait for a time of necessity to honor the saints and win them over to us, but we must anticipate them with honor and imitation. Which he also very aptly makes plain with human examples, and concludes: “Let us be, therefore, friends of the martyrs, not for necessity but for love; before the storm, when afflicted by storms, but in the storm so that we may find peace.”

Many like things can be taken from Basil, *Homilia* 20, which is about the forty martyrs, where among other things he says: “Help is prepared here for Christians. You have often labored to find one who prays for you; these are forty, uttering one voice of prayer, for where two or three are gathered in the name of the Lord there God is, but where there are forty, who may doubt that God is present? He who is oppressed by some difficulty, let him flee to these; he again who is glad, let him pray to these; the former to be freed from his evils, the latter to persist in his gladnesses.” Cyril of Jerusalem too, *Catechesis* 5 ‘mystagogica’, says: “In the unbloody sacrifice we make mention of the prophets, of the apostles, and of the martyrs, so that God by their entreaties and supplications may take up our prayers.” Again, Cyril of Alexandria, bk.12 *Thesaurus* ch.10, expounding that verse of *1 Timothy* 2.5: “For there is one God, and one mediator

between God and men, the man Jesus Christ,” says that Christ is the sole mediator naturally and substantially. “For otherwise,” he says, “how could Paul have said that Christ was the one mediator? For many of the saints have made use of the ministry of mediation.” And he adduces as example Paul and Moses, whose ministry was of another nature besides prayer; but he adds *Jeremiah* 18.20, saying: “Chiefly when he called to God, ‘Remember that I stood before thee to speak good for them.’” And in this way too he says that other apostles and prophets were mediators. And although he seem to be speaking about those here living, yet not only; for about the same Jeremiah already dead Onias already dead also said, *2 Maccabees* 15.14: “This is a lover of his brothers and of the people of Israel, this is he who prays much for the people and the whole of the sacred city, Jeremiah the prophet of God.” And about the same Onias it is said, v.12, that he was seen stretching out his hands and praying for the people. And in this way is that testimony for confirming this truth used by Eusebius, bk.12 *De Praeparatione Evangelica* ch.1.

5. But one must notice that although, before the advent of Christ, dead saints might pray for the living, yet it is not read that living men prayed at that time to the dead, but to God, so that he might “hear the prayer of the dead,” as is said in *Baruch* 3.4; because dead saints did not then see God and thus they could not know the prayers of the living, except perhaps by special privilege. But now those established in the state of felicity are rightly prayed to, because by reason of their state they know all that pertains to them. For as Gregory said: “What do they not see who see him who sees everything?” Hence *Apocalypse* 5 twenty four elders were offering to God the prayers of the saints, which they could in no way do if they did not know those prayers. And therefore the angels too were always able not only to pray for men but also to be prayed to by men, because they always saw God; and thus also they could always know the prayers of men, however hidden, as is taken from *Tobit* 12, *Daniel* 10, *Zachariah* 1, and *Apocalypse* 8.

This is, finally, confirmed by the ancient Fathers in their speeches, or homilies, or even in their histories of saints; for very often, while speaking or writing, they either pour out prayers to the saints whom they are praising, or exhort the people to pray to them, or sometimes write that the saints themselves while living here promised their prayers after their death. Thus may one see from the saints cited in Ambrose in his second prayer before mass, from Chrysostom in the place cited in the preceding chapter about the most Blessed Virgin, from Basil in the said homily 20, from Nyssa in his oration for the martyr Theodore, from Ephrem in the said oration about the praises of the Virgin, and from Nazianzen in oration 18 on Cyprian, 20 on Basil, and he thinks the same in oration 24 about Athanasius. There is also a very good oration in Victor of Utica ‘De Persecutione Vandalica’ bk.3: “Entreat, patriarchs; pray, holy prophets; be supporters, apostles, especially you, blessed Peter, you, holy Paul master of the gentiles, and groan universally for us, holy apostles. We prostrate ask that you spurn not us your wretched sinners.”

Eusebius too, bk.6 *Historiae* ch.4, elsewhere 5, about the virgin Potamiaena going to martyrdom reports that she bade a certain Basilides, one of the followers, who had treated her more humanely, to be of good heart. “For,” Eusebius says, “as soon as she departed from life she would beg from her God pardon and grace for him;” and bk.8 ch.17 about the virgin Theodosia he reports that she went up to certain holy confessors, who were sitting bound before the tribunal of the tyrant, “to implore them to remember her when they were with God,” and by that occasion she underwent martyrdom. Lastly

Augustine, bk.22 *De Civitate Dei* ch.8, narrates about Petronia and Palladia and others that by their prayers at the tombs of the martyrs, and by the intercession of them, they miraculously obtained salvation. And like things we will touch on in the following point, and many other things are read in the ancient Fathers, which they themselves report as true and known to them, and therefore by no prudent person can they be thought frivolities but reckoned most worthy of human faith, some things from which we will refer to in the following point. Add, and this is chief, that the Fathers who report these things most certainly believed that that way of praying, obtaining, and doing miracles was very honorable and used frequently in the Catholic Church.

From these the result is manifest that faith in the intercessions of saints and the custom of invoking them to ask for their intercessions are not new things but very ancient in the Catholic Church, which is what we proposed as needing in the first place to be proved. Hence, indeed, that remains to be proved which we promised in the second place, that this rite of praying to the saints is neither superstitious nor evil but holy and pleasing to God. For who would rather believe Luther, Calvin, and the like innovators, who reject the prayers of the saints and in this respect are followers of the heretics Vigilantius, Constantinus Copronymus, and others similar, than Augustine, Jerome, Ambrose, Basil, Nazianzen, Chrysostom, and other similar Fathers, who by word and example approve of this prayer; nay who also report that God has approved and confirmed it with the great miracles that Christ placed among the most powerful signs of his Church? But such is this truth that it might not only be believed by authority but also made convincing by reason among those who do not corrupt any of the foundations or principles of our faith.

6. For one of the principles, contained even in Scripture itself, is that it is holy and pleasing to God that one person intercede for another with God by prayer. For Paul, *1 Timothy* 2, beseeches for prayers to be made for king, princes, etc., and *Ephesians* 6 he prescribes prayer for all the saints, that is, for the faithful, and *James* 5 says, v.16: "Pray one for another, that ye may be healed. The effectual fervent prayer of a righteous man availeth much." Which he confirms with the example of Elias, *3 Kings* [*1 Kings*] 17. And the primitive Church teaches us the same by its own example when it prayed to God for Peter, *Acts* 12, nay Christ the Lord by his own example shows the same, *John* 17 and *Luke* 22 & 23. Hence therefore do we manifestly collect that it is holy and pleasing to Christ that men who are reigning with him should intercede with him for pilgrim men, because in both, namely in wayfarers and the blessed, there is need of the same integrity and religion in respect of God, and of charity in respect of those for whom prayer is made; nor can a reason be imagined on account of which this reason should be admitted in a man living in a mortal body and not admitted in a glorious spirit more pleasing to God, for this intercession is not incongruous to the state of the blessed but most decent and fitting. And therefore Sacred Scripture also commends this prayer as well in the blessed angels as in holy or glorious souls, or even souls not yet having secured glory, as we proved above from the books of the *Maccabees*, and the *Apocalypse*, *Tobias*, and *Daniel*.

7. Another principle of the faith is that it is holy and accordingly pleasing to Christ for one man to ask of another that he pray for him for something that is lawful and that has the other conditions requisite for honest prayer. This, to be sure, is evident by natural reason, because he who asks of another that he pray for him requests of him a lawful act, which both cedes of itself to the glory of God and can be useful to each,

namely to the asker and to him whom he asks; why then will that prayer not be most honest? Next, the most serene James [= *the apostle James, not King James?*] acted rightly in admonishing the faithful to pray for each other, and in most holy way did Paul prescribe vigils in entreaty for all the saints, *Ephesians* 6, where he also adds, v.19: “And for me, that utterance may be given unto me, etc.” and in *Colossians* 4.2-3: “Continue in prayer, and watch in the same with thanksgiving; withal praying also for us, that God would open unto us a door of utterance, etc.” And the like is contained in *2 Thessalonians* 3; therefore it is similarly licit for any wayfarer to ask of a faithful other to pray for him, for this is not more prohibited to us than to Paul, nor can we have less need of others’ prayers than Paul.

8. From these principles, therefore, we evidently collect that it is holy and pleasing to God to ask men who have finished life, whom we believe to be holy and already blessed, to pray for us. The inference is proved, because no reason or occasion of malice or disorder can be thought of in this act more than in the petition which is made by a man living among us; for the difference that can be thought up by adversaries can only be founded on a defect of faith. For either they believe that just men departed this life do not see God nor are made blessed until the end of the world, but this is against the Catholic Faith as well as against that which for the most part is received by English Protestants. Or perhaps they fear that they to whom we pray are not just and happy, and this hesitation with respect to the saints whom the Universal Church venerates is also against the integrity of the faith, as we have shown. Or finally they fear that dead men, even if they are happy, do not hear our prayers, and this too is against sound doctrine sufficiently approved by the Church. Apart from the fact that such suspicion or fear has no likely foundation, because it is very easy for God to provide this knowledge to the saints reigning with him, and it is very conformable to the providence of God himself that he should provide it, both for fulfilling their just desire, and also because it is very conformable to their and our state that we should be able to have some spiritual communication between us, since we are members of the same body whose head is Christ, as is taken from Paul *Ephesians* 1 & 4.

9. From these, then, we at length thus conclude, that to pray to and invoke the saints reigning with Christ is neither bad from the nature of the thing nor even is it prohibited, hence altogether it is good and licit. The consequence is *per se* evident. The major has been demonstrated by running through all the circumstances of this action and by comparing it with like petition among the living. But the minor is also easily shown, because the prohibition is not of divine positive right, because it is not found in Scripture, and the tradition of the Church shows rather that divine right permits or approves this rite of praying; nor even is it prohibited by ecclesiastical right, as is known *per se*; for rather the contrary error has been condemned in many Councils and most recently in the Council of Trent. Hence although the Church does not wholly prescribe praying to saints, yet it prescribes to everyone to think rightly about the invocation of saints, and it counsels prayer of this sort to all, and sometimes it prescribes this prayer to some of its ministers, by instituting a special mode and rite of praying to the saints in divine and public offices, which priests and ministers of the Church are bound to observe. On every head, therefore, prayer of this sort is holy and religious.

10. Now against this Catholic doctrine the king indicates certain objections, which, although they are proposed by him cursorily and as it were timidly, must not be

omitted. The first he takes from the words of Christ in *Matthew* 11.28: “Come unto me, all ye that labor and are heavy laden, and I will give you rest.” From which words he seems to have wanted to collect that only Christ must be approached to intercede for us and to aid our necessities. However, the sense of Christ’s words is that he himself is the sole Redeemer who can take away the burden and labors and punishments contracted from sins, and the same is author of the grace of the Law of the Gospel which has freed us from the burden of the Old Law. Therefore Christ calls us to himself as to the physician and author of salvation. And in this way the exclusive proposition is true, namely that Christ so calls us to himself that he permits us to go to no other. But by this he did not prohibit us from invoking the saints as intercessors with Christ himself, or with God through himself; nor did any of the holy Fathers make an inference of this sort, or accommodate those words to the present matter, or otherwise understand them. The fact can be seen in St. Jerome on that place, in Chrysostom *Homilia* 39 on *Matthew*, in Augustine *Sermo* 9 & 10 ‘De Verbis Domini’, whom other expositors, Latin and Greek, imitate. And this place can be made plain from other places in which coming to Christ signifies the same as to believe in him. For in this sense he said in *John* 6.35: “He that cometh to me shall never hunger; and he that believeth on me shall never thirst.” And again, v.37: “All that the Father giveth me shall come to me; and him that cometh to me I will in no wise cast out,” that is, I will receive him into my grace, and I will communicate to him the fruit of my redemption. In this way, then, are we bidden to come to Christ alone, because, *Acts* 4.12, “there is none other name...given among men, whereby we must be saved.” But this does not prevent us being able to approach the saints in prayer, so that they might, from him and through him, obtain help for us, so that we should come to him, or, if we have already come, that we should not go away from him. For in this way we have, notwithstanding the sufficiency of Christ’s redemption, rightly sought from the living that they should pray for us.

11. A second objection is that Paul, in *Colossians* 2.18-23, “prohibited humility and religion of angels, and all cult of veneration of this sort in superstition and humility, not for sparing the body, not in any honor to the satisfying of the flesh.” In this way does the king put forward Paul’s words, and does not further declare how anything may from them be collected against the invocation of saints, although however they are for that purpose referred to by him; for otherwise wrongly and irrelevantly would he there put them forward. Yet the intention of Paul is very different, as is manifestly clear from the context and the exposition of all the Fathers. For Paul had warned the Colossians that, as they had received Jesus Christ the Lord, so should they walk in him, rooted and built up in him [vv.6-7]. Hence he later infers, v.16: “Let no man therefore judge you in meat, etc.” By which words he teaches them to beware of Jewish ceremonies and legal observance; but next he adds, v.18: “Let no man beguile you of your reward in a voluntary humility and worshipping [alt. religion] of angels,” by which words he does not prohibit due veneration and invocation of the holy angels, as the innovators think, for this can neither be collected from Paul’s words nor from the Fathers and expositors. Hence some conjoin the latter clause with the preceding one and understand everything of legal observances. However, the more common and more literal exposition is that the former words are said by Paul against the error of certain heretics, who said that the angels were the makers of this world and that one must go to God through them and not through Christ. Which is reported by Epiphanius, *Haeresis* 21, to have been the heresy of Simon

Magus; and the fact that the Apostle wanted to condemn it was taught on that place by Chrysostom, *Homilia* 7, whom Oecumenius and Theophylact follow, who explain that those heretics said, by a pretended humility, that one should not be brought to God through Christ because this was greater than what we could accomplish, but that it was more suitable for us to go to him through angels, and therefore they introduced a special cult and religion of angels; and this, they affirm, is what Paul prohibited.

12. But Theodoret a little differently says there that the same persons who were defending observance of the Old Law gave inducement to the cult of angels by saying that the law was given through them, and he reports that the Council of Laodicea for this reason prohibited the cult of angels. For he seems to have in this way read canon 35 of that Council which, according to the ancient version and that of Gentianus, contains thus: "One should not leave the Church of God and go away and name angels and make congregations, which things are known to be prohibited. If someone, then, will have been found in service to this idolatry, let him be anathema, because he has left our Lord Jesus Christ." But another translation does not read 'angels' but 'angles' and it condemns those who were congregating in corners to honor idols. However the first reading is more likely since Theodoret, a Greek author and close to that time, so reports the canon. Yet it is clear that not every cult of angels was there condemned, but the one which separates from the Church and from Christ, preferring the law given by angels to the law of Christ, as Theodoret intends. But in another way Tertullian, in his book *De Praescriptionibus* ch.33, says generally: "Simon's doctrine of magic, in the service of angels, was itself too certainly deputed among idolatries." Hence it is a likely conjecture that Paul understood by religion of angels every superstitious cult that is by the art of magic given to the bad angels. But whatever it was that is called 'religion of angels' by Paul, it is certain that it was superstitious and belonged to idolatry, as Jerome expounds epist.151 to Algasia q.10, who expounds the words of the Jews who, after the death of Christ and the abolition of the law, "whatever victims they offer, do not offer them to God but to fugitive angels and impure spirits." But Augustine epist.59 to Paulinus says generally that the words were said by Paul, "because of the superstitions of the gentiles, wishing (he says) that by angels be understood principalities which, as placed over the elements of this world, they think should be honored in these observances;" and about these observances he says that through them it happens "that the heart of man is rendered humble as if by religion with a false humility, that makes more puffed up," as he says later. Very far distant, therefore, is such superstition from the cult and invocation of the saints, whether men or angels.

Next must be pondered the words which say, vv.18-19: "Let no man beguile you...in a voluntary humility," that is, a false one, "and worshipping of angels," that is, bad angels, "things which he hath not seen, vainly puffed up by his fleshly mind, and not holding the Head, from which all the body by joints and bands having nourishment ministered, and knit together, increaseth with the increase of God." For these words cannot fit the Catholic Church insofar as it honors and invokes the saints. Because this does not make things vainly puffed up by fleshly mind, but things taught by the examples and doctrines, founded on divine Scripture, of the holy Fathers. Nor does it depart, through this cult, from the Head, which is Christ, but rather refers to him the whole cult of the saints, for it professes that all the saints make entreaty through him and intercede to him also for us. And thus neither does it introduce a false humility nor a false religion, nor does it impede the increase of the body of Christ through the influx of grace flowing

from him, but rather, though this knitting together and communication of all the members, the unity and sanctification of this whole body is better perfected. Wherefore, indeed, such words can by greater reason be turned against Protestants, and we can with these words address the most serene king: “Let no man beguile you, etc.” for Protestants are indeed beguiling the king, “puffed up by their fleshly mind,” because they do not wish to be taught either by the Church or by the Fathers, “but by the sweet name of knowledge” (as Augustine above says) “they beguile” the king “and turn him away from the light of truth, which is Christ Jesus.” Hence, although they confess Christ with their mouth, they do not in fact hold the Head, from which all the body increases in the Lord, because they cannot hold the same head who do not wish to be in his body, nor can they increase in him by joints and bands who refuse the union and communication of the saints. Next, although these fellows do not openly invent a religion of angels to worship, yet they do invent a religion of the angels by whom they are deceived, and through whom they beguile others. The said words of Paul, then, if they are considered according to their proper sense, contain a rebuke to the gentiles not to the Catholic Church. But if they are looked on according to the general doctrine which they include, they refute and convict all heretics, and especially Protestants.

13. The third objection is indicated in these words by the king: “But with what confidence or by what author recourse is had to those household or tutelary gods, courtiers and familiars, as it were, of God Greatest and Best, I for my part know not. I would leave it to them to prove who have corrupted theology with a new way of disputing and philosophizing.” Not unjustly indeed, before I respond, can I with Augustine, epist.44 to Maximus, ask: “Is something serious at issue between us, or does it please you to jest?” For I cannot believe that the king wanted to renew the memory of household and tutelary gods unless he preferred to jest rather than to raise a serious issue. But if these things seem so light to the king, we do not have leisure to jest. But if these are thought to be grave matters, it is a wonder that he wished by the absurdity or paganism of the names of household and tutelary gods to terrify the ignorant. For the king cannot be ignorant that no dead man is by Catholic Christians called God or honored or invoked as divine. “And no otherwise,” says Theodoret, bk.8 *Contra Graecos*, “are guardians over cities and presidents over places venerated, by use of whose prayers and intervention with God divine services are at last secured.” And a little later: “Why then do you conceive indignation against us, since none, indeed, of our men do we refer to as gods, although we pay due honors to martyrs as to witnesses of God and his most dear servants?”

14. We set aside, then, and condemn the name of gods; but that the king says he is ignorant of the confidence wherewith we have recourse to the intercession of saints is, surely, no wonder; for faith is the foundation of confidence, and therefore where true faith is not confidence cannot be. We, however, believe that the just who have finished life and reign with Christ intercede with God for men who are pilgrims in this life, and that God hears their prayers because of Christ; and with this confidence do we go to them, not doubting but that they hear our petitions, and receive them kindly with great charity. We can also ask the king whether sometimes he request of his subjects, whom he believes to be faithful, to pray to God for him. For if he condemns this he contradicts Paul who both requested prayers for himself and admonished that prayers be said for kings; but if he approves of it and does it, I ask with what confidence he does it; certainly

with no other than with that founded on some faith; with similar confidence, therefore, we go to the saints who have finished life, because we believe that they can with God care neither less nor with less charity for our affairs. Hence when again the king asks with what author we dare this, we confidently reply, in the first place, that we do it with the Holy Spirit as principal author; for he is the principal author who teaches the Church of Christ, and suggests all truth to it. Next, that we do it also with Christ as author, both because he himself tells us to hear his Church; and also because he taught us through his apostles to pray for each other, and through the successors of the apostles, whom he himself gave to the Church as pastors and doctors, he has, not only by their word but also by their example, taught us to invoke also the saints who have finished life. For it is in these ways that I have hitherto shown with what faith the saints are invoked. Nor do I fear to be comprehended in the number of them whom the king, deceived by the false calumny of Protestants, calls corruptors of theology. For this is not a judgment of truth but the abuse of heretics, in which a Catholic theologian and doctor accordingly glories.

15. There remains for us to show that the invocation of the saints not only lacks superstition but is also safer and more useful, for this we proposed in the final place, since the king's words demand this of us; for he subjoins: "Enough is it for me to invoke God through Jesus Christ as we are bid, and to tread this safer and so, in things that have regard to the faith, more effective way." In which point it is necessary to separate the work from the faith, and the use from the judgment. For although it could perhaps be enough for salvation for someone to invoke God through Jesus Christ, even if he do not invoke the saints, yet invocation through Christ will not alone be enough for salvation if he think or judge badly about the invocation of saints. Because by this judgment he is established a stubborn heretic; but for an heretic man the invocation alone of Christ cannot be of benefit, because it can be neither from true and Catholic faith nor joined with charity. Next, although on a man who thinks rightly about the faith of invoking saints the use of such invocation cannot be imposed under necessity of precept, and therefore invoking God through Christ could for him be enough, yet for many people, on whom there is incumbent, by office and debt and precept, the necessity of invoking the saints, invoking God through Christ is not enough, unless, by invoking the saints, they satisfy the obligation and precept imposed on them. Because although the redemption and intervention of Christ be of itself sufficient for our salvation, yet it requires our cooperation and obedience to the precepts, and therefore, although he be invoked by some despiser of the precepts, it is not enough for salvation, nor is such invocation heard by Christ himself or by God through Christ.

16. We add besides that, although the invocation of some saint, considered absolutely and in itself, not be necessary for salvation, it can sometimes happen that by divine ordinance and marvelous providence it is necessary. But if the king do not understand or believe this, let him read Augustine in *Sermo* 1 & 4 'De Sanctis' when he says: "If Stephen had not thus prayed the Church would not have had Paul; but therefore was Paul raised up from the earth because Stephen bent to the earth was heard." Although, then, it could have been enough for salvation for Paul to invoke God through Christ, nevertheless, on the witness of Augustine, the intercession of Stephen was necessary for him for salvation; namely, because it was well pleasing to God to call Paul through such a medium, and not otherwise, to the knowledge and invocation of Christ. Thus, therefore, could it happen in other men and predestined persons, that the salvation

of one saint be preordained through the intercession of another saint; and that the saint would not intercede for him unless he was invoked by him. In this way, then, the intercession of one man for another, and consequently the invocation, can, by reason of divine providence, be necessary for him who invokes a saint, and for whom the saint intercedes, effectively to obtain salvation. Wherefore neither securely nor piously is it said that it is more satisfactory to invoke God through Christ alone, because although the one is commanded the other is not excluded, and because there is need of divine help for invoking God through Christ as one should, which help is sometimes to be obtained through the invocation of some saint.

17. From which the conclusion is more evidently drawn that it is not only safer but also more useful to use invocation of the saints sometimes than altogether to pass it over. Safer indeed, both because he who altogether passes it over seems to despise or condemn it, which is dangerous, and although perhaps he not condemn it, he exposes himself to the danger of it, which is not safe. And most of all because in this invocation, when done from correct faith, there can be nothing of danger to salvation, since it is pious and pleasing to God; and, from another perspective, it can happen, as I said, that God has determined to save someone when he prays through this medium, or to give him the good he desires; therefore, so far from being safer, it is not sufficiently safe to abstain from imploring the patronage of the saints. The multiple utility, indeed, of this invocation is sufficiently indicated in many prayers of the Church. One is, “that what we cannot do by our own merits, we may achieve by the patronage of the saints;” another could be, that God lavishes on “a multiplication of intercessors” what perhaps he would not concede to the request of someone praying alone.

18. But the Protestants say that God is not like a man, that he should respect persons, for God is not an acceptor of persons, and therefore neither the quality of the one praying nor the multitude of those interceding confers anything on obtaining requests. But this is advanced both against reason and against Scripture. For it is one thing to accept a person and another to weigh the dignity of a person or his condition as it pertains to the business. For the acceptance of persons in common usage, and in the mentioned words of Scripture, bespeaks a vice of distribution or donation, wherein the condition of a person is taken into consideration when it is of no importance to the cause and does not render the person suitable or worthy of such offering or gift. But in the present case, to be sure, such acceptance of persons has no place; for the sanctity of the person praying or interceding is such a condition of a person as renders him more worthy of obtaining his request, and consequently a multitude too of persons entreating, insofar as in them both greater merits and some increase of sanctity are considered, renders their prayer more efficacious with God. For not without cause did *James* ch.5 say that the prayer of a righteous man availeth much, but because, although the prayer of a sinner sometimes obtains its request, the prayer of a righteous man is much more easily heard. Otherwise, if God does not respect the face of the one praying, and does not consider his condition, why did he say to Job’s friends, 42.8: “Go to my servant Job...and my servant Job will pray for you; for him will I accept: lest I deal with you after your folly,” except because he was, on account of Job’s sanctity and patience, going to hear his prayer rather than theirs? And conversely, to magnify his anger, the Lord said through *Ezekiel* 14.13-14: “When the land sinneth... Though these three men, Noah, Daniel, and Job, were in it, etc.” As if he were to say, although they might please me most, still I will not hear them

praying for such a people; because the intercession of many and very holy men is not enough if he for whom they pray does not cooperate, as Chrysostom noted, *Homilia 79* to the people, where he nevertheless shows that the prayer of many is more effective; which he also pursues at large in *Orat. 3* ‘De Incomprehensibili Dei Natura.’

Also much to be noted for this proposition is the prayer of Gregory of Nyssa to the martyr Theodore near the end when, after he had asked many things from the martyr, he subjoins: “But if there is need of greater support and entreaty, compel also the choir of your brother martyrs and pray together with them all; may the prayers of many just men purge the sins of multitudes and of peoples; admonish Peter, stir up Paul, John too the theologian and beloved disciple, so that they may be solicitous for the churches they established, etc.” Much more, then, are our prayers, when joined with the intercessions of the saints, made more effective and hence more useful. Nor for that reason is the cult of God or Christ diminished but increased, because while we invoke the saints we revere more the divine majesty and we recognize our own unworthiness, and through the saints we desire to honor and glorify God more, and to give him thanks for so many benefits. Because, as Ambrose rightly said, *Sermo 14* ‘De Sanctis Nazario et Celso’: “His immense piety, multiple in goodness and an artisan for salvation, proposing the arduous palm of the virtues, precious to the rare seeker, sees ahead in the triumphs of the few to the advantages of the many, since indeed it wishes their merits to be our suffrage.” Which he later magnifies adding that, although some saint “be thought to be, by the privilege of his tomb, peculiar” to some place, “yet he belongs to all by the communion of suffrage, for he is not enclosed in places who is diffused in his merits. You have called on the martyr everywhere; everywhere he who is honored in his martyr will hear you.” Rightly, then, has the Catholic Church chosen and always retained the invocation of the saints as more pious and pleasing to God and as safer and more useful to itself.

Chapter 10: On the custody and veneration of holy relics.

Summary: 1. What cult King James attributes to the relics of saints. 2. That the relics of saints are adored by Catholics with the cult of worship is falsely invented by Protestants. 3. The calumny of heretics is refuted from the Fathers. 4. Catholics venerate saints and their relics with the same cult. 5. The relics of saints are to be approached with a higher than civil cult. 6. The veneration of relics is pleasing to God. 7. The same truth is confirmed by miracles. 8. By the relics of saints demons are put to flight. 9. The public display of parts of relics is ancient and holy. 10. Relics, although not parts of saints, claim for themselves the same veneration.

1. On this point the king carps most strongly at two things, namely at the veneration of relics and the practice of keeping separately small parts of the bodies of saints so that they might be seen or touched by the Christian populace. First, however, to hide his wound and so as not to seem to be thinking in company with Julian the Apostate and Constantinus Copronymus and other heretics, who detest the relics of saints, he prefaces certain words wherewith to show that he does regard with honor the relics of saints, saying: “But as to the relics of saints, if I were to have any of the sort that are clearly parts of holy bodies, I would inter them solemnly in honorable tombs.” Here I praise the zeal of the king; but I grieve that it may not be according to the faith. For in that he judges the relics of saints to be worthy of some honor he judges rightly; yet he

insinuates that the relics of saints are to be buried not with religious cult but only with civil honor; but if he thinks thus, he does not think rightly, nor according to the Catholic Faith. That he did indeed speak in this sense is made sufficiently plain by the words he a little later subjoins, wherein he says that “the adoration of relics he holds for intolerable idolatry, and he abominates it.”

2. Now in these words I take note, in the first place, that although, when dealing above with the cult of the Blessed Virgin and of the saints, he did not use the word ‘adore’ but ‘venerate’ and ‘honor’, here, changing the locution, he abominates the ‘adoration’ of relics. I ask, therefore, in what sense or with what signification he accepts the name of ‘adoration’; for if he understands by the name of ‘adoration’ that perfect and absolute and highest worship which is due to God alone, rightly indeed does he abominate them who adore the bones or bodies of martyrs with the true worship due only to God; and wrongly does he attribute such mode of adoring to the Church. Which assuredly he will be convicted of doing, since the adoration of relics which he abominates he intends to number among the articles of the Roman Church.

3. Let him know, then, that this calumny is neither new nor needs other response than the one given by the ancient Fathers. For Augustine in reply to the gentile philosopher Maximus, who in epist.43 had so written to Augustine that he seemed ignorantly to brand Christians with this note of idolatry, says thus in epist.44 near the end: “In sum, however, lest this should escape you and draw you imprudently into sacrilegious abuse, know that by Catholic Christians, whose Church is established in your town too, none of the dead is honored with cult, nor finally is anything adored as a god that is made and built by God, but the one God himself, who made and built everything.” Jerome indeed against Vigilantius, who more impudently imputed the same calumny to the Church, speaks in this way in epist.53, that: “he opens his stinking mouth again and brings forth his most foul smell against the relics of the holy martyrs, and us who take them up he calls ash-warmers and idolaters because we venerate the bones of dead men.” And later: “But we honor and worship, I do not say the relics of martyrs, but not even the sun or the moon, nor angels, nor archangels, nor cherubim, nor seraphim, or any divine presence that is named, neither in the present age, nor in the age to come, lest we serve the creature rather than the Creator, who is blessed for ever. But we honor the relics of the martyrs so that we may adore him of whom they are the martyrs.” In which words I note that Jerome purposely used the words ‘venerate’ and ‘honor’, so as to avoid the calumny of the heretic, and he reserved the word ‘adore’ for God. And he observes the same in another book against Vigilantius, where he calls relics “venerable bones,” which veneration Vigilantius denied, imputing the stain of idolatry to the Church because of it; against whom Jerome says: “Who, O insane head, ever at any time adored the martyrs? Who supposed a man God?” From which words too, and from those said above, an evident reason is concluded. For if the faithful do not adore in that way the martyrs themselves or their blessed spirits, as was declared above, much less will they thus adore their relics and dead bodies. Which reason does not thus proceed of relics pertaining to Christ the Lord, because to Christ is owed special adoration; but how his relics are to be venerated we will say below.

4. But if the king does not so strictly understand the name ‘adoration’, why did he not use the name ‘veneration’ to avoid the invidiousness and ambiguity of the word? Or (which comes more properly to the thing), what is it that he abominates in the adoration

of relics, since he himself confesses that the relics of saints are worthy of some honor? I certainly do not see what could displease him except that relics as things sacred we also venerate with sacred and religious acts. But in this point also (if so he thinks) he contradicts the whole antiquity of the Church, and does not differ from condemned ancient heretics, Eunomius, Vigilantius, and the like. Which can in various ways briefly be shown. First, because the Fathers teach for this reason that relics should be venerated, because their honor is the veneration of the saints whose relics they are, and hence the Fathers make plain that the saints and their relics are to be honored with the same signs, actions, and things. Because the cult of relics is so conjoined with the honor of the saints that one cannot be at all separated from the other, because the reason for each is the same, namely the excellence of sanctity, which properly and, as they say, formally exists in the mind, and by a certain participation and relation redounds to the body and other relics. Which true and Catholic doctrine is in these words very eloquently declared by Ambrose, in the said *Sermo* 14 at the end, where at the same time he proposes and overturns the foundation of the adversaries: “But if you say to me: What do you honor in flesh already undone and used up, for which God has now no care? And where is that, most dear ones, which Truth itself speaks through the Prophet [*Psalms* 116.15]. Precious, he says, in the sight of the Lord is the death of his saints. And again [*Psalms* 139.17]: how precious also are thy friends [alt. thoughts] unto me, O God! We should honor the servants of God, how much more the friends of God? Of whom it is in another place said [*Psalms* 34.20]: the Lord, he says, keepeth all his bones: not one of them is broken. I honor, therefore, in the flesh of a martyr the scars received in the name of Christ; I honor the memory of one who lives with the everlastingness of virtue; I honor the ashes made sacred by confession of the Lord; I honor in ashes the seeds of eternity; I honor the body which showed me how to love my Lord, which taught me not to fear death on account of the Lord. But why may not the faithful honor the body which even demons revere? Which they also afflicted with suffering but glorify in the grave? I honor therefore the body which Christ honored in the sword but which will reign with Christ in the heavens.”

5. By the reason, then, for honoring these relics, which is much higher than any human justice or political dignity, we rightly collect that the honor too is higher and is thus sacred, and ought to be furnished through sacred things. And thus does the same Ambrose, epist.58 to the faithful in all Italy etc., report that there was revealed to him the building of a church in the name of Gervasius and Protasius wherein to put their bodies, which without doubt pertains to sacred honor. At the end of the epistle too he places these words reported from a book found with the relics: “I, the servant of Christ, Philip, together with my son took away the holy bodies secretly at night, and in my house, God alone being my witness, I buried them in this stone coffin, believing that by their prayers the mercy of our Lord Jesus Christ follows me.” He honored them, therefore, with a higher mind and faith than the bodies of the dead are wont to be treated by merely civil honor, but it is the mind and affection that constitutes and distinguishes the quality of the cult. And in the same way the same Ambrose, epist.55 at the end, to the same people of Italy about the finding of the relics of Saints Vitalis and Agricola, thus concludes: “These few things and in brief, most beloved brothers, we have cared to signify to you about the finding of the bodies of the holy martyrs, so that you may be able to make memorial of them in the churches.”

And Eusebius thinks in a like way and for the same reason about the cult of relics,

bk.13 *De Praeparatione Evangelica* ch.7 near the beginning, where he says: “These things we do daily, we who, honoring the soldiers of true piety as friends of God, go also to their monuments and make vows to them as to holy men, by whose intercession to God we profess to be not a little aided.” How, finally, vows can and should be made to saints has been explained by us elsewhere (vol.2 *De Religione* tract.3 bk.1 ch.16); but it is certain that they contain sacred cult and are made properly to God in honor of the saints reigning with Christ. But Eusebius adds that they are wont specially to take place around the monuments of the saints, so that the same cult may in some way redound to the honor also of relics. And many like things are contained in Theodoret bk.8 to the Greeks, and in Gregory of Tours bk.2 *De Historia Francorum* ch.37, and there is collected also from these what Augustine relates in bk.20 *Contra Faustum* ch.3. About this sacred honor, indeed, the Fathers speak as often as they speak about the honor of relics, as can be seen in Jerome epist.7 to Laeta at the beginning. “The people pour in,” he says, “and run to the tombs of the martyrs before the half ruined shrines; if prudence does not extort faith, shame at least does so;” and epist.7 to Eustochius: “Everywhere,” he says, “we venerate the tombs of the martyrs, and putting holy ash to our eyes, if it be licit, we touch them even with our mouth.” There are like things in his life of Hilarion, and in his epitaph on Paula, and often elsewhere. Augustine too bk. *De Cura pro Mortuis Agenda* chs.17 & 18, Basil *Homilia* on the forty martyrs, Gregory of Nazianzen *Orat.* 18 on Cyprian, and best Chrysostom *Homilia* 66 to the people, where among other things are these most worthy of note: “Even he who has put on purple comes to embrace the tombs, and setting his grandeur aside he stands to make supplication to the saints;” and *Homilia* on *Psalm* 115: “Behold,” he says, “the citizens, etc.”

6. Finally, that in this kind of cult nothing is done contrary to the religion of God, nay that it is most pleasing to God, is made perspicuous by reason, and God has himself often given approval by miracles. The reason is clear from what was said, that the bones of dead saints are not given the cult of divine honor; therefore, on this side, there is nothing done in this cult against the religion due to God. Next, the bones are not honored from false estimation or superstition, as if they perceived the honor done to them, or had an excellence in themselves because of which the honor was shown; for to offer with this mind even civil honor to them would be plainly discordant and foolish. They are honored, then, from the faith whereby we believe that they are instruments and vessels which the Holy Spirit has used for good works, as Augustine wrote rather shrewdly, bk.1 *De Civitate Dei* ch.13. And because the whole of it redounds to the honor of holy souls, which we also believe are not ignorant and hold the service to be pleasing which is done them in their bodies by the faithful; therefore no one using right reason can accuse this cult of but the slightest disorder even against service [*dulia*] much less against worship [*latría*].

7. The multiple testimony, next, of God through miracles is referred to by the ancient holy Fathers, and Ambrose should especially be looked at in the said epist. 53 & 55 and epist.54 to his sister Marcellina, where among other things he says: “While we were transferring the bodies of the saints, a blind man was cured, etc.” Which miracle along with others he defends against the calumnies of heretics most constantly in *Sermo* 5 on the same saints Gervasius and Protasius, which should by all means be looked at. And the same miracles (so that in the mouth of two eye-witnesses and of very great authority this word might be indisputable) are recognized by Augustine in bk.9 *Confessiones* ch.7,

and also in the said book *De Cura pro Mortuis Agenda* ch.17, and bk.22 *De Civitate Dei* ch.8, where he reports many other things about the relics of Stephen and other saints. And therefore in epist.103, commending Galla and Simpliciola to bishop Tincianus, he says: "They carry the relics of the most blessed and most glorious martyr Stephen, which your holiness is not ignorant how you ought suitably to honor, even as we also did." Many other things too are related by Theodoret in the said bk.8 to the Greeks.

8. The Fathers in addition frequently confirm this truth with the example of Elisha, whose bones woke up a dead man, as one may see in Clement bk.6 *Constit.* last chapter, in Chrysostom *Orat.* in praise of the martyr Ignatius, and particularly in Cyril of Jerusalem *Catechesis* 18. For he says it was done: "So that not only might the souls of the saints be honored, but that it might be believed that there is also in the bodies of the dead virtue or power, because they were inhabited for so many years by the just souls which used the ministry of them." Next, to this testimony has regard the efficacy of the relics of martyrs against demons, both for expelling them and for coercing them not to give responses in idols. In which class there is a beautiful story about the relics of the martyr St. Babilas, which the impious Julian ordered to be transferred out of a certain tomb, because they were impeding Apollo from giving responses in a nearby place to the gentiles; but the church of the faithful, with great faith and alacrity, runs together to transfer the coffin of the martyr, which they carried off singing psalms with loud clamors, saying in exultation: "Let all be confounded who adore graven images and confide in their statues." So is it reported in the life of Athanasius from Sozomen bk.5 *Historiae* chs.18 & 19; and the same is reported by other ecclesiastical histories, Ruffinus bk.2 ch.35, Theodoret bk.3 ch.9, Socrates bk.3 ch.16. So far, then, is the veneration of relics from idolatry that it is rather a most efficacious argument for confounding it.

9. But because the king of England is particularly offended and upset by the custom of separating pieces of relics or holy bodies and showing or presenting them publicly, for that reason it is necessary to give special demonstration also of the antiquity and piety of this custom. For so ancient is this religious practice toward the martyrs that Theodoret thus writes about them in the said bk.8: "The souls indeed of the triumphant martyrs lead now their life in the heavenly fatherland, placed among the choirs of angels, but their bodies are not indeed individually buried in individual monuments, but cities, towns, and convents in the country have divided them by lot among themselves, and do not cease to confess that they are beneficial for souls in trouble and diseased bodies." And the same custom and its reason is in a brief but grave and remarkable opinion explained, as is his wont, by Ambrose in the said *Sermo* 4 on the saints Nazarius and Celsus, where he first said: "The happy peoples of individual cities rejoice if they are fortified by the relics of at least one martyr. Behold we possess peoples of martyrs." But next he thus subjoins: "Blessed Nazarius, therefore, the martyr of Christ, although he retain with him his whole body in the holy Church of Milan, yet he has to the world too transmitted it whole in benediction." And he adds the reason, which we now give: "For this is the glory of the holy martyrs, of whom although a portion is sown in ashes throughout the whole world, yet their fullness in virtues remains complete." As if he were to say that with great prudence and piety are the relics of the martyrs communicated part by part to the faithful, since also the whole nature of veneration can be observed in them singly, so that the saints are wholly honored in them, and their whole virtue too for obtaining benefits and miracles from God through such instruments and intercessions of

saints is found in them singly.

Thus too did Basil say in the said *Homilia* 20, on the holy forty martyrs: "These are they who, in possession of our region, furnish refuge like sorts of towers against the incursions of adversaries, nor do they shut themselves in one place but, received as guests in many places, they have adorned the fatherlands of many; nor yet separated but mixed together; they do not, if you divided them into individuals, exceed their proper number." And later: "For if these forty are one, they are also all among each." Thus again Gregory Nazianzen, in *Orat.* 3, which is the first against Julian, § 'Non Victimās', adds, among other praises of the martyrs: "Whose bodies even alone have the same power as their holy souls, whether they are touched or honored, whose drops of blood even alone and the tiny signs of their passion have the same power as their bodies." And in his iambic poem 18 he thus writes: "Even a speck of dust has as it were the truth of great veneration, the way even some particles of old bones, or a little hair, or clothing, or some marks of shed blood, have equal cult with the whole body." Hence in like manner *Orat.* 18 on Cyprian while narrating his miracles says that: "even the ashes of Cyprian performed miracles."

But Gregory of Nyssa, *Orat.* on the martyr St. Theodore, with greater exaggeration says that "he may permit the taking away of the dust which covers the repository where the body of the martyr rests; the dust is received as a gift and the stored earth is collected as a thing of great price. For how much touching the relics themselves is to be longed and wished for, if it happen to be licit so to do, and is the gift of the highest prayers, they know who have experienced it and have been granted their longing." But, from the words which he subjoins, we can learn the cause for which some parts of the relics of the martyrs are kept separate, so that they may be looked on with faith and piety and, if there be need, embraced for spiritual fruit. For as the same saint subjoins: "Those who gaze on them embrace a body as if living and flourishing of itself; and apply it to their eyes, mouth, ears, all the organs of the senses; next pouring out tears of duty and affection on the martyr, as if he were whole and were visible, they offer suppliant prayers so that he might intercede in prayer for them."

This is next rightly confirmed and very openly shown to be an ancient custom by Jerome against Vigilantius, not far from the beginning, where he reports him saying the words: "What need is there for you to adore it? Something or other you honor carrying around in a little vase, some dust or other surrounded by linen cloth you kiss in adoration." Against whom, after Jerome has made clear that it is not the adoration of worship or divine adoration, he subjoins: "And you dare to say that 'something or other you honor carrying around in a little vase'. What is that 'something or other'? I long to know, expound it more clearly, so that you may blaspheme with full liberty. A little bit of dust, he says, in a tiny vase surrounded by a precious veil. He is grieved that the relics of martyrs are covered with a precious veil, etc." And later: "We are sacrilegious, then, when we enter the basilicas of the apostles? All bishops are not only to be judged sacrilegious but also fatuous who have carried a thing most cheap, loose ashes in silk and a golden vase." He could not, to be sure, in clearer words, with the testimony and example of all the bishops of his time, approve the practice now of the Church. Let the king of England see whether he dare condemn them as sacrilegious and fatuous, a thing that Jerome abandoned as most absurd and thoroughly incredible.

Hence also is easily shown how frivolous and unworthy is the comparison the king proposes, as if in mockery, between this way of venerating relics and the penalty

with which malefactors are wont to be punished, their heads or other parts of their corpses suspended in public and prominent places for a perpetual infamy and penance that will endure after death. For no one locates the relics of martyrs in public for infamy, except he who makes martyrs of the faithful by persecuting them and afterwards tries to obscure the glory of martyrdom by like infamy and penance. Wherefore not unjustly can we imitate Jerome and exclaim: "Is it we, who honor the saints, or is it he, who denies to those who honor them a habitation when alive, a sepulcher when dead, who demands exile for brothers (that is, the faithful)?" And a little later: "Who allows the bones of the saints and innocent ashes to be hitherto beaten with storms?" Certainly, as I said, none but he who makes martyrs of the faithful by persecuting them. But not for image of infamy, the way the king makes fun of, but for greater honor and for display of love and for exciting faith and devotion, does the Catholic Church preserve in that singular way the relics of saints and place them before the faithful for seeing and touching. Nay I add further that this very custom shows that the Church thinks in a far higher way about the relics of saints than the dead bodies of common men are wont to be regarded. Which Gregory of Nyssa in the said oration about St. Theodore explained for me in these words. For after he said that: "The body of St. Theodore, valued and concealed as a dear thing and of great worth, is kept for the time of regeneration, endowed with many singular and outstanding things, wherefore with other, bodies that are dissolved in general and common death, it is not even to be compared; that too in a similar matter of nature," he subjoins: "For other relics indeed are abominable for most men, and no one gladly passes by their tomb or, if he come on it unexpectedly opened, he runs by it. But if he come to some place like this one, where is held today our assembly, where is the memory of a just man and holy relics, first indeed he is delighted by the magnificence of the things he sees." And later: "He desires next to approach the coffin itself, believing the touching of it to be sanctification and blessing." The Church, therefore, consulting this piety of the faithful, puts sometimes publicly before them parts of relics to be seen and touched, and prudently judges that it contributes to the greater glory of saints, whatever the calumny of adversaries.

Nor will I omit on this point to add that there are many relics of saints which are not parts of their bodies, and therefore ought not to be buried with them but preserved with due honor, of which the king seems to have made no mention, because he could not adapt to them that infamy he has of images. Of such sort are the clothes of saints which, when touched by hands, sometimes expel diseases, as about the clothes of St. Gervasius and St. Protasius is affirmed by Ambrose, epist.54, and as about the napkins of St. Vitalis and St. Agricola is said by the same in epist.55, where too he puts among these relics the nails and crosses of martyrs. Many too of the Fathers referred to make mention of holy clothes, and equate them with other relics, and hold them in the same honor, as can be understood especially from Nazianzen and Augustine. Hence Cyril of Jerusalem, *Catechesis* 18, says: "Even the napkins and half-girdles existing outside the body, when touched by the sick, would free them from their infirmity." Now a moral reason can be taken from Augustine, bk. *De Civitate Dei* ch.13: "Because paternal clothing, and a ring, and anything of this sort, is so much the dearer to descendants the greater the affection toward the parents." Thus, therefore, affection and reverence for holy clothes shows love and veneration toward the saints themselves. Hence in the life of Anthony is read that Anthony in dying had thus commanded: "The sheepskin and the worn cloak, on which I

lie, give to bishop Athanasius, because he himself brought it to me new.” The same Athanasius, when writing his life, thus subjoins: “Now the legatee of the blessed Anthony, who merited by his command to receive the worn cloak with the sheepskin, embraces Anthony in the gifts of Anthony, and as if enriched with a great bequest gladly remembers the vestment, the image of sanctity.”

10. And in this order of relics are to be put others which the saints in this life familiarly used, as are books and like things, for there is the same reason about all of them. And thus the chair of St. James the Apostle and first bishop of Jerusalem was preserved with great appreciation by James’ successors right up to his own time as reported by Eusebius, bk.7 *Historiae* ch.14 at the end, and he adds: “Hence he clearly declares how the old Fathers up to our own age both attributed and do not cease still to attribute due veneration to holy men because of their true piety toward God.” This tradition is kept by the Church holy, Catholic, and Roman, which religiously preserves not only the relics of the bodies of Peter and Paul but also Peter’s chair and chains right up to the present day, and on their proper feast days puts them before the Christian people to see, touch, and venerate.

Chapter 11: On the true veneration or adoration of holy images.

Summary: 1. England is stirring up the heresy of the iconoclasts. 2. The faithful never pray to images. To pray before an image and to supplicate an image are very different from each other. 3. Catholics recognize in images no intrinsic sanctity. 4. Images are said to be holy from something extrinsic. 5. To give the cult of worship [latría] to images is prohibited. 6. The adoration of images had its beginning from the apostles. 7. An evasion is refuted. 8. The end of images. Prayer in no way tends to the image, but adoration can deal proximately with it. 9. Only intellectual creatures receive on their own account the honor of cult. 10. The veneration of images is concluded to be as ancient as the use of them. 11. The veneration of sacred images is approved by miracles. 12. Insulting images is a very grave sacrilege. 13. Natural reason commends the veneration of images.

1. The king of England inveighs rather vehemently against sacred images, and he calls the veneration of them, as also of relics, “intolerable idolatry,” though he does not wish to be held an iconoclast; for he always avoids the name and note of heretics, whose doctrine he disdains to follow. Now he proves he is not an iconoclast, “because I do not,” he says, “blame anyone who wishes to make statues or paint images whether for public splendor or domestic uses of private men.” But this is not enough for him not to be an iconoclast, unless he also admits that sacred images are to be venerated and confesses that they are to be retained, not only for external splendor and domestic uses, but most of all for sacred uses, for the honor of God and the saints, and for the good of the soul. For the first and chief heresy of the iconoclasts was that the images of Christ and the saints were not to be venerated, and the author of it was the Persian Xenaías, who although he was a servant and not yet baptized, was made bishop by Peter Gnapheus, as Nicephorus relates bk.16 *Historiae* ch.28, and he subjoins: “He first (O audacious mind and impudent mouth!) vomited out the saying that the images of Christ and of those who pleased him were not to be venerated.” And, from the lector Theodore, a more ancient writer, the same story and the same origin of the heresy was held by Anastasius in the 7th Synod

action 1. In the same sense too was the same heresy afterwards followed by Leo Isauricus, Constantinus Copronymus and others later.

Then was the heresy in the same sense condemned by the Church. For if it was enough for integrity of faith to confess that images are suitable for human splendor and domestic and private uses, scarcely, I believe, might a man of sound reason be found who condemned all use of images, even a human one, as if the art of painting were intrinsically evil or specifically forbidden to Christians. Or certainly, if the Manicheans or other more ancient heretics taught that error, as many wish, it would have been enough, to condemn such error, for the Church to define that not all use of images was evil or that the civil and private use of them was permitted. But because the error of the iconoclasts was hereby not sufficiently condemned, therefore a definition against them was made that sacred images are to be venerated, and that the public and sacred or ecclesiastical use of them is to be retained. If, therefore, the king of England deny this, he will be able indeed not to be a Manichean, but he cannot deny that he is an iconoclast.

Besides the chief error of the iconoclasts was to accuse and condemn the Church of idolatry on the ground that it honored or venerated the images of Christ and the saints; hence they used to call the images themselves idols, and for this reason they took them out of temples and treated them all with ignominy and eventually threw them into the fire. All which things are clear from the ancient histories, and from the 7th Synod action 1 and more broadly from the following ones, which Photius reduced to its sum in his epistle about the Seven Synods, which is prefaced before the same Synod in the third volume of Councils. But the king of England expressly says that he holds the adoration of images as intolerable idolatry and abominates it, meaning by adoration, without doubt, what the Roman Church is accustomed to give to images; and a little later he tries to prove that an image is an idol, and to give persuasion of both points he makes use of the Scripture testimonies which the iconoclasts too used to allege against ecclesiastical tradition, as is contained in the same Synod, actions 3 & 7. Therefore the king cannot deny that he himself is defending the opinion that was condemned in the iconoclasts. What then does he lack to be an iconoclast? Is it perhaps that he does not break images, treat them with ignominy, or burn them? Certainly, though this be so, it does not excuse him of the heresy of the iconoclasts, since heresy is in the mind and in stubborn opinion, even if it do not advance to exterior effects.

However, it is known about Protestants, as Sander writes, bks. 1 & 2 *De Schismate Anglicano*, that in violating images they were not unequal to the ancient iconoclasts, as even the English themselves sufficiently experienced, and as their own more recent histories copiously testify; therefore the king, who adheres to the same sect of Protestants and furnishes them his royal authority, approves the same insults to images, and should be considered the author of them. I think it superfluous to launch now against this heresy a new disputation, since it is not a new heresy, and it was condemned, as soon as it formerly arose, with the fullest erudition and the highest authority in the 7th General Synod. Damascene too wrote books in favor of images, which are sufficient for impugning the heresy. Besides the fact that in our times many Catholic men have disputed on this argument most fully and effectively. Yet, nevertheless, we cannot omit to weigh the individual words of the king in order to make satisfaction to the objections he indicates, for thereby will Catholic truth be confirmed.

2. First, then, he accuses the Church of novelty in these words: "That it is

necessary to adore them (that is, images), to make supplication to them, to attach some opinion of sanctity to them, is indeed a thing unheard of among the ancients.” In these words one must distinguish the false from the true, or make plain the obscure and ambiguous, lest the contention be an empty one and error be thought or imagined to be where it is not. And, in the first place, by the words “to make supplication to them” is signified that there is in the Church, or approved by it, a custom of praying to images or supplicating them; but this is not so, for in no ecclesiastical decree or grave Catholic writer will that mode of speaking be found. Nay, the Council of Trent session 25, in the decree on the veneration of images, expressly says that: “images are to be possessed and retained, and due honor and veneration imparted to them, not because it is believed either that anything is to be asked of them or that confidence is to be placed in images.” But it is known that all Catholics of this sacred Council without any doubt embraced the doctrine; therefore falsely is it attributed to Catholics that they pray to images themselves and make requests of them. But perhaps he who said this erred because he believed it the same thing to pray before an image as to supplicate it, although they are however very different. For one of the faithful who prays, for example, before an image of the Virgin has his mind fixed on the Virgin and prays to her not the image, although he look on it with the eyes of his body. For he is not ignorant that only he is to be prayed to who might hear prayers and act or intercede in the way asked; he prays, however, before an image so as to be moved by sight of it to greater devotion and attention. But he would be supplicating the image if he entreated it as something having hearing and mind, which not only Catholics instructed in the faith but even rustic fellows are unable to think; and therefore, although we pray before images, yet we do not pray to the images themselves. But to pray before them was very ancient in the Church, as can be understood from the liturgy of Chrysostom, and from others, and also from the histories that we will adduce below.

3. Next, in the words: “That it is necessary to attach some opinion of sanctity to them,” is something unheard of not only among the ancients, as is there said, but also among all present-day faithful and true Catholics, and it is being falsely attributed to them by Protestants who, in this matter as in others, are perniciously imposing on the king, unless perhaps in the word ‘sanctity’ either some ignorance or some deception lies hid. For, to begin with, the same Council of Trent said equally in the place cited: “Not because it is believed that there is any divinity or virtue in them because of which they should be honored with cult.” Where, through excluding divinity from images, it principally excludes true sanctity in its essence; but while it says that they do not have any divinity, it signifies that neither is there in them any true participation in divine excellence and sanctity. And it makes this clearer when it subjoins that there is not in them any virtue, for that was the same as to say that there is not in them true sanctity even of a created kind. Therefore the opinion of sanctity attached to images is a fabrication of the Protestants who have imposed on the king, for it is foreign to the sense of Catholics, since it has been condemned in an orthodox Council.

But I said “unless in the word ‘sanctity’ something lies hid.” For according to the doctrine of Augustine, bk.2 *De Peccatorum Meritis et Remissionibus* ch.26, “sanctification is not of one mode,” and thus too “there are many modes to sanctity,” as the same Augustine said, *Sermo* 14 ‘De Verbis Apostoli’ ch.9. For even common foods were said by the Apostle, *1 Timothy* 4.3-5, to be sanctified by the word of God and by

prayer; and about blessed bread, which was once given to catechumens, the same Augustine says that it is holy and more holy than are common foods, even when privately blessed; and the shew-bread in the Old Law was said to be holy, and the Ark of the Covenant was deemed holy, according to the verse of *Psalms* 98 [99].5: “Adore his footstool, for it is holy [alt. Worship at his footstool, for he is holy];” which according to the letter is rightly understood of the Ark, which is called the footstool of the Lord *1 Chronicles* 28.2. The Ark of the Covenant is also called the Ark of Sanctification, *Psalms* 131 [132].7-8. Feast days too are called “holy and venerable,” *Exodus* 12.14-17, and priestly vestments are called “holy,” *Exodus* 28.2. Finally the temple itself, and especially the more sacred part of it, and the sacred vessels, and other things dedicated to the divine cult were called “holy”. In all these things, then, some sanctity must be thought of, because nothing is named holy except from some holiness. But the sanctity is not true or formal or intrinsic (as they say), but a certain relation to some true sanctity, as the theologians more fully make plain.

4. When it is said, therefore, that some opinion of sanctity must be conceived about images, if it be understood not of true sanctity, which is proper to intellectual things, but of analogous and as it were metaphorical sanctity, by relation or extrinsic denomination (as they say), we admit it as true not only without blushing or fear, but we will even show that it was handed down by the Fathers and is evident by natural reason, especially once the principles of the faith have been supposed. For sacred images, by the very fact that they are formed for representing persons truly holy, and are instituted and deputed for showing some honor to the same holy persons and for the decent and religious adornment of temples, and for the spiritual advancement of souls, ought rightly to be reckoned among holy sacred things. Hence, just as places, vessels, and sacred vestments, and other things proximate to the divine cult are reckoned to share some extrinsic sanctity, as I said, and thus are they called holy in *Exodus* and *Leviticus* and other places of holy Scripture, so too images of saints are on an equal footing in kind of sanctity with these sacred things. Which the 2nd Council of Nicea often handed on, and especially in act.2. Pope Adrian in his epistle to the emperors says: “One must not doubt that everything set up in the churches of God for the praise and ornament of the building is holy and to be honored.” And it can easily be understood from likeness of reasoning, and will be clearer from the testimonies of St. Methodius, *Orat.* 2 ‘De Resurrect.’ and of St. Basil, bk. *De Spiritu Sancto* ch.18, which we will immediately report. Finally it can be made plain by human and moral reason and from the example of the royal image, which the saints on this matter often use; for the image of a king is not indeed the king, nor does it have in it the true excellence of a king; yet because it represents the king, and stands as it were vicariously for him, it is valued as something royal, and therefore it procures a special reverence for itself. Therefore, in a higher way and reason the images of the saints, as far as these represent them, participate in a certain shadow of sanctity by reason of which they are, through a certain analogy, named holy and sacred. Over these two points, then, I consider it not necessary to delay further.

5. I come to the word ‘adore’ which has regard to the substance, so to say, of the cause. Wherein again I note that the king changed the word ‘venerate’, which he began to use at the beginning of his confession, into the word ‘adore’, so as to exaggerate, or to render more apparent, the cause of his blame. But we, to take away the invidiousness and amphiboly of the word, as we did in the case of relics, thus ask here too what he wished

to signify by the word 'adore'. For if he is using it to signify antonomastically the supreme and absolute cult of worship due to God alone, we confess indeed frankly that it was unheard of among the ancients that images should be adored. Nay, we add that it was not only unheard of but even very often denied, not only by the ancients but also by those Fathers whom the king himself calls more recent, even if they preceded us by over a thousand years. For Gregory, bk.7 indict.3 epist.53 to Secundinus, who had sought images from him, says, praising his desire: "I know that you do not for this reason seek an image of our Savior, that you should honor it as God, but so that by the recollection of the Son of God you may become inflamed with his love; and we indeed do not prostrate before it as before divinity, but we adore him, in his birth or suffering, through the image, but we recollect that he is seated on the throne." And later in epist.109 to Serenus, and more fully bk.9 epist.9 to the same, he blames him for breaking the images but praises his zeal since he had thought that they were not to be adored, namely as Gods or idols, wherein some were erring; but Gregory says that they ought to have been taught and instructed, but that images ought not, because of private error, to have been broken.

And in this sense the ancient Fathers often use the word 'adore', as I noted above, and in the same sense is it said in the 7th Synod action 7, in the definition of faith, that "according to our faith true worship is not shown to images." And later Tharasius in his epistle to Constantine and Irene, although he uses the word 'adore', at once explains that he does not understand it of divine adoration; and therefore he shows that the word 'adore' according to the propriety of Greek also comprehends lesser adorations. And in the same Council action 3, Constantine the bishop of Constantia, who had been an iconoclast, on abjuring the heresy thus speaks: "I embrace venerable images, but the adoration, which accords with worship, that is the cult of God, I reserve for the Trinity alone." And Pope Adrian, in his epistle to Constantine and Irene, and in a second letter to Tharasius, accurately distinguishes the mode of venerating images, and sometimes attributes the word 'adore' singularly to God, namely in comparison with images, which he says are to be honored, although sometimes too he says they are to be adored. Next the Council of Trent too said in the place cited about images, "due honor and veneration is to be imparted to them; but through them," it says, "we adore Christ and venerate the saints." Therefore, when the word 'adore' is taken in this restricted signification, wrongly does the king attribute to the Catholic Church that it adores images or teaches that they are to be adored. But it seems incredible that the king of England labors under so great an ignorance of Roman things that he has persuaded himself that the Roman Church adores images in this way, or that the Councils and the Fathers, who fought for the veneration of images, spoke in this sense. Nor is it more credible that the king wished through calumny to impose this crime on Catholics. It is therefore more likely that the king believes that any veneration whatever of images, especially under the appearance of sanctity and religion, is perverse and inseparable from idolatry, and therefore he has seized on the word 'adore' in its broader signification.

6. If the king, then, understood the word 'adore' in its general signification and about any sacred veneration at all, it is assuredly not less wonderful how he dared to say that the adoring of images or their needing to be adored was unheard of among the ancients, since the opposite is so common and evident that it could scarcely be ignored. For, to begin with, in the aforesaid 7th Synod, and by Damascene in his books *De Imaginibus*, and by the Pontiff Adrian I, in bk. *De Imaginibus contra Libros*

Pesudocarol., and by John of Orléans, and by others more recent, so many things from the ancient Fathers have been brought together for showing the antiquity of this faith and custom, that no one who reads them could doubt that this tradition had its beginning from the times of the apostles, and that it has been retained in the Church through a continual series and perpetual succession. For, first, that Christ himself sent an image of himself not made with hands to Abagarus in Edessa is related by the ancient ecclesiastical histories, Evagrius bk.4 *Hist.* ch.26, Nicephorus bk.2 ch.7, and Damascene bk.4 *De Fide* ch.17; and it is accepted by the said 2nd Council of Nicea action 5, and is defended by Pope Adrian in epist.3 to Charlemagne ch.18, and he also affirms that his predecessor Pope Stephen approved that history.

Next in the same 2nd Council of Nicea action 1, a certain Gregory, bishop of Pessinos refers to an apostolic canon about placing images in temples at the Council of Antioch, convened during the time of the apostles, which Innocent I mentions epist.18 to Alexander; and the Council's canons from the discoveries made by Pamphilus in the library of Origen is reported by Turrianus bk.1 *Contra Magdeburgenses* ch.25, where he reports this canon about images more fully than it is reported in the 7th Synod, and it contains thus: "Let not the saved (that is, the faithful) be deceived on account of idols, but let them, in opposition, paint the divine and human hand-made and unadulterated effigy of the true God and our Savior Jesus Christ and of his servants, against the idols and against the Jews, and let them neither err among idols nor be made like to the Jews." Where, by the by, can be noted that so far were images from being idols that they were introduced rather for the refutation of idols and as if to hold a mean between Judaism and Paganism, as I will explain below. Again, a history is known about a very ancient image of our Savior, set up in Caesarea by a woman whom the Lord set free from an issue of blood, *Matthew* 9.20-22, which Eusebius reports bk.7 *Histor.* ch.14, who adds that it is no marvel the woman did this in recognition of the benefit she received, "since we too," he says, "have beheld images of the apostles Peter and Paul and also of Christ himself portrayed in paintings with a variety of colors, and preserved." The same history about a statue erected to Christ by the aforesaid woman in memory of the benefit is reported by Nicephorus, bk.10 ch.30, and he adds that it was taken away by Julian the Apostate and contemptuously broken up, but that the Christians, as they were able, transferred it into a church and treated it with fitting cult.

In addition, the fact that Constantine, when he began to build churches, adorned them at the same time with various images and silver statues of the apostles and other saints, is delivered to memory by Damasus on the Pontiffs, on Sylvester, and by Paulinus in epist.12 and in others. Added to these things is that Augustine, bk.22 *Contra Faustum* ch.73, mentions that an image of Abraham sacrificing his son was depicted in many places, and in bk.1 *De Consensu Evangelistarum* he affirms the same about images of Christ and the apostles Peter and Paul. Ambrose too in epist.57 says that to him there appeared along with Gervasius and Protasius a grave person "who was similar to blessed Paul, whose face had been taught me by an picture," that is, an image of Paul, which he seems to have held intimately. Which is also related of blessed Chrysostom by Damascene, *Orat.* 1 'De Imaginibus', who says: "Now he had an effigy of the apostle Paul in an image, in a place where, because of his weakness of body, he used to rest." Gregory of Nyssa too, *Orat.* on the martyr Theodore, reports that the contests of the blessed martyrs and of their guardian Christ could be read in churches depicted in

artificial colors as if in a certain book. And St. Basil, *Homilia* on St. Barlaam which is number 18, after he had depicted with his tongue the fortitude of the martyr, concludes thus: "Rise up now, O splendid painters of athletic deeds. Illustrate with your artifice the broken image of your Leader, and render with the colors of your industry the crowned athlete who has been more obscurely depicted by me. I will depart, conquered by the image you put up of the contests and victories of the martyr, I will rejoice, overcome today by your skill in such a victory." And later: "Let there be painted together on the panel also the president of the contests, Christ, to whom be glory for ages of ages."

Nazianzen, *Orat.* 23 near the beginning, can also be read, where he mentions that angels were wont to be painted in bodily form with white vesture, "to signify," he says, "their natural purity." And the same use of images is collected from epist. 49 of the same to Olympius, and infinite other things we could adduce from the Fathers and the histories. But if perhaps the Protestants reject the aforesaid histories as uncertain, nevertheless the writings and testimonies of the Fathers, which suppose and prove the use of images, they cannot deny. Next, although in one or another history there could be some error or defect of truth, yet where so many examples concur, confirmed by many and very grave witnesses, it would be exceedingly rash, from the mere obstinacy of one's own opinion in the absence of any proof, to charge them all with falsity. Lastly, although the Protestants may not admit these things, at least they lay down without any foundation that the cult of images was unheard of by the ancients.

7. Perhaps they will say that the use of images is indeed proved by the aforesaid histories and testimonies, but not the cult or adoration that the king in the aforesaid places speaks of. But let them note, I beg, that not any political or private use is demonstrated from the said tradition, but an ecclesiastical and sacred use, and that therewith was conjoined the veneration of images, which is often expressly shown in the same places. Which fact indeed the Fathers of the 7th Synod very diligently weighed, and therefore, after they had in action 7 defined that salutation and complimentary adoration was to be shown to images, they at once added: "For thus is it held by the best discipline of our holy Fathers and the tradition of the Catholic Church;" and at the end the holy Synod exclaimed: "We all thus believe; this is the faith of the apostles; this is the faith of the Fathers. We stand on the legislation of the ancient Church, we guard the decrees of the Fathers."

8. Now this can be made plain in this way, for images are not indeed *per se* and principally made so as to be adored but rather that through them the persons they represent may be treated with cult and honor, and that at the same time they may serve for the sacred cult of temples and the spiritual usefulness of the faithful. But hence has it arisen, by a certain even natural necessity in conformity with reason, that images also are to be venerated and treated with due honor. Which can happen by a twofold manner and reason. First, because in them and through them the prototypes are adored toward which the intention of the one adoring is principally carried, as the Councils of Nicea and of Trent declared. Hence it happens that he who, for instance, adores Christ in an image does it at the same time by venerating the image, performing a sign of reverence in regard to it, as kissing, greeting, etc. In which there is to be noted a distinction between prayer and adoration; for prayer, whether done in mind or voice before the image, in no way pertains to the image nor reaches it (so to explain the thing), because it can be referred only to someone who understands; but adoration, which is shown through action of the

body, although it be directed to the person, can proximately be performed about the thing, distinct from the person, insofar as it is joined to the person, whether in fact, as is clothing or a throne on which a king sits, or by relation, as is an image, relics, and the like. And therefore, when these are adored as instruments of the person, the instruments or images too must in some way be adored along therewith.

9. In another way images can and should be treated with veneration as often as some action is performed about them, although then it not be proper and formal adoration of the person but the image is only regarded as a certain sacred thing, which should be treated with due veneration just as other sacred things “are approached reverently by us” as the 7th Synod said in its definition. And thus also did Gregory say, bk.7 indict.2 epist.5: “The image of the God-bearer and the cross borne aloft with the veneration that is due.” And nevertheless this respective reverence too is in relation to the image, because it is wholly performed on account of the thing represented. And thus it happens that all this veneration of images is lessened and relativized in respect of the veneration of the prototypes. And the effect consequently is that the veneration of images of any angels or men, under Christ the Lord, not only fails of true worship [*latría*] but also of service [*dulia*] proper speaking simply, which is an absolute veneration because of proper excellence. Hence the veneration too that is shown to the image of Christ, although it be conjoined with adoration of God himself, is yet not absolute worship as far as it is concerned with the image, but is respective and relative, because it wholly tends toward God and is founded on his excellence. And for this reason the Fathers sometimes say that only persons with understanding are to be venerated or adored, namely, absolutely and for themselves; but at other times they assert that even inanimate things can be adored, namely with a respective cult and because of another, as one may see in the said epistle of Adrian to Constantine and Irene, and often in other places of the same Council. And thus too did Augustine say, bk.3 *De Trinitate* ch.10 that: “The marvelous signs of the works of God, especially those done by divine virtue and that are permanent, possess both astonishment as marvels and honor as things religious; but those that are done by men can possess honor as religious although they do not effect astonishment.”

10. When therefore this veneration of images is so understood, the conclusion by right reason is drawn that it is in the Church as ancient as the sacred use of images is ancient, the way Nicephorus of Constantinople said in his orthodox dialogue *De Imaginibus*, in Turrianus above, where he says among other things: “When a heretic asks where it is written about adoring the image of Christ, one must reply that it is written there where it is written that Christ is to be adored, because the image is one with the prototype, not by nature but by relation, and therefore it has communion also both in name and in honor,” namely in the aforesaid way. Which doctrine is confirmed by the authority of Athanasius and of other Fathers. The same can in addition be collected from the ancient use itself of sacred images; for they were always placed in temples and on altars, as is clear from the testimonies cited and from epist.3 of Pope Adrian to Charlemagne; but this pertains to religious cult and veneration; because, besides, they were also placed in sacred chalices, as is clear from Tertullian, bk. *De Pudicitia* chs.7 & 10. Again, in sacred litanies and processions there was a custom for images of the cross and the saints to be carried; and Bede, bk.1 *Historiae Anglorum* ch.25 reports that Augustine and his companions entered to preach the Gospel “carrying for standard a silver cross and an image of the Lord painted on a panel.” The same is shown by the use

of burning lamps before images, as is collected from Fortunatus, bk.4 *De Vita Sancti Martini* at the end.

11. Add that God often approved this veneration of images with miracles or marvelous signs, such as was in the image of Christ set up at Caesarea by way of statue, because at its foot a certain herb sprang up and, when it reached its edge, it received power for expelling sicknesses, as the historians and Fathers above mentioned report, and Gregory of Tours in book 1 *De Gloria Martyrum* ch.21, and similar divine benefits conferred through the image of Christ sent to Abagarus are reported in the histories above cited. Related to this too is that often by a single anointing of oil from lamps burning before images the infirm have been cured, as is clear from Fortunatus above and from others. Again, worthy enough of admiration is what Damascene, bk.3 *De Imaginibus* near the end, reports about Theophilus of Alexandria, who because of the hostilities which he waged in his life with Chrysostom was not permitted to die “until an image of Chrysostom was brought to him which when he had adored he gave up his spirit.”

12. In addition, injuries to sacred images or insults were always regarded as a very grave sacrilege against the due cult of saints and sacred things; therefore, contrariwise, it is a manifest sign that the cult due to them was always judged sacred. The consequence is certainly evident. But I collect the assumption in the first place from the words of Simeon Stylites in his epistle to the emperor Justin reported in the said 7th Synod action 1. “This wicked deed,” he says, “exceeds every blasphemy, because they have perpetrated it against God the Word made incarnate for us, and against his Mother, and against the venerable and holy cross. For since we see that your pious laws punish with the extreme and just suffering of death those who treat the image or statue of the emperor with infamy, by what penalty should they ultimately be punished who have advanced in abominable crime against the image of our Lord and his Mother?” Where he clearly thinks that this offense exceeds a civil injury redounding even against the person of the emperor. Hence sometimes the bitterness of this crime is pointed out by a heavenly sign, such as was the abundance of blood that flowed from an image of the Crucifix when pierced with a spear by a Jew, as Sigebert reports in *Chronic.* for the year 568, and Gregory of Tours, bk.1 *De Gloria Martyrum* ch.22. And something similar is reported from Athanasius in the 7th Synod action 4.

Next, the same Fathers speaking in the same places about images often call them sacred, holy, and venerable, and sometimes they use the word ‘adore’ of them, sometimes the word ‘venerate’ or ‘greet’, as is plain from those mentioned, and from Anastasius of Sinai, in *Orat. de Sacra Sinaxi*, when he says that, “it is not enough to enter the Church and to venerate the divine forms of holy images and the precious and venerable crosses, if the uncleanness of sins are not also washed away by confession and tears.” Which oration, turned into Latin, was offered to the Pontiff Gregory XIII by Achilles Statius the Lusitanian, as Baronius reports for the year of Christ 599 nn.9 & 10. He also reports for the year 656, from the acts and life of St. Maximus, a beautiful history and colloquy between Maximus and certain legates of the emperor who were sent to him, which is concluded in these words: “After everyone rose up with tears of happiness, they bowed also with humble reverence to each other and prayer was said. And each of them greeted the holy Gospels, and the precious cross and image of our God and Savior Jesus Christ and of his Mother our Lady the God-bearer.” These words more or less are recalled by Euthymius bishop of Sardis in the said Synod action 4. And in them too can be pondered

the oath, a sacred and religious act, which was made on the Gospels and on the images as on things sacred and worthy of religious veneration.

13. It is manifest, then, from the tradition of the Fathers that the ancient Church always observed, along with the use of images, the sacred veneration of them. And certainly natural reason demonstrates the same, because the honor is of the same sort as the excellence on which it is founded; but the reason for venerating images of Christ or the saints is the same excellence or sanctity of the prototypes; therefore the veneration of them has regard to the same order or the same virtue to which pertains the honor of the persons, because it is altogether referred to them. Just as the honor to the royal image is in a way royal and injury to it is judged to pertain to the crime of *lèse majesté*, which example and argument, as I said, the Fathers and the Councils use.

Chapter 12: Satisfaction is made to the objections of the king against the veneration of images.

Summary: 1. King James' words of astonishment against the veneration of images. 2. First, second, and third objection. 3. Satisfaction is made to the first objection. The veneration of images is not prohibited by any positive divine precept. 4. There is no natural precept to prohibit the veneration of images. From the places in Exodus 20 and Deuteronomy 5 it is shown that no conclusion follows. 5. Satisfaction is made to the second objection. The veneration of images is very far distant from idolatry. 6. For what reason an idol is said to be nothing. 7. The adoration of some creature is consonant with Scripture. 8. The third objection is met. 9. Satisfaction is made to the second example.

1. But King James does not cease to marvel in his *Preface*, p.49: "what ingenuity of men, what so daring fraud of Satan, tried to force this fiction on the Christian Church." And he strongly doubts, *ibid.* p.59, "whether in the last judgment excuses of such sort, drawn from those ineptitudes of sophistry, are, since Christ reproves idolatry, to receive approval." These more or less are the words of the king, and it is harder for me to obviate them prudently and as the cause deserves than to respond to very strong and very clear reasons and testimonies. For if I do it lightly, I fear that I may seem more remiss than is proper in dealing with the cause of the Catholic Faith; but if I set myself in opposition to so great harshness of words with the same liberty of speech, I fear that the king might take thence occasion for some offense; and therefore I think it more satisfactory to pass over these sorts of words that do not contain a reason pertaining to the cause, and to give satisfaction to the objections which the king gestures to. First, however, I will not omit to advise the most serene king to consider how more secure it is simply to believe the Catholic Church, the Councils, and the ancient Fathers than to pass sentence on their opinion and authority by one's own judgment. Wherefore again and again I humbly beg that he accept for himself the advice he offers to others, and meditate very attentively on what reason or, as he himself says, defense or excuse Christ our Savior will accept in the last judgment, whether his who, in giving cult to God, the saints, and their images, follows in the footsteps of the Fathers and fits his actions to their doctrines; or his who prefers new doctors to old and does not fear to condemn by his own judgment the traditions of the Fathers.

2. Yet the king says that one must obey God rather than men, but God in the Scriptures forbids all adoration of images and the cult of a likeness of anything made by

God. Next, every image is an idol, for an idol is not nothing; “for it was not nothing that God forbade cult to be given to;” therefore every image of God or of any created thing is an idol; therefore all adoration of an image is the adoration of an idol, and hence is idolatry. Finally, neither the bronze serpent nor the body of Moses were nothing, yet the former was ground down and the latter was hidden.

3. The response is that it cannot be that what is approved or prescribed by a definition and the tradition of the Catholic Church be contrary to the divine precept, since the Church is ruled by the Holy Spirit, and the Holy Spirit cannot go against his own self. We deny, therefore, that the use and veneration of images is contrary to the divine precept. For the precept is alleged either from the New Testament or from the Old; in the New it cannot be pointed to, unless perhaps it be held included in the prohibition of idolatry, which we will immediately show is frivolous and empty. But if it is alleged from the Old Testament, I will ask in turn whether it is adduced as a positive mandate of that law or as a natural mandate. For in the prior sense we do not wish to examine whether there was or was not such a positive precept in the Old Law, because this does not pertain to the dogmas of the faith. For thence to infer, on that datum, that the veneration of images which the Church approves is contrary to the divine precept contains the Jewish error, because, if there was such a precept, it was a ceremonial one; either then the belief is that it obliges now, and this is the Jewish error; for according to the faith the ceremonial laws are dead, nay are even bringers of death; or the belief is that it has been abrogated, and thus, by reason thereof, the veneration of images cannot be regarded as contrary to the divine precept, because an abrogated precept is no longer a precept, nor can a deed contrary to it be said to be repugnant to the legislator’s will.

4. But if the precept be regarded as natural and moral, we deny that such a precept is found in the Old Testament. For it could most of all be taken from the words of *Exodus* 20.4 and *Deuteronomy* 5.8: “Thou shalt not make thee any graven image, or any likeness of any thing that is in heaven above, or that is in the earth beneath, or that is in the waters beneath the earth.” But, in these words, either not all images of things are prohibited but those that are ordered to undue cult (as many believe with probability, even among the ancient Fathers), and thus indeed it was a natural precept; we deny, however, that under it are included images of the saints; for these have been instituted not for an undue but for a very honorable cult, as we have shown. Or by that precept all images simply and absolutely and instituted for any use whatever are prohibited (as others wish), and thus the precept was not natural, and so nothing from it can be inferred as obligatory in the present time, as has already been declared. And Protestants, who allege it in that sense and nevertheless affirm it to be a moral precept, certainly cannot prove it from Scripture; for this is not said there, yet with them no other prove is strong, nor are we bound to admit it. Yet even so the conjecture, because the prohibition was inserted in the promulgation of the Decalogue, is insufficient; for proposed in many words there too is the third precept about the observation of the Sabbath, which nevertheless, as regards such determination of time, was not moral but ceremonial. Next, there is none among the holy Fathers who said that the words, when understood in the said absolute sense, contain a natural moral precept and not rather a positive precept adapted to that time. Finally, by no likely reason can it be shown that the prohibition belongs to an intrinsic dictate of natural law.

Certainly too, even the king himself is compelled to concede this same thing; for

he says that some use of images is not now prohibited, and consequently that it is not by natural right, and he necessarily confesses the same about the making of images; although however the word of God was absolute: "Thou shalt not make thee any graven image." Therefore either by those words not only was that prohibited which was *per se* evil, and thus the words contained a positive precept which has ceased; or if it be said that by them was not absolutely prohibited the making of images but the making of them for veneration, by parity of reason the words will have to be restricted to undue and superstitious veneration. For not every veneration of images is of itself evil or contrary to divine honor, as was shown above, and as will be more fully declared in the following point. And therefore those who understand the words of the absolute prohibition of images say as a result that the making and use of images and statues was so prohibited that the *per se* painting or making of them was not licit; but this is manifest, that it was not of natural right, though it could be of positive right, which now is not our concern because it is of no relevance to the present cause.

5. In his second part the king confounds an idol with an image, and on this he finds an objection which is accordingly of little moment; for the sacred images of Christ and the saints are not idols, and the opposite statement was condemned in the 7th Synod action 7. For although the likenesses made by the gentiles, which were idols, were in fact images, not for that reason is any image an idol, but only the one "which is the likeness of a false God," as Augustine said, bk. *Quaestionum in Librum Iudic.* 441. And almost the same is the opinion of Tertullian, bk. *De Idolatria* ch.4, who says: "idols are images of those things that human error honors with cult." Although these words are more general and comprehend every image invented or proposed for honoring what is not worthy of cult or veneration. There is therefore a difference between an idol and an image, because an idol is a false image, that is, of a thing which is not, or which is not worthy of adoration, as is the common interpretation of the Fathers when they are writing about idols; but it is called an image even if it has a true representation. But, by restricting the general idea of image to sacred and ecclesiastical images, to its idea belongs that it be of a thing true and truly holy, and accordingly truly worthy of adoration. And thus did Pope Adrian say in his epistle to Constantine and Irene, in the 7th Synod action 2, that: "images are to be painted, venerated, honored for remembrance only of the saints about whom it is clearly agreed that they are servants of God and entreat and intercede with the Deity for us." Hence also it is clear how distant the veneration of sacred images is from idolatry; for all cult of idolatry either halts at an idol as at the true God, or tends, through the likeness, to honoring him for God who is not, or to honoring as divine someone impious or a demon; but the veneration of images tends proximately either to the honor of God or at least of some person truly holy, which honor ultimately redounds to God as well.

6. Nor is it an obstacle here whether an idol is said to be something, as the king contends, or to be nothing, as he himself objects to Catholics. For no one ever denied that the idols of the gentiles, as to their bodily likenesses, were also certain material things and open to the senses, which is also common to sacred images; therefore in this sense an idol is something. And nevertheless because of the false representation it can be said to be nothing (as it is called by Paul, *1 Corinthians* 8 and 10), because the thing it represents either is no true thing or has no true excellence for which it is to be honored, as Origen, *Homilia* 8 on *Exodus*, and other interpreters of Paul understood that remark of his. Although too an idol may be said to be nothing because it has no virtue or power, as was

interpreted on that place by Chrysostom, *Homilia* 20, whom Theophylact and others follow. And thus too did Augustine assert, bk.20 *Contra Faustum* ch.5, that the things the gentiles honor are something, because they are idols, in which demons are adored, or are some parts of the world, because they are true bodies, yet they are not to be honored “but,” he says, “are nothing for salvation.” Just as elsewhere too the same Augustine said that a sin is nothing, not because the act of sin is nothing, but because the malice of it, whereby it is established in the nature of sin, is not a something but a privation of good. And in like manner Jerome on *Hosea* 7 at the end says that: “Heretics when constructing most impious heresies are turned into nothing,” according to the Septuagint translation in the same place: “Not in that they have ceased to be, but in that by comparison with God all who think against the Lord are said not to be; for if God is truth, whatever is contrary to truth is a lie and is called nothing.” And thus too does he in the same place understand the verse of *Esther* 14.11: “‘Give not, O Lord, thy scepter to them that are not:’ there is no doubt,” he says, “but that it signifies idols;” namely, because they are false, and a lie is, as such, nothing. An idol then is something, as it is an image and a certain material thing, and it is nothing insofar as what it represents is nothing, whether it be altogether nothing or no true thing, or whether it be nothing insofar as it represents something divine or holy which is not in fact holy. And hence idolatry has in it that it is evil and that it is idolatry, and therefore it is much different from the veneration of sacred images.

7. But responses of this sort are despised by the king as sophistical and argumentative subterfuges: “For Scripture,” he says, “forbids the honoring of a likeness of anything made by God.” But the king’s words move us not at all, both because those distinctions were not made up by us but by the Fathers, and also because they are very much in consonance with natural reason. But as for Scripture we reply, in the first place, that it must be understood according to the tradition of the Fathers and of the Church and according to right reason. Next, we deny that Scripture prohibits the veneration of any likeness of a created thing, for nowhere can this precept be pointed to, unless perhaps it is understood to be included in the prohibition on making a graven images or any likeness. And in that case we return to the response given; for either it was positive, and then it does not oblige; or if it contains a natural and moral obligation, it is understood of the making of idols, or (which is the same thing) of the making of images that are to be honored with cult as Gods or as likenesses of Gods. And this is in conformity with Scripture, which permits some adoration of the creature, or sometimes commands it. Which argument is confirmed, in the said epistle to Constantine, by Pope Adrian along with the authority of Jerome who asserts by way of example, *Exodus* 25, “the two golden Cherubim,” he says, “and the engraved things which Moses made.” And he says that God conceded to the Jews the worship of them. For although it is not expressly read in Scripture, yet it seems to be collected from the fact that they were sacred images, or certainly because they were parts of the mercy seat, which also was worthy of veneration, and thus in epist.17 among the epistles of Jerome, which is that of Paul and Eustochius to Marcella, and the style indicates that it was written by Jerome, it is thus said: “The Jews formerly venerated the Holy of Holies, because there were Cherubim there and the mercy seat and the ark of the covenant, the manna, the rod of Aaron, and the golden altar;” and it is added: “Does not the sepulcher of the Lord seem more venerable to you?” Which latter words make plain that the former ones too are understood of sacred veneration. About which more clearly is it said in *Psalms* 98 [99].5: “Adore his footstool, since it is

holy [alt. Worship at his footstool, for he is holy],” where (as I said above) by ‘footstool’ is understood the ark of the covenant, and it is clear from the idea of adoration proposed that the words are about sacred veneration. And that this was the will of God is clear from the way in which he wanted the ark to be treated with reverence, *Deuteronomy* 10, *Joshua* 3, *1 Kings* [*1 Samuel*] 6. And the idea of sanctity in the same words shows that other things too dedicated to the divine cult, which are called holy in the Scriptures, were to be treated with like veneration, as Damascene openly thinks, bk.4 *De Fide* ch.17. Therefore not every veneration of a created thing was prohibited in Scripture, but that only which could not be referred to the cult of the true God.

8. Next, to the examples which the king adduces about the bronze serpent and the body of Moses we reply that they are taken partly from things uncertain and partly from things not pertaining to the cause. For although it be true that king Hezekiah broke the bronze serpent because the children of Israel were burning incense to it, as is contained in *4 Kings* [*2 Kings*] 18, yet it is not certain that there was a prohibition in the law against adoring the serpent in any way at all. Nay, many think it was permitted and that at the beginning it was done in due manner, namely by venerating in it and through it God the author of so great a benefit. Which, that it could be rightly done, is testified by Augustine, bk.3 *De Trinitate* ch.10, and it is not clear that it was specifically prohibited by God. But afterwards Augustine says, bk.10 *De Civitate Dei* ch.8: “When the erring people began to honor as an idol the serpent that was kept in memory of the event, King Hezekiah, serving God in religious power, ground it down with great praise of piety.” But when the fact is thus explained, it has no relevance to the cause about the images of the Church, because the images are not adored by the faithful as idols, nor does moral danger of this evil threaten. And when some error were to happen anywhere, it should be repelled, not by the breaking of images, but by the doctrine and light of the Gospel, and the pious use of images should be preserved, as Gregory said in the said epist.9 bk.9. But others think that the Jews never venerated the serpent, nay that it was prohibited in the Old Law, not by natural precept but by positive, and not by a special law but by the general one by which these others believe, with probability, that then the veneration of all images was prohibited, but that the people began to act against the precept and therefore Hezekiah broke the serpent to take away the occasion. When this opinion too is admitted, the example has nothing in common with the cause of images, both because that precept, if it existed, ceased in the Law of Grace, and also because the occasion for error, which there was in the time of the law, from the propensity to idolatry that came partly from the custom and example of the gentiles, partly from ignorance and weakness of faith, is not found in the time of the Law of Grace, as Damascene rightly noted, the said book 4 ch.17, and more fully in *Oratio* 1 ‘De Imaginibus’.

9. But in the other example of the body of Moses, we have only from Scripture that he died at the command of God and was buried by the same, and that his sepulcher was hidden from men, *Deuteronomy* final chapter. But for what cause God wished to hide the body of Moses Scripture does not make plain. Protestants, however, seem to think that the cause was lest the Jews take occasion of committing idolatry by venerating the body of Moses or his sepulcher. And on this the argument of the king seems to be founded, that images too should be taken away, at least for taking away the occasion. To whom we can, in the first place, reply by denying the inference and the likeness, because it has already been shown that the Church is not to be equated with the synagogue in this

imperfection. Otherwise, even the sepulchers of the apostles and martyrs ought to be unknown to the faithful; nay the relics of all the saints should be burnt up, lest the faithful be induced to idolatry by the occasion, which is not only impious but even ridiculous.

Next can be replied that the argument is not founded on Scripture but more on personal conjecture, and therefore is of little moment. For the reason is indeed probable, as Abulensis weighs it, accommodating to it the contention between the Archangel and the devil over the body of Moses, which the apostle Judas makes mention of in his canonical letter, v.9. And the same reason is insinuated by Chrysostom, *Homilia* 5 on *Matthew*, although he does not say that God hid the sepulcher of Moses for that cause, but says that, "Moses did not introduce the people into the land of promise, lest the Jews attribute to him altogether all the benefits which they had received through him from God;" and he adds: "So that therefore this sort of occasion might be cut off, his very sepulcher too was hidden." And the same reason is indicated by Augustine, or the author of the work *De Mirabilibus Sacrae Scripturae* bk.1 last chapter. But nevertheless the reason is not a necessary one. For the same author of *De Mirabilibus Sacrae Scripturae* adds another, namely, "so that the face, which had been made to glow by consorting with God in speech, should not, when oppressed with the sorrow of death, be seen by anyone." It can also be said that it was done as if for the completing and adding up of the punishment enjoined on Moses because of his guilt of unbelief at the flowing of water from the rock; for it was for that reason he was deprived of the land of promise, *Numbers* 20, as Chrysostom rightly ponders, bk.4 *De Sacerdotio* near the beginning, and Augustine in bk.50 *Homiliarum*, *Homilia* 27, and *Enarratio* on *Psalms* 98 near the end. But it seems that God, for the greater fear of the people, wanted Moses to enter neither living nor dead into the land, and therefore he hid his sepulcher lest the Jews carry his bones with them, as they carried over the bones of Jacob and Joseph. It can be said, in addition, that God hid the body of Moses to make him to be held in greater admiration and inner reverence. For this was insinuated by Jerome on *Amos* 6 saying: "The Lord ascended with Moses, the place of whose sepulcher, because it had ascended into heaven, could not be found on earth." Finally it can be said, and perhaps more securely, that this is one of the things that God does according to the counsel of his own will, the causes of which we cannot find out, and which to inquire into is superfluous; which is what Chrysostom insinuated, *Orat.* 20 on *Hebrews* when he says that: "some bones of the ancient Fathers were carried over into the promised land, but the bones of Moses were sown in foreign land, and not only his, but also those of Aaron, Jeremiah, and Daniel. And likewise," he says, "of certain apostles, as Peter and Paul, we know the sepulchers, but of others we do not, the reason for which thing it is superfluous to enquire." That conjecture, then, in so grave a cause, is also superfluous.

Chapter 13: On the images of God as God

Summary: 1. *Objection of the king against adoration of the image of God. The image of God is double.* 2. *The proper and formal image of God cannot be described.* 3. *A description of the metaphorical image of God is not evil and not prohibited.* 4. *Exposition of the places of Scripture speaking about the images of God.* 5. *Instance of the king.*
Explanation.

1. Besides general objections about the veneration of images, two others in

particular are proposed by the king, one against the image of God, that is, as he is God, the other against adoration of the cross of Christ; about this latter we will speak in the next chapter, here the first must be weighed. Therein he says: "Not only is it prohibited (namely, in the Old Testament) to adore the image of God, but also to make it, and the reason added is that God has never fallen under the appearance of anything." However, on this point a common distinction of images of God must be put first. One image is proper, as if anyone wished through a painted form to express to the life the proper form or nature of God, which can be said to be the formal image; but the other is the metaphorical image, in which, through some bodily figure, the properties of a superior thing are in some way and by analogy represented, as through the figure of a young man having a white garment angels are represented.

2. As to what regards the first class of images, then, it is *de fide* certain that it is not licit, nay it is very foolish, to try to depict the image of God. Because, since God lacks a body, it is impossible by a corporeal image, whether sculpted or painted, to represent God to the life. And this is what is said in *Isaiah* 40.18: "To whom then will ye liken God? Or what likeness will ye compare to him?" And 46.5: "To whom will ye liken me, and make me equal, and compare me, that we may be like." Which words, if they are attentively considered, do not so much contain a form of prohibition as declare that it is *per se* evil and impossible to form such likeness or image of God. And therefore, not only in the Old Testament but also in the New, the same thing is in almost the same way prohibited, when Paul says *Acts* 17.29: "We ought not to think that the Godhead is like unto gold, or silver, or stone, graven by art and man's device." About this class of image of God there is no controversy, for in this sense too the Fathers, whom it is not necessary to refer to, commonly, and the 7th Synod actions 3 & 5 and all the scholastics very constantly, teach that all these images of God are altogether to be rejected as contrary to the true understanding of God.

3. But about the second class of images of God nothing has hitherto been established by sure faith, and the Council of Trent of set purpose, when dealing with the images of Christ, of the God-bearer, and of the saints, said nothing about the images of God, and the 2nd Council of Nicea, while rejecting the former images of God, was silent about the latter, and thus there are among Catholic doctors various opinions on this point. Since therefore we are here dealing only with dogmas of the faith, we can omit this objection of the king, so that in this part he may have his own sense to the full. But because he intends to teach that the use of such images is impious and against divine precept, and we believe that it is far more probable that it is neither evil nor prohibited; nay that it is honorable and more pious, if it is done prudently, and more consonant with the use of the Church; therefore each must be briefly proved. The first, then, we more or less showed in the discussion given above, because to depict such an image of God is not prohibited in the New Testament by a special positive precept, because about the image of God there are in the New Testament only found the words of Paul cited, which openly declare a natural right alone.

4. But if it be said that this prohibition is contained in the Old Testament, we must ask about it again of what sort the prohibition was. For the thing is doubtful, both as to the sense and as to the kind of the precept. Hence, if the prohibition be said to be moral and of natural law, it will be understood of the proper image, and not of the metaphorical, because there is no likely reason to show that to give a metaphorical depiction of God is

per se and intrinsically evil, as I will immediately say. And indeed in the places of *Isaiah* cited, in which the natural right itself is explained, the words are about proper images of God; for, as Jerome notes, on ch.40, *Isaiah* mocks the foolishness of the gentiles who thought that their own idols were gods, or represented the proper form of God. Hence to the words: “To whom then will ye liken God? Or what likeness will ye compare to him?” Jerome adds: “He who is spirit and is in all things, etc.” But in ch.46 the Jews who imitate the foolishness of the gentiles are blamed. Again, about this form can agreeably be understood the words of Moses in *Deuteronomy* 4.12: “And the Lord spake unto you out of the midst of the fire: ye heard the voice of the words, but saw no similitude.” Although the sense could also be that they saw no form altogether or sensible person as it were, but heard only the voice of one speaking; for this is more indicated by the other words which Moses repeats later, v.15-16: “For ye saw no manner of similitude on the day that the Lord spake unto you in Horeb out of the midst of the fire: Lest ye corrupt yourselves, and make you a graven image.” And thus it is probable that there, and in *Exodus* 20, it was prohibited to make any image of God under any pretext, because that rude people would easily suppose it was the proper form of God, and would adore very statues as gods. Now such a precept thus understood was positive and ceremonial and agreeable to that people because of their imperfection, and it has therefore now ceased; and it was also, when the state of things changed, not necessary, because the occasion or danger was taken away, as I said above. Of which thing too a sufficient sign is that, in the Church of Christ, the use of such images is permitted, not only now, but over one thousand three hundred years ago, as can be understood from various poems which Paulinus has about these images in epist.12. But the Church would not have permitted them over so many centuries if they had been prohibited by divine right.

5. But the king gives as instance that making such images is prohibited, not only because of the danger of adoration, but also because it is unseemly and useless. For “since God,” he says, “cannot be expressed to the life, it is superfluous labor and vain effort to corrupt with a false adumbration what you cannot imitate; which thing no one, I do not say no prince, but scarcely any common man would put up with tolerating in his own effigy.” But these reasons are not read in Scripture but thought up by Protestants. And in the first of them something is supposed that is false and contrary, not to say injurious, to holy Scripture. For if all metaphorical images, which cannot imitate their prototypes to the life, are said to corrupt them with false adumbration, “all parables too, and figures for signifying certain things, which must not be taken in their proper character but one thing in them is to be understood from another, will be said to be lies,” as Augustine said in simile in his book *Contra Mendacium* ch.10. Thus, therefore, when the Holy Spirit descends in the form of a dove, or when he is sent under the appearance of tongues as of fire, his form is corrupted by a false adumbration. And the same must be said of the image of Christ under the appearance of a lamb, although however the use of that image is very ancient in the Church. Again, the image of an angel under the appearance of a young man etc., would be a corruption of the angelic form, which is not only against the 7th Synod but also against Scripture, insofar as in it we read of images of the Cherubim, *Exodus* 25, *3 Kings* [*1 Kings*].6. Nay, it is even contrary to all right reason, because we do not grasp incorporeal things except by a resemblance of corporeal things, as is rightly made plain by Dionysius, ch.2 and last chapter *De Coelesti Hierarchia*, and by Tertullian *In Apologet.* ch.29. Next, all the sensible apparitions of God or angels in

Scripture would be false corruptions of their forms. Because, therefore, there is in metaphorical representation no falsity, therefore metaphorical images of God cannot be accused of falsity. Nor even can the use of them be reckoned vain or superfluous, since they can serve to lead man's intellect as if by the hand to recognize invisible things in the resemblance of visible ones, and to remember mysteries which God has under visible appearance performed.

Hence too is readily clear the response to the other conjecture, that no prince, no nor private man, would permit such deformation of his own form; for they would in the same way blame God who often appeared under visible form. Nay, they would even blame Scripture, because it often speaks of God as of a man, attributing to him pain, repentance, bodily members, and the like. For the reason is the same about the words of Scripture as about images, because (as Gregory rightly said) what scripture is for doctors that an image is for the unskilled. The conjecture, then, is a weak one, both because in those images there is no base deformation, but metaphorical signification, and also because it is not done without grave cause and necessity, arisen partly from the divine excellence, which cannot be otherwise represented, partly from the need of man, who cannot conceive spiritual things as they are in themselves, although nevertheless he needs to be stimulated through the senses to the knowledge or memory of them. And therefore the argument taken from men is neither alike nor of great moment, because a man has a sensible form capable of a proper image, and yet a man, even a prince or an emperor, does not disdain to have his excellence or fortitude represented through the metaphorical image of an eagle or a lion or something similar.

Chapter 14: On the adoration of the cross of Christ.

Summary: 1. Objections of King James against the adoration of the cross. 2. Dilemma of the king attacking the adoration of Christ's cross. First, second, and third confirmation. 3. No power of accomplishing miracles has from contact with the body of Christ on the cross been derived. 4. The Catholic doctrine about the adoration of the cross of Christ is explained. 5. The dilemma of the king is met. 6. Response to the first, to the second, and to the third confirmation.

1. Lastly the king inveighs against the adoration of the cross of Christ. But lest perhaps I should delay over this matter longer than is necessary or than is right, I will unravel this point briefly, both because the reason about the cross is almost the same as about other relics and images, and also because the king makes no objection about this except certain verbal trickeries that Claudius of Turin and Wycliffe had formerly objected and that have been reckoned empty by Catholics. There is, then, about the cross a triple consideration, as I said in vol.1 p.3 disp.56, namely about the sign of it expressed on one's own person by the finger or hand, or about the image of the cross made from lasting material, or about the very cross itself on which Christ suffered, whether whole or some part of it. About the first consideration the king touches on nothing, and I spoke about it in the place cited §3. The second consideration too the king has omitted, because there is the same reason about the image of the cross as about relics.

2. Against the cross considered in the third way, however, that it is not to be venerated, he tries to prove in many words with this brief reason. Surely if it ought to be venerated, it should be by touch most of all; for this reason is the one scholastics are

chiefly wont to assign; “By reason of all contact, then, or some?” The first cannot be said, both because, although the woman who had the issue of blood, by touching the hem of Christ’s clothing, felt his virtue, not for that reason did all those who were in the press around Christ feel it, *Luke* 8; and also because otherwise the lips of Judas betraying Christ with a kiss, and the hands of the soldiers smiting and crucifying Christ, and the land of Canaan touched by Christ’s daily clothing, should be adored by us, which to say is impious and profane. But if not all contact but some individual case suffices for this class of adoration, one must show which it is and where Christ poured out this benediction on the wood or conceded to it the privilege. And he increases the objection in these ways. First, because to the woman who said, *Luke* 11.27: “Blessed is the womb that bare thee,” Christ replied, v.28: “Yea rather, blessed are they that hear the word of God.” Second, because although Christ gave to his cross power to do miracles, it is not for that reason to be adored; for the shadow of Peter performed miracles, which cannot for that reason be adored. Third, because the prophets curse those who give cult to images, which have eyes and do not see, and ears which do not hear; therefore these words are said more harshly against those who venerate a piece of wood formed to the likeness neither of ears or eyes.

3. The king seems in his objection to suppose or to reckon that we imagine or think that the cross of Christ and the individual parts of it have, from contact with the body of Christ, drawn forth some force or virtue for doing miracles or for conferring extraordinary benefits, or that Christ himself, by special concession and will, conferred a like force or dignity on that contact. But this is foreign to the sense of the Catholic Church. For, to begin with, although it be most true, and sufficiently approved by the histories and testimonies of the Fathers, that Christ through his cross has produced many miracles, which it is not now necessary to relate, nevertheless none asserted or thought that Christ put into his cross some virtue for effecting miracles, and established by a sure law and promise the doing of signs when someone is present or in contact with it; for this can be affirmed on no foundation, nor is it held to be necessary for veneration of the cross. Neither even is it necessary to imagine that Christ, by a special will and as it were positive institution, gave the cross a special dignity because of which it is to be honored; for this invention too is not only unable to be given foundation but even to be satisfactorily understood; and for the truth and reality that we are now treating of it is superfluous and also impertinent. See Paulinus ep.11 to Severus, Evagrius bk.4 *Histor.* ch.25, Ruffinus bk.10 *Hist.* ch.3, Theodoret, bk.1 ch.17, Sulpicius Severus, bk.2 *Hist. Sacrae*.

4. The doctrine, then, of the Church and of Catholic theologians is that, just as the relics of saints are to be venerated, not from a superadded virtue or institution, but because, on the supposition of the true sanctity of the souls, or persons, with whom they had a special connection or a sufficient relation such that they should be reckoned to be something of them, it follows from the nature of the thing that, because of the excellence of such soul or person, they should be held in veneration; so too, for greater reason, the cross of Christ, and any part of it whatever, should be considered by true and pious Christians as precious relics of the Savior. Because it was, by bearing up Christ himself, an instrument of our redemption, and is sanctified by him. As is signified by *1 Peter* 2, Paul *Colossians* 1 & 2, who also in *Hebrews* 9 indicates that it was as if the altar on which Christ offered himself for us. And accordingly, because of love and reverence for

the same Christ, it is venerable. And thus is the reason for venerating the cross of Christ explained by Damascene bk.4 ch.12, who says: “This wood of great price and venerable, on which Christ offered himself for the sake of sacrifice for us, as having been sanctified by contact with the holy body and blood, is wont to be adored for the best of rights.” And later: “For if of those, with love for whom we are aflame, the house, the bed, the clothing is dear, by how much more the things that are of God and the Savior, through which salvation was gained for us.”

That this also was the mind of the ancient Church is sufficiently collected from canon 73 attributed to the 6th Synod, and from the 7th Synod, and from Jerome epist.17, from Ambrose, *Orat.* ‘De Obitu Theodosii’, and from Chrysostom *Homilia* ‘Quod Christus sit Deus’, where he says that: “the whole globe strives to have something of that wood. And those who have,” he says, “men and women, encase it in gold so as to fit it to their necks, and from it they get great honor and excellence and defense and protection.” And Gregory of Nyssa, *Orat.* ‘De Sancto Baptismate’ not far from the beginning: “The wood of the cross,” he says, “is salvific for everyone.” By which word he indicates the benefits which God, through these sorts of relics of the cross, is wont to confer on those who seek them with true faith and pious veneration. For although miracles alone do not contain sufficient reason for adoration, yet they do show that this sort of veneration is pleasing to God, and hence that the cross is itself worthy of veneration. The said Fathers also add, especially Damascene, that the same holds of the other relics of Christ, as are “the nails, the lance, the crib, the garments, and the life-giving sepulcher.” Damascene also adduces that verse of *Psalms* 131 [132].7: “We will adore in the place where his feet stood [alt. we will worship at his footstool].” And the same is confirmed by that verse of *Isaiah* 11.10: “His sepulcher shall be glorious [alt. his rest shall be glorious],” which is by all of them understood of the sepulcher of Christ, and rightly, because the possessive ‘his’ refers to the “root of Jesse”, which, that it is Christ, is expounded by Paul *Romans* 15. Now the sepulcher is said to be glorious in the future, not only at the time when the body of Christ lay in it, but also perpetually by reason thereof. And thus Jerome epist.17 says that, “it is there preached that the place of the burial of the Lord is to be honored by all.” This truth, therefore, is collected from the principles of the faith and from Scripture, and it is consonant with natural reason, and no precept can be shown whereby such veneration of the cross is prohibited. What, then, is there for Protestants to find fault with in so pious a work of religion?

5. Now to the objection of the king, and to the question asked in it, a certain venerable Englishman (Vualdensis) vol.3 ch.18, replies that not every contact with the body of Christ was sufficient reason for this veneration, “but innocent touch,” and thus he avoided the absurd inference from the kiss of Judas. But others add, for greater explication, that if the idea of contact is viewed precisely, there is not lacking in it sufficient cause for relative veneration, on account of the excellence of Christ, but that the impiety of the person impedes it, lest the adoration should redound to the impious man. And, in like way, where there is indecency or occasion for scandal, adoration will have to be avoided, notwithstanding the contact, which thing is adapted to the example of the ass on which Christ sat. But about the earth of that region, which Christ touched with his feet, if it be clear that it now remains as to the parts which Christ touched, it is to be held in the same veneration. For Augustine too, bk.22 *De Civitate Dei* ch.8, testifies that in his time “miracles were performed by holy earth brought from Jerusalem,” and that it

was held in reverence and honor by the faithful. But at this time it is likely that the earth has so changed that that reason of contact has ceased. And nevertheless if someone with living faith and recollection of Christ and of his steps were to venerate it, he will act piously and will be worthy of no rebuke, because the whole action is referred to Christ, and that relation, so to say, has a sufficient foundation in the actions and steps of Christ.

Hence, to the dilemma of the king, we reply that contact is *per se* sufficient for this relative veneration, unless something according to prudent judgment impedes it. And therefore it is not necessary to show where Christ conferred this prerogative on his cross, because by his works he showed it sufficiently to those who use right faith and reason; nor is this a privilege of the cross but is a property common to all the relics of Christ. Hence the example there adduced about the woman who touched and the crowds that pressed around Christ, when the things aforesaid are rightly weighed, in no way urges that this reason for veneration, which is taken from contact, is not some miraculous work, as was that woman's health, which Christ conferred only on one in need and asking from faith, just as he wished and, by the most high counsel of his own will, disposed.

6. Of the other confirmations, the first makes nothing to the cause, because when Christ responds, "Yea rather, blessed are they that hear the word of God," he taught indeed that the most Blessed Virgin was more blessed in believing and loving Christ than in corporeally conceiving him; he did not, however, deny that it was a great dignity of the Virgin that she carried Christ in her womb, nor did he deny that the woman truly and faithfully said: "Blessed is the womb that bare thee," although he did not explain every, nor the chief, reason for that beatification, as Bede elegantly touched on, bk.4 on *Luke* ch.49. But the other confirmation, about the shadow of Peter, is easily explained by denying the likeness of the example, both because a shadow is nothing and also because, as I said, the reason for this adoration is not some virtue of performing miracles. Lastly, very far from the curses of the prophets against those who adore idols are those who venerate the cross, because they do not have regard to the form or the figure of the wood, as do idolaters, but to Christ, whom they adore on the wood and, because of whom, they adore the wood.

Chapter 15: On the error about purgatory.

Summary: 1. King James mocks purgatory. First and second foundation. 2. The error of Protestants about the redemption of Christ and about the justification of the impious. 3. The application of the merits of Christ to men is not done through the non-imputation of sins. 4. Some sins also exist in just men, which do not take away grace. 5. Not any sin at all cuts off friendship with God. 6. It is shown from the Fathers that the article about purgatory is very ancient. 7. After the day of judgment there will remain no place for purgatory. 8. Indulgences on account of the merits of Christ are lavished on the Church by God.

1. Among the other dogmas of the Catholic Faith wherein the king admits that he dissents from the Roman Church he puts the article about purgatory on p.52 of his *Preface*; however, he touches on it so lightly that he seems to be playing rather than dealing with a cause of faith. For although he mocks and contemns the article of purgatory (which he himself calls a fiction), yet he adduces nothing solid to impugn it; nay, although he does not believe it, yet he does not absolutely deny that there is a

purgatory. But “if perhaps it exists,” he says that “it is unknown to us and that it is enough for us to believe those seats for souls, which God has revealed to us in Scripture,” namely, “heaven and hell, and we should not probe further into the hidden things of divine providence.” Wherefore the chief foundation of the king is that the assertion of purgatory cannot be shown from Scripture. “Certainly,” he says, “Bellarmine could lay down no foundation for it from Scripture.” Hence he infers: “It will certainly be enough for us to recognize those seats for souls which God in his word has wished to be revealed to us.” But beside this foundation he hiddenly inserts another, dealing with it tacitly and as if of something else, saying of Christ: “He himself is the true expiation and the true purgatory for our sins;” as if implicitly inferring: therefore another purgatory is not necessary. Now in these words is hidden the root, not only of this error, but also of several others on which that one depends; and therefore we must begin from it, and the whole ulcer must be cut open, so that the full connection of errors may be uncovered, so that thence indeed the king may understand that he is not judging rightly about the things necessary for salvation, since these things “he considers unworthy of having time and effort spent on them.”

2. Protestants, therefore, for the most part at least, so judge about the redemption of Christ and the justification of the impious, or the remission of sins, that they put the whole of our justification in the remission of sins. Now this remission they teach consists only in this, that sins are, because of Christ, not imputed to us by God; not in this, that either they not exist or not come to be. They next add that sins are then not imputed when someone believes with firm faith that, because of Christ, sins are not imputed to him, whether those he did before, or those he is, along with such faith and understanding, actually in the present committing; for Christ has merited this on our behalf, by making sufficient satisfaction for our sins. And to give proof of this they twist the words of Paul and other Scriptures to their own perdition, as Peter forewarned [2 *Peter* 3.16].

Now from these principles they infer that, as often as anyone has faith, which suffices that sin not be imputed, sin is altogether not imputed and all its penalty is remitted. For either a sinner believes with firm faith that the justice of Christ is enough for his sin to be altogether and totally taken away and not to be imputed for any penalty, provided he so believe; or he thinks otherwise about the justice of Christ and about the non-imputation of sin through faith. If in this second way he limps in that special faith, he does not truly believe, and therefore sin is neither wholly nor in part remitted to him, or not imputed to him; but if he conceives a full faith in non-imputation, sin will be reckoned for absolutely no penalty; and thus the remission of penalty, to which mortal sin might be imputed, is always either complete or null.

Next, from these same principles they infer that in a just man there is no venial sin, but either it is mortal, which takes away justice, or there is no sin. For if a just man do any work whatever, however slight, believing it is imputed to him for some guilt, by that very fact he is an infidel and sins gravely, and he inflicts grave injury on Christ by distrusting in his merits and satisfaction; but if he does these works firmly believing that they are imputed for no even the least penalty, he does not even commit a slight sin (namely one which is imputed), for it is purged through Christ by his, so to say, prevenient purgation or non-imputation. And in this sense the king seems to have called Christ our purgatory. Therefore, if these things are true, all need for purgatory ceases, because in the just man nothing is left to be remitted, and so, if he die in that state, he

does not need purgation; but if he die without justice, he will perish for ever.

These are the monsters and portents invented by the heretics so as to be able to take purgatory out of the way, so that indeed therefrom the king may see whether the assertion of purgatory is of little moment since, to overturn it, it is necessary to overthrow the strongest foundations of the faith; nay there is even need to fabricate very many things against divine justice and ordered providence, even, I add, against natural reason. The Catholic Faith, then, subsists in principles and foundations altogether the opposite, which I will indicate briefly and only through the window, so as to reach the intended aim; for if each foundation had to be expressly proved and disputed of, a proper and complete book would have been necessary. The first foundation of faith, then, is that, although Christ has of himself sufficiently and copiously redeemed all men and has made satisfaction for them all, nevertheless he does not in fact save all, as he himself teaches in *Matthew* 25 [24?], and as is known self-evidently in our faith, and the king of England supposes it in the cited place, when he confesses that there are two domiciles, heaven and hell, established for ever for the human race. From which foundation another openly follows, namely, that notwithstanding the redemption of Christ there is need for men, so as to obtain salvation, to do something or that something be done in them, whereby the merit and satisfaction of Christ is applied to them. The proof is that, although there exist an infinite merit and satisfaction of Christ, who wishes to save everyone, as Paul says, and therefore who offers himself for the salvation of all, nevertheless some are saved but others are destined for the eternal fires. Therefore this difference cannot come from anywhere except that, in addition to the actions and sufferings which Christ himself supplied, it is necessary for something to be done on our part whereby the infinite redemption of Christ might be applied. And this too is sufficiently recognized by King James, since he concludes that article by saying: "Let us so act that we may obtain the one and escape the other."

3. The difference, then, between Protestants and Catholics begins from this necessary application of the merits of Christ, namely, by what action, knowledge, or affection it is done. Let it be, then, according to the foundation of the faith, that this application does not happen through that special faith which the Protestants feign about one's proper justice, or the non-imputation of sins; nor are past sins through it remitted or present ones not imputed, nor does true justice, which we receive because of Christ, consist in that non-imputation. All which things are sufficiently proved against the king and Protestants in their own principles, because nowhere in Sacred Scripture do we find imposed on men the necessity of believing that sins are not imputed to them by the very fact that such non-imputation is believed; otherwise let them produce where either that credulity is prescribed, or its object, or where that non-imputation is revealed. For we hear Paul saying that, *Hebrews* 11.6: "Without faith it is impossible to please God;" and we hear the underlying reason: "for he that cometh to God must believe that he is and that he is a rewarder of them that diligently seek him." This faith of dogmas, then, is what is necessary for salvation, not faith about a proper justice that is nowhere required. Christ the Lord too, in the last chapter of *Mark*, 16.15-16, said: "Preach the Gospel to every creature. He that believeth and is baptized shall be saved; but he that believeth not shall be damned." And in the last chapter of *Matthew*, 28.20, he adds: "Teaching them to observe all things whatsoever I have commanded you." Faith, therefore, of the Gospel or of dogmas, and baptism along with obedience to commands, are the means or actions

prescribed by Christ for participating in his redemption; but about a special faith, or faith in the non-imputation of sins, he himself neither spoke a word nor did he hand it on to us through the apostles or through his Church.

Add that it is *per se* incredible that sins, although they are being really committed, even by transgressing the divine and natural law, are remitted by God for the very fact that they are reputed even as nothing, because he who commits them so believes and, with that confidence, does wrong. For what is this but to give men a free license to sin? Assuredly, nothing can be thought of more contrary to the justice and most wise providence of God. Nor is it less repugnant to the redemption of Christ, for thus he would not have come to dissolve, but to foster and multiply, the works of the devil. But *1 John* 3.5 says: "Ye know that he was manifested to take away our sins;" and later, v.8: "For this purpose the Son of God was manifested, that he might destroy the works of the devil;" and *1 Peter* 2.21-22: "Christ also suffered for us, leaving us an example, that ye should follow his steps, who did no sin, etc.;" and Paul *Galatians* 5.13: "Ye have been called unto liberty; only use not liberty for an occasion to the flesh, but by love serve one another." The merit of Christ is not, then, applied to men through that falsely devised special faith, but through "faith which worketh by love," *Galatians* 5.6. And from this faith we conceive the hope of justice, with penance for previous sins interceding, along with observance of the commands, without which true justice cannot subsist. For not he who reputes himself just but he "who doeth justice is just," as in the place above mentioned John says, 3.7. And thus too all the other things that I said are very frequent in the Scriptures, and have been expressly dealt with in their proper places.

Third, the Catholic Faith teaches, and it follows from what was said, that the fruit of the merits and satisfactions of Christ is not always applied equally to all believers and all the just; and hence it is not the case that, as often as mortal sins are remitted as to guilt, they are thus remitted as to penalty, so that they are imputed for absolutely no penalty, even temporal. Both are taught by the Council of Trent. The first in session 6 chs.7 & 10, and canon 14. Which is also taken from Paul *1 Corinthians* 15 when he says, v.41-42: "For one star differeth from another star in glory. So also is the resurrection of the dead;" and from the words of Christ, *John* 14.2: "In my Father's house are many mansions." Which are the various and unequal seats of the blessed, as all the Fathers expound, and in particular Augustine, *tractat.67* on *John*, who says: "The many mansions signify the diverse dignities of merits in the one eternal life." Just as, therefore, there are unequal crowns in the fatherland, so in life there is inequality in grace and justice, and consequently also in participation in the merits of Christ. For all internal justice and its operation are conferred through the grace of Christ, and so is the fruit and participation in its merits; there is therefore inequality in this participation.

Now the second is taught by the same Council of Trent in the same session 6 ch.14 and canon 30, and session 14, and it follows manifestly from the first; for the reason whereby the merit of Christ is not always equally applied as to perfection of justice, by the same reason does the satisfaction of Christ not always have in us an equal effect as to remission of temporal penalty. The reason indeed is that the remission of penalty happens by the intervention of some disposition or satisfaction on the part of man; but this disposition or operation can be greater and lesser; therefore the remission of penalty too. Therefore mortal sins committed after baptism (for about baptism there is different special reason), although by penance they are remitted because of Christ, are not

always remitted altogether as to temporal penalty, but according to the mode of the penance and of the disposition. And therefore David used to pray, *Psalm* 50 [51].2: “Wash me thoroughly from mine iniquity;” and for the same cause all the Scriptures counsel penance for sins, even for sins remitted, and works of mercy and other good works for obtaining full remission of them. And the same is the common doctrine of the saints, as one may see in Augustine, bk. *De Vera et Falsa Poenitentia* ch.15, and Chrysostom, *Homilia* ‘De Poenitentia’ especially ch.5. And best Ambrose bk.7 on *Luke* at the end of ch.12, who says: “Just as those who pay back money return a debt, and the name of interest is not then purged until the whole quality of the total allotted sum is by some sort of payment or other paid right up to the smallest amount, thus by the compensation of charity and of other acts, or by some satisfaction or other of sin, the penalty is paid off.” He who has not made full satisfaction, then, although he be just, is debtor to some penalty.

4. To these is added another foundation of the faith, namely, that there are in men, even just men, certain sins which grace does not take away and which do not make a man an enemy of God or guilty of an eternal penalty, and are therefore called venial. So taught the Council of Trent in session 6 ch.15, and it receives sufficient proof now from that verse of *Proverbs* 24.16: “A just man falleth seven times, and riseth up again: but the wicked shall fall into mischief.” Those falls, then, of just men are some sorts of sin, but not such as to take away justice, otherwise the just man too would fall into mischief as often as he thus sinned. Hence Augustine rightly in *Sermo* 41 ‘De Sanctis’ calls these “small sins, from which in this life the saints are not immune, which do not kill the soul, though they disfigure it;” and epist.103 at the end, he calls them “light sins of the just, which are taken away by ordinary remedies.” And because of the same he asserts, bk.2 *De Peccator. Merit.* ch.7, that John stated, *1 John* 1.8: “If we say we have no sin, we deceive ourselves, etc.” Again, to the same sins pertains that verse of *James* 3.2: “For in many things we offend all,” as Bede notes on that same place, and Augustine in *Enchiridion* ch.78, where he posits many examples of such sins, and more in bk. *De Natura et Gratia* chs.36 & 38.

Natural reason also proves this, because prudent and perfect friendship is not dissolved because of some slight negligence or offense; therefore it is incredible that friendship with God is lost because of any slight defect whatever, or that some very slight defect or other renders a man worthy of divine hate and eternal punishment. But although these sins do not deserve so bitter a punishment, nevertheless, by the very fact that they are sins, they deserve some definite penalty, as is rightly noted by Augustine, bk. *Octoginta Trium Quaestionum* q.26; because to any guilt, according to the due order of justice and in line with its quality, there is some mode of penalty responding; but God is most just; and therefore these sins too, which detract in some way from his law, he does not allow to go unpunished, according to that verse of *Matthew* 5.26: “Verily I say unto thee, Thou shalt by no means come out thence, till thou has paid the uttermost farthing.” Where Jerome says: “This is what he says, you will not come out of prison until you have paid also for the smallest sins.” And almost in the same way is it expounded by Ambrose, bk.7 on *Luke*, at the end of ch.12. Finally, as Augustine said in the said *Sermo* 14, although these sins “do not kill the soul, they so disfigure it that they permit it, either scarcely or with great confusion, to come to the embrace of the heavenly Spouse.” Which is to be understood, I think, about the state of this life, and about the contemplation and

love of God that can be had in this life; for if it be understood of the embrace of the Fatherland and of the blessed vision, such embrace can be had, not scarcely, but not at all, unless the disfigurement of such sins be first taken away. Because as is said in *Apocalypse* 21.27: “And there shall no wise enter into it any thing that defileth;” and in that state will be most fulfilled what Paul said *Ephesians* 5.25: “Christ loved the Church, and gave himself for it.” And later, v.27: “That he might present it to himself a glorious Church, not having spot, or wrinkle.”

5. From these principles, therefore, the necessity of purgatory may be plainly concluded in this way. Just men, while they live in this life, have, together with justice, some guilt of temporal punishment that is due either for sins remitted or for venial sins committed afterward; but it often happens that the just die in this sort of state, either because, after many and grave sins, they did penance late or lightly or remissly, or because, although for a long time before death they are living in grace, they are frequently sinning venially, and they are negligent in applying remedies and doing works of satisfaction. Therefore it is necessary that there be, after death, a time and place of purgatory, wherein they may be able to be cleansed of these stains and pay the due penalties and enter into paradise; since indeed, according to the faith, no one is admitted to beatitude without complete remission of guilts and sins, as has been shown. Which reason suffices to confirm this dogma of faith, even if it cannot be expressly proved from Scripture, because the principles of this discussion are founded on Scripture itself, and are to some extent, as far as they depend on fact, even very well known by experience, and the inference is also necessary, and evidently known. But these things suffice, both for rendering the assertion altogether certain, and also so that it could be defined by the Church and proposed to the faithful for them to be bound to believe *de fide*, as was shown above. Now, that the Church has thus defined this truth is clear from the Councils of Florence and of Trent. And although so express a definition was not made, universal consent together with the very ancient tradition of the Catholic Church suffice for making the faith.

6. Hence I infer further that wrongly does King James reckon the article about purgatory among those that he calls recent and novel, since neither Augustine, nor Jerome, nor the other Fathers equal with them, who are certainly not recent, could not have ignored a truth supported on so many foundations of the faith. Which even is not difficult to show from their words. For Augustine on *Psalms* 37 [38] at the beginning, expounds about purgatory the words, v.1: “O Lord, rebuke me not in thy wrath (or as he reads) in thy indignation: neither correct me in thine anger [alt, chasten me in thy hot displeasure],” for thus he reads, and he says that: “This correcting in anger, through which the corrected are saved, will be after death, yet so as by fire.” Hence he thus expounds: “May you in this life purge me, and render me such that I should now not need the correcting fire.” In addition, bk. *Octoginta Trium Quaestionum* q.26, speaking of venial sins, he says that a definite punishment is due to them, both in this world and in the future one, where the particle ‘and’ he either put as a disjunctive, or he understood it under the condition that the penalty is due in the future age if it is not paid in the present one. More clearly, however, in the said *Sermo* 11 ‘De Sanctis’, treating of the same sins, he says: “Whatever of those sins has not been redeemed by us must be purged by that fire of which the Apostle said, *I Corinthians* 3.13 & 15, ‘because it shall be revealed by fire, and if any man’s work shall be burned, he shall suffer loss;’ for either, while we live in

this world, we ourselves weary ourselves through penance, or certainly, by the will and permission of God, we will with many tribulations be afflicted for those sins and, if we give thanks to God, be set free.” And later: “Sins are themselves so purged in this age that in the future that purgatorial fire either does not find them or certainly finds a little of them, which it burns away. But if we neither in tribulation give thanks to God, nor redeem sins with good works, we will ourselves be delayed in that purgatorial fire for as long as the aforesaid little sins are being consumed like wood, hay, stubble.”

7. Again, in bk. *De Octo Quaestionibus ad Dulcitium*, although in q.1 he only says that: “Some are saved, yet so as by fire, and it is not incredible that so it happens to some after this life; but whether it is so can be inquired into;” however in q.2 he repeats the things he said, bk. *De Cura pro Mortuis Agenda* ch.1, which he mentions, and he teaches definitely and as certain that the suffrages of the living profit some of the dead, who were neither so evil that these cannot profit them, as are the damned, nor so good that they are not in need of them, but of a certain middle status, whom he calls “not greatly bad, because although they loved the goods that pass away, yet they were not such as those are of whom it is said that they will not possess the kingdom of God, but they are the just in need of some purgation.” And he teaches the same in *Enchiridion* ch.68 #96, where he says: “It is not to be denied that the souls of the dead are relieved by the piety of their own who are alive.” And therefore glorious Monica, the mother of Augustine, being well instructed in the Catholic Faith, while she was giving up her soul, asked nothing from her son and his companions but that they should keep her memory at the altar of the Lord, as he himself relates, bk.9 *Confession*. ch.11, and in bk.3 he commends her conspicuous faith and piety and prays for the soul of his mother, and asks others to pray. Besides, in bk.21 *De Civitate Dei*, ch.16, where he says, about infants dying with baptism only, that they are so disposed for beatitude that not only are they are not made ready for eternal punishments, “but they do not even suffer any purgatorial torments after death.” In which words he openly supposes that there are after this life purgatorial punishments, about which he later says: “But who may think there will be no purgatorial punishments except in the presence of that last, terrible judgment?” namely the universal one. For after it a place of purgatory will not be necessary, because before it the complete purgation of sins will happen in all the just, and therefore in that judgment all those who are to be judged are divided into only two places that will last for ever. And thus is Scripture to be understood whenever it speaks of those two ultimate ends. Also can be seen in the same Augustine (if it is his work) bk.5 *Hypognosticon* chs.5 & 6.

Next, in his book *Quinquaginta Homiliarum*, *Homilia* 16 near the end, the same Augustine teaches this truth very fully, some of whose words I will report, because they both confirm all the foundations posited above and sharply pierce the adversaries: “Those who have done things worthy of temporal punishments, about which the Apostle says, *I Corinthians* 3.15, ‘if any man’s work shall be burned, he shall suffer loss; but he himself shall be saved; yet so as by fire,’ they will cross through the fiery stream (which the word of the prophet mentions, *Daniel* 7.10) and the fords horrible with boiling and bubbling. As great as was the matter of sin, so great will be the delay in passing through; as much as guilt exacts, so great will some discipline of rational flame make claim from a man for itself.” And later: “There idle speech, and unjust or unclean thoughts, there a multitude of slight sins, which had infected the purity of noble nature, will gush forth; there the lake or leaden weight of the diverse offenses that creep in unawares, which have obscured the

divine image, will be consumed; all which here could, in a brief transaction, have been separated from the soul by works of mercy and tears.” And so that the king may understand how Christ may be our purgatory, he concludes: “Behold thus does he have reason to exact of man who gave himself for man and, pierced with nails, joined himself to the law of death.” And in this Catholic sense did the same Augustine say, bk.10 *De Civitate Dei* ch.24, that: “The Lord Jesus Christ is the principle by whose incarnation we are purged; him indeed (that is, the devil) he contemned in his own flesh, which he assumed for the sacrifice of our purgation.” And later: “Him the Platonist did not recognize to be the principle, for then he would acknowledge purgatory.” Nothing else, then, is purgatory in Christ than to be redeemer, through whom men can in this life be most perfectly cleansed, if they wish to dispose themselves; otherwise, if in this life they have not attained it, in the future life, if they be just, they will be purged by condign punishments according to the rigor of justice, if they are not in some respect assisted by the suffrages of the living.

Besides St. Jerome elegantly affirms that there exists after this life some temporal punishment of fire, in the last chapter of *Isaiah*, almost in the last words, and he teaches that the works of some Christians must be tried and purged by fire, such that the purgation is temporal and ends. Also, in his bk. *Contra Jovinianum*, he expounds in the same way a place of Paul *1 Corinthians* 5, and concludes: “If he, whose work burns and perishes and he suffers a loss of his labor, will indeed lose the reward of his labor, though he himself shall be saved, not however without the trial of fire; therefore he, whose work abides, which he hath built thereupon, shall be saved without the trial of fire, and between salvation and salvation there will be indeed some diversity.” Which words are to be noted, for they confirm the discussion given above, although in altered order. For by the diverse way of obtaining salvation, through the purgatorial fire or without it, Jerome collects from the latter a diversity of merits and rewards; but we contrariwise from the diversity of the works, whether bad or good, that dispose to justice, have deduced the necessity of purgatory. And in ch.1 *Ezekiel* the same Jerome thus concludes: “From which is shown that after punishments and sufferings and the purgation of sins there will be mercy, at least in those who have merited to see God in his kingdom.”

The same truth is taught by Ambrose, on ch.14 *Apocalypse* about the words, v.5: “For they are without fault,” saying: “The souls of the saints are without fault, because if they have contracted any uncleanness from worldly habitation, it has either through penance and tears and works of charity, or through flagellation and certainly by purgatorial fire after death, been destroyed.” And like things are contained in ch.20 on the words, v.5: “This is the first resurrection.” I know it has been called into doubt whether the work is of Ambrose; but no one doubts but that it is of some grave and sufficiently ancient Father. However, the second prayer in preparation for mass is beyond doubt of Ambrose, and yet in it he thus prays to Christ: “Remember, because you yourself who judge are my advocate. But if something still in this age too you hold in me that needs to be avenged, do not hand me to the power of demons while you are wiping away my crime with purgatorial punishment.”

To these let St. Cyprian be added, who, in epist.52 to Antonianus, says: “It is one thing to stop for pardon, another to advance to glory; one thing, having been sent to prison, not to come out thence until you have paid the uttermost farthing, another to receive at once the reward of faith and virtue; one thing to be for sins cleansed by the

long pain of torments and purged much time by fire, another to have all sins purged by a passion.” The same is taken from Tertullian, bk. *De Anima* chs.35 & 58 at the end, where he thus expounds the said place of *Matthew* 5 when he says: “We understand the prison to be the infernal regions, and we interpret the uttermost farthing to be even a small fault that needs there to be paid by delay of resurrection.” Which is more or less the exposition that Athanasius has too in bk. *Variarum Scripturarum Questiones* q.62. And several other things from the Greek Fathers for this truth are brought together by Gennadius Scholarius, patriarch of Constantinople, in his *Defensio Concilii Florentini* ch3. Chief too, both in the Greeks and the Latins, are where they assert that sacrifices, prayers, and alms, and other good works of the living help the dead for some remission of punishments, if they have departed in the state in which they are capable of that help. Which places of the saints approving this very ancient tradition are so frequent that it seems superfluous to refer to them, especially when the article requires a proper disputation. But those who hand it on must have believed that some souls of the faithful are so punished after death that they could be freed from those punishments, and this is what we call purgatory. But about the dogma can be seen especially Augustine in the said book *De Cura pro Mortuis Agenda*, and Cyril of Jerusalem *Catechesis* 5 ‘Mystagogica’, Cyprian epist.66 to the clergy etc., and Ambrose *Orat.* ‘De Obitu Theodosii’ and *Orat.* 2 ‘De Obitu Fratris sui Satyri’, and Damascene *Orat.* ‘De Defensione Fidei’.

From these things one may in addition understand that without cause did the king of England wish to lay down that Bellarmine could not prove purgatory from the Scriptures; for as the holy Fathers did not lay it down without the Scriptures, although at the same time they teach it from apostolic tradition, so too did the most illustrious Bellarmine wisely and learnedly prove this truth from the Scriptures by understanding them as the holy Fathers interpreted them. But if this does not satisfy the king, because his sure knowledge understands them otherwise, it has already been replied that that knowledge, which differs from the sense of the Fathers and of the Catholic Church, is not true knowledge, nor is it from the spirit of God, on the ground even most of all that (as I have often said and as, along with Paulinus, Augustine in almost the same cause says, in his book *De Cura pro Mortuis Agenda* ch.1), although Scripture were lacking, the authority of the Church would suffice. For certainly when Scripture teaches that the Church is the pillar and ground of the truth, and that the apostolic traditions are to be believed, it virtually contains the assertion of purgatory, which both the Church and tradition teach. Next we add that this truth is sufficiently contained in those places of Scripture wherein God is said to reward each according to his deeds, according to that verse of *2 Corinthians* 5.10: “We must all appear before the judgment seat of Christ; that everyone may receive the things done in his body, according to that he hath done, whether it be good or bad.” For hence we have that no evil is left unpunished by God, and therefore, if it is not punished in this life or satisfaction made for it, it must be avenged in a future life with punishment condign and commensurate with the guilt, and hence by temporal punishment, if the person is otherwise just and pleasing to God.

Next we say that this truth is also proximately and immediately proved in the New Testament from the place often cited, *1 Corinthians* 3.13: “The fire shall try every man’s work of what sort it is.” And later, v.15: “If any man’s work shall be burned, he shall suffer loss: but he himself shall be saved; yet so as by fire.” For although we do not deny that those words are sometimes expounded otherwise by some Fathers (whose

interpretation there is not leisure now to weigh), nevertheless it can in no way be rejected, because it is both very consonant with the text and sense of the Church, and is approved by many Fathers, as by Augustine and Jerome, whom we have already reported, and by Ambrose on Paul, where many others also prove it, and Origen copiously *Homilia* 6 on *Exodus* and best Paulinus in epist.9 to Severus, where he calls purgatory “wise fire”, and in the poem containing the paraphrase of *Psalms* 1, where he calls it “the arbiter fire”. And thus too did Gregory expound it in his chapter on *3 Kings* near the end, and in bk.4 *Dialog.* ch.39, and Caesar of Arles *Homilia* 8 on the same place. The place too in *Matthew* 5.25-26: “Lest...thou be cast into prison. Verily I say unto thee, Thou shalt by no means come out thence, till thou hast paid the uttermost farthing,” if it is pondered with right reason, does not a little help, especially since it is thus also understood by the Fathers mentioned, by Tertullian, Cyprian, Ambrose, and Jerome, to omit the more recent ones. Next, that this is also insinuated or supposed by Christ in the words of *Matthew* 12.32: “It shall not be forgiven him, neither in this world, neither in the world to come,” is understood by the Fathers, as Augustine bk.21 *De Civitate Dei* ch.13, who is imitated by Gregory in the said ch.39, and Bede on that place, and Bernard. And if the prudent way of speaking is carefully considered, no one speaks about a certain thing according to two times unless the thing is wont in either time or state to be done.

From the Old Testament too some testimonies were touched on above. Of which sort is that verse of *Psalms* 37 [38].1: “O Lord, rebuke me not in thy wrath; neither chasten me in thy hot displeasure,” according to the interpretation of Augustine reported above, which is also handed on by Gregory on the first penitential psalm. But most convincing of all are the testimonies in which is either asserted or supposed that the dead can be helped by the works of the living. Among them indeed the more known and clearer is what is contained in *2 Maccabees* 12.46: “It is a holy and wholesome thought to pray for the dead, that they may be loosed from sins.” Which the king cannot escape except by denying that the book is canonical. But this is a most miserable refuge, and disputing it now would go on a long time or rather to infinity. Sufficient, then, are the things which we said in the previous book about the rule for discriminating canonical books from non-canonical, and that the Fathers commonly use the book as canonical; and that Augustine in particular, in the said book *De Cura pro Mortuis Agenda* ch.1, confirms therefrom this truth. Since, therefore, this truth about purgatorial punishments has been confirmed by so great a weight of authority and reason, let the king see by what spirit he is led when he dares to call it “a fiction unworthy of having effort spent on it.” Nor let him think that Catholics have a contention with heretics either about the state or the place of purgatory, or whether it is one or many, nor about the mode or quality of the punishments; for although these are soberly and prudently disputed by theologians (as that they can also be inquired into was sometimes said by Augustine mentioned above), yet if meditation on these things does not please the king, we do not contend with him about them, provided he not deny that temporal punishments after death are designed for some of the just, the imperfect.

About the things, however, that the king subjoins as consequent to purgatory, and that he calls frivolous, since they are not impugned by him, there is not now need to say much. But because in the margin of his book these things are said to be frivolous, “indulgences, jubilees, and satisfactions for the dead,” I will say briefly that only by Protestants, trifling men assuredly and very impudent, who perverted the king in his

infancy, could these things be reputed frivolous. For either they are called frivolous because they have no foundation of truth, or because, although true, they are of little or no moment. This latter could not come into the mind of any man who does not lack right reason. For who would think it of little moment to be freed from the debt of the gravest punishment? Or who would think it a thing to be despised, or deny it to be a work of charity, to free one's neighbor, by prayers poured out to God and by personal afflictions and alms, from the gravest punishment? Or who would not value greatly the power almost divine of applying with effect the satisfactions of Christ and the saints in compensation for the punishments of purgatory? Certainly these and the like things are thought to be frivolous by Protestants, not because they are of little moment, but because infidels think them incredible. Let them, therefore, consider that they have no foundation of truth. But if it is true, as the king thinks, that these things are consequent to the assertion of purgatory, since it has been shown that purgatory is supported on the greatest and infallible authority, certainly the other things that follow that assertion cannot fail to be founded on a great weight of authority; therefore by this reason too they can be said to be, not frivolous, but most certain dogmas of the Catholic Faith.

8. Now if those pseudo-theologians, who have imposed on the king in this matter, were versed in sacred doctrine, they would not assert that suffrages and indulges follow on purgatory; for they are not founded on it nor do they have a necessary connection with it. For God could, if he wished to use the rigor of justice, exact the punishments of purgatory from the men who are dead and are guilty of them, without any remission or compensation. But indulgences and satisfactions are nothing other than certain remissions and compensations for the punishments of purgatory, which God, because of his infinite goodness and the outstanding merits of Christ, has conceded to his Church, both so that those punishments might through Christ be made milder and so that there might be among the members of Christ a greater and more excellent communication of mutual charity. Wherefore, although purgatory, satisfactions for the dead, and indulgences have one common matter, namely the debt of temporal punishment which in some of the just sometimes remains after this life, and therefore one of these can in some way be collected from another, nevertheless, properly speaking, one is not founded on another, but each one *per se* has a very grave foundation of truth. For the punishment of purgatory is founded on the order of divine justice that, by the rules of faith, is made sufficiently manifest to us and very consonant with reason, as has been shown.

Suffrages, however, on the other hand, or satisfactions are founded on the "communion of saints" which we profess in the creed. For that that communion exists, not only among mortals living here, but also with the just already dead, according to the state of each, is handed on by the authority of the Church and has a sufficient foundation in Sacred Scripture. Which has been shown in previous chapters about the communion between us and the saints reigning with Christ, insofar as we showed both that they help us by their intercessions and that we can and should request intercessions of them, and venerate and praise them and give thanks to God for their glory. But our communion with the just dead who are not yet blessed, but detained in prison for certain debts, is founded also on the perpetual tradition of the Church and on Sacred Scripture, as can be understood from what has been said in this chapter. For prayer, alms, sacrifice, and similar works offered to God for the dead, so that they may be released from sins, pertain to this communication; but Scripture and the custom of the Church teach that it is best to

pray and work for the dead. Hence rightly does Augustine already mentioned collect that sufficient authority proves that this is not done without fruit; satisfaction for the dead, therefore, is not frivolous but very satisfactorily founded. Add that this kind of communication is very consonant with charity as well as with reason, and very worthy of kind divine providence; he then cannot be held for a Catholic who thinks this so Catholic truth, received by the Universal Church, is frivolous.

The concession of indulgences, indeed, to which also jubilees pertain, has two very solid foundations. One is the infinite treasure of the merit and satisfaction of Christ the Lord and the saints, which treasure, at least as to the riches of Christ and their sufficiency, I do not reckon is denied by Protestants; which now is sufficient for us, because the satisfactions of the saints are not so necessary but are added on out of abundance, which to explain further and prove does not belong to the present place. The second foundation is the supreme power of binding and loosing which Christ conceded to his Vicar, which is sufficiently founded on the Gospel, as we will show in the following book. But that the power extends to this dispensation and concession of indulgences is sufficiently shown by ecclesiastical tradition and the very ancient use of the same power by the common consent of the Church, as we have treated of more at large in our theological disputations, in vol.4 p.3 disp.48 and following.

Chapter 16: On errors about the rites and benedictions of the Church.

Summary: 1. The blessing of bells and other like benedictions seem trivialities to Protestants. 2. The institution and use of bells. 3. Use of this sort was introduced in the Church over one thousand years ago. 4. It is shown that nothing can be faulted in the blessing of bells. 5. The objection of heretics is solved. 6. Instance.

1. Among other examples that the king puts down as articles which he calls novel and recent, he adds these words on p.58 of his *Preface*, at the beginning: "The baptizing of bells and a thousand trivialities besides;" but what trivialities they are he neither declares himself nor expounds in the margin. Hence it seems that under these words he comprehends all similar benedictions, for Protestants are wont to make trifles of all of them. Although about this one, which he calls the baptizing of bells, the Magdeburgians have said, with great exaggeration, that it is a horrendous error and a great sacrilege against the institution of Christ. Thus does Bellarmine report, bk.4 *De Pontif.* cont.10 ch.6. And therefore, to complete this book, it has seemed worth the effort to say a few things about these rites by responding to his own objection from the particular example and, on occasion thereof, by touching on something about the whole class of such benedictions.

2. Two things, then, in signs of this sort, which are called bells, can be looked at, namely the use of such an instrument for agreeably exercising certain public actions, and the rites instituted by the Church for the blessing of bells; and each must be spoken of individually. At the beginning, then, it is certain that the ancient custom of the Church was that masses and other offices should happen in sacred places and temples, so that the Christian people might gather for them at definite hours or on definite days. Hence it was necessary also that there be in the Church some sign on the giving of which the people might come to the Church. For this function bells were instituted, which for that reason were wont sometimes to be signified by the name of signs absolutely, as in ch. 'Solent'

De Consecrat. d.1 and in chs.1 & 2 ‘De Offic. Custodis.’ Therefore, on consideration of this proper and, as it were, literal reason for the institution of the use of bells, no prudent man can doubt but that it was both very useful and very agreeable, because some public sign was morally necessary. Hence too in the Old Testament God said to Moses *Numbers* 10.2: “Make thee two trumpets of silver...that thou mayest use them for the calling of the assembly, and for the journeying of the camps, etc.” And from *Leviticus* 23 is collected that on feast days the people was wont to be summoned or admonished by the blowing of trumpets. The same is indicated by the words of *Joel* 2.1: “Blow ye the trumpet in Zion.” There was, then, a moral necessity for some sign also in the Church of Christ. But the determination to the sound of bells depended on human choice, and therefore rightly and legitimate could it be done by the Church as it was done, and in a thing *per se* indifferent the custom of the Church was sufficient, so that no prudent and moderate man might be offended in it. Especially since the instrument is very apt for the aforesaid end, both because it can be rung easily and without great effort, and also because its sound is widely diffused, and finally because it is more durable and almost perpetual.

3. Add that this use of bells is not new in the Church. For although, as learned authors testify, it is certainly not clear at what time they began, there is yet no doubt but that their use was common in the Latin Church over a thousand years ago. For in the year 615 lived St. Lupus bishop of Sens, in whose acts it is related that at the time of a certain siege of the city of Sens “the holy bishop betook himself to the temple of the protomartyr Stephen and struck the sign to summon the people,” as is in Surius vol.5 for the first day of September. Where also he relates the marvelous works of God displayed in connection with that sign or bell. Again, in the year 665 died St. Eligius bishop of Noyon, in whose life, bk.2 ch.21, is related that when he had prohibited a priest from performing sacred acts in the church, and the priest, despising the prohibition, tried to ring the bell to summon the people, it did not make a sound, until the priest did penance and the holy bishop lifted the prohibition. Surius reports it vol.6 for the first day of December. In addition Bede, bk.4 *Histor. Anglicanae* ch.23, makes mention of a bell at whose sound certain women religious were wont to be summoned and stirred to prayer whenever one of them departed this world. But some conjecture that at the time of Anastasius the Persian martyr the use of bells had not yet been introduced, because in the 7th Synod acts 4 from his miracles, it is reported that on a certain solemn supplication the faithful were summoned, not by the sound of a bell, but through “the beating of sacred wooden signs.” But this is both not much of an obstacle, because that saint suffered in the twenty seventh year after the sixth century, and besides the words are said about the Greek Church where those wooden signs are believed to have lasted until the year of our Lord 865. For in that year they say (Baronius vol.1 for the year 58) that the Doge of Venice sent bells to the emperor Michael and that then their use commenced among the Greeks, the wooden signs having been abandoned, as Baronius notes for the same year at the end, although he says elsewhere that the wooden signs were not in common use for summoning the people of any church, but only among religious for summoning monks in monasteries.

But whatever may have happened here, it is certain that some signs of this sort were always deemed necessary, which (and this is not to be overlooked) were also called sacred; and among them the use of bells prevailed as more useful and more lasting. Now rightly does Walfridius Strabo note, in his book *De Rebus Ecclesiasticis* ch.5, that these public signs could not have been agreeably in use in the primitive Church; because the

divine offices, on account of the multitude of gentiles and especially on account of the violence of persecutions, could not be so public, for rather care was taken to make them secret. And therefore the faithful were invited in other ways, as by announcing in one meeting a next future one, or by recording it on written tablets, as Strabo says in the place cited, or by individuals or a deacon privately going around and giving reminder, as Baronius, vol.1 for the year 58 n.102, conjectures from letters 11 and 13 of Ignatius. But after peace was given to the Church and after its increase, the use of public signs was necessary, and so it is likely that a little after Constantine's time the rite of bells was introduced, which was afterwards approved by perpetual tradition. On which can be seen what Coccius reports in his *Thesaurus* vol.2 bk.3 a.6.

4. Since therefore it is clear that there is nothing in the simple use of bells that heretics can carp at, let us see what they find fault with in the blessing and, so to say, symbolic use of them. For either they universally detest as superstitious any blessing and ceremonial consecration of sacred things instituted by the Church, or they find some particular thing worthy of blame in the blessing of bells; but we might refute both with a single word of Augustine, who says, epist.138 ch.5: "If there is anything the Church preserves throughout the whole globe, to dispute that it should not so be done is a mark of the most insolent madness." And what he says elsewhere: "One should not believe that a thing is vainly done where there is the plain authority of the whole Church." But further, the first general alternative is repugnant, not only to tradition, but also the Scripture and reason. For Paul says that every creature is sanctified by the word of God and by prayer, *1 Timothy* 4. Hence we read that Christ, for multiplying the loaves, used blessing by looking up to heaven, *Matthew* 14. And *Mark* 6 adds that he blessed the fish, and in *Luke* 24 Christ blessed the bread by the breaking of which he wished to be made known to the disciples. Why then is it that the Church cannot either sanctify things by blessing them, or in this imitate Christ? Or what moral or natural reason can be thought of to which this is repugnant? For the Church in these sorts of blessings chiefly uses the sign of the cross and prayer, of which prayer was greatly commended by Christ the Lord, the sign of the cross, however, received great power of sanctifying from his death, for it contains a certain virtual invocation and supplication on account of Christ's death; therefore by both titles the blessings of the Church are religious and pleasing to God.

And this is also confirmed by the ancient blessings of holy water, of bread, of oil, of the paschal candle, and other like things, about which here is not the place to speak. But it is certain that they are not new but customary in the Church, as could easily be shown from the Fathers; but I omit it as foreign to this place, and I conclude this place with the illustrious testimony of Gregory Nazianzen. For in *Orat.* 1 against Julian the rites and sanctions of the Church (for thus he calls them) he so praises that he says that: "they most aptly harmonize with it, and are such that none of those who desire to follow in our footsteps can be jealous of; since indeed they have not more by human genius and invention than by divine force and the firmness of time acquired their strength." And we can add this rite of bells has also sometimes been confirmed by God with miracles, as can be seen in Sigebert, in his *Chronicle* for the year 1081, and in Baronius, vol.8 for the year 615 n.14, and in Durandus, bk.1 *De Ritibus Ecclesiae* ch.22.

But if we consider the peculiar rite of blessing a bell, it contains nothing besides certain prayers whereby the peculiar benefits of God are requested for the faithful through the sound of bells; in which there is nothing that is not very pious and religious.

For when first certain psalms and the common rite of blessing water have been prefaced, this prayer is interposed: "May the virtue of the Holy Spirit attend upon it, so that when this instrument prepared for inviting the sons of the holy Church has been dipped in it, whenever afterwards the ringing of it sounds, the power of those who lie in wait may depart far off, etc." And afterwards petition is made that in the Christians who hear such sign the growth of devotion may increase and that they may in the Church worthily pray and praise God; and these petitions are repeated in other prayers, and especially that "all who convene at its sound may be freed in body from all temptations of the enemy, and be purified in mind from corrupt thoughts, and always follow the teachings of the Catholic Faith, and deserve to receive the grace of thy consolation, Savior of the world, etc." All which petitions are very pious and show great faith. And from them one may collect that, although the first reason or occasion for inventing these signs was the moral necessity of summoning the Christian people, yet afterwards the Church, by faithful thought and wise institution, ordained them to spiritual effects, and assumed them, so to say, as instruments by which the faith of the faithful might be aroused, through the intervention of which they might obtain those sorts of effects from God through Christ. Wherefore, although the instruments of signs be made for a corporeal effect, so to say, namely for summoning the faithful, yet they are blessed for the spiritual effects of warding off demons and all the harms, both spiritual and corporal, which come to us through their plottings, and of exciting the faithful to the increase of faith and devotion.

But Protestants urge that this is a kind of superstition, because without a precept or divine authority it is vain to aim at spiritual fruit through the material sound of bells from the force of solely human blessing. But we easily reply that a divine precept is not necessary, for it is enough that the act is not evil of itself nor specially prohibited by God. Next, we say that the authority of God is not lacking, at any rate in its root and origin, because he himself gave authority to the pastors of the Church for ruling the Church and for making disposition of the things that pertain to the accidental rites of the Church. And in things that are approved for the Universal Church there is not lacking even the authority of the Holy Spirit teaching the Church and governing it. Finally, the confidence with which the like blessings are done is founded on the faith of Christ and of his promises, and so it is far distant from all superstition. Because the spiritual effect is only expected from God through the prayers of the Church, which are founded on the blessing; and although they seem, as regard us, to be transient and to leave no virtue in the blessed thing, they always remain in the divine knowledge. And therefore, although they do not always infallibly obtain the effects requested, they do nevertheless often procure them, when other opportune conditions occur, because this is generally promised to a just prayer, of which sort that prayer must most be thought to be which is founded on the name of the whole Church.

5. Yet the adversaries will instance that in this blessing not only do entreaties intervene but also certain actions, which can have no effect, and therefore they seem to be vain and superstitious. And Protestants especially calumniate the washing of bells, for these are commanded to be washed everywhere, within and without, with blessed water. And that is why perhaps the king calls this rite not with the name of blessing but with the name of baptizing, or perhaps because Calvin thought all use of blessed water to be a sort of profanation of baptism. But this is altogether vain, since in such use neither the intention nor the form of baptism is involved. One should not, however, care about the

name, both because the Church neither in the rite of baptizing bells nor in any other decree used the word ‘baptizing’ but the word ‘blessing’ of bells; and because it contains nothing deserving fault, and it is not new but sufficiently ancient, as can be understood from what Durandus reports bk.5 *De Ritibus* ch.22 n.6.

6. Putting aside the term, then, we admit about these sorts of actions that they are not done for some effect which they cannot properly bring about or obtain; and nevertheless we deny that they are done vainly or superstitiously, because they are done for some agreeable signification, to excite the memory or affection of the faithful. Which reason is very much consonant with the human condition, and therefore God himself observed it both in the ancient sacraments and in the new, which the Church imitates in its own way and according to its own grasp in instituting things and rites of its own. And so, through that washing of a bell, there is signified, in the first place, a certain dedication of to a sacred use and a separation from other profane signs. Again, there is signified with how much purity and decency, internal and external, and how much integrity of faith they ought to come to Church who are summoned to the Church on the sound of such signs. But over the antiquity of this rite I do not delay; for although some attribute it to the Pontiff John XIII while others judge it to be older, the thing itself, however, is uncertain, and matters little for the truth of the doctrine. For in these things, which depend on human institution, there can be change and novelty, as I said above. For not all novelty but only profane novelty is to be detested; but there could be a pious one, prudently and by legitimate power introduced; but such is the use and rite of which we are treating, and therefore, at whatever time it began, it is irreproachable.

Sum and conclusion of the whole book with an address to the king of England.

About the mysteries of our faith, which King James touches on in his *Preface*, we have strictly treated those that can seem sufficient for a man ready prudently to believe, but too much for a man who will not believe. For although these divine and sacrosanct mysteries, those especially that pertain to the divine Eucharist and to the cult and invocation of the most Blessed Virgin and other saints, so exceed the limits of human reason and the bounds of nature that, for the understanding of them, nothing that might be said by a man can be deemed sufficient, yet, for persuading pure and sincere faith against the writings of the king of England, we have judged it enough and more than enough to show the antiquity of our faith and the agreement therein of the holy Fathers. And therefore it was that alone we also promised to demonstrate, and we have fulfilled the promise with what diligence, certainty, and clarity we could.

It remains, most serene king, that just as we have with the greatest fidelity produced what we promised, so we require of you too, with the humility we ought, what you also promised. For these are your words in your *Preface* to Christian princes: “I indeed frankly make this pledge, that as often as any head of that religion which I profess be shown not to be ancient, Catholic, and apostolic but novel (in matters, that is, that have regard to the faith), I will at once depart therefrom.” And later (he says): “I will thus conclude this place, that no dogma of the faith, which indeed is necessary for salvation, will I ever refuse to embrace that the whole Catholic Church has already right from the times of the apostles without intermission for many centuries afterwards constantly taught and believed.” Since, therefore, not one only but many very grave dogmas of the

faith, namely about the truth of the body and blood of the Lord in the Eucharist, about the cult, due use, and sacred oblation of the same, about the invocation of the saints reigning with Christ and especially of the most holy Virgin, about the punishments and suffrages of the faithful souls in need of purgation, and other like things, which the Roman Church teaches and believes, we have shown manifestly to have been very ancient in the Catholic Church, and since that the king of England denies them and professes the contrary as true and Catholic is manifest, he assuredly cannot deny that the condition required by himself, by us and by other Catholics before us, has been fulfilled, and hence that he is held by his pledge, whose performance in accordance therewith we by many titles require.

First, because the promise is royal, which it is fitting should be most firm. Next, because on the supposition of the state of Anglican affairs, it was very consonant with prudence and religion. Add to these, most serene king, that unless you acquiesce in manifested truth a very great danger to your salvation threatens you; for to be ignorant of truth is human, but not to wish to acknowledge it when it has been made plain, or to attack it when acknowledged, is most dangerous, since eternity is balanced on the scales of faith. Finally, because by no honest reason, or by no pretext, can you escape the bonds of your words. Or do you require clearer light or greater testimony? Hear Chrysostom saying: "Just as always to be learning is a sign of never being able to advance; so always to ask for testimony is a sign of never being able to believe." Or are you unsure of your strength and power against the enemies of the faith? But if the promptitude of your will be not lacking, there is no reason to fear lack of power; for what prudence persuades, and what faith teaches, and religion commands, that royal power can accomplish with surely no trouble; especially because if your spirit is not lacking, God certainly will not be lacking, whose gift faith itself is and defense of the faith. Or do you fear the scandal of perverse men? Hear Augustine: "If truth gives rise to scandal, more usefully is scandal allowed to come to be than truth abandoned." Blind, therefore, are they and leaders of the blind, condemn them, they are yours, cut them off; easily will that be done which for God, for your own affairs and for theirs is done. Or, finally, you suffer something human, and you fear lest, if you are subject to the Pontiff, something may be taken from your authority? Do not be troubled; the Roman Pontiff does not seek what is yours but you; for the obedience of faith does not diminish a kingdom, but increases rather the temporal one and lays open the eternal one, whose keys have been committed to the Roman Pontiff, and therefore is he anxious for your salvation. But that you may be persuaded of the fact, the following book will shown what is your right and power and what is his.

BOOK THREE
ON THE EXCELLENCE AND POWER OF THE SUPREME PONTIFF OVER
TEMPORAL KINGS

Preface

Chapter 1: Whether political principality be legitimate and from God.

Summary. 1. The error of some Jews who acknowledge no human principality. 2. First assertion: a political principality introduced in due manner is just. 3. Proof by reason. 4. For political principality one mystical head is enough. 5. Second assertion: the power of the political prince flows from God. 6. Proof by reason. 7. The foundation for the error at the beginning of this chapter is dissolved.

Chapter 2. Whether political principality is immediately from God or divine institution.

Summary. 1. King James is of the opinion that political principality is immediately from God. 2. What things are required for some power to be conceded immediately by God. 3. Supreme civil power is immediately conferred by God on a perfect society only. The first part of the assertion is proved. 4. Second proof. 5. Proof of the second part. 6. Objection. 7. How democracy is said to be by right of nature. 8. No political principality is immediately from God. 9. Confirmation from the Fathers. 10. The conclusion is proved by reason. 11. The same conclusion is shown by examples. 12. Objection. 13. Human will can in two ways intercede in the conferring of power that flows from God. First way. 14. Second way.

Chapter 3. The foundations and objections of the King of England against the doctrine of the above chapter are satisfied.

Summary. 1. First foundation of the king taken from inconvenience. 2. By refutation of the king the illustrious Bellarmine is vindicated. When a people can rise up against the king and exempt itself from his power. 3. The people cannot restrain power once it has been transferred to the king, nor abrogate his just laws. 4. Second foundation of the king. Solution. 5. It is more probable that Saul received his power from the people. 6. Matthias received his apostleship directly from God. 7. The examples which King James adduces do not prove that political principality is immediately from God. 8. Third objection. 9. Solution.

Chapter 4: Whether the civil power among Christians, which Christians are held to obey, is legitimate.

Summary. 1. Error of the ancient heretics. First foundation of this error. 2. Second foundation. 3. Rejection of the aforesaid heresy from Scriptures and the Fathers. 4. Rejection of the same heresy by a reason taken from St. Thomas. 5. The force of St. Thomas' reason is made plain. It is not licit for the faithful again to create voluntarily for themselves an infidel king. 6. A pagan king seizing a Christian city in a just war also secures true dominion over it. When subjection to a prince tends to the detriment of the faith, the faithful can exempt themselves from it. 7. When matrimony between infidels can be dissolved because of the conversion of one of them to the faith. 8. Conclusion: it is de fide certain that there are true kings and princes among Christians. 9. Evasion. It is rejected. 10. The assertion is proved by reason. 11. Response to a tacit evasion. 12. In

what Christian liberty consists. 13. The first foundation of the first error is solved. 14. The place in Matt. 17 is expounded. 15. The second foundation is solved.

Chapter 5: Whether Christian kings have supreme power in civil or temporal things, and by what right.

Summary. 1. What supreme power is. 2. There is a double subjection, direct and indirect, and what each is. 3. The sense of the question is made clear. 4. First opinion for the negative. 5. First foundation. 6. The true opinion is established. 7. An emperor does not have supreme temporal power over the Church. 8. The assertion is proved from the authority of the Supreme Pontiffs. 9. The same conclusion. 10. Supreme civil power does not belong to the Supreme Pontiff by human right. 11. The same is proved of divine right. 12. Objection. It is solved. 13. Objection. First response. 14. Second solution. The response is rejected. 15. The foundations of the contrary opinion are solved.

Chapter 6: Whether there is in the Church of Christ a spiritual power of external and quasi political jurisdiction distinct from the temporal.

Summary: 1. There is an ecclesiastical power of order and one of jurisdiction. 2. Again, ecclesiastical jurisdiction is double. Sense of the question. 3. The heresy of Marsilius of Padua and the foundation for the Anglican Schism. 4. The foundation of this sort of heresy. 5. First assertion de fide. Proof from Scripture. 6. Evasion of the king of England and his reasons. 7. The evasion of the king is rejected. 8. Satisfaction made to the first proof of the king. 9. The king's second proof is dissolved. 10. The Holy Spirit cannot properly be called the Vicar of Christ. 11. Christ the Lord conferred true spiritual jurisdiction on Peter. 12. Distinction between the spiritual and temporal power. 13. The foundations of the errors referred to at the beginning of this chapter are solved.

Chapter 7: That the power of ruling the Church in spiritual or ecclesiastical matters does not exist in temporal kings or princes is proved by authority.

Summary: 1. What the disposition is of the spiritual and temporal power in their order to their subject. Error of the Anglican sect about the subject of spiritual power. 2. First conclusion: to temporal kings, as such kings, no spiritual power belongs. 3. The assertion is proved from the Supreme Pontiffs. 4. The same assertion is confirmed from the emperors.

Chapter 8: The same truth is confirmed by reasons.

Summary: 1. First reason. 2. Second reason. Evasion of the Protestants. It is rejected. 3. Another evasion is excluded, and it is shown that the supreme head of the Church ought to be one. 4. Objection. Solution. Instance. Response. 5. A certain evasion is refuted. 6. Third reason. 7. Response of the heretics. 8. The same response is refuted most from the principles of the Protestants. 9. The same response is impugned by its disadvantages. First. 10. Second. 11. Evasion. It is rejected. 12. An evasion of this sort is repugnant to King James himself.

Chapter 9: Solution to some objections against the truth proved in the previous chapters.

Summary: 1. Triple question about the power of ruling the Church. 2. First objection. 3. In the law of nature there was no power of a supernatural order. Nor any spiritual

jurisdiction. 4. Objection. 5. Second objection. 6. Third objection from the New Testament. 7. Solution to the two first testimonies. 8. From the third testimony, in 1 Timothy 2, nothing against the truth established can be collected. 9. The testimony of Matthew 22 concludes to the opposite. The testimonies also of John 18 and Luke 12 and 22 confirm the doctrine handed down. 10. Fourth objection. 11. Solution. Augustine is wrongly cited for the contrary error. 12. Response to the words of Isidore. 13. Fifth objection from the Fathers. 14. Solution. The true sense of the Fathers is shown. 15. Genuine exposition of the Council of Arles.

Chapter 10: Whether Christ the Lord conferred the supreme spiritual power of the Church on Peter.

Summary: 1. The Roman Pontiff has this power. 2. Conclusion de fide. Proof from the promise of Christ. 3. The aforesaid promise was made to Peter in his own person. 4. The same truth is confirmed from the Supreme Pontiffs. 5. It is shown again from the Fathers. 6. Peter, Matthew 16, was designated the foundation of the Church. Proof from the Fathers. 7. Proof again from reason. 8. Christ conferred on Peter through the keys supreme spiritual power. 9. Confirmation from John 21. Rejection of a certain interpretation of heretics. 10. What the word 'feed' signifies in Scripture. 11. The power of Peter extends to the whole Church. 12. The exposition given of the words of Christ is confirmed from the Fathers. 13. The same truth is shown from the titles of Peter. 14. Reason for the institution of the Primacy of Peter. 15. Ecclesiastical governance ought to be monarchical.

Chapter 11: Satisfaction is made to objections against the doctrine of the previous chapter.

Summary: 1. No one can accuse the primacy of Peter of novelty. Peter cannot be said to be prince of the apostles except by reason of supreme majesty. 2. Objection of the king from Scripture against the proof of the primacy of Peter. 3. Solution to the objection. Catholics prove immediately from Scripture only the primacy of Peter in spiritual things. 4. When a Pontiff might take kingdoms away from temporal princes. 5. Second objection. 6. Response. The words of John 21: "Feed my sheep" are said to Peter alone. 7. First exposition of the words of Matthew 16: "And upon this rock, etc." Second exposition. Even the authors of the aforesaid expositions establish Peter as foundation of the Church. How the foundation of the Church on Peter and on faith agree. 8. The exposition of Augustine is expounded and explained. 9. The power of binding and loosing was in Peter perpetual and independent, but in the others by dependence on him. 10. Certain places of Augustine are expounded. 11. The exposition of the words of Augustine is also proved from the words of Christ. 12. The instance posed by the King in his Preface, p.58. It is refuted. 13. An inferior prelate could add in his censure that he is doing it by power received from the Pontiff; but to add that he is doing it in virtue of the Pope is not appropriate. 14. A final objection taken from various indications. Four indications of this sort. 15. Peter has obtained first place as head in all congresses. To the first indication. 16. To the second. 17. To the third. 18. To the fourth.

Chapter 12: Whether the primacy of Peter perpetually and by succession persists in the Church.

Summary: 1. Error of heretics. 2. Conclusion de fide. The primacy of Peter did not with his life become extinct. Proof from Matthew ch.16. 3. Proof from John ch.21. 4. Evasion. It is rejected. 5. Proof also by reason. 6. Objection. It is dissolved and turned back. 7. The Roman Bishops did not in all privileges succeed Peter in the primacy.

Chapter 13: It is shown from Scripture that it is necessary to believe that the Roman Bishop is the true successor of Peter and that Peter's power is in him preserved .

Summary: 1. First assertion. 2. First reason for the conclusion. 3. Second reason. 4. Third reason. 5. Second assertion de fide. 6. The Vicar of Christ should be visible and in a definite see. 7. Proof of the conclusion. 8. In the Roman See alone could Peter have had a successor to his primacy. 9. An evasion of certain heretics is refuted. 10. Another evasion of heretics. 11. It is refuted. The successor to Peter in the Roman episcopate has also necessarily succeeded to the primacy.

Chapter 14: That the Roman Pontiff is successor of Peter is shown by the testimonies of the holy Fathers.

Summary: 1. Proof from Irenaeus. 2. From Augustine and Optatus of Milevis. 3. From Epiphanius and Tertullian. 4. From Jerome and Cyprian.

Chapter 15: That the Roman Pontiff is in dignity, power, and primacy of the Church the successor of Peter is proved by the authority of the Pontiffs themselves.

Summary: 1. Various ways in which the Pontiffs build up their dignity. 2. Later Pontiffs too have with equal constancy guarded their primacy.

Chapter 16: Response is made to the Protestants who mock the argument taken from the tradition of the Pontiffs, and it is confirmed by the authority of the Councils.

Summary: 1. First mode of evasion. 2. Another evasion is refuted. 3. From four General Councils the tradition of the Pontiffs is fortified. 4. From other synods the same tradition is confirmed.

Chapter 17: The same tradition is confirmed by the authority of the Fathers.

Summary: 1. Authorities from the Greek Fathers confirming the same tradition. From Ignatius and Irenaeus. 2. From Athanasius. 3 From Gregory Nazianzen. 4. From Cyril of Jerusalem. 5. The same primacy is collected from the custom of referring the graver causes to the Supreme Pontiff. 6. From Theodoret. 7. From the historians Socrates and Sozomen. 8. Authorities of the Latin Fathers. Tertullian, Cyprian, Ambrose. 9. Jerome. 10. Augustine. 11. Prosper. 12. Isidore, Bede. 13. Anselm and Benard.

Chapter 18: Satisfaction is made to two objections against the primacy of the Pontiff taken from Scripture and the Councils.

Summary: 1. Against the spiritual power of the Pontiff many things are objected by King James. 2. First Objection. Confirmation. 3 Solution to the objection. 4. The confirmation is dissolved. 5. Instance. Response. From the Scriptures is collected not the primacy of kings but of the Pontiff. 6. Second objection. Confirmation. 7. Solution to the objection. 8. A certain instance is refuted. 9 Response to the confirmation. 10. From the Council of Sessa the primacy of the Pontiff is also confirmed. Marcellinus was not deposed by the

Council. 11. An example about an heretical Pope is met. An heretical Pope is deposed by God himself, not by men. Before deposition of a Pontiff a declaratory sentence of crime must first be given.

Chapter 19: Certain places in Gregory, which the king brings in as objections, are explained, and the true titles of the Roman Bishop are defended.

Summary: 1. The testimonies of Gregory are reviewed. 2. The legitimate explanation of the testimonies of Gregory is given, and the argument of the king is turned back against him. 3. Double acceptation of the name 'Universal Bishop'. The name of 'Universal Bishop' is suitable for the Pontiff if it does not exclude the other particular bishops. 4. Why Gregory avoided this name.

Chapter 20: Response is made to the other objections taken from the deeds and conjectures of the emperors.

Summary: 1. The fourth objection of the king and the first in this chapter. 2. It is proved that the primacy of the Pontiff could not be from the emperors. 3. To Phocas. The objection is met. Phocas only protected the primacy of the Pontiff. 4. To the elder Justin. To the younger Constantine. 5. To Constantine the Great. 6. To the Council of Nicea. 7. Another objection from conjectures. 8. It is solved. Several of the Pontiffs make very perfectly satisfied the governance of the Church. 9. The accusations of heretics are refuted. 10. The primacy of the Pontiff does not display injury to Christ but his singular providence toward the Church.

Chapter 21: Whether the persons of princes or temporal kings are subject to the spiritual power of the Supreme Pontiff.

Summary: 1. Spiritual and temporal power are compared among themselves in a double way. 2. Various questions which arise from the subordination of one power to the other. 3. The error of Protestants about the subjection of kings to the Pontiffs. Foundation for this error. 4. Assertion de fide. Temporal kings are in spiritual matters subject to the Pontiff. 5. The conclusion is proved from the Council of Nicea and from the Fathers. 6. It is proved again from the deeds of the emperors. 7. Several kings of England have embraced this assertion. 8. The same subjection of kings is established by the deeds of the English. 9. Other doings of theirs are related that confirm the present institution. 10. The same subjection of kings is proved also by efficacious reason.

Chapter 22: Christian kings are subject to the power of the Pontiff not only as to their persons but also as to their royal power, that is, not only as men but also as Christian kings.

Summary: 1. First conclusion. 2. This assertion is common among Catholics. 3. Proof of the conclusion. 4. It is shown from the part of kings themselves that directive force over them exists in the Pontiff. 5. Convincing proof of the same from an efficacious dilemma. 6. By examples the same dependence of kings on the Pontiff is shown. 7. The matter of civil and canon law. 8. Civil laws making disposition about ecclesiastical matters are by right itself invalid. 9. When a Pontiff can intervene in secular judgments. 10. For defense of the Faith kings can be compelled by the Pontiff.

Chapter 23: It is shown that the Supreme Pontiff can use coercive power against kings, even up to deposing them from their kingdom if there be cause.

Summary: 1. Target of the controversy with the king of England. 2. Power for coercing unjust kings certainly exists in the Supreme Pontiff. 3. The same is proved from the Scriptures. 4. By the rod in Scripture coercive power is signified. 5. The evasions of adversaries are rejected. 6. The power of binding includes coercive power. 7. It is shown that Pontiffs can punish temporal kings even with temporal penalties. 8. The same is collected from the deed of St. Peter the Apostle. 9. The usage of the Pontiffs confirms the same truth. 10. The same is proved by reason. 11. Confirmation. 12. The power of punishing with temporal penalties is necessary for the Church. A tacit evasion is excluded. 13. Kings are not more exempt from the coercive power of the Pontiff than are others. 14. Although the Pontiff cannot punish a heathen king, yet he can free the subject faithful from his dominion.

Chapter 24. Objections to the doctrine of the previous chapters taken from Scripture are met.

Summary. 1. First objection. 2. Response is made to the testimonies of the New Testament. 3. To the testimonies of the Old Testament. 4. The prerogatives adduced by King James are weighed. The name of sons of God does not befit all kings. 5. Priests more frequently than kings are said to be anointed in Scripture. 6. This praise is especially attributed to the kings of Israel. 7. Priests are much more excellently called ministers of God than kings. 8. David was not called an angel, but he was made equal to one in a certain property. 9. Kings are nowhere called angels, but priests very much so. 10. A certain evasion is attacked. 11. From the fact that kings are called lamps no spiritual power is attributed to them. 12. Kings are nurses of the Church in temporal things, the Pontiff in spiritual ones. 13. The conclusion is drawn that the prerogatives introduced by the king bring nothing against the supreme power of the Pontiff. Solution.

Chapter 25. Satisfaction is made to the other objection taken from the deeds of kings narrated in the Old Testament.

Summary. 1. Various actions of kings are brought in as objections. Response to them individually. Kings are bound by the right of nature to take away idols. 2. Jehosaphat brought the people back to God through the priests. 3. Why Jehosaphat sent princes along with priests. 4. Jehosaphat only designated priests who had from God the power of judgment. 5. The fourth action adduced by King James is solved. 6. Another action is added by the king. 7. It belongs to kings in their own way to take away abuses. 8. David did not touch the ark of God. 9. The king brings in as objections the deeds of Solomon in 1 Chronicles ch.28 and 2 Chronicles ch.6. These deeds display no spiritual power. 10. How the dedication of the temple could have been done by Solomon. 11. Two other deeds of the same order. A deed from 2 Chronicles ch.34 is of no importance for the cause.

Chapter 26. Satisfaction is made to the argument taken from the comparison of the king and the Pontiff.

Summary. Objection of the king from the deed of Solomon. 2. The deed of Solomon indicates in him no spiritual power. 3. Even in the Old Testament the Pontiff was superior to the king. King Uzziah was punished because he tried to undertake the office of

the priests. 4. The preeminence of the Pontiff is shown by reason of his greater dignity. 5. From the deed of Solomon it is not sufficiently collected even that his civil power was above the Pontiff. 6. An argument taken from the old Pontificate over to the new is nothing in the present cause. 7. Instance of heretics. Response. 8. The argument of the adversaries is turned back against them.

Chapter 27. Satisfaction is made to other objections taken from the Councils.

Summary. 1. First objection. 2. Solution. 3. Second objection from certain provincial Councils. It is solved. 4. As regard the Council of Tours. As regard the Council of Chalons. 5. As regard the Council of Mainz. 6. As regard the Council of Reims. 7. Solution.

Chapter 28. Satisfaction is made to the testimonies of the Fathers that the king objects.

Summary. 1. A first testimony from Augustine. Nothing favors the king. 2. A second from Tertullian. Which however only commends the supreme power of kings in temporal affairs. 3. A third from Justin. 4. A fourth from Ambrose. The true mind of Ambrose. 5 A fifth from Optatus. Its true sense. 6. A sixth from Gregory. 7. Response of Baronius for the year 593 nn. 14ff., and of Bellarmine in response to the king of England. 8. Other testimonies of the Fathers commending the imperial dignity, and the explication of them. 9. In the testimony of Cyril, already related in the previous paragraph, the same holy Doctor insinuates that there is another dignity superior to the regal.

Chapter 29. Satisfaction is made to objections taken from the novelty of the thing and from the deeds of emperors and kings.

Summary. 1. The king charges the primacy of the Pontiff with novelty. 2. How ancient the primacy of the Pontiff is. 3. Philip was the first Catholic emperor, and the Pontiff used his power against him. 4. The argument of the king taken from the vote of the emperor in choosing the Pontiff. 5. By what right emperors sometimes cast a vote in the election of Pontiffs. 6. A privilege conceded by one can be revoked by another who is equal. 7. The second objection of the king taken from the acts of emperors over Pontiffs. Otho did not depose the Pontiff John. 8. Of the Pontiffs mentioned, not all were legitimate. 9. The third objection from the deeds of kings. Response. 10. The king St. Louis. 11. Louis XI. 12. The error of Gerson about the power of a Council over the Pontiff.

Chapter 30. Satisfaction is made to objections taken from certain reasons.

Summary. 1. First objection. Instance. 2. Solution. 3. Second objection. 4. Solution. Distinction between baptized and non-baptized kings. 5. Final objection conflated in a threefold way. 6. Solution to the first. 7. Solution to the second. 8. Solution to the third.

Sum and conclusion of the whole book with an appeal to the king of England.

BOOK 3: ON THE EXCELLENCE AND POWER OF THE SUPREME PONTIFF OVER TEMPORAL KINGS

[NOTE: The translation below of the first five chapters is substantially that of George Albert Moore, PhD (Colonel, US Army, Ret'd.), which he published at his own expense and through his own press in a limited mimeograph edition of 60 copies, Country Dollar Press, Chevy Chase, MD, 1950: *Francisco Suarez. Extracts on Politics and Government from Defense of the Faith, Laws and God the Lawgiver, Tract on Faith, Tract on Charity*. His translation of those chapters I have revised and adapted, sometimes heavily. The translation of all other chapters is my own. Col. Moore died in 1971 and the press seems to have died with him. At any rate I have not been able to find out any current information about it, nor accordingly who now holds the copyright to his translation. If anyone is able to enlighten me further on the matter I will be most grateful. In the meantime, however, and in the absence of indications to the contrary, I assume that the Colonel would not be upset if at least some fruit of his labors was now made available on this website in a more accessible form and to a wider audience.]

Preface

Thus far it has been shown into what heresies and grave errors, with contempt for the fundamentals of the Catholic faith, England has at last fallen. It remains for us to discuss the origin of this whole fall, that is, the denial of the obedience due to the Supreme Pontiff, and the usurpation by a temporal king of the false name of supreme head in the spiritual matters of his own realm. For this was the beginning of the whole schism, and from this schism has come heresy, as we have above shown. But it is not necessary again to recall the wretched and base reason which provided the occasion for such great change and horrendous schism; for the truth of the story is plainly enough described in the beginning of the first book; but the evident argument, which is taken therefrom, that this Anglican change did not rise from the true God but from the prince of darkness, also remains sufficiently inculcated in the same book; and therefore, with the things pertaining to the past deed omitted, there remains to be treated in this book the right of the king and the Pontiff. And although concerning the absolute temporal power of the king no contest or controversy has been moved, but only about his subordination, dependency and due obedience to the Roman Pontiff, yet, that the whole matter may be more exactly understood and that we may more fully satisfy the king of England (who in his *Preface* complains that the Pope has unjustly usurped so great a power against the kings that he contends he can at will change, give, and take kingdoms away), therefore we shall first discourse of what the faith teaches about the duty and jurisdiction of temporal kings, and afterwards of what it teaches about the primacy of the Roman and Supreme Pontiff and the power which, in consideration of his duty, he has the authority to exercise over all temporal princes. Moreover after the order of doctrine, according to the opportunity of each place, has been observed, we shall advert to and at the same time refute the various errors pertaining to this point which the king here and there brings forward in his *Preface* and *Apology*, and we shall satisfy the objections that he indicates; but into the many other matters which could be said on this point we shall not digress.

Chapter 1: Whether political principality be legitimate and from God.

Summary: 1. The error of some Jews who acknowledge no human principality. 2. First assertion: a political principality introduced in due manner is just. 3. Proof by reason. 4. For political principality one mystical head is enough. 5. Second assertion: the power of the political prince flows from God. 6. Proof by reason. 7. The foundation for the error at the beginning of this chapter is dissolved.

1. The ancient error can be referred to in this place of certain Jews who were in the habit of saying that God should be recognized as a kind of prince and lord, for they seem to reject all human principality, and thence also political kingdom, as contrary to human liberty. Thus Josephus reports, *Antiquities* bk. 18, ch. I, where he calls the author of this error Judas Gaulanitis, for perhaps he had this name from his origin; for in ch. 2 he calls him Judas of Galilee, perhaps from his native land; but in bk.2, ch.2, *De Bello Judaico*, he calls him Simon of Galilee; yet in *Acts* 5 mention of him seems to be made under the name of Judas of Galilee, of whom it is said: “in the days of the taxing, he drew away much people after him: he also perished; and all, even as many as obeyed him, were dispersed.” Of this sedition Josephus also makes mention, loc. cit. and in bk. 7, chs. 29 & 31, *De Bello Judaico*, and some think that these are the Galileans “whose blood Pilate had mingled in their sacrifices,” as Luke reports in Chapter 13, and the passage is expounded by Oecumenius and Anastasius Nicaenus, q.67, on Scripture. And since Christ the Lord was a Galilean and gathered his disciples from Galilee, therefore perhaps those Judeans prepared the calumny of this error when they asked Him, “Is it lawful to give unto Caesar, or not?” as Augustine thought in interpreting those words of *Psalms* 118: “Princes have persecuted me without a cause,” and Jerome on *Titus* 3, at the beginning.

But it is not plain to me whether that Judas of Galilee was putting forward his opinion about mankind as a whole or only about Jews; for he could have thought especially about the Jews that it was not possible that they be reduced to subjection by heathen emperors, or be compelled to pay tribute, or that they should recognize them as rulers, because that people had been taken under the peculiar rule of God. And therefore perhaps afterwards also the Apostles and Christians were in the beginning suspected of this error by the pagans, as can be taken from Justin, *Apology* 2, and Clement of Alexandria, *Stromateis*, Bk.4, and as I will speak more fully in Chapter 3. But if that Judas spoke absolutely about all men and human principalities, he perhaps could have held his ground on the natural dignity of man. For man was made in the image of God, *sui iuris*, and created subject to God alone, and therefore it does not seem that he could be justly reduced to the service or subjection of any man; therefore one man cannot justly be compelled to recognize another as a prince and temporal lord; and therefore a political principality which usurps this dominion is neither lawful nor from God.

2. Nevertheless Catholic truth is that political principality introduced in due manner is just and lawful. I say introduced in due manner so that I may exclude power usurped through tyranny, because by that is well understood wicked violence, not true and just power, since it would lack just title of dominion; but what this just title is I shall touch upon in the following chapter. Therefore, thus explained, the said resolution is contained expressly in Holy Scripture, *Proverbs* 29: “The king by judgment establisheth the land,” and again, “The king that faithfully judgeth the poor, his throne shall be established for ever.” *Wisdom* 6: “The wise king is the stay of the people.” For in these and the like passages it is openly supposed that temporal kings are true and legitimate princes or lords. And therefore *I Peter* 2 teaches, “Be subject to every human creature for the Lord’s sake: whether it

be to the king as supreme, etc.” Also later, “honor the king,” and Paul, *Romans* 13, “Let every soul be subject unto the higher powers.” Also later, “not only on account of wrath, but also for conscience’ sake”; for one is not bound to obey on account of conscience except to one having a legitimate power to command. Besides among the Fathers Clement taught this truth, bk.4, *Const.* ch.12, saying: “Be ye subject to every king and power in those things which please God, as to the ministers of God and judges of the impious.” Also further: “Offer to them all due fear, all tribute, every tax, etc.” And he concludes: “For this is the law of God.” Basil has the same in bk.7, ch.17 *Morals*, Rule 79, where also he adduces that passage of *Titus* 3: “put them in mind to be subject to principalities and powers;” and Jerome, *Epistle* 4, after the middle, where he confirms it by examples taken from the brutes, saying “the mute animals and the herds of wild animals follow leaders of their own. Among bees there are princes, the cranes follow one in educated order, there is one emperor, one judge to a province, etc.” and he seems to have taken it from Cyprian, book on the *Vanity of Idols*.

3. From these testimonies can be gathered in the first place the reason for this truth, which is taken from the necessity for this principality and its power, and consequently from its purpose, which is the conservation of the human and civil republic. For man by his nature is inclined toward civil society, and he is especially in need of this for the convenient preservation of his life, as rightly Aristotle taught, *Politics* bk.1, chs. 1 & 2. That it has also been thus ordained by God for the procuring of harmony and charity among men, Chrysostom has expounded in a long discourse, *homily* 4, on 1 *Corinthians*. Moreover the community of men cannot be preserved without justice and peace, nor can justice and peace be preserved without a governor who has the power of ordering and coercing; therefore in the human commonwealth a political prince is necessary to hold it fast in its duty. Therefore it is said in *Proverbs* 11: “where no governor is, the people fall,” and in *Ecclesiastes* 10: “Woe to thee, O land, when thy king is a child,” because it is not sufficient to have a prince unless he be fitted to govern. And therefore God threatens punishment in *Isaiah* 3: “And I will give children to be their princes, and babes shall rule over them.” Since therefore human nature cannot be destitute of the means required for its own conservation, it cannot be doubted that from the nature of the matter, and with attention to right and natural justice, a political prince should exist in civil society having over it lawful and sufficient power. On this discourse one may look at Augustine, bk. *Propos.* on *Romans*, prop. 72, whom Anselm imitates, *Romans* 13, and *ibid.* Primas and Laur. Justinian *De Triumphali Christi agone*, ch.12.

5. The same thing can be declared by the natural example of the human body which without a head could not be preserved. For the commonwealth of men is like the manner of an individual’s body because, without its ministers and orders of persons which are like to the several members, it cannot persist. Therefore much less could it be preserved without a governor and prince whose office it is to look after the common good of the whole body. The same can be explained with examples taken from art, such as a ship for example, which will necessarily perish unless a helmsman is present. So of an army if there be no leader and so on. And the examples tend also to this point which are taken from other animate things by Cyprian and Jerome. They aim to prove with these (it must be noted) not only that there must be a prince in a republic but also that there must be only one. “For never,” said Cyprian, “did society in a realm begin without trust or cease without bloodshed.” But they speak about the supreme principality, for under it there can be several governors in the various parts of the province; however, it is necessary that they all be subordinated to one, in whom there is supreme power. For if there were several and they were not subordinated among themselves, in no way would it be possible for unity or concord and obedience to be preserved with justice, as is known sufficiently by itself. But this must be understood too of a single

prince, not as to his proper person but as to his power and consequently as to his person, whether real or mystical or political; because for the rule and conservation of civil society a single monarch is not absolutely necessary (indeed, there are other kinds of rule that are sufficient, although perhaps they are not as perfect, as we will touch on below), and therefore when we speak of this one political principality we mean one tribunal, or a single power, whether it exists in one natural person, or in one council, or in a congregation of several, as in a fictive person, so that it is in one head.

5. Besides the reason taken from the purpose and necessity of this power, there is necessity to show the justice of it from its origin. Therefore we add that the political prince gets his power from God Himself. This also, absolutely speaking, is *de fide*; for as his reason for obedience owed to such a prince Paul expressly added, *Romans* 13: "For there is no power but of God; the powers that be are ordained of God." And later: "For he is the minister of God"; and *Proverbs* 8, divine wisdom says: "Through me kings reign"; and *Wisdom* 6: "Hear Kings, since power has been given thee by the Lord, and virtue by the most High." And so 3 *Kings* 10, about King Solomon it is said: "Blessed be the Lord thy God, which delighted in thee, to set thee on the throne of Israel"; and *Daniel* ch.2 said to Nebuchadnezzar: "for the God of heaven hath given thee a kingdom, power and strength." And the same is taken from *Jeremiah* 27. The common doctrine of the Fathers, who expound the aforesaid places in Paul, is the same, especially Chrysostom, *Hom.* 23, and Origen, bk.9, on *Romans*, and Oecumenius on the same place, who says: "Because equality in everything is a seditious thing, therefore God adjoined power," *homily* on *Psalms* 148 about the words: "Kings of the earth, all peoples, princes, and all judges of the earth, it was the work of the providence of God to have divided the universe among those that bear magistracies and those that obey them." Nazianzen, *orat.* 17, and Epiphanius *Contra Archontic. et haeres.* 40 where, among other things, he says about the power of the prince: "Not from other sources but from God"; Isidore of Pelusium, bk.2, Epistle 206, says that command was formed and instituted by God; and Theophilus of Antioch, bk.1, to Autolycus says: "I will adore God not Caesar, knowing that Caesar was ordained by Him"; And he said later that the king or Caesar was to be honored and God to be prayed to for him; "For," he says, "the kingdom or the command and the administration of affairs has been committed or delegated to him by God." The same is widely taught by Irenaeus, bk.5, *Contra Haereses*, ch.24, where he expounds passages of the Scriptures in this sense, especially of Paul, and refutes other interpretations; and very excellently does Tertullian say in the book to Scapula "The Christian is the enemy of no one, much less of the emperor whom, because he knows him to be set up by his own God, he must love and revere and honor and desire the safety of." Lastly Augustine, *City of God*, bk.5, ch.21, says: "Let us not attribute the power of giving kingdom and command except to the true God." And the same thing is confirmed by the Fathers mentioned in the previous assertion, and by others to whom I shall refer in the following chapter.

6. The reason for this assertion much depends on the manner in which one believes God gives this sort of principality or power, and this must be dealt with in the following chapter, and so now a proof is given in brief, that first all things that are of the law of nature are from God as the Author of nature; but political principality is of the law of nature; therefore it is from God as the Author of nature. And thus this assertion is founded on the preceding; for since this principality is just and lawful, it cannot fail to be consonant with the natural law; and since it is necessary for the conservation of human society, which human nature itself seeks, it is also by this title from the natural law, which demands such power; therefore as God, who is the Author of nature, is also the Author of the natural law, so also he is the Author of this primacy and power. For, as the Philosopher said, he who gives the form gives those things that are consequent to it. Next, the same

inference can be made in this way, because every good flows from God as from the prime Author, following that verse of *James* I: "Every good gift and every perfect gift is from above" but political principality is good and honorable, as has been shown, therefore it is from God. Finally, terrestrial kings are, for this reason, called the ministers of God in Scripture, as we have seen; therefore their ministerial power is ministerial with respect to God; therefore He is the original Author of this government. Moreover it is most declared from the power which the political prince has for taking vengeance on the wicked, even depriving them of life, if it should be necessary; for this without divine approval could not have been done, since God alone is the lord of the life of man, and Paul signifies this when he says: "for he beareth not the sword in vain: for he is the minister of God, an avenger to execute wrath upon him that doeth evil." Thence also there is that reference of Augustine, *De Natura Boni contra Manichaeos*, "the power even of the guilty is only from God," and he cites the verse "By me kings reign," and the like.

7. So from this is readily apparent the response to the foundation of the contrary error which is understood in the latter sense declared above, whereby it is contrary to the proposed Catholic truth. For though man is created free, yet he is not without being able and suited to be subjected to another man for a cause that is just and consonant with reason; nay, some subjection is natural to a man, either by the supposed natural process of generation, as is the subjection of a son to his father, or under some supposed pact, as is the subjection of the wife to the husband. So therefore, in a given civil society the subjection of the individual persons to the public power or the political principality is natural, as agreeable to right natural reason, and necessary for the convenient conservation of human nature. And therefore neither is this subjection repugnant to, the condition of man, nor does it amount either to a wrong against God, for although the political prince is a king, legislator and lord in his own degree, yet he is such in a far different and inferior manner to God. For of man these things are said only by a certain participation as a minister of God, but to God alone are they suitable in essence and origin. But if the error is understood in the prior sense, it is not opposed to the Catholic assertion proposed by us, because although the Jewish people had been exempted by the peculiar privilege of God so that they could not lawfully be subject to heathen princes, nevertheless in the state of the Jews itself a lawful political prince could be found, just as in fact it was in their time, and likewise in other realms and provinces of the nations there could be the same sort of principality, and in each supreme prince there could be a like power over the peoples subject to him. But yet even in that sense the opinion did not have a solid foundation; but there is not time to expound this and also to examine whether the Jews justly and legally, or through injustice and tyranny, were subjects of the Romans and forced to pay tribute to the emperor, for questions of this nature have no reference to the present purpose.

Chapter 2. Whether political principality is immediately from God or divine institution.

Summary. 1. King James is of the opinion that political principality is immediately from God. 2. What things are required for some power to be conceded immediately by God. 3. Supreme civil power is immediately conferred by God on a perfect society only. The first part of the assertion is proved. 4. Second proof. 5. Proof of the second part. 6. Objection. 7. How democracy is said to be by right of nature. 8. No political principality is immediately from God. 9. Confirmation from the Fathers. 10. The conclusion is proved by reason. 11. The same conclusion is shown by examples. 12. Objection. 13. Human will can in two ways intervene in the conferring of power that flows from God. First way. 14. Second way.

1. The question treated in the preceding chapter was made clear because of what I now

propose, for in it there is no contention between us and the King of England; but it had necessarily to be put first so that the latter could be understood. In this the most serene king thinks not only in a new and singular manner but also keenly inveighs against Cardinal Bellarmine (*Preface*, p. 140) on the ground that he asserted that “authority was not immediately granted to kings by God in the same way as it was to Pontiffs.” He himself, then, asserts that the king has his power not from the people but directly from God; and he tries to urge his own opinion by certain arguments and examples, whose efficacy we will weigh in the next chapter.

2. But although this controversy does not pertain directly to the dogmas of the faith (for nothing defined can be shown in it from divine Scripture or the tradition of the Fathers), nonetheless it must be diligently explained and treated. First, because it can be the occasion of error in other dogmas. Next too because the aforesaid opinion of the king, as it is asserted and intended by him, is novel and singular, and it seems to have been invented both to exaggerate the temporal power and to weaken the spiritual. Then lastly, because we think that the opinion of the most illustrious Bellarmine is ancient, accepted, true, and necessary. In order that we may show this, it is needful first to make clear what must exist for any power to be directly from God, or (which is the same) that God is the direct cause and author of any power. For, in the first place, it is required that God be the proximate cause, conferring such power by His own will. For it is not enough that God, as the first and universal cause, bestow the power; for although even in this way God may be said in some way directly to effect it, or to give whatever depends on him as on a first cause, whether by reason of proximate virtue or as the immediate subject, as distinguished by philosophers; yet this method of direct effectuation is insufficient in the present case. Because there is no power which is not in this manner from God as from the first cause and to that extent directly; and thus even when power is given directly by men, a king, or a Pontiff, it is given also by God as the first cause flowing into that effect and into the act of the created will through which it is given. But indeed such power is not said to be directly from God, but only secondarily; for proximately it is granted by man and depends on him. So power is then said to be absolutely given directly by God when God alone through His own will is the proximate cause and *per se* giver of such power, and in this manner we are speaking in the present case; otherwise the discussion would be frivolous and to no purpose.

Nay further, it is necessary to distinguish two manners by which God can and is wont directly, that is, by His own authority and will, to confer any power. One manner is by granting the power as necessarily connected, by the nature of the thing, with some nature of a thing which God Himself creates, as can be easily seen in the physical faculties; for God in creating the soul gives to it directly intellect and will, because, although power of this type naturally flow from the soul itself yet, because God alone directly creates the soul, He is said also directly to confer the powers that follow it as a logical consequence. Therefore the same obtains, preserving proportion, in the moral power, for the power of the father over the son is moral and is conferred directly by God Himself as the author of nature, not as a peculiar gift and wholly distinct from nature, but as necessarily consequent on it, the foundation of generation being supposed; just as on the contrary the subjection of the son to the father is natural, but as a necessary consequence on such a rational nature as thus produced. In another way power is granted by God *per se* (so to speak) and by peculiar gift, not as necessarily connected with the creation of something, but as voluntarily added by God to some nature or person. Of this type we can provide examples quasi physical and moral; for the proximate power of performing miracles is quasi physical, and yet God directly confers it on whom He wills, not as a duty, but in consequence of the plan of His own will. The power also of jurisdiction, for example, granted to Peter was moral, yet God conferred it directly and immediately and *per se*.

Moreover the reason for the distinction is not other than that the powers themselves can be of different characteristics or orders, and God is able to work both in a conatural and in a preternatural or supernatural manner.

Therefore, when the king adds that God directly gives to kings the temporal principality and power, we must see whether that assertion can, from the aforesaid tests, be in any way true. But first must be made plain the subject to whom God is said to give this directly, and for what and what sort of government he may be considered to be giving it. For this power can be considered either according as it exists, or can exist, in the whole political body of the commonwealth, or of the civil community, or according as it exists, or can exist, in these or those members of the said community.

Again, the same power can be considered either absolutely and abstractly or as determined to a certain type of political government. For (as is the common moral doctrine of philosophers) the government of the human republic can be of three kinds: a monarchy of one supreme prince who makes one individual person, an aristocracy of one supreme council or tribunal formed from several best men, and a democracy through the votes of the whole people; these three types are the simple ones, but out of them others can be formed, which make use either of two of them, or of all, which are wont to be called mixed governments. Therefore a political principality can be considered of itself and absolutely, as a certain supreme power of civil rule of the republic, abstracting from this or that type of rule, as well simple as mixed, or as determined after some type of rule among those that we have enumerated. From these proposals and distinctions it can be absolutely decided, without any ambiguity and by evident reason, how a principality may be directly from God, and that yet it can be entrusted to supreme kings and senates that are not directly commended by God but by men.

3. For, first, the supreme civil power viewed in itself, is indeed given directly by God to men gathered into a perfect political community, not in truth by consequence of any peculiar and quasi positive institution, or by gift altogether distinct from the production of such nature; but through natural consequence by the force of the first creation of it, and thus, by the force of such gift, this power is not in one person, nor in a peculiar congregation of many, but in the whole perfect people or body of the community. This explanation with respect to all its parts is common not only to the theologians but to the jurists to whom I shall at once refer. Now I show by reasoning the individual parts. The first and second part, indeed, because this political power is natural, for, even without any intervening supernatural revelation or faith, this power is, by the dictate of natural reason, acknowledged as being wholly necessary for the conservation and equity of it; a sign, then, is that it is in such community as a property consequent on nature or creation and the natural institution of it. For if, in addition to this, a special grant of God were necessary and a concession not connected with nature, it would not be possible to agree about it by natural reason alone, but there would be need that it be manifested to men through revelation, so that they might be sure about it, which, however, is false, as is plain from what has been said.

4. But that at least in this way it must necessarily be said that this power is immediately from God is easily concluded from the same principles, because things that are a consequence of nature are given immediately by the proper and immediate author of the same nature, as I have declared; but this power is a certain property consequent on the nature of man as congregated into one political body, as also has been shown; therefore it is immediately granted by God as he is author and provider of such nature. This can be proved, next, because this power is from God, as has been proved in the preceding chapter, and with respect to such community no medium interposes (so to say) between God and it, by which it may be granted. For by the very fact that men are congregated into the body of one city or republic without the intervention of any created will, such power results

in that community with so great necessity that it could not be impeded by human will; to this extent it is a sign that it is immediately of God, with only the intervention of that natural effect or consequence of nature, and with the dictate of natural reason showing, rather than producing, the power of the same. Nor did Cardinal Bellarmine ever deny the immediate emanation of this power from God, as declared in this manner, but rather supposed it, because he posited no medium between the people and God, but between the king and God he wanted the people to be the medium through which the king got such power; which is very different, as will now be made clear.

5. Hence too it is evident (as we were saying in the last part of the assertion) that this power, viewed absolutely, since it is from the Author of nature as by a natural consequence, is not in one person, nor in a special group, whether of the best men or of any other group whatsoever of the people, because from the nature of the matter this power is only in the community so far as it is necessary for its conservation, and so far as it can be shown through the prescription of natural reason; but natural reason only shows it to be necessary in the whole community, and not in one person, nor in a senate; therefore according as it is directly from God, it is known to be only in the community as a whole, and not in any part of it. This I understand concerning a part of the community not only designated individually or materially (so to speak) but also conceived formally, whether indeterminately or vaguely; that is, it is not directly in one certain person, for example, Adam, Jacob, or Philip, nor even from the nature of the matter does it require to be in one single person; and it is the same proportionally of the senate, whether it is viewed materially, as consisting of such persons, or formally, as congregated from such and so many persons. And the reason is plain, because, from the power of natural reason, no reason can be thought out why this power should be limited to one person or to a certain number of persons within the whole community more than to another; therefore by force of natural concession it is directly only in the community. Finally the thing is plain by force of natural reason alone that political principality is not limited to monarchy, or to aristocracy, simple or mixed, because there is no reason that is convincing that a fixed type of government is necessary. This is confirmed by experience itself; for that is why the various provinces and nations select also different kinds of government, and none of these works against natural reason or against the immediate institution of God. Wherefore it is a sign that political power has not been directly granted by God to one person, prince, king, or emperor, otherwise that monarchy would have been directly constituted by God; nor has it been so granted to a single, or any particular senate, or to a particular congregation of a few princes, otherwise that aristocracy would have been directly instituted by God; and the same argument will be possible about any kind whatsoever of mixed government.

6. You will say: if this reasoning were effective, it would also prove that God had not directly given to the whole community this political power, because otherwise democracy would be directly in consequence of divine institution, just as we were inferring about monarchy and aristocracy. But this is no less false and absurd in democracy than in the other kinds of government, not only because, just as natural reason does not determine monarchy or aristocracy as necessary, so neither democracy; nay much less so, because it is the most imperfect of all, as Aristotle testifies, and as is evident in itself. But also because, if any institution were divine, it could not be changed by men. Response is made by denying the first concession, for rather, from the fact that power has not been given by God instituting monarchy or aristocracy, it is necessarily concluded that it has been given to the whole community, because there is no other human subject left, so to speak, to whom it could have been given. But as to the second point, namely, that hence it follows that democracy is of divine institution, we answer, that if this is to be understood of positive institution, the consequence must be denied; but if it is understood of a quasi natural institution it can be and

ought to be admitted without any inconvenience. For a difference is to be very much noted between these types of political government, for monarchy and aristocracy could not have been introduced without positive institution, divine or human, because human reason taken alone does not determine any one of the said kinds as necessary, as I have said; hence since in human nature, viewed in itself apart from faith or divine revelation, positive institution has no place, about these types it is necessarily concluded that they are not directly of God. But democracy could be without positive institution, by purely natural institution or emanation, with only the negation of new or positive institution, because natural reason itself dictates that the supreme political power naturally follows from a perfect human community and, by force of the same reason, pertains to the community as a whole, unless through a new institution it is transferred to another, because, by force of reason, neither does another determination have place nor is a more immutable one demanded.

7. Therefore this power, as far as it is given directly by God to the community, according to the manner of speaking of the jurists, can be said to be of natural law negatively, not positively, or rather of concessive not of absolutely prescriptive natural law. Because, doubtless, the natural law indeed grants through itself and directly this power to the community, yet does not absolutely prescribe that it always remain in it, nor that through it this power be directly exercised, but only as long as the same community does not otherwise decree, or also as long as no change has lawfully been made by someone having the power. An example comes from the freedom of man, which is opposed to slavery, for it is of natural law, because by the force of the natural law alone man is born free, nor can he without some lawful title be reduced to slavery; but the law of nature does not prescribe that every man always remain free, or (what is the same) it does not absolutely prohibit man being put into slavery, but only that it not be done either without the free consent of the individual, or without lawful title and power. Thus therefore the perfect civil community by the law of nature is free and is subject to no person except itself but it as a whole has power over itself, which if it were not changed would be a democracy, and nonetheless either by its own decision, or by another having the power and just title, it can be deprived of such power and can be transferred to another person or senate.

8. From these considerations finally it is concluded that no king or monarch has or has had (according to ordinary law) directly from God or from divine institution a political principality, but by the medium of human will and institution. This is the honored axiom of theology, not for derision, as the king proposed, but in truth, because rightly understood it is most true and especially necessary for understanding the purposes and limits of civil power. Moreover it is not novel, or invented by Cardinal Bellarmine, as seems to be attributed to him by the aforesaid; for much earlier Cardinal Cajetan taught this in *Apologia* or Tract.2 on the Authority of the Pope p. 2, ch.10; and Castr. Bk.1 on the Penal Law, ch.1; and Driedo, bk.1, on the Liberty of Christ, ch.19; also Vitoria, in *Relectio* on Civil Power, n.8 and following; and it is taken from the same author, in *Relectiones* 2 on Ecclesiastical Power, Conclusion 3, and ad 1. Soto, bk.4, on Justice q.2, a.1, in the discourse of conclusion 1, and more broadly in q. 4, art.1; which Luis Molina followed, Tract.2, on Justice, disput.21. Also St. Thomas insinuates it in Ia IIae, q.9 a.3, and q. 97, a.3, and more clearly in IIa IIae, q.10. And not only from the theologians, but also from the jurists the teaching has been commonly handed down, in bk.3 ff. *de Const. Princip.*, and in bk.2 ff. *De Origin. Iuris*, and among the moderns by Navarro in ch. 'Novit.' *De Iudiciis*, n.3, especially nos. 41, 85, 94, and no. 112ff. to 121, and no.147; Covarruvias, in *Practicis Quaestionibus* ch.1, no.6, who also refer to others.

9. Besides this truth can be taken from the holy Fathers, first, because they assert that man was created by God free and free-born, and only received directly from God the power of ruling over the brute beasts and inferior things; but the dominion of men over men was introduced by

human will through sin or some adversity. This Ambrose hands down on *Colossians* 3, at the end; and more broadly Augustine, 19, *The City of God*, ch.15, and bk. *Quaestion. in Gen.* q.153, and Gregory bk.21, *Moralia*, ch.10, elsewhere ch.11, and in *Pastorali*, p.2, ch.6. For what they say about the liberty of each man, and the slavery opposed to it, is by the same reasoning true of a mixed or fictitious person of a single community or human city. For, according as it is directly ruled by God with the law of nature, it is free and *sui iuris*. This liberty does not exclude, but rather includes, the power of ruling itself, and of giving commands to its own members, but it excludes subjection to another man, as far as it is by force of natural law alone, because God has given directly such power to no one among men until through human institution or election it be transferred to someone. Secondly, this is particularly confirmed by the opinion of Augustine, bk.3, *Confessions*, ch.8, where he says: "It is a general pact of human society to obey its own kings." For by these words he signifies that the regal principality, and the obedience owed to it, has its basis in a pact of human society, and therefore it is not from the direct institution of God, for a human pact is contracted by human will.

And perhaps this pact is signified by the name of 'regal law' in bk.1, de *Constitut. Princip.*, where Ulpian says that for this reason the pleasure of the prince has the force of law, "because by the regal law, which is made of its power, the people transferred to him and into his hands all its own sovereignty and power." These words Emperor Justinian approved and transcribed in § Sed et quod principi, *Institut. De Iure natur. gent. et civili*, for that law is termed regal, not because it was passed by some king, but because it was passed about the power of the king, as is said in the same bk.1, where it is also signified that it was constituted by the people who created and instituted the dignity of the king by transferring to him its own power, as there also the glosses and the doctors expound. But that law could not have been made by way of mere precept, since through it the people abdicated from the supreme power of making law; therefore it should be understood as constituted through the medium of a pact by which the people transferred power to the prince under the duty and obligation of taking care of the republic and of administering justice, and the prince accepted both the condition and the power; by which pact the regal law, or the law about regal power, remained firm and stable; not therefore directly from God, but from the people do kings have this power. Whence is said also in bk.1, § 'Novissime' ff. *de Orig. iuris*, 'because the senate was not able to rule all the provinces honestly, after a prince had been set up, the right was given to him that what he had determined should be valid.'

10. But the reasoning of the assertion is easily collected from what has been said; for that power is said to be in someone directly from God which comes to him, either through the sole will of God, or by force of natural reason alone, or by some divine institution; but this power of which we are treating was given by none of these methods to kings by God, speaking according to the ordinary law, because neither through the special will of God was it directly given (for such will of God neither has been revealed nor made known to men), nor also does the natural law alone dictate by itself that this power should be in kings, as has been shown; lastly, the institution, or determination, or transfer of this power was not made directly by God to the kings, as is plain from experience itself. Again, because in other respects such institution would be immutable, and all change made in it by man would be iniquitous; nay, all cities, realms, or republics should keep to the same institution, because there is no greater reason for one than the other, nor does one get to a greater degree such institution from divine revelation than another. Therefore this institution is human institution, because it has been made by men; therefore by men directly the power was given to kings, whose dignity was created by this institution. But God is said mediately to give this power to the kings, first, because He granted it directly to the people, which transferred it to the kings;

secondly, because God consented and cooperated also in this transfer proximately made by the people as a first and universal cause; then lastly, because He approves it and desires it to be preserved. Also, just as human law does indeed oblige directly from the will of the human prince who makes it, yet it indirectly also binds by force of the will of God who wills that lawful princes be obeyed, following that verse of Peter, “Submit yourselves, etc., for so is the will of God.”

11. Finally it can be made plain by the example of human dominion over inferior things. For absolutely speaking, all things over which men have dominion have been given to them by God, yet not in the same manner. For God did not immediately give (in the ordinary way of speaking) to any man property in and peculiar dominion over anything, but He immediately made everything common, and private dominion was introduced partly by the law of nations, partly by civil law; and nonetheless these private dominions are indirectly also from God, not only because they draw their origin from a first grant of God, but also because through his own general providence he is in accord with these things; and also finally because he desires that these things be preserved after they have been constituted. And hence Augustine said, Tract 6, on *John*, at the end, “Whence does each possess what he possesses? Is it not by human law? For by divine law the earth is the Lord’s and the fullness thereof; yet by human law one says: ‘This villa is mine, this house is mine, this slave is mine.’” And below he concludes: “Human rights themselves God distributed to mankind through the emperors and secular kings.” Thus therefore, keeping proportion, it is God who distributed the political kingdoms and principalities but he did it through men, or the consent of peoples, or through some similar human institution.

12. But someone will perhaps say that by this discourse it is only proved that the power of a king is not given by God to any person without the intervention of human will and action, yet it is not sufficient to prove that it is not given directly from God, for even the Apostolic dignity was granted to Matthias indirectly by the action of the other Apostles, and nonetheless it was granted to him directly by God; and likewise the Pontiff is elected by the cardinals, and yet he receives his power directly from God. Similarly he who inherits when come to majority, receives this right by generation from his immediate parent, and nonetheless he is thought directly to have those goods from the first institution of majority, because it is by force of the will of him alone, even if the nearest parent be very unwilling, that he attains majority. Thus therefore, although temporal kings by succession attain the regal dignity, they receive it directly from God by force of the first institution.

13. But this objection does not weaken but rather strengthens the discussion made; first, because the examples are not similar; next, also because we did not assert that any kind whatever of will or action of man that is interposed suffices for making the grant of power not to be directly from God, but it was said only of a particular change and transfer made through a new human institution. Therefore in two ways human action or wish can intervene in the transfer of power that has its origin from God himself; first, by merely designating or constituting the person who is to succeed to the dignity instituted by God in altogether the same way in which it was instituted and without authority or power of changing or diminishing it. And this method with respect to the pontifical dignity was preserved in the Old Law according to carnal succession; but in the New Law it is done through a lawful election by which the person is designated. Therefore of this method of succession it is true that nothing stands in the way of conferring the power directly from God, and the examples adduced prove only this. And the reason is that the power is conferred by force of the first institution and of the will of God, of which the sign is that it is conferred with the completeness and immutability with which it was instituted, and because the succession also has its origin in the same power from the same institution; for that is why in the Old Law through carnal generation men

succeeded to the priesthood, because by God Himself it was so instituted; but now the designation of the person is done by another and more spiritual method, because ecclesiastical tradition teaches that so it was instituted by Christ, who committed the method of election, or designation, of the person to be defined by his Vicar.

14. In another way, then, can the transfer of power be made by man, through a new grant or institution besides the designation of a person, and then even if such power has a foundation in some prior divine institution made to another, nevertheless that transfer, which is made afterwards, absolutely is by human law, and not by divine, and directly from man, and not from God. An example is in slavery, for if a man sells himself into slavery to another, that slavery is absolutely by human law and the power which the master has over the slave was granted directly from the slave himself through the natural power and liberty which he himself had from the author of nature. Thus therefore it is at present concerning the subjection of the whole human community to one prince, for it proceeds directly from the will of the community, and therefore it is directly from man, and from the human law, although it draws its origin from the natural power which each community received from its author over it self. And the reason is clear, because in these and the like cases neither is the designation of the person sufficient, nor is it separable from the grant or contract, or quasi human contract, that it have effect over conferring the power, because natural reason alone does not introduce the transfer of power from one man to another through the sole designation of the person without the consent and efficacy of the will of him by whom the power is to be transferred or conferred. Therefore a transfer of power cannot be understood which would be made directly by God, through the means of generation, election, or similar human designation, unless where the succession is of positive divine institution; but regal power gets its origin not from positive divine institution, but from natural reason, through the medium of free human will; and therefore necessarily it is from man directly conferring it and not merely designating the person.

And hence also it arises (which is a clear indication of this truth) that this regal power is not equal in all kings, nor with the same rights as to duration, perpetuity, or succession, and the like. For in some cases the power is absolutely that of monarchy, but in others with a mixture of aristocracy, or with dependence on a senate, even as to decisive votes, and sometimes only in certain cases, other times in all the more important matters; or sometimes in many cases, sometimes in fewer. Again, to some kings power was given not only to the person, but also to his progeny (so to speak), that is, they would be able to transfer the dignity to their sons and grandsons, but in other cases it is granted only for the person, and without carnal succession, so that if a king dies another is elected, as is the case in the kingdom of Poland, and as is done in the Roman Empire itself; nay, it even would be possible for a king to be chosen for a certain period, if thus it had been started in the beginning, because by nature it is not repugnant to the thing. Therefore it is a manifest sign that it is a direct human institution and therefore it can have all this variety which is not repugnant to reason, and which may fall under human choice.

And hence finally it happens that this regal power or domination can be received in various ways, which it is here necessary to note, so that the resolution related may be more fully understood. For the first method of conferring this power on a prince in the primeval institution is by the voluntary consent of the people. Moreover this consent can be understood in various ways; one is that little by little and in a successive manner it may be given, according as the people is gradually increasing. As, for example, in the family of Adam, or Abraham, or other similar family in the beginning, they obeyed Adam as parent, or paterfamilias, and afterwards, as the people grew, that subjection could be continued, and the consent extended to obeying him even as a king, when that community began to be perfect. Also perhaps many realms (and in particular the first kingdom

of the city of Rome) thus began. And in this way (if one would rightly consider) regal power and perfect community can begin at the same time. But there can be another method when the community, already perfect, voluntarily elects a king to whom it transfers its power, which is a method especially suitable *per se* and agreeable to reason. But after this transfer is once made it is firm and perpetual; then there is no further necessity for a new election or a new consent of the people; for that consent is sufficient which was granted in the inception of the kingdom, so that from the force of that consent the same regal power and dignity may be transferred by succession. Also in this manner in kingdoms by succession kings can also be said to have the power directly from the people, not through a new consent, but in consequence of the force of the ancient one; for the sons have the same realm from their parents rather by virtue of the first institution than by the will of the parents, for, even if the father does not desire it, the firstborn succeeds to the kingdom, and therefore the father considers himself only as applying or constituting the person to whom the same power by force of the same first contract may be transferred.

But besides this voluntary method, sometimes provinces or free peoples are wont involuntarily to be subjected to kings through war; moreover this turns out to be done both lawfully and unlawfully. When therefore a war had a just title, then the people is really deprived of the power that it had, and the prince who prevailed against it acquired the real right and dominion over such a kingdom, because on the supposition that the war was just, that is a just penalty. So captives in a just war are deprived of the liberty conceded to them by nature, and they are indeed made slaves as a just punishment. And therefore I have said above that the regal power is founded on contract, or a kind of contract; for the just penalty for sin has the place of a contract so far as the effect of transferring the powers and dominions, and therefore it is to be equably observed. But oftener it happens that some kingdom is seized through an unjust war, by which method usually the more famous realms of the world have been enlarged, and at the same time in the beginning a kingdom is not acquired, nor is true power, since the title of justice is lacking; but with the passage of time it comes about that the people freely consent, or by their successors the kingdom is commanded in good faith, and at that time the tyranny will cease, and the true dominion and regal power begin. And thus always this power will be obtained directly by some human title or human will.

Chapter 3. The foundations and objections of the King of England against the doctrine of the above chapter are satisfied.

Summary. 1. First foundation of the king taken from inconvenience. 2. By refutation of the king the illustrious Bellarmine is vindicated. When a people can rise up against the king and exempt itself from his power. 3. The people cannot restrain power once it has been transferred to the king, nor abrogate his just laws. 4. Second foundation of the king. Solution. 5. It is more probable that Saul received his power from the people. 6. Matthias received his apostleship directly from God. 7. The examples which King James adduces do not prove that political principality is immediately from God. 8. Third objection. 9. Solution.

1. There seem to be two foundations in particular of King James to make him think that kings have their power not from the people but directly from God. He puts the first forward by way of contradicting Bellarmine and inferring certain inconveniences. The first is that the contrary opinion is the “foundation of sedition most eagerly seized upon by the factious and rebellious.” For if a prince had his power from the people, “the people would be able to rise up against the prince and would be able to lay claim to freedom for themselves whenever it seemed good to them,

relying, of course, on the same right and power that they had transferred to the king; especially since Bellarmine says that never do the people transfer to the king their power in such a way that they do not retain that power for themselves potentially, so that in certain cases they can actually retake it.” Also in the same manner the king would be able to infer that his subjects have the undiminished right to restrict the power of the prince, both to abrogate his laws and to do other like things, which belong to the superior power. For if the king has his power from the people, he always depends upon them; therefore the power of the people is superior; therefore it is able to effect all the things which we have inferred. But these things are absurd, for they offer the occasion for seditions, and they weaken the power of the princes, so that they cannot preserve the severity or the integrity of justice.

We answer that none of these inconveniences follow from the solution or opinion proposed. For we especially deny that from it the occasion of rebellions or seditions against lawful princes is given. For after the people has transferred its power to a king it is not lawfully able, relying on its own power, by its own will, whenever it wishes, to lay claim to freedom for itself. For if it granted its own power to a king, which he accepted, by this very fact the king acquired dominion; therefore although the king received this dominion from the people through grant or contract, it will not therefore be permitted for the people to take away that possession of the king, nor to take again its own liberty; just as in an individual person who has renounced his own liberty and has sold or given himself into slavery cannot afterward by his own will remove himself from slavery. It is the same therefore for a fictitious person or a community after it has fully subjected itself to some prince. Again, after a people has transferred its own power to a king, it has now deprived itself of it; therefore relying on its own power it cannot lawfully rise up against its king, because it is relying on a power that it does not have, and thus it will be not a just use of power but a usurpation of it.

2. But as to what Bellarmine said from Navarro, that a people never so transfers its own power to a king but that it retains it potentially, so that it can use it on certain occasions, it is not opposed nor does it offer to peoples a foundation for reclaiming liberty for itself at its pleasure. Because Bellarmine did not say absolutely that a people retains the power potentially “for whatever acts it pleases, and whenever it wants to exercise them,” but with great limitation and circumspection he said “in certain cases.” These cases must be understood either according to the conditions of the prior contract, or according to the exigencies of natural justice, for just pacts and conventions must be kept. And so if a people transferred its power to a king, reserving it to itself for certain grave cases or businesses, in these cases lawfully it can use it and keep its own right. But there must be sufficient agreement about such a right either by ancient and definite instruments or by immemorial custom. Also by the same reasoning if the king turns his just power into a tyranny by abusing that power in manifest destruction of the city, the people will be able to use their natural power to defend themselves, for of this never did they deprive themselves. But outside of these and the like cases never will a people, relying on its own power, be permitted lawfully to revolt from a lawful king, and so all foundation or occasion for sedition ceases.

3. And so by the same reasoning it is not lawful for a people once subjected to restrict the power of their king more than it was restricted in the first transfer or agreement, because it is not permitted by that law of justice which teaches that lawful pacts must be observed, and that an absolute grant, once validly made, cannot be recalled, either wholly, or in part, and especially when it was burdensome. Nay a people cannot, using its own power, abrogate the just laws of the prince, but only when relying on the tacit or expressed consent of the same prince, as St. Thomas formerly taught, and as we have elsewhere rather fully set forth, *De Legibus* bk.7. Therefore it absolutely is not true that a king depends on his people in the matter of his own power, although he has received

it from that people, because he can be dependent in becoming, as they say, and afterwards not dependent in keeping, if he fully and absolutely accepted it. Therefore after a king has been constituted, he has the supreme power in all those matters for which he received the power, even if he has received it from the people, because the law of justice requires this, as we have shown.

4. In the second place the king brings in the examples of Saul and David who not from the people, as Bellarmine contends, but from God directly got their principality. This in particular about Saul he strongly asserts, because he was elected by lot with the divine approval which, he says, is a certain proof that his power was received from God directly. This he argues from the example of the selection of Matthias, about whom we know that he received the Apostolic dignity directly from God, because he was elected by lot to it, *Acts* 1. We answer about the examples of Saul and David that in both cases it can be disputed whether these two kings obtained power directly from God, or from the people; for neither is clearly gathered from the Holy Scripture. For though it is well known from the same Scripture that the person of each was designated as king by divine approval, will, and revelation, yet it does not follow that God directly granted them the power; for these are two different matters, and from the one the other is not rightly inferred. For just as God sometimes granted to men the faculty of designating a person to whom He Himself will directly give power, so conversely God could reserve to Himself the power of designating a person to whom the people would directly grant the power.

And so in the matter of these two kings Cardinal Bellarmine very probably conjectures that it happened so from the words of *Deuteronomy* 17: "When thou art come unto the land which the Lord thy God giveth thee, and shalt possess it, and shalt dwell therein, and shalt say, I will set a king over me, like as all the nations that are about me, thou shalt in any wise set him king over thee whom the Lord thy God shall choose: one from among thy brethren shalt thou set over thee: thou mayest not set a stranger over thee, which is not thy brother." In these words two things are put as distinct, namely to choose him who will be the future king and to make him king; the former God reserved to Himself, but the second He granted or left to the people, as is plain from these words: "Thou shalt in any wise set him king over thee whom the Lord thy God shall choose," and from Chapter 28 of the same book: "The Lord shall bring thee and thy king, whom thou shalt set over thee, to a nation which neither thou nor thy fathers have known, etc." But to set up a king does not only signify to ask for a king, as afterwards that people asked in *I Samuel* 8:5, but it signifies to make a king. Both because it is thus explained in what was said in *Deuteronomy* 17: "thou mayest not set up a stranger over thee"; and also because in this passage the people is ordered to set up as king him whom the Lord had selected; but the petition for a king could not be for a particular person selected by God, for it preceded such choice; therefore that constituting of a king was nothing but the creation of a king and a direct conferring of the regal dignity and power; therefore the election of the person, which God had reserved for himself, was nothing other than the designation of the person. Therefore in that passage it is supposed that the people from the nature of the matter had the power of setting up a king; for God did not peculiarly there grant it to that people, but he granted it as common to other nations, and he permitted his people to use it, or he predicted that they would at some time use it, as was fulfilled in *I Samuel* 8, and following. And though the power also of designating the person would naturally be suitable to any people, nevertheless as a peculiar favor to that people, in order that a more suitable person might always be designated, God reserved to himself the power of electing the person.

5. Therefore from this passage the best conjecture is that it was thus observed in the creation of the first king of that people, who was Saul, which also can be inferred from the story of his election. For in *I Kings* 10, after the lot had fallen on Saul, Samuel said to the people: "see ye him

whom the Lord hath chosen,” as if seeking and awaiting the consent of the people, and then the people shouted, saying, “God save the king.” But afterwards, after the king had been set up, it is added that Samuel wrote the manner of the kingdom, etc. Nor is it of importance that earlier in this chapter, prior to the lots being cast, it is said that Samuel anointed Saul: “Is it not that the Lord bath anointed thee to be captain over his inheritance?” because (as Bellarmine says, and as is probable) that was not the transfer of the power or the handing over of the kingdom, but it was a certain promise and prediction, according to the custom of the prophet, of a future happening, and, as it were, a certain preparation of the mind of Saul for the future dignity. Nay, rather, because, after the choice of God and the acclamation of the people, yet many objected, it is added in chapter 11 that Samuel again gathered the people into Gilgal to renew the kingdom, and it is added “all the people went to Gilgal and there they made Saul king before the Lord.” With these words it is not signified that there was a new choice of kingdom, but rather a confirmation of the former one, so that it might remain more strong among the people and that the minds of all the subjects might be more acquiescent, and all division and dissension be removed, as correctly Abulensis said in that passage, q. 12 and 13, and Josephus confirms it in *Antiquities* bk.6, ch., and he adds that there, with the multitude looking on, again Samuel anointed Saul with the sacred oil, to which, however, the Holy Scripture does not refer; but it can be understood from this that a similar anointing has not always at the same time done with the handing over of a kingdom, but it could also have been a sign of a transfer already made or to be made in the future.

Thence in the same book of I *Samuel* 16, in a like way secretly David was anointed by Samuel along with the promise of the kingdom, which thereafter for many years Saul peacefully possessed; this is a clear proof that through this anointing David was not made king, but was only designated as the successor of the realm. And therefore afterwards, in bk.2, ch.2, again he was anointed by the tribe of Judah, to be “King over the house of Judah,” and there also it is reported that David said, “Although your master Saul is dead, yet the house of Judah have anointed me king over them,” signifying that the promise of the Lord through the consent of the people was fulfilled. And therefore he did not begin to reign over the other tribes until (as chapter 5 says) “all the elders of Israel came to the king in Hebron; and king David made a league with them in Hebron before the Lord: and they anointed David king over Israel.”

6. Therefore this opinion is probable, against which the argument of the king about the lots has too little weight, for choice through lots directed by the special providence of God in itself only proves that the designation of the person was directly made by God himself. Nor thence did it come about that Matthias, who was selected by lot, did not receive directly from God the Apostolic power and dignity. Because although from the method alone of selection by lots this is not sufficiently gathered, from the quality and excellence of such dignity and power it is understood. For the Apostolic dignity was supernatural and directly instituted by Christ, and therefore he alone could directly grant it. Whence although the apostles could, without lots, have chosen Matthias alone (which they could have done if they had recognized for a certainty that he was the more worthy, as the Fathers rather frequently insinuate), nonetheless from Christ Himself directly he would have received the dignity and power; therefore not from the lots, but from the quality of the power, it must be gathered whether it is conferred directly by God.

7. According to this exposition, then, by those places and examples the common opinion is the rather confirmed that has been handed down. But because that exposition is not *de fide*, nor wholly necessary, let us concede to the king as probable that Saul and David received their power directly from God, for each one will easily be able, if he wishes, to accommodate the words of the Scriptures to this sense. And of David Soto plainly affirms this, bk.4, *De Iustitia* q2, a.1; and

Navarro of both, in the said chapter ‘Novit.’ n.3, 33, and 147; and the same is thought by Abulensis, as above cited. Nonetheless this not only does not oppose the solution given but rather therefrom can it be more effectively confirmed. First, because the special examples have too little value for inferring a general rule; rather they are wont to be exceptions to the rule, and therefore from them the argument is customarily taken, which the jurists call from the special case, to infer the rule to the contrary. Secondly, because in the same citations it is plainly supposed that there is in a free people the power to set up a king over itself, nay of both selecting and of designating the person to whom it gives the right to the realm, which plainly the testimony of the Scriptures proves, as we have set forth above. And therefore God peculiarly reserved to himself the election of the person to be constituted over the people as king, because, aside from the revelation and command of God, this was wholly placed in the hands of the people for decision. Therefore from that a general rule for all kingdoms cannot be inferred, that is, that it pertained to God directly to designate or select the person placed on the throne of the realm, either in the beginning of such realm, or in its subsequent history (otherwise the king of England should show when God by peculiar revelation or singular sign selected either him or someone of his progenitors as king of England); nor even can it be inferred that God ordinarily gives or has given a principality to temporal kings, even if perhaps in the beginning of the kingdom of Israel, on account of the special care that he had assumed over it, once and again he did so. This finally can be gathered also from another prohibition made for that people, in the words of *Deuteronomy* 17: “thou mayest not set a stranger over thee”; for that prohibition without doubt was not natural but positive. For it is well known that other peoples and nations could create kings from any province or nation, and among the Roman emperors themselves it was thus observed without any injustice or violation of the natural law. Therefore that prohibition was natural and positive; therefore it supposed power in that people of creating a king for itself from any family, unless divinely prohibited, and consequently it is concluded that, before that prohibition in the people of Israel, but in other peoples, to whom that prohibition did not pertain, there was this free power, and through it kings had their beginning.

8. Thirdly, we can urge in favor of the king and of his opinion passages in the Scriptures and saints by which we have also proved that kings are ministers of God and have their power from him; for in those passages to God alone is attributed the grant of that power; therefore they should be understood as God granting directly, because this is the purer and more simple interpretation; for whatever is added to it is said to be beside the Scripture. Again, the minister of anyone, by the ordinary and better method, is customarily set up directly by him whose minister he is. Lastly we say by this reasoning that the Pontiff has his power directly from God, because Christ Himself conferred it, and from the force of that first grant it is transferred to others, though it may be transferred by the ministry and election of men; therefore by this reasoning the regal power will be directly from God.

9. But to these matters first we answer that the regal power itself is directly from God as the Author of nature, as we have said. But because it is not through special revelation or grant but through a certain natural process, which natural process is plain, therefore it is only granted immediately by God to that subject in whom by the force of natural reason alone it is found; but this subject is the people itself, and not any individual of it, as I have shown. But because the people transfers this same power to the king, therefore the regal power is said to have been granted by God; and, further, because the election itself of a king is not accomplished without divine cooperation, nor without his peculiar providence. This is excellently set forth by Chrysostom, *homily* 23 on *Romans*, where treating of these words, “For there is no power but of God,” he says, “What do you say? Therefore every prince has been set up by God? This (he says) I do not say, for my present

discussion is not of just any prince at all, but about the matter itself, that is, of the power itself.” Therefore he subjoins: “For that there be principalities, that these men indeed rule and those are subjects, and that all matters are not conducted simply or heedlessly, I say there is need of divine wisdom. Therefore he does not say, ‘for there is no prince but of God,’ but he is speaking of the thing, saying ‘For there is no power but of God’” Theophylact there teaches the same. But it is not necessary that all these matters be so distinctly set forth in Scripture. For it is evident that various effects in almost the same words are attributed to God, and from the subject material the manner should be gathered according to right reason as to what way they are said to be by God. For also God is often said to grant kingdoms by special permission, though they are taken by injustice and sedition, as the king of England himself seems to think about Jeroboam, and in other cases it is much more certain, as Augustine noted, *City of God*, bk.5, ch.21; and Origen, *hom.5*, on *Judges*. But as kings are termed ministers of God, it is enough that they hold their power from him, though through the agency of the people, because that way is the most conatural and best which can be thought out within the latitude of natural reason.

But for the comparison or equalization which is made in this matter between the Pontiff and kings, I answer that the reasoning is far different. For in the first place the Pontifical monarchy was instituted for the Church Universal directly by God himself and ordered under such conditions that it cannot be changed. But the method of temporal rule was not defined nor ordered by God, but this was left to the disposition of men. Secondly, the spiritual power never was in the community of the whole Church, because Christ conferred it not on the body, but on its Head, or his Vicar, and therefore the Church cannot concur in the election of the Pontiff as giving the power but as designating the person. But the civil power from the nature of the thing is in the community itself, and through it was transferred to this or that prince by the will of the community itself, granting it (so to speak) as its own possession to another. Whence also it comes about that the supreme spiritual jurisdiction of the Pontiff has so been conferred by divine law that it cannot be limited, not diminished and not increased, even by the universal consent of the Church, nay not even by the will of the Pontiff. For as long as he retains the dignity he is unable to lessen or change it in himself. But the regal power, or that of any supreme temporal tribunal, could have been in the beginning made greater or less, and it will be able to be changed in passage of time or diminished, according as it will be expedient for the common good by him who will have the power for this purpose.

Chapter 4: Whether the civil power among Christians, which Christians are held to obey, is legitimate.

Summary. 1. Error of the ancient heretics. First foundation of this error. 2. Second foundation. 3. Rejection of the aforesaid heresy from Scriptures and the Fathers. 4. Rejection of the same heresy by a reason taken from St. Thomas. 5. The force of St. Thomas' reason is made plain. It is not licit for the faithful again to create voluntarily for themselves an infidel king. 6. A pagan king seizing a Christian city in a just war also secures true dominion over it. When subjection to a prince tends to the detriment of the faith the faithful can exempt themselves from it. 7. When matrimony between infidels can be dissolved because of the conversion of one of them to the faith. 8. Conclusion: it is de fide certain that there are true kings and princes among Christians. 9. Evasion. It is rejected. 10. The assertion is proved by reason. 11. Response to a tacit evasion. 12. In what Christian liberty consists. 13. The first foundation of the first error is solved. 14. The place in Matt. 17 is expounded. 15. The second foundation is solved.

1. Although in this question there is no controversy between us and our adversaries, but because many of then (as I hear, and as the King of England in his preface often teaches) censure the Roman Pontiff for his doctrine, alleging that it overturns the laws and the dominions belonging to princes, I have thought that we must set forth what the Catholic faith lays down on this matter, or what the saner teachings of the doctors maintain, so that by this way also an approach may more clearly and suitably be made to the chief controversy about the primacy of the Pope. So there are two ways it has been thought and affirmed that Christian kings do not have the supreme civil power to make laws, to punish crimes, and to declare political right. One of these was that of those who say that in the church of Christ such power was not possible, nor was there any lawful use of it, because Christians cannot be subjects of any temporal dominion. The other is that of those who, although they say that there is temporal power in the church, yet deny that there is supreme power in the temporal king but only in the Pope, from whom the power of kings is derived through tolerance or grant. About this second point we shall speak in the next chapter, but because it supports the first we shall briefly explain it here; also because the new sectarians do not in this matter think rightly.

So then many of the ancient heretics, as if following or imitating the error of the Galileans related in chapter 1, said that Christians were not subject to temporal princes, especially heathen ones. Some said this only of perfect Christians, and above all spiritual ones, as the Beguards, some about all the just, some about all Christians, which errors I think it superfluous here to recount more fully. From this came the chatter of the Anabaptists, and of others like them, that for Christians political principality is not lawful, especially over Christians. But different foundations can be thought out for these errors. A first, and one particular to heathen princes, is that it is unworthy and dangerous for an infidel prince to have dominion over the faithful; for therefore Paul advises in *2 Corinthians* 6: "Be ye not unequally yoked together with unbelievers." And he explains the reason in various ways, saying: "for what fellowship hath righteousness with unrighteousness? Or what communion hath light with darkness? Or what concord hath Christ with Belial? Or what part hath he that believeth with an infidel? And what agreement hath the temple of God with idols?" Therefore, since the political primacy is of God, the concession of it should not be understood as against due order and with peril to the Faith, for those things that are of God are orderly in the highest degree; therefore by the very fact that one is baptized in Christ and receives his faith one is made immune from subjection to heathen princes. And this can be confirmed from the words of *Matthew* Chapter 17 where, when Christ had asked Peter: "of whom do the kings of the earth take custom or tribute? of their own children, or of strangers?" and Peter had answered, "of strangers", the Lord concluded: "Then are the children free", at least from tributes, and consequently from power, for these two are correlatives. Moreover, by the word 'children [sons]' Christ comprehended all his brothers, and therefore all the faithful, "because all are sons of that kingdom under which are all earthly kingdoms," says St. Augustine, bk.1, *Evangelicarum Quaestionum*, q.23. Or there is another title by which these share in the same liberty, because all belong in a special and excellent manner to the family of Christ, who is a natural son; and when the son is said to be free, his family is included with him, as Lyra said on that passage, whom others imitate, and as Jerome thought saying: "He bore for us the cross and paid tribute; we for his honor do not pay tribute, and as sons of the king are immune from taxes." These words cannot be restricted, as some wish, only to the priests and the clergy; for he joined the two equally together "he bore for us the cross, and he paid tribute." But he underwent the cross for all simply, as well lay as cleric; therefore for all he paid the tribute; therefore he freed all from paying tribute to temporal kings; therefore he exempted them both from their domination and from their jurisdiction, because the one liberty accompanies the other.

2. The second and more general foundation of this error is that Christians are free even from the power of Christian princes, because Christian liberty demands this, which liberty Luther and the other sectaries of this time understand and greatly exaggerate in this sense, twisting to this sense the various Scriptures which we abundantly satisfied in *De Legibus* bk.1, chs. 18 & 19, bk.3, ch.31, and therefore these we now omit. But from this principle, or Christian liberty so understood, it is rightly inferred that even in Christian princes there is no civil or political power over the faithful, because if these are not held to obey, princes do not have the power to command, because the two are correlatives, and if one is taken away it is necessary that the other be taken away. Hence they introduce also the testimonies of the *New Testament* in which they say it is prohibited to Christians to dominate and to be subject. For about domination it is said in *Luke* 22: "The kings of the Gentiles exercise lordship over them, etc., but ye shall not be so," or, as *Matthew* ch.20 says: "But it shall not be so among you," where Chrysostom, *homilies* 56, said that Christ wished to establish this distinction between gentiles and Christians. Moreover on subjection Paul says, *1 Corinthians* 7: "be ye not the servants of men," and he indicates the reason, setting forth first, "Ye are bought with a price," as if he would say that it is unworthy that those redeemed by Christ be subject to earthly powers.

3. But this opinion is without doubt wholly heretical. For in the first place the apostles taught that the faithful, already converted to Christ, should obey the kings and powers, not only to avoid punishment, neither because they were at that time unable to resist, nor only on account of avoiding offense, but also "for conscience' sake and because they are ministers," as from Peter and Paul we have proved in chapter 1. Now these apostles were speaking at the time when emperors and kings, and their prefects or potentates, were infidels and idolaters; therefore we have from their teaching that Christians are subject to princes, even heathen ones, and consequently true kings who are infidels have power over Christians living in their territories. Secondly, thus the ancient fathers understood those passages and taught them, as Chrysostom, Ambrose, Origen, Ephiphanius and others brought forward in chapter 1, and expressly Justin, *Second Apology* to the pagan emperor Antoninus Pius, a little from the beginning, where he avowedly frees the Christians from this calumny saying: "But the tributes and the census we in the first place try everywhere to pay to those who have been set up by you, as we have been by God instructed." And he brings forward the words of Christ, *Matthew* 22: "Render therefore unto Caesar the things that are Caesar's, and unto God the things that are God's"; and he concludes: "Hence we adore God alone, but we gladly serve you in other matters, and we profess you to be kings and princes of men, and we ask that you be found to have, along with regal power, a good and sound mind." In these words he professes in the name of all Christians that the infidels are true kings and princes of the Christians, as they are men, and that they can have power over them, even if they should not have a sound mind. The same was thought by Ignatius, epistle 10 to the people of Smyrna, and Optatus, bk.3, *Against Parmenian*, where he expressly says, "even if such a man were emperor who lived as a pagan." Lastly we can bring in for this the words of Ambrose, bk.4, on *Luke* 5, at the end, where, considering the words of *Matthew* 17, he says, "Indeed it is a great and spiritual lesson by which Christian men are taught that they are subject to the higher powers, lest anyone think that the constitution of the earthly king should be undone." There also he alludes to the words of Paul in *Romans* 13. Hence manifestly he speaks of a legitimate king, even though he be not a Christian, for Paul spoke in that way, and Christ was speaking about Caesar, a pagan emperor, and in the same sense speak the Fathers to whom we will at once refer.

5. But the reason for this truth St. Thomas touches upon, *Ila Ilae*, q.10, a.10, because he says: "dominion or preference of rank was introduced from human law, but the distinction between

believers and unbelievers is from the divine law; but the divine law, which is from grace, does not take away the human law, which is from natural reason.” And therefore the distinction between believers and unbelievers, considered with respect to themselves, does not remove the dominion and preference of unbelievers over believers. This reasoning is very good and can be explained in the following manner. For when the subjects of any pagan king are converted to the faith, they are not exempted by that act, or by force of divine law, from the temporal jurisdiction of their own lawful prince, because they cannot by their own power deprive another of his dominion and right; nor even is it granted to them to do it by the authority of God, because this has neither been revealed to them nor does natural reason dictate it; nay, even the contrary is taught by Scripture and right reason too. Both because, if a divine grant does not intervene, it would, properly speaking, be against justice, and also because it would give rise to offense on the part of infidels and a certain disgrace of the Christian religion, the propagation of which would be very greatly impeded in this manner. The confirmation and explanation are from the example of marriage among unbelievers, which is not dissolved by the act itself of conversion, for example, of the wife to the faith, but still the wife remains subject to her infidel husband because he retains his power over her, as St. Paul testifies in *1 Corinthians 7*, as fully explained by St. Augustine, bk.1, *De Adulteriis Coniugis*, ch.18. But the reason, which St. Thomas touched upon, is because marriage among infidels stands on the right of nature, but the profession of faith does not of itself change the right of nature, or the human agreement founded upon it. This reasoning also Innocent indicated in ch. ‘Gaudemus’ on divorces. Therefore by this reasoning lawful civil power is not lost on account of the conversion of subjects to the faith.

5. But it must be strongly noted concerning the teaching of St. Thomas in the passage cited that the reasoning holds only when the dominion and power of the heathen prince existed prior to the faith of the subjects, in which also are seen most to proceed the testimonies of Peter, Paul, and the tradition of the Fathers. Therefore St. Thomas adds that, if the discussion be of instituting or granting power anew to infidels over the faithful, this in no way is to be permitted. “For this,” he says, “would cause offense and peril to the faith,” for the subjects, unless they be of great virtue, easily follow the rule and the religion of the prince. “And likewise,” he says, “infidels despise the faith if they know the defects of the faithful.” But this doctrine must be understood when a new subjection of the faithful to an infidel prince depends on consent and desire of the faithful; for it is in this case that effectively proceed the reasons of St. Thomas and the testimony of Paul which he adduces, *1 Corinthians 6*: “Dare any of you, having a matter against another, go to law before the unjust (that is, the infidels, says St. Thomas), and not before the saints (that is, the faithful)?” as a little later the apostle himself declares saying; “But brother goeth to law with brother, and that before the unbelievers.” For if even in private cases among the faithful the infidels must not be voluntarily chosen as judges, certainly much less can any Christian people place an infidel prince over themselves; and therefore, as St. Thomas says, in no way does the Church allow this.

6. But if indeed it should happen that a faithful people involuntarily is again subjected to an infidel prince by a just title, then the assertion advanced and the reason made would proceed. So that, for example, if a pagan king in just war should get possession of a Christian state, then he would acquire a true dominion, for this also has been derived from the law of nations, which the faith does not do away with. Nor does the Church, speaking of itself, stand in the way when the infidel prince is heathen and is not subject to the Church itself, as to what we are now saying. And it would be the same if it happened that an infidel king by the lawful right of succession should obtain a Christian people formerly subject to a Christian prince, because then also the faith of the subjects does not impede the acquisition of the dominion, nor does it depend on the will of the people, but

necessarily it comes from some prior and just institution. But these things must be understood for themselves, that is, by forestalling offenses and perils of the faithful, which can also follow in consequence of the subjection of the faithful to the ancient infidel princes, and therefore in both cases, if such inconveniences would probably be feared, and they could not be avoided unless either by not bearing, or not accepting such a prince, this should and must be done, because the right and power for doing this is not lacking in the Church. And by this reason St. Thomas said generally in the place cited that the Church could justly order infidels to be deprived of dominion and preferment over the faithful, who are made into sons of God, though for the purpose of avoiding scandal the Church does not utilize this power concerning infidel princes otherwise not subject to it.

Hence we should further consider that some infidels are subject to the Church only temporarily, as are the Jews residing in the lands subject to Christian princes, and with these infidels we do not deal because they are not supreme princes, of whom we are now especially treating. Yet about these it is certain that the Church or Christian princes can govern them in temporal affairs, and very especially in those that concern the liberty and security of the faithful, so far as they judge it expedient for the good of the faith, which belongs to another consideration. But some infidels are subject to the church spiritually, though in other respects they are supreme temporal princes, such as baptized heretics, who are in name Christian, yet in fact they are infidels, because they lack the true faith, but they are subject to the Church by reason of the character of baptism. And about these the solution stated is true, not only on account of avoiding danger to the faithful, but also on account of the direct power which the Church has for punishing heretics, even though they be kings, as we shall below see. But some infidels are in no way subject to the Church, neither in temporal nor in spiritual matters, neither in law nor in fact. And in these cases the teaching of St. Thomas only proceeds of the indirect power through which the Church can free and defend its faithful subjects from moral dangers and the chances of losing the faith. For of itself the Church does not have jurisdiction over these infidel kings, according to St. Paul, *I Corinthians* 5: "About those that are without, they are naught to us," and just as it is not possible to compel them to the faith, so neither, on account of the crime of infidelity, to punish them; wherefore neither under this title is it possible to deprive them of their dominion and jurisdiction which they have had over Christians. This then can the Church do only under the head of spiritual government and necessary provision for the subject faithful, which, however, it could do under this head, I most truly think, because he who grants the power of governing has as a result given whatever is required for its suitable use, as must be shown more fully in what follows.

7. In the present case the best argument can be taken from the teaching received and approved by the Church, and which has been taken from Paul, *I Corinthians* 7, where he says that the wife previously infidel who has converted to the faith, if the other neither wants to be converted nor to cohabit without injury to the Creator, can dismiss him and dissolve the marriage; therefore by the same or a greater reason power is given to the Church to free the faithful from the yoke of infidels of any sort, when by such subjection the faith is imperiled; for here the reasoning of Paul equally urges, saying: "A brother or sister is not subject to service in such cases." Nay, rather can a distinction in this be noted, for because the bond of matrimony is indissoluble by its own nature, and exists between two determinate persons to such a degree that it cannot, with that title, be dissolved, it is necessary that there be clarity in particular about the peril to the faithful spouse; but the regal power falls on the multitude of men and of itself is not so immutable, and therefore the peril in which the faithful live, who are subjects, morally speaking, of infidel princes, is sufficiently general and common for the Church to be able to free all of them from such subjection, even though about the peril to individuals the fact is not in particular clear, because the moral laws, which apply

universally, consider those things which happen for the most part, even if they chance not to hold in the particular case. Yet nonetheless the Church rarely uses this power, and lawfully so, even though it leave its own faithful in some peril, because either it does not have the strength to execute its authority with effect and success, or because it fears as a probability greater offenses. Nevertheless also at that time individual subjects lawfully will be able to flee or use other means to evade the danger, if there is moral certainty about it; first because they are more held to take counsel for their own souls than the right of another, and second because then from such a prince they suffer injustice and violence, and therefore they are not held to obey.

8. From these things it is further certain and *de fide* that there are true kings and princes in the Church of Christ who have true political or civil power over their own subjects, even Christians and the faithful. This assertion in these terms ‘faithful and Christian princes’ is not expressed in the whole *New Testament*, perhaps because at the time it was written there were not yet temporal kings converted to the faith, and therefore the occasion did not arise for speaking of them. Yet the adduced testimonies sufficiently prove this assertion, both by analogy, or certainly by greater reason, and because the words of the apostles are wholly limitless and universal. For Peter says: “Submit yourselves to every ordinance of man for the Lord’s sake: whether it be to the king, as supreme.” And later: “Honor the king.” And then he instructs servants to be subject to their masters, “Not only to the good, but also to the froward”; therefore he understands the same with greater force about all the faithful subject to princes, whether good or bad; but they cannot be called good princes unless they be faithful. Lastly the admonishment of Paul, *Titus* 3: “Put them in mind to be subject to principalities and powers,” which he more fully hands on in *Romans* 13, was not given by him only for the time of the primitive Church, but that it might remain perpetually therein; therefore even now it has place in respect of Christian princes. Also the same can be confirmed by the testimonies of the *Old Testament*, by which it is clear that faithful princes had political power over faithful subjects, whose power they were bound to obey, as of Moses, Joshua, and the other judges up to Samuel; it is afterwards collected about Saul, David, and their successors from *Deuteronomy* 1 and 17, and from *Judges* and *Kings*, and *2 Chronicles* 19, where also mention is made of the inferior judges and magistrates; and therefore much more must this subjection and subordination be observed in the Law of Grace, because it does not regard the ceremonials of the Old Law and does not, generally speaking, pertain to the judicial elements of that Law, but to the moral law of natural right, whether immediately or by the medium of some human right; and these rights continue in the Law of Grace and obligate more perfectly.

9. But perhaps someone will say that this foundation rightly draws its conclusion from the hypothesis that in the Christian Church there are true temporal kings and princes who have true dominion and jurisdiction over Christians; for, with this assumption, the natural law of justice and obedience evidently obligates the subjects to obey. But the adversaries who defend the opposing error deny this starting point, saying that it is repugnant to the teaching of Christ and to Christian liberty or to the perfection of the Law of Grace. But against this the supposition can be proved from the perpetual tradition of the Church, from the time when the emperors and kings began to be converted to the Christian Faith; for they were always held to be true kings and princes, and not less, nay more perfect and excellent, than they were before. This is clear from the *Ecclesiastical History* of Eusebius, and others, especially about Constantine, Theodosius, and the like. Again this is often professed by General Councils, as is clear from the First of Nicea, at which Constantine was present, and from others. Besides, the Supreme Pontiffs, writing to Christian kings and princes, recognized them as true princes and temporal rulers, as is apparent from the many epistles of St. Leo and St. Gregory, and from others to whom we will refer in the following chapter. Now we only

note the words of Pope Symmachus, *Apology to the Emperor Anastasius*, in which he says: “We receive the human powers in their place until they raise their wills against God.” The Twelfth Council of Toledo, ch.1, under excommunication, declared Eringius to be true king of Spain; and the Council of Meaux, ch.15 & 16, lays a curse on those who presume to contradict the regal power and speaks of Christian kings, and says of them that they have their power from God, according to the opinion of the Apostle, which therefore the Council also understands of Christian kings.

And the apostolic testimonies were understood in the same way by Chrysostom, Ambrose, and other Fathers, and very well did Augustine say in his book, *On certain propositions on the Epistle to the Romans*, prop.72, concerning the words: ‘Let every soul be subject to the higher powers,’ “very correctly does he admonish that no one, from the fact that he has been made a Christian called by the Lord to freedom, be raised into haughtiness and think that in the journey of this life he need not keep his order, so as to think that he need not be subject to the higher powers to whom the government has been handed over for the period of temporal existence.” And later: “If anyone therefore think, since he is a Christian, he need not pay taxes or tribute, or need not render honor due to those powers that look after these matters, he is in great error.” There Augustine speaks of his own time, where there were already Christian princes in the Church; and thus he applies the words of Paul to all princes who for the time are reigning. These words of Augustine were also borrowed by Anselm about Paul, and by Primasius more briefly. And again Augustine, bk.3, *Against Crescon*. ch.51, declares how necessary is the office of king even among Christians, and in how much better and healthy a way it is exercised by good, that is, pious and faithful kings, than by evil and infidel ones.

Besides, the honorific titles by which the ancient Fathers wrote to the faithful princes confirm this, as Cyril of Alexandria in his book, *On the Right Faith to Theodosius*, where he first calls him a most Christian king, and then says to him: “You are the founts of the highest dignities, and above all eminence, and you are the head and origin of human happiness.” And later: “Of your so pious and very famous empire the greatest bulwark is our Lord Jesus Christ; for through him kings reign, etc.” And later he promises that he will show “that glorious piety toward God is the unalterable basis for regal honors.” Like things can be seen in Ambrose, in his epistle to the Augustus Gratian, which he prefaced to his books on the Faith, where he even calls him “most Christian prince, and most Christian of princes.” Likewise in his sermons on the death of Theodosius and Valentinian, and in various epistles to Christian emperors of his own time. Also Gregory Nazianzen recognized the same thing, *Oration 17*, whose very fine words I shall refer to below in a more convenient place.

I add besides the more ancient testimony of Martial, Bishop of Limoges, who lived near the time of the Apostles, and in his epistle 2 to the Tolossi, ch.8 he tells of having converted to the faith a certain prince of Gaul, whom he calls king, and he strongly praises his person, and adds: “Whom you ought to obey, because he has been constituted a prince for you by God, etc.” Also a passage in Tertullian can be noted, book on *Idolatry*, ch.15 where he says first that those things are to be rendered to Caesar which are Caesar’s, and to God which are God’s, just as Christ taught. Thereafter he subjoins: “So then, as regards the honors of kings and emperors, we have sufficiently prescribed that we should in all obedience, in accordance with the teaching of the Apostle, be subject to magistrates and powers. But within the limits of discipline, as far as we are separated from idolatry.” Here, although he speaks of the time of the pagan emperors, yet he understands his teaching to be general. Therefore in ch.17 he adds that Christians at that time could accept from emperors the dignity and administration of civil power, provided they exercise it without any sinking into idolatry. Therefore finally Prosper rightly has written in his book, *Epigrammaton*

ch.34: “Whatever the order of the world well demands, and whatever thing proposed does not violate pious faith, is to be granted; no power ought to be despised by the gentle and the saints; it is right to serve kings and lords; so that it may benefit the servants of Christ for true honor that they have loved the good and borne the evil.”

10. One can easily be persuaded by reason of this truth, because the Christian Faith or baptism does not render one incapable of regal dignity, or of principality, or of political power; therefore if anyone had it before the faith, he does not lose it because of baptism or faith, if he be converted to it; or if someone already a Christian is appointed to it by lawful election or by another just title, truly he acquires it, and he is constituted a true king, or prince, or magistrate; and so faithful and Christian subjects are also bound to obey him. The inferences are indeed evident *per se* and from what was said. But the proof of the antecedent is either that the incapacity would be from the particular institution of Christ, or from the nature of the thing, or from some natural repugnance; for no other foundation can be thought of; but each of these is wholly false and irrational.

11. About the first it is clear, both because nowhere do we read that Christ prohibited to the faithful regal principality, as will easily be shown below in satisfying the foundations of the contrary opinion; but also because about Christ and the time of grace it has the rather been predicted that the kings of the earth would believe on Christ and adore him, *Psalms* 71: “The kings of Tarshish and of the isles shall bring presents: the kings of Sheba and Seba shall offer gifts and all the kings of the earth shall fall down before him, etc.” Hence in *Psalms* 2 it is first said that the kings of the earth have set themselves against Christ, and afterwards it is subjoined: “Be wise now therefore, O ye kings, be instructed ye who judge the earth. Serve the Lord with fear, etc.” Also *Isaiah* 49: “And kings shall be thy nursing fathers and they shall bow down to thee with their faces toward the earth, and thou shalt know that I am the Lord, for they shall not be ashamed that wait for me.” And ch.60: “And the gentiles shall come to thy light, and kings to the brightness of thy rising, etc.” Nor can it be said or thought that kings coming into the faith of Christ by this fact lost their realms and ceased to be kings, because as the Church sings, “He who gives heavenly kingdoms does not snatch away mortal things.” Nor would another providence have been pleasing nor convenient, for if kings, when converted to Christ, at once by that fact were deprived of realms justly possessed, few certainly would have been so contemptuous of their realms as to want to become Christians. Therefore it is not credible that Christ, who calls to Himself men of all orders and wisely and pleasingly disposes of means suitable for their conversion, had placed so great an impediment to the conversion of temporal princes, or left such an instruction in his Church.

Especially because neither did such an institution pertain to the splendor of the Church, nor to good temporal government, nor to spiritual perfection. The first is plain because it much more honors the faith of Christ and the Church that emperors, kings, and princes of the earth be subjected to Christ and his Vicar, and this without doubt is what is commended in the above stated promises. The second is also plain, for the reason that was set forth above, about the necessity of political principality for the preservation of human society, has no less place in the Church of Christ than outside it, because Christians also need a political community in which peace and justice are protected, and for this purpose Christians also need civil direction and restraint, as has in itself been noted. Therefore, since Christ neither willed his Church to be badly governed in temporal affairs, nor decreed either that he would miraculously rule it, it is not due that a *quasi* conatural governance be taken away from it, nor also, as a result, that the political principality be removed from it. Lastly the third part is proved because political principality is not against the essential perfection of the Church, which consists in true and living faith working through charity. For, since principality is consonant with justice and natural reason, it cannot be contrary to charity. Nor is it even contrary to

the perfection of the counsels, for there is no concern here that the lack of temporal dominion or jurisdiction be constituted under necessity, but only that under the counsel it be left to free will, following that saying: "If thou wilt be perfect, etc." And so evangelical perfection and the efficacy of the grace of Christ are shown rather in this, that many emperors and kings voluntarily abdicated their empires and realms.

12. From these considerations the other member rests sufficiently proved, to wit, that Christians are not, from the nature of the thing or by reason of any other natural repugnance, incapable of political principality. First, because it has been shown rather from the nature of the thing that this governance is necessary for Christians, for whom it is much better to be governed by Christian princes than by non-Christian, as was also shown by the by and is sufficiently known of itself; therefore rather from the nature of the thing is it necessary that Christians be capable of temporal kingdoms and magistracies. Second, also because if there were any repugnance, it would be either to Christian freedom, or to the faith. But Christian freedom does not consist in exemption from just human laws, nor in immunity from just restraint or punishment of wrongs when they are committed against peace and justice; but it consists in exemption either from the laws of Moses, or from the fear of servitude, or (which is the same) it consists in free service as a consequence of love and charity, to which human government is not repugnant, but rather, if it is present, aids it; but if it be absent its lack is supplied through coercion. Also the aforesaid power, or the subjection corresponding with it, is not at all repugnant to the faith, because each is in conformity with natural reason, which is not adverse to the faith. Certainly Paul sufficiently confirms this in the epistle to Philemon, where he manifestly supposes, on account of the faith that Philemon had and that Onesimus his servant had embraced, that neither was the right of dominion taken away from the former, nor was the latter exempted from this service; therefore the same must *a fortiori* be said of political jurisdiction and the subjection corresponding to it.

13. As to the first foundation, then, of the contrary error, we reply that those words of Paul, "Be ye not unequally yoked together with unbelievers" are understood literally of infidels as infidels, that is, do not take part with infidels in the proper activities which they perform as infidels. And this sense all the reasons of Paul prove. But from this opinion it is only concluded that the faithful should not obey infidel princes if they prescribe anything against the faith or true religion. And in this way was that passage there understood by Ambrose, Theodoret, St. Thomas, and St. Augustine, book *Against the Donatists* after the collation, chs.6 & 21. Jerome too, bk.1 *Against Jovinian* and epistle 11 to Ageruchias, understood by 'yoke' matrimony, thinking that there it is prohibited to a Christian woman to contract it with a pagan. But without doubt there the Apostle does not speak specially of the bond of matrimony, because neither is mention made of this, nor does there occur in the whole context an occasion for specially treating of this. It is certainly probable, as Chrysostom says there in *hom.* 6, that Paul advises the faithful in general to avoid too much intercourse and familiarity with infidels, especially on account of the danger that they be corrupted by them in faith or morals. In this sense Paul did not hand down a new positive precept, but explains a natural one, by which each is bound to shun danger, lest he be lost in it. And in this way too the Christian republic is bound to shun an infidel prince and not to accept him, if the matter depends on its own consent; or even to repel him if from his rule the peril of moral destruction would be feared; yet this ought to be done, not by private authority, but by public, when in other respects the prince has a lawful right to the realm. And thus the required order is preserved, and the danger is avoided.

14. As to *Matthew* 17, since it must be more broadly considered when speaking about ecclesiastical immunity, now I briefly say that under the name of sons is not there comprehended all

the faithful, nor even all the just, because Christ literally speaks of natural sons, as is plain from the context and from the explanations of all. But as to Augustine, St. Thomas answers, IIa IIae, q.104, a.6, ad.1, that he spoke in a spiritual sense and in this way the sons of the kingdom are free from the slavery of sin and from the tribute which they have to pay by reason of it. This is not agreed to by Cajetan there, and so he explains that under the head of sons of the kingdom, to which earthly realms are subordinate, Augustine meant not all the just as sons but those who are in authority, as are bishops, and other ecclesiastics. But even these are not natural sons, and therefore under the name and idea of sons (if we stand only on the proper signification of the words) they are not comprehended. And therefore Jansen thinks that Augustine spoke of Christ only, even if he should think in the plural of sons, because Christ the Lord is speaking generally of natural sons. Nor even are all Christians comprehended under that freedom on account of another title, that they are the family of Christ, as Paul sufficiently explains, *Romans* 13, because that union with Christ in the same family, that is, the Church, is very broad and general, and of another order, that is, the spiritual order, which does not remove corporal servitude or subjection, and consequently does not remove the order of justice which is born from it. Whether, indeed, by reason of that title immunity is extended to all ecclesiastics by force of the words of Christ we will see later, and we will expound the words of Jerome which seem to touch on it.

15. To the second foundation we now answer that true Christian freedom does not exclude honorable subjection to lawful temporal princes, not only Christian ones but also infidel ones, as is sufficiently made plain from the teachings of the Apostles, and more fully in the aforesaid book *De Legibus*. Finally, as to the words of Christ the Lord we reply that by these words Christ did not intend to remove a just principality from among Christians, but only to teach them not to imitate the ambition and tyranny of pagan princes. And therefore it was not about kings simply but with a limitation that he said: “the princes of the gentiles exercise dominion over them,” where also the word ‘dominion’ indicates too great desire and too ambitious a way of governing, as Peter, first letter, ch.5, said, “Neither as being lords over the clergy.” Also thus did Chrysostom explain, *homily* 56 on *Matthew*, and in another brief narration on *Matthew*, ch.20. And from the occasion on which the Master spoke to repress the ambitions of his disciples and the strife as to the primacy, and from the words that He subjoined: “But it shall not be so among you: but whosoever will be great among you, let him be your minister,” it is very plain that Christ did not exclude order and degrees of greater and lesser, but wanted to moderate the desire of his Apostles.

But as to Paul, we answer that when he says, “Be ye not servants of men,” he does not speak of civil subjection, nay, not even of penal or rigorous servitude, for neither is repugnant to, nor derogates from the worth of, the redemption of Christ, for in the same place a little before he had said, “Art thou called being a servant? Care not for it.” Rather he adds that it is possible for servitude to be preferred to freedom, at least on account of humility, as St. Thomas expounded along with Ambrose and Gregory. Therefore, when he says, “Be ye not servants of men,” he means in the matter of the servitude in which a man is preferred to Christ, by serving a man in things which are opposed to the service of God. And because this would be contrary to affection for the redemption of Christ, therefore he premised a very good reason, saying, “Ye are bought with a price.” Therefore to serve men in this way should be foreign to those redeemed by Christ, but to be subject to lawful princes in things which are not repugnant to God is not unworthy, but rather, according to the words of the same Redeemer: “Render therefore to Caesar the things which be Caesar’s and unto God the things which be God’s.”

Chapter 5: Whether Christian kings have supreme power in civil or temporal things, and by what

right.

Summary. 1. What supreme power is. 2. There is a double subjection, direct and indirect, and what each is. 3. The sense of the question is made clear. 4. First opinion for the negative. 5. First foundation. 6. The true opinion is established. 7. An emperor does not have supreme temporal power over the Church. 8. The assertion is proved from the authority of the Supreme Pontiffs. 9. The same conclusion. 10. Supreme civil power does not belong to the Supreme Pontiff by human right. 11. The same is proved of divine right. 12. Objection. It is solved. 13. Objection. First response. 14. Second solution. The response is rejected. 15. The foundations of the contrary opinion are solved.

1. Any power, then, is said to be supreme when it recognizes no superior; for that word, supreme, denotes a negation of a superior whom the other, who is said to have supreme power, may be bound to obey. Moreover it is understood to be about a superior on earth, or a human superior, for with God no comparison is made; for what human prince, unless he be an atheist or mad, would presume even to attempt to withdraw himself from under the divine power? Therefore there is excluded through that negation subjection to a supreme mortal man. But that negation can be taken in various ways, and therefore, so that the title of the question may be understood and so that it may be distinguished from the other questions that are here possible, it is necessary to make plain the manner and sense of that negation. For, first, it is possible to deny utterly all subjection to a superior man, as well in spiritual matters as in the civil. Secondly, it is possible to deny subjection in the same temporal and civil matter. And although in the prior question a very great disagreement exists between us and the king of England, for he wishes to be under no one even in spiritual matters, which we believe to be against Christian faith and obedience, nonetheless we do not now treat that question, because we have not yet spoken about the spiritual power, without the understanding of which the solution of this can in no way be understood; and therefore I relegate it to the last part of this book, and at present we call that temporal power supreme which in the same order or matter has not been subjected to another.

2. Next, in the present case, a double subjection is accustomed to be distinguished, i.e., the direct and indirect. That is called direct which is within the end and boundaries of the same power; indirect which is only born in consequence of direction to a higher end, and pertains to a superior and more excellent power. For civil power proper is ordered of itself only directly to the convenient state and temporal felicity of the human republic for the time of the present life, and therefore also the power itself is called temporal. Therefore the civil power is then called in its own order supreme when, in the same order and with respect to its own purpose, an ultimate resolution is made to it in its own sphere, or in the whole community which is under it, such that on such a supreme prince depend all the inferior magistrates who have power in such community or in a part of it, but the highest prince himself is subordinated to no superior in the order to the same purpose of civil government. But because temporal or civil happiness must be referred to spiritual and eternal happiness, therefore it can come about that the matter itself of civil power must be directed in another way and governed in order to spiritual good, which civil reason alone would seem to demand. And then, though the temporal prince and his power in actions does not directly depend on another power of the same order and that looks only to the same end, nevertheless it is possible that it be necessary for him to be directed, aided, or corrected in his own field by superior power that governs men in order to the more excellent and eternal end; and then that dependency is termed indirect, because that superior power sometimes concerns itself with temporal matters, not of itself or on its own account, but in an indirect way, and on account of another.

3. Hence it comes about that this negation of subjection in temporal matters, which the prerogative of supreme princes is believed to include, must be further subdivided into two senses. For it is possible to deny even all subjection, as well direct as indirect, and thus another twofold question is raised. The first is, whether the power of a Christian king is supreme in the first sense, that is, neither directly nor indirectly recognizing a superior in civil or temporal matters; the second is whether it is supreme at least in the second sense, that is, recognizing no direct superior in temporal matters. On these questions there is such great diversity, that the first pertains to dogmas of faith, and on that nearly the point of the whole controversy turns between us and the king of England; but the latter neither is a matter of faith nor in it is there any disagreement between us. Yet nevertheless the present question must not be taken in the prior sense, nor about indirect subjection, or rather exemption; because (if it be attentively considered) it pertains to the question of spiritual power, because that indirect subjection can be only with respect to spiritual power, or (which is the same), if any power can be thought of to which the supreme temporal power may indirectly be subjected, it can only be the spiritual power, as we shall see in discussing it, and therefore we must also put this question back to that place. The title, therefore, of the present question must be only understood about the supreme power, which in the same order does not directly recognize a superior. For although, as I have said, on this point there is no controversy between us and the king, because he often complains about Catholics, that we deny the jurisdiction of Christian princes and the obedience owed to them, therefore this question I thought should not be passed by at this time, so that it may be made manifest from the solution of it that the regal power over all those matters which are consonant with the natural law is preserved in good order according to Catholic doctrine.

4. It is therefore the opinion of certain Catholics, especially of the jurists, that in the Church of Christ not only is there spiritual governance but also a temporal monarchy, and therefore in the Catholic church there is only one supreme temporal prince, having as such and directly supreme civil power over the Church universal, and that he is the Supreme Pontiff by the institution of Christ. Thence they collect as a result that no republic, or no king or emperor, has supreme power in temporal matters, because there cannot be two supreme heads in the same order; therefore if the Supreme Pontiff has supreme temporal power directly and through himself, necessarily in all the other temporal princes there is no supreme power, because there will be none that does not recognize a superior in temporal affairs. Nay some even add that all rights to realms and dominions were conferred on Peter as the Vicar of Christ, and thus the Roman Pontiff succeeds to this right, and therefore the supreme civil power potentially (as they say) is only in the Pontiff, although through other kings he administers it by means of tacit or express grant. So say those who are outstanding among ancient interpreters of pontifical right, the Gloss, Innocent, Hostiensis, John Andreas, Panormitanus, Felinus, and Decius in ch. 'Novit.' *De Iudiciis*, and in ch. 'Causam quae' 2, and in ch. 'Per venerabilem', Who are legitimate sons, and ch. 'Solitae,' *De Maiorit. et obediē.*, and in ch. 'Super his,' *De Voto*, and others in ch. 'Quoniam.' dist.10, and in ch. 'Cum ad verum,' 96. dist., and among interpreters of the law of Caesar, Bartol. Oldrad., Paulus de Castro, and others to whom Navarro and Covarruvias, to be quoted below, refer. To these are added St. Anthony, 3 p. tit.22, c.5, § 13 and 17, Alvarus Pelagius, and Augustine of Ancona, along with many others referred to by the aforesaid.

5. Their foundation is first in the many decrees of the Pontiffs, who seem to affirm this, which matters we shall refer to below when we shall explain their mind. Second we will show this power in its use and various effects. Of this character are the transferring of the Empire from the Greeks to the Germans, and the institution of a method of electing the emperor and confirming him, and occasionally, to depose him, which are all acts of the temporal power. But if the emperor is not

supreme much less are other kings. Therefore sometimes kings have been deposed by Pontiffs. Third, so as to adduce the Scriptures as well to prove this, they suppose that Christ had not only direct spiritual power but also temporal. First, because He said: "All power is given to me in heaven and in earth"; also, because He was the natural Son of God. Hence they infer that both powers were equally entrusted to his Vicar, both because he himself made no distinction but said absolutely to Peter: "Feed my sheep," under which word 'feeding' is no less included civil government than spiritual; for of David it is said, 2 *Samuel* 5: "the Lord said to thee, Thou shalt feed my people Israel." Second also for the good government of the Church and its unity and peace it was expedient. Thence a fourth natural reason is added, that in one body there should be only one supreme head, from whom proceed all acts of life, whether serving the body or the spirit, as from a primary source; but the Church is a single mystical body, as has already been shown above; therefore it requires one supreme governor in both orders, nay, both powers in one person; because if they are divided among different persons endless disputes and dissensions will arise, which can hardly be composed with human diligence and reason, as experience itself shows.

6. Nevertheless it must be said that Christian kings have supreme civil power in their own order and recognize no other directly superior within the same temporal or civil order, upon whom in the acts of their power they *per se* depend. Hence it comes about that there is not given in the Church one supreme temporal prince of the whole Church, or of all the kings of it, but there are as many as there are supreme kingdoms or republics. This is the more received and approved opinion among Catholics, to whom forthwith we shall refer. But the proof of the first part depends on the latter; for if there is no one temporal head, the result necessarily is that there are many supreme kings, as has been set forth by us; indeed at this time we do not intend to consider in particular whether this or that king is supreme, nor to compare these princes themselves with each other, for that would be very foreign to the present purpose.

7. And for the same reason we do not now treat this question, whether the Emperor is the superior in jurisdiction in all provinces and realms of Christians and consequently the supreme monarch in the Church universal. Because, although it could pertain to the latter part of the assertion, yet it pertains almost not at all to explaining the dogmas of the faith, and therefore we briefly suppose that the Emperor does not have this dominion or supreme temporal jurisdiction over the whole Church (whatever Bartolus and some other jurists should think), because either he never has had it, or, although he has possessed it, for the greater part he has lost it. But that he never had it is the most probable, because neither in a supernatural or extraordinary manner did he have it from Christ the Lord or from the Roman Pontiff, as will be made clear *a fortiori* from things to be said; nor did he acquire it by any human law, because never, either through election or through just war, did one emperor subject to himself the whole world or the whole Church. For though we admit that the ancient Christian emperors were lawful princes over their whole domain, yet it does not thence come about that they were supreme princes of all Christians, because outside their territory many peoples could have been Christians. For, as Prosper correctly said, bk.2 *De Vocat. gent.* ch.6, "Christian grace was not content to have the same boundaries as Rome, and it subjected many peoples to the scepter of the cross whom Rome itself did not conquer with its arms." Thence also is that which Pope Leo, in serm. I *Apostolorum de Roma*, said: "So that you might govern more widely by divine than by earthly domination." Add that this very Roman Empire was divided into Eastern and Western, and then that the Western Empire (which alone remained among the Christians after the Eastern had been seized by the pagans), though so far as dignity is concerned it endures in one person, was, as to jurisdiction, divided among many princes and kings. Of these, though some are subjects of the emperor, more are thought to be lawfully exempt by the right of

prescription, adding at the same time the consent of the peoples, or title of just war. And thus we now suppose that, besides the Emperor, there are several temporal kings wholly free from his jurisdiction, as are the kings of Spain, France and England.

Therefore, it is only left to prove the assertion about the Supreme Pontiff; for if he does not as his own have dominion of supreme temporal jurisdiction over all the kingdoms of the Church, no other can be imagined who might have such primacy, and therefore there will be several supreme temporal kings. That therefore the Pontiff does not have such temporal power in the Church universal was held among the theologians especially by Maior, in [*Sentences*] 4, dist.24, q.3, Cajetan, tom.1, opusc. tract.2, c.3, and 2.2, q.43, a.8, Vitoria in *Relectionibus*, Soto, bk.4, *De Iust.* ch.2, and Bellarmine, bk.5, *De Sum. Pontiff.*, ch.1ff., who refers to several others. Also among the jurists, Covarruvias, in *Regul.* 'Peccatum', 2 p. § 9, no.7, and Navarre, in ch. 'Novit.' notab. 3 very fully, and, by referring to several others, in no. 41, and Petrus Bertrand. tract. *De Orig. iurisdict.* q.3. Also (which is the main point) the Pontiffs themselves in many places simply recognize this truth.

8. Therefore by their rights in the first place is the assertion proved. For Pope Nicholas writes to Archbishop Albinus as follows: "The Holy Church of God has no sword, except a spiritual one". Now by the word 'sword' is accustomed to be signified in canon law the temporal power; therefore this should especially be understood about both the direct power and the jurisdiction that the Church has through itself and, so to speak, on its own intrinsic account. For in its own territory, by having obtained another title, the Church, or an ecclesiastical prelate, can have a temporal sword, as the Roman Pontiff has it in his own particular domain. Besides, the same Nicholas, in his letter to the emperor Michael, said the following: "Neither did the Emperor seize the rights of the pontificate, nor did the Pontiffs usurp the name of emperor, since Christ thus separated in their appropriate activities and distinct dignities the duties of each power, etc." The same is handed on to us by Pope Gelasius when in epistle 10 he writes to Emperor Anastasius: "There are two by whom chiefly the World is led, the sacred authority of the Pontiffs and the regal power"; and Pope Gregory, bk.2, indict.11. epistle 61, elsewhere ch.100, to emperor Maurice, says: "For this purpose power over all men has been granted to the piety of my lords, so that the terrestrial kingdom may serve the celestial kingdom"; and Pope John, in his letter to emperor Justinian, which is included in 1. *Inter clericos*, ch. 'De Sacra Trinitate,' recognized his supreme principality and regal power.

Besides, Innocent III, ch. 'Novit.' *De Iudiciis* openly thinks that the king of the French has supreme temporal jurisdiction, which the Pope did not want to disturb or diminish; and therefore he says therein: "For we do not intend to judge about the fiefdom, to whose judgment it pertains," clearly signifying that it does not pertain to himself, at least directly, as the Gloss and Innocent correctly remarked. This he more fully explains when he adds: "Unless, perchance, by common right through a special privilege or by custom it has been taken away." For by this exception he declares that by divine law it has not been taken away from the regal right. The same is besides expressly said by Innocent in ch. 'Per venerabilem,' 'Who are legitimate sons,' about the king of the Franks, that he does not recognize a superior in temporal matters. And of the Apostolic See he says: "In the patrimony of Blessed Peter it can freely (that is directly and absolutely) make disposition, wherein it exercises both the authority of the Supreme Pontiff and executes the power of a supreme prince (at least a temporal prince)," plainly thinking that in the other realms it cannot thus freely dispose about temporal matters. The same in ch. 'Solitae,' *De Maiorat. et obedienc.*, he confesses that the Emperor "in temporal matters takes precedence in his own dominion"; and of the regal power he says that "in carnal matters it is preeminent," and in ch. 'Causam,' 2, 'Who are lawful sons,' Alexander III expressly says that it pertains to the king, not to the Church, to judge of

temporal possessions, and he speaks in particular of the king of England. It is therefore sufficiently clear that the Roman Pontiffs themselves never arrogated to themselves power of this type, which will be more fully evident from the subsequent discourse.

9. Second, this truth is chiefly proved because no just title can be assigned that direct dominion in temporal jurisdiction over all the realms of the Church befits the Supreme Pontiff; therefore he does not have it, for neither could it be obtained without a just title. The assumption is proved, because either that title would be of positive divine right, or of human right; for it is manifest, from what has been above stated, that it cannot be directly from natural right. For it has been proved that from direct natural right only the perfected human community, and one politically united into the body of a single republic, has the supreme temporal jurisdiction over itself. But the congregation of the Church, although it be one spiritual or mystic body of Christ, and in this category would have unity of faith, baptism, and head, yet it is not united in the manner of one political congregation, but it contains in itself varied kingdoms and republics, which in the political class have no unity among themselves; therefore by force of natural right there is not immediately in the whole community of the Church one supreme temporal and universal jurisdiction over the whole Church, but there are as many supreme temporal jurisdictions as there are political communities which are not members of one realm or civil republic.

10. And therefore by no lesser evidence is it concluded that such power is not in any ecclesiastical prince by any human title, by the medium of which that natural power was transferred to him; because this title is either the election or consent of the people, and this has no place in the present case, as is manifest of itself; for never have all Christian peoples by their own will and consent submitted themselves to one man as to a supreme temporal prince. Or the title is from a just war, and of this also it is clear that it does not have place in any ecclesiastical prince. Or the title is from a lawful succession, and here also it cannot be, precisely by insisting on human right, because it supposes a lawful title and dominion in a predecessor, and thus, by ascending, one must necessarily stop at someone who received by another prior human title such dominion without succession; and this cannot be except by consent of the people or by war, which either was just from the beginning, or by the tacit consent of the subjects was made just through legitimate time; but none of these has any basis in the case of any Pontiff, whatever time or former age may be thought of. Or, lastly, this title is from some grant made by man, and about this there exists almost the same reasoning as of the title of succession. The reason is that no one can give except what he has; but no temporal prince, even a temporal one, has ever had supreme direct temporal jurisdiction over all Christian provinces and realms, as I have touched on above; therefore there is no one who could have made such a grant to the Church or to the Pontiff.

All these things rightly confirm those canonical laws which hand down that the Roman Pontiff has the lawful right and the temporal dominion over the Roman realm or patrimony (as they call it) of St. Peter, effected through the donation of the Emperor Constantine, as is plain from ch. 'Constantine,' 1 & 2, dist. 96, and from ch. 'Fundamenta,' de elect. in 6, and ch. 'Futuram,' 12, q. 1. For from these sources it is plainly collected that by the title of donation alone does he have direct temporal jurisdiction over the kingdom and the cities which are in the patrimony of St. Peter, under which patrimony we include all the temporal possessions which the Roman Pontiff now possesses, whether the donation of the entire patrimony was made by Constantine, or was begun by him and was increased by other kings and princes.

11. It remains to speak about the title of positive divine right which could only have been begun through the gift of Christ the Lord, and persist through lawful succession; but by Christ the Lord no such grant was made, and consequently no lawful succession could exist in such temporal

jurisdiction; therefore neither by this title does jurisdiction of this type belong to the Pontiff. But that Christ did not give this jurisdiction to the church is proved especially because if he had given it to anyone, it would have been especially to Peter, as now I suppose from what must be stated below concerning the primacy of the Roman Pontiff. But that it was granted to Peter is not sufficiently gathered from *Matthew* 16 where, before the words, “whatsoever thou shalt bind on earth,” and “whatsoever thou shalt loose,” Christ put first the promise, “I give unto thee the keys of the kingdom of Heaven”; therefore Christ did not promise to Peter the keys of the earthly kingdom, and therefore he did not promise him temporal dominion, or direct temporal jurisdiction, but spiritual power. Therefore what Christ added, “whatsoever thou shalt bind on earth,” or “whatsoever thou shalt loose,” must without doubt be understood in accordance with the power which under the name of the keys he had promised. And similarly the words, “Feed my sheep,” must be understood in accordance with the same power, for there Christ fulfilled the promise made before. But in no other place did Christ indicate that he was granting temporal dominion or a direct proper kingdom to Peter, or to his Church, and also ecclesiastical tradition does not show it but rather the opposite, as has been seen; therefore by no supernatural way can there be clarity for us about such temporal and direct jurisdiction of the Pontiff; therefore it cannot with foundation be attributed to him, since he could not have it except supernaturally.

Next the best conjecture is that Christ did not assume for himself in his humanity an earthly or temporal realm with direct dominion and jurisdiction, such as is in the Emperor or other human princes; therefore He did not bestow it on his Vicar on earth. We suppose the antecedent from things which we have said in 1 tom., 3.p., disp.48, sect.2, about the kingdom of Christ, and it is briefly now shown from these things, which Scripture says about the poverty of Christ the Lord, as that verse in *2 Corinthians* 8: “For ye know the grace of our Lord Jesus Christ, that, though he was rich, yet for your sakes he became poor, that ye through his poverty might be rich.” Hence John XXII, in *Extravagant*. ‘Cum inter nonnullos,’ de verbor. Signific, teaching that Christ, notwithstanding His poverty, had dominion over a certain few and usual things, manifestly supposes that he did not take dominion over realms, or over other things the property in which makes men rich. And this the Lord himself signified when in *Matthew* 8 and *Luke* 9 he said, “the Son of man hath not where to lay his head.” Also about temporal jurisdiction he likewise signified *Luke* 12, when to someone asking, “Speak to my brother, that he divide the inheritance with me,” he replied: “Man, who made me a judge or divider over you?” as if he would say that he did not assume that judgment, nor had come into the world to exercise temporal jurisdiction, as rightly Ambrose, Theophylact, and Euthymius remarked.

Also this too the Lord himself confirmed, *John* 18, saying, “My kingdom is not of this world,” that is, it is not temporal and earthly, as is the kingdom of Caesar, as Cyril there expounds, bk.12 on *John*, ch.10 and following; and Chrysostom, *Homily* 82 on *John*, and very well Augustine, *tract.* 115, saying: “Hear, all ye earthly kingdoms, I do not stand in the way of your domination in this world, my kingdom is not of this world.” Therefore all the Fathers teach that Christ assumed a spiritual kingdom, which does not exclude true poverty. And therefore in *Zechariah* 9 it is predicted that the Savior will come, who would be a king and a poor man, which was declared fulfilled in Christ, *Matthew* 21 and *John* 12; and in *Psalms* 2 of Christ it is said: “Yet have I set my king upon my holy hill of Sion,” and at once is added: “I will declare the decree,” to signify that the kingdom is spiritual, not earthly. Hence Augustine in the place cited said that the mountain upon which Christ was set is not of this world, “because the believers in Christ, who are his kingdom, are not of this world”; moreover Hilary said that Jerusalem is not earthly but celestial. Also in this manner it was predicted by the angel about Christ: “The Lord shall give unto him the throne of his father

David,” and at once he adds, “And he shall reign over the house of Jacob for ever; and of his kingdom there shall be no end,” because it was not to be temporal but spiritual, as was remarked by Epiphanius *Haeres.* 29, and Jerome, *Jeremiah* 22 and *Zechariah* 6. But the reason is because a temporal kingdom was not necessary for Christ for his own honor or majesty, and for our example and redemption it was more expedient that he not assume it.

12. And so hence is easily proved the prior inference, that Christ did not confer on his Vicar power which he himself did not assume. You will say, although Christ may not have had a temporal kingdom, transitory and imperfect, yet he had also in his humanity, on account of the grace of union, a certain more excellent dominion, by which he could make use of all things whatsoever, or of temporal kingdoms, by his will, and consequently through this also he was able to give to his Vicar temporal kingdoms and direct temporal jurisdiction. We answer that it is not denied that he was able to do this, just as he was able to assume them for himself, but we gather that he did not make the grant, since he did not assume it, because he left on earth only a Vicar of that kingdom which he himself had in fact assumed, which kingdom is spiritual, as we have shown, and indeed it is perfectly consummated in glory, but in this world it is begun in the Church militant. Again because Christ had perfect spiritual power without direct temporal jurisdiction, therefore he could also communicate to his Vicar perfect or sufficient spiritual jurisdiction without the other direct temporal jurisdiction. And lastly because just as it was expedient that Christ himself not assume temporal jurisdiction, so also it was fitting that he not communicate it to his Vicar, lest he either perturb the kings of the earth, or seem to mix spiritual matters with secular.

Hence we can argue finally with reason, that temporal dominion with direct civil jurisdiction over the church universal was not necessary for the spiritual government of the Church, as is manifest in itself, nor even was it useful for the same end, nay rather it could have been a great detriment; therefore it is not very likely that it was granted by Christ. The minor is proved first because temporal government is far different from spiritual, and it involves men in secular matters, which are very greatly adverse to spiritual matters, on which account Paul said, *2 Timothy* 2: “No one that wars for God entangleth himself with the affairs of this World.” Therefore it is not credible that Christ the Lord joined these two supreme and universal powers in one Supreme Pontiff of the Church, since it is morally impossible that one man can be equal to both weights of universal government.

13. You will say: By this reason it would be proved that the Supreme Pontiff or other Bishops cannot and ought not to be at the same time temporal princes. The answer in the first place is that it is true that Christ the Lord did not institute this, nor lay it down, nor did he grant to any of his ministers or pastors temporal principality. Also the discourse made proves this, and what we have said about the kingdom of Christ confirms it, that he assumed no temporal principality or secular judgment over the whole world or any part of it, whence also to no Bishop nor to his Vicar did he communicate it; what therefore he said about himself, “Who made me a judge over you?” applies to each Bishop. This is also shown by other testimonies and by the long discourse of Bernard, bk.1 *De Considerat. ad Eugenium* ch.6, and bk.2, ch.6. I add that nonetheless Christ did not prohibit the Pope, or a bishop, from being able at the same time to be a temporal lord, because neither can such a prohibition be shown, as has above been touched upon, and from things yet to be said it will be further established; nor even does it follow from the reasoning set forth, because it is not in itself evil that the same person be an ecclesiastical pastor and a temporal prince. Nay rather, though a too ample and universal temporal care would not rightly comport with a spiritual solicitude, yet a certain limited temporal principality can not only be permitted, but is also expedient for preserving the splendor and prestige of the Church, and for necessary expenses and other like

honorable purposes, as is rightly stated in ch. 'Fundamenta,' *De Elect* in 6. And therefore Christ the Lord did not prohibit it, but he left it at the disposition of man, regulated by right reason, and in accordance with the needs of the times.

14. But an answer to the objection offered could be given in another way, that these things only prove that the exercise of both universal jurisdictions ought not to be entrusted at the same time to the same person, yet nonetheless it was possible that each jurisdiction be granted by way of habit to the Pontiff, and that it be granted under the law and condition that he exercise the spiritual himself but the temporal ordinarily through others. But this too is easily attacked, not only because even that jurisdiction by way of habit is also not shown by any title or probable means, as has been proved, but also because it is either not pertinent, or very odious. For either he who has it is never himself to use it, and thus it will be otiose and useless, because never will anyone be able to use it through others unless first he use it himself, at least by delegating it, or entrusting it as ordinary. But if it be said that it was given for this use, I further ask whether the Pontiff, for example, by entrusting this jurisdiction, wholly abdicates it and utterly relinquishes all responsibility for it, or whether, indeed, he entrusts it under the conditions that he always remain superior in temporal affairs, and with the power of recalling the commission, or at least of limiting it, or even of correcting it under his discretion or emending the things performed under it. If this jurisdiction is thought of by way of habit in the former manner, it is without fruit and otiose. For what does it matter that the Pontiff have this power by way of habit if by necessity he has to grant it to others, through whom he is to exercise it, and now, after he has given it, he is unable to exercise the part of the superior in that order? Nay, rather it follows that he does not even now have it, and is only imagined to have sometime had it, so that an emanation of that power to the secular princes may be attributed to the Pontiff, which is considered very productive of envy and too odious, and otherwise is also profitless and baseless.

But if this power is thought of by way of habit in the latter manner, so that it could proceed to act whenever it pleased or ought to, thus the hate and envy is increased, because now the temporal princes will not be supreme kings, and false will be the song of Sedulius, received by the Church and very celebrated: "He does not seize mortal things who grants celestial;" and the Pope will be able at will to take away or change temporal kingdoms, and even to vindicate to himself, at least validly, judgments on temporal matters and dispensations and the like; for although perhaps he would not do well on account of the perturbation of order, yet the thing done would hold, because it would be from the supreme jurisdiction on which the inferior depends. But this is not only odious and, not without cause, can perturb the minds of kings; but it is also incredible of itself, because it is against the universal peace of the Church and against the universal and perpetual use of it. Therefore even the jurists, who say that the Supreme Pontiff has the supreme temporal jurisdiction, do not admit this. Nay in many acts of temporal jurisdiction they absolutely deny that the Pontiff can do them outside his own temporal dominion, even validly, as is commonly handed down by the doctors, ch. 'Per venerabilem,' 'Who are lawful sons.' And lastly, if in this way the Pontiff had temporal jurisdiction over the whole Church, he should be no less solicitous for the good temporal government of all the kingdoms of the Church than for the spiritual government of all the episcopates. For, preserving proportion, the obligation and the reason is the same; and so proceeds the reasoning made, that this double universal solicitude morally exceeds human strength and capacity, and it is against all reason and use.

15. Of the foundations of the contrary opinion the first and second only proceed about indirect power. And to be sure many of the authors referred to for that opinion speak only of that same superior power, as we shall set forth at the end of this book. But the third foundation proceeds

from a false principle, because Christ the Lord did not assume temporal dominions, as has been said. In like manner the fourth foundation is defective, because the Church is not one temporal republic as it is one spiritual republic, and therefore it does not need one supreme direct temporal power, but one spiritual power which extends to temporal things, as we shall see below.

Chapter 6: Whether there is in the Church of Christ a spiritual power of external and quasi political jurisdiction distinct from the temporal.

Summary: 1. There is an ecclesiastical power of order and one of jurisdiction. 2. Again, ecclesiastical jurisdiction is double. Sense of the question. 3. The heresy of Marsilius of Padua and the foundation for the Anglican Schism. 4. The foundation of this sort of heresy. 5. First assertion de fide. Proof from Scripture. 6. Evasion of the king of England and his reasons. 7. The evasion of the king is rejected. 8. Satisfaction made to the first proof of the king. 9. The king's second proof is dissolved. 10. The Holy Spirit cannot properly be called the Vicar of Christ. 11. Christ the Lord conferred true spiritual jurisdiction on Peter. 12. Distinction between the spiritual and temporal power. 13. The foundations of the errors referred to at the beginning of this chapter are solved.

1. Hitherto we have said of temporal power that it is clear no Christian prince can by right accuse the Catholic Church or Catholic Doctrine of arbitrarily snatching due power away from him; now we must speak about spiritual power so that we may also show what schismatic kings in this genus unduly usurp, and in what things, against divine right, they refuse to obey and be subject to ecclesiastical power. But because ecclesiastical power is manifold, therefore in the title we restrict the question to the power of spiritual and external jurisdiction. For a double ecclesiastical power is wont to be distinguished, namely of order and of jurisdiction; for to these two members are reduced the others that are wont to be enumerated, as Navarrus rightly notes. Therefore, we do not here treat of the power of order for it does not pertain to the present controversy, because it is not a power of a superior over subordinates but is a certain moral faculty ordered to the religious cult of God, whether by the offering of sacrifice, or by the administration and dispensing of sacraments which are established for the sanctification of the faithful, or finally by certain other ceremonies which ought to be done agreeably and in orderly manner for the adornment of the sacrifice or of the sacraments. Hence even the Protestants do not seem altogether to deny this power, although they interpret it in a way that they confess it rather in name than in reality. But this should be examined in a tractate on the Sacraments.

2. Again, the power of jurisdiction is distinguished into the jurisdiction of the internal forum of penance and of the external forum of the Church. The first is what proximately establishes priests as superiors and judges in a certain divine and secret forum which is carried out in the sacrament of penance. And although on this matter too there is great contention by the heretics of this time against the Catholic Church, we pass it over here because neither does King James touch on it nor does it have regard to exterior ecclesiastical governance. Therefore, having omitted these powers, our talk is about the power of external jurisdiction given for governing the Church insofar as the Church is a certain spiritual republic and mystical body of Christ, which we call spiritual so as to distinguish it from the temporal. Hence, according to our intention, to ask whether there is this jurisdiction and to ask whether it is distinct from the temporal is the same thing.

3. In this question, then, there was the heresy of Marsilius of Padua who almost 500 years ago said, among other heresies, that Christ had given no jurisdiction to his Church or to bishops or to the Roman Pontiff either over laymen or over clerics, either for prescribing or obligating or for compelling or punishing; but that he had only given to priests a power of ministering the sacraments

and preaching the word of God, and had left them in everything else subject to the disposition and jurisdiction of temporal princes. Thus do several authors refer to this error but Albert Pigghi does it more distinctly than the rest, book 5 *De Ecclesiast. Hierarch.* And it seems that on this error Henry VIII, king of England, based himself for raising schism against the Roman Church. For, so that he might deny obedience to the Pontiff, he also as a result denied that he had a superior on earth in either temporal or spiritual matters; and so he asserted that in his kingdom he had all the supreme power which could respectively be in the Church. And he seems to have thought the same about any temporal Christian king whatever, because he could not find a greater reason or title for such a power in himself than in other supreme kings; and King James plainly and often affirms it or supposes it in his *Preface to Christian Princes*.

From this fact it is manifestly proved that they do not recognize in the Church any power of jurisdiction beside that which is in temporal kings or which flows from them, because they can claim no other title for usurping it. Hence, just as we said above that royal power had flowed from the people to the kings, so English histories report that King Henry arrogated this power to himself from the consent of the kingdom in Parliament, and the same in a similar session was declared for Edward his immediate successor, and afterward it was renewed for Elizabeth. Therefore here is a sign that they think about this power not otherwise than about a political one. The same is also shown by King James, since he professes to have it by hereditary right and title of carnal succession. Nor was Calvin stranger to this error or Luther, for although Calvin did not approve of the primacy of Henry he is nevertheless compelled on another principle to deny a spiritual power of this sort. For he along with Luther and others make Christians equal in the priesthood and take wholly away the distinction of clergy from lay people, and thus posit no special power in the Church for governing it, beside that which is in the political magistrate or which exists by the nature of the thing in some community for preserving right order.

4. The bases for this error are diverse. For those last referred to could have a basis in that they believed that there is no true and proper sacrifice in the Church, and consequently no true and proper priesthood, but only a spiritual and metaphorical one which is common to all Christians, about which it is said *1 Peter* 2.5: "Ye also, as lively stones, are built up a spiritual house, an holy priesthood, to offer up spiritual sacrifices, acceptable to God by Jesus Christ." And later, 2.9: "But ye are a chosen generation, a royal priesthood." But Marsilius, though he did not deny the priesthood and did distinguish cleric or priests from the people, yet he denied there was an hierarchical order in the clergy, and said that all priests were equal to bishops and bishops to the Pope; hence he inferred that they did not have subjection or preferment among themselves or with respect to the people, but he said that all were subject to the political magistrate. And he adduced that verse of *Luke* 22.25-26: "The kings of the Gentiles exercise lordship over them...but ye shall not be so." He thought that by these words all dominion or jurisdiction was prohibited to clerics. And he induced other testimonies of Scripture which take clerics away from secular cares, as is that one: "No man that warreth entangleth himself with the affairs of this life," *2 Timothy* 2.4, and: "If then ye have judgments of things pertaining to this life, set them to judge who are least esteemed in the church," *1 Corinthians* 6.4. But about the kings of England it is not clear to me on what other basis they rest for support unless, by twisting the Scriptures to other senses, they deny that a spiritual power has been founded on them and exaggerate what the Scriptures prescribe to all Christians, that they be subject to princes and temporal magistrates. Hence in this respect they make the Church of Christ equivalent to a synagogue or a faithful republic which could exist in the law of nature, wherein they think there was no other governing power beside that which was given to kings in the Old Law or that, under another state, could exist by the nature of the thing in such a

community ordered to the cult and religion of the true God, and that was transferred from the people to the princes or (which is exactly the same) by consent of the people to the first born, as if it were one and the same connatural power.

5. Nevertheless the Catholic truth is that in the Church there has been given a spiritual power of true and proper jurisdiction by which the Christian people could be conveniently governed in order to the salvation of the soul. This assertion is *de fide* certain, as Catholics teach by common consent and as is proved first in very open testimonies of Scripture. Chief are these two: “Whatever you bind...” *Matthew* 16, and “Feed my sheep,” *Matthew* 21, which will be expressly dealt with below. Similar also is that verse of *Matthew* 18.17: “If he neglect to hear the Church let him be unto thee as an heathen man and a publican,” and it adds, v.18: “Verily I say unto you, Whatsoever ye shall bind on earth shall be bound in heaven: and whatsoever ye shall loose on earth shall be loosed in heaven.” For to bind and to loose are manifestly acts of jurisdiction, and there is there not merely talk of jurisdiction in the internal forum, or in the secrecy of penance, as is *per se* evident, nor of temporal jurisdiction. For excommunication, about which the talk is there, is an ecclesiastical censure, which even King James himself sometimes calls spiritual in his preface. There are also the express words of Paul, *2 Corinthians* 13.10: “Therefore I write these things being absent, lest being present I should use sharpness, according to the power which the Lord hath given me to edification, and not to destruction.” Now the power was a spiritual one, for there was no temporal or royal power in Paul. Again, there pertains to the same power what the same Apostle says, *Acts* 20.28: “Take heed therefore unto yourselves, and to all the flock, over the which the Holy Ghost hath made you bishops, to feed [*alt. rule*] the Church of God, which he hath purchased with his own blood,” where he openly says that power has been given by God to bishops for ruling the Church; but ruling and government are the same thing. Hence, unless great force comes into being through words, the Apostle is speaking of the power of jurisdiction; but, in order to signify that this ruling is spiritual, he adds about the Church “which he hath purchased with his own blood,” for Christ did not acquire with his blood a temporal kingdom but a spiritual.

Hence this truth can be confirmed by a very good reason along with testimonies of Scripture at the same time. For we have from the Scriptures that an eternal kingdom was promised by the Father to Christ the God man according to that verse of *Psalms* 131.11: “Of the fruit of thy body will I set upon thy throne.” And the Angel added, *Luke* 1.32-33: “The Lord God shall give unto him the throne of his father David: and he shall reign over the house of Jacob for ever; and of his kingdom there shall be no end.” But this reign of Christ was promised not only in heaven but also to be handed over and begun on earth, as is clear from *Daniel* 7.13: “I saw in the night visions, and behold, one like the Son of Man came with the clouds of heaven.” And below, v.14: “And there was given him dominion, and glory, and a kingdom, that all people, nations, and languages should serve him: his dominion is an everlasting dominion, which shall not pass away, and his kingdom that which shall not be destroyed.” But that the son of man is Christ, who is often called son of man in the Gospel, everyone understands, and that his kingdom is to be begun on earth after the other empires and is to last for ever, is openly predicted both in that place and also in *Daniel* and the verse of *Ezekiel* is in accord, 37.22: “And I will make them one nation in the land upon the mountains of Israel; and one king shall be king to them all; and they shall no more be two nations.” These words are clearly understood of Christ and his Church, as is clear from the whole context up to the end of the chapter. But this reign of Christ is not corporal or temporal but spiritual and eternal, as we said in chapter 4, and as is collected from the words of the same *Ezekiel*, v.23: “But I will save them out of all their dwellingplaces, wherein they have sinned, etc.” and from *Jeremiah* 23.5-6: “Behold the days come, saith the Lord, that I will raise unto David a righteous branch, and a king shall reign

and prosper, and shall execute judgment and justice in the earth. In his days Judah shall be saved, and Israel shall dwell safely: and this is his name whereby he shall be called, the Lord our Righteousness.” And this very thing is confirmed by the other testimonies of Scripture and the Fathers adduced in the cited chapter 4.

From this we further conclude that this reign of Christ is nothing but his Church in which he himself spiritually reigns. As Gregory said, bk.1, on the last words in *1 Kings*. And Augustine in tractat. 15, on *John*: “What is his kingdom save those who believe in him? To whom he says, you are not of this world.” And later: “Hence he does not say, my kingdom is not in this world, but, it is not of this world; nor does he say, it is not here, but, it is not from here. For it is here unto the end of the age.” Therefore as it is a spiritual kingdom, so it should be ruled by a spiritual power. But this perpetual kingdom is not only in heaven but also on earth, as long as the world will last, as I referred to from Augustine, and as I also showed in the first book when treating of the Church; therefore too the spiritual power for ruling it has been so conceded by Christ to the Church that it should endure perpetually in it, because the kingdom could not be preserved without a governing power proportioned to it. Hence rightly did Epiphanius say, *Haeres.* 29: “The throne of David and the royal seat is the priesthood in the Holy Church, which royal dignity along with a pontificate together conjoined to it has been lavished by Christ on his Holy Church, because the throne of David that is not to fail through eternity has been transferred to him.” And later: “The royal dignity has been transferred from the carnal house of Judah and Israel, but the throne sits firmly in the Holy Church of God through eternity.”

6. Now to this reason King James tacitly responds in *Preface* pp.5,7, in these words: “Nor, if earthly kingdoms ought to be ruled by earthly monarchs, does it thereby follow that the Church should be governed by an earthly monarch.” But as to why it does not follow he indicates two reasons. The first is: “Because neither is there any individual director or monarch of the whole globe or of all kingdoms.” The second is: “Because Christ is monarch of his Church, and he who fulfills the vicariate of Christ is the Holy Spirit whom he promised he would send;” and here he adds the verse: “The kings of the Gentiles exercise lordship over them...but ye shall not be so.” But in these words the king touches on another question about monarchy, to be treated of below, which is diverse from the present one. For now we are only treating of the supreme spiritual power necessary for ruling the kingdom of Christ, which is the Church, and we say that this must be in the Church itself as it dwells on the earth, whether it be in one person or in several or in a congregation composed of them, which we will see afterward. But the words of the king tend toward the result that there is no power necessary in this kingdom of Christ which is to bear the vicariate of Christ, as is most clear from the latter reason which he adduces about the office of the Holy Spirit, and therefore here they cannot be passed over.

7. Therefore about the first equivalence of the spiritual kingdom of the Church with an earthly kingdom, if the comparison is done with proportion, it is no less necessary that there be in the Church some supreme earthly governor, that is, a visible and mortal man, than in an earthly kingdom. Because the universal Church of Christ is no less one Church, or one kingdom in its order, than is any temporal kingdom in its order. And although the Church as to its end and its chief means is a spiritual kingdom, nevertheless as to the persons who make it up it is also an earthly one, and the actions in which it must be ruled, or directed, or corrected, are also earthly, that is, external and visible; and by the mediation of these are to preserved its peace, unity, religion, and all the rest which are necessary for the convenient governing of this body; therefore no less in this kingdom is a supreme power necessary which, in a human and perceptible manner, is to direct and govern its members and their actions in order to eternal salvation. And therefore rightly did Boniface II, *Epist.*

1, and Gregory, bk.4, *Epistolar*, ch. 96, elsewhere epistle 52, indict. 3, say when speaking about the Church: "For this purpose the provision of divine providence has established that the diverse grades and orders are distinct, so that one interweaving of concord might come to be from the diversity, and so that the administration of the individual offices might be rightly carried out. For neither could a universal whole subsist by other reason if this sort of large order of difference was not preserving it." But because in this diversity and order of grades it is not possible that there be process to infinity nor that there be division among them, therefore it is necessary that it be united or terminated in some supreme head. Hence Gregory subjoins: "Then will each office be fulfilled in a wholesome way when there is one in first place to whom recourse can be had." But just as this is certainly true in each spiritual or ecclesiastical congregation, and in each bisopric or particular church, or province, so by much greater reason is it necessary in the universal Church. And hence Pope Anastasius said in his *Apology* against the emperor Anastasius: "If all power is from God, then that power is more so which is set above divine things;" which power we now call the spiritual power. Therefore the inference, which the king condemns, is very good, that if the earthly kingdom should be ruled by an earthly monarch, then it was necessary that the Church too have its monarch or supreme governor on earth.

8. Now the first reason of the king does not only fail to defeat this but rather gives proof of it, if another diversity between the Church and the whole globe as regard earthly kingdoms is considered. For in the entire globe of the earth there is not one republic only, or one temporal kingdom, but several and various which do not compose among themselves a single political body; and therefore there ought not to be for the whole universe one monarch, nor (speaking more generally) one commander, nor one supreme political or human tribunal. Nay there could not morally or humanly be one. But by contrast the Church of Christ is one perfect, mystical body and one (so to say) simple kingdom diffused throughout the whole globe, as was said in the first book dealing with the Catholic Church. And for that reason one supreme power was necessary which would be over the whole of it. Wherefore, if we suppose that the governance of the Church is a monarchy, as will be shown below, a comparison of it with the temporal kingdom is not to be made with the whole globe but with the individual kingdoms of the globe: just as each temporal kingdom is ruled by one earthly monarch, earthly, I say, as to person, power, matter, and proximate end, so the whole kingdom of the Church should be ruled by one monarch, earthly indeed as to person but heavenly as to power, matter, and proximate and principal end. For by this reason Christ's Church Militant, although it could be said to be an earthly kingdom because it consists of mortal men living on earth, nevertheless it is in Scripture often called the kingdom of heaven, and Christ said of it: "My kingdom is not from here." Augustine notes there that he did not say, "it is not here," because in truth it is in this world, but, "it is not from here," because, although it is in the world, it is not of the world but has come from heaven, and for that reason such a kingdom needs a governor earthly and heavenly at the same time.

9. As to the second reason, we concede indeed that Christ the Lord is the first monarch of his Church. And for that reason, as long as he lived on earth and conversed with his apostles, he governed it *per se* himself as supreme King and Pontiff of it, and he chose apostles, consecrated priests and bishops and sent them to preach, and joined disciples to them, and provided other necessities as opportune for that time and state of the Church. But because now he is absent from the Church Militant as to his visible presence, therefore he cannot as before discharge *per se* and proximately the office of pastor of the Church, and for that reason, to stand in for his visible presence, he made provision of a Vicar or commander to whom he committed the governance of his Church. This fact, indeed, the king of England does not deny, but (which is remarkable) says that

this Vicar is the Holy Spirit, because Christ promised that he would leave not Peter, he says, for directing and teaching the apostles but the Holy Spirit. But this is said not properly or not truly or not relevant to the thing and cause we are treating of. I know, indeed, that Tertullian sometimes called the Holy Spirit the Vicar of Christ, bk. *De Praescript. Haereticorum*, chs. 13, 28, but with an improper and metaphorical locution only, because Christ said *John* 14.16: “And he will give you another Comforter, that he may abide with you for ever.” And later, v.25-26: “These things have I spoken unto you being yet present with you. But the comforter, which is the Holy Spirit, whom the Father will send in my name, he shall teach you all things, and bring all things to remembrance, whatever I have said unto you.” In these words Christ promised the Holy Spirit who confers on the faithful internal virtue, illumination, and remembrance by his grace.

10. But this operation cannot be attributed to the Holy Spirit as to the Vicar of another, if the propriety of the word is kept to. Because a Vicar properly is the minister of some other who is principal author and whose office he carries and whose power committed to him he uses; but the Spirit teaches within and inspires as principal and proximate cause of grace and internal virtue, in the way Paul said, *1 Corinthians* 3.7: “So then neither is he who planteth any thing, neither he that watereth; but God that giveth the increase.” The Holy Spirit, therefore, cannot with propriety of speech be called the Vicar of Christ. But Tertullian spoke thus in a broad and improper sense, because the Holy Spirit had been sent to console the apostles in the place of Christ, and to teach and explain many thing which, from the brevity and opportunity of time, Christ himself could not or ought not to have passed on. Hence he said: “And I will pray the Father, and he will give you another comforter,” as if he were to say, you had a comforter in me, and although I am departing you will not lack for it, for the Father will given another who will console you in place of me. And in the same sense (as Euthymius indicates) he said of the Holy Spirit: “whom the Father will send in my name,” that is, that he may perfect what I have begun by bringing to remembrance and declaring to you what I have taught and by adding things that you could not bear now and by giving testimony about me. Therefore by this reason the Holy Spirit could be said in a certain way to bear the office of Christ, or to fulfill it, not by vicarious or ministerial virtue, which belongs to an inferior, but as principal cause perfecting what Christ could not finish off during the brief time of his life. Hence whoever succeeds another in office in this way, or perfects what the other began and could not perfect, can be said to supply his office vicariously, even if he is not properly his vicar and does not operate through an inferior and participated power dependent on another.

But if the king of England understood that the Holy Spirit fulfilled the office of Christ only in this way, he thinks unjustly that that operation of the Holy Spirit suffices for an external governance of the Church accommodated to men, because that virtue and operation of the Holy Spirit is invisible and purely spiritual and internal; but men need also an external and visible ruler. Next, if that invisible inflowing of the Holy Spirit were sufficient for the visible Church, not only the Holy Spirit but also Christ himself, absent and now invisible to us, could be said to be the Vicar for himself as present and visible, because he also promised about himself, *Matthew* 28.20: “and lo, I am with you always, even unto the end of the world,” namely by invisible protection and help, as I explained above. Besides, if Christ, because he is principal monarch of the Church, did not confer on it a visible ruler who should govern it in his place, why does the king of England in his *Preface* p.134, call himself and other kings Vicars of God? For in his opinion, whereby he believes himself head of the Church in his kingdom even in spiritual things, it is necessary that when he calls himself Vicar of God he understand it not only as regard the temporal kingdom but also as regard the British Church; therefore he is in conflict with himself when he says that Christ left no Vicar of himself beside the Holy Spirit.

11. Lastly it is false that Christ did not promise a Peter who was to direct and teach others; for he not only promised but even gave, for by promising him the keys he promised him both the key of governance and the key of wisdom. Again, when he said to him, *Luke* 22.32: "I have prayed for thee, that thy faith fail not," he immediately added: "and when thou art converted, strengthen thy brethren." And finally when he said to him, *John* 21.16: "Feed my sheep," he manifestly comprehended both doctrine and governance or direction, as we will see below. And beyond these, in many other places Christ indicated that there would be in the Church a spiritual command, and some minister or ministers to bear his office as proper and visible vicars. So do the Fathers understand that verse of *Luke* 10.16: "He that heareth you heareth me; and he that despiseth you despiseth me," Ambrose on that place, and Hilary can.27 on *Matthew*. Chrysostom collects the same, bk.2 *De Sacerdotibus*, from *Luke* 12. For when Christ, in the parable of the householder who wishes to be waited for and obeyed with much vigilance and care by his subjects, had explained how the Lord was to be served, Peter asked him, v.41: "Lord, speakest thou this parable unto us, or even unto all?" And the Lord answered, v.42: "Who then is that faithful and wise steward?" indicating that the apostles had been specially called, so that they might be as chief servants to whom the care of others was entrusted, and that Peter chiefly, who was to be set up over the whole family of Christ, was obligated not only to common vigilance but also to special fidelity and prudence. This care and obligation Peter calls to mind when he says, *I Peter* 5.2: "Feed the flock of God which is among you, taking the oversight thereof, not by constraint, but willingly according to God." And the words of Paul agree, *I Corinthians* 4.1-2: "Let a man so account of us, as of the ministers of Christ and stewards of the mysteries of God. Moreover it is required in stewards, that a man be found faithful, etc." and in 3.5 he had said: "Who then is Paul, and who is Apollos, but ministers by whom ye believed," that is his Vicars, and ruling the Church in his place, and in *Romans* 13 he called a temporal prince or judge a minister of God.

For the fact that the apostolic ministry was also with power and jurisdiction for passing judgment the same Paul sufficiently declares at the end of the said chapter 4, saying, v.21: "What will ye? Shall I come unto with a rod?" and 5.3: "For I verily, as absent in the body, but present in spirit, have judged already, as though I were present, concerning him that hath so done this deed, in the name of our Lord Jesus Christ, when ye are gathered together, and my spirit with the power of our Lord Jesus Christ, to deliver such an one unto Satan for the destruction of the flesh, that the spirit may be saved, etc." And expressly *Hebrews* 13.17: "Obey them that have the rule over you, and submit yourselves, etc." And *I Timothy* 5.17: "Let the priests that rule well be counted worthy of double honor." And *Titus* 1.7: "For a bishop must be blameless, as the steward of God, etc." and 2.15: "These things speak, and exhort, and rebuke with all authority." Finally the places of Paul have regard to this where he describes the unity of the body of the Church and the various members of it, as *Romans* 12, where he says, among other things, v.8: "he that ruleth, with diligence." And 2 *Corinthians* 12 and *Ephesians* 4.11-12, where he puts: "some apostles; and some prophets; and some evangelists; and some pastors; and teachers; ... for the work of the ministry, for the edifying of the body of Christ." This mode of government he says is to endure "to the end of the age," that is, to the end of the world, as was explained above (*Matt.* 28.20).

12. From this it is manifestly clear that this spiritual power is altogether distinct from the temporal. First, indeed, and principally in end; for the temporal power is ordered to preserving the peace and moral decency of the republic, according to the verse of Paul, *I Timothy* 2.2: "that we may lead a quiet and peaceable life in all godliness and honesty." But the ecclesiastical power is ordered to attaining eternal salvation, according to the verse of Paul, *Ephesians* 4.12: "For the perfecting of the saints, etc." and that of *Hebrews* 13.17: "Obey them that have the rule over

you...for they watch for your souls, as they that must give account.” Another difference is in origin, because the temporal power draws its origin from God the author of nature by the medium of natural reason; and considered *per se* in this way it is of natural right; but insofar as it is in a king, or a senate, it is of human right; but the ecclesiastical power is of divine positive right, and by special promise and concession of Christ: “I will give unto thee the keys.” “Feed my sheep.” “As the Father hath sent me, so I send you.” For just as the end toward which this power is ordered, and the acts and means which subserve it, are above nature and human strength, so also the power itself must have an origin above the right of nature or human right. And for that reason, finally, these powers differ as material and spiritual, natural and supernatural, earthly and heavenly. And thus is this distinction explained by Pope Gelasius on the bond of anathema, and Pope Nicholas I in his letter to the emperor Michael, saying toward the end: “The Mediator of God and men, Jesus Christ, did thus distinguish the offices of each power in proper acts and different dignities, wishing them to be borne upward on the proper medicine of humility, not plunged down again with human pride into hell, so that Christian emperors need Pontiffs for eternal life, and Pontiffs use imperial laws only for the course of temporal affairs, since spiritual action is distant from the incursions of the body.” Gregory VIII touches on the same differences, bk.4, *Epistolar.*, ep.2, to Hedimanus, and confirms them from Pope Anastasius in his letter to the emperor Anastasius, from Gregory in his *Pastoral*. Symmachus teaches the same in his *Apology* against the same emperor Anastasius, saying: “Let us compare the honor of the emperor with the honor of the Pontiff, between whom the distance is as great as that the former bears the care of human things and the latter of divine.” And later: “You administer human things, he dispenses to you divine things.” Symmachus says the same in the Roman Synod, and it is referred to at large in ch. ‘Bene quidem’, 96 distin., and we will refer to many other places in the two following chapters.

13. Nor are there obstacles to this Catholic doctrine in the foundations of the other errors, that are based in other heresies, which we cannot refute expressly in this place. In the basis of the first error, therefore, it is heretical to say that there is in the Church no true and proper sacrifice, or no true and proper priesthood. And it is similarly heretical to say that all the faithful are equal in the priesthood, which things have all been disputed and proved by us elsewhere. Marsilius of Padua also erred in the faith when he supposed that all clerics or priests or bishops are equal by divine right. For as to the power of order from the institution of Christ, a bishop surpasses a priest, and a priest a deacon, etc., as was shown at large in the tractate about the sacrament of order. But in power of jurisdiction there is from the apostles a most certain difference, which can easily be collected from the testimonies adduced, and will be shown at large in what follows as regard Peter and his successors. Besides, as to what he said, that Christ prohibited Pontiffs to rule temporally, in the first place it is altogether false and erroneous, as we will show in chapter 8. Next, as to that which we are now dealing with, it is of no importance; because even if it be admitted, all that can be inferred from it is that Pontiffs and bishops do not as such, through the power that they have, rule temporally but spiritually, which we altogether contend for when we say that their power is not temporal but spiritual.

And this is what is at most proved by that testimony: “The kings of the Gentiles exercise lordship over them...but ye shall not be so” (which also the king of England has not omitted), for even in that sense Christ did not prohibit his apostles to rule, but only to rule as the kings of the Gentiles do, that is, temporally; but it was necessary that at least those rule spiritually who have supreme power in that order. Unless we wish to say that even the Supreme Pontiff does not so properly rule in a spiritual way as rule vicariously, because he is not set over the Church as supreme king but as Vicar of the Supreme King. But the truth is that the Lord has not prohibited ruling, but

governing by dominating over people, preferring oneself to them by exalting oneself, and by treating subjects inhumanly, as Gregory said in *Pastoral*. 2 pars., ch.6, when he expounds the words of Christ through those of *Ecclesiasticus* 32, “They established him leader,” otherwise “they placed you as ruler, do not exalt yourself, be among them as one of them;” and those of *1 Peter* 5.3: “Neither as being lords over God’s heritage [alt. clerics], but being ensamples to the flock;” and those of Paul *2 Corinthians* 1.24: “Not for that we have dominion over your faith, but are helpers of your joy.” And Gregory has similar things in *Moralia* 36. ch. 19, elsewhere 22, *Registri* bk.1, and Bernard, bk.2 *De Considerat.*, at the beginning. And so through these things a response is also made to the foundations which on this point the king of England touched on; but to the others which he objects against the primacy of the Pontiff, and against the true sense of the Scriptures by which he proves it, we must speak of them in what follows.

Chapter 7: That the power of ruling the Church in spiritual or ecclesiastical matters does not exist in temporal kings or princes is proved by authority.

Summary: 1. What the disposition is of the spiritual and temporal power in their order to their subject. Error of the Anglican sect about the subject of spiritual power. 2. First conclusion: to temporal kings, as such kings, no spiritual power belongs. 3. The assertion is proved from the Supreme Pontiffs. 4. The same assertion is confirmed from the emperors.

1. Besides the differences between the spiritual and temporal power delivered in the preceding chapter, there occurs another which, because its origin is also the chief basis for the Anglican schism, we have reserved to be examined in this chapter, although the conclusion is manifest from the principles laid down in the preceding chapter. Now the distinction consists in this, that the temporal and spiritual power do not *per se* have regard to the same persons, whom they ought to fit, but rather are separable in subject, which plainly supposes a distinction between them and points to it. But it is possible to err about this distinction in two ways that are extreme contraries. First, by asserting that these powers are not only distinct but also so repugnant that for them to be conjoined in the same person is contrary to divine right. And thus Marsilius of Padua seems to have erred, although he either confounds the spiritual power with the temporal, or denies that they can come together, not in any subject at the same time but only in priests. However, this error understood in this sense has no basis, and it will briefly be refuted in the following chapter since, for the present purpose, it has little relevance. The other way of erring, then, is proper to the Anglican sect, whose principle and basis is that the spiritual power is not separated from the temporal but is annexed to the scepter of the king. This is what Henry VIII wanted, whom his successors Edward and Elizabeth followed, and Sander reports it at large in his first three books about the Anglican schism, where he also describes various laws passed by the said princes for increase of this power in the kingdom.

Finally King James persists in this error, as is clear enough from his deeds, and as he often professes in his *Preface*, especially p.5 of the *Preface*, saying: “For I do not believe myself to be in any part inferior to the Pontiff.” And in the same sense he says on p.2 about temporal kings, “whom God has placed on his throne in the highest grade of dignity as his vicars and legates for exercising judgment.” And again p.10 to kings: “Whom God has commanded to be his chief vicars on earth for administering justice.” And in the same sense he says, p.14, that the controversy which he has with his Catholic subjects has its motive from nowhere else “than from the ambitious tyranny of Pontiffs which they have unjustly usurped to themselves over the temporal rights of kings against the authority of the Scriptures, against the mind of the Councils and of the ancient Fathers.” And finally

he concludes in the same place that he has devoted his whole Apology to asserting this authority of kings (namely in this sense). But the basis for this error seems only to be that he does not recognize a distinction between spiritual and temporal power, and because he denies the primacy of Peter and his successors, about which we will speak in the following chapters.

2. But the Catholic truth is that temporal kings, as they are such or by reason of their supreme jurisdiction in the political principality, have no spiritual power over the Church. This assertion can be proved by the authority of Scripture in two ways. First, because in the New Testament this power is promised and given by Christ to those persons who were not temporal kings. Second, because it is not found given to temporal kings; and from both heads, taken both singly and together, the conclusion is rightly drawn that it does not exist in temporal kings, because it cannot exist except in those to whom it was given by Christ and in their legitimate successors. The first part is sufficiently proved by the testimonies adduced in the preceding chapter, by which it is clear that Christ singularly promised and gave this power to Peter. Next it is also shown from elsewhere, that he gave it to the apostles, *John* 20, to whom and to their successors he promised it under the name of the Church, *Matthew* 18. Other testimonies also show that Paul often used this power, and that it is found in the bishops and overseers of the Church, and that it is exercised by them; but none of them was a king or administered temporal jurisdiction. From here also a very efficacious argument can be taken, for before there were temporal kings in the Church there were pastors in the Church with true spiritual jurisdiction for ruling the Church, as is manifestly collected from the use of the same power and from the testimonies mentioned; therefore this power does not of itself depend on the royal power, nor is it from the force of it conjoined with it; for at that time temporal kings did not have it, nor had they received it from those who were legitimately using it.

And hence is it also openly proved from the Scriptures (which we also touched on in the previous chapter) that this power is of a different origin than the temporal; for the temporal power, as it is found in a king or some similar person, comes either proximately or by succession or some other human title from the multitude of the people, who conferred their authority on the prince; but the former power did not have that origin. For in the primitive Church the apostles had it, not from the Christian people, but from Christ; and they communicated it by their authority to other bishops, and independently of the people, as is clear from Paul *Titus* 1.5: "For this cause left I thee in Crete, that thou shouldest set in order the things that are wanting, and ordain priests in every city, as I had appointed thee." And *1 Timothy* 4.14: "Neglect not the gift that is in thee, which was given thee." And in chapter 5 he showed that it was with Episcopal jurisdiction, v.19: "Against a priest receive not an accusation, but before two or three witnesses, etc." Since therefore it is clear from the preceding chapters that all royal power has emanated proximately from the people, the consequence certainly is that there is by force of royal power no spiritual jurisdiction or power in a king.

Finally, a second proof from the negative authority, as they say, of Scripture is in the present case efficacious on the same principle and basis. For, as St. Thomas rightly said, Ia, q.101, a.1: "in things which are above nature belief is on authority alone;" and "things which come from the sole will of God above all that is due to the creature cannot be known to us save insofar as they are divinely revealed;" but the spiritual power of the Church is a gift above nature, and it depends on divine will and institution, both as it is and as it is in such and such a person, or by such and such a mode or succession. But there is no divine revelation or authority to show that Christ gave this power to temporal kings; therefore, as St. Thomas said above, "where authority is lacking we ought to follow the condition of nature." This condition of nature in the present case indeed is that a temporal king only has that power which men led by natural reason could confer on him, and thence that he has a naked and precise temporal power. But the fact that divine authority does not provide

testimony for a greater power in kings is manifest. For in the first place the adversaries do not allow of a word of God outside the Scriptures, and even were they to allow of it, there is no sacred or apostolic tradition which points to such power in kings but rather to the contrary, as will be clear from the discourse of this chapter and of the whole present book. But we will prove it sufficiently from Scripture by demanding testimony where Christ conferred this power on kings, which without doubt cannot be shown, neither in the Old nor in the New Testament. For the testimonies which are wont to adduced, in which we are commanded to obey kings, are frivolous, since they contain nothing about a new power conceded to kings by Christ, but only advise us of a natural obligation whereby we are held to obey kings when they give command in things which pertain to their jurisdiction, as we will declare at large below when replying to objections. But here can be weighed the fact that Paul, wherever he describes the ecclesiastical hierarchy and distinguishes its bases, structure, ministries, and governments, does indeed number apostles, prophets, pastors, and doctors, but makes no mention of kings and emperors; not because they were not to be in the Church in the future, but because as regard what regards the hierarchical order of the Church they do not constitute a proper grade, but are reckoned along with the lay populace and not among those who are placed for the edifying of the body of Christ in spiritual things to the perfecting of the saints; but they are only deemed to be among those who are to be edified and perfected. Finally can be expounded what Christ the Lord, when questioned whether it was lawful to give tribute to Caesar, accurately responded: "Give to Caesar the things that are Caesar's and to God the things that are God's," indicating certainly that to Caesar, that is the emperor or king, only that was to be rendered which was owed by force of the power of king or Caesar. Therefore Christ, as Salmeron gravely noted, just as he did not take away the royal power, so neither did he increase it, nor did he commit to it the particular right of feeding his sheep. Chrysostom also adds, *hom.* 71 on *Matthew*, "When you hear that to Caesar are to be rendered the things that are his, do not doubt that those things only are said which do not offend piety and religion. For what opposes faith and virtue is the tribute and tax, not of Caesar, but of the devil." More clearly Ambrose says in *epist.* 14, elsewhere 33, to his sister Marcellina: "It is alleged that all things are licit to the emperor, that the universe is his. I reply, do not load yourself, emperor, so as to think that in things which are divine you have any imperial right; do not extol yourself, but if you wish to rule divinely, be subject to God, as it is written: What are God's to God, what are Caesar's to Caesar. To the emperor belong palaces, to the priest the Church; the right of the public walls, not of the sacred walls, has been committed to you."

3. Third, this assertion is proved by the testimonies of the Pontiffs and of canon right, which though they seem to be given in their own cause do also have in them the greatest authority, both because of the key of wisdom which they have for teaching the Church, as we made known in book 1, and also because they show the certain and unchanged tradition of the Church. For not only the moderns but also the most ancient Pontiffs, saints, and martyrs have provided testimony for this truth. And first we could adduce all those things that they wrote about the primacy of the Roman Church; but these are to be mentioned later, and so now we only adduce those writings in which they compare both powers between themselves or in which they demand obedience also from emperors and kings, which they could not do if in temporal kings there was supreme spiritual power. Of this sort is that of Pope Anastasius II to the emperor Anastasius: "But for love of your empire and for the beatitude which the kingdom might acquire, we preach, for our apostolic office, that, as is fitting and as the Holy Spirit dictates, obedience be given to our admonishments." And later: "Let not your piety spurn me when I rather often suggest these things, having before your eyes the Lord's words in the Gospel: He who hears you hears me, and he who spurns you spurns me; but he who spurns me spurns him who sent me." And Pope Gelasius, *epist.* 10, to the same Anastasius

teaches very constantly that the same power befits himself and not the emperor, where he has these words among others: “August Emperor, there are two things by which this world here is principally ruled, the sacred authority of Pontiffs and the royal power, etc.” And Pope Symmachus says to the same emperor: “If you are a Christian prince, you ought to hear in patience the voice of any apostolic superior.” And later: “Let us compare the honor of the emperor with the honor of the Pontiff, etc.” And later: “If all power is from God, that power is more so which is set over divine things; defer to God in us and we will defer to God in you.” Here he openly denies that the spiritual power is in the emperor but in the Pontiff; and afterwards he adds: “All Catholic princes, either when they have taken up the government of the empire, or when they have acknowledged new superiors set up in the Apostolic See, have immediately written to it to make known that they are its partners.” Symmachus wrote this 1100 years ago and we see it preserved up to our times.

Beside, this is confirmed by the definition of the same Pope Symmachus in the 3rd Roman Council: “It is not licit for laymen, even religious, or for the powerful in any city, to decree anything in any way about ecclesiastical faculties, the care of disposing which has indisputably been committed by God to clerics alone.” Also many things to confirm this truth are brought together by Gratian, 96 distinct. And in particular it is largely confirmed by Pope Nicholas in his letter to the emperor Michael, but among many other things he says: “Now that we have come to the truth (that is the truth of the Gospel), neither has the emperor seized upon the rights of the pontificate, nor has the Pontiff usurped the imperial name, since the same mediator of God and man, the man Christ Jesus, to proper acts and distinct dignities has thus divided the offices of each power, so that both may Christian emperors have need of Pontiffs for eternal life and Pontiffs may use imperial laws for the course of merely temporal things.” The same is largely handed down by Gregory VII in his letter to Herimann, bishop of Metz, bk.4, ep.1, and in another to the same, bk.8, ep.21, where by words and deeds from other emperors he confirms the same truth. Again, Innocent III, ch. ‘Solitae,’ says that the emperor in temporal matters and the Pontiff in spiritual matters has the preeminence. And Boniface VIII, in *extravag. unic.*, ‘De Maiorit. et obedien.,’ says that in the Church there is both a spiritual sword to be wielded by the hand of the priest, and a temporal sword to be used by the hand of laymen for the Church and at the behest and sufferance of the priest. Which is tacitly confirmed by Clement V, in *extravag.*, ‘Meruit,’ *de privileg.*, although he declares, by the *Extravagant* of Boniface, that the king or kingdom of Gaul is not more subject to the Apostolic See than it was before. Finally, this is confirmed by what Gratian, distin.63, ch.1, reports from Pope Adrian: “So that lay princes or potentates not intervene in ecclesiastical elections, because in ecclesiastical things they have no power.” It is also contained in the 4th Council of Constantinople, elsewhere synod 8, ch.22, where also ch.12 not only denies to temporal princes power of creating bishops, but also says that he is to be deposed who has been installed by their tyranny. Again, in synod 7, ch.3, is declared void the election of a bishop made by a temporal prince, referred to by Gratian on the cited distin.63, ch. ‘Omnis.’ Thus too did Innocent III say in ch. ‘Ecclesiae,’ *De Constitut.*: “Over churches or ecclesiastical persons no faculty to laymen has been afforded; on them rests necessity to obey, not authority to command.” Similar things are contained in ch. ‘Tua,’ 1, *De Decimis*. These are taken from the 4th Council under Symmachus III. And many other canon rights can be adduced wherein the exemption of ecclesiastical causes from the power of laymen is prescribed; for in them the supposition is made that in temporal magistrates there is no spiritual power; but we reserve all those things for the book on ecclesiastical immunity (book 4).

To these testimonies can be adjoined the opinions of other Fathers, who although they were not Pontiffs, were yet bishops, archbishops, and patriarchs, or holy doctors of the Church, and in the first centuries of the Church. Among these stands out Chrysostom, *homil. 4 & 5 De verbis Isaiae*,

who says among many other things: "Although the royal throne seems a thing to be admired, yet to it is allotted the administration of earthly affairs, nor beyond this power does it have any additional authority." And *hom.* 88 on *Matthew*, he says to a deacon: "You have greater power than he (that is, than a secular prince)," namely in ecclesiastical administration. Many things the same in bk. 3 *De Sacerdotio*. And Cyril of Jerusalem: "Surely," he says, "the Church has the lamb and the lion feeding together, as we see up to the present day that worldly princes are ruled and instructed by ecclesiastics?" Where he alludes to *Isaiah* 11.6: "The wolf shall also dwell [*alt.* feed] with the lamb, and the leopard shall lie down with the kid; and the calf and the young lion and the fatling together," where under the word 'feed' he includes the two of 'ruled' and 'instructed'. Cyril of Alexandria too in epist.31 to John, and the synod of Antioch, and it is referred to in the synod of Ephesus, vol.5, ch.9, at the end, where he admonishes the bishops to listen to those who wish to accuse others of heresy lest there be tumult in outside tribunals, and he adds: "But it is much better and more just for ecclesiastical questions to be moved and formed in churches, and not among others outside to whom indeed the treatment of these sorts of causes is not at all fit."

Celebrated too is the opinion of Gregory Nazianzen, *orat.*17, to citizens struck with grave terror, where after he has given speech to his subjects, subjoins: "But what of you, princes and prefects? For to you now our speech turns." And later: "Will you bear me speaking freely in equitable spirit? For you also the law of Christ subjects to my command and throne; for we too bear command, I will also add a more excellent and more perfect command, unless however it is equity for the spirit to submit its fasces to the flesh, and for things heavenly to cede to things earthly." In which words I weigh especially the words "the law of Christ subjects." From which things it is clear according to the opinion of Nazianzen that this institution and distinction of powers is divine and of the law of Christ. Many like things too can be taken from the same, *orat.*1, which is an apology for his absence, and from *orat.*27, near the end. Very well too is Damascene, *orat.*1, *De Imaginibus*, near the end: "For neither," he says, "is it mark of pious kings to overturn ecclesiastical statutes." And later: "To make statutes and give decree about such things does not pertain to kings, etc." And *orat.*2, a little from the beginning: "Of kings," he says, "it is not the part to prescribe laws to the Church," which he confirms with the testimonies of Paul, *2 Corinthians* 12 and *Hebrews* 13 above treated of. In Theodoret too, bk.4, *Histor.*, ch.16, stands out the opinion of the priest Eulogius, who when he was warned by the prefect of the heretical emperor Valens: "Be in communion with the emperor," says Theodoret, "he ironically but very elegantly replied: Did he receive with the empire also the dignity of priest?" And when the prefect, perceiving the irony, was provoked to anger, he himself again responded that he had a Pastor whose will he followed. The same deed is narrated by Suidas at the entry 'Leontius of Tripoli Bishop of Lydia.' For when Constantius was presiding at a meeting of bishops and was giving many prescriptions, with others assenting, he himself kept quiet; and when he was asked by the emperor why he was silent replied: "I marvel how it happens that, deputed to other cares, you treat of different ones; you who preside over the military and the republic prescribe things to bishops which pertain only to bishops."

Ambrose in addition in the letter above mentioned to his sister Marcellina expressly denies that the emperor has in things which are divine any imperial right. And the same he largely and constantly teaches in *orat.* or address 1, against Auxentius, where among other things he says: "You also yourself do know that I am wont to defer to emperors, not to yield, and to offer myself freely, but without fear, to the punishments that are being prepared." And later: "I replied what was proper to a priest; what is proper to the emperor let the emperor do." And later about the Arians, who were seeking a church from the emperor, he said: "You see how much worse the Arians are than Jews: they asked whether he thought tribute should be paid to Caesar, these wish the right of the Church

to be given to the emperor.” And later: “A good emperor is within the Church, not above the Church; for a good emperor seeks help of the Church not to check it. These things, as we humbly say, so we constantly expound.” Also in the acts of the Council of Aquileia when the heretic Palladius, fleeing the condemnation of the bishops, appealed to the laymen present, Ambrose thus responded: “Priests should judge laymen, not laymen priests.” And later: “And if he is detected in many impieties, we yet blush that it be seen that he who claims the priesthood to himself is condemned by laymen. And for this, since also in this very thing he is to be condemned who waits upon sentence of laymen, since priests should more judge of laymen, I pronounce him unworthy of the priesthood.”

Very well is this truth confirmed by Athanasius when he first refers to and commends the words of Hosius to Constantius in his epistle to those leading a solitary life: “Desist, I beg, and remember you are mortal: fear the day of judgment, keep yourself pure for that day, do not involve yourself in matters ecclesiastical; nor give command to us in this sphere, but rather learn them from us. To you God committed the empire, to us he has entrusted the things of the Church; and just as he who carps at your empire with evil eye contradicts the divine ordinance, so do you also take heed lest what things are of the Church you draw to yourself and become guilty of a great crime. Give (it is written) what things are Caesar’s to Caesar, and what things are God’s to God. Neither therefore is it holy for us on earth to hold empire, nor do you hold the power of censers and things sacred, Emperor.” And later thus of his own opinion Athanasius writes: “If this is the court of bishops, what in common with it has the emperor? But if on the contrary these things are established by the threats of Caesar, what need is there of men with the title of bishops? When from the founding of the age was it heard of? When did the court of the Church receive its authority from the emperor?” But he calls them bishops by title whom Constantius had created by his own authority, who as to title, so he says later, were bishops, but not in truth, which in marvelous way fits Anglican bishops. Finally, Augustine, ep. 48, 162, rebukes the Donatists, because in an ecclesiastical cause they had dared to appeal from the court of bishops to the emperor Constantine. “Neither has a Christian emperor,” he says, “dared so to take up their tumultuous and deceptive quarrels that he has judged of the court of bishops who sat at Rome.” And later: “How much he detested them in this thing you have heard.” And since Constantine, at last overcome by the importunity of the heretics, gave sentence, Augustine tacitly excuses him, saying: “He himself yielded to them so as to judge after the bishops of the cause, being about to seek afterward pardon from the holy prelates, while they however had not what more they might say.” And what Optatus Milevitanus relates about the same cause agrees, bk.1, *contra Parmen.*, near the end: “Donatus,” he says, “believed there should be appeal from the bishops,” to which appeal the emperor Constantine thus responded: “O mad boldness of fury, they have interposed an appeal the way it is wont to be done in the causes of Gentiles.”

4. To these we can add the confessions or testimonies of the very emperors themselves. For the emperor Justinian in *Authent.* ‘Quomodo oportet episcopos, etc.’ says: “Greatest indeed of all are the gifts of God conferred by his supreme clemency, the priesthood and the empire: the former indeed ministering in things divine, but the latter presiding over things human or giving to them diligence, each proceeding from one and the same principle, they adorn human life.” The emperor Justinian therefore understood that the emperor did not have spiritual power in things divine. And the same was the opinion of Constantine the Great who refused judgment among the bishops at the Council of Nicea, recognizing that it did not in fact pertain to him, saying: “God has made you bishops, and to us you are judges given by God, and it is not agreeable that a man should judge Gods, but he alone of whom it is written: God stood in the synagogue of the Gods, and in the midst did he judge between the Gods.” The report is from Ruffinus, bk.1, *Histor. Additae ad Eusebium*,

ch.2. Pope Adrian too in his letter to the emperor Michael, where also he refers to Theodosius in his letter to the synod of Ephesus writing: "It is not licit that he who is not of the order of the most holy bishops should be involved in ecclesiastical dealings." Sozomen also reports, bk.6, *Histor.*, ch.7, that when certain bishops sent a legate to the emperor Valentinian, seeking power for convening in a Council for things of the faith, he himself replied: "To himself, who was one of the number of laymen, it was not licit to interpose himself in affairs of that kind;" which is also reported by Nicephorus, bk.11, ch.40. And of the same Valentinian Sozomen reports, bk.6, *Histor.*, ch.21: "he was much affected toward God, to such extent that he would not intervene either to command anything to priests, or to initiate anything in the institutes of the Church which seemed to him better or worse; for although he was best emperor, to be sure, and well suited to handling things, yet he considered these matters far to exceed his judgment." And in the tripartite history, bk.7, ch.8, it is reported of the same Valentinian that when at Milan, after the death of the heretic Auxentius, he desired a Catholic bishop to be ordained, he said to the bishops: "You clearly know, being experts in the divine words, what sort of man should be Pontiff." And later: "Set up therefore such a one in the pontifical see to whom we too, who govern the empire, may sincerely submit our head, and whose admonishments, when we as men offend, we may necessarily receive as the medicines of one who cures." And when the bishops were asking that he himself decide as being pious and wise, he responded: "Such a choice rests on you." There is extant beside among the letters of Innocent I a certain letter of Honorius Augustus to Arcadius, wherein, writing of the cause of Chrysostom, he says: "Since, if anything be handled about cause of religion among prelates, the court ought to be Episcopal, for to them has regard the interpretation of divine things, to us the obedience of religion." And later: "By these things, finally, is it taught what the divine majesty about them has judged, etc." Lastly among the acts of the 8th General Synod a speech of the emperor Basil is reported by Surius, wherein very piously and faithfully he says to laymen: "What to say about you I have nothing further than that it is in no way licit for you to speak about ecclesiastical causes. For to investigate and question these things belongs to patriarchs, Pontiffs, and priests, who have been allotted the office of governance, who have the power of sanctifying, binding, and loosing, who have received the ecclesiastical and heavenly keys, not to us, who must be shepherded, etc," which words he continues largely and wisely and piously.

Chapter 8: The same truth is confirmed by reasons.

Summary: 1. First reason. 2. Second reason. Evasion of the Protestants. It is rejected. 3. Another evasion is excluded, and it is shown that the supreme head of the Church ought to be one. 4. Objection. Solution. Instance. Response. 5. A certain evasion is refuted. 6. Third reason. 7. Response of the heretics. 8. The same response is refuted most from the principles of the Protestants. 9. The same response is impugned by its disadvantages. First. 10. Second. 11. Evasion. It is rejected. 12. An evasion of this sort is repugnant to King James himself.

1. Now that the Catholic truth has been given sufficient basis in authority, it can by reason from the same principles easily be proved. Because the power of ruling can in no man be found without just title, from which principle we proved above that in the Pontiff there is no direct supreme temporal power; therefore from the same is the conviction plain that in a temporal king there is no power for spiritual governance. Hence, those who gladly hear the first must admit the second, unless they wish to speak

as their will please without reason. Because much less is there found a just title for spiritual power in a temporal prince than of temporal power in a spiritual pastor. Now the assumed principle is in brief proved, because either the title is of natural right or of positive divine or human right; but all these are easily excluded by what has been said. For of natural right it cannot be, both because the power itself is not natural, as has already been proved, and also because no power of dominion or rule over others is in a particular person immediately of natural right but in the community; but this spiritual power is not in the human community as flowing from it naturally; nor insofar as it is in a particular person can it be proximately founded in the will of the same community, as conferring or transferring such power to another, because it is of by far a higher order; therefore it cannot be in a king of natural right. And by the same reason is conviction given that it is not of a human right which may in sole natural right be founded or take therefrom its origin, of which sort is the right of nations or civil right, because if natural right itself does not reach to such power, much less do the inferior rights which are founded on it.

But about divine right the thing is manifest from what has been said, that such right is to be proved by divine authority; but there is no authority, not divine merely but not a provable human one either, which shows that such right has been given to kings. Nay, although sometimes there can be persuasion given by reason that something is of divine right, it has to be collected sufficiently from revealed principles or at any rate it has to be shown, on the supposition of the institution of the Church, to be more in agreement with divine providence. But none of these in the present case has entrance, because there is no revealed principle from which such spiritual power may with likelihood be proved in kings, nay rather all revealed principles are repugnant to that dogma, as has been shown. And lastly all reason of convenient providence and ecclesiastical discipline shows that this heavenly power ought not to have been given to temporal kings, both because they are in temporal cares and secular business most involved, and also because they cannot be at leisure for sacred letters and divine science, which doctrine however is most necessary in ecclesiastical pastors. For which cause Paul said in his first letter to *Timothy* 4.13: "Give attendance to doctrine." There also he indicates another reason, that since this power is conferred for a spiritual end and for the salvation of souls, there is required in him on whom it is conferred the state of spiritual and perfect life, so that he can no less in word and example than in power be of service to his subjects. But temporal kings, speaking morally and by force of status, do not have this kind of life nor profess it, and therefore for this office they are not apt. Finally for this cause in the Church of Christ priesthood is not *per se* conjoint with kingdom; for kings have not been adopted so as to be constituted for men in things which relate to God; therefore by the same reason neither are they fit for spiritual governance. And hence consequently is excluded all title founded on canon right; both because canon right is derived from divine positive right, and also because the reasons stated proceed about it no less; and finally because it has been shown that canon right is to such presumption of kings altogether repugnant. And this discourse will become more evident in the following chapter, wherein how light the bases are which the king adduces for this right will be shown.

2. Another reason we can form in this way: that if spiritual power were in temporal kings there would in the Church be as many supreme spiritual princes as there

are supreme temporal princes, which is both absurd and to the principles of the faith much repugnant. The consequence is manifest. First, because if the power of ruling the Church in spiritual things is intrinsically conjoint with the royal power, it is not then reduced to a higher principle below God nor is it on any mortal power dependent. Second, because there is not greater reason why one king should be subject in spiritual things to a second than the reverse. But perhaps the Protestant Anglicans not only concede this but also chiefly intend it. Nor do they deem it any inconvenience, because they do not admit several heads in spiritual things of the whole Church Universal, but of the several particular churches which are in diverse kingdoms as parts of the Church Universal, and so in similar way they can have several particular heads. But how absurd this is and monstrous in the Church of Christ Militant in this world he will easily understand who has considered from the Scriptures that the Church of Christ is one mystical body most perfectly instituted. For such a body requires one supreme power, which has efficacy over all its members, whether that power be in one true person or in one congregation (which we will see later), because without such a power there could not be a due union and conformity among the members of such a body.

3. They will say perhaps that it is enough that all the particular churches are in Christ the one head united. But against this is that the Church Militant, as it exists in the world, is one spiritual kingdom and mystical body perfectly one in its kind; therefore it requires even in this world one supreme tribunal, under which it may be governed, otherwise it could not be said to have unity, to the extent it is active in this world. Which is made plain from a similarity; for several kingdoms, which are warring under diverse kings and emperors, are not one kingdom or empire, because they do not have one supreme governance on earth, although they are all united in one King, God, who is also Supreme Temporal King of all kings. Hence from that opinion it openly follows that the several churches, which are in the world, do not more constitute a universal Church which is properly one, than several temporal kingdoms are one temporal republic, or one empire or one kingdom. And there is further declaration from another example accommodated thereto; for if in diverse provinces there are active two armies of the king of Spain, under two leaders supreme and in no way subordinated one to the other, they cannot be said to be one army, even if they are united in the same king remotely and from him receive the influx of an alternative reason. So must it therefore be said of diverse kingdoms, to the extent they are distinct churches, if they were warring under supreme ecclesiastical heads.

Added to this, finally, is that the unity of the Church without unity of faith and sacraments cannot be preserved; but this unity of faith in diverse kingdoms and provinces could not be preserved without a great miracle, if the parts of the Church and their heads on earth were altogether diverse among themselves and without subordination to some supreme power which all on earth are held to obey. For this is sufficiently shown by experience, for it is hence that have arisen all the schisms and divisions of churches. And the reason is clear, because if two temporal kings are supreme in spiritual things, and one should choose in his kingdom such and such a mode of religion and the other another, and one takes one faith by his judgment from Scripture, the other a contrary one, how could they be reduced to unity? And hence finally it is concluded that it cannot morally happen that two supreme churches, that is, churches not recognizing in spiritual things a superior on earth, be united even in Christ, because they are not united in Christ except

by the true faith, and consequently by one and the same faith, because the true faith is not but one; but such churches could not in one faith be preserved, as has been shown; therefore neither could they retain unity in Christ.

4. You will say that the discourse proceeds in the same way about bishops or apostles, even if in them there is said to be supreme spiritual power. I reply that it is also true that they must be reduced to one supreme head, so that the unity of the Church can be preserved. But as for what this head is like we will see below; for by force of the stated discourse it only follows that there be one head, whether it be one bishop or one congregation of bishops. You will instance that the like can be said by Anglicans, that although the temporal king is also in his kingdom supreme in spiritual things, when comparison is made with any other individual person, nevertheless there could from all the Christian kings a council or meeting be convened, wherein there would be a spiritual power superior to the kings singly, by whose authority the unity of the Church could be preserved. To which response the king of England seems not foreign, for he seems to recognize the authority of a legitimate council, since indeed he reposes faith in the first four Councils, and complains that they are not now in use, and contends that the power for convening them belongs to kings and not to the Pontiff.

However this evasion not only fails to settle the thing but rather complicates it further. For in the first place if before the convoking of that council or meeting no king has superior power in spiritual things, who will have power to convene it? For if some oppose, no one will be able to compel them. But if also bishops are to be convoked, no king will be able to compel or to call bishops authentically not subject to him to convene; the thing will therefore be morally impossible and by the Author of the Church insufficiently supplied. Just as in political affairs, if for the disposition of things that are necessary for the good governance of the whole universe there were need to convene in assembly all kings and princes supreme in temporal things, certainly such a convocation would be impossible and foreign to every prudent providence. Next who would be president in such a meeting? For none would wish to yield to another, since he would be equally supreme, and especially if the business to be dealt with was matters of the faith; for if they differed in these things from each other, each would think he should believe rather his own mind than the opinions of others. Especially so if the rule of the king of England is true, whereby each proposes to all the kings his own knowledge for foundation of his faith.

Besides that, once this monstrous meeting or council is admitted, if it were above individual kings, no temporal king would now be supreme in spiritual things, in the way the king of England stubbornly contends. And therefore I deem that his mind is not to admit the power of any council as supreme but only to serve for some prudent consultation and more public examination of things. For that is why it is of councils themselves he constantly speaks, but he approves what he wishes and rejects what he does not wish, setting himself up as judge of them. Nay, in a certain place of his *Preface*, he discriminates by his own judgment among those to be convoked to a General Council, if one were now to be convened.

5. Finally, if kings supreme in temporal things have in their kingdoms also spiritual power supreme with respect to other kings, there is left no basis for asserting that a congregation of such kings has in the Church power over all of it and over all its princes. Because this does not follow from the sole nature of the thing nor can it be

asserted. Just as in temporal affairs, although a congregation of kings might occur, it would not have supreme jurisdiction over them singly, unless each on his own accord were to renounce his right by first changing the governance and constituting from many monarchs one aristocracy; but that it be voluntary and by thought is rather a thing fictive than subsistent in reality. The same therefore will occur in the case of spiritual power if it be conjoint with the temporal from the nature of the thing. But if someone imagines that Christ, by his particular institution, wanted individual kings to be subject in spiritual matters to a congregation of themselves, he should point out some trace of this institution. And all the more especially so because everything we have said against the power of individual kings proceeds equally against any multitude or congregation of them. Fictitious therefore and plainly monstrous is this supreme spiritual power of temporal princes in whatever way it is imagined or thought up.

6. A third reason we can finally construct from the disadvantages; for in the first place from such a position it follows that Christian kings can, if they wish, exercise by themselves all the proper actions of priests and bishops, as are the offering of sacrifice to God or (if they do not admit this) ministering the sacraments, binding by excommunication and censures, or absolving therefrom or from sins, and other things which pertain to the public cult of God. But these are unheard of in the Church of Christ; nay, even in the Jews' synagogue it is said to the king, *2 Chronicles*, 26.18: "It pertaineth not unto thee, Uzziah, to burn incense unto the Lord;" and because he ceased not he was struck with leprosy. Which, that it has no less place in a Christian king, is rightly taught by Chrysostom, hom.5, *De verbis Isai*. And besides if a temporal king, by the very fact that he is a king, can of himself legitimately carry out these actions, it will be licit also for a woman to perform the same, for she is capable of royal power and has along with it, according to the opinion of the Protestants, the same supreme spiritual power. But Paul, *1 Corinthians* 14, does not permit women even to speak in the Church, much less to perform sacred actions, but orders them to be silent and subject.

7. But the adversaries could, by distinguishing among actions which require the power of order or merely of jurisdiction, reply that a king can perform of himself every act of ecclesiastical jurisdiction, and that for this he has supreme power, and it is enough for having the primacy in spiritual things, even though other actions, which require the power of order, he is not able of himself to perform. But this in the first place is alien from the institution of Christ, for he wished the Church to be ruled by them whom he wished to be principal ministers of the word of God and of the sacraments, namely by bishops, in whom the power of order exists *par excellence*. Next it is sufficiently absurd that the supreme governor of the Church not be able to perform the chief acts ordered both to the divine cult and to the sanctification of the faithful. For in a civil republic the inferior magistrates can, in order to the purpose of their power, effect nothing which the king or emperor cannot discharge with higher power for the same purpose; therefore much more in the Christian republic, since the ecclesiastical power, whether of order or of jurisdiction, is ordered to a spiritual end and the sanctification of souls; those two powers ought so to be ordered among themselves and instituted that in the supreme prince of the Church they be joined together with all perfection and excellence, and therefore that nothing be done by inferiors which could not, to the extent it is by the force of the power, be perfected by the superior or the chief.

8. We can also convince the Protestants from their own principles. For among

them the power of order is nothing but a deputing of ministers made by the king or temporal magistrate. For if perhaps in England (as they report) other ceremonies are used in constituting ministries, they are not reputed necessary, nor instituted by Christ, but have been on account of some exterior decoration thought out or preserved. Therefore without them the king could institute ministers for the same actions; therefore much more could he of himself perform all those actions. And again, queen Elizabeth by force of the same dignity could do the same, and by the same reason could she constitute women as ministers of her Church. For who would believe that a woman could be head of the Church and not a minister of it? But far from the Church of Christ be so absurd a government and hierarchy.

9. Nay rather if supreme spiritual jurisdiction follows temporal and does not in any way demand the power of order, certainly it could be even in a heathen king over the whole Church under his sway, because he has as perfect a power of jurisdiction as a Christian king, and from Scripture it cannot more be proved that for use of such jurisdiction baptism is necessary than that the episcopate or the clerical order is. And there is further declaration of this; for in the Roman Church Constantine, for example, before he was converted to the faith, had supreme temporal power: either therefore he already had spiritual power as well and thus the inferred inconvenience is admitted, than which nothing is more absurd; or if Constantine did not have it certainly it was with Sylvester; therefore even after the baptism of Constantine Sylvester retained the same power and not Constantine. For who effected the transmutation or translation of the power from Sylvester to Constantine? Or by what word of God was it done that Constantine by baptism alone is from a sheep made a pastor, and passes from a spiritual son over into supreme parent and governor? Certainly these things are incredible and absurd. But if Constantine when baptized retained only the temporal power, certainly the same power alone did he transmit to his successors, and the same power has been divided among other kings and princes who now exist. Or if any other kings were afterward made Christians, not thence drawing their origin, the same can be proportionately applied to them. And in a similar way, if after the baptism of Constantine Sylvester continued in his pontificate with the same spiritual power, the same has come to his successors up to this day. And the same proportionately about England and any Christian king whatever.

10. Another absurdity also we can infer. For if with supreme temporal power is conjoined a similar spiritual power, why is there not in any inferior temporal magistrate or prince, even if he recognize a superior, a similar conjunction of each power, with due proportion and subordination to the superior? For there is the same reason, nor by force of natural right can any discrimination be established. And Scripture does not more give spiritual power to supreme princes than to inferior. But where Scripture speaks of the obedience due to temporal princes, it speaks generally both of kings and of other magistrates. For thus the verse of Paul is understood, *Romans* 13.1: "Let every soul be subject unto the higher powers," as Peter more expounds, *1 Peter* 2.13-14: "whether it be to the king as supreme, or unto governors, as unto them that are sent by him." But if this absurdity be conceded, the whole ecclesiastical hierarchy as concerns the rule of external governance must be overturned. For where a temporal king is believed to be supreme governor in spiritual things, by that very fact from there the supreme Pontiff is excluded; therefore if a royal prefect of one city also has there spiritual command, the bishop will consequently have to be excluded from spiritual governance, because there cannot be two

heads of the same order; or a fortiori all other prefects or ecclesiastical governors will be excluded, and so, whether the king of England wills it or no, we will fall into the anarchy of the Puritans as far as ecclesiastical governance is concerned.

11. It could be replied that there is not the same reason about a supreme king and about inferior magistrates, because the king has of himself and as if by necessity both powers conjoined; but the inferiors have their power from the king; and therefore the king could by his own will divide those power and communicate the temporal to the civil prefect and the spiritual to the bishop. But in the first place all this does not transcend human will and institution, which the king could even by his own judgment change just as he established it; therefore he could overturn the whole ecclesiastical hierarchy as concerns the governance of the Church. Next the king is not speaking in agreement with his opinion if he concedes this; for he now admits that the spiritual and temporal powers are distinct, and separable in subject, and by his will separate; why then will they not be separable or even separate in the head of each order, or by what title can he show that he possesses both powers?

12. For another reason too this cannot stand with the words of the king; for he himself in his *Preface*, p.54, reprehends Bellarmine for the fact that in bk.4 *De Pontifice* ch.25, he denied that bishops have immediately from God received their power; he himself thinks therefore that bishops have their jurisdiction immediately from God. How then can he now say that he gives them jurisdiction and that it is placed in his will not to confer it on them but on his temporal magistrates? Unless perhaps he makes himself superior also by divine right. Next, the king of England confesses in the same place that he dissents from the Puritans about Episcopal jurisdiction; but the Puritans affirm that ecclesiastical jurisdiction is conferred by the temporal magistrate; therefore if the king says that he confers jurisdiction on bishops he does not differ from the Puritans on the point of Episcopal jurisdiction, whatever he may think about the difference in dignity of order. Therefore, so that the government of the Church may through bishops and not through temporal magistrates be firm and stable, this institution is divine and the jurisdiction even of bishops descends from Christ – either through the mediation of the Pope, as Bellarmine thinks with more probability, or immediately, as others even Catholics think with probability. For the matter does not concern the present cause. For in whatever way it be by Christ's positive institution, it cannot be from a temporal king, nor can it depend *per se* on him, and consequently the royal power cannot be directly and *per se* over the Episcopal power, and hence neither can it be supreme within the ambit of ecclesiastical jurisdiction. This repugnance in his words and opinions the king, led on perhaps by a spirit of contradicting Bellarmine, has not considered, thought it is yet clear enough, as we will again declare in the following chapter.

Chapter 9: Solution to some objections against the truth proved in the previous chapters. *Summary: 1. Triple question about the power of ruling the Church. 2. First objection. 3. In the law of nature there was no power of a supernatural order. Nor any spiritual jurisdiction. 4. Objection. 5. Second objection. 6. Third objection from the New Testament. 7. Solution to the two first testimonies. 8. From the third testimony, in 1 Timothy 2, nothing against the truth established can be collected. 9. The testimony of Matthew 22 concludes to the opposite. The testimonies also of John 18 and Luke 12 and 22 confirm the doctrine handed down. 10. Fourth objection. 11. Solution. Augustine is*

wrongly cited for the contrary error. 12. Response to the words of Isidore. 13. Fifth objection from the Fathers. 14. Solution. The true sense of the Fathers is shown. 15. Genuine exposition of the Council of Arles.

1. Many are the things by which the king of England tries to persuade that by a just title he assumes to himself spiritual power and the name of supreme head and spiritual governor in his kingdom, and all that he adduces are objections against the truth we have proved; which, although they be not difficult, so as to give satisfaction to them all, we cannot pass over. But because several of them are taken from the deeds of kings and emperors and do not pertain to the present point, in order that the individual objections may, located in their places, be clearly perceived, three questions must here to distinguished. One, which we are now treating of, is whether the spiritual power is joined in the prince necessarily with temporal power. The second, on the supposition that these powers are in diverse persons, is whether one is superior to the other and which it is; on this point we will speak from chapter 21. The third is the general question about the exemption of clerics from the temporal power, even in civil and criminal causes and in tributes, which without doubt is far different from the other two, and must be treated from other principles in the next book. Therefore if there are examples of deeds of Catholic princes which can in any way against ecclesiastical jurisdiction be objected, they chiefly pertain to the third question about the immunity of clerics, as we will see there, and a few we will also touch on in the second question. On the present point however, there will scarcely, I believe, be found, before Henry VIII, an example of a Christian prince, even in name alone, albeit a heretic, who attempted by force of his proper and innate power to usurp an act of spiritual jurisdiction, much less to assume to himself supreme jurisdiction and the primacy of spiritual power. And therefore, having omitted these examples, we will briefly consider the other titles whereby the king tries to establish his right or in appearance to defend it.

2. The first is that by right of nature these two powers are conjoined, the royal and the sacerdotal; therefore this right of nature remains intact in the law of grace, because grace does not destroy nature, nor was the law of Christ given to take away the law of nature, but to perfect it. The proof of the assumption is that before the law of Christ and Moses only natural right was observed, for that is why it is called the time of natural law. But at that time the same people were kings and priests, as is clear of Melchizedek, Abraham, Isaac, Jacob, and generally from the accepted rule that then the first born and heirs of the kingdom were at the same time priests, as is taken from Jerome, epistle 26 to Evagrius, and Rupert, bk.1 *On Genesis* ch.12. Hence Paul, *Hebrews* 12, calls Esau profane for the fact he sold his birthright, which was sacred by reason of the priesthood.

This title I do not find expressly proposed by the king, but for completeness of doctrine and because the king, by alleging in his favor certain testimonies of the *New Testament*, seems to suppose it, I think it should not be omitted, although in truth it is frivolous. For in the first place, having admitted the ancient custom, which seems to have been in vigor not only among the faithful but also among the Gentiles, we deny that it was by natural right, that is, a precept of natural law, although by the mediation of human reason and will it took its origin from general principles of natural right. Because although sacrifice is in some way by natural right, and consequently priesthood too, yet that it be instituted in such and such a way, and be attributed to these or those persons, is

not prescribed by the right of nature but needs to be defined by some positive right. And in this way, before the Law of Moses, by the right of nations or by the morals of peoples was the conjoining of the chief sacerdotal dignity with that of the king introduced. Which custom, as it was changed in the Old Law, could also be changed in the New Law. Nay, that it was so changed, and that this pertains to the perfection of the law of grace, is taught by Pope Nicholas to the emperor Nicholas, saying: "These things were before the coming of Christ, that certain were in figure kings and priests at the same time, which that holy Melchizedek was sacred history makes plain." And later: "But when truth was reached, that the same man be king and pontiff no emperor or Pontiff has any longer laid hold of."

3. Next, if the discussion is about the priest as to power of order the difference is manifest; for in the law of nature there was no proper and supernatural power of order, but there was only the ministry of sacrificing and of interceding for the people, to which anyone could be deputed, either of his own accord or by consent of the people, because God had at that time prescribed nothing in particular about priesthood or sacrifice; and thus Pope Anacletus, epistle 2, denies that Melchizedek and Abraham or other men of that time had obtained sacrifice "by sacerdotal authority," namely by special institution of God. But in the Old Law, as God determined the sacrifices, so also did he the priesthood or the pontificate, without intervention of the people or their consent. Which also Christ instituted in a higher and more excellent way in the New Law. But if the discussion is about priesthood as to power of jurisdiction, the objection is supposing in the first place either something false or very uncertain, namely that the priest or pontiff in the law of nature had spiritual jurisdiction, which is either false or uncertain. Because such power had neither been specially given by God in that state, as is evident of itself, nor could it belong to men by natural right, because human governing power did not transcend the human order, and was principally instituted for ordering men to each other, such that, although it could have care over the divine cult, always in its manner and determination it respects the common good of the human republic, as St. Thomas says in a similar case, Ia IIae, q.99, a.3. Wherefore a comparison between the law of nature and of grace is not rightly made, because in the law of nature the governing power was sufficiently comprehended under the temporal, for it could make the like disposition about things pertaining to the cult of God, insofar as it was expedient to the common good of the human republic; but it is otherwise in the law of grace, which is the divine law, which principally orders men to God and refers the good of the very republic to the friendship of men with God. And therefore the priestly power in this law is spiritual and of a higher order, and it could not be by men themselves, nor by their community, but had to flow from Christ himself, as it did in fact flow, as was shown above.

4. You will say that this is true of men considered only as they are men; for thus it is manifest that in them there cannot be power except natural; but it is otherwise of Christian men as they are Christians and as they compose a city, not merely political, but also Christian. For just as such a community is founded on faith and supernatural religion, so it has therefrom a power of a higher order, connatural to grace itself, for disposing those things that have regard to the divine cult in a way agreeable to true faith and the friendship of God; therefore such must ecclesiastical power be judged to be and, as a result, it could by the whole community be conferred on its temporal king. I reply that the antecedent could have had place if Christ the Lord had not instituted his Church

and its governance in a special and far more excellent way than could from the sole nature of the thing be in a community of men, even as they are Christians. But now Christ has with his special institution gone before, so to say, and elevated the spiritual governance of the Church. First, by instituting it in the manner of one mystical body diffused through the whole globe, in which unity of faith and concord in a substantial rite of religion ordered to the cult of God and to the sanctification of men could be preserved; but this without supreme spiritual power could not be done, as I showed above. But universal power over the whole world could not proceed from men themselves, dispersed everywhere too; it therefore had to be from Christ. Again, Christ instituted a certain Church to be in faith the pillar of truth and in morals always holy; and therefore such spiritual power did he give it that through this power it could to both ends be rightly and without substantial defect directed; therefore such power ought necessarily to be more than human. Finally, from the sole nature of the thing, even if the men of the Church be looked on as they are Christians, it would not be necessary for them to be ruled by bishops or other similar pastors on whom a special care of souls is incumbent; but now the Church ought necessarily to be ruled by bishops and priests whose institution and distinction descends without doubt from divine right; therefore the governing power of the Church of Christ in spiritual matters is not from the Christian people even illumined by faith, but is from Christ himself, either immediately or through participation by him to whom Christ himself immediately communicated it.

5. A second objection is taken from some places of the *Old Testament*, in which is signified that the pontiffs of the Old Law were inferior and subject to the kings. But this objection I now omit, because, as to what regards the present place, it is manifest from the Old Law that the pontifical dignity and royal power were in diverse persons, which is now alone what we are treating of. But about the comparison of these powers we must speak below, and there we will the better see whether it was necessary to have, or to have had, the same condition or relation of inferior and superior in both laws, the Old namely and the New.

6. There is therefore a third objection taken from testimonies of the *New Testament*, in which it is prescribed to all Christians that they obey temporal kings, which testimonies were mentioned above and are collected by the king in his *Apology* p.129, namely *Romans* 13, *1 Peter* 2, where he also adds that of *1 Timothy* 2, where Paul prescribes prayers to be said for all, but chiefly for kings and for all who are in authority, and that of *Matthew* 22: "Render unto Caesar the things that are Caesar's, etc." and that of *John* 18: "My kingdom is not of this world," and that of *Luke* 12: "Who made me a judge over you?" and that of *Luke* 22: "The kings of the Gentiles exercise lordship over them, etc."

7. But none of these testimonies make for the cause, and some of them can give proof against the king's intention. For, in the first place, in none of them is the talk in particular of spiritual power, nor is it insinuated in them that it has been conceded to temporal kings, or that obedience must be given to them when in the matter of such power they give commands. When, therefore, Paul says, *Romans* 13.1: "Let every soul be subject unto the higher powers," he is speaking generally of all superiors, as is clear from the tenor of his words. Hence the words can rightly be understood with a suitable division, namely that each one in that in which he is superior is to be obeyed by those who are subject to him. For thus also he says later, v.7: "Render therefore to all their

dues; tribute to whom tribute is due, honor to whom honor, etc.” The general distribution, therefore, is to be accommodated to the individuals according to the measure of the power; but what this is in individual Powers is not there explained. But let us grant that there Paul is speaking in particular of temporal power, about which he says a little later, v.4: “For he beareth not the sword in vain.” What else can be collected from that place thus understood except that temporal princes are to be obeyed in that which they justly and rightly prescribe? But who denies this? Or can it be thence collected that even in spiritual and ecclesiastical things they are to be obeyed? Certainly Paul was speaking not only about Christian princes but also at that time especially about heathen kings, to whom as to temporal lords Christians were also held to be obedient; nor for that reason let any prudent man say that they were then the heads of the churches in their kingdoms. All things therefore which there Paul and Peter say in their letters are to be referred to the same sense; for either the words are to be understood respectively, that to each is to be rendered his right or his due obedience according to the grade of his power; or, if the words are understood definitively of temporal lords, they are also internal to their forum, and the matter is to be understood as the reason itself of justice demands; for the apostles are not there founding a new right but are prescribing observance of natural right itself. For they warn slaves in the same way to be subject to masters, and women to be subject to husbands, etc.

8. But as to the third testimony we confess that Paul implores that prayers be made for all men, and then in particular he adds, *1 Timothy* 2.2: “for kings and for all that are in authority; that we may live a quiet and peaceable life.” But how does this pertain to the spiritual primacy of a temporal king? Does he, because he puts kings in the first, therefore say that they are the heads of churches in spiritual things? Vain certainly is the interpretation, and Chrysostom gives a far other reason there in homily 6, namely: “for that reason did he add ‘for kings’, because then kings were not worshipping God, and for many years afterwards they persisted in the infidelity which they had received by sequence of succession.” And later: “But since he sees as a consequence that Christians would grow tepid in this regard and would not admit warnings of that kind if for a Gentile and at the time of the sacraments they had to offer prayers, see what following on he added, so that from consideration of the gain they might more easily and more gladly receive the admonition. ‘That we may live a quiet and peaceable life,’ he says.” Therefore, in the mind of Chrysostom, he did not for this reason designate kings because they were the spiritual heads of churches (which most especially they could not then be, since they were Gentiles), but rather lest the faithful should for this reason think that they should not be publicly prayed for. Nor did Paul say, “chiefly for kings,” for that word ‘chiefly’ the king adds of himself, but he spoke simply, as if he were to say that under ‘all’ heathen kings too were comprehended; for although they were Gentiles, they were to be prayed for so that they might be converted to the faith. And this Paul the more signified in the reason which he subjoined, v.3-4: “For this is good and acceptable in the sight of God our Savior, who will have all men to be saved, and to come unto the knowledge of the truth.” And lastly, even if Paul had added that word ‘chiefly’ it would make no difference, for because the conversion of kings both was more difficult and is more necessary to the common good of the Church, therefore could it also be specially and chiefly recommended.

9. But as to the words of Christ, *Matthew* 22.21: “Render unto Caesar the things

which are Caesar's", it has already been shown above from the mind of Chrysostom, Ambrose, and Athanasius, that the opposite is rather proved, namely that "unto Caesar", that is to the temporal king, are to be rendered "the things which are Caesar's", that is, the things that belong to the temporal power, which precise response has the force of exclusion, as Theophylact indicated when he said: "But Jesus by this fact, that the coin was stamped with the image of Caesar, is persuading them that due to Caesar are the things that are his, that is, which have his image, for the king is to be obeyed in corporal and external things but God in internal and spiritual ones," namely when God prescribes either immediately or through his pastors, according to the word of Paul, *Hebrews* 13.17: "Obey them that have the rule over you, and submit yourselves." Also, about the other words of Christ, *John* 18.36: "My kingdom is not of this world," we say that it too proves the contrary, as is from the words without difficulty collected. For three things from the doctrine of Augustine and other Fathers we have noted from those words, namely that Christ has a kingdom, even in this world, although not of this world; hence deservedly do we collect that the kings of this world, by the fact that they are such, do not have power in the kingdom of Christ, insofar as it is of a higher origin; and by equal consequence we collect that this kingdom of Christ is not lacking in its governors who, although they be not kings of this world, that is temporal kings, are spiritual pastors and a royal priesthood. And there is the same reason about the words of Christ, *Luke* 12.14: "Who made me a judge or divider over you?" For they prove that temporal causes do not *per se* pertain to the kingdom of Christ, or to his Vicar, hence rather is it to be inferred from the contrary, or from exchange of proportion, that spiritual causes do not pertain to the temporal king. Finally we say the same of the last words, *Luke* 22.25: "The kings of the Gentiles exercise lordship over them." For Christ did not add, 'But you are not to govern,' or 'you are not to command or to correct subjects,' but rather he supposes that they were in the future to be rulers or pastors, and therefore he added, v.26: "But ye shall not be so," as if presupposing a governance, and distinguishing it from the temporal kingdom, and demanding a different manner in it, which Peter made plain in many words in his first letter, ch.5, as was noted earlier.

10. A fourth objection can be taken from the name of Vicar of God, which the king of England attributes to any temporal king whatever. And lest the mode of speaking seem new, Edward king of England used it before James, as I find reported in his laws ch.19, and yet he is placed among the number of the saints. And we can confirm the same from the authority of Augustine, bk. *Quaestionum Veteris et Novi Testamenti*, p.2, q.91, where he says of a king: "He is adored on earth as a vicar of God." Eleutherius too in a certain letter to Lucius king of Britain is said thus to have written: "You recently by divine mercy received in the kingdom of Britain the law and faith of Christ, you have in your kingdom both pages, from them by the grace of God, by the council of your kingdom, take the law, for you are in your kingdom the Vicar of God." Therefore beside this vicar there is no need for another who is to be immediately under God, and therefore in the king is the whole power vicarial of the divine power, whether it is spiritual or temporal. We can also expand this objection from Isidore, bk.3 *Sententiar.* or *De Summo Bono*, ch.49, saying: "God gave to princes the prelacy for the governance of peoples;" but prelacy is a name for spiritual power, for he is not called prelate except who is superior in spiritual things.

11. I respond briefly that the consequence is of no moment, whatever may be

thought of the mode of speaking assumed in the antecedent, about which there is no need for contention, although the things alleged for it are apocryphal. For the book *Quaestionum Veteris et Novi Testamenti*, by the judgment of all doctors, is not Augustine's, because it is not his style and the doctrine in many places is not Augustinian. Although that opinion, well explained, may be true, namely that the king is adored, that is cultivated and venerated because of his dignity, in which he in some way represents God, whose vicariate he bears. The letter too which is cited from Eleutherius is spurious, because there is found neither among the pontifical letters, nor in the volumes of the Councils, nor among Catholic authors any mention of it, but it was made up by some heretic, as Sander noted, bk.5, *De Clave David*, ch.6. And the words themselves, which are referred to from it, sufficiently show the fact, for it is a paraphrase proper to the Novati and altogether alien to the Roman Pontiffs.

12. But we do not deny that a king can in a good and sound sense be called Vicar of God; for Paul, *Romans* 13, calls kings ministers of God, which is almost the same. Hence Ambrose there says that the prince "bears the vicariate of God," and for that reason subjection to him is to be preserved. But to bear the vicariate is the same as to be vicar. But it is not rightly inferred from this that kings are vicars of God in spiritual things; for God is principal King both in the temporal kingdom and in the spiritual kingdom of the Church, and in each he has placed his vicars, kings in the temporal, bishops and especially the Supreme Pontiff in the spiritual. Hence from the fact that the king is vicar in one kingdom it is not well inferred that he is so in both. For Gentile kings too, of whom Paul was also speaking, are ministers of God and hence vicars, not however in spiritual things but in temporal ones only. The same therefore is to be said of Christian kings, although they could also be with particular title vicars of God, for defending the Church and protecting prelates, so that they can in peace and with fruit minister spiritual things. And it is in this sense that Saint Edward spoke. But Isidore in a certain large sense called the prefecture, or any power of ruling, a prelacy, as also in the preceding ch.49 he placed under the title of 'Prelates' kings and all powers of the age whatever, not only the faithful but also infidels. Hence it is clear that he is not speaking of prelates in that rigorous sense in which the term now in common usage is taken for an ecclesiastical leader, but as it is derived generally from the verb 'prefer' and can signify any superior or primary governor.

13. Fifth can be objected certain testimonies of the Fathers who are wont to attribute primacy to the king or emperor. But of these some pertain to the comparison of each jurisdiction, which, as I said, will be dealt with below. But others are proper to this place, because in them the Fathers seem to attribute proper acts of spiritual power to kings. For such acts are teaching the truth, dispelling errors, and the like, and yet Epiphanius says, *Haeres.* 40, that kings were given so that they might dispose and administer all things well from God. "And to the good ordering of the earth," he says, "where slaughters and battles and ignorance as well as good doctrine..." signifying that all these fall under the care of the king. And thus also Alcuin in the preface to his books *De Trinitate* to Charlemagne says that wisdom was given to him "so that he might rule and teach his subjects with pious solicitude." And below he says that it pertains to him "to decree justice, to prescribe counsel, to admonish sanctity, so that each may return home happy with the precept of perpetual salvation." And later he adds: "That a prince of a Christian people must know and preach all things that are pleasing to God is very

evident. For neither does it more fit anyone either to know things better or more than the Emperor, by which doctrine he must be of advantage to all subjects, etc.” Nay rather, the Council of Arles under the same Charlemagne, last chapter after all the decrees, subjoins: “These we have decreed must be presented to the emperor, asking his clemency that if anything here is lacking it may be supplied by his prudence; if anything contrary to what reason maintains, it may be emended by his judgment; if anything reasonably reproachable, it may be perfected by his aid, divine clemency assisting.” Here too could be added objections from acts of convening General Councils, or of presiding in them, or again creating or deposing Pontiffs; for these acts and the like are proper to ecclesiastical jurisdiction; and yet that emperors rather often exercised them is contended by the king of England in his *Preface*.

14. To the first part I reply that the Fathers never attribute to kings proper acts of spiritual jurisdiction, but sometimes by way of exhortation or praise or honor they excite them to perform certain acts which can without jurisdiction be performed, or to see to it that other acts in the Church are done fruitfully by the pastors by whom the acts can legitimately be performed. One of these acts could be to have care that ignorance be removed from the Church, that good and sound doctrine be preserved and increased, of which Epiphanius speaks. And it has place even in a political republic within its limits, as is evident of itself, and thus does it pertain to the king by force of his proper power. But with respect to the Church, and as regard the doctrine of the faith, it can pertain to the king, not indeed by publicly preaching it of himself, nor by giving authority to preach, but by providing help to Catholic prelates and preachers, and by founding studies of sacred letters, and by coercing through his power the spreaders of evil doctrine. And this was the sense declared by the Fathers of the Council of Tours under Charlemagne at the beginning; for after they commended the piety and wisdom of the emperor, they subjoin: “Intent therefore on these things he gave to the pious and religious priests of God, who hold the government of the Church in the kingdom conferred on him by divine bounty, admonishments with very wholesome exhortations that they devote effort and in deeds excel, whereby they may rule themselves by acting well and by instructing in words and examples those subject to them.” And Alcuin above quoted indicates the same, saying: “There is much occasion for all the faithful to glory in your piety, while the solicitude of your clemency has a priestly vigor, as is fitting, in preaching the word of God.”

But the rest of what we referred to are words of praise and honor, for even a Christian emperor can be learned and well instructed in sacred doctrine, and he can in private, in accord with the occurrent occasion, teach the truth. Also in a similar way do the words of the Fathers of the Council of Arles have this tendency, that they seek protection and help from the emperor for the execution of their decrees, as is clear from the final clause of their words; but the rest are words of modesty and urbanity from which no judgment, either of subjection in spiritual things on the part of the Council or of spiritual power in the emperor, can be taken. Also, to the other part of the objection, we say in one word that those acts do not properly belong to the imperial power, but it can or sometimes could exercise in them some cooperation or preparatory disposition or condition which does not require spiritual power, as we will declare more at large in what follows.

Chapter 10: Whether Christ the Lord conferred the supreme spiritual power of the Church

on Peter.

Summary: 1. The Roman Pontiff has this power. 2. Conclusion de fide. Proof from the promise of Christ. 3. The aforesaid promise was made to Peter in his own person. 4. The same truth is confirmed from the Supreme Pontiffs. 5. It is shown again from the Fathers. 6. Peter, Matthew 16, was designated the foundation of the Church. Proof from the Fathers. 7. Proof again from reason. 8. Christ conferred on Peter through the keys supreme spiritual power. 9. Confirmation from John 21. Rejection of a certain interpretation of heretics. 10. What the word 'feed' signifies in Scripture. 11. The power of Peter extends to the whole Church. 12. The exposition given of the words of Christ is confirmed from the Fathers. 13. The same truth is shown from the titles of Peter. 14. Reason for the institution of the Primacy of Peter. 15. Ecclesiastical governance ought to be monarchical.

1. Before we compare the spiritual power with the temporal, on which the present controversy chiefly depends, it is necessary to inquire whether this power is in the Roman Pontiff, with whom the whole quarrel and contention of the king of England deals. But because the Roman Pontiff does not have this power except by legitimate succession, and succession hangs on an origin and institution which could only have been done by Christ; therefore we must first look into this institution, on which point two questions can be distinguished, one abstract, so to say, or general, whether Christ has in his universal Church left a monarchical governance in some person who bears his vicariate; the second question is concrete or particular, whether to such person, namely Peter, Christ has committed his vicariate and power over all the faithful. We will however treat these at the same time because, as far as concerns faith and authority, we cannot better show the institution than from the singular deed of Christ; and the reason for the institution from its general cause we will afterwards investigate.

Nor is it necessary to delay over reviewing the errors which there have been on this matter and which now by Lutherans and Calvinists and the rest of the Protestants are pertinaciously defended, because they are both very well known and we are now treating only of the Anglican sect, whose head and defender of the same, the king of England, often contends in his *Preface* that Christ did not give to Peter a greater power than to the other apostles; and on pp.22 and 24 and especially 58 he tries to twist into other senses the words of Scripture. But his bases we will hereafter expound. Now first the Catholic truth must be made firm. And since very many Catholics and most learned men have most diligently labored to confirm this truth, it will not be worth the labor to transcribe everything they have said and to collect it in this place; but some few things, which will seem to our judgment more select and efficacious, we will borrow from them and, using what brevity and perspicuity we can, propound them.

2. We say therefore that Christ the Lord by instituting his Church Militant, before he left it as to his visible bodily presence, commended it to Peter as to his Vicar and Supreme Pastor, and thereby conferred on him supreme spiritual power for governing it. The conclusion is certain *de fide*, which we will prove chiefly by that twin testimony with which not only Bellarmine, whom in this the king of England has dared to reprehend, but all the Pontiffs and Fathers confirmed the same truth. The first is that verse of *Matthew* 16 where, after in response to Christ asking, v.13: "Whom do men say that I the Son of man am?" Peter had said, v.16: "Thou art the Christ, the Son of the living God," Christ

said to him, v.17-19: “Blessed art thou, Simon bar-jona: for flesh and blood hath not revealed it unto thee, but my Father which is in heaven. And I say also unto thee, That thou art Peter, and upon this rock I will build my Church; and the gates of hell shall not prevail against it. And I will give unto thee the keys of the kingdom of heaven: and whatsoever thou shalt bind on earth shall be bound in heaven: and whatsoever thou shalt loose on earth shall be loosed in heaven.” This was the promise of Christ, who cannot deceive in promises, and therefore it cannot be doubted but that he fulfilled it, because he then promised it. But let us see to whom he promised and what he promised; for if these two be fully and faithfully understood, this testimony alone is sufficient for confirming the assertion.

3. First then it is evident from the tenor of the words that the promise was made to Peter in his own person, for it is marked by so many circumstances that there can about it be no doubt. For first the Evangelist relates that Simon Peter made a confession of the divinity of Christ. Nor do I think it lacking in mystery that the Evangelist joined both names ‘Simon Peter’. For Peter was first called Simon, as is clear in *John* 1, and here it is added on, both for taking away all ambiguity, because another apostle too was called Simon, and for the mystery which Christ at once declared. Next the Evangelist adds that Christ spoke to this same man. And that this might be the more witnessed Christ again with the same name addresses him, saying: “Blessed art thou, Simon;” and because he was reserving the name Peter for explaining the mystery, lest the name of Simon seem ambiguous, he added another circumstance proper to that person, saying: “Bar-jona,” that is, son of Jona or John, just as he had said the same, *John* 1.42: “Thou art Simon the son of Jona.” But Christ in the said place named Simon at the same time when praising him, so that thence too it could be understood of what sort the promise was and to whom it was made: for it was remunerative and was to be made to him who had merited praise in the confession. Just as Hilary there in canon 26 said: “And a worthy reward plainly did the confession of Peter obtain, because he had seen the Son of God in man;” and Jerome in the same place: “to the Apostle’s testimony about himself he rendered return. Peter had said: ‘Thou art the Christ, the Son of the living God;’ the true confession received reward: ‘Blessed art thou, Simon bar-jona.’” Christ, therefore, wishing not only with praise to reward Peter but also with marvelous promise, subjoins: “And I say also unto thee, etc.” where rightly Jerome remarks: “Because you have said to me, ‘Thou art the Christ, etc.,’ I too say to you, not with a word null and of no effect, but I say to you, because my having said is a having done.” That word ‘unto thee’, therefore, designates the same person of Simon, to that person therefore are the words of Christ directed, to him therefore is the promise made. Maximus, homil.1, *In Natali Petri et Pauli*, and Prosper, bk.2, *De Vocat. Genes.*, ch.28.

But in the words of Christ I consider that some are only affirmative by way of the indicative, ‘Thou art Peter,’ others contain prediction and promise, namely, ‘Upon this rock I will build my Church...and I will give unto thee, etc.’ The first affirmation therefore could have also the tenor of giving more expression to the person about whom the future prediction was and to whom the promise was made. Christ therefore wished to call to mind that this Simon was he to whom he said long before, *John* 1.42: “Thou art Simon son of Jona; thou shalt be called Cephas, which is by interpretation A rock.” And at the same time, as I think, Christ wished to indicate for what cause he imposed on Simon the name of Peter, namely because of the very firm and unmovable faith which he

was going to receive, the first and signal confession of which he then made, and therefore he deserved to hear: 'Thou art Peter.' Hence rightly Ambrose, serm.6 *De Variis Actionib.*, said: "Although he was called Simon, for his devotion he was called Peter." Nay, he adds, because Christ is the rock, "to faithful Simon he communicated his own name." Which also Chrysostom touched on, homil.10, on *Mark*. Most well however does Cyril, bk.2, on *John*, ch.12, note that Christ foresaw the future faith of Peter and therefore he said to him, "'thou shalt be called Cephas,' that is, Peter, suitably signifying by this name that on him as on a rock and most firm stone he was going to build his Church." Next Chrysostom adds, homil. on *Psalms* 50, in the first part a little after the beginning, "therefore was he called Peter by Christ, because he was endowed with rock-like faith." Where also twice he calls him the 'base of the faith', and homil.9, *De Poenit.*, "When I say Peter, I name a firm rock not himself, an immovable foundation stone," signifying that Christ had given the name Peter to Simon because of the immovability, not which he had in himself or from himself, but which he was going to receive in the faith, and therefore elsewhere he calls him "a firm and solid rock of faith." Which all are elegantly embraced by Pope Leo, serm. *De Transfigur.*, ch.1, saying of Peter: "And so greatly pleasing was he in this sublimity of faith that, endued with the happiness of blessing, he would receive the sacred firmness of an inviolable rock, founded on which the Church would prevail over the gates of hell and the laws of death."

Hence further is clearly understood what Christ designated when he said, 'and upon this rock I will build my Church.' For without doubt he designated the same Peter, as frequently the ancient and most grave Fathers have understood, and as is openly plain from the context. For that is why Christ first said to him, 'Thou art Peter,' so as at once to say to the same that on him would he build the Church, and that for this office he had made him by his grace a rock. Next it is shown that those words along with the ones that follow contain a remunerative promise; therefore it is made to the same man who is blessed because of a good confession and who deserved the name of Peter; therefore he designated the same by the word 'this rock'. Which fact will become more evident if it is considered that Christ did not use the word *Petrus* (Peter) or *Petra* (rock) as if of different genders. Hence if the words of Christ had been reported in this way by the Evangelist, 'Thou art *Petra* and upon this *petra* I will build my Church', no one would doubt that these words 'thou' and 'this' were designating the same *petra*, and for that reason the same person; but Christ spoke in the way that Matthew also in Hebrew or Syriac wrote it; for in those languages the feminine and masculine of *Petrus* and *petra* are not distinguished, and so the Syriac has the same word in both places. But the Greek and Latin translator accommodated the masculine name to the person of *Petrus*, because he was a man, but the foundation of the building they named with the feminine noun *petra*, because so is it in these languages with propriety called.

Besides, by the term 'this' a present singular thing is wont to be designated; but there no other thing was signified by the name *rock*, and on which the name *rock* might properly and without metaphor be imposed, except the person of Peter; therefore it was he without doubt whom Christ designated when he said, 'Upon this rock.' For so as to take away all occasion of error, nay also of doubt, he premised, 'Thou art Peter,' as if placing him before his eyes whom he wished to designate. Besides, when Christ immediately subjoined, 'And I will give unto thee the keys of the kingdom of heaven,' who will doubt that by the word 'thee' he had designated Peter and that to him he spoke,

since he directed his speech to him from the beginning and spoke with the same tenor always to the same person? Therefore also when he said, ‘and upon this rock,’ he spoke of the same person. Finally because it is not credible that in so clear and continuous a context Christ is speaking now to Peter, next is designating something else by the demonstrative ‘this’, and immediately returns to Peter. For thus the whole sentence and promise would be uncertain and ambiguous, and the care taken to determine with so many modes and circumstances the person to whom the promise was made would have been superfluous.

4. And such was how this place, on the part of the person to whom the promise was made, was understood in the first place by the Roman Pontiffs who touched on this place, especially Clement, epistle 1 to James, and Anacletus, epistles 2 and 3, Leo above, sermons 2 and 3 *In Die Assumptionis Suae*, and epistle 89, whose other words we will refer to in what follows; and many things we have adduced from Gregory, bk.1, ch.6, and several are collected by Gratian in his *Decretum* dist.12, 21, and 22, and we will refer to many places in what follows where the Pontiffs founded their primacy not in human but in divine right, because of succession from Peter, to whom the Lord spoke with promise in this testimony.

5. And in the same way were these words understood by all the holy bishops and most ancient doctors of the Church. Cyprian, epistle 55 to Cornelius, says that on Peter the Church is founded; and he speaks in the same way in epistles 69, 71, and 73, and in other places which we noted above in book 1, chapters 5 and 6. Again Hilary, canon. 16 on *Matthew*, where the above cited words, “A worthy reward plainly did the confession of Peter obtain,” he subjoins: “O in the announcement of a new name, happy the foundation of the Church, etc.” He has the same in bk.6 *De Trinit.*, and *Psalms* 131. But Ambrose bk.4 *De Fide*, ch.3, “You have,” he says, “in the Gospel what he said to Peter: ‘I have prayed for thee, that thy faith fail not,’ but to the same man when he says earlier, ‘Thou art the Christ, the Son of the living God,’ he replied, ‘Thou art Peter, and upon this rock, etc.’”, and he subjoins words very much to be noted: “Therefore to whom he gave the kingdom by his proper authority, could he not make firm his faith? Whom, when he says ‘rock’, he pointed to as the firm support of the Church.” The same he says most well on *Psalms* 40, near the end, “He is Peter to whom he said, ‘Thou art Peter, and upon this rock, etc.’” and he adds, “Where Peter, there the Church.” Again at large in sermon 9 above cited and sermon *In Cathedram. S. Petri*, and sermon 11 *De Sanctis*. Largely too does Augustine, sermon 29 *De Sanctis*, which is the fifth of Saints Peter and Paul: “Alone among the apostles he merited to hear, ‘Thou art Peter, and upon this rock I will build my Church.’ Worthy, indeed, who was the stone of foundation for building the peoples in the house of God, the pillar of support, the key of the kingdom,” and many similar things are contained in sermon 16, which is *De Cathedra Petri*, and sermon 49, *De Verb. Dom.*, ch.3, and bk.2, *De Baptismo*, ch.1, referring to these words of Cyprian, “Peter, whom first the Lord chose, and upon whom he built his Church,” he adds: “Behold the place Cyprian calls to memory, which we too have taught in the Holy Scriptures, that the apostle Peter, in whom the primacy of the apostles is preeminent with so excellent grace, is by a later apostle, Paul, corrected, etc.”

Most well too does Pacianus say, epistle 3 to Sympronianus, near the middle: “As Matthew himself reports, to Peter did Christ speak, to one man, for the reason that he might found unity from one,” and immediately he refers to the words, ‘upon this rock I

will build my Church.’ Also I referred above to Cyril of Alexandria and to Chrysostom, to whom could be added Cyril of Jerusalem, *Cateches.* 18, saying: “The Savior has ordained our holy Christian Church, about which he said to Peter: ‘Thou art Peter, and upon this rock I will build my Church.’” And Nazianzen, *orat.* 26, says: “You see how from among Christ’s disciples, great to be sure all of them and excelling and worthy of election, this one is called rock and receives the foundations of the Church on his faith.” Again Basil, on ch.2 of *Isaiah*, when he had said that the Church was built on the prophets and apostles, adds further: “Of whom one was Peter; upon which rock he had promised that he would build his Church;” and bk.2 *Contra Eunomium*, near the beginning, he says of Peter: “Who since he was superior in faith, took up the building committed to him of the Church;” and *homil.* 29, which is *De Poenitentia*: “Peter denied the third time, and he was placed in the foundation;” and later: “Peter had already said before and had been pronounced blessed. He had said, ‘Thou art the Son of the high God,’ and he had heard in turn that he was the rock, being so praised by the Lord; for although he was the rock, he was not the rock as Christ. He was the rock as Peter. For Christ truly is the immovable rock, but Peter is because of the rock. For Christ lavished his titles of dignity on others; but he lavished them not as being emptied of them but as having them still. He is the Light. You are the light of world, he says. He is the Priest, and he makes priests. He is the Lamb, and he says: ‘Behold I send you forth as sheep among wolves.’ He is the Rock, and he makes a rock. What things are his, he lavishes on his servants.” Similarly Epiphanius in *Anchorato*, not far from the beginning, speaking of Peter under the name of the Prince of Apostles, subjoins: “But the Lord himself established him first of the apostles, a firm rock, upon which is built the Church of God, etc.”

To these Fathers are added others in expounding *Matthew*. Theophylact and Euthymius follow Chrysostom, but Jerome especially follows him in saying: “On Simon who believed in the rock Christ is bestowed the name Peter, and according to the metaphor of the rock it is rightly said: ‘I will build my Church on thee.’” The literal sense surely could not be more truly or clearly explained. Hence in other places he often says that the Church of Christ has been founded on Peter. In his *Dialog. 1 Contra Pelagianos*, a little from the beginning, and in his epistles 54 and 57, and bk.1 *Contra Jovinian.*, he first says calls Peter the rock of Christ, but later, answering a tacit objection and declaring the reason, he says: “Upon Peter is the Church founded, although the very thing is in another place made upon the other apostles, and all together receive the keys of heaven, and equally on them is the fortitude of the Church made firm; yet for this reason is one among the twelve chosen, so that, with a head established, occasion of schism may be taken away.” Where it is to be attentively considered that among the apostles he establishes a certain equality and nevertheless a head too. For equality is in the apostolate, in certitude of doctrine, on which the fortitude of the Church is made firm, and in the universal power of the keys: but the one head, which is put in place for taking away schisms, indicates the authority and jurisdiction of Peter over the other apostles too, and the perpetuity of his power without which a perpetual concord opposed to schisms could not exist in the Church.

A similar opinion is held by Pope Leo, epistle 89, ch.1, saying: “The sacrament of this office the Lord wished in such way to pertain to the office of all the apostles that he might in the most blessed Peter, the summit of all the apostles, principally locate it, so

that from him, as from a certain head, his gifts might be diffused as it were through the whole body, so that he who dared to depart from the firmness of Peter might understand himself to be divorced from the divine mystery. For he wanted this Peter, assumed as consort of undivided unity, to be named that which he himself was when he said: 'Thou art Peter, and upon this rock I will build my Church,' so that the edifice of the eternal temple, by the marvelous gift of the grace of God, might consist in the firmness of Peter." Lastly it is frequent among the other Fathers that they call Peter for this reason the foundation of the Catholic Church, the rock of the Church, the first Pontiff of the Church. As can be seen in Isidore, bk.2, *De Offic. Ecclesiastic.* ch.5, and *De Vita et Morib. Sanctor.* ch.69, and in other places, which we indicated in book 1, chapter 6. And Peter Chrysologus, serm.107, Laurentius Justinianus, *De Obed.* ch.12. Tertullian, before he had fallen into heresy, often spoke in the same ways about Peter, as in *De Praescript.* ch.22, and *De Monogamia*, ch.8. From which opinion even when he had become a heretic he did not depart, although he corrupted it in a certain way, *De Pudicitia*, ch.25, as we will more commodiously notice in chapter 17.

6. No one can therefore doubt that to Peter was that promise made; it remains now to explain what was promised to him. For there seems to be in the words a double promise, one about the foundation of the Church, another about the power of binding and loosing: but I reckon that the same is first explained through a metaphor and afterwards by words more proper. When therefore Christ said that he would found his Church on Peter, he promised Peter that he would make the foundation itself of the Church so firm and immovable that it could both sustain the whole mass of the Church and never, with so much firmness, fall or collapse. Hence Ambrose in the cited book 4, *De Fide*, ch.3, when he says in the words above mentioned, "to whom he gave the kingdom by his proper authority," signifies that Christ there promised to Peter the kingdom of the Church, and because this kingdom is both established by faith and needs to be perpetual, therefore Ambrose adds that Christ could also make the faith of Peter firm and establish him as the firm support of the Church, indicating that all this was in those words promised to Peter. Which thing he also declared, serm.2 among various sermons, which is *De Cathedra Petri*, where he says it was promised to Peter that "like an immovable stone he would hold together the frame and mass of the whole Christian world." And fairly similar things are contained in Augustine, the said sermon 16, *De Sanctis*. But Jerome in the said book 1, *Contra Jovinian*, thinks that there Peter was promised that he would be the head of the apostles. But Cyprian along with Augustine in the said book 2, *De Baptism.*, ch.1, think that the primacy of the Church was there promised to Peter. Chrysostom too, homil.15, on *Matthew*, says Peter was promised he would be the pastor of the Church. And all these reduce to the same.

7. Finally the reason for the metaphor is that some singular dependence of the Church on Peter is through that metaphor signified, which cannot consist in other thing than that to Peter was to be given a singular power for instructing and ruling the Church in faith and morals, on which power both the edification and the conservation of the Church would perpetually rest. As when a ship is said to be founded on some person, it is at once understood by the metaphor that it rests on him as on a governor or captain; and thus also is a kingdom said to be founded in the king, and conversely the king is said to be the foundation of the kingdom. Wherefore, although the metaphor of foundation or rock could also have other uses and significations, yet when accommodated to this place

and these circumstances it can have no other accommodation than this one; and for that reason the Fathers and the Church have so understood it.

8. But in order to explain the thing more openly, Christ added another metaphor and an explanation of it, when he said: "I will give unto thee the keys of the kingdom of heaven." For by the name of key is wont to be signified the power of a king or of ruling, as is clear in *Isaiah* 22.22: "And the key of the house of David will I lay upon his shoulder," that is, the principality or the pontificate or the power, about which he had a little before said, v.21: "And I will commit thy government into his hand." Christ, therefore, when promising the keys of the kingdom of heaven to Peter, promised nothing other than the power of ruling the Church, which on earth is a spiritual kingdom tending to the attainment of the kingdom of heaven, and for that reason it is to be governed by a certain heavenly power. Which power through sufficiently proper words is immediately explained by Christ, saying: "And whatsoever thou shalt bind on earth, etc." For with these words he expressly promised Peter a singular power of binding and loosing; which power is not other than the power of passing laws, or laying censures, or imposing similar burdens, or taking them away, as is clear both from the common use of such words and from the similar words of *Matthew* 18.18: "Whatsoever ye shall bind, etc." And from other words in *John* 20.23: "Whose soever sins ye remit, etc." Therefore the keys signify nothing other by the metaphor than the spiritual power for ruling the Church of Christ in order to the attainment of the kingdom of heaven. From this place, therefore, the primacy of Peter is manifestly proved, although heretics by various objections and evasions try to obscure it, to which we shall respond in the next chapter, lest we should omit confirmation of the established truth.

9. Everything, therefore, which we have said about the aforesaid promise of Christ, is from other words of Christ in *John* 21 very greatly confirmed, and from both places taken together and compared with each other the evidence of the truth is made very clear. For what Christ had promised, he fulfilled to Peter when he was about to ascend, saying to Peter once and again: "Feed my lambs," and a third time: "Feed my sheep." By these words he committed the care and government of the whole Church to him and constituted him his Vicar; and then plainly the keys of the kingdom of heaven and the power of binding and loosing did he bestow on him in a proper and special way; and thus on his shoulders as on a firm foundation and immovable stone he placed the edifice of the Church. Of all which can persuasion be easily made if the whole deed of Christ and his words are considered with a pure intention and mind. For in advance of creating Peter Supreme Pontiff Christ thrice asked him: "Simon, son of Jonas, lovest thou me more than these?" and "Lovest thou me?" and "Lovest thou me?" Through which he first wished to signify that of something great and excellent and very greatly dear to himself he wanted to make commendation to Peter, namely his Church, which he himself very greatly loved, for which he gave himself up and left Mother and Father, as Paul showed, *Ephesians* 5. Next, after the love of Peter for him had been made manifest, Christ said to him: "Feed my sheep." By which words the heretics contend that no power was given to Peter but only a precept for preaching the word of God, which is the food of souls. But the exposition is vain and ridiculous, for about the mission of preaching Christ had already said, *John* 20.21: "As my Father hath sent me, even so send I you," and he was going on to say later on his departure, *Matthew* 28.19: "Go ye therefore and teach all nations." Why, for the sole office of preaching, was there need to act in so singular a way

with Peter and preface so great a weight of words and questions?

10. Next, the word ‘feed’ in the way in which it is employed by Christ does not only signify the act (so to say) of ministering food, but also the office and care of procuring all things that pertain to feeding sheep and ruling them and protecting them and preserving them in life. Next, it comprehends everything that belongs to the pastoral office. For it was the same to say to Peter, ‘Feed,’ as to say, ‘I leave you shepherd of my sheep.’ But a good shepherd, as Christ himself said, *John* 10.2-4, “entereth in by the door, and he calleth his own sheep by name, and leadeth them out, and he goeth before them, and the sheep follow him, for they know his voice.” And later, v.11: “The good shepherd giveth his life for the sheep;” and as he there indicates, he is not conducting himself as an hireling who, since he is not a shepherd, sees the wolf coming and leaves the sheep and flees. Therefore, from the opinion of Christ, it pertains to the office of the pastor who enters through the door, that is, through Christ himself, as he himself explains, or (which is the same thing) who is by him constituted over his flock, not only to minister food but also to guard, and to rule, and all the other things that pastoral care requires. So it was not only preaching of the word but the whole care of his flock which Christ commended to Peter. And without doubt this is the most usual signification of the word employed in the metaphor, not only as to the common way of speaking but also in sacred Scripture, as is clear from *1 Peter* 5.2: “Feed the flock of God which is among you, taking the oversight thereof, not by constraint, but willingly according to God.” Where ‘feed’ without doubt signifies not only preaching, for by speaking alone constraint is not wont to be done; but it signifies rule or government, which is sometimes wont to be too violent, and so he subjoins, v.3: “Neither as being lords over the clergy.” Similarly the word ‘taking the oversight’ manifestly shows that Peter spoke of the prudence and solicitude of a pastor in ruling and guarding the sheep, and not of mere preaching of the word. Thus too *2 Kings [Samuel]* 5.2: “Thou shalt feed my people Israel;” in explanation of which is added: “Thou shalt be a captain over Israel;” and 7.7: “Spake I a word with any of the tribes of Israel, whom I commanded to feed my people Israel?” Which is immediately declared through the words, v.8: “I took thee from the sheepcote, from following the sheep, to be ruler over my people Israel.” And of Christ Isaiah said, 40.11: “He shall feed his flock like a shepherd;” and infinite like things are in the prophets. Therefore this very thing did Christ signify to Peter when he committed to him the feeding of his sheep.

11. And next, when he put sheep indefinitely, he comprehended without doubt all of them indiscriminately, because in similar locutions indefinite speech is equivalent to universal speech, and because there is no greater reason to interpret such words about these sheep than about those sheep. Nay, because there lambs and sheep are by name distinguished, Euthymius reckons that what is signified is not only the imperfect but the perfect too are subject to the care of Peter. But Bernard, bk.2 *De Considerat. ad Eugenium*, expounds that not only the common people but also the prelates and bishops up to the apostles themselves as well were commended and made subject to Peter. Hence he thus speaks, ch.8: “Not only of the sheep but of the pastors too you are of all of them the one Pastor. Whence do I prove it, you ask? From the word of Christ. For to whom, I do not say among bishops but among apostles too, were the sheep in this way absolutely and indiscriminately committed? ‘If you love me, Peter, feed my sheep.’ Which sheep? The peoples of that and of that city or region or definite kingdom. ‘My sheep,’ he said.

To whom is it not plain that he did not designate some but assigned all? None is excepted where none is distinguished. And perhaps there was present the rest of the fellow disciples when, committing to one, he commended unity to all in one flock and one pastor, according to the verse, 'One is my dove, my fair one, my perfect.' Where unity, there perfection." In which words Bernard excellently confirmed and enriched the aforesaid sense.

12. Nor is this interpretation novel or recent, for in the same way did the ancient Fathers understand the cited words of Christ. For Pope Leo, serm. 3 on his appointment, said in the same sentence: "From the whole world one Peter is chosen, who over the calling of all the Gentiles and over all the apostles and all the fathers of the Church is set in charge, although there be in the people of God many priests and many pastors yet properly does Peter rule whom Christ too principally rules." Chrysostom, homil.87, on *John*, says: "Why, finally, omitting the others, does he address only Peter about these things? He was the mouth of the apostles and prince and head of the band itself – for which cause also Paul went up to see him beside the others; and at the same, so that Christ might show him that now trust was to be had in him, for he was as it were forgetting his denial, he committed to him the care of this brothers." And later: "Thrice however he asks, and often prescribes the same thing, so that he might show how much he valued the care of his sheep and that this would be the greatest argument of his love." Cyril again, bk.11 *John*, ch.64, says: "In individual confessions, the words a little varied, he heard that he was to have the care of his rational sheep." And similarly Augustine, tract.123: "Nor does he hear aught so many times from Peter than that he loved him, nor does he so many times aught commend to Peter than that he feed his sheep." But what it is to feed the sheep of Christ he declares in a few words at the end of the same tractate saying: "they should strive as far as blood for the truth to whom he committed the feeding and ruling of the sheep." And serm.62, *De Verbis Domini*, explaining the same words 'feed my sheep' he says: "Let to us the care pertain, to you the obedience, to us the pastoral vigilance, to you the humility of the flock, etc." where to the word 'feed' he opposes the word 'obey'. He understood therefore that the pastoral care did not consist only in teaching but also in ruling and prescribing and that this was committed to Peter over the whole Church. Just as he also says, serm.49, *De Verbis Domini*: "The Lord says to Peter, the one individual on whom he forms his Church: Peter, do you love me? He responds: I love you. Feed my sheep."

And again Ambrose, serm.48, *De Tempore in Feriam 3rd Hebdomadae Sanctae*, treating of the same place, says: "He who before his tears was a sinner is after his tears assumed as pastor; and he received others to rule who before did not rule himself." And in the said sermon 1 *De Sanctis*, or *De Cathedra Petri*, said: "As a good Pastor he received the flock to guard, so that he who had been infirm for himself might become the firm support for everyone." Where he alludes to both testimonies and joins one to the other. And he explains *Galations* 1, that by the word 'feed' the care of the churches was delegated to Peter, saying of Paul: "It was worthy for him to desire to see Peter who was first among the apostles, to whom Christ had delegated the care of the churches." Next, bk.10, on *Luke* 24 toward the end, he says: "The Lord was not doubting; he was asking, not so as to learn, but so as to teach whom, having to ascend into heaven, he was leaving to us as Vicar of his love; for thus you have 'Simon son of Jonas lovest thou me?' 'Yea, Lord, thou knowest that I love thee'; Jesus says to him, 'Feed my lambs.'" And later:

“Now not lambs, as at the first, nor sheplings as in the second, but sheep he bids him to feed, that the more perfect may be governed by him who is more perfect.” And bk.5, *De Fide*, in the preface he largely explains the same place in the same sense, saying that Peter was that prudent and faithful servant whom the Lord had set up over his family. Almost the same is contained in the book *De Dignitate Sacerdotali*, ch.2. But most well does Cyprian connect both testimonies, book *De Unit. Eccles.*, near the beginning, when he says: “The Lord speaks to Peter, ‘I say unto thee, that thou art Peter and upon this rock I will build my Church...’ And again to the same after his resurrection he says, ‘Feed my sheep.’ On that one individual he builds his Church, and to him he entrusts his sheep for feeding, and although on all the apostles after his resurrection he bestows equal power, and says, ‘As the Father hath sent me...’, and ‘Whose sins ye remit...’, yet to manifest unity he established one chair, and the origin, beginning from one, of that same unity he did by his authority dispose.” And later: “The primacy was given to Peter, so that one Church of Christ and one chair might be shown.” And later: “Who leaves the chair of Peter, on whom the Church is founded, has he confidence that he is in the Church?”

13. Lastly this truth is confirmed by the various epithets that the Fathers are wont to bestow on Peter for explaining that office and power which he received from Christ in the cited places. For thus is he called ‘head of the apostles’ by Jerome, bk.1 *Contra Jovinian.*, and by Optatus, bks.2 & 7, *Contra Parmen.* Cyril of Alexandria too, bk.12, on *John*, ch.54, calls him ‘head and prince’, and bk.13, *Thesaur.*, ch.2, ‘summit of the apostles.’ He is also said to be constituted as ‘pastor of pastors’ by Eusebius Emisenus in serm. *De S. Joann. Evangelista*, and he gives a reason, because “he rules subjects and prelates. Of all therefore is he pastor, because besides lambs and sheep there is nothing in the Church.” Hence Isidore, *De Vita et Morte Sanctorum*, ch.69, calls Peter ‘pastor of the human flock’. Again, Origen, bk.5 on *Romans* 6, near the end, says: “Since to Peter the sum of things about feeding the sheep is delivered, and since on him as on ground is the Church founded, the confession of no virtue is required of him save love.” Again Peter is called the Vicar of Christ in the Council of Nicea, can.39; of which canon we will say many things below. And Anselm on *Matthew* 16 calls him principal Vicar; because all the other bishops too, who receive the power of binding and loosing, are in their way Vicars of Christ, but Peter is the principal. Whom for the same reason he there calls prince of the apostles, which title is frequent among the other Fathers. And thus also do they frequently say that he received the primacy of the Church, as in the case of Ambrose on *2 Corinthians* 12 and *Galations* 2; and most well Bede from the cited words ‘feed my sheep’ in homil. *De Vigilia Apostolor. Petri et Pauli*. And the same is intended by Chrysostom, hom.80 *Ad Populum*, when he says: “to him throughout the whole globe of the earth has been delivered the presidency of the Church, or care for the globe of the earth has to him been entrusted,” as he says, hom.87 on *John*. Or “of the whole Church he has taken up the government,” as Damascene says, orat. *De Transfiguratione*, where to Peter he speaks thus about the Church: “This Church Christ has himself purchased with his own blood, but to you as to a most faithful steward he has handed it over in trust.” And below: “He made you the keeper of the keys for the heavenly kingdom.” And later he says that Christ wanted Peter to be present at his transfiguration “as the chief who had taken up the government of the whole Church.” Hence Ephrem says in serm. *De Transfiguratur.* that as the one Moses was prince of the Hebrews, so Peter was constituted prince of the Church of Christians. And many things can be seen in Gregory, hom.21 *In*

Evangel., and bk.3, *Epistolar.*, epist.39, elsewhere epist.67, and bk. 1, epist.24.

14. Finally if we wish to give some reason for this divine counsel, it is necessary to separate the institution of the governance from the choice of the person. For we can give for the choice of the person no proper cause besides the divine good pleasure. For although God had disposed Peter with that faith and love which rendered him worthy for taking up such ministry, as from the words of Matthew and John above treated is manifest; yet the faith of Peter was not the first reason for his election, but the will of God, for because he chose them, therefore did he call him, so that by cooperating with his call he might most worthily become Vicar of Christ. But of the institution of the primacy the proper reason was what Cyprian, Pope Leo, and other Fathers have touched on, the unity of the Church and the best governance for it, because if in the Church there had not been one head to which the diverse members of the Church might have recourse, it would easily be broken by diverse schisms, as Anselm too above rightly said.

15. But so that its governance might be best it was necessary that this head be one monarch, for monarchy is the best form of governance of all, as from the Fathers, the theologians, the philosophers, and the historians is learnedly shown by Cardinal Bellarmine, bk.1, *De Romano Pontifice*, ch.2 and following. But if in other human communities and kingdoms this is true, much more certainly was it necessary in the governance of the whole Church; because since the ecclesiastical republic is the most ample, and has been instituted for the whole world, it could not conveniently be by one supreme power governed if such power did not in one man reside. For if it were in a congregation of many, there would not be in the world a power apt for ruling except when such persons were gathered into one council. How then could it supply aid for difficulties that arise when such a congregation is wanting, or by whom could it be with efficacy compelled if there was in the Church no head to which this sort of general providence and care of the Church might perpetually belong? This reason certainly gives conviction that the primacy of Peter was morally necessary; and the same reason gives conviction that that primacy was not for the person of Peter alone but perpetual, as is made convincing by these words too, 'the gates of hell shall not prevail against it,' as was largely proved in book 1 and will in the following be amply confirmed.

Chapter 11: Satisfaction is made to objections against the doctrine of the previous chapter.

Summary: 1. No one can accuse the primacy of Peter of novelty. Peter cannot be said to be prince of the apostles except by reason of supreme majesty. 2. Objection of the king from Scripture against the proof of the primacy of Peter. 3. Solution to the objection. Catholics prove immediately from Scripture only the primacy of Peter in spiritual things. 4. When a Pontiff might take kingdoms away from temporal princes. 5. Second objection. 6. Response. The words of John 21: "Feed my sheep" are said to Peter alone. 7. First exposition of the words of Matthew 16: "And upon this rock, etc." Second exposition. Even the authors of the aforesaid expositions establish Peter as foundation of the Church. How the foundation of the Church on Peter and on faith agree. 8. The exposition of Augustine is expounded and explained. 9. The power of binding and loosing was in Peter perpetual and independent, but in the others by dependence on him. 10. Certain places of Augustine are expounded. 11. The exposition of the words of Augustine is also proved from the words of Christ. 12. The instance posed by the King in his Preface, p.58. It is

refuted. 13. An inferior prelate could add in his censure that he is doing it by power received from the Pontiff; but to add that he is doing it in virtue of the Pope is not appropriate. 14. A final objection taken from various indications. Four indications of this sort. 15. Peter has obtained first place as head in all congresses. To the first indication. 16. To the second. 17. To the third. 18. To the fourth.

1. Against the primacy of Peter understood in the sense declared by us in the previous chapter some things are touched on in passing and as if incidentally by King James, which it is necessary to satisfy. For he says on p.60 of his *Preface*, “It is indeed true that Peter, by reason of both age and time when he was called by Christ, was one of the principal apostles, a prince in the order of those twelve whom Christ first chose, and one of the three whom for the sake of preserving the order he placed above the rest.” And on p.59 the doctrine, which we have shown to be Catholic, he does not fear to call “recent and novel.” Which is for me an effective argument that the Protestants either have not read the holy Fathers or have basely deceived their king. For from what has been said it is clearer than light that the doctrine handed down about the primacy of Peter began with the Church itself and is founded on the words of Christ understood in the way that the most ancient Fathers have expounded: none therefore, who does not wish on purpose to deceive or be deceived (which is not to be believed of the most serene king), can call this doctrine recent or novel. He spoke then out of deception or ignorance about the truth, not however an ignorance probable or that could excuse him of grave lapse and guilt, since he could easily dispel the ignorance and error, if he wished. Besides there is the fact that if he confesses Peter was a prince of the twelve apostles, what, I ask, is that which he adds, “prince in the order” or “for the sake of preserving the order”? Or what is that order, or in what excellence or dignity of person is it founded? For every order, so that it may justly and prudently be constituted among certain persons, requires in them some foundation of excellence or excess or inequality which might, to the constituting of the order, be proportioned and accommodated.

If Peter, therefore, has no dignity or power greater than the other apostles nor jurisdiction over them, according to what order is he called prince of them? For superiority in age or priority of vocation are with God of little moment, with whom, as there is no acceptance of persons, so there is no difference of ages: nay, in his sight often the last are first and the first last. Especially so because it is not clear that Peter was older than the other apostles, or was called before all of them, since at least Andrew preceded him, as is taken about his vocation from *John* 1, and about his age the probable opinion of Epiphanius, *Haeres.* 51. Also neither can that order be founded in grades of sanctity, for this judgment is reserved to God; nor has it hitherto been revealed to us who among the apostles was in true sanctity greater with God than the rest. Nor again is it enough that Christ behaved as family with him and that in some acts he seems to have preferred him to certain others; for by this reason even John could be said to be prince in order; nay, James too, for he was one of the three whom in certain activities Christ wished to have as particular associates. Besides, because the sole special display by Christ of favor or love was not sufficient foundation for any order among the apostles that was going to remain after Christ’s departure. Add that the king always speaks of political order in the Church’s hierarchy, to which that past favor or benevolence has little reference, nor will any prudent man repute Paul to be lesser in order because he was not of those three or

because he did not as family adhere to Christ while alive in mortal body.

Lastly in the way indeed that Peter is deemed prince among the apostles it was not from man but from Christ, and so he had by divine right that principality; therefore if he was prince in the order, it must be that such order was created and instituted by Christ himself. But we do not read that Christ instituted in his Church any dignities which, on account of political order alone, may claim for themselves a special honor or the first sees in seating or speaking, but we only read, *1 Corinthians* 12, that Christ placed in the Church first apostles, second prophets, third doctors, other pastors and doctors, and lastly distributed other graces or ministries: but in all these Peter cannot be said to be prince among the apostles by reason of order. So that we then may assert what is true, the thought of such political order in the Church of Christ as something instituted by himself is recent and novel; for the order among Peter and the other apostles was founded in superior power for ruling and governing both them and the universal Church in perpetuity. And this Christ taught us and we read it in the ancient Fathers, but the rest are human inventions or novelties.

2. But in the first place the king inveighs against the double proof of the primacy of Peter from those places: "Thou art Peter," and "Feed my sheep." And first indeed, as if mocking Bellarmine, he says, p.22: "Nor does the last chapter of my disputation make attack with other machines than with those words of Christ, 'Feed my sheep,' 'I will give unto thee the keys of the kingdom of heaven.'" But later on p.24 he says: "Thus does he make up a new and no doubt egregious sense for those words of Christ, 'Feed my sheep etc.,' as if they signified, 'Take away, proscribe, depose Christian princes and kings.' With these too, 'Whatsoever thou shalt loose, etc.'" And lastly on p.128 he goes so far as to call "shameless and impudent" the "violence which on the sense of those places the Cardinal brings to bear, that from them he should erect the supreme power of the Pontiff in temporal matters over kings and princes." But in these words no reason or testimony is stated in objection, but only are propounded the abuses and calumnies of the Protestants on which the king rests his faith, and for that reason we might easily pass them over; but lest anyone, through confusion and ignorance of the truth, should be moved by them, there is need to distinguish the false from the true and to explain the whole matter.

3. Bellarmine, therefore, and all of us who are together in this cause, do not from those places prove proximately and immediately the primacy of Peter in civil or temporal things, but in ecclesiastical or spiritual things. But whether this spiritual power is extended to temporal things is another question to be treated of, and to be decided, by both authority of ecclesiastical tradition and force of reason, from the prior foundation of the supreme spiritual power proved by the aforesaid testimonies. But the king so reports the proof of Bellarmine as if by those testimonies he wished to prove the Pontiff to be absolute temporal lord of all kingdoms and able by his choice to give them or take them away, which is very far from his true mind. Hence, in his response, he modestly and prudently asks: "Where, I ask, in my book did you see so impolitic and shameless an exposition?" It was not he, therefore, who affixed the sense to the words of Christ which nowhere appears in his books; but he who deceived you, O king, affixed that sense without any appearance of verisimilitude. The sense, therefore, which Bellarmine affixed to those testimonies is the same with that whereby we have proved the primacy of Peter in spiritual things, which is truly a sense outstanding indeed and not new, but proved by the common consent of the ancient Fathers.

4. But from this sense by inference and necessary connection rightly could Bellarmine demonstrate by the same testimonies the power of Peter for deposing kings, not indeed all of them at his decision, “such that he could give and take away kingdoms at pleasure,” as the king says on p.23, but heretical and incorrigible ones, either for their worthy punishment or for the necessary defense of his sheep, and therefore not by absolute dominion or direct power (as they say), but by indirect. Let not then the king of England say that the words “feed my sheep” are so expounded by us as to mean “take away, proscribe, depose Christian princes,” for this no Catholic has said. But if he wishes what is true sincerely testified, we say, among the many other things that are contained in those words and in the power given through them, that also this is, “take away, proscribe, depose heretical kings” who do not wish to be corrected, and who are in things pertaining to the Catholic faith pernicious. But this sense imposes no violence on the words of Christ and is by necessary consequence elicited from them; nor is it new but proved by the perpetual tradition of the Church, nor is therefrom a direct power of Peter in temporal matters but only an indirect one collected, which we showed cannot from the supreme spiritual power be separated.

5. But the king continues by objecting to the exposition of those places as they are introduced for proving the singular spiritual power of Peter. And first he seems to argue from the authority even of Catholic doctors, who have in various ways interpreted those places, whence addressing Bellarmine, p.58, he says: “But neither is he ignorant what reason the ancients introduce as to why to Saint Peter Christ entrusted his sheep to feed.” Next he himself seems to approve the exposition of those who say that both places, namely “I will give unto thee the keys” and “feed my sheep,” were said indeed to Peter but pertained to all the apostles, whose persons Peter was himself bearing. Which he confirms hence, that elsewhere the power of the keys was conceded in the plural number, *Matthew* 18.18: “Whatsoever ye (plural) shall bind on earth shall be bound in heaven; and whatsoever ye (plural) shall loose on earth shall be loosed in heaven.” From which words he wishes to collect that the power of the keys was not less conferred on the other apostles than on Peter and that he therefore did not have the primacy. Nay, many are they among the Protestants who not only on the apostles but on the whole Church wish the power of the keys to have been conferred, because in the place cited from *Matthew* Christ had said, 18.17: “Tell it unto the Church; but if he neglect to hear the Church, let him be unto thee as an heathen man and a publican;” and immediately, as if giving the reason, he subjoins: “Whatsoever ye shall bind on earth shall be bound in heaven.” Here then is a sign that Christ spoke to the apostles or disciples insofar as they were representing the Church or contained it virtually.

6. But because this objection involves both testimonies and there is not altogether the same reason in each of them, they must be spoken about in turn. And in the first place, about the words “feed my sheep,” I do not find among the ancient Fathers dissenting opinions or expositions, neither about the person to whom individually “feed” is said, nor about the signification of the verb ‘feed’, nor about the persons comprehended under the name of sheep and lambs. For although in expounding these two last terms there be some variety, whether the two terms ‘lambs’ and ‘sheep’ signify the same or diverse persons, yet in truth there is no discrepancy that might have importance for the present cause. For all Catholics agree that the whole flock of Christ and all the sheep were committed to Peter, whether under the individual terms of ‘lambs’ and ‘sheep’ they

were all signified or whether under both at the same time because of diverse properties. And hence it necessarily follows that the words pertained to Peter alone, and that they were said to him not as bearing the person of others but most properly and specifically because of the individual office committed to him. Which from the common consent of the Fathers in the preceding chapter is sufficiently proved, and can from the context itself be sufficiently proved. Both because Christ by asking Peter: "Lovest thou me more than these?" sufficiently distinguished him from the others so that he was only dealing with him in his proper person, not as representative of the rest but as distinct from them. And also because under the name of 'sheep' he comprehended the other apostles, as was above proved: therefore the verb 'feed' was necessarily said to Peter as to a sole individual or as to a pastor who had under a certain reason been uniquely constituted; because the individual apostles could not at the same time be pastors of the same universes; neither was any of them made pastor of Peter in the way that Peter was constituted as pastor of all the rest.

Nor did any of the ancient Fathers, as I said, understand the words as to 'this rock' in some other way. For although some Fathers say that what Christ then said to Peter was also said to the rest of the apostles and pastors of the Church, they understand it to be said to Peter as in exemplary fashion and that it fits the others according to fitting proportion. For although Peter alone be constituted universal pastor of the Church, there is no exclusion of particular pastors to whom singly, not all, but some of the sheep might be committed, according to that verse of *1 Peter* 5.2: "Feed the flock of God which is among you," where the phrase 'which is among you' determines a particular flock, and of *Acts* 20.28: "Take heed therefore unto yourselves, and to all the flock, over the which the Holy Spirit hath made you rulers." Just as therefore other pastors are assumed to a part of the care along with Peter, so ought they to understand that to him was it said: "Lovest thou me? Feed my sheep." Not because Christ, when he pronounced almost the like words, was speaking formally to all particular pastors or to Peter in the person of all; but because the virtue and reason of the words of Christ have with proportion place in all pastors. For they could not rightly be disposed for feeding the flock of Christ unless they loved Christ himself. And in this sense Augustine in his book *De Agone Christiano*, said: "When it is said to Peter, it is said to all: Lovest thou me? Feed my sheep."

7. I come to the other place, *Matthew* 16, wherein there is some greater variety of expositions, especially as to the words: "And upon this rock;" for sometimes the Fathers give exposition that the demonstrative 'this' designates the faith of Christ, God and man, on which they say the Church is founded, as Chrysostom there indicates, hom.55, and Hilary. And frequently others are wont to say that the faith is the foundation of the Church. But others give as exposition that Christ, by saying "upon this rock", designated himself, because as is said *1 Corinthians* 3.11: "For other foundation can no man lay than that is laid, which is Jesus Christ," about whom it is said, 10.4: "And that rock was Christ." Which exposition is contained in Augustine, tract.27 and 124 on *John*, and serm. *De Verbis Domini*. However none of the Fathers who have expounded this place in other ways denied that Peter was in a special way the rock and foundation of the Church, as was above shown about Hilary and Chrysostom, and the same holds of Ambrose and others who are wont to be alleged for the former exposition. For in the same places they say both things, namely that Peter and that the faith of Christ or his confession are the foundation of the Church. For both under diverse reasons are true, that Peter as Vicar of

Christ, holding his place in his absence, is the foundation of the Church and that he after Christ in his own way supports it. But the faith is said to be the foundation as the reason of the founding (to so say), for because of his singular faith Peter was made the foundation of the Church and, by his faith, is constituted a firm rock accommodated to founding the Church. In this sense, therefore, the said Fathers spoke, and Chrysostom, homil.2 on *Psalm* 50, said: "Because of the strength of his confession is he called Peter, the Lord saying: Thou art Peter and upon this rock, etc." But if the speech is not about the faith of Peter specifically but about faith in general, that too is said to be the foundation of the Church, because it is the first reason and as it were the form of the Church constituting and uniting its members. And in this way are those words sometimes wont, by accommodation and in mystical sense, to be applied to the whole Church and to the individual faithful, as Origen did, tract.4 on *Matthew*; who yet does not deny that in a proper and literal sense Peter alone is there signified by Christ with the name 'rock' and is promised as foundation of the Church, as from the same is clear in homil.5 on *Exodus*.

8. But the other opinion of Augustine, that Christ is the rock, it is, considered in itself as to doctrine, most true but, as to the sense of the words of Christ, it can be difficult to accommodate. For nothing truer can be said than that Christ is the corner stone and rock on which principally the Church is founded; nay that Christ alone is *per se* and by his virtue the foundation of the Church. But that in the cited place of *Matthew* Christ spoke about himself or that by saying, "upon this rock" he signified himself, cannot in truth be accommodated to the literal and proper sense of the words, as is manifest from what was said in the previous chapter. Hence either the exposition of Augustine is not delivered by him as literal but as mystical, or it must be reduced to the preceding exposition. For he speaks of Christ as he is object of the faith which Peter confessed, and thus in this way is Christ by "this rock" said to be indicated, faith in whom no doubt is as if the reason for which Peter has been made the foundation of the Church. But that Augustine did thus speak about Christ can be taken from his words. For bk.1 *Retractionum* ch.21, he speaks in this way: "Afterwards I thus expounded what was said by the Lord, 'Thou art Peter, and upon this rock, ...' so that 'upon this' might be understood as him whom Peter confessed when he said, 'Thou art the Christ, etc.'" Add that Augustine proposes this sense not as certain but as probable and that he was moved to it by the diversity of the terms 'Peter' and 'rock' which diversity in reality was nothing, as I already said. Finally Augustine does not exclude the other sense and much less does he doubt the truth of the opinion that Peter was also the rock on which the Church is founded; for he often teaches it in the places mentioned in the previous chapter; and in the said ch.21 of *1 Retractionum* he says that that sense is chanted by the mouth of many in the verses of the most blessed Ambrose: "At the sound of this [the cockcrow] the rock itself of the Church washed away its guilt."

9. Next as to what the king objects about the words, "whatsoever thou shalt bind," because elsewhere it is said in the plural, "whatsoever ye shall bind," it contains no difficulty; for it is certain that Peter and the apostles received the power of binding and loosing; but that difference of words shows that the power was to Peter promised in other wise than it was to all the apostles. For to Peter was it promised as ordinary and universal and always to remain in the Church, but to the other apostles it was given, or only as it were delegated, for their persons; or if it be considered as it was going to remain in the bishops their successors, it was given as dependent on Peter and through Peter, as Pope

Leo, Anselm, and the other Fathers above mentioned have noted. And from the circumstances of each place the fact is manifestly collected, as from the things said in the previous chapter is sufficiently clear. As in *John* 20 Christ had said generally to Peter and the others, “As the Father hath sent me even so send I you,” and nevertheless in ch.21 he specially said to Peter, “Feed my sheep,” namely as supreme pastor over everyone even the apostles themselves.

10. Nor are there obstacles to this truth in the several testimonies of Augustine, which are wont to be objected here, that he said that Peter when receiving the keys signified the Church; for he understood that Peter signified the Church because it was as prince of the Church that he received the power of the keys, not for his person only but as the keys were to endure perpetually in the Church of Christ and in his successors and other Pontiffs and his helpers the bishops. And so Augustine said tract.50 on *John*: “If to Peter alone (that is, for his person alone) this was said, the Church does not do this,” because, to be sure, its power would have died with Peter. Hence because even now the Church binds and looses he infers: therefore “Peter when receiving the keys certainly signified the holy Church.” Which inference would have been nothing if he had understood that Peter represented the Church as standing in the place of it, because that neither necessarily follows nor is true. Since neither did the Church commit this representation or delegation to Peter nor did Christ do it by his power, since he did not signify it by his words. Therefore Augustine understood that Peter then represented the Church by reason of his primacy and his see, for thus what is given to the head on account of the body is deemed to be given to the Church in its head, just as what is given to a king for ruling is reputed to be given to the kingdom. And thus did the same Augustine say, tract.124 on *John*, that Peter because of his primacy bore the person of the Church. Which he very openly explains when he says: “The Church, which is founded on Christ, received the keys of the kingdom of heaven in Peter.”

11. Next, this was also the way of speaking of Christ, *Matthew* 18: “Tell it unto the Church,” that is, to the pastors of the Church, as everyone expounds and as the thing itself proclaims; for the sin of a brother could not be denounced to the whole company of the Church, but pastors are in the name of the Church signified because the Church is in the bishop as in its head. In a like way, therefore, is Peter in the cited places said to have represented the Church. And in this way too is left solved what was objected from the same place of *Matthew*, because what Christ subjoined: “but if he neglect to hear the Church, let him be unto thee as an heathen man and a publican,” he understood in the like way of the pastors of the Church; to the same therefore or by reason of them did he say: “Whatsoever ye shall bind,” and here he spoke in the plural because sins were not to be denounced only to the supreme Pastor but also to the rest, and therefore, as we said, that statement was made without prejudice to Peter’s individual power. “For if he wanted the rest of the princes to have anything common along with Peter, never did he except through Peter give what he did not deny to the others,” as Pope Leo excellently says, serm.3 *Assumptionis Suae*.

12. But yet against this response the king further urges these words: “But if it were not so (that is, if not all the apostles or if Peter not in the name of them all received the keys from Christ equally), how, I ask, could Paul (*1 Corinthians* 5) be to the Church of the Corinthians the author with his spirit of that incestuous man’s excommunication? Surely it was necessary to say ‘with the spirit of Peter’. How could all the apostles make

use of their censures in the name of Christ and not anywhere make mention of his Vicar?" But this conjecture is of little moment. For in the first place although to Peter individually were the keys given, nevertheless on Paul too and the other apostles Christ immediately conferred the power of binding and loosing; and therefore rightly could they pass censures in the name and virtue of Christ, whose proximate ministers they were, without making mention of Peter. Next, even if they had received power immediately from Peter (as now bishops do, according to the more probable opinion), it was not necessary, in passing sentence of excommunication, to make mention of the Vicar of Christ, just as neither do Catholic bishops now, although they recognize the Roman Bishop as the Vicar of Christ, when they pass sentence of excommunication, say in the name or by the virtue of the Pope, but either they simply use their ordinary power or they can also say in the virtue of Christ or through the power by Christ conceded to them. And the reason is that although Peter is as the universal Pastor of the Church, he is yet not the principal Author and Lord but his Vicar. Hence even Peter himself when passing censure could say in the name of our Lord Jesus Christ, that is, by his office and authority. Therefore the same could be done by the inferior prelates, because they have authority, albeit through the mediation of Peter as dispenser, principally from Christ and operate in virtue of him. Just as when a viceroy of some kingdom or province has often received from the king authority for establishing governors and magistrates in cities and yet they all in their public pronouncements and especially when they make use of the sword profess that they are doing it by authority of the king and not of the viceroy.

13. Nor yet do I deny that a minister or legate of the Pontiff could say when excommunicating that he does it by power received from the Pontiff. For they would speak truth and without injury to Christ, because by those words the effect is not attributed to the Pontiff as principal cause simply but only as in the class of a minister or a Vicar communicating his jurisdiction. But it would perhaps be otherwise if it were said in the name or virtue of Peter or of the Pope, because these words seem to signify the authority of the principal Lord, as Saint Thomas thinks on *1 Corinthians* 5. And therefore such a mode of speaking is not in use. But another mode, namely 'by authority conceded to me by the Pope' or something similar is wont sometimes to be used by ecclesiastical judges, especially those who are delegates. Yet I say that even that way of speaking is not necessary nor used by ordinary pastors, as bishops are, who after having received power use their right in the manner of proximate cause. But in the apostles, as I said, a greater reason comes into play, because not from Peter but immediately from Christ did they have authority. Hence it is clear that deservedly did Paul say "and with my spirit;" nor did he have to say, nay he could not say, "and with the spirit of Peter;" both because of the reason given, that Paul did not have power from Peter since he was an apostle not by men nor through men but through Jesus Christ, as he himself says, *Galations* 1; and also because there the phrase 'and with my spirit' does not signify the virtue or power of operating but a necessary condition for judging, namely sufficient knowledge of the cause, as is plain from the words, *1 Corinthians* 5.3: "For I verily, as absent in body, but present in spirit, have judged already, as though I were present, concerning him that hath so done this deed," for in the same sense he subjoins, v.4: "when ye are gathered together and my spirit," that is, my knowledge and spiritual presence. But this condition could not be attributed to Peter, nay not properly to Christ either, because it is a proper and personal condition requisite on the part of the minister, and in addition to this is required the

authority of the principal Lord, and therefore Paul added, v.4: “with the power of our Lord Jesus Christ.”

14. Finally the king brings as objection certain indications directly against the primacy of Peter. One is “because in all the congresses of the apostles we read that Peter sat among them as one out of many,” as in the Council of which mention is made in *Acts* 15. Where also, for the sending of the messengers, it is only said, v.22: “Then pleased it the apostles and priests with the whole Church to send chosen men.” “But,” says the king, “about the head of the Church pure silence. Thus in their letters mention is made of apostles, elders, and brothers, but about Peter not a word.” The second indication is that Paul, *1 Corinthians* 1, reprehends those who say “I am of Cephas” equally with those who say “I am of Paul, and I of Apollos,” when however, if Cephas was head of the Church, they who were not standing by him ought the rather to be condemned as defectors from the faith and only the followers of Peter should be held to be faithful. The third indication is that Paul, in *Galatians* 2, dealt then with Peter in so little kindly a way that he did not only put himself on an equality with him but even made himself superior. As fourth indication, although it is put by way of derision, he adds that Paul, *Galatians* 1, when he says he went up to Jerusalem “to see Peter and deal with him about certain things,” did not add that “he also went there for holy kissings of his feet.”

15. But these and the like things are not worthy to be proposed against the authority of the whole Church and the sufficiently express words of Christ, yet satisfaction must be made to them lest we seem to omit something. To the first in the first place we say that what is assumed is false, for in *Acts* 1 a certain congress of Apostles is reported and yet not only is Peter placed as head in the first place but he even himself, as head, addresses the whole band, and makes decree about creating a twelfth apostle in place of Judas, which decree the others followed. Where rightly does Chrysostom say, homil.3: “How fervent he is, how he acknowledges the flock entrusted by Christ, how in this choir he is prince.” Therefore, with Chrysostom as witness, whom others follow, in that congress Peter is put forward as superior to the rest and as bearing universal care. Which thing is also noted by Pope Leo IX, epist. to Michael, ch.16, saying that there Peter made use of his authority. Hence it is not without cause that almost always when the apostles are numbered Peter is put in the first place as leader and prince of the rest, which, that it was not done by chance nor because of another excellence or prerogative, Bellarmine learnedly shows in bk.1 *De Summo Pontifice*, ch.18. Therefore also in the Council of Jerusalem he is first to speak and pronounces his opinion with great authority, which, that it also pertained to his primacy and (so to say) to his presidency in the Council, many have noted. Hence it was not necessary that afterwards, in decreeing the mission of the legates or in the form of the decree, any special mention of Peter be made, both because mention had already been sufficiently made of Peter and his opinion, and also because it was not specially in the name of Peter but in the name of the whole Council that the letter and definition were written. There can be added too that in authority and in the spirit of not erring in the faith the apostles then had a certain equality, and therefore in this respect all had been placed in the first order.

16. To the second indication we reply that it pertains not at all to the present cause; for as Chrysostom notes, orat.3 on *1 Corinthians*, that among the Corinthians “the schisms were not on the ground of disagreement in faith but on the ground of division of opinion in human contention.” Which the same Paul sufficiently explained, both by

sweetly and gently imploring them to be, v.10, “perfectly joined together in the same mind and in the same judgment,” and also by explaining what the contentions were, because they were glorying about private masters or baptizers and were being named from them, saying, v.12, “I am of Paul, I of Apollos, I of Cephas.” But Paul but his own and Peter’s and Apollos’ name, not because in fact the divisions and contentions were under these names, but putting them there in the place of those who were the heads of the factions, either so that he should not, by naming them, exacerbate things further, or so that he might the more exaggerate the thing; for if under the names of the prince-apostles it was not licit to make contentions and divisions, much less under the names of others. Since, therefore, the contentions were only that each was glorying about his own master of minister, as if it was better by him to be baptized or taught, it was not necessary either to condemn those who were not named from Cephas or to praise those who gloried of his baptism, but only to commend those who said: “I am of Christ.” Because neither those who said “I am of Paul or Apollos” were dissenting from Peter, the visible head, in faith but only in a special affection or admiration for their baptism or master; nor were those who said they were of Peter in this to be tolerated; because although Peter was visible head, yet he was not as the supreme prince but as vicar of the prince, who is Christ alone, from whom alone are Christians to be named. Nor even by private affections for Peter and Paul was Christ or the name of Christians to be divided, because neither is baptism better by the fact that it is given by a better minister nor are the like contentions to be moved in the Church.

17. About the third indication, taken from the deed of Paul resisting Peter, many things could be said if they had not recently been said by us in bk 9 *De Legibus*, and therefore I say briefly that the ancient heretics too took thence an argument against the dignity or rather against the doctrine of Peter. To whom in one word Tertullian responds, *De Prasecrip. Haeret.*, when he says: “Besides if Peter was reprehended, the fault was in his behavior not in his preaching.” Therefore it is false that Paul either dealt with Peter in an unkindly way or that he made himself equal, much less that he made himself superior. For come. If the king of England were to do something carelessly or to the scandal of his subjects, and some one of his family or his council were to warn him that he was not acting rightly, or that he was unjust, or was of some little offense to others, would he therefore be making himself superior to the king or not recognizing him as king? Not at all, otherwise it will never be licit for a subordinate fraternally to correct his prelate, or to resist him with due reverence, so that public scandal might be taken away; which is something that cannot be said. Therefore from that deed of Paul cannot be collected that he placed himself before Peter in power or prelacy, for although he was inferior he could use that office of charity. And so was that place understood by Augustine, ep.19, and St. Thomas, IIa IIae, q.33, a.4, ad2.

18. To the fourth, about the journey of Paul to see Peter, *Galatians* 1, certainly Jerome did not doubt there to say that he went up “with the desire to give honor to the first apostle;” and Ambrose: “It was worthy that he should desire to see Peter, who was first among the apostles, to whom the Savior had delegated the care of the churches.” And other Fathers too often speak thus. And although we confess that from the sole act of Paul the prelacy of Peter cannot be necessarily collected, yet on the supposition of other testimonies commending the dignity of Peter, a great indication can therefrom be taken that Paul recognized Peter as his head and universal pastor of the Church, and therefore

as soon as he conveniently could, he went up to Jerusalem to visit him and to give him due honor. Nor is it to be doubted but that Paul for his humility would desire to kiss the feet of Peter, but neither the modesty nor submission of Peter would have permitted it; nor finally was it necessary for Paul in that place to report the mode of honor and reverence which he showed to Peter. But about the custom of venerating the Pontiff through kissing his feet, which the king of England here tacitly wishes to disparage, here is not the place to speak; let him who wishes read Joseph Stephanus in his opusculum *De Adorat. Pedum*, in vol.3 of his tractates.

Chapter 12: Whether the primacy of Peter perpetually and by succession persists in the Church.

Summary: 1. Error of heretics. 2. Conclusion de fide. The primacy of Peter did not with his life become extinct. Proof from Matthew ch.16. 3. Proof from John ch.21. 4. Evasion. It is rejected. 5. Proof also by reason. 6. Objection. It is dissolved and turned back. 7. The Roman Bishops did not in all privileges succeed Peter in the primacy.

1. There are not lacking at this time heretics who not only deny that Peter or the Roman Pontiff is Pastor of the whole Church, or Vicar of Christ, but also say that even if by hypothesis Peter had that prerogative it became extinct with him, so that in this way they may the more easily deny that it perseveres in the Roman Pontiff. So as, therefore, to overturn this error from its foundations and reach by the same steps the truth aimed at, we will first show in this chapter that Peter, not by extraordinary right or by individual or so to say life privilege, but by ordinary right and reason was created over the Church enduring perpetually into the future Vicar of Christ; afterwards, however, in the following chapter we will turn our step to the Roman Pontiff

2. At the beginning, therefore, we state that the primacy of Peter was not conferred on him alone for his person but that it was instituted in him so that it might endure perpetually in the Church. This can easily be proved from what has been said in the two preceding chapters. For, by this reason, after Christ said to Peter: "Thou art Peter, and upon this rock I will build my Church," he immediately adds: "and the gates of hell shall not prevail against it," promising the Church's perpetual duration founded on Peter as on a rock most firm and to endure perpetually, as was above in book 1 proved at large, and is confirmed by the other promise of Christ, *Luke 22.32*: "I have prayed for thee, Peter, that thy faith fail not." And by this reason Augustine said, as we explained in the preceding chapter, that Peter represented the Church when the keys were given to him, because not for his person alone but for his see, so that it might endure perpetually in the Church and rule it and in its way sustain it, were they given to him. Hence as from those words, "Thou art Peter, etc." Ambrose inferred, on *Psalms 40*, so we can infer, "where the Church, there Peter;" and as long as the Church endures so long does Peter endure, which also Ambrose signified subjoining: "Where the Church, there no death but eternal life," and that is why he added: "And the gates of hell shall not prevail against it." Rightly indeed did he say, "where the Church, there no death," because although individuals from the Church die, the Church does not die, and although Peter is deceased, the see of Peter is not deceased.

3. Besides, the other words of Christ, "Feed my sheep," if his intention and the reason of the institution are prudently considered, no less effectively prove the said truth.

For in the first place the reason from the Fathers above adduced, that Christ, by indefinitely commending his sheep to Peter, is understood to have committed all the sheep to his care, proceeds equally of sheep at all times and in all places, because as there were going to be sheep of Christ in diverse places so in diverse times, and the sheep would need some supreme Pastor at every time as also in every place. Next, when Christ said, "Feed my sheep," it is certain that he did not speak only about the sheep that were then already gathered into his fold; for they were few, but Christ was providing for a future Church to be gathered from all nations. Therefore it was not only his present but also his future sheep that he commended to Peter; and since he did not affix a limitation of times, he committed the sheep of all times to Peter, just as we have said about place or as could be said about number. Someone will say that from this is rightly proved that to Peter were commended also future sheep while he himself lived but not future sheep afterwards. For how could he feed sheep in the future after him? The reply is that that is incredible, because otherwise Christ would not have sufficiently provided for his sheep, when however he had no less care for the sheep in the future after the death of Peter than while still alive. Hence rightly does Chrysostom say, homil.55 on *Matthew*, "Here openly he foretold that there would be a great multitude of those who were and are to believe, and he makes him think higher things and constitutes him Pastor of the Church," namely of the Church composed of all who were and are to believe. Nor is it difficult to explain how Peter after his death could feed the sheep of Christ left in this world. Both because from here we understand that not only to Peter in his person but to the See of Peter, or to Peter as containing in himself as if in seed and foundation all his successors, had Christ commended his sheep. And also because, for this cause, to the pastoral office of Peter it pertained to provide the way in which there would be succession to him so that the sheep of Christ would not be left without Peter as pastor, even if the person of Peter was deceased, and thus until today Peter feeds the sheep of Christ through his successors.

And this is confirmed very well by those words of Christ, *John* 10.16: "And other sheep I have which are not of this fold: them also I must bring...and there shall be one fold and one shepherd." For from these we collect that in the Church of Christ there was always so to be one Pastor as one fold, and hence that the Pastor given and instituted by Christ was to endure until the whole flock of Christ should be gathered. Christ also signified in those words that one Pastor was necessary in his Church because of unity of fold; but this unity of fold was to be preserved for all time, because in all time there is one Church; therefore also the one Pastor constituted by Christ was given for all time, not in the same person, but on the same throne, just as the Church is one not in the same persons but in succession of the same people. Hence Augustine says, *De Pastorib.* ch.13: "Here I find all good pastors in one pastor. For in truth good pastors are not lacking, but they are in one. They are many who are divided. Here one is foretold, because unity is commended. For truly not for this reason are pastors [plural] not now spoken of, that the Lord did not find to whom he might commend his sheep: but for this reason then he commended, that he found Peter. Nay rather in Peter himself he commended unity. The apostles were many and to one it is said: Feed my sheep."

4. But perhaps adversaries will say that that the one Pastor is Christ, for at once Augustine adds: "All good pastors are in one and are one; they feed, Christ feeds." The reply is that Christ indeed is principal Pastor in whom all other pastors together also with Peter labor and are united; yet nevertheless even on earth there needs to be one Pastor,

Christ's Vicar, in whom the inferior pastors are proximately united and labor. Because as the Church Militant is visible, so God has placed in it visible pastors and doctors, with whom the people should be united; and in order for the pastors themselves to be united among themselves also one visible Pastor is necessary to hold the place of Christ in his absence. Hence Augustine subjoins: "For also Peter himself, to whom he commended his sheep, he wished to make, as if a second to a second, one with himself, so that in this way he commended him his sheep, so that he might be the head, might carry the figure of the body, that is, of the Church, and that they as bride and bridegroom might be two in one flesh." And serm.24, *De Sanctis*, ch.2, in the same sense he said: "In the one Peter was figured the unity of all pastors."

But much clearer and fuller is what Cyprian says in his book *De Unit. Eccles.*, near the beginning: "So as to manifest unity he established one chair, and by his authority he disposed for the same unity an origin beginning from one." Where manifestly he distinguishes the institution and disposition of one chair, instituted for conserving the unity of the Church, by Christ himself the institutor of it. And similarly he designates, besides Christ, one other Pastor, so that from him it might draw its origin, not so that with him it might finish. Hence he subjoins: "The beginning advances from unity. The primacy is given to Peter so that one Church of Christ and one Chair might be pointed to," thinking that that chair would endure as long as the Church endures. And this very thing in many other places is signified by the same Cyprian, especially epist.40: "God is one, and Christ is one, and one is the Church, and one is the chair founded by the voice of the Lord on Peter." And epist.55 where he has that celebrated statement, that: "from this arise heresies and schisms, because obedience is not given to the priest of God, and because the one who in the Church in place of Christ is priest for time and judge for time is not thought on." And almost the like is contained in epist.69 to Florentius; and in epist.73 to Iuvaianus he says: "To Peter first, on whom the Lord built the Church and whence he established the origin of unity, he displayed and gave that power, so that that might be loosed in heaven which he had himself loosed on earth." Which place Augustine acknowledges in bk.3 *De Baptismo*, ch.17, when he says: "That to Peter as in figure of unity the Lord gave power is manifest, because that unity is also said to be one perfect dove." Therefore by reason of that institution it is manifest that it was not only a special favor or grace that was given to the person of Peter, but a disposition of governance that was to last perpetually in the Church.

5. Thence also is taken a moral reason founded on the best government of the Church. For Christ the Lord is supreme King, whom God gave as head over the whole Church, as is said in *Ephesians* 1, that is, over the triumphant and militant Church, which is one and the one body of Christ, as if constituted from those two parts, as is said in the same place and in *Colossians* 1. Those two Churches, therefore, are as two partial kingdoms of the one integral kingdom of Christ, and for that reason to him as to its proper king the government of each kingdom pertains. But it could not without a huge and extraordinary miracle happen that Christ should be at once visibly present in each part of this kingdom, and besides the heavenly place, after the resurrection, was by reason of status due to him; and for the faith of believers it was not expedient that Christ should remain visibly among them, as he himself said, *John* 16.7: "It is expedient for you that I go away;" and for that reason he now rules the celestial kingdom immediately through himself. Therefore since he could not in the same visible way govern this militant part of

his kingdom, to his wisdom it pertained to provide therein a mode of governance suited to men. Therefore as this kingdom was going to last as long as the world will last, so the mode of its governance could not be other than that which Christ instituted; and conversely the institution of its governance was so made that it should no less last than the kingdom itself, otherwise it would be imperfect and insufficient. But that institution was of monarchy in Peter, as we have seen; therefore not only for Peter was it made but also for his successors. Which fact is more or less declared in these words by Cyprian, epist.27: "Our Lord, when disposing the rationale of his Church, speaks in the Gospel and says to Peter: 'I say unto thee, That thou art Peter, and upon this rock I will build my Church.'" And later: "From here through the interchange of times and successions runs the ordination of bishops and the rationale of the Church, so that the Church might be established on bishops, and every act of the Church might through the same commanders be governed." Where he signifies that not only the succession of the Roman Pontificate but also of all the other bishops is derived from that primary and as it were root institution, which also in his book *De Unit. Ecclesiast.* he pursues more at large.

Next, that not only to Peter but also to his successors was given power and pastoral care, and thus that his primacy was perpetual, is openly declared by Pope Leo, serm.2, *De Assumpt. Sua*, when he says: "Even if to many pastors he delegated care of his sheep, yet he himself did not abandon the guarding of his chosen flock. For whose principal and eternal protection we have also received the defense of the apostolic strength, which indeed does not fail of its work; and the firmness of the foundation, on which is constructed the height of the whole Church, does not grow weary under any mass of the temple resting on it. For the solidity of that faith, which is praised in the Prince of the apostles, is perpetual; and as that remains which Peter believed in Christ, so does that remain which Christ in Peter established." And later: "There remains therefore the disposition of the truth..." and the rest of what he pursues. And in a like way Chrysostom, bk.2 *De Sacerdot.*, when treating of the place in *John* 21, says among other things: "For what cause did Christ shed his blood? Certainly to acquire those sheep whose care he committed both to Peter and to Peter's successors." And he adds: "Rightly therefore and worthily did Christ thus speak, *Matthew* 24.45: 'Who then is a faithful and wise servant whom the Lord hath made ruler over his household?'" And later he says openly that the successors of Peter now do that "which when Peter was doing, Christ wished him to be endued with authority and to excel by far the rest also of the apostles." Likewise St. Augustine, in his book *De Utilitate Credendi* ch.16, declares this perpetuity through the successions of bishops from the Apostolic See, and in bk.11 *Contra Faustum* ch.2, says: "You see in this matter what strength the authority of the Catholic Church has, which, from the most well founded sees themselves of the apostles up to the present day, is made firm by the series and agreement of the bishops in succession to them." And in like way is this truth declared by Optatus, Pacianus, and others whom we will refer to more agreeably in the next chapter.

6. But the heretics can object that because the other apostles only for their own persons received the apostolic appointment or dignity, therefore after their death they did not have successors in that dignity; therefore neither did Peter in his apostolate have a successor, because although he was first among the apostles and had among them received some principality or power for purpose of preserving order and concord, yet no greater reason for succession is found in him than in the others. The reply is that the

contrary can by that argument be proved; for in the apostles two things can be considered to have been conferred on them by Christ the Lord, namely, the power of order and the apostolic dignity. The former was nothing other in them beyond ordination, or Episcopal consecration, which pertains to the foundations of the Church, and therefore with them it was not made extinct but in it they have the bishops as successors, as is supposed by Cyprian in his book *De Unit. Ecclesiae* and in the other epistles cited, by Augustine, *Enarrat. in Psalm.44*, and by Jerome, epist.85 to Evagrius. And therefore must it about this power be understood, as he says there, that all bishops are equal. But the latter, that is, the apostolic dignity, included many privileges, namely power immediately delegated by Christ for preaching throughout the universal globe with an authority and a special power conceded by Christ himself, according to the verse, *John 20.21*: “As the Father hath sent me even so send I you.” Again it included many graces and prerogatives accommodated to such an office, as were abundance of the Spirit with confirmation in grace and in faith, along with a certain fullness of knowledge, such that in matters of the faith they could neither deceive nor be deceived, whether by teaching or writing; and again that besides the gift of tongues, which they had for teaching, they had also the direction of the Spirit for canonical writing. Therefore in this dignity it is true that the apostles did not have successors, for it was an extraordinary dignity and requisite only for beginning the dissemination of the Gospel and planting the Church; but it was not necessary for its ordinary governance.

7. Hence on this part too, as regard many of the said prerogatives, there was no succession to Peter. But besides these two parts, something singular was bestowed on Peter, namely the right of supreme Pastor and of Christ’s Vicar in his Church, considered simply and absolutely with respect to any place and any time. And in this Peter is not to be compared with the rest of the apostles, else he would have received nothing singular; and therefore, on this part, the inference is of no moment, and rather (as I said) is it licit to infer the opposite, from the singular concession and by reason of the office. But in the rest of the apostles the Episcopal authority can in a special way be considered as to jurisdiction, insofar as they received the ordinary governance and see of some church, as James the brother of the Lord was constituted bishop of Jerusalem; which however about the others is not certain, although it could have happened by the same reason. As regard this Episcopal authority, therefore, because it is ordinary in the Church, there was also succession to the apostles, as Simeon succeeded to James. And so, in this respect, a comparison can in some way be admitted, but the reason is far different, both because this ordinary Episcopal dignity was not to any apostle beside Peter given by divine right but by the mediation of Peter, as Eusebius reports about James, bk.2 *Histor.*, ch.1, and as is likely about John when he was staying at Ephesus, from Irenaeus, bk.3, ch.3, at the end, so as to omit what the histories say about Andrew, Barnabas, and others. Where, then, the apostles as proper bishops were ruling particular churches, that jurisdiction was contained within certain limits and was conceded to them only within those limits, but the jurisdiction of Peter, which he received immediately from Christ, was universal for the whole Church; and thus it was also proper to him to have in this dignity a successor.

Chapter 13: It is shown from Scripture that it is necessary to believe that the Roman Bishop is the true successor of Peter and that Peter’s power is in him preserved.

Summary: 1. First assertion. 2. First reason for the conclusion. 3. Second reason. 4.

Third reason. 5. Second assertion de fide. 6. The Vicar of Christ should be visible and in a definite see. 7. Proof of the conclusion. 8. In the Roman See alone could Peter have had a successor to his primacy. 9. An evasion of certain heretics is refuted. 10. Another evasion of heretics. 11. It is refuted. The successor to Peter in the Roman episcopate has also necessarily succeeded to the primacy.

1. We take as supposition what has been sufficiently proved in the preceding, that in the Church always some successor to Peter in his universal governance was required; but now we add that he could at each time be only one supreme bishop and one person. Because it has been shown that the ecclesiastical republic and its spiritual governance ought always to be so preserved as it was by Christ established; but it is by Christ's institution a monarchy; therefore it ought to be preserved by succession; therefore there could be only one successor of Peter at the same time or at any time, although there must be multiplication by succession at diverse times. A fuller explanation is that, if several bishops succeeded to Peter at the same time, in three ways could it be understood.

2. In the first way each of them might succeed only to part of the pastoral office, as if by dividing the primacy among themselves, such that the whole would indeed be in all of them at once, but not in each singly nor in all collectively, but divided by parts among the individuals. And this way is what some of the Protestants are reported to have asserted, alleging the remark of Cyprian, *De Unit. Eccles.*: "The episcopacy is one, whereof a part is by individuals held in solidarity." But this is nothing other than to deny true succession to the primacy of Peter; for, by the very fact that the primacy was divided among many in that way, none of them would be universal Pastor of the Church but only of the part of it which touched them; therefore none of them would be true and (so to say) adequate successor of Peter; for none would be simply supreme for the others to acknowledge, which is what Peter had. And as a result none would be fundamental rock of the Church, and to none of them would pertain the words of Christ "Feed my sheep" insofar as by those words all the sheep were commended to one Pastor. Next, in none of them would the unity of the Church be maintained, but rather the Church would be split among the many of them, just as the West and the East were divided into diverse empires; which, how much it is repugnant to the unity of the Church, was shown above. Nor is the sense of the words of Cyprian that which the Protestants imagine, since the very same Cyprian, both in the same book and in other places already often mentioned, very greatly commends the one chair and the one Bishop of the Catholic Church, without whom its unity could not subsist. Therefore the sense is that the episcopacy of the Church is one but under it there are particular bishops who are called to a part of the care, not as supreme Pastors in their dioceses but under one who is supreme. Which sense is sufficiently declared by Cyprian when he adds: "The Church too is one, which is extended into a broader multitude by increase of fertility." And after various examples, taken from the many roots and branches and rivers that have unity in their origin, he concludes about the unity of Church in this way: "But there is one head and one origin and one mother rich in results of fertility," which mother he elsewhere designates in particular, as we will soon see.

3. In the second way the succession of several at the same time in the primacy of Peter could be thought of, not as divided but as collective, and by way of one tribunal or congregation. And this way is how they could have been thinking who, notwithstanding

the primacy of Peter, said that a General Council was above the Pope. Although they would perhaps be compelled to say that even at the time of Peter the Council of the apostles or bishops was above Peter, because the same proportion should be kept; nor is there greater reason about one time than about another; nay, nor could the doctrine otherwise stand, as I will immediately show. But to think in this way about Peter and his primacy is not only not founded in the Gospel but is even repugnant to the words of Christ, as is clear from all the things we have said about the primacy of Peter. For Christ commended his sheep simply to Peter, whether each individual singly or the whole flock of them together, and the power over it he bestowed on Peter, and for that reason he established him as foundation of the body of the Church. But to the sheep themselves, whether divided or to the whole flock at the same time, not only was no power over Peter given but no power at all is even said to have been immediately conferred on them by Christ. But about this elsewhere, for now we have sufficiently proved that to Peter simply was given power over the whole Church, not for his person only but that it might succeed him. On this supposition, therefore, we say that a successor in the power which Peter had could only be one person and not a congregation of several, otherwise Christ's institution would have been changed from monarchy to aristocracy, which could not be without the authority of the same Christ, which has not been revealed either by Scripture or tradition. And besides it would not be succession but would be a new creation, or the institution of a second governance, whose origin it would be necessary to show; for Peter's primacy has, by force of the first institution, persevered through succession alone, as has been shown. Next, abstracting from the question about comparing the Pope and a Council, it is certain that Peter had primacy in the whole Church as long as a council was not actually gathered together, whose gathering together would depend on the will of Peter since he himself alone would be superior in the whole Church; therefore the successor too of Peter in this power ought to be one person, bearing one episcopacy, whatever might thence follow about the comparison of it with a Council, which matter is for our present purpose of no importance.

4. Finally in the third way it could be thought that Peter has together and at the same time several successors, having both divided and in solidarity a complete primacy and a universal pastoral care. And this way has not even by any heretic been asserted or thought out. For in the first place it involves a repugnancy because, if several are first, none of them is first positively, that is as superior over all, but at most negatively, that is as not having another above him; but each alternative is repugnant. Because from the first member it follows that none of them has succeeded Peter in the primacy, because Peter was positively superior to all and pastor simply of all Christ's sheep apart from himself, which thing none of them would have. From the second member, however, the unity of the Church is both destroyed and its body is given a monstrous shape, as having at the same time two equal heads, which could have neither peace nor concord between them. And for that reason even nature as a whole abhors this multitude of powers, as the Philosopher also said at the end of the *Metaphysics*, and in a better way Cyprian *De Idolor. Vanit.* and Athanasius *Contra Idola*. Hence the very brute animals too are wont to follow one leader, as Jerome says at large in epistle 4. Next, if the other apostles did not have with Peter a similar equality how could it be imagined that any bishop afterwards was equal in jurisdiction to the successor of Peter? Or what institution or necessity could be imagined for several at the same time in a succession, full and in solidarity, of one

power? It is certain, therefore, that the successor of Peter could only be one person or one bishop. After he has been legitimately created, as Cyprian rightly said, epistle 52:

“Whoever now wishes to be the bishop must be thrust outside; nor may he have the Episcopal ordination who does not hold the unity of the Church. Whoever that man may be, though he boast much of himself and make most claim for himself, he is profane, he is alien, he is outside. And since there could not be a second one after the first, whoever is made after the one, who ought to be only one, he is not now second but nothing.” Let it therefore be settled that in the one Episcopal see, or in the one series of bishops, this succession ought to be established.

5. We therefore hence conclude that only the Roman Bishop is the true successor of Peter and that the power given to Peter for feeding the sheep of Christ persists in him. This assertion is certain and ought to be held by Catholic Faith; for although expressly and in exact terms it is not read in sacred Scripture, it is in the principles therein revealed virtually contained, because it is by the Church sufficiently declared, nay by a certain evidence and experience of things it is clear. The declaration in the first place, for we have it from the Scriptures, is that to Peter was given the primacy of the Church as something that was going to endure in it perpetually, as has sufficiently been proved. But this endurance, since it was not going to be in one and the same person, was necessarily going to be by succession of several persons in the same dignity, and this is contained sufficiently in Scripture, not by any addition but by legitimate interpretation of the same Scripture. But in which see or bishopric this succession and the series of persons succeeding to this dignity was to be left is not related by Scripture, because the canonical history of the *New Testament* does not reach up to the death of Peter. And therefore, to make clear with certainty for the Church that it was fulfilled in such and such a see and that up to the present day is fulfilled the institution that Christ made and that is revealed in Scripture, it is enough that the application (so to say) of that institution and dignity to such and such a bishopric be proposed very sufficiently to the same Church through evident and continuous tradition and a usage very well known.

6. For just as we showed in the first book from the reason, institution, and end of the Church of Christ that it was necessary for it to be visible individually and with particularity, so that from the institution and office of the Vicar of Christ it was necessary for it to be visible to the Church in a particular and determinate see and succession. For what would it profit the Church to believe confusedly that there was on earth some bishop or some bishopric with the power and office of the Vicar of Christ, if it did not know in particular and with certainty believe which was such bishopric? Or how could the sheep follow their pastor, or have recourse to him, or hear and recognize his voice, if they did not believe in particular that such bishop was sitting in such see or bishopric? Just as therefore the Church visible is not by human only but also by divine faith believed to be the true Church, because the sensible signs by which it is seen are not the reason for believing but propose as evidently credible that it is the true Church which God revealed would always exist in the world; so must it be believed not by human faith only but also by divine that the Roman Pontiff is the visible head of this Church in the place of Christ, because the signs by which we point out this head make it evidently credible that he is the one whom Christ, by force of his institution, established as his Vicar. In this way, then, we say that the posited assertion is *de fide* and that it is in Scripture, with the tradition of the Church adjoined, sufficiently contained.

7. It remains for us to adduce the signs and testimonies of this evident credibility. And the first and as it were the fundamental one is that St. Peter sat in the Roman bishopric in the last period of his life and there died; for hence the consequence is made that his successors continued in the same see. So as better to understand the antecedent, we can distinguish three times or states in Peter after the ascension of Christ. In the first he presided over the universal Church of Christ without determination to a proper and special care of any particular bishopric, namely for five or six years before he fixed his see at Antioch, as is clear from Eusebius in his *History* and from other ancient histories. In the second Peter sat for seven years at Antioch, from the last year of Tiberius. When these were finished, in the second or, as some wish, the third year of Claudius, and the year 44 or 45 of the advent of Christ, he founded the Roman Church and transferred his see to it, and there he sat until the death which in the same city of Rome he suffered through martyrdom.

8. Hence it results, therefore, that succession to the chair of Peter could not have happened in the church of Jerusalem or of Antioch. Because in the first he never sat, but in it he made James sit first of all, to whom Simeon succeeded, as we said, and it is noted in the histories. But in the second he did not remain but sat there only for a time and consequently, while still living, he had there a successor whom he himself by his authority established, whether Evodius or Ignatius, about which Turrianus can be consulted in *Constitutiones Clementis* bk.7, ch.46, and Baronius *De Martyrolog.*, for the first day of February. Now Evodius succeeded Peter in the particular bishopric of Antioch but not in his primacy or universal episcopacy. For the see of Antioch was assumed to himself by Peter not from Christ immediately, or by divine right, but by his own choice and by human right, and therefore he could easily relinquish it and hand it to another. But the Pontifical dignity he had immediately from Christ and by divine right, and therefore as long as he lived he did not relinquish it nor, as I judge, could he have relinquished it, because he had from the immediate choice and conferring and precept of Christ himself the universal Church committed to him. It remains therefore that in the Roman see Peter had a successor to his pontificate; both because in no other could there be trace or reason for this succession, even if it be the see of Alexandria, because Peter never sat there, or of Constantinople which, while Peter was alive, had not been founded; and also because Peter should have a successor at his death, therefore he had him in the bishopric where he died, namely the Roman.

9. There are nevertheless not wanting heretics who, in order to escape the force of this argument, deny that Peter sat at Rome or that he died there. But I think it superfluous to put together against them a longer disputation, both because neither does the king of England insinuate this idea nor, as I think, do the Protestant Anglicans persist in this opinion, although perhaps sometimes they held it, and also because the evasion has no trace of truth nor any proof, to which it is necessary to respond. But that Peter was at Rome from somewhere else his own words indicate in his first letter, 5.13: "The Church that is at Babylon...saluteth you;" for that there by the name of Babylon Rome is signified is the interpretation of all Catholic interpreters and doctors, whom modern authors there collect, and so it is not necessary to refer to them; for also later, when treating of Antichrist, we will touch somewhat on this point. And lastly, that in the same Rome Peter exercised his Pontificate up to his death and that there he died is handed down by the common consent of all the ancient Fathers, both Greek and Latin, whom

Sander refers to at large, bk. 6 *De Visibili Monarchia* ch.10, and Bellarmine, bk.2 *De Romano Pontifice*, from the beginning over several chapters. Sufficient now for us is the authority of Jerome, bk.2 *De Scriptoribus Ecclesiast.*, and on *Galatians* 2, and of Eusebius in his *History*, whose words Jerome has pretty much borrowed, and with them agree other writers, both Latin and Greek, in addition to the testimonies of the Pontiffs themselves, the successors of Peter, which we will immediately relate.

Finally some Catholics add that, although we were to allow to the heretics that Peter was not at Rome, nevertheless the Roman Pontiff could have been the successor of Peter; for Peter could, while being or sitting elsewhere, delegate at Rome or elsewhere a successor to himself. Which indeed is for the confusion of heretics said truly and by supererogation, but it proceeds only about possibility or power. But to make the thing clear as to fact, it matters much that Peter was bishop of Rome up to his death. For if Peter had had his see elsewhere up to this death, in order for the bishop of Rome to succeed him in his pontifical see, it would be necessary to show the institution from a particular ordering of Peter, which in truth does not exist, because not elsewhere but in the Roman see and city he died. Which, once posited, there was no need for a new institution or will of Peter, for from the nature of the thing, on the supposition of prior divine institution, he who succeeded Peter in the see of Rome also followed him in his primacy, and so by succession it descended to the rest of the Roman Pontiffs.

10. But the adversaries could in another way escape, even if they are compelled unwillingly to admit that Peter was bishop of Rome up to his death, namely that from this it only follows that the successor of Peter was bishop of Rome, but that it is not rightly thence collected that the same successor was bishop and pastor also over the whole Catholic Church. Because these two dignities or episcopacies are distinct and separable; for he could be Pontiff of the universal Church although not be the bishop of any particular diocese, as we saw in Peter at the beginning of his pontificate. Besides, that universal dignity could first be joined with a particular bishopric and afterwards be separated from it, as we saw was done in the see of Antioch, where Peter had a successor in the bishopric of Antioch who did not succeed to the papacy; therefore the same could have happened on the death of Peter also in the bishopric of Rome; because in Peter himself too the conjunction of such bishopric with the primacy was not of divine right but of human, namely from the will of Peter, and so it could easily have ceased with his death. Nay, by the very fact that the successor of Peter is elected only by the Roman and not by the universal Church, it seems to follow that he has succeeded to a particular and not to a universal episcopacy.

11. We reply that it is no less certain that the first successor of Peter, and consequently the rest, succeeded in the episcopacy of the Catholic Church than in the episcopacy of Rome. Our proof of this is that always one person alone succeeded to Peter, as is clear from the histories and the Fathers, whom we will refer to in the next chapter; therefore either that person had together with the bishopric of Rome the primacy of the Church, which is what we intend, or the primacy has been left without succession and has perished; but this last is impossible because it is contrary to divine right and to the promise of Christ; therefore the first is altogether certain. Wherefore, from the fact that Peter located his see at Rome and conjoined his pontifical dignity to that bishopric (whether that conjunction was by divine institution, through a special precept and revelation, as some wish, or was by the human will of Peter, although divinely inspired),

by the very fact that it was not changed while Peter was alive and has remained fixed, for that reason he who takes the place of Peter in the bishopric has necessarily succeeded him in both dignities. And however it may be about the other question, which is disputed by theologians, whether the Supreme Pontiff can separate the primacy from the Roman See and locate it either in another bishopric or leave it separated from every particular bishopric, I reckon it certain that, until some Supreme Pontiff has done that, the universal Church, when the papacy is vacant, cannot do it, because an inferior power cannot change what by a superior has been established; and because, just as to Peter alone was given the primacy for himself and for his successors, so to him alone or to the Supreme Pontiff does the concern belong to determine the pontifical see and to prescribe the mode of its election or succession. Thus therefore, since Peter located his see at Rome and conferred on it all his primacy and his power, and since he did not change that institution while alive, the Church, left by the death of Peter without a head, could not afterwards change the institution, and therefore the successor of Peter in the bishopric of Rome is of necessity at the same time successor to the primacy.

Nor is it an obstacle that the election of his successor was made by the clergy of Rome and not by the universal Church; for, as I said, to determine the mode of succession pertained not to the body of the Church but to Peter himself; and therefore as Peter wished to locate his pontificate firmly in the See of Rome, so also did he establish the election of his successor to be made by the Roman clergy. Or certainly Peter himself designated Clement his successor, as Clement himself writes, *1 Epist.* to James the brother of the Lord, and bk.7 *Constitution.*, ch.45, although (as the more probable opinion has it), he himself yielded it first to Linus and Cletus and afterwards Clement succeeded them. And thus all of them succeeded to the pontificate as to the bishopric of Rome at the same time, and succession in the same way has descended to all the Roman Bishops following.

Chapter 14: That the Roman Pontiff is successor of Peter is shown by the testimonies of the holy Fathers.

Summary: 1. Proof from Irenaeus. 2. From Augustine and Optatus of Milevis. 3. From Epiphanius and Tertullian. 4. From Jerome and Cyprian.

1. Since, for confirming every dogma of the faith, ecclesiastical tradition has great force, it ought certainly to have the greatest in the present article which consists as it were in a certain fact and course of things and a continuous succession. And therefore we have thought it necessary to confirm this truth with every kind of testimony. And first we will use the testimonies of the ancient Fathers, who not only affirm that the Roman bishops have succeeded Peter in the pontificate, but also count this succession among the chief foundations and signs of the true and Catholic Church, as was often insinuated in book 1 and as we will now briefly review. For first thus does Irenaeus speak, bk.3, ch.3: "Since it is extremely long to enumerate the successions of all the churches, by indicating that of the greatest and most ancient Church, the one known to all, founded and constituted by the most glorious apostles Peter and Paul at Rome, etc." And later: "The blessed apostles, therefore, founding and setting up the Church, handed over the episcopacy of administering the Church to Linus." And afterwards he enumerates the successors up to Eleutherius. And in those words I note simply that he says they "handed over the

episcopacy of administering the Church,” and without restriction to the Roman Church, because the one could not be separated from the other, and therefore about the Roman Church he said first: “With this Church, because of its more potent principality, every church must agree, that is, those who everywhere are the faithful, in which Church there has always been preserved, by those who everywhere are the faithful, the tradition which comes from the apostles.”

2. Second Augustine *Contra Epist. Fundamenti*, ch.4, places among the sure indications of the Catholic Church this one: “From the See itself of Peter the apostle, to whom the Lord after his resurrection commended the feeding of his sheep, the succession of priests up to the present episcopacy.” And in the psalm against the party of Donatus: “Count the priests if you will from the See itself of Peter. And in that order of fathers see who succeeded to whom. It is the rock which the proud gates of hell will not overcome.” Where he very clearly shows that the succession was in the very pontifical dignity which is signified by the rock. And thus in bk.2 *Contra Litter. Petilian*, ch.51, he says that the see of the Roman Church and the see in which Anastasius was then sitting were the same; and finally, epistle 165, he numbers the successions of all the Pontiffs from Peter up to Anastasius. In like manner Optatus, bk.2, *Contra Parmenian*., says: “One must see who sat prior in the see and when.” And later: “You cannot deny that you know that in the city of Rome the Episcopal chair was conferred on Peter first, whereon Peter the head of all the apostles sat, so that in this one chair unity might by all be preserved.” Where he clearly speaks of an Episcopal chair above the whole Church. Hence he adds later: “Therefore on the undivided chair, which is first among the dowries (namely of the Catholic Church), first sat Peter, to whom Linus succeeded, etc.” up to Siricius.

3. The same succession is accurately reported by Epiphanius, *Haeres.* 27, near the end, and after it he subjoins: “And lest anyone wonder that we review the individual instances so exactly, for clarity is by these always shown,” thinking that, for clarity of true and Catholic doctrine, succession of this sort and knowledge of it is necessary, because, as he himself said of Peter in *Ancorato* near the beginning: “This is the firm rock on which the Church is built, and the gates of hell, which are heresies and heresiarchs, shall not prevail against it. For in him in every way is the faith made firm, because he received the keys of heaven, and looses on earth and binds in heaven.” Which rock and power he traces down by succession to his own times, so as to show that in it the faith was made firm, against which heresies do not prevail. The same series of Pontiffs is described in verses by Tertullian, bk.5 *Contra Marcionem*, the last chapter, where, speaking of the disciples of the apostles who “succeeded throughout the globe,” he subjoins: “Among whom Linus, the chosen great one, approved by the people, placed on this chair whereon he had himself sat, Peter bade first to sit in very great Rome, etc.” which he continues up to Thelesphorus, of whose time he says: “the Church of Rome stood firm, flourishing in piety, set up by Peter, whose successor he also was. For now in ninth place Higinus has received the chair.” And afterwards he reviews Pius and Anicetus. And in his book *Preascript.*, ch.30, he makes mention of Eleutherius who sat after Anicetus, nay also after Soterus. For thus he speaks: “It is evident that he (Marcion) had first believed Catholic doctrine in the Roman Church, until (supply, he was banished) under the episcopacy of blessed Eleutherius;” and ch.36: “You have Rome, whence authority for us too is ready to hand. A Church happy in its state, on which the apostles poured out their whole doctrine with their blood,” where I understand by ‘whole doctrine’

even the firmness and incorruption of the same doctrine.

4. Lastly St. Jerome too briefly mentions in his book *De Scriptoribus Ecclesiast.* this succession in Clement. Often too Cyprian, when dealing with the election and ordination of Cornelius, especially epist.45 to Cornelius, where first he calls the Roman Church “root and mother of the Catholic Church,” but afterwards he says: “Now the truth equally with the dignity of your episcopacy is established in most open light and with most manifest and most firm approbation. So that you (as he had first said) and your communion, that is, the unity equally with the charity of the Catholic Church, may be firmly approved and held by all our colleagues,” where he clearly teaches that the Roman Bishop, properly elected, is so the successor of Peter that on him the universal Church is founded and united, just as it was founded and united on Peter. Hence speaking of the same Cornelius, epist.53 to Antonianus, says: “Cornelius has been made bishop, when no one before him was made, when the place of Fabian, that is the place of Peter and the platform of the priestly chair, was vacant.” And indeed these Fathers speak more expressly of the very succession of the Pontiffs in the see and dignity of Peter; but there are very many others who acknowledge the dignity itself in the Roman Bishop and make much of it, whom we will in chapter 17 below make reference to.

Chapter 15: That the Roman Pontiff is in dignity, power, and primacy of the Church the successor of Peter is proved by the authority of the Pontiffs themselves.

Summary: 1. Various ways in which the Pontiffs build up their dignity. 2. Later Pontiffs too have with equal constancy guarded their primacy.

1. Although this kind of proof may not move Protestants, as I will say below, yet I do not judge it should be omitted, both because in truth it is a most grave and for Catholics a most useful one and embraces in itself many kinds of arguments; and also because King James in his *Preface* p.60, when he said that Peter was first and prince of the apostles in age, in vocation, or in sum in order, not in power, he subjoins: “Nor did the Bishop of the Roman See claim anything further to himself in the three hundred years following Christ.” In order, therefore, to prove that this testimony has through error and deception been given by the king, I will run not only through three hundred but also six hundred or more years of Christ and show evidently that the Roman Pontiffs, from the beginning of the nascent Church, claimed the primacy of the Church for Peter and for themselves, not only as to political order but much more as to the authority and power of a superior.

But so that the force of the testimonies and words may be perceived, it must be noted that there are various ways in which the Pontiffs build up their dignity. One is in expressly declaring the excellence of power in Peter and calling themselves Peter’s successors and applying to themselves words said about Peter. Another is by assuming titles of dignity which cannot be in accord with them save by reason of such primacy. Another is by attributing or reserving to themselves acts of supreme jurisdiction and spiritual power over the whole Church. For since it cannot be judged that they wanted unjustly to usurp jurisdiction, they are supposing that succession in this supreme dignity is in that See preserved. The last way, finally, is by expressly fighting for this truth and disputing against the errors of those who oppose it. From these ways of speaking and proving, and from the various acts of supreme power which the Roman Pontiffs always

exercised, various kinds of arguments for confirming the truth can be adopted. But in order that the perpetual tradition of the Church may be more evidently laid open, it has seemed more commodious to propose, preserving the order of times, what individual Pontiffs have in every century taught about their primacy.

First, then, Pope Anacletus [Pope #3, after Peter and Linus], epistle 1, says that the Apostolic See is that on which Christ has founded his Church and therefore the greater causes pertain to it; epistle 2 he says: "We hold the reins of government of the Church," and epistle 3 he expressly confirms and declares this truth, saying that the Roman and Apostolic Church has from the Savior himself obtained primacy and eminence of power over all churches.

Second, Evaristus [#5], epistle 1, calls "the Roman Bishop the head, to whom in doubtful matters recourse must be had." Alexander I [#6], epistle 1, calls him "apex and head."

Third, Sixtus I [#7], epistle 1, calls him "head of all churches."

Fourth, Anicetus [#11], his sole letter, says that "to himself pertains all judgments of bishops."

Fifth, Eleutherius [#13] has the same in his epistle, ch.2.

Sixth, Victor [#14], epistle 1 to Theophilus, says that: "to do the contrary is nothing other than to transgress the boundaries of the apostles and their successors and to violate their decrees."

Seventh, Zephyrinus [#15], epistle 1, from the place in *Matthew* 16, where he calls the Roman Church the head of the whole Church, and that it pertains to it by apostolic authority to instruct the rest, and at the end: "For I am mindful that I preside over the Church under his name whose confession is glorified by the Lord Jesus Christ and whose faith always destroys all errors."

Eighth, the same supposition is made by Anterus [#19] to the bishops established in the province of Baetica and Toledo, replying to their consultation about the exchange of bishops, and first he takes the occasion to say that Peter whom he calls "our holy master and prince of the apostles" was transferred from Antioch to Rome for utility's sake. And declaring that the same could be done in other bishoprics by apostolic authority, he subjoins: "These things, as you have requested them, though they are not unknown to you, we command to be observed." And at the end: "Therefore, brothers, stand and hold the traditions of the apostles and of the Apostolic See."

Ninth, Fabian [#20], in epistle 1, shows at once his pontifical authority both in the title, "to all co-ministers everywhere in the Catholic Church," and in the introduction, "we are admonished by the divine precepts and the Apostolic Institutions that for the state of all the churches we keep watch with tireless love. Hence, it follows, you must know the things that in the Roman Church are done in the sacred rite of the Church, so that, following her examples, you may be found true sons of her who is called your mother." Where certainly he supposes that appellation to have been already everywhere made public and accepted. The same is also in the same way collected from epistle 2, to all the bishops of the East, and from epistle 3, to Hilary, where he says of himself that he has: "On this account by divine grace been advanced to the sacerdotal summit and established on a certain watchtower of the priests of God, to prohibit what is illicit and to teach what is to be followed." And next he prescribes the order to be observed in ecclesiastical courts. "With preservation in them all," he says, "of the Apostolic Authority," to wit of

the Roman Church.

Tenth, Cornelius [#21] in his epistle to Cyprian, which is 46 among Cyprian's letters, relates that certain people, deceived by ignorance, made schism against him; but that afterwards, when they had realized the truth, they came to their senses in the following words, which he affirms are their own: "We know that Cornelius has been chosen Bishop of the most holy Catholic Church by the Almighty God and by Christ our Lord." And later: "Our mind was always in the Catholic Church, for neither are we ignorant that there is one God, that there is one Christ the Lord, whom we confess, one Holy Spirit, that there ought to be one Bishop in the Catholic Church." Which confession he himself so approves that he says: "Were we not moved by their profession?" And later: "These letters we judge you should send to the rest of the churches."

Eleventh, Lucius [#22] in his epistle to the West begins thus: "The letters of your love, which you have sent to the See of the blessed apostle Peter for reason of your business, we have gladly received." And afterwards he replies as if universal pastor and makes disposition of many things.

Twelfth, Sixtus II [#24], in his first epistle, first says that he "presides over the Church in the name of him whose confession is praised by Christ and whose faith never deceives anyone but destroys all heresies." But later he adds that it is licit for bishops to appeal to the Apostolic See, "to whose disposition all the more important ecclesiastical causes and the courts of the bishops have, by the ancient authority of the apostles, of their successors, and of the canons, been reserved; since bishops are held blameworthy who have done otherwise toward their brothers than it has pleased the Pope of the same See to be done."

Thirteenth, the like is contained in epistle 2 of Dionysius [#25] to bishop Severus: "From the beginning we have from blessed Peter, prince of the apostles, received trust so great that we have the authority, by the help of the Lord, to come to the aid of the Universal Church." And afterwards he prescribes a division of parishes to be carried out and the norm given by him to be made known to all. "So that this precept," he says, "might not be special but general."

Fourteenth, Felix [#26] in his first epistle, confirms that "the greater causes of the whole Church are reserved to himself."

Fifteenth, Marcellus [#30] in his first epistle to the bishops of the province of Antioch thus begins: "Carrying the care of all the churches, according to the apostle." Which thing he pursues at large by confirming everything said above, and he adds that "no synod can be legitimately made without the authority of the Roman See." And these things may be enough for confuting the assertion of the king, for Marcellus lived up to the year of Christ 310; but for the greater evidence of the truth, we must at least run through the other three centuries following.

Sixteenth, Eusebius [#31] thus begins his third epistle: "Blessed be the Lord our God, who by his mercy has dedicated his Roman Church to the priesthood of the blessed apostle Peter, and has conceded, by exchange of love, to show us the way that concerns us, because of the universal care which is ours on account of the privilege of the same Church."

Seventeenth, Melchiades [or Miltiades, #32] in his epistle to the bishops of Spain, when saying that it pertains to himself to pass judgment on bishops, adds: "For these the Lord has reserved for his own judgment, and this privilege he has committed to blessed

Peter alone, the bearer of the keys and his vicar. Which prerogative has justly grown in his See, to be inherited and possessed by future times, since among the apostles too there was a certain discrimination of power.”

Eighteenth, from Sylvester [#33] we can adduce the final canon of the Roman Synod established under him, which runs thus: “No one will judge the first See, since all sees desire justice to be moderated by the first See. Nor by Augustus, nor by any cleric, nor by kings, nor by the people will the judge be judged.” And it was subscribed to by 284 bishops with some priests and deacons, and even by Augustus Constantine himself.

Nineteenth, Marcus [#34] in his epistle to Athanasius and the bishops of Egypt, says: “This is the holy and apostolic mother of all churches, the Church of Christ,” which he also says is immaculate in the Faith, because the promise made to Peter is fulfilled in the Roman Pontiffs.

Twentieth, Julius I [#35] in his epistle to the East calls the Roman See the first, and says that to it pertains the rights of convoking synods, of judging bishops, and of reserving the greater causes to itself, “because it is set above all, not only by the decrees of the canons and the holy Fathers, but by the voice of the Lord our Savior.” Which he also repeats in his rescript against the East on behalf of Athanasius.

Twenty first, Liberius [#36] in his rescript to Athanasius says at the beginning that he has received in Peter authority over the universal Church.

Twenty second, Felix II [Antipope to Liberius] in his rescript to Athanasius and the Egyptians understands the words of Christ in *Matthew* 16 about the Roman See.

Twenty third, Damasus [#37] in epistle 2 to the bishops of Africa, first says: “We, who over the house of the Lord, that is, the universal Catholic Church, have received the Episcopal ministry.” Next he subjoins: “You know that the Apostolic See has been constituted the firm and immovable foundation fixed by God, and the most glorious title of his priests, that is, of all bishops, and the summit of the churches.” And he subjoins at once the words of Christ. And among the epistles of this Pontiff there is extant one to him from Aurelius, bishop of Carthage, requesting from him the statutes and decrees in the Roman See from Peter up to Damasus himself, “in accordance,” he says, “with the authority of the Apostolic See.” When sending which, Damasus says in epistle 5: “We desire you to keep them, and we command that they be preached and made public to others, so that they may by all with due reverence be kept inviolate.”

Twenty fourth, Siricius [#38] in epistle 1 to Himerius, bishop of Tarragona, says: “We carry the burdens of all; nay the blessed apostle Peter carries them in us.” And in his third epistle to all the orthodox: “Necessity commands us to speak, who have the care of all the churches.”

Twenty fifth, Anastasius [#39] writes thus to all the Germans and the bishops of the region of Burgundy: “Your love requires from the authority of the Apostolic See a response to your consultations.” And afterwards he replies in this form of words: “We command by Apostolic Authority.”

Twenty sixth, Innocent I [#40] in various ways of speaking and in many letters teaches this truth, and exercises by precept and decree the universal power which is founded in the Gospel; but to relate all of them would here be prolix. And so it will be enough to point to the places, namely epistle 1 to Victricius II, to Exuperius, to Innocent, and more or less through all the subsequent ones, but specially to be noted is epistle 17 to the emperor Arcadius, wherein with these words he excommunicates him: “I, the least

and a sinner, to whom is entrusted the throne of the great apostle Peter, separate and reject you and her from the reception of the immaculate mysteries of Christ our God, etc.” which he there pursues, using his power of binding and loosing over all bishops and patriarchs. To be noted too is epistle 27 to the bishops of Macedonia; for when Innocent had received letters from them, he says: “In those letters I have seen many things set down which induce astonishment in our mind.” And later, explaining them, he says: “When I had had them very often repeated, I observed that the Apostolic See (to which, as to the head of the churches, the report sent was hastening), whose sentence was thought still to be doubtful, was suffering infliction of injury.” Also in epistle 29 to Decentius he shows at large the same thing; and best in epistles 31 and 32 to the Councils of Carthage and Milevis.

Twenty seventh, Zosimus [#41], in epistle 1 to bishop Hesychius, says: “We marvel that the statutes of the Apostolic See have not been conveyed to your love.” And later: “If you think that anything has been lacking in your authority, we supply it.” And later: “Whoever, setting aside the authority of the Fathers and the Apostolic See, has neglected this, let him know that he is to be by us more strictly punished.”

Twenty eighth, Boniface I [#42] in epistle 2 to the bishops of Gaul, thus concludes about the courts of bishops in grave causes: “By our authority must they be confirmed.” And epistle 3 to bishop Hilary he thus writes: “Fortified by the right of a Metropolitan and supported on our precepts, approach, etc.”

Twenty ninth, Celestine I [#43] in epistle 1 to the bishops of the provinces of Vienne and Narbonne, says: “On the watchtower are we established by God.” And later: “Our spiritual care is not wanting about places far off but extends itself everywhere that the name of God is preached.” And in epistle 4 to the church of Constantinople, speaking about Athanasius, he says: “He has found the peace of communion in this See, whence help is always supplied to Catholics.” And epistle 5 to Nestorius he says that to himself pertains the care of the Faith and of all the churches; and the same is openly collected from the rest of his letters.

Thirtieth, from Pope Leo [#45] many things were adduced in earlier chapters, for in almost all his epistles he shows himself pastor of the Universal Church, as in epistle 4, at the beginning, he makes it express in his words, saying: “We are urged on by the divine precepts and the apostolic admonitions that we should be vigilant for the state of all the churches with tireless love.” Also to be noted is epistle 47, to the synod of Chalcedon, wherein, after he had said that it was the will of the emperor that a Council be convened, he adds: “the right and honor of the most blessed apostle Peter being preserved;” and later he says that through his vicars he himself presides over the universal synod. And epistle 53, wherein he rebukes Anatolius, the patriarch of Constantinople, on the ground he had wanted to be preferred to the church of Alexandria and Antioch, a fact he repeats in his two following epistles, and in the latter, which is addressed to the Augusta Pulcheria, he speaks thus: “The agreements of the bishops and of the holy canons established in the synod of Nicea, being repugnant to the rules, we, with the piety of your faith united to us, dismiss as void and, by the authority of the blessed apostle Peter, we annul them by an altogether general definition.” Also very good is epistle 84 to Anastasius the bishop of Thessalonica, to whom, as he himself says, he had delegated his functions, he says: “so that, made imitator of our meekness, you may assist in the care which we principally owe by divine institution to all the churches.” And

in epistle 89 to the bishops of the province of Vienne he makes express declaration of the divine institution of ecclesiastical monarchy in Peter and his successors, the Roman Bishops. Which institution he proves from the custom, among other things, of consulting the same See, of appealing to it, and from the fact that judgments have been overturned or confirmed by it, which “dignity divinely given,” he says he guards, “not seeking his own but the things that be of Christ.” The same is very well treated of in the sermons on his assumption [of the papacy], especially the third.

Thirty first, the same is professed by Pope Hilary [#46], epistle 3 to bishop Ascanius, and at the beginning of the Roman Council convened under him.

Thirty second, the same supposition is made by Simplicius [#47], epistle 1 to Zeno the bishop of Seville, to whom he commits the functions of the Apostolic See, and in epistle 3 to the emperor Zeno, whom he calls son and stirs him up to preserve the Faith, saying later: “For this norm persists in his successors (that is of Pope Leo), and it is the same with apostolic doctrine, on which the Lord enjoined the care of the whole flock, etc.” And in epistle 5 to Acatius there are contained these words worthy of note: “Because, since the doctrine of our predecessors of holy memory is extant, against which it is impious to dispute, he who seems to be rightly wise does not need to be instructed with new assertions.” And epistle 9 to Augustus Zeno, he says: “Sustaining the care of all the churches, etc.” Which he also shows in epistle 13 to the same, where he also dispenses him from one of the canons of the Council of Nicea.

Thirty third, a great defender besides of this dignity was Gelasius I [#49], epistle 2 to the bishops of Dardania, and 6 to the bishops of Lucania, chs. 11 and 27, and most of all in epistle 10 to the emperor Anastasius, where he confirms this truth at large, and declares how much over the emperor, whom he calls son, the Pontiff excels. And in epistle 11 to the Dardanians he testifies that the Apostolic See confirms all synods and that no bishop can escape from his judgment, etc. Many like things are contained in his *Admonition* to Faustus, and in his volume *De Vinculo Anathematis* and most of all in his decree *De Apocryphis Scripturis*, at the beginning.

Thirty fourth, Anastasius II [#50], in his epistle to the emperor Anastasius, warns him to obey his mandates, because the See of Peter by divine ordination holds the principality over the universal Church.

Thirty fifth, the same is shown at large by Symmachus [#51] in his *Apologet*. against the same Augustus Anastasius, from whom we took many things in earlier chapters.

Thirty sixth, Hormisdas [#52], in epistle 1 to Augustus Anastasius, having been now in some manner corrected, he praises him saying: “May you think of the orthodox concord of the Church in reverence of the blessed apostle Peter, preserving especially the divine precepts.” And later: “Having directed to us your holy declarations, your piety has deigned to make mention of the holy Council, about which matter we will then be able to make a most full reply when you will have wished to give us evident knowledge of the reason for its convening.” In these words he sufficiently shows that a decree about convening a council pertains to himself and after the cause is known, about which many letters between the same Pontiff and emperor can be viewed. And the like is contained in the same Pontiff’s epistle 22 to the emperor Justin, along with many following ones.

Thirty seventh, Boniface II [#55] in his epistle to Eulalius bishop of Alexandria, at the beginning, shows the same dignity and confidence in the power of Peter.

Thirty eighth, the same is very well shown in epistle 2 of John II [#56] to the emperor Justinian.

Thirty ninth, Pope Vigilius [#59], epistle 1 ch.7, says thus: "To no one, whether he thinks lightly or is fully wise, is it doubtful that the Roman Church is the form and foundation of the churches, etc." The same is taken from epistle 2 of the same to Augustus Justinian, whom he calls son. The same from epistle 4 to bishop Aurelian, and in the fragment of the letter of Theodorus bishop of Caesarea, and of others, and from epistle 7 to the whole people of God.

Fortieth, Pelagius I [#60], in epistle 1 to Vigilius, at the end, after confuting a certain error, he adds: "May your love take care that it become known to all the churches, etc." and he subjoins the reason: "For I am mindful that I preside over the Church in the name of him whose confession is glorified by the Lord Jesus Christ, and whose faith destroys all heresies." Also epistle 3 is very good and much to be noted for what we will say in what follows, and epistle 5, that in matters of doubt about universal synods recourse must be had to the Apostolic See.

Forty first, John III [#61] in his epistle to the bishops of Germany and Gaul says that he is admonishing them by his apostolic letters, following in the footsteps of his predecessors; and again toward the end he says: "With the warning command of the Lord's voice, whereby Peter is imbued by the threefold repetition of the mystical sanction, that he who loves Christ feed Christ's sheep diligently and with great care, since through love of the Holy See itself, over which we by the abundance of divine grace take first place, by its love we are exhorted, etc."

Forty second, Pelagius II [#63], epistle 2 against John the bishop of Constantinople, who was ambitious for the primacy, he says: "With thorough rejection of the audacity which has been assumed against the Apostolic See and against the voice itself of the Lord Savior, let the empty hearts of the erring cease from disputing against the precepts of the Lord, etc." which he pursues at large, teaching that the Roman See, by the institution of the Lord, is the head of all churches, and that thereto pertains the convening of Councils, and that what does not rest for support on its authority cannot be legitimate.

Forty third, finally Gregory the Great [#64], who presided over the Church up to the year of our Lord 610 [actually 590-604AD], exercised the same pontifical authority by his acts and confirmed it by his words, as is clear from his letters, wherefrom some things we will briefly touch on. For, speaking generally, in almost all of them he gives outstanding demonstration of the care of a universal pastor; and especially is to be noted epistle 24, bk.1, which is to all the patriarchs of the world, in which he stresses the burden imposed on him, and honors five General Councils and as it were confirms them again; and in epistle 71 he says: "The greater is the reverence exhibited by the rest of the churches to the Apostolic See the more it becomes it to be solicitous for their protection," and in bk.3, indict.11, epistle 7, ch.46, he professes and exercises power over all bishops, and for ending all difficult causes. But later in bk.3, epistle 32, elsewhere indict.13, ch.76, he severely rebukes the exaltation of John of Constantinople, and threatens coercion unless he return to his senses, and takes the occasion to say: "It is clear to all who know the Gospel that by the Lord's voice the care and principality of the whole Church is committed [to me]." Which he also repeats, bk.7 epistle 69, where he also says that without the consent and authority of the Apostolic See no Council has any force. And in

the same book, epistle 64, dealing with the same bishop of Constantinople, he says: "The Byzantine primate was accused of a certain crime and the most pious emperor wished him, in accord with the canonical statutes, to be judged by us." And later about the same primate he says: "But as to his saying that he is subject to the Apostolic See if any fault is found in bishops, I know not which bishop is subject to him." And bk.6, indict.15, ch.37, elsewhere ch.201, to Eulogius bishop of Alexandria, he refers to the epistle of that patriarch, in which he recognizes the chair of Peter in the Roman See, and adds: "Who is there who does not know that the holy Church is founded on the firmness of the prince of the apostles? etc." In book 4, epistle 51, elsewhere ch.95, he sends the pallium to a certain bishop. The same from epistle 54, and often he confirms bishops, and sometimes deposes them, or excommunicates them. And bk.7, epistle 125, he says: "What has once been sanctioned by the authority of the Apostolic See lacks nothing of firmness, etc." Innumerable like things will be found in those epistles.

Especially to be noted, however, is a remarkable place of the same Pontiff, on the fifth penitential psalm, about the words: "Those who praised me swore against me." For there, as if describing the schisms of his time, he says: "The madness of error has most in our times worked the poison of its malice; and the peace of the whole Church has it disturbed with its schismatic infestation. For it has stirred up against the Church of God not only an innumerable multitude of people, but even, if it be holy to say it, the royal power. For no reason allows that he be numbered among kings who destroys rather than rules his empire, and who can have as many colleagues of his perversity as he has made alien to the company of Christ; who, seduced by the greed of most base gain, takes the spouse of Christ captive, desires to abduct her, and by rash daring fights to make empty the sacrament of the Lord's passion. The Church indeed, which, redeemed by the price of his blood, our Savior wished to be free, this Church he tries, overstepping the rights of the royal power, to make his handmaid. How much better would it be for him to acknowledge her his mistress and, by the example of religious princes, display to her the obedience of devotion and not stretch out the pride of his dominance against God, from whom he has received the dominion of his power? For Himself it is who says: 'By me kings reign.' But, blinded by the darkness of his immense greed, and ungrateful, as is clear, to divine beneficence, and puffed up against God, he has the boundaries set by our fathers transgressed, contemning the divine fear, and is against Catholic truth carried by the fury of his tyranny. But so far has he stretched out the temerity of his madness that he claims to himself the head of all the churches, the Church of Rome, and usurps over the mistress of the nations the rights of earthly power. Which he altogether has forbidden to be done who committed it specifically to the blessed apostle Peter, saying: 'To thee will I give my Church.' Let the mouth of those who speak iniquity be stopped, and let every rank of heretics fall silent, because falsehood has no strength which by the voice of truth itself is found to be destroyed."

2. Just as during these first six centuries the Roman Pontiffs gave of their primacy testimony and very manifest signs, so further in all the later centuries their successors most constantly taught it, and have for this truth, necessary to preserving the unity of the Faith and the Church, fought very mightily. But I do not judge it opportune to pursue their individual opinions one by one, both because Protestants do not about particularly later Pontiffs deny this fact, and also because all the rights and canonical decrees, which are contained in the Decree and the Decretals, are full of testimonies of this sort. But

certain more striking places, which to the present controversy seem more adapted, I have thought it necessary briefly to point out. Therefore to be looked at are the epistles of Honorius I [#70] to Edwin king of the English and bishop Honorius; for from these it is clear that both the king and the bishops of England had from the Apostolic See requested or received spiritual rights. For there the Pontiff, at the petition of the king, sends two palliums to two Metropolitans, and concedes to each that they could, by the authority of the Pope, propose on their death a successor for themselves. Also can be viewed the epistle of Leo II [#80] to the bishops of Spain about reception of the sixth synod; of which mention is made in the fourteenth Council of Toledo and which is reported in its totality from an ancient and authentic codex by Garcia Loaisa in his collection *Conciliorum Hispaniae*. For in it Leo calls the Roman Church and the Apostolic See the holy Church mother of all, and of himself he says: "Although we are not his equal, we yet fulfill the function of the prince of the apostles." And likewise Benedict II [#81], in his epistle to the same Council reported in the same place, says: "Although we are not the equal of blessed Peter, prince of the apostles, we fill his place for the ministry by divine help committed to us." Also is to be consulted the epistle of Agatho [#79] to the emperor Constantine, which is contained in the sixth Synod, act.4, where he shows that the places from the Gospel above treated pertain to the Roman Church, and insists most of all on the fact that in the Faith it has never erred nor can err.

Also is much to be noted the epistle of Adrian I [#96] to the emperors Constantine and Irene, which is contained in the seventh Synod. For in the first part of it he exhorts the emperor "to persistence in the faith of Peter and of the Roman Church, and to the honoring of the most holy Roman Church, of the prince of the apostles, just as was done by earlier pious emperors, who from their whole heart loved his vicar." But in the second part, which is omitted by the Greeks, though it is preserved in the Vatican Library, and was added by Anastasius, he says about this See: "Carrying out the primacy in the whole world, it has been constituted the head of all the churches, etc." and he rebukes the patriarch of Constantinople because he dared to assume the name of Universal Bishop, since he could not ever have the name, even in second rank, without the authority of the Roman Pontiff. And he adds words deserving of note: "But if he be styled above his superior, the holy Roman Church, which is head of all the churches, certain it is that he shows himself a rebel and heretic against the holy synods. Because if he is universal he is acknowledged to have the primacy even over our See, which shows itself ridiculous to all the Christian faithful, because primacy and power in the whole world has by the Redeemer of the world been given to the blessed apostle Peter, and through the same apostle the Roman Church holds, to this present day, the principality, the power, and the authority."

Besides, Nicholas I [#106] often in his epistles professes this truth, especially epistle 6 to Phocius, and in the 7th, his response; copiously and efficaciously, however, he confirms the same in epistle 8 to the emperor Michael, which is the first to him, and in the second to the same, and in epistle 10 to the bishops subject to the see of Constantinople, and in epistles 18, 20, 30, and more or less in the rest. Many like things are also contained in the epistles of John VIII [#108], which, although they be not contained in the volumes of the Councils, have been very recently published in volume 3 of the pontifical letters, but especially can be noted, in epistle 73 to Count Lambert, these words: "The Apostolic See, which the Almighty God has deigned to found on the rock of

his name, has not only by the kings and princes of the earth but also by the august emperors, lords on their thrones over the whole earth, been honored as head of all the churches of God; and they have by worthy announcements praised its Pontiffs as Vicars, that is, of blessed Peter, prince of the apostles, and they have studied to entreat them by their prayers and supplications; and may they to the end of the age, while the name and memory of Peter last, not cease to make supplication.” Again in epistle 84, to Louis, son of the emperor Charles, whom in the place of his father he established as his close adviser.

Next, Leo IX [#153], in his *Apologia contra Michaellem et Leonem*, ch.9, places among the heresies of the Eastern bishops the presumption of taking up the name of Universal Bishop, which, he says, was offered to the Roman Bishop by the synod of Chalcedon, and although it could to him, after Christ, most suitably belong, from modesty and humility he did not accept it; and in ch.10 he decrees that on the Apostolic See no one among mortals can pass judgment. “The most blessed and Apostolic Pontiff Sylvester [#33] divinely decreeing along with his spiritual son Constantine, the most religious Augustus, the universal synod of Nicea approving and subscribing, etc.” Also can be viewed his epistle to Peter bishop of Antioch, and his epistle to the emperor Constantine Monachus. Again Gregory VII [#158], in his books of epistles, has many things in confirmation of this truth; but especially can be viewed, in book 1, epistle 63 to the king of Aragon, and 74 to Alphonse and Sancho, kings of Spain, where he praises their fidelity to the Apostolic See and commends their agreement with it, and, in book 3, epistle 10 to king Henry, where in the very salutation he says: “To king Henry salutation and Apostolic benediction, provided however he has obeyed, as befits a Christian king, the Apostolic See, etc.” And thereafter the whole letter is in confirmation of the Roman Primacy; and afterwards he excommunicates Siegfried archbishop of Moguntina and others because of schism from the Roman Church. And lastly he also excommunicates the king himself, and “absolves all Christians from the bond of the oath which they have made to him, or will make, and forbids anyone to serve him.” But in book 4, epistle 12 to the bishops and princes of the Teutonic kingdom he reports how the same king, humbled in penance, “has requested the pardon of absolution,” receiving from him an oath of safety. And in the same book, the last epistle to the king and princes of Spain, he professes the same universal care, as can there be seen more at large. Also Innocent III [#177] wrote outstandingly of the primacy of the Roman Church in sermon 2, *De Consecratione Pontificis*, and in various epistolic decretals, as well in book 1 as in book 2, he often repeats the same. And lastly in almost all the bulls, constitutions, and extravagants the same supreme power always has been and is exercised by modern Pontiffs. On this point, therefore, the perpetual tradition and agreement of the same Pontiffs is evident.

Chapter 16: Response is made to the Protestants who mock the argument taken from the tradition of the Pontiffs, and it is confirmed by the authority of the Councils.

Summary: 1. First mode of evasion. 2. Another evasion is refuted. 3. From four General Councils the tradition of the Pontiffs is fortified. 4. From other synods the same tradition is confirmed.

1. However, in one or other of two ways the adversaries of the Roman Church are

wont to respond to the adduced testimonies of the Pontiffs. The first is that it is not agreed that the aforesaid decretal epistles are legitimate; nay they reprehend many things in them on account of which they condemn their authority. Nevertheless this response is to be rejected, not only among Catholics, but also among all learned and prudent men, as frivolous and incredible, as has been shown at large by our Francisco Torres in the books he produced in defense of those epistles, wherein he responds to all the calumnies of them of Magdeburg. But we say in brief that, to begin with, the antiquity of the epistles is so great that there can be no fear they were fabricated for refuting modern errors. Besides, about the epistles of Leo I no one has hitherto had doubts; and yet he himself in epistle 2, ch.5, gives commandment to keep all the established decretals, as well of Innocent of blessed memory as of all his predecessors. And more clearly Pope Gelasius, who lived 1100 years ago, in the decree about the books that are authentic, which Gratian also refers to, dist.15, ch.3, speaks thus: "The decretal epistles, which the most blessed Popes at diverse times have given from the city of Rome for the consultation of diverse Fathers, are to be venerably received." And the same, after almost 350 years, is confirmed by Nicholas I, in epistle 42 to the bishops of Gaul, a great part of which is inserted by Gratian in the Decree, dist.19, ch.1. Again St. Jerome, in epistle 11 to Geruchias, testifies that he had sometimes helped Damasus in responding to consultations from the East and the West. It cannot, therefore, be doubted that it was a custom of the Roman Pontiffs to govern the Church through these letters; neither then is it likely that they have all perished or that there are others save those that have been received and preserved in the Roman Church.

In addition to this, many of these epistles are inserted and connected with the epistles of other Fathers, which cannot be called into doubt without great impudence and temerity, as is clear from the epistles of Cornelius with the epistles of Cyprian, of Innocent with the writings of Chrysostom and Augustine. Again from the letter of the Pontiff Marcus with the epistle of Athanasius to the same, and again from the epistle of Liberius. Again from many others of the epistles of Jerome and Augustine. Again from the epistle of Theodoret to Leo with his response. Some too are received among the other works of the same Pontiffs, as among the works of Gregory, Leo, etc. Nor is there greater reason for doubting those than the rest of their works. Again many are reported by the gravest historiographers, as I will prove in the following chapter. There are besides extant very ancient exemplars of the several epistles in the Vatican Library, from which the epistles have been very recently edited and corrected with the greatest fidelity and care. Next, although about one or another epistle, or a part of it, some reason for doubt or suspicion might arise, nevertheless, as for what concerns the present cause, we have so great a cloud of witnesses placed over us (to use the words of Paul), and so great an agreement of opinions and actions of supreme jurisdiction, that no one, unless he were very stubborn and impudent, could doubt but that here was the sense and the consensus of all the Roman Pontiffs, the universal Church again agreeing and consenting.

2. But then another response occurs from those who say that in this business the testimony of the Pontiffs is not to be listened to, because no one is a legitimate witness in his own cause. Yet this response too cannot be listened to by a Catholic man. First, because in truth the Roman Pontiffs are in this business not so much witnesses in their own cause as in the cause of Christ and the universal cause of the whole Church. Next, because they are not so much witnesses as judges in like causes; for to them it pertains to

declare the dogmas of the Faith, and to propound these to the Church, as was seen above; but this article pertains to the dogmas of the Faith, as the same Pontiffs decree with the same certitude, and as has been proved above from the divine Scripture. Hence, whether they be called judges or witnesses, they are to be believed to have taught the truth, not led by their own, but by the divine, spirit. Besides, although their testimony be looked on as human, it is of the greatest authority and makes the thing evidently credible; for it is not credible that in this point they erred through ignorance, because some of them were the wisest, while others were disciples of the apostles and conversed with them on familiar terms, especially Clement and Anacletus, who Ignatius testifies were Peter's deacons, in epistle 5 to the Trallians; but through others, in company with Linus, Cletus, and the like, this tradition has come down to their successors. They were also very holy men, so that for that reason it can scarcely be believed they wanted, from ambition or arrogance, to usurp for themselves a power that had not been given. Many of them too sealed their faith with their blood. Since, therefore, they taught this article among the dogmas of the Faith, they bequeathed it confirmed, not only by their word, but also by their life and death. Finally, since the king of England professes that he does not dare resist the ancient Fathers of the first centuries, if he wishes to speak consistently, he should, in the presence of so many Fathers, keep silent and not dare to contradict them. But so that we may more fully persuade him, we will add four General Councils, which he himself venerates, that marvelously agree with the said Pontiffs.

3. The 1st Council of Nicea [325AD], then, bk.3, in the canons taken from Pope Julius I, epistle 1, in canon 1, thus speaks: "Councils ought not to be celebrated apart from the sentence of the Roman Bishop." And in canon 2: "Bishops may, in the graver causes, freely appeal to the Apostolic See and flee to it as to a mother, etc." And in canon 3: "While the Pontiff of the Apostolic See is re-judging the cause of a bishop, let no other be ordained in his place;" and a reason is given, "because without consulting the Roman Pontiff it is not permitted to define such causes absolutely," since it was said to Peter by the Lord: "Whatsoever thou shalt bind, etc." And in the 80 canons translated from the Greek and Arabic, in canon 39, it is said thus: "The patriarch presides over all those who are under his power in the way that he who holds the See of Rome is head and prince of all patriarchs, seeing that he is first, like Peter, to whom has been given power over all Christian princes, and over all their peoples, as he who is Vicar of Christ our Lord over every people and over the universal Christian Church; and whoever contradicts this is excommunicated by the Synod." About which canon must be seen what is noted in volume 1 of the Councils. And with it agrees the Council of Sardica [343AD], in canons 4 and 7, which are about the causes of bishops being brought to a close by the Roman Pontiff.

Next, in the 1st Council of Constantinople [381AD], canon 3, otherwise 5, it is said: "Let the bishop of Constantinople have the primacy after the Roman Bishop." In this canon one thing is supposed and another established. Indeed, it is supposed that the Supreme Pontiff has the primacy in the Church, and this is what now concerns us; for the General Council supposed what it held for certain and indubitable. Nor can the king of England imagine that the Council speaks of primacy only by reason of political order, as regard some external splendor or honor; for it speaks of primacy in the way in which it was borne by the Roman Pontiffs themselves, namely by jurisdiction and power; and in canon 2, immediately preceding, it is clear that the Council speaks of primacy in rule and

government of the Church. But the other part of that canon was not received for a long time, as is clear from Pope Leo, epistle 53, elsewhere 51, to Anatolius, ch.2, and from the two following, to Augustus Marcianus and Augusta Pulcheria. And from Gregory, bk.6 of his epistles, epistles 31 and 37, and from Nicholas I and Leo IX in the places above cited. But this too commends the primacy of the Roman Church, since that is why the statute did not either then or for a long time have force, because the Roman Church did not approve it; but when the Roman Church gave consent, it began to have effect, as is clear from Innocent III with the Lateran Council [1215AD], ch. 'Antiqua', about privileges.

Further, the 1st Council of Ephesus [431AD], in its epistle to Pope Celestine, which is contained in volume 4 of that synod, ch.17, addresses him as supreme pastor and judge of the faith in this way: "With all admiration we embrace Your Holiness' zeal for piety, your care – most welcome and pleasing to the Savior – for the sincerity of the faith of us all; for it is settled as a habit for you, so outstanding as you are, that you be known to all, and that you establish your devotion as the solid foundation of the churches." Where certainly the talk is not only of the person of Celestine but of the habit of the See itself, hence it subjoins: "But because necessity required that all things which came to pass in this holy synod be declared to Your Holiness, we could not fail to write with these letters in detail to Your Holiness, etc." In these words too they show their dependence on the Roman Pontiff. Hence, in volume 2 of the same Council, ch.15, when the whole Council, after hearing the letters of Celestine, had, in the absence of his legates, acclaimed them and followed his instruction, and when the legates afterwards had arrived and had understood what had been done, one among them, Philip, said: "We give thanks to this holy and reverend synod because, when the letters were read to you of the most holy and most blessed Pope Celestine, you, by your voices, by your pious announcements, showed yourselves to your holy head to be the Church's holy members; for your blessedness is not ignorant that the head of the whole Faith and of all the rest of the apostles is blessed Peter." Which is again more largely repeated by the same Philip, saying that no one doubts that Peter was constituted Vicar of Christ by Christ himself, and that through his successors he lives on always, and that his successor and holy vicar is the Roman Pontiff. These speeches the holy synod did not detest, but rather agreed with the apostolic legates, and in great conformity subscribed with them to the same Faith. And in ch.17 of the epistle of the synod they report to the emperors among other things that Celestine had sent letters to Cyril, so that he, assuming his functions in this regard, might perfect the things defined at Rome, and that afterwards he had sent the priest Philip, who, it says, "bears here the person of the most holy Celestine." And many other the like evident signs of the pontifical primacy are read in that Council.

Nor have we found fewer things in the Council of Chalcedon [451AD], whereat also the legates of Pope Leo presided in his place over the Council, among whom Paschasius, *Actor*. 1, at the beginning, thus speaks: "Of the most blessed and apostolic sir, the Pope of the City of Rome, which is the head of all churches, we hold in our hands the precepts, whereby his Apostleship has deigned to prescribe that Dioscorus, archbishop of the Alexandrians, may not sit in the Council but may be brought in to be heard," and the whole Council obeyed Leo as its head. And in *Actor*. 2, when the epistles of Leo had been read, all the Council Fathers said: "So we believe; so Peter through Leo has spoken." And in *Actor*. 3, Leo is often called "Universal Patriarch, and Universal

Archbishop;” and, near the middle, bishop Julian said to the Pope’s legates: “Your holiness now holds the primacy of the most holy Leo.” And later: “We beg your holiness, who hold the place of the most holy Pope Leo, to pronounce against him (that is, against Dioscorus) your sentence, etc.” all which things were partly done in the name of the whole Council and partly the Council was agreeing with the legates. In addition, Surius reports, at the end of act 15, the following sentences of the same Council: “We do homage, according to the Scriptures and the definition of the canons, that the most holy Bishop of Old Rome is the first and greatest of bishops.” Again other things: “If any bishop is proclaimed infamous, let him have free sentence of appealing to the most blessed Bishop of Old Rome, because we have Peter as rock of refuge, and he alone has in the place of God the right, with free power, to discriminate the infamy of an accused bishop, according to the keys given to him by the Lord.” Again: “Let all other things defined by him be held as from the Vicar of the Apostolic Throne.” But these sentences are not now found in the Council of Chalcedon, but Surius cites them from St. Thomas in his work *Contra Errores Graecorum*, in whom I find the second and third, in ch.32, § *Ostenditur etiam quod Petrus*; but I do not find there the third, but in § *Ostenditur etiam quod praedictus*, he speaks thus: “It is read in the Council of Chalcedon that the whole synod exclaimed to Pope Leo: ‘May the most holy Apostolic and Universal Patriarch live for many years.’”

But beside these there are express testimonies of the same Council, act 16, in the epistle to Leo, in which are reported the things done in the Council, where from the verse of *Matthew* 18.20: “For where two or three are gathered in my name, there am I in the midst of them,” they first infer: “how much concerning the priests, who preferred knowledge of its confession to their fatherland and their labor, the Council could show of peculiar affection toward those in whom you indeed were presiding, as the head in its members, over those who possessed your [priestly] order.” And later, referring to the crimes of Eutyches, it says: “And those indeed who understood the things which concern a pastor he cut off, but those who proved to be wolves he set up over the sheep, and after all these things he extended his madness over and against him to whom the guarding of the vineyard was by the Savior committed, that is, also against Your Apostolic Holiness. And he had planned excommunication against you who hasten to unite the body of the Church.” And later they seek confirmation of the things decreed by them, and especially about the preeminence of the patriarch of Constantinople. And although the Pontiff did not approve this, as we said above, yet in that very petition the synod professes the primacy of the Pontiff; and thus do they expound the decree above referred to of the second synod: “Which prescribes,” they say, “that after your most holy and Apostolic See does the see of Constantinople have honor, which is second in order, you being confident that, as about you shines the Apostolic ray, you spread it as far as the church of Constantinople by governing in the accustomed way, and you more often extend it, etc.”

4. In the same way can the same tradition be confirmed by many things which are contained in the 5th general synod in the 2nd Council of Constantinople [553AD], confirmed by Pope Vigilius. Again from the 6th synod, acts 17 and 18, and from the 7th synod convened under Pope Adrian, which proceeded in all things under his obedience and according to his instruction, as is collected from act 7 at the end. Also in the 8th synod there is extant canon 21, wherein primacy is attributed to the Roman Church, which it calls the See of Peter, prince of the apostles. And, to omit the other things which,

if they were legitimate, always proceeded under obedience to the Roman See, this truth was specially taught by the Lateran Council [1215AD] under Innocent III, chs.5 and 6, and it was more expressly defined by the Council of Florence [1439AD] in the letters of union, the Greeks agreeing with the Latins, in these words: “We define that the holy Apostolic See and the Roman Pontiff possesses the primacy over the whole world, and that the Roman Pontiff himself is the successor of blessed Peter, prince of the apostles, and true Vicar of Christ, and head of the whole Church and father and doctor of all Christians, and that to him in blessed Peter was given by Jesus Christ our Lord full power for feeding and governing the Universal Church, etc.” Finally the Council of Trent, [1545AD] from its beginning and in the whole of its progress, recognizes the authority of the Pontiff, and at the end requests his confirmation, and specially in session 6, ch.1, ‘De Reformat.’, it calls him Vicar of God on earth, possessing the authority of the Supreme See.

Also from the provincial Councils could many things be collected that for the sake of brevity we pass over; yet can be looked at the Roman Council under Sylvester [314-335AD], and the 3rd and 4th Roman Councils under Symmachus [498-514AD], and the 4th Council of Orléans [541AD] ch.1, and the Councils of Carthage and of Milevis [401-403AD] in their epistle to Pope Innocent, which are numbers 90 and 92 among the epistles of Augustine, in which the authority of the Roman Church for full condemnation of heresy is required. Which is also confirmed by the other bishops together with the same Augustine in epistle 95 to the same Innocent, which epistles are also made mention of by the same Augustine in epistle 96, saying: “Reports from the two Councils of Carthage and Milevis have been send to the See of the apostles; also to Pope Innocent of blessed memory we have written, besides reports of the Councils, familiar letters... To everything that noble gentleman wrote back in the same way, as was pious and befitting the Commander of the Apostolic See.” And in agreement with these is the African Council under Boniface [525AD], ch.35.

But besides these can be noticed the 2nd Council of Tours [567AD], in whose ch.21 these words deserving note are contained: “Which priest would against the decrees which have proceeded from the Apostolic See presume to act?” And almost similar words are contained in the 1st Council of Braga [561AD], ch.18, where all the bishops said it was fitting that everything be celebrated among them in like-minded service, and they add: “Especially since we also have with us concerning certain definite causes an instruction from the Apostolic See, which to its questions, of the former Profuturus Prudentius of venerable memory, it received from the very chair of the most blessed Peter.” And Lucretius, bishop of Braga, added: “Rightly has your paternity remembered the authority of the Apostolic See, etc.” And at once, chs.22 and 23, they decree that in the order of mass and baptism they are to follow the aforesaid instruction of the Roman See. Hence the 1st Council of Toledo [400AD], in its assertion of faith, in the last anathema says: “If anyone do in saving baptism anything against the See of St. Peter, let him be anathema.” But most of all our proposition is confirmed by the words of the sufficiently ancient 3rd Council of Toledo [589AD], canon 1: “Let the constitutions of all the Councils remain in their vigor, and the synodal epistles at the same time of the holy Roman Prelates.” For in these words is sufficiently clear how much the authority was, not only of the Roman Church, but also of its decretal epistles, about which a like decree is contained in the 14th Council of Toledo [684AD], ch.11.

Chapter 17: The same tradition is confirmed by the authority of the Fathers.

Summary: 1. Authorities from the Greek Fathers confirming the same tradition. From Ignatius and Irenaeus. 2. From Athanasius. 3 From Gregory Nazianzen. 4. From Cyril of Jerusalem. 5. The same primacy is collected from the custom of referring the graver causes to the Supreme Pontiff. 6. From Theodoret. 7. From the historians Socrates and Sozomen. 8. Authorities of the Latin Fathers. Tertullian, Cyprian, Ambrose. 9. Jerome. 10. Augustine. 11. Prosper. 12. Isidore, Bede. 13. Anselm and Benard.

1. Although to confirm faith about the primacy of the Roman Pontiff enough and more than enough is the authority of the Pontiffs and the Councils, nevertheless the authority of the holy Fathers is not to be omitted, of whom some we adduced above who have provided express testimony to the succession of the Roman Pontiff in the see of Peter; but now others must be introduced who testify about the excellence of the chair itself and of its dignity, by whom the agreement of tradition will more evidently stand firm, and also by whose authority the king of England, who seems to give some deference to the Fathers, will perhaps the more be moved. But one must hold before one's eyes that the same modes of arguing can be taken from the doctors which we noted in the Pontiffs, namely from the words and the titles by which they honor the Roman Pontiffs, from the acts of supreme spiritual jurisdiction which they attribute to them, and from the more notable opinions wherewith they profess their primacy. First then we will begin from the Greeks, who in the present cause can be adjudged less suspect.

First therefore Ignatius, in epist.15, to the Romans, salutes the Roman Church in the most honorific way and says about it: "Which sits first in place over the Roman realm." Again Polycarp, when "he came to Rome, to Anicetus in the city ruling the Church" so that he might consult about a question of Easter (as testified by Jerome *De Scriptoribus Ecclesiasticis* on Polycarp and Irenaeus, bk.3, ch.3), seems sufficiently to have recognized the Roman Pontiff as pastor and master of the Faith. But clearer and more copious is Irenaeus, bk.3, ch.3, calling the Roman Church the greatest and most ancient, and saying it was founded by the apostles Peter and Paul. And he subjoins: "With this Church, because of its more potent principality, every church must agree, that is, those who everywhere are the faithful, etc."

2. Next St. Athanasius in his epistle to Marcus the Bishop of the Romans salutes him thus: "To the holy and reverend lord of the apostolic height, Marcus, the father of the holy Roman and Apostolic See and of the universal Church, Athanasius and all the bishops of Egypt send greeting." And later, adding his petition, he says: "We wish that from your authority of the holy See of the Church, which is the mother of all churches, etc." And later: "We are yours, and obedient to you we both are and always wish to be together with all those committed to us." And in his epistle to Felix II, which is contained in the acts of the same Felix in vol.1 of the Councils, he himself along with the other bishops of Egypt implores the aid of the Apostolic See in these words: "We place before your holy apostolate that you deign to carry the care for us in the accustomed way." And later: "Because always our ancestors and we have drawn help from your holy Apostolic See, and we acknowledge that you bear the aforesaid apostolic care for us, and we ask the Supreme See, according to the decrees of the canons, that we receive help from there from where our predecessors received ordinations and dogmas and supports. We also

have to that See recourse as to a mother.” And later: “Which thing (namely giving definition about the Faith) we in no way presume to do against your will, the canons commanding that we ought not to decree anything about the greater causes without the Roman Pontiff.” And later: “Because of that, you and your predecessors, namely the apostolic leaders, were constituted by him at the summit’s peak and were commanded to have the care of all the churches.” And later: “To whom all judgment of bishops is committed.” And later about this primacy he expounds *Matthew 16* (“Thou art Peter and upon this rock, etc.”), and confirms it all by the authority of the Council of Nicea. With him agrees Basil, in epistle 52, which is addressed to the same Athanasius, saying: “It has seemed agreeable to me that the Bishop of Rome be written to so that he may consider what things are being here done.”

3. Also Gregory Nazianzen, *orat. 23* in praise of Hero, records how Peter, the successor of Athanasius at Alexandria, when expelled from his see by Lucius the Arian, fled to the Roman Pontiff, “as by tacit accusation,” he says, “he provoked tears in all so that they might in his eyes and face focus on the magnitude of his calamity and so that he might obtain help, and we know in what way he obtained it.” In which words Nazianzen together with Peter of Alexandria acknowledged the authority of the Pontiff for also judging the causes of the East. Which thing is also from the same Nazianzen collected in *orat. 53*, which is the second to Cledonius, where he records how Vitalius, the follower of Apollinaris, had fraudulently made gift of a certain book about the Faith, secretly professing heresy, but Damasus, the fraud being known, expelled him from the company of the Church; and finally he destroyed the book with anathema. In the same way the pontifical power is testified to by Chrysostom in his epistles to Innocent I, seeking from him help against those who had unjustly deposed him, both by declaring the deposition invalid and by punishing the evil doers, for whom however he piously intercedes that, if they come to their senses, they should not be excommunicated, by this very fact recognizing the power of the Pontiff.

4. In like manner Cyril in his epistle to Celestine (which is among the epistles of Cyril and is contained in the Council of Ephesus, vol.1, ch.29), in the cause of Nestorius, referred the whole thing to him as to the head, and subjoins: “But although things are thus, we have yet not dared to desert his communion before we indicate these very things to your piety, etc.” To whom Celestine responded (epistle 12 among the epistles of Cyril in the said vol.1, ch.16): “Using the acknowledged authority of our See and our office and place with power, you will, not without the greatest care, execute that sentence, namely that unless within an interval of 10 days, to be counted from the day of this our numbering, he anathematize in formally stated words his wicked doctrine, etc.” And later: “Let your holiness at once provide for that church, but let him understand by all means that he has been separated from our body.” Which letter Cyril obeyed, as is clear from his epistle to Nestorius (epistle 10 in the said vol.1, ch.14), which is about the excommunication, saying: “Which unless you perform according to the time stated in the letters of the most holy and most reverend Celestine, Bishop of the Romans, may you know with certainty that there will thereafter be for you no social intercourse with the bishops and priests of God, no speech, no place lastly among them.” And the like things are contained in the following letter to the clergy and people of Constantinople. In addition St. Thomas reports in his work *Contra Errores Graecorum*, ch.32, §*Habetur*, the same Cyril saying in his book *Thesaurus*: “As Christ received from the Father the fullest

authority, so to Peter and his successors he committed it most fully.” Again: “To none other than to Peter did he give the fullness that was his own, but to him alone.” Where the word ‘alone’ does not exclude successors but the other apostles, for a little later he says that to Peter he gave power and the Church. And later the same St. Thomas says: “It is also shown that to be subject to the Roman Pontiff is of the necessity of salvation; for Cyril says in the book *Thesaurus*: ‘Therefore, brothers, if we imitate Christ so that we his sheep may hear his voice, remaining in the Church of Peter, etc.’” Nor must there be doubt about these testimonies even if now they are not found in *Thesaurus*, both because of the authority of St. Thomas and also because we know that several books of *Thesaurus* have perished.

5. Next from the ecclesiastical histories also written by the Greeks it is clear that the most ancient practice of the Church was that in the graver causes there should from the whole Church, even the Eastern, be recourse made to the see of Peter, for seeking either a declaration of faith or a condemnation of some heresy or the gathering or confirmation of a synod, or for seeking judgment by way of appeal or of just defense, from which it is established manifestly that the supreme power of the Roman Bishop was acknowledged and believed by all the Greeks from the beginning of the Church. But of this practice, besides the testimonies adduced, the best argument is taken from the history of Eusebius, bk.7, ch.24 [ch.30 §§18-19], where he says about Paul of Samosata: “When he had lost the bishopric together with the orthodox faith and did not wish to exit from the house of the bishop that was proper to that church, the emperor Aurelian, when asked for his opinion about it, decreed in a most holy way what was to be done. For he prescribed that the house of the church be awarded to them to whom the Christian bishops of Italy and of the city of Rome should by letters prescribe it to be awarded.” For so great was the public fame of the Roman primacy among the Greek Christians that it was not hid even from the gentiles; and therefore the emperor, though an infidel, pronounced that opinion in a most holy way, as Eusebius says approving that opinion and consequently the primacy too, because it was in conformity with the Faith, though it had been proffered by an infidel.

6. The same tradition is taken from Theodoret, bk.2 *Hist.*, ch.22, where he says about the Lesser Council of Rimini: “It should not have the force of precedent, especially since the formula was composed without the consent of the Roman Bishop, whose opinion was to be waited for before all others, etc.” and in bk.5, ch.10, he relates that Damasus, after the rise of the sect of Apollinaris, deposed both him and his disciple Timotheus and signified the fact by letters to those in the East, which letters he there refers too and they begin: “That your love, most honorable sons, bestows due reverence on the Apostolic See is to you surely also a very great honor. For although in the Holy Church, wherein the holy apostle sat when teaching us by what manner the reins of government, which we have taken up, were to be managed, there is to us rendered the first place, yet we confess ourselves far inferior to that degree of dignity.” And later the same Pontiff signifies that the Eastern Catholics have had recourse to him, saying: “Why is it that you again require of me the deposition of Timotheus, who has even here by the decision of the Apostolic See, when Peter the bishop of Alexandria was present, been deposed together with his master Apollinaris?” All which things are approved by Theodoret. Nay, he himself too, when he had come under suspicion in the Faith, took refuge by letter with Pope Leo, saying: “To your Apostolic See we hasten, so that we

may receive from you a cure for the ulcers of the churches, for to you it belongs to be first in all things. For by many things which make you superior is your See adorned. For other cities are adorned by size or beauty, etc., but to yours an overflowing abundance of goods has been given by Him who is the giver of all things and who presides over the whole earth.” And the rest, which he pursues at large.

7. This tradition, next, is agreed with by Socrates, *Histor.* bk.2, ch.5 [ch.9], where he indicates that the Council of Antioch was illegitimate because it did not have the authority of Julius the Roman Pontiff. “Since,” he says, “the ecclesiastical canon bids that decrees of the Church are not to be sanctioned without the sentence of the Roman Bishop.” And reporting, in ch.11 [bk.4, ch.36], that Athanasius and several other Eastern bishops, when ejected from their sees, came to Rome so as to inform Julius the Roman Bishop of their status, he says: “Since the Roman Church was in possession of privilege beyond the rest,” and bk.4, ch.3, reporting similar things of Peter of Alexandria, he adds about him: “When he had returned with letters from Damasus the Roman Bishop, the people, trusting in them, expelled Lucius and introduced Peter into his place.” And Sozomen, bk.3 *Histor.*, ch.8, relating the flight of Athanasius and others to Julius the Roman Bishop, adds: “Whose accusations once the Roman Bishop had understood, he received them into communion. And since, because of the dignity of the See, the care of all concerned him, he restored to each individually their sees, and wrote to the Eastern bishops and faulted them... And he gave mandate that certain, in the name of them of all, should appear on an appointed day.” And in ch.9 he refers to other letters of the same Julius wherein, besides other things, this was contained: “that there was a law with regard to the dignity of the priest which pronounced those acts to be void which were established against the sentence of the Roman Bishop.” He also adds, ch.10 (which is something to be noted), that when by these letters no advance was made against the rebellious bishops of the East, he demanded help from the emperor Constans as from the secular arm, and in this way at length he compelled the Eastern bishops to come to Rome, and in bk.6, ch.22, when a controversy had arisen about the dignity of the Holy Spirit, he said: “The Roman Bishop, when he had been informed about it, wrote letters to the bishops of the East that, together with the bishops and priests of the West they should believe the Trinity to be consubstantial and equal in glory. By which deed, the individual matters having once been judged by the Roman Church, they quieted down, and thus the controversy seemed to have an end.” And this is sufficient about the Greek Fathers.

8. From the Latins much has in the earlier chapters and in book 1 been adduced which does not here need to be repeated but to be briefly insinuated and to some extent enlarged. First therefore Tertullian, *De Preascrip.*, ch.36: “You have Rome whence authority is to hand.” And in *De Pudicitia*, ch.1, he calls the Roman Bishop “greatest Pontiff and Bishop of bishops;” where Pamelius points to many places of the same author which I omit because this author, when he fell away from the Roman Church, did not think rightly of its primacy although he was not altogether ignorant of it. A great and faithful assertor of this truth, then, was Cyprian who in his epistles very often requires for the unity of the Church one supreme head and says it is in the Roman Church, as can be seen in epistles 40, 45, 52, 55, 76, whose words we have often referred to. Again Ambrose in his oration on his brother Satyrus, and on *1 Timothy* 3, and his book of epistles in number 7 to Pope Siricius with other bishops he says thus: “We have acknowledged the watchful letters of Your Holiness, a Good Shepherd, who faithfully

keep the door committed to you and guard with pious care the flock of Christ, worthy to be he whom the sheep of the Lord hear and follow.” And epistle 4 to the emperors Gratian etc., treating of shunning the Arians, he says: “How can it be that him whom we see included in their society we do not judge to be also an assertor of perfidy? What too if he had been absent? Yet your clemency is to be implored lest it permit the head of the whole Roman world, the Roman Church, and the sacrosanct Faith of the apostles to be troubled; for from there to all flow the rights of venerable communion, etc.” And epistle 9 to Theophylact of Alexandria: “We think the matter should be referred to our holy brother, the priest of the Roman Church, since we presume that your judgments will be those that cannot displease him.” And later: “So that we also, having received the catalog of your statutes, may, when we know that that has been done which the Roman Church without doubt will approve, happily gain profit from the examination.” With these words, written to an Eastern bishop, Ambrose sufficiently bears witness to the Roman Church’s custom of governing the East too.

9. To the same practice and power Jerome is witness, epistle 11 to Ageruchias, saying (as I related above) that he had himself sometimes helped Damasus in replying to the synodal constitutions of the East and the West. And epistle 16 to Principia, he refers to what has been touched on above about Athanasius and Peter of Alexandria who, escaping the persecution of the Arian heresy, “fled to Rome as to the safest haven of their communion.” Also in epistle 8 to Demetriades, near the end, he calls the Roman See “the Apostolic Chair” thinking the same about its primacy as about the primacy of Peter, his opinion on which we related above. Again more copiously in epistle 57 to Damasus, whose words were already adduced above, where he also teaches that that see had Peter’s privilege of not erring in the faith. Which thing he also thinks in his *Apologia* bk.2, or bk.3 of his *Apologia Contra Rufinum*, where he has these words: “But let it be known that the Roman faith praised by the apostolic voice does not accept tricks of this sort, even if an angel should announce otherwise than has once been preached.” And later: “And yet I marvel how Italy might have approved what Rome has condemned, its bishops have taken up what the Apostolic See has condemned,” tacitly denying that it could have happened or that he himself believes it.

10. From Augustine too having recourse to the Roman Pontiff as to the Vicar of Christ, we have said much above, from the same Augustine’s epistles 90, 92, and 95. With these the same Augustine is in accord bk.2 *Retract.*, ch.50, saying that: “the Pelagian heresy has by the bishops of the Roman Church, Innocent and Zosimus, with the cooperation of the letters of the African Councils, been condemned.” And in epistle 157, at the beginning, he openly professes that he is subject to the Roman Pontiff when he says: “When I was present near Caesarea, they came to the place where the ecclesiastical necessity enjoined on us by venerable Pope Zosimus, bishop of the Apostolic See, had drawn us.” And later, having related the words of the same Zosimus to prove the necessity of baptism for the remission of sins, he subjoins: “In these words of the Apostolic See the ancient and established Catholic Faith is so certain and clear that it is impious for any Christian to doubt it.” And epistle 102 about the Roman Church he says: “In which the principality of the apostolic chair has always flourished;” and there too he relates that in the cause of the Donatists the judgment of the Apostolic See was waited for. And he repeats the same bk.1 *Contra Epist. Parmen.*, ch.5, and epistle 165, where he says that to recognize the Catholic Church one should most look at the succession in the

see of Peter, thinking that it was the rock on which the Church was founded. Which he expressly declared in the psalm against the party of Donatus, vol.7, saying: "Count the priests if you will from the See itself of Peter. It is the rock which the proud gates of hell will not overcome."

Besides on the same basis he says, bk.1 *Contra Iulianum*, ch.4: "I think that the part of the world should be sufficient for you wherein the Lord wished the first of his apostles to be crowned with a most glorious martyrdom. Had you wished to hear the blessed Innocent who presides over that Church, you would now have removed your dangerous youth from the Pelagian snares. For what could that holy man reply to the African Councils save what the Apostolic See and the Roman Church along with the rest anciently and persistently holds?" Which place is much to be taken notice of for in it plainly does Augustine teach that the definition of the Pontiff makes the Faith certain even without a General Council. Hence in bk.2 *De Peccato Originali*, ch.7, he refers also to Celestine, the colleague of Pelagius, that "he did not dare resist the letters of the blessed Pope Innocent;" nay that he promised to condemn everything which that See condemned. Lastly, bk.1 *Ad Bonifacium*, at the beginning, he says among other things: "May you not disdain, who do not think high things though you preside at a greater height, to be friend of the humble and to repay the love they have paid." And below: "Since it is common to all of us who perform the office of bishop, although you yourself preside on that higher eminence of the pastoral watchtower, I do what I can in accord with the small part of my duty, etc."

11. In agreement with Augustine is Prosper against Collator, ch.10, where, holding the definitions of Innocent and Zosimus against Pelagius to be infallible, he infers as it were an absurdity against Collator: "According to your judgment Pope Innocent, most worthy of Peter's See, has erred." And later: "The sacrosanct See of blessed Peter, which speaks to the whole world by the voice of Pope Zosimus, has erred." And ch.41 he again says: "Innocent of blessed memory has struck the head of the wicked error with the apostolic sword." And later: "To the decrees of the African Councils Pope Zosimus of blessed memory has adjoined the strength of his sentence, and for the cutting off of the impious he has armed with the sword of Peter the right hands of all the commanders." Where he also adds Boniface, of whom he says: "He used against the enemies of God's grace not only the apostolic but also the royal edicts." And of Celestine he adds: "The statutes of his predecessors and the synodal decrees he judged had to be inviolably observed." And about the same he subjoins: "Nor did he with a more sluggish care liberate the Britons from the same sickness, etc." And later he says that the same care had made Scotland Christian. And in the book *De Ingratis*, ch.2, he speaks thus: "Rome, the See of Peter, which is made the world's head in pastoral care, holds by religion what it could not gain possession of by arms."

Similarly too in bk.2, *De Vocatione Gentium*, in imitation of Leo, he says: "Rome by the principality of the apostolic priest has been made greater in the fortress of religion than on the throne of power." In this way too Fulgentius spoke, bk. *De Incarnat. et Gratia*, ch.11: "The Roman Church, lit up by the words of Peter and Paul as if by resplendent rays and adorned by their bodies, is the summit of the world." Also from Optatus of Milevis, *Contra Parmenian.*, many things have been referred to, but especially bk.2: "You cannot," he says, "deny that you know that in the city of Rome the Episcopal chair was conferred on Peter first, whereon Peter the head of all the apostles sat, so that in

this one chair unity might by all be preserved, so that now he might be schismatic and sinner who against this one chair should set up a second.”

12. Likewise Isidore in his epistle to Eugenius bishop of Toledo, after explaining the power given to Peter in the way passed on by us above, subjoins: “Whose dignity of power, although transfused to all bishops of churches, yet more specially in the Roman Prelate, as by a certain singular privilege, eternally remains higher than in the other members.” And in the preface to his collection of canons, which is contained in the first volume of Councils, he says that he had collected, along with the Councils, the decrees and synodal letters of the Pontiffs, “because in them, for the summit of the Apostolic See, the authority is not less than the Councils.” And at the end, he says: “The authority for convening Councils has been committed by a peculiar power to the Apostolic See, nor do we read that any Synod was valid that was not convened or supported by his authority; these things are testified by canon authority, strengthened by ecclesiastical history, confirmed by the holy Fathers.” It is also confirmed by Bede in his homily on Saint Benedict of England, vol.7, about whom he says: “He hastened to make pilgrimage to the doors of the blessed apostles so that, because the faith was still rude among the race of the English and the institution of churches was beginning to flower, he might receive there a more perfect form of living where the topmost head of the Church is eminent among the high apostles.” And bk.2 *Histor. Anglor.*, ch.1, he says of Gregory: “When first in all the world he was holding the pontificate and was presiding over churches long since converted to the faith of truth, he made our race, enslaved until then to idols, the Church of Christ, etc.” And bk.3, ch.25, he reports that the king of England and others already at that time believed that the keys given to Peter remained in the Roman Church. And in bk.4, ch.1, and often in that history, he shows how great always was the providence of the Pontiff for the English, and the obedience of them to him.

13. Next all the later Fathers too have most constantly taught the same truth, among whom we will number only two, Anselm and Bernard, who have spoken most gravely about the pontifical dignity. For Anselm, in *De Incarnatione Verbi*, thus begins: “To the Lord and Father of the Universal Church in pilgrimage on earth, to the Supreme Pontiff Urban, brother Anselm.” And later: “Since divine providence has chosen Your Holiness, to whom he commits the guarding of Christian life and faith and the ruling of the Church, to no other is reference more rightly made if anything contrary to Catholic faith arises in the Church, so that by Your authority it may be corrected; nor, if anything is said in response to error, is it to any other more safely shown, so that it may by Your prudence be examined.” And in his preface to *Romans* he says that that letter is put in first place, although it was not written first, because Rome was both at that time head of the whole world and still today the Roman Church possesses the principality of all churches.

But St. Bernard much more copiously teaches this very thing in epistle 25 to Gaufrid, where he says among other things: “Of Germany, of France, of England, of Scotland, of the Spains, and of Jerusalem the kings, along with the whole clergy and the peoples, support and adhere to the Lord Innocent, as children to their father, as members to their head, anxious to keep the unity of the spirit in the bond of peace.” Again epistle 131 almost the same argument to the Milanese, and epistle 183 to Conrad king of the Romans, he says: “I have read ‘Let every soul be subject to the higher powers.’ Which sentence I desire and in every way admonish you to keep in showing reverence to the

Vicar of the Supreme and Apostolic See and blessed Peter, just as you wish it to be kept to you by the whole empire.” And of the sublimity of that See he speaks in outstanding way in epistle 137 to Eugenius, and more at large in bk.3 *De Considerat.* to the same, ch.8, several words from which were related above and therefore we pass them by. Here too can be added the testimonies and examples of temporal kings and emperors, but some of these were touched on above, and we will adduce more in what follows when comparing the spiritual power with the temporal. Now let the notable words of the emperor Constantine suffice in ch. *In Memoriam*, dist.19, where he thus speaks: “Let us honor the holy Roman and Apostolic See so that she, who is to us the mother of the sacerdotal dignity, should be the mistress of ecclesiastical reason; wherefore humility with meekness is to be preserved so that, although scarcely to be borne be the yoke imposed by the Holy See, we may yet bear and sustain it with pious devotion.” But there is no need here to demand special reason in addition to authority. For those reasons are sufficient that were adduced about the perfect governance of the Church and about the necessity of one head in one body for the conservation of its unity and faith. For that this head be constituted in such See, although it have many moral congruences that have been insinuated by the Fathers and can easily be thought of, the proper reason is the will of Christ and Peter, which by the adduced testimonies is made sufficiently known to us.

Chapter 18: Satisfaction is made to two objections against the primacy of the Pontiff taken from Scripture and the Councils.

Summary: 1. Against the spiritual power of the Pontiff many things are objected by King James. 2. First Objection. Confirmation. 3 Solution to the objection. 4. The confirmation is dissolved. 5. Instance. Response. From the Scriptures is collected not the primacy of kings but of the Pontiff. 6. Second objection. Confirmation. 7. Solution to the objection. 8. A certain instance is refuted. 9 Response to the confirmation. 10. From the Council of Sessa the primacy of the Pontiff is also confirmed. Marcellinus was not deposed by the Council. 11. An example about an heretical Pope is met. An heretical Pope is deposed by God himself, not by men. Before deposition of a Pontiff a declaratory sentence of crime must first be given.

1. Against the dignity and primacy of the Roman Pontiff the King of England makes many objections scattered through his book besides those that we related above against the primacy of Peter, many of which touch on the comparison between the Pontiff and temporal kings, and we will, after the said comparison has been made, examine them better in what follows. There we must also speak about the power of the Pontiff over kings in temporal matters. Now we will respond only to the things that seem to be objected absolutely to the supreme spiritual power of the Pontiff. Now these things seem, both in the *Preface* and in the *Apology* of the king, to be reduced to three heads, excepting those that are taken from the acts of kings or emperors, about which, as I said, we will see later.

2. The first head is that this dogma has no or a weak foundation in the word of God, as he says in the *Apology* p.118 and in the *Preface* pp.22, 28, 60 and very many other places. We can in his objections also weigh the confirmation that Paul, when describing in *Ephesians* 4 the ecclesiastical ministries and order of the Church, makes no mention of the Vicar of Christ, although however that place seems most apt for proposing

it if it belonged to the hierarchy of the Church. Hence the king, on the said p.60, marvels greatly and says he does not know “by what arts the Roman Pontiffs have been made Vicars of Christ; nay rather Gods on earth, marked with a triple crown, that is, kings of heaven and of earth and of inferiors, judges of the whole world, and themselves to be judged by no one, heads of the faith, etc.,” which he pursues, concluding: “By what arts, I say, they have ascended to so great a height, I for my part know not.”

3. However by this very fact the king, if he wished to be wise, might understand that this was not done by human art but in virtue of the word in *Matthew* 16.18: “Upon this rock I will build my Church; and the gates of hell shall not prevail against it,” as the ancient Fathers in holy and Catholic way understood. For by that art did Pope Sylvester so subject to himself the emperor Constantine that the emperor did not blush to confess him Vicar of Christ, successor of Peter, and worthy of greater honor than himself; by the same art did the other holy Pontiffs preserve the same dignity and power and defend it against the gates of hell. For in fact those arts were not other than the word of God, freely preached with great virtue of spirit, and sometimes confirmed by divine virtues and illustrations, as the times offered opportunity according to the disposition of divine providence. The king errs, therefore, and contradicts the word of God when he says that the primacy of the Pope has a weak foundation in the word of God. For both in the written word of God is the perpetual primacy of Peter and its endurance always into the future through succession sufficiently contained, and through the unwritten word of the same Christ has the sense of the written word been with certainty handed down. Besides it has also been evidently declared that the succession of Peter has persisted in the Roman See. Nor can the king or his Protestant doctors escape the force of this word except by both denying the truth of the unwritten word and interpreting the written word by their own sure knowledge and private spirit. But that both of these are foreign to Catholic truth, nay that they are the foundation of all heresies and schisms, was sufficiently demonstrated in book 1.

4. To the confirmation added by us from the place in *Ephesians* 4 we can reply from the doctrine of Augustine in bk. *De Fide et Operibus* ch.9, where, treating of the place in *Acts* 8 about the eunuch whom Philip baptized, although he said nothing more than, v.37, “I believe that Jesus Christ is the Son of God,” hence some argued that it was not necessary to teach catechumens anything else for them to be baptized, Augustine himself however replies: “Scripture kept silent and allowed the rest to be understood that Philip did with the eunuch when he baptized him.” Thus, therefore, we say that, although Paul kept silent in that place about the one Vicar of Christ, the pastor of the whole Church, he left it to be understood in the rest of what he describes.

5. Now this reply could be turned against us, for earlier we used this place to prove that kings do not have spiritual power over the Church, because Paul made no mention of them either in this place or in other similar places; which inference can be evaded in exactly the same way. I reply from the words of the same Augustine in the place cited: “In the fact indeed that he says (that is, Luke), v.38: ‘Philip baptized him,’ he wished to be understood that all things were fulfilled; which, although they were passed over in silence in the Scriptures for the sake of brevity, yet we know by the sequence of tradition that they were fulfilled: in the same way too by the fact that it is written, v.35, that Philip preached the Lord to the eunuch, one must in no way doubt that in the catechism those things were said that pertain to the life and morals of one who believes in

the Lord Jesus Christ.” So, therefore, in the present case we say that Paul, under that description of the Church, comprehended everything that either from tradition or from other places of Scripture perspicuously pertains to the order and hierarchy of the Church. But it is sufficiently handed on to us, both within Scripture and without it, that the visible Church is one sheepfold under one visible Pastor who bears the vicariate of Christ; this Pastor, therefore, was explained by Paul under the general name of pastors, because he did not assume there the province of explaining in particular all the grades and ministries of ecclesiastical order. For which there is also the argument that when he was treating of the same argument in *1 Corinthians* 12 he omitted evangelists, whom he places under prophets, and puts there virtues and other things which he omitted in the place in *Ephesians*, and in neither place did he put priests and deacons, although it is manifest from other places of Scripture that they pertain to ecclesiastical hierarchy. But, as for kings, no Scripture or tradition teaches that in the ecclesiastical hierarchy they have a special place or function in ecclesiastical governance or ministry, and therefore, when they are passed over in silence in those principal places, they are altogether excluded; especially because neither under a specific nor a general form of words are they included.

6. The second objection is indicated by the king in these few words in his *Preface* p.60: “Thus sometimes were they (namely the Roman Bishops) subject to General Councils, as in fact recently the Council of Constance inaugurated a fourth Pontiff after three abdicated.” Which objection can be confirmed because Pontiffs are in other cases deposed or otherwise judged by the Church through the mediation of Councils. For that it can so be done was defined by the said Council of Constance and confirmed by the Council of Basel, and both attempted to carry it out. Pope Marcellinus too was once deposed by the Council of Sessa; and that he can be deposed in a case of heresy is handed down in ch. ‘Si Papa’ distinct.40, and is commonly received by all Catholics.

I reply in the first place that this objection pertains rather to the question about the comparison between a Pope and a General Council than to the question about the primacy of the Pontiff. For the Fathers who were present at the Councils of Constance and Basel, and Gersonius and other doctors who thought that a General Council was above the Pontiff, nevertheless believed with sure faith that the Roman Bishop was supreme and universal Pastor of the Church, above all bishops and patriarchs, having spiritual jurisdiction over them and over all the faithful of whatever condition they be, even if they are kings or emperors, and against this the objection made does not proceed, as is evident of itself; and that fact suffices for our purpose, whatever may be thought about the other question raised. But because we believe it altogether true that no jurisdiction was immediately conferred on a General Council by Christ, and that therefore, while a legitimate and undoubted Pontiff lives, the jurisdiction of a General Council depends on him and accordingly is subject to him (which must be treated of elsewhere), therefore satisfaction to the said objections must be briefly made.

7. To the principal objection, then, we reply that at the time of the Council of Constance there were three pretender Pontiffs in the Church, named Gregory XIII, Benedict XIII, and John XXIII. But since it is certain, and was proved above, that there cannot be several true Pontiffs in the Church, the consequence is that they were not all Pontiffs. Hence also it could be that none of them was certain Pontiff, and to that extent not Pontiff, because none of them was yet received by the common consent of the Church nor was believed to be legitimately elected. Now, in such a case, a General Council,

although without a head, has the right to make enquiry about the true and legitimate Pontiff and, if it find that none of the pretenders is legitimate and certain Pontiff, to depose them all, or rather to declare that none of them is true Pontiff, and accordingly to see about a true Pontiff for the Church. And this at most is what the Council of Constance did by deposing the three Pontiffs and electing Martin V. Now from the fact that this was done nothing can be collected against the dignity or power of the Pontiff, because since doubtful Pontiffs are not true Pontiffs, the power of a Council over them takes nothing away from true Pontiffs; for, when a true Pontiff has been afterwards elected by such a Council, there will be in him full pontifical power, superior to the Council itself, because he has power not from it but from Christ. But because someone can say that it is sufficiently certain that John XXIII was Pontiff, we can add that, however it may be, he himself at length voluntarily renounced the Papacy, as is clear from the histories, and likewise Gregory XII yielded. But Benedict XII, otherwise Petrus de Luna, although he never wished to yield, nevertheless died a little after the election of Martin, and a certain Clement, who was appointed in his place, made renunciation a little afterwards, and Martin V was recognized and received as sole and true Pontiff by the Universal Church.

8. But if someone gives as instance that the subsequent Council of Basel passed sentence against Eugene IV, the sole and undoubted Pontiff, and created Amadeus, called Felix, in his place, the response is that the Council herein erred, which is not to be wondered at because it was now not proceeding legitimately nor under obedience to the Apostolic See. Hence too it erred in approving the assertion, handed on in the Council of Constance, that a General Council is above the Pope. Whence consequently it judged that a Council, once legitimately gathered, could not be dissolved without its own consent by the Pontiff, nay could compel the Pontiff himself to be present at the Council. Which foundation, however, is altogether false, and therein could the Council of Constance err, because it was neither convoked by a true and certain Pontiff nor had him present *per se* or through legates. Hence it was legitimately convened only for removing the schism, not for defining dogmas of faith. It exceeded, therefore, the limits of its power and so could err, and consequently the following Council of Basel herein erred too because, as I said, it was not then proceeding legitimately. And thus the aforesaid assertion was afterwards condemned by the Pontiffs and by the Lateran Council under Leo X. Also Eugene IV deemed both the sentence and the assertion of the Council of Basel to be nothing, as is reported in the same Council session 38. And the same opinion as Eugene was held by the Universal Church, which, notwithstanding the sentence, took both Eugene and his successor Nicholas V for true Pontiffs, repudiating the antipope Felix, who afterwards yielded to Eugene, and thus the pontifical dignity always remained complete.

9. The old example, however, about the deposition of Marcellinus is not objected by the king, who does not admit the acts of that Council and accuses it of contradiction, because in it is often said that “the Pontiff is judged by no one,” and yet Marcellinus left it after being judged, for a sentence of anathema was passed against him, to which all the bishops subscribed, for Marcellinus could not also excommunicate himself. Neither are there lacking some too among Catholic writers who doubt the history of Marcellinus, as one can see in Baronius vol.2 for the year 302 n.95 and following, and for the year 303 n.89 and following. However, Baronius himself advises that an ancient history commonly received in the Church should not be called into doubt. Especially since Pope Nicholas in his epistle to the emperor Michael reports it as true, and uses it to confirm the authority of

the Apostolic See.

10. One must note, therefore, that the sin of Marcellinus was a kind of infidelity and therefore it pertained to the Council to inquire about it, both because of public scandal in the matter of faith and because of the safety of the Church. Because, however, his guilt was only against confession of faith and not heresy, therefore did the assembled bishops often say: "Judge yourself by your own mouth, for the first See is judged by no one." From which words the supreme authority of the Pontiff is confirmed. Now Marcellinus himself seems to have pronounced sentence against himself when he said: "I have sinned before you all, and I cannot be in the order of priests." By which words it has seemed to some that he renounced the pontificate, and that the bishops accepted the renunciation, and that therefore it is said about them: "They subscribed to his condemnation and condemned him," not by the force of a jurisdiction that they had over him while he was Pontiff, but by consenting to him and accepting his renunciation. And thus no one judged him while he was Pontiff but, as is at once subjoined, "he was condemned by his own mouth." But after he ceased to be Pontiff, he could also be bound by censures by the Council, as is evident of itself. Or perhaps he did not withdraw from the papacy, as is more probable, because this is not there expressly said, nor do the cited words bear renunciation before them but penance; nor does Damasus, nor Platina, or the Roman Breviary report it, but they signify rather that he was Pontiff, even at the time when he suffered martyrdom, and Baronius clearly testifies to it for the year of Christ 304. But, on this supposition, it must consequently be said that not properly in the ecclesiastical forum was he condemned or punished or bound by censure, but voluntarily for the example of others and to avenge his sin he separated himself and, as it were, suspended himself or abstained from his office. Which judgment the Council approved, and passed as it were a declaratory sentence of his crime, Marcellinus himself nodding approval, and in this sense it is said that the Council condemned Marcellinus. And thus there is in the words of the Council no contradiction.

11. To the final part of the objection about an heretical Pope we reply, in the first place, that it is not certain whether a Pope, even as a private person, can fall stubbornly into heresy. Hence, if the opinion is true that denies a Pope can be a heretic, the objection ceases. But because the canons and the Councils seem to suppose the contrary, as is clear from ch. 'Si Papa' dist.40, and from the Roman Council under Adrian, and from the 8th Synod, it must be conceded, once the case is admitted, that a Pope can then be judged and deprived of his dignity. But how it may be done without prejudice to his dignity is variously explained by the doctors; but it is not necessary in the present case to report and examine the individual opinions. I therefore say briefly that an heretical Pope is not deposed by men but by God himself, although not without the ministry of the Church or of a Council passing a declaratory sentence of crime against him. For just as a Pope is elected by men and yet he receives the dignity not from men but immediately from Christ, so too, although he may be declared a heretic by the sentence of men, nevertheless not by human right but by divine does he stand at once deprived of the dignity. But whether for such privation or deposition such a sentence is necessary, or whether the sin itself of heresy suffices, at any rate when it is external and notorious from the fact itself, is disputed by the doctors. But it seems to me more consonant to reason and to right governance that a declaratory sentence of the crime is necessary, given by a Council possessed of authority, so that everything may be done in orderly fashion and the dangers

of schism removed.

Chapter 19: Certain places in Gregory, which the king brings in as objections, are explained, and the true titles of the Roman Bishop are defended.

Summary: 1. The testimonies of Gregory are reviewed. 2. The legitimate explanation of the testimonies of Gregory is given, and the argument of the king is turned back against him. 3. Double acceptation of the name 'Universal Bishop'. The name of 'Universal Bishop' is suitable for the Pontiff if it does not exclude the other particular bishops. 4. Why Gregory avoided this name.

1. The third principal objection is taken from Gregory [sc. Pope Gregory the Great] in the various epistles wherein he reprehends John of Constantinople because he called himself, and wished to be named, Universal Bishop or Patriarch; and the more to confound him he adds: "None of my predecessors ever consented to use so profane a term," bk.4 indict.3 ch.80, otherwise epist.39 to Anastasius of Antioch, where he also says: "For as your reverend holiness knows, the holy Synod of Chalcedon offered to me, Pontiff of the Apostolic See, which I serve by the disposition of God, this name of universality, but none of my predecessors, etc." And like things are contained in epist.32 to Maurice, 33 & 34 to Constantia, and 38 to the same John, and 36 to Anianus, and bk.7 epist.69 to Eusebius of Thessalonica. And he adds in bk.6 epist.30 to Maurice, otherwise ch.194: "I confidently say that whoever calls himself, or desires to be called, universal priest is in his exaltation a forerunner of antichrist, because he puts himself by his pride ahead of the rest." Another reason too given by Gregory is that, if one Patriarch be said to be universal, "the name of patriarchs is taken away from the rest. And therefore," he says, "none of the Roman Pontiffs assumed this term of singularity, or consented to use it, lest, while something is given private to one, all the bishops should be deprived of due honor." Which reason proceeds equally of the Supreme Pontiff. Hence the same Gregory, bk.7 indict.1 epist.30 says to Eulogius of Alexandria, who, when writing to him, had called him Universal Pope: "But I ask that your most sweet holiness not do more for me, because what is offered beyond the requirement of reason to another is taken from you." And later: "For if your holiness says that I am universal Pope, you deny that you are what you affirm me to be universal." Where he signifies that one being Universal Bishop is repugnant to others being true bishops. And this opinion was handed on before Gregory by Pelagius II against the same John in epist.1 to the illegitimate Council of Constantinople. And it is, before these Pontiffs, read in the 3rd Council of Carthage ch.26 and in the African Council at the time of Boniface, the canon which contains: "The Bishop of the First See may not be called Prince of priests or Supreme Priest or anything of the sort, but only Bishop of the First See."

This argument is greatly urged by the king of England in his *Apology* pp.16 & 107, and from the mentioned testimonies of Gregory he thinks to cut the sinews of many, or certainly of all, of the things we have adduced for the primacy of the Roman Pontiff. He also most contradicts Bellarmine on the ground that he used in favor of the primacy of the Roman Pontiff another testimony of Gregory in which he calls the Apostolic See "head of the faith," bk.11 epist.42. For, says the king: "he who repudiates the name of Universal Bishop, will he in equanimity have tolerated to be called head of the faith?" And therefore he himself expounds it of a head or governor in general, whether he be

Pope or king, within his dominions or borders. And because he saw that this exposition was forced, as indeed it is, he begs permission that, if it be rejected, he may be able to say that “Gregory spoke either with little caution or excessively.” But, with the same permission of the king, he himself commits both, because without any reason or foundation he applies that free censure to the words, not only of Gregory, but also of all the ancient Fathers. Nay, we can add that it redounds even onto the words of Christ; for he is no less the foundation of the Church than head of the faith; now Christ said about Peter, that is, about the see of Peter as I proved above, that he was the foundation of the Church; Christ was excessive, then, or spoke incautiously if Gregory was excessive or spoke incautiously by calling the Apostolic See the head of the faith.

For Gregory was speaking not of himself alone but of his See. For thus does he say: “Now we give admonishment that the reverence of the Apostolic See not be disturbed by any one’s presumption, for the state of the members is then intact if the head of faith is struck by no injury, and the authority of the canons stays unharmed and unstained.” For, from this train of words, it is clear that the same Apostolic See, to which he advises reverence to be given, he afterwards calls “head of the faith, which the members must strike with no injury, so that their state may remain intact.” Which I understand particularly of the state of faith, because those who disturb everything against the reverence due to the Apostolic See cannot persevere in the true and integral faith. And for that reason, perhaps, he changed his way of speaking, and what he had first called “the Apostolic See” he afterwards called “Head of the Faith,” so as to indicate that there is threat of great danger in contemning the obedience and reverence due to the Apostolic See, for transition is easily made to the danger of losing the faith. And the confirmation is that Christ was certainly not excessive nor did he speak incautiously when he said to Peter, *Luke 22.32*: “and when thou art converted, strengthen thy brethren;” but this function, together with the privilege, *v.32*: “I have prayed for thee, that thy faith fail not,” was conferred not only on the person but also on the see of Peter, as we showed in book 1; therefore there is no excess, nor incautious speaking, if the Pontiff, who is set in place as a living rule of faith for strengthening the brethren, is called head of the faith. Hence the Fathers of the Council of Chalcedon, in their epistle to Pope Leo, call him “firmness of faith” when they say: “May your firmness fulfill for your sons what is fitting.”

Much more so by the fact that it can rightly be understood that he is called head of the faith because he is the head of all the faithful, the abstract put for the concrete, to denote that there is no true faith except in the members of this head, or that faith itself is what conjoins the members with the head. Hence it happens that both the head and the members may be called ‘of the faith’ because they coalesce through faith in the one body, which is the Church. And in this way, to be head of the faith is nothing else than to be head of the Church, on which head, in its kind, the faith of the Church depends. Wherefore it is ridiculous to adapt those words to temporal kings, or to interpret that head only about a political governor and only for passing laws for the sake of external order, since Gregory openly speaks of the head of the whole Church, and in matters spiritual; for it is also for this cause that he calls him head of the faith. And although it be true that at the beginning of the epistle Gregory had treated of conceding to the bishop of Palermo the use of the pallium, which use pertains to a certain ecclesiastical ceremony, afterwards, taking occasion therefrom, he admonished him to observe, and make to be observed,

ecclesiastical discipline about reverence for the Apostolic See, and about the unharmed and unstained authority of the canons, and the integrity of morals; all which things pertain to ecclesiastical and spiritual governance. Therefore Gregory was speaking about the head of this governance when he called the Apostolic See the head of the faith.

2. By turning back, then, the king's argument, the legitimate sense of others can in this place easily be erected. For if Gregory called his See the head of the faith, because firmness of faith, and care and solicitude for preserving and propagating it and also, as a result, the honest morals that depend on it, were committed to that See, when he refused the name of "Universal Bishop" he was not denying the supreme pastoral care of his See, but he wished to avoid the invidiousness of the word and the appearance of exaltation and ambition. And not only from that place, but also from innumerable others, nay from the same ones where he treats of the name 'universal', there is manifestly collected that Gregory acknowledged in himself and in his See the care of supreme and universal Pastor. For in the same epist.32 to Maurice he says: "It is matter of proof for all who know the Gospel that by the voice of the Lord the care of the whole Church was committed to the holy apostle Peter, prince of all the apostles." And later: "The care of the whole Church and the principality is committed to him, yet he is not called Universal Apostle." Behold where he acknowledges the principality but refuses the name. And in epist.36 & 38 he at the same time contemns the name and uses universal power by dissolving and condemning an illegitimate Council convened without the authority of his own See, and by threatening censures against John if he does not return to his right mind. Nay, in bk.7 epist.64, he blames the same John for the same name, although John himself did not deny that he was subject to the Apostolic See, as the same Gregory relates, who also adds that he knows of no bishop who is not subject to the same See; therefore, by refusing the word 'universal' he did not intend to deny universal jurisdiction to his own See. Hence also in epist.69, when about to treat of the same cause, he thus begins: "We are constrained by the care of the governance we have taken up to extend watchfully the solicitude of our office, etc." And later he shows the same cause when he says that "things done in a Council without the authority and consent of the Apostolic See have no force;" and at the end he passes a general censure against those who violate his precepts; that I may pass over the other places above cited wherein Gregory both commends and exercises the primacy of the Roman Church.

3. Why then did Gregory forbid and repudiate the name 'Universal Bishop' as profane? The response comes with Cardinal Bellarmine, bk.2 *De Clericis* last chapter at the end, that the name 'Universal Bishop' can be used in two ways. First for signifying one bishop who is proper and proximate pastor of the whole Universal Church and of all particular churches and dioceses, in the way, that is, in which the bishop of Coimbra, for instance, is unique bishop of his whole diocese, wherein he can have a vicar, or several vicars, but not another bishop. To imagine in this way, then, a Universal Bishop of the whole Church is contrary to divine right, and therefore that term of 'Universal Bishop', taken with this signification, is profane and sacrilegious. But in another way can he be said to be 'Universal Bishop' who has, by way of universal cause, jurisdiction over the whole Church; but he does not exclude particular bishops who are both true bishops and, as proximate causes, possess ordinary jurisdiction under the Supreme Pontiff. And taken in this way the term is in itself indeed not profane, because it signifies a thing true and very sacred and necessary for the Church; however, as taken by the Patriarch of

Constantinople it was profane and full of presumption and pride, because by it he was attributing to himself what he did not have. And for the contrary reason, when attributed in that sense to the Roman Pontiff, it is not profane but signifies the truth, and therefore in the Council of Chalcedon it is attributed to Pope Leo, as Pope Gregory often testifies in the said epistles. And in the same sense were equivalent names attributed by the Councils and the Fathers to the Roman Bishop, as to be “head of the Universal Church,” in the Council of Chalcedon act.16; “to have care of the Universal Church,” Leo epist.82, Eusebius epist.3, Dionysius epist.2; “Rector of the house of God,” Ambrose on *1 Timothy* 3; finally “Bishop of the Universal Church,” as he is often called in the pontifical epistles above mentioned, and in the Council of Chalcedon act.3, and in many other epistles of bishops or princes writing to the Roman Pontiffs, which are reported in the acts of Councils and among the pontifical epistles; and especially those can be looked at that are read in the Council of Chalcedon act.3.

4. Yet nevertheless Gregory repudiated the name of ‘Universal Bishop’, both because of excess of humility – for in this could the king of England say better that Gregory was excessive, not by ambition, but for example of humility; and also so that he might more effectively curb the pride of the bishop of Constantinople; and finally because, on account of the ambiguity of the name, it could offend the other bishops, and this reason is the one Gregory more often uses and, because this danger is not found in the use of other words, he for that reason did not detest the others. And through these things response is also made to Pope Pelagius, for he was moved by the same reason that Gregory was, as is manifest from his words in the said epist.1, and at the same time in the same epistle he calls the Roman Bishop the head of all the churches.

Now about the name of Supreme Pontiff there was never any doubt, as the emperor Justinian testifies in his *Authentic* about the Roman Church collat.1, where he says: “As the origin of laws was obtained by the elder Rome, so there is no one who doubts that in Rome too is the summit of the Pontificate;” nay the Council of Chalcedon says to Leo in its epistle to him: “Your Highness;” and Gregory bk.1 *Dialogi* ch.4, relating the history of Equitius, says: “Equitius began to give great thanks to the almighty God, asserting that he had visited him through the Supreme Pontiff,” since the messenger sent to him by the Pontiff said: “that his father, the Apostolic Pontiff, wished to see him.” Jerome indeed in his *Preface* to the Gospels calls Damasus “the supreme priest,” which is the same thing. Therefore the canon of the Councils of Carthage and of Africa are not understood of the Roman Pontiff but of the African primate, as is rightly expounded by the Gloss in ch.3 distinct.99. For no provincial or national Council could establish how the Pope was to be called; nay, perhaps it was to prevent injury being done to the Pope that the Fathers of those Councils forbade their own primate to be called Supreme Pontiff.

Chapter 20: Response is made to the other objections taken from the deeds and conjectures of the emperors.

Summary: 1. The fourth objection of the king and the first in this chapter. 2. It is proved that the primacy of the Pontiff could not be from the emperors. 3. To Phocas. The objection is met. Phocas only protected the primacy of the Pontiff. 4. To the elder Justin. To the younger Constantine. 5. To Constantine the Great. 6. To the Council of Nicea. 7. Another objection from conjectures. 8. It is solved. Several of the Pontiffs make very perfectly satisfied the governance of the Church. 9. The accusations of heretics are

refuted. 10. The primacy of the Pontiff does not display injury to Christ but his singular providence toward the Church.

1. The fourth objection is insinuated by the king in his *Preface* p.60 where he makes mention of Phocas, saying that up to the times of Phocas the Roman Pontiffs obeyed the emperors. Hence he indicates what other Protestants are wont to assert, that Phocas established that the Roman Pontiff should have the primacy among others. They seem to be favored by other historians, for Bede *De Temporibus* on Phocas says thus: "He established, at the request of Pope Boniface, that the See of the Roman and Apostolic Church was the head of all the churches, because the church of Constantinople was writing that it was first of them all." And almost in the same way is it narrated by Paul the Deacon in bk.4 *De Gestis Longobardorum* ch.11, and Antonius Sabelicus *Aeneade* 8 bk.6, and Pomponius Laetus in *Compendium Hist. Romar.* on Phocas, and many others report the history in the same way. And on account merely of those words Protestants wish to prove that in that year (which was 607 as Genebrardus along with others wishes, or 606 as Baronius wishes) the Roman Pontiff began to have the primacy over the Universal Church, especially over the East. Although neither is it here consistent with itself, for the Magdeburgians *Centur.* 6 said that the Roman Pontiff was made Patriarch by the emperor Justin in the year 520, unless perhaps the latter are talking about the Patriarch of the West but the former about the Primacy which was extended also to the Eastern Church.

Others said that the Roman Church had the primacy from Constantine IV, because Platina on Benedict II says that "Constantine, moved by the sanctity of Benedict, sent ratifying sanction to him so that he, whom the clergy, people, and the army of Rome had chosen as Pontiff, the same should at once be believed by all to be the true Vicar of Christ, without waiting for any authority from the Prince of Constantinople or the Exarch of Italy, as was accustomed before to happen." Others refer this dignity of the Roman Bishop to Constantine I, because in the edict of Constantine in the second to last chapter dist.96 it is thus said: "The emperor Constantine, on the fourth day of his baptism, conferred on the Pontiff of the Roman Church the privilege that in the whole Roman world priests should hold him as head just as judges so hold the king." And afterwards the words of the privilege are set down at large, which are also reported in vol.1 *Conciliar.* and are approved by Gelasius along with the Council of seventy bishops. And almost the same words are used by Leo IX against Michael ch.10. And hence others said that the privilege was given to the Roman Church by the Council of Nicea; for Leo IX above says that the Pontiff is judged by no one, "the most blessed and apostolic Pontiff Sylvester so decreeing, and the Augustus Constantine, his spiritual son, giving approval along with the whole Synod of Nicea." Similar locutions are found in the 4th Council under Symmachus, and in the other Councils mentioned above. Others finally refer this institution indeed to the times of the apostles; they say however that the apostolic institution is not divine, because the ancient Pontiffs sometimes say that Peter, with the consent of the other apostles, was established as their prince. About which and other errors Torquemada can be looked at, bk.2 *De Eccles.* ch.39ff., and Bellarmine bk.2 *De Pontif.* ch.17

2. However all these things have neither foundation nor any likelihood, because the primacy of the Roman Church is older than all the Christian emperors, as was proved

above from the most ancient tradition. Besides the fact that we also proved that temporal kings have no spiritual power or jurisdiction by which they might be able to make disposition of ecclesiastical things. But ecclesiastical primacy is spiritual and supernatural, as we proved; how then could the emperors establish it or confer it? Next we proved that this dignity is from the institution of Christ, and that by force thereof it endures through continual succession and always passes by the same divine right to the Roman Pontiff, on the supposition of the determination made to such See by Peter; therefore it is vain to seek for the institution of this dignity from the emperors. Nay, rather, it had its beginning neither from the Councils or the Fathers nor from the apostles, but from the Lord himself, as Anacletus and other pontiffs above referred to testify, and as we proved from the Gospel as understood by the Fathers. Hence, wherever something is found written by one of the Fathers or Catholic writers that the Roman See has the primacy from some Council or from the Fathers, the sense is that it had it from them, not as establishing or donating such dignity, but as declaring and defending or preserving it. For thus the Council of Nicea declared that the Roman Bishop has the primacy over everyone and adds that “he also always had it.” But best is Nicholas I in his epistle to the emperor Michael when he said: “The privileges are given to this Holy See by Christ; they are not given by Synods but celebrated and honored by them.” The emperor Justinian in *Authentica De Ecclesiast.* title ch.1 spoke thus: “We ratify, according to the definition of the Synods, that the most holy Pope of Old Rome is the first of all priests.”

3. What the king of England says, therefore, that before Phocas the Roman Pontiffs obeyed the emperors, has regard to the chapters following, where we will deal with the comparison of each power and show that to be false. But as to what he insinuates and what other Protestants more clearly contend, that Phocas conferred something of power or jurisdiction on the Roman Pontiff, it is false and has been introduced by ignorance or (which is more likely) by the malevolence of Protestants. For one must recollect from what was said in the preceding point that there was between Gregory and John of Constantinople a controversy over the term ‘universal’, which was not so much about the thing or the power itself (for John himself, as we saw, admitted that he was subject to Gregory) as about the title, which, because of the offense to others, the pride, and the danger of passing over into schism, greatly displeased the Roman Pontiffs. When therefore Pelagius and Gregory, neither by their warnings nor by the intervention of the emperors, could bring John of Constantinople to their own opinion and to a saner mind, and when Cyriacus, John’s successor, persisted in the same madness, Boniface III who, after Sabinianus, Pontiff for only one year, succeeded to Gregory, prevailed on Phocas to compel Cyriacus not to use that title, by declaring that it could only be applied to the Roman Church, as was rightly declared by Platina on Boniface III, by Blondus bk.9 decad.1, Genebrardus in *Chronicum* for the year 607, and Baronius in *Annales* for the year 606. And it is *per se* evident that much before Phocas, in the Council of Nicea and in other Councils, the primacy of the Apostolic See was made plain, and in the Council of Chalcedon in particular the Roman Pontiff was declared Universal Bishop, although the modesty and moderation of the Pontiffs refused to accept that name. Baronius also notes that Cyriacus did not deny subjection and obedience to the Roman Pontiff, because immediately after his election he at once sent his responsals together with the synodal letter to Pope Gregory, as is got from the same Gregory in bk.6 epist.31. From which also it is clear that Gregory never complained about usurpation of jurisdiction but about the

ambitious title, injurious to other bishops and especially to the Roman See. Therefore Phocas by his authority defended the Roman See and suppressed the pride of Cyriacus, but he conferred nothing new on Benedict [?Boniface].

4. Now about Justin I find no history held in authority that reports that the elder Justin conferred anything of power on the Roman Bishop, not only for the year 520, but not even for the whole time of his reign. For although he often wrote with great faith and reverence to Pope Hormisdas and sent gifts to the Roman Church, he never conferred special privileges on that See; whence therefore could the heretics have taken that error or the suspicion of it? Especially because from the acts of the Council of Chalcedon, and from the many others adduced above, it has been evidently shown that the primacy of the Roman See was very well known in the whole world before Justin. And in the same way is easily refuted what was said about Constantine IV, for he was emperor more than two hundred years after Justin; but the primacy of the Roman Church was older than Justin, and therefore could not have been from him; therefore much less could it have been erected by a later Constantine. Nor do the words of Platina indicate this, but only that the emperor Constantine ended the custom whereby the consent of the emperor or of the exarch was wont to be expected for completion of creating the Pontiff; but about the power of the Supreme Pontiff Constantine said nothing, nay from his words is openly collected that he thought a Pontiff duly elected was at once Vicar of Christ.

5. The same response has place for Constantine the Great, for before his conversion the Roman Pontiff exercised ecclesiastical jurisdiction over the Universal Church, not only in the West but also in the East, as was sufficiently shown above. Nothing pertaining to this power, then, did Constantine confer on the Roman Church, but what he found he approved and believed; nay, even by his own obedience and subjection he recognized it, and in reverence and honor of so great dignity he conceded temporal goods also to the Roman Church, so that he might procure greater honor and splendor for it. Which can be made certain from the words of the same edict; for at the beginning he confesses that through the apostles Peter and Paul God worked marvels in his favor. "With the intervention," he says, "of Sylvester, our Father and Universal Pope." And later he thus speaks: "How much power the same our Savior conferred on his blessed apostle Peter in heaven and on earth was most clearly declared to us by the same venerable Father." And later he subjoins: "We have judged that, just as on earth St. Peter seems to be established Vicar of the Son of God, even the Pontiffs too, who are successors of the prince of the apostles himself, should possess a fuller power of principality than the extent of the earthly empire seems to have." But he interposes these words: "[power] conceded by us and by our command," which is to be understood of concession by consent and recognition, not by proper donation, lest these words should conflict with the preceding ones, in which he confessed that Peter was Vicar of Christ and the Roman Pontiff his successor; and therefore he sets that power before the imperial, but an emperor could not give a power greater than the imperial. Or the understanding also is that he conceded to the See of Peter splendor and temporal principality in honor of the spiritual, so that it might thus be in greater honor than the empire itself. Which is signified by the following words, in which much to be noted is that he calls the empire "earthly power and earthly throne," but the pontificate he calls "sacrosanct and most holy See of blessed Peter, etc."

6. To the final part, about the Council of Nicea and other Councils, the response is

also evident from what has been said and from the words of Leo III cited in the same place; for first he says that the Pontiff is judged by no one, “St. Sylvester by divine authority making decree,” that is, not establishing it by himself but declaring a divine right; for this is strictly indicated by the words and demanded by the matter, for he himself could not exempt himself by his own authority; he declared, therefore, that he was exempt by divine authority. And Leo adds: “The August Constantine and the Synod of Nicea giving approval and subscribing,” that is, by defining, declaring, and promulgating that such was the divine privilege of the Apostolic See. Nevertheless Leo also adds that Constantine conferred this privilege, which must necessarily be understood according to what was said above, namely that he conferred it by approving it and by establishing that it should be observed. And thus too did John II say in his epistle to the emperor Justinian: “You preserve reverence for the Roman See and you subject everything to it, and you draw everything to its unity, to whose author, that is, to the first of the apostles, the command by the voice of the Lord was given: ‘Feed my sheep,’ which is declared to be truly head of all churches by the rules of the Fathers and by the statutes of the princes, and is evidenced by the affections of your most reverend piety.” In which words is rightly embraced what Christ or what the Fathers and the princes conferred on this dignity; for from Christ is the institution and the conferring of power together with the precept of feeding; from the Fathers is the declaration and the definition; but to the emperors properly belong recognition and defense. Next, the same should be said proportionally of the apostles with respect to Peter; for the other apostles did not confer power on Peter, as is clear from the Gospel, but very gladly accepted it given by Christ.

7. Besides these objections, Protestants are wont to make others taken from reasons or conjectures, as that one man could not suitably govern the Church diffused through the whole world. Hence, to prove this, they are wont to exaggerate, or even to invent, the defects or vices that are noted in some Pontiffs; and the king of England does not omit to make accusation of certain things that he affirms are committed in the elections of Pontiffs. Finally, others add the usual, and in many things their common, objection that great injury is done to Christ if besides him another head of the whole Church is established.

8. But these things are of little moment, for if this governance of the Church were merely human and was to be carried out only by human strength, or moral prudence or only natural judgment, not unrightly would it be judged to exceed the capacity of one man; nay rather we admit that even the ordinary helps of grace are not sufficient for it if God did not offer far greater and special ones. But since Christ the Lord promised to his Vicar both the singular presence of his own providence and the assistance of the Holy Spirit, and since he prayed specifically for his faith, although to govern spiritually the whole universe be a burden difficult for human weakness, yet it is not impossible, nor is it so morally difficult that many Pontiffs both sustained it for the most part excellently and fulfilled it perfectly and with holiness. Most of all so because although one man is Supreme Pontiff, yet he does not govern on his own everywhere and immediately, but by divine institution he summons other bishops too and pastors to a part of the solicitude, and as much as is expedient communicates to them a part of his jurisdiction, and reserves to himself the greater and graver matters and all the recourse necessary for preserving unity and concord. And in this way the governance of one is not only made possible but was even necessary for preserving the unity of the Church, as we showed; nay it would

also be in its way easy if it were not disturbed by errors and schisms.

9. To the accusations against the persons of the Pontiffs made by their enemies we can, in the first place, say with Augustine epist.165: "In that order of bishops which leads from Peter himself up to Anastasius (let us say up to Paul V) who now sits on the same chair, although some traitor may in those times have insinuated himself, nothing was prejudicial to the Church or to innocent Christians, to whom the Lord, foreseeing the proposed evils, says, *Matthew* 23.3: 'Whatsoever they bid you observe, that observe and do; but do not ye after their works; for they say, and do not;' so that the hope of the faithful might be sure, which is placed not in man but in the Lord." Next we can add that the same Augustine replied to the Donatists, bk. *De Unico Baptismo contra Petilianum* ch.16: "What need is there for us to rebut the accusations leveled by him against the bishops of the Roman Church, whom he has pursued with incredible calumnies? For although they may be accused of crimes, are they also convicted of them? Or are they shown to be convicted by any firm instruments? etc." which he elegantly pursues. Yet we do not deny that some sins and scandals are related in the histories about some Pontiffs, but these are both few in comparison with the multitude of so many illustrious and holy Pontiffs, and it ought to be no wonder that in so great a multitude a few bad ones are found, since among the twelve apostles one was a traitor. Hence, just as he did not defile the apostolic dignity, so neither did any corrupt Pontiff taint the Apostolic See, because none of them was a heretic, at least one who publicly taught heresy, and an evil life does not diminish the sanctity of the See. And what we say about the persons of the Pontiffs, should be understood as said about their election. For what the king of England murmurs against we are ignorant of its having happened in our age; and although perhaps sometimes it was committed, it is wrongly noted and blamed as if it was frequent or constant; and therefore rightly did Bellarmine respond: "It is a custom with adversaries to transfer to all a sin that has at any time been committed by one." And finally, although in such election men sometimes as men offended, it does not thereby necessary happen that the election is not by the Holy Spirit, who knows how to use the evil well, even for electing a worthy person; and although sometimes, because of his hidden judgments, he permits there to be error in the election of the person, nevertheless, for the good and firm institution of the Church, the Holy Spirit is present to confer his power on the one duly elected, whoever he is, and thus the sins of men do not prevent the election being in one way or another by the Holy Spirit.

10. Finally, to the last part, we deny that it works to the injury of Christ that he has one Vicar on earth who is, in his own way, the visible head of the militant and visible Church, because this head is a ministerial one, but Christ himself is alone always the principal head. Just as also we were saying about the rock, or as Christ too in Scripture is called "Pastor of our souls [alt. Shepherd of your souls]," *1 Peter* 2.25, which does not prevent it being said of other men: "The Holy Spirit hath made you bishops, to feed the Church of God [alt. overseers, to feed the Church of God]," *Acts* 20.28. For although Christ is the highest and principal "Prince of pastors [alt. chief shepherd]," as is said *1 Peter* 5.4, nevertheless the others too are pastors as ministers of that Prince; nay, they are even sometimes called princes, according to that verse, *Psalms* 44 [45].16: "Whom thou mayest make princes in all the earth," yet all are under that supreme Prince. Thus therefore is the Pope too pastor and bishop and prince of pastors and bishops, that is, of mortal ones or ones ministering under the immortal and absolute Prince. In the same way

also there is a ministerial and mortal head under the principal and immortal one. And therefore this not only does not derogate from the dignity of Christ but even commends his charity and his power and his singular providence toward his Church.

Chapter 21: Whether the persons of princes or temporal kings are subject to the spiritual power of the Supreme Pontiff.

Summary: 1. Spiritual and temporal power are compared among themselves in a double way. 2. Various questions which arise from the subordination of one power to the other. 3. The error of Protestants about the subjection of kings to the Pontiffs. Basis for this error. 4. Assertion de fide. Temporal kings are in spiritual matters subject to the Pontiff. 5. The conclusion is proved from the Council of Nicea and from the Fathers. 6. It is proved again from the deeds of the emperors. 7. Several kings of England have embraced this assertion. 8. The same subjection of kings is established by the deeds of the English. 9. Other doings of theirs are related that confirm the present institution. 10. The same subjection of kings is proved also by efficacious reason.

1. Although at present we have to deal principally with the subordination and comparison of the spiritual and temporal power, since for perfect knowledge of them this fact is what remains principally to be declared; nevertheless, we take our beginning from the persons themselves, in which such powers are present, because the foundation of the aforesaid subordination most thereon depends. But to make this plain, I advert to the fact that the aforesaid powers, the spiritual and temporal, can be compared either in nobility and excellence or in subordination and subjection one to the other; for these two are so diverse that they can be separated in the way that in the case of physical powers one can be more excellent than another (as seeing than hearing) even if one is not subjected or subordinated to the other in its action. We are not now, therefore, comparing these powers in their absolute perfection and excellence; for, when explaining the distinction of the spiritual power from the temporal, we sufficiently showed that the former was more excellent than the latter, which thing I also expressly taught in my work *De Legibus*, and, on the supposition of a distinction between both powers, it can scarcely admit of doubt. Because the spiritual power is a certain higher participation in the divine power, having more perfect effects, a higher end, a more noble origin, and a certain being of diviner and more excellent order, as is shown also by the various ways in which the Fathers speak, whom I noted in the places cited.

2. We are, then, comparing these powers in their subordination and dependence one on the other, which can either be conceived formally (so to say) between the powers themselves, or only between the persons in which such powers exist. For it can be inquired whether one of these powers can apply the other to its acts or restrain it from them; or whether the person who has one power may, as to the acts pertaining to it, be subjected to the person having the other, wherein one can also ask whether this subjection is reciprocal or only on one or other part. All which things, to touch on the point of difficulty, we propose are in need of being dealt with about the persons in whom these powers are in a supreme grade of excellence to be found, as are the emperor and the Supreme Pontiff. Three questions, then, result. The first is whether the Supreme Pontiff has the persons of temporal kings and princes spiritually subject to himself. The second is whether the Pontiff has subject to himself, not only the person of the king, but also his

temporal power, however supreme, such that he can, by giving command, direct, demand, supply, or impede his acts. The third is consequent on these, whether the Pontiff by reason of his spiritual power is able, not only to direct Christian princes by giving command, but also to compel them by punishment, even up to privation of their kingdom, if there be need, which is almost the point and hinge of the whole controversy, and therefore it needs to be the more accurately treated of. And three similar questions can be moved on the converse side, namely whether a king or emperor has the person of the Pope or other bishops subject to himself in temporal and civil matters. Again, whether a king by his temporal power can dominate over the spiritual by inciting or restraining it in order to his own government. Third, whether a king can prescribe to a Pontiff with coercive power, even up to deposing him. But of these latter questions the first pertains to the dispute about the exemption of clerics from the civil power, to which we will devote the whole of the next book, and there it will be copiously treated of; but here we will only touch on something about the person of the Pontiff as far as will be necessary for solving certain objections. The second question, however, contains, on supposition of a resolution of the former questions, no difficulty, and for that reason will be solved along with them by way of consequence. But the third question is connected with the preceding ones and it too, insofar as it can concern the Pontiff, as he is Pontiff, will be solved by the by in what follows, but insofar as it is about the Pontiff as he is a man or a citizen, it will be solved in the following book along with the first question.

3. In this chapter, then, the first question proposed is to be treated of, wherein the opinion of Protestants is that a temporal king and in general a prince supreme in temporal things is subject to no man in spiritual things, and thence that neither does the power of a king depend on the will of any man. Which error has from Marsilius of Padua taken its origin, and to it Henry VIII, king of England, greatly adhered, whom now the most serene James imitates, as is shown not only by his deeds but by his words too, which he has placed in various places of his *Preface*. For in this sense he says, on page 2, about temporal kings: "Whom God has placed on his throne at the highest level of dignity, as his vicars and legates for exercising judgment." And more clearly on page 5: "For neither do I believe myself inferior to the Pontiff in any respect." And again on page 10 to kings: "Whom God has commanded to be his chief vicars on earth for the administration of justice." And in the same sense he says, on page 14, that the controversy which he has with his Catholic subjects, has been moved from nowhere else "than from the ambitious tyranny of Pontiffs which they, against the authority of the Scriptures, against the mind of the Councils and the ancient Fathers, have over the temporal rights of kings unjustly usurped." And finally he concludes in the same place that to assertion of this authority of kings (in this sense, that is) his whole apology is devoted. In which places, although sometimes he speaks about subjection in temporal things, yet he understands it about direct as well as indirect subjection, for so as to exclude both of them kings he even denies spiritual subjection; and for that reason he arrogates spiritual power as well to himself, and on this foundation his whole scheme rests.

As I was writing these things, a book of the most illustrious Cardinal Bellarmine came into my hands, wherein he replies to William Barclay, who has in a certain novel way denied the power of the Pontiff in temporal affairs. For Barclay professed that the Pontiff has supreme power in spiritual things, even over kings and emperors, and nevertheless he denied the subordination of the temporal power to the spiritual, and

consequently he also denied that a Pontiff can in the temporal things that pertain to the right or dominion of a king introduce any change, or make disposition in them of anything. And although, in the aforesaid book, many foundations for it are referred to, yet do I find none serious or taken from authority or urgent reason, and, of whatever sort they are, they are so fully and learnedly satisfied by the Cardinal that there is no necessity to add anything. The sum, then, of everything is that Christian kings have supreme power in temporal matters; but it is repugnant for power to be supreme and subject to another, whether directly or indirectly. But to prove each of these he collects from the Scriptures the common testimonies, whereby obedience to temporal princes is commended, and he joins thereto that the power of the Pontiff as regards temporal things has no foundation in Scripture, or in the use or tradition of the Church. He also accumulates many things in which he confounds this question of the spiritual power of the Pontiff with the question of the exemption of clerics, although however, as I have often said, they are distinct and to be defined by far different principles; and so everything which pertains to exemption we have remitted to the book following, but we will make satisfaction to the rest in the next chapter.

4. For a beginning, then, against the king of England we lay it down that, as Barclay admits, the Roman Pontiff is the spiritual father and supreme pastor of temporal kings, however supreme they may be in their own order; and hence, in those things that have regard to the soul and spiritual governance, kings are subject to the Roman Pontiff. This assertion is a direct response to the first question proposed, and it is to be held *de fide catholica*. And it does not need new proof, for it follows evidently from the principles handed down in the preceding chapters. For we showed that the Pope is the Pastor of the all the sheep of Christ; but Christian kings are to be counted among the sheep of Christ, otherwise they will be outside the fold and outside the Catholic Church; therefore their Pastor too is the Pope; therefore, conversely, they lie under the spiritual power itself of the Pontiff; for these two things are correlative and inseparable. Wherefore the Scriptures, the testimonies of the Pontiffs, of the Councils, and of the Fathers, which prove that the Supreme Pontiff succeeds to Peter in the universal power of ruling the Church, prove too that kings are subject to the same power of the Pontiff, at least in spiritual things; for power given over the whole flock or the whole body extends to the individual sheep or the individual parts. And the reason whereby that power embraces under itself all the baptized, of whatever condition, is the same as that whereby it comprehends kings too and emperors, because by no right are they exempt, and because royal dignity is not in conflict with Christian subjection, otherwise it would also be in conflict with the Christian faith and profession, since the faith itself of Christ requires this obedience from those who worship him.

5. To these general reasons and testimonies can be added special words, in the first place from the Council of Nicea, canon 39, among the 80 translated from the Arabic, where it says: "He himself is first like Peter, to whom was given power over all Christian princes and over all their peoples, as he who is Vicar of our Lord Jesus Christ over all peoples and the universal Christian Church." Hence Pope Symmachus [498-514AD], in his *Apologia* to the emperor Anastasius, speaks to him thus: "You, if you are a Christian prince, should listen to the voice of any apostolic chief whatever." And Pope Anastasius II [496-98AD], in his epistle to the emperor Anastasius, requires from him obedience in the things whereof he admonishes him. And Gelasius [492-96AD] to the same:

“Although you preside over the human race in the dignity of earthly affairs, yet to the chiefs of divine ones you submit your neck in devotion.” And later: “Learn that you ought to be subjected in the order of religion, etc.” From the testimonies adduced above too, by which we showed the primacy of the Roman See, many things expressly declare that among the sheep committed to Peter even kings and the emperor are numbered. Nazianzen especially, in his oration to the people when they were struck with fear, says: “Raise up a voice more free; know that you are sheep of my flock.” And Chrysostom, *homil.* 83: “If he who is crowned with the diadem approach unworthily, restrain him; you have greater power than he.” And Ambrose, in his book *De Dignitat. Sacerdot.*, ch.2, says that: “The necks of kings are submitted under the feet of priests.”

6. Next, very manifest is this truth in the deeds, examples, and testimonies of Christian emperors and kings; for in the first place it has been handed down about Philip I, a Christian emperor of memory, that he obeyed Pope Fabian [236-50AD] when he commanded him not to come to communion before bewailing his sins seated among the public penitents, as Eusebius relates bk.6 *History*, ch.25, elsewhere ch.27 [actually ch.34], and Nicephorus, bk.5, ch.25. Of Constantine too a history is known that in a Council he said that he needed to be judged by the bishops, not that he would judge them, in Ruffinus bk.1, ch.2. With sufficient piety too the emperor Justin, in bk.4, ch. ‘De Summ. Trinit. et Fide Catholica’ says: “We, rendering homage to the Apostolic See and to Your Holiness, which is a thing that always has been and is our wish, honoring Your Holiness as befits a Father, we hasten to bring all things that pertain to the state of the churches to the notice of Your Holiness, since we have always great zeal to defend the unity of Your Apostolic See and the state of the holy churches.” And other things that he pursues, whereby he sufficiently shows he was spiritually subject to the Apostolic See, as is rightly understood and lauded by Pope John [523-26AD] in his rescript, which is related in the same law § *Inter Claras*, where he says among other things: “You keep reverence for the Roman See, and subject all things to it, and lead them to its unity, etc.” which we referred to above.

The words are much to be noted too of the emperor Charlemagne: “In memory of the blessed Peter let us honor the holy Roman and Apostolic See so that she, who is to us the mother of the sacerdotal dignity, should be the mistress of ecclesiastical reason; wherefore humility with meekness is to be preserved so that, although scarcely to be borne be the yoke imposed by the Holy See, we may yet bear and sustain it with pious devotion.” Which words from the chapters of Charles are reported by Gratian in ch.3, dist.19; and Nauclerus, vol.2, ‘generat.’ 28, says that it is one of 23 chapters of laws which Charles sent to his subjects. And it was received by the Fathers in the Council of Tribur, canon 30. Hence also Pope Symmachus said in the 6th Roman synod: “It is not licit for the emperor or for anyone who guards piety to do anything that may be an obstacle to the apostolic rules.” And it is reported by Gratian in ch.2, dist.10, where similar words from Popes Callistus, Marcellinus, and Adrian are related. Nay, the same Pope Adrian [772-95AD] in the last of his chapters says: “By a general decree we establish that he be an execrable curse and guilty always before God as a sinner against the Catholic Faith who among kings or potentates confides or permits any censure in the decrees of the successive Roman Pontiffs to be in any respect violated,” as is found in Gratian in ch. ‘Generali’ 25, q.1.

There can besides to these be added several signs of reverence and obedience

given to the Apostolic See by emperors and kings in all places and times. For, to begin with, almost all call him “spiritual Father” and add “most blessed,” “most holy,” or something equivalent, as one may see in many epistles of diverse emperors to Popes Leo, Hormisdas, Anastasius, and others; and specially can be noted the words of Ladislaus king of Hungary in his oration to Nicholas V [1447-55AD], where he calls him “Very Great Pontiff,” “only prince of Christians,” and “king of kings,” and “a god on earth,” as is found in Cocleus, bk.11, *Historiae Husitarum*. Next, they often confess and recognize the chair of Peter in the Roman Pontiff and his universal jurisdiction over the whole Church, as is clear from Constantine and others cited above, and from Valentinian in his epistle to Theodosius, in Acts 1 of the Council of Chalcedon, and in another of the same to Leo [440-61AD] where he says that Leo “has the principality of the priest, presiding over the faith, and that a council is by him to be convened as author,” and from other epistles which can there be seen. Again from Justinian in his laws and his *Authentica* cited above, and from the letters to Boniface II [530-32AD], which are reported among the acts of Boniface, vol.2, where first he understands of the Apostolic See the verse: “Thou art Peter and upon this rock I will build my Church,” and subjoins: “These words spoken are proved by the effects of things, because in the Apostolic See the Catholic religion has always been beyond stain preserved.” And later: “We anathematize all who against the holy Roman and Apostolic Church with pride raise their necks, we who follow in all things the Apostolic See and preach all that it has established.”

And Frederick I, in his epistle to the Greek emperor Emmanuel, first says that the Roman Church has by God been ordained sole mother, lady, and mistress of all churches. Hence he infers: “To the Supreme Pontiff, whom as to name we call holy, may you exhibit due obedience and honor.” A letter also is cited of Leo, king of the Armenians, to Innocent III [1198-1216AD] whom he calls “Lord and Father in Christ and Universal Pope and Pastor, whom God wished to preside over his Church.” And he subjoins: “Informed by the grace of your light, we, to recall the whole kingdom committed by God to us and all the Armenians to the unity of the holy Roman Church, by inspiration of the divine mercy, long and desire.” Like things were written by Michael Palaeologus to Gregory X up to the year 1274. And many things the Greek emperor Andronicus wrote in a letter which is extant in the Palatine Library, where he says the Roman Church has the supreme and absolute primacy over the universal Catholic Church handed to it by the Lord, etc.

In addition, Charles king of France, in a letter to Adrian II [867-72AD], thus writes: “To the most holy Father Adrian, Supreme and Universal Pontiff, Charles by the grace of God king and your spiritual son, etc.” And Hugo king of France to Pope John XV [985-96AD] says among other things: “This with complete affection we say, that you may understand and know that we and ours turn away from refusing your judgments.” And Louis too king of Gaul in an epistle to Pius II [1458-64AD] first salutes him in these words: “To our most blessed Father, Pope Pius II, filial obedience;” and then he subjoins: “You the Vicar of the Living God we honor with such veneration that your holy admonitions, especially in matters ecclesiastical, we wish to listen to as to the voice of the Pastor and to obey them with prompt mind; that you are the Pastor of the Lord’s flock we profess and know and we follow you when you command, etc.” Thus St. Louis king of France, among the documents written before his death to his son Philip, says: “Be devoted and obedient to your mother the Roman Church, and to its Pontiff show yourself

compliant as to a spiritual father.” Thus in addition Sigismund king of Poland, in his epistle to the Lateran Council under Leo X [1513-21AD], which is contained in its Acts 7, offers his obedience to the Supreme Pontiff, and adds “according to the custom of my ancestors.”

And in the same Council, session 2 at the beginning, there is contained a mandate from the Catholic King Ferdinand, in which among many other illustrious testimonies of his faith he puts this: “We profess ourselves a son most devoted to the holy Roman Church, our mother, and for her honor and state most ready to lay down life.” And later he adds that he is sending a legate so that he may be present at the Council, “and there,” says the king, “to offer due obedience to the aforesaid most blessed Lord our Pope as often as may be opportune, etc.” And almost the like words from Charles V are contained in the Edict of Worms. Nor is it necessary to refer to more testimonies of the kings of the Spains, because the thing is very well known, and because King Alphonsus in his *Laws*, first part, tit.5, bk.2, 3, 4, and 5, not only expressly professes but even eruditely declares the dignity and power of the Pontiff, saying that for this reason he is in a special way “Vicar of Christ and successor of Peter,” and that therefore is he called “Apostolic” by antonomasia, and is even named “Pope” because “Father of fathers, and head of the bishops and other prelates. And therefore,” he says, “all Christians of the whole world, when they approach him, kiss his feet.” He next adds at the end of law 4: “He who denies that the Pontiff has this power or is the head of the Church is not only excommunicate but a heretic as well.” And in bk.5 he says generally and without exception that all Christians are held to obey the Pontiff in spiritual matters, and other the like things.

7. I come to the kings of England who, from the beginning of its call to the Faith up to Henry VIII, recognized the Roman Pontiff as supreme Pastor of the Church. For the first king of Britain, Lucius, as soon as he took up the Faith, sent an epistle to Eleutherius [175-89AD] “beseeching,” as Bede says, “to be made by his mandate a Christian, and soon he obtained the effect of his pious petition.” By which deed and example he openly showed that he recognized the Pontiff as his Pastor, for how could he make petition of so necessary a sacrament from someone other than his Pastor? Again he professed that the Pontiff has the keys of the whole Church, and that to him it principally pertains to receive through the door of baptism kings and princes within the Church. Otherwise why did he not rather from some British bishop (if perhaps someone was there as successor from the preaching and ordination of Joseph [sc. of Arimathea]), or at any rate from some neighboring bishop, make petition for baptism? For, as we take from Irenaeus bk.1, ch.8, already at that time in Germany, Gaul, and Spain, which are provinces nearer the island of Britain than Rome, churches had been founded and bishops created, so why did he send messengers to none of them but to the Roman Bishop only? Not, certainly, for any other reason than that he believed him alone to have universal jurisdiction and superior power over the Church. Also we related above from Bede, bk.3, ch.25, that the king of Osuvi, when he heard that to Peter principally were given the keys of the kingdom of heaven and came to believe that his successor was the Roman Pontiff, said: “I say to you, that here is the doorkeeper, whom I will not contradict but, to the extent I know and am able, I desire to obey his statutes in everything.” “As the king was saying these things,” says Bede, “those sitting by gave their support and hastened to what they knew to be better to transfer themselves.” And many other things about the recourse of the kings of England to the Apostolic See in matters and business ecclesiastical are reported by Bede.

Again Pope John X [914-28AD] admonished King Edward as one of his sheep, as Polydore relates, bk.6. And there is a very good epistle of King Edward to Nicholas II [1058-61AD] which he thus inscribes: "To the Supreme Father of the Universal Church Nicholas, Edward by the grace of God king of the English due subjection and obedience," Baronius for the year 1060, note 9. And afterwards in an epistle he makes confession and petitions him to ratify what the Pope's predecessor had, under the name of obedience and penance for a certain vow, enjoined on him, and to confirm certain privileges; and afterwards he says that he is increasing and confirming the donations and customs of monies which St. Peter has in England, and that he is sending the monies collected along with royal gifts, etc. Almost the like epistles are found of one of two Edwards, king of England, to Boniface VIII [1294-1303AD], and of the other to Clement VI [1342-52AD]. And there are also, Baronius for the year 1190, very good words of King Richard II to Clement III [1187-91AD]: "A juster success is to the deeds of princes allotted when from the Apostolic See they receive strength and favor and are by the conversation of the holy Roman Church directed. For that reason we have thought it worthy to transmit to the knowledge of Your Blessedness what things between us and Lord Tancred, the illustrious king of Sicily, were recently in a public and necessary compact celebrated." And later: "We strenuously ask Your Holiness and the holy Roman Church that the holy Apostolic See receive on our behalf a pledge of faith; and so that it may confidently do so, by the testimony of the present letters to you do we concede free power more severely to compel us and our heirs and our land, if against the aforesaid peace we will have come, etc."

In addition, Kenulph king of the Mercians in England wrote an epistle to the Pontiff John III [561-74AD] in which he first gives thanks to God, because "when He thought that the most glorious Pastor of his flock Adrian needed to be perpetually rewarded above the skies, yet by pious providence he had raised over his sheep him (that is, Leo) who has knowledge to lead the Lord's flock to the fold of a higher life." And later: "Wherefore I consider it opportune the ear of obedience to your holy commands humbly to incline." And afterwards, having humbly asked for blessing, he subjoins: "This blessing all who before me were kings of the Mercians merited to secure from your predecessors; this I myself humbly beg, and from you, most holy one, I desire to obtain it, insofar as, in the first place, you may receive me a son by lot of adoption to yourself, as I choose you a father to me and embrace you always with all the strength of obedience." Baronius for the year 169. Also is reported by Peter of Blois a certain letter of the queen of England, which is number 144 for him, in which against the tyranny of a certain Christian prince she implores the aid of Pope Celestine [422-32AD], saying: "Whom God has constituted above the nations and kingdoms in all plenitude of power." And later: "Nor can you ignore those things without the note of crime and infamy, since you are Vicar of the Crucified, successor of Peter, god also of Pharoah." And after she has reported that the tyrant held the keys in derision, she concludes: "Although you do not wish to prosecute the injury to you, yet you may not ignore the disgrace to Peter, the injury to Christ."

8. In addition there can in this place be adduced, as sign of this spiritual subjection, the custom of the kings of England, which Edward above kept in mind, of sending tribute to the Roman Church in reverence to St. Peter, which custom took from King Ina its beginning, on the evidence of Polydore bk.1, and was conserved and increased by his successors, as is pursued in bk.5 and other places. And afterwards it was,

by a law passed by William the Conqueror of England, confirmed, and is among his laws called the tenth, and has, as inscription, concerning Peter's Pence. And in this way it was, up to the times of Henry VIII, paid to the Roman Church. Hence is it very well collected by Sander, the cited work, bk.5, ch.6, that it is not likely the kings of England, who in honor of the saint made their kingdom subject of tribute to the Roman See, denied to the same See the spiritual government of the same kingdom. And this evidence can be richly added to by the things that Azor gathers together in part 2 of his *Institut.*, bk.4, ch.35.

9. Finally it can be confirmed from the ancient use and practice of the ancient Catholic kings of England, who always petitioned from the Pontiffs, both dispensations in vows or ecclesiastical laws, and confirmations of bishops, and also the accustomed pallium to be given to archbishops, and would often send the archbishops themselves for receiving the pallium finally to Rome, but sometimes the kings would petition from the Pontiffs that it be given to them in their absence. At times too bishops and kings, in controversies which they had among themselves, would appeal to the Pontiff, about which and many like things can be seen Neubrigensis, bk.1 *Rerum Anglicanarum*, and Malmezburiensis, bk.1, *De Gestis Pontificum*, and bk.1, *Histor. Novel.* And Peter of Blois epistle 136 with many others, and Matthew of Paris in *Historia Regum Angliae*, Baronius for the years 1100, 1117, 1174, and as many times as the history of the kings of England crops up. Other things too are collected in summary by Sander in *Clavi David*, bk.5, ch.6. Which here it is not necessary to repeat, since (as we noted above) even Henry VIII himself, king of England, bequeathed, before he fell into schism, a great writing in defense of the Roman See and its authority, in his *Assertio Sacramentorum Contra Lutherum*, artic.2. Where among other things he says: "I will not be so unjust to the Pontiff as to dispute with anxiety and solicitude about his right, as if the thing were held in doubt." And that was why he petitioned for a dispensation from the Pope, because at that time he acknowledged himself subject to the spiritual power of the Pontiff, according to the faith and tradition which, not only from this predecessors, but from the universal Christian world he had received; to which tradition he also in his book bears witness.

10. Finally this truth manifestly follows from a certain principle proved in chapter 6 of this book; for we proved that a temporal king has by force of his royal dignity no spiritual power or jurisdiction. Which principle is not less true of English kings than of others, as is evident of itself; for that is why King James strives to persuade all kings of the opposite, because he sees that the cause and reason are the same. From this principle, therefore, we thus conclude: temporal kings do not have spiritual power over the Church; therefore it is necessary that in spiritual things they be subject to the ecclesiastical power. The proof of the consequence is that there are in the Church only sheep and pastors, or sheepfold and pastor; but he who does not have spiritual power is not a pastor; therefore it is necessary that he be a sheep, otherwise he will not be in the fold or a member of the Church. And indeed, it is against all reason and right order that in the Church there should be some who can spiritually neither rule nor be ruled, otherwise neither is the Pope completely and perfectly Christ's Vicar, nor would things be done in order, nor could the Church be preserved in unity and peace, nor finally could there be sufficient provision for the safety of all the faithful.

Hence this reason not only proves that the temporal king is subject to the Pontiff in spiritual things, but also that by ordinary right each king is subject to his bishop, unless he be exempted by the Pontiff and be received immediately under his protection and

jurisdiction. That which the king of England takes badly and reprehends in Bellarmine is however manifest, if the due order of ecclesiastical hierarchy be considered. For kings are counted among the sheep having no spiritual jurisdiction; therefore by the force of this status, and with attention only to natural or divine right, they do not have a greater exemption from the jurisdiction of bishops than do other layfolk dwelling in the same diocese. And this is proved by the example of Ambrose and the like and by what Chrysostom said, “you have greater power than him,” and some other things which we related above. But it is more clearly handed down by Clement III [1187-91AD] in ch. ‘Omnes Principes,’ *De Maiorit. et Obedientia*, where it is noted by the Gloss and by Panormitanus and other doctors, and in ch. ‘Solitae’, under the same title. But from this ordinary right kings are wont to be exempted by the privilege of the Pontiffs, but in no way from obedience to the Pontiff himself can they be exempted, and for that reason they are to him chiefly said to be spiritually subject.

Chapter 22: Christian kings are subject to the power of the Pontiff not only as to their persons but also as to their royal power, that is, not only as men but also as Christian kings.

Summary: 1. First conclusion. 2. This assertion is common among Catholics. 3. Proof of the conclusion. 4. It is shown from the part of kings themselves that directive force over them exists in the Pontiff. 5. Convincing proof of the same from an efficacious dilemma. 6. By examples the same dependence of kings on the Pontiff is shown. 7. The matter of civil and canon law. 8. Civil laws making disposition about ecclesiastical matters are by right itself invalid. 9. When a Pontiff can intervene in secular judgments. 10. For defense of the Faith kings can be compelled by the Pontiff.

1. To the assertion proved in the preceding chapter a second is to be subsumed, which follows from the preceding one, and which responds to the question posed second at the beginning of the previous chapter, namely, that the Supreme Pontiff by force of his spiritual power or jurisdiction is superior to temporal kings and princes, so that he may direct them in their use of temporal power in order to a spiritual end, by reason of which he can prescribe such use, or prohibit it, or demand it, or impede it, insofar as will for the spiritual good of the Church be agreeable. For by directive power we do not understand merely the power of advising, or admonishing, or asking, for these are not proper to a superior power; but we understand a proper power of binding or of moving with moral efficacy, which others are wont to call coercive power; but this term more pertains to punishments, about which we will speak in the next chapter, but here we are talking of the jurisdiction for binding in conscience.

2. The assertion thus explained, then, is accepted by the common consent of Catholics, whom we in part alleged in chapter 4 of this book. For those authors who teach absolutely that the Pope has supreme power, even temporal, over the whole world make this their principal intention, and perhaps either all or most of them have spoken in this sense alone. For although sometimes they speak indistinctly and without sufficient declaration or even speak improperly (because the power of the Pope is not temporal but spiritual, which contains temporal things under it, and concerns itself with them indirectly, that is, on account of spiritual things), yet they often declare this sense and touch on the distinction either expressly or virtually. For they affirm that the Pope can do

some things indirectly but deny that he can do them directly. As passing judgment on a feudal compact, as the Glossa said in ch. 'Novit.' *De Iudiciis*, at the word 'Iudicare', which is followed by Innocent, and by Panormitanus, no. 17 and following; nay, if he is read attentively from no. 11, in no other way did he understand that the Pontiff has supreme temporal power. Likewise the Gloss said in rule 'Possessor.' 2, *De Regulis Iur.* in bk. 6, that the Pope can indirectly rescind a civil law in view of avoiding sin, but not that he can do so directly and *per se*, that is, when a reason ceases to hold pertaining to the salvation of the soul, where, although it does not formally use these terms 'directly' or 'indirectly', it does, however, in fact and by description declare the same sense.

There is a similar example in the Gloss, ch. 'Per Venerabilem,' *Qui Filii sint legitimi*, at the phrase 'Habeat potestatem', and it concerns legitimacy with a view to temporal things, which legitimacy the Pope cannot give directly, though he could indirectly. On which example can be seen Covarrubias, on bk. 4. *Decretal.*, p2, ch. 8, §8, no. 13 and following, and Molina, bk. 3, 'De Primogen.', ch. 2, no. 10, and following, and several others, whom they refer to. But the rest of the doctors, especially the theologians cited in chapter 4 above, denying that the Pontiff has absolute dominion over all kingdoms or direct temporal power over all kings, by unanimous consent teach this truth about the directive power of the Pontiff over kings and princes and over their jurisdiction and governance. They refer for this truth to many other doctors, and Bellarmine to many more at the beginning of his reply to Barclay, some of whom we will note in the following assertion.

3. The first and chief foundation we take from those Scriptures in which a universal care of souls is committed to the Pontiff. For full and perfect power for carrying this care was given to Peter, and so also to his successors, the Roman Bishops, because he who succeeds in office succeeds also in power; therefore such power was given for everything which was necessary for this governance; therefore in that spiritual power is included a directive force over any temporal power whatever that exists in kings or supreme princes. The assumption is manifest both from the words of the Lord, "Whatsoever thou shalt bind," and "Whatsoever thou shalt loose," and "Feed my sheep," and because to Christ's wise providence this pertained. Thence too is the first consequence easily shown, because not only is Christ true God, whose works are perfect, but also any prudent governor, who commits his functions to someone as vicar, or makes delegation of his power, gives as a result power for everything that to the end or effect of such commission or delegation is required, as prudent natural reason and rights both civil and canon prescribe, bk. 1, ch. 1ff., *De Iurisdict. Omnium Iudic.*: "To whom jurisdiction is given to him those things too seem to be conceded without which such jurisdiction could not be realized." And ch. 'Praeterea', *De Offic. Deleg.*: "From the fact that to someone a cause is committed, he receives fullness of power over all that is acknowledged to have regard to that cause.

4. It remains for us to prove the inference subsumed, namely that in this indirect spiritual power a force directive of temporal things is included. For this is what adversaries most deny, and they demand from us an express testimony of Scripture in which such inclusion is taught. But we easily reply that an express testimony of Scripture is not needed in everything, and that it is enough if it is collected from what has been written by a clear and necessary reason, or by the tradition and interpretation of the Fathers. We say, therefore, that it is contained in Scripture as the particular in the

universal, or as one of the necessary means is included in the end or in the power of directing to the end that belongs to such spiritual power. But this can be explained in a double way, namely either on the part of the temporal prince himself or on the part of his subjects. For, as I said, temporal kings are spiritually subject to Peter and to his successors; but the spiritual power given to Peter is universal, for directing all the acts of subjects by which eternal life can be lost or gained, as is proved by the indefinite word 'Feed' and by the universal power of binding and loosing; but one of these acts in a Christian prince is the due use of his governing power, for if he not use it justly he will be condemned; therefore, to the spiritual pastor of such a prince the faculty pertains of directing him in the use of his temporal power, if he deviate anywhere from right reason or from the Faith in justice or charity. Thus, therefore, that power extends indirectly to temporal things, for the use itself of temporal power, insofar as it can harm or benefit the soul, is contained under spiritual things as the particular under the universal, and as a necessary means under the end to which spiritual power is ordained. And this reason is very well implied by Pope Gelasius to the emperor Anastasius, where he distinguishes two powers, the spiritual and temporal, and adds: "Wherein the weight of priests is so much the greater the more they are also for kings themselves among men to give account in divine examination." Wherefore those words of Paul, *Hebrews* 13.17: "Obey them that have the rule over you, and submit yourselves," comprehend kings no less than the rest, because the words too are universal; and the reason added by Paul: "for they watch for your souls as they that must give account," proceeds also about kings, as I said from Gelasius; rightly, then, can we say that in those words this power of those ruling over the Church is contained.

In another way too, and a no less effective one, is this inclusion shown on the part of the subjects of a Christian temporal king, because if he should himself prescribe iniquity or permit his subjects beyond what is expedient illicit use of temporal acts or goods, it will lead to great spiritual loss for his subjects; but the Pontiff is bound to have spiritual care for the whole Christian people subject to temporal kings; therefore in this office is included the power of turning away from a Christian people all spiritual disadvantages which can from the abuse of temporal power redound to them; therefore by this title too it is necessary that the power of the spiritual prince extend indirectly to temporal things, so that he may so dispose temporal things that they do not harm spiritual ones. And this reason too is implied by Gelasius above if he be read as the other reading has it: "the more they are for very kingdoms too among men to give account." And both are also signified by Pope Nicholas to Michael, saying: "Christian emperors are for eternal life in need of the Pontiffs."

5. There is a further declaration of this reason. For both the temporal and spiritual power, insofar as they exist in the Church, ought so to have been conferred and possessed that they work to the benefit of the common good and salvation of the Christian people; therefore it is necessary that these powers observe a certain order among themselves, otherwise peace and unity could not in the Church be kept; for often temporal advantages are repugnant to spiritual ones, and therefore either there will be a just war between each power, or one must yield to the other so that all may be rightly ordered. Therefore either the spiritual power will be under the temporal, or conversely. The first can according to right reason neither be said nor thought, because all temporal things should be ordered to the spiritual end; therefore it must on the contrary be said that the temporal power is

subject to the spiritual, so that it not turn it from its end. For the powers are subordinated in the same way as the ends also are. And hence rightly did St. Thomas say, *Ila Ilae*, q.40, a.2, ad3, that wars are subordinate to the power of the Pope, because a power, virtue, or art that has respect to a superior end has inferior faculties subject to it in order to the same end. And q.60, a.6, ad 3, he speaks thus: "The temporal power is subject to the spiritual as the body to the soul, and therefore judgment is not usurped if a spiritual commander introduces himself into temporal affairs." And in *Sentences* 2, dist.44, in expounding the text ad 4, says that: "the secular power is under the temporal in those things that pertain to the salvation of the soul, and therefore in those things the spiritual power is more to be obeyed than the temporal, although in those that pertain to the civil good the temporal power is more to be obeyed." In which words too the above distinction is plainly indicated. But he adds a limitation, saying: "Unless perhaps to the spiritual power be also joined secular power, as in the Pope, who holds the summit of each power." Which could be understood of the one directly and of the other indirectly, according to the earlier words. But because these later words contain an exception from the former, he seems rather to be speaking in them of both powers direct, and consequently to be speaking of the Pontiff as he is at the same time Pontiff and temporal king. Next, that he has the summit of each power because in each order he has supreme power, although it is not equally universal; as even Innocent III said, in the cited chapter 'Per Venerabilem.'

And in this way are to be understood other things which the same St. Thomas delivers about the same power in bk.1 *De Regimine Princip.*, ch.14, and bk.3, chs.10, 11, 12, and 13, if however it be his work. In which places he uses various examples and likenesses to declare this truth, and with many histories and deeds of the Supreme Pontiffs he confirms the same. The same is very well and fully enough treated by Alexander of Hales, p.2, q.118, membr.3, a.1, and p.3, q.40, membr.5, penultimate question, and p.4, q.10 membr.5, after a.2, in the tractate *De Officio Missae*, p.2, a.2; by Hugh of St. Victor, bk.2, *De Sacram.*, p.2, ch.4; by Torquemada, in *Summa De Eccles.*, bk.2, ch.113; by Ubald, vol.1, in *Doct. Fid. Antiq.*, bk.2, ch.76; by Cajetan in *Apolog. pro Roman. Pontif.*, ch.13; Henry, *Quodlib.*, 6, q.23, where he says that "the Apostolic Priest is related to kings as the civic master-builder to the other artisans in the city;" by Bellarmine, *De Summo Pontif.*, bk.5, chs.6, 7, and 8; by Albert Pighi, bk.5, *De Ecclesiast. Hierarchia*, chs.14 and 15; by Sander, *De Visib. Eccles. Monarch.*, especially ch.4; by Vitoria, in his double lecture *De Potestate Eccles.*, and his second *De Potestate Civili*, and in his lecture *De Indis*, p.2, n.29; by Driedo, *De Libert. Christian.*, bk.2, ch.2; by de Soto, in *Sentences* 4, d.25, q.2, a.5, and bk.4 *De Iustit.*, q.5, a.4; by Navarrus, in ch. 'Novit.' *De Iudic. Notab.* 3, num.19, and following; by Almain, *De Potestate Ecclesiast.*, ch.8; by Molina, with reference to many others, vol.1 *De Iustit.*, disput.29; and the jurists agree, whom we will below refer to.

6. This dependence and subordination are in addition made plain by very good examples. The first is about lord and servant; for a lord has a particular power over a servant, which without doubt the Pope does not have over another's servant; hence it is rightly said that he does not have the direct power of a lord over him, and yet it is certain that any temporal lord whatever is subject to the power of the Pontiff, as far as due use of his lordship is concerned, so that it not be contrary to the spiritual salvation of either lord or servant; and in this sense is the Pontiff rightly said to have superior indirect power over another's servant. And in a like way paternal power belongs directly to the proper

parent and not to the spiritual Pastor, and yet that power, although given by nature, is subject to the spiritual power, to be ruled and directed by it, and so spiritual power can be said to be indirectly extended to the government of Christian sons. By parity of reasoning, therefore, the temporal power of the king is by the spiritual power of the Pontiff to be governed and directed. And the examples can be applied to the temporal prince himself, so that from them an argument *a fortiori* can be taken. For a king does not indeed have formal, so to say, or direct paternal power over the son of any of his vassals, nor proper lordship over the servant of any of his subjects, and yet he has eminent or indirect power for directing his vassal in the use of the paternal power which he has over his son; therefore much more does the Vicar of Christ have a like power over Christian kings in order to the spiritual good of the whole Christian people.

Besides, this power is displayed by its use. For it can be manifold but to two modes in particular it can be reduced, which can be distinguished in accord with the two powers of a temporal prince. For there is in the prince a power of jurisdiction, which is properly called civil and moral, of which chiefly are we treating. But so that this power can be feared and preserved, it has to have conjoint with it another power, not of right but of fact, so to say, which is physical and can be called executive or military. According to these two powers of a temporal prince we distinguish two modes of this spiritual governance or direction. The first pertains to acts of civil jurisdiction, such as is the emending or correcting of civil laws when these are not consonant with good morals. For then the Pontiff can emend them, either by passing contrary ones or by commanding secular princes to rescind or correct them. Which is the common doctrine of theologians, along with St. Thomas, Ia IIae, q.96, a.5. The same is copiously delivered by the jurists: Bartholus, in 1 'Privilegia', *Corp. de Sacros. Eccles.*, last question; Alexander, in 1. 'Captatorias', *Corp. de Testam. Milit.*; Antoninus and Imola, in ch. 'At Si Clerici', *De Iudiciis*; John Andreas, Calderino, and Abbas, in ch.1 'De Novi Oper. Nunciat.'; Felinus in ch. 'Ecclesia', *De Constitut.*, n.41; Covarrubias, in *Epit.* 4, *Decret.*, p.2, ch.8, §9, n.6 and following; Antonio Gomez, in 1 and 10 *Tauri.*, nos.37 and 38; Fortunato Garcia, in *Tractat. de Ult. Fin. Utriusque Iur.*, no.51, who refers to others. And this is very frequent in canon right and approved by common sense and the custom of the Church, and therefore it is not licit for a Catholic man to have doubt about the pontifical power.

7. But it is to be noted that the proximate matter of civil law is sometimes *per se* and directly distinct altogether from canon law, as when it is purely temporal and in no way sacred, nor is of itself ordered to a spiritual end, as is, for example, defining the price of merchandise, disposing the order of civil courts, and so on; but sometimes it communicates in some way with the matter of canon law by reason of a thing drawn under both laws, as laws about matrimony, funerals, pious bequests, and the like. When therefore civil laws are of this latter class they can not only directly but also indirectly be emended by the spiritual power and nullified, because the matter is either directly spiritual or is of mixed forum, and therefore the spiritual power can deal directly with it, and for that reason all civil laws that are concerned with such matters, if they be contrary to canon right, are corrected by it, because they are overcome by a more excellent power. And in this way civil laws that make disposition about matrimony are taken away by canon laws if they are repugnant to them; and those alone are in force that assist canon laws, in the way permitted by them. As, for example, civil laws used to permit matrimony among blood relatives of the second degree, over which the canon laws prevail by

nullifying them.

To this order pertain canon laws that make disposition about promissory oaths, so that they may altogether be kept, the civil law notwithstanding, and that prescribe to lay courts that they make them to be kept. In addition, to this too have regard canons establishing against civil laws that pious bequests with only two witnesses are valid. For pious causes fall directly under the spiritual power. Again civil laws that in many cases prohibit and punish second marriages are set aside by the canons, as is plain from the titles about second marriages, and so about other things. But, on the other hand, when the matter of civil laws is purely temporal, then they can only be corrected by the Pontiffs indirectly, when they either favor sins or give occasion to them. As are laws that allow excuses in bad faith, which are abolished by the canons, as is clear. And the same holds of laws that permit usury, concubinage, etc. Or also when they are less consonant with natural equity, as are laws denying sustenance to bastard sons, which are tempered by the canons. And, with the same proportions preserved, if any civil law were judged agreeable to the spiritual good of the kingdom and kings were negligent in passing it, the Pontiff could by his authority pass it, as Pius V did when giving form to the constitution of a census; which matter is sufficiently temporal, but the form seemed agreeable for avoiding the dangers of usury, and so the same reason for indirect power intervened.

8. To which can be added another way of nullifying civil laws by force of ecclesiastical power, namely when they make disposition in purely canon matter, as are those that are in particular passed about clerics and ecclesiastical affairs, and other similar ones that derogate from ecclesiastical liberty. But these laws are void by the right itself of nature, and they are by the canons rather declared to be than made void, because they are concerned with matter that is alien and outside the sphere of temporal jurisdiction; they can however be said to be in their root, as it were, nullified by virtue of spiritual power when the matter has been by spiritual power made canon and has been reserved to the ecclesiastical forum. For this too can be done by virtue of spiritual jurisdiction, when the matter concerns the divine cult or religion, as was said in the matter of *De Legibus* more at large. And of these sorts of laws there exist obvious examples in canon right under the titles *De Immunitate Ecclesiarum* and under the title *De Constitut.*, and several are adduced from them by the Gloss in the Extravagant ‘Quia in futurum’ of John XXII, under the term ‘Tormenta’. But, outside common right, a very good case is taken from an epistle of Louis the king of Gaul to Pius II, wherein among other things he speaks thus: “As you have enjoined, the pragmatic sanction hostile to your See we have from our kingdom and from our dauphin at Vienne, and from all our sway, by these presents driven out, overthrown, and taken it away by its roots.

9. And what has been said about laws can be proportionately understood about courts and sentences; for the Pope cannot directly usurp secular courts, but in a cause necessary for the spiritual good, he can either nullify an unjust sentence or reserve some temporal cause to himself; especially when there is strife among those who do not recognize a superior in temporal matters and it is judged conformable to the common good of the Church. And thus Innocent III said in ch. ‘Per Venerabilem’, *Qui filii sint legitimi*, that over the patrimony of Peter he himself exercises full power, “but in other areas,” he says, “after there has been inspection of definite causes, occasionally we exercise temporal jurisdiction.” And almost the same as to opinion was said by Bernard, bk.1 *De Consideratione*, for in ch.6 he says that temporal courts do not pertain to

Pontiffs, but he adds in ch.7: “But it is one thing incidentally to make excursus into them, when indeed there is urgent cause, but another to dwell on them as if they were important.” The reason is that it concerns the office of the Pontiff to prevent public sins, and to take away the moral occasions of them, especially those that are being brought in with some force or authority; therefore, if civil laws or secular judgments favor sins and provide occasion for them, they can by the Pontiff be either declared void or even made void, as Vitoria rightly said, lecture 1 *De Potest. Eccles.*, q.3, § ‘Utrum potestas spiritualis sit supra, etc.’ no.13. Also in a similar way it concerns the Pontiff to promote faith, religion, and piety, and therefore he can in their favor lay down some statute and prescribe that it be kept, notwithstanding any civil law whatever.

Another use of spiritual power can be in directing the temporal, to the extent it has the power and strength of executing or administering. And this use can be twofold, one is curbing the abuse of the power, the other is in moving it to necessary use and, if there be need, commanding it in help of the Faith or defense of the Christian religion. For both uses, then, there resides power in the Pontiff. And about the former indeed the thing is *per se* evident, because as Innocent III said in ch. ‘Novit.’, *De Iudiciis*, to curb sins is proper to the spiritual power, and it is especially obliged to do so when the sins are publicly harmful and contrary to the common good; but such is the abuse of royal power to inflict harm and to make unjust war; therefore, without doubt a king is in this thing subject to the Pontiff, who can thus prohibit him from such use of his power.

10. But that in the second way too the Pontiff can command kings is proved because Christian princes, whether by their duty, or by a certain legal justice whereby a member of the republic is obliged to come to its aid, or by Christian charity, they are bound to defend the Church and bring aid to it. Therefore, when necessity or cause demand, the Pontiff can, as spiritual pastor both of the Universal Church and of princes themselves, move them to use of their power, by stirring them up and obliging them by command. The assumption is evident from the terms, because all Christians are members of the one body of the Church, but members, as Paul says, *1 Corinthians* 12, ought for each other and especially for the good of the whole body be solicitous, each according to his power and dignity; therefore when the power of a prince is necessary, this solicitude and care is most incumbent on him. Hence Pope Leo, epistle 75 to the emperor Leo, says: “You ought unhesitatingly to face the fact that royal power has been not only for the governance of the world but also most of all for the protection of the Church conferred on you.” And Gregory, bk.2, indict.11, epistle 61, or ch.100: “For this purpose has power been given to the piety of emperors, so that those who desire good may be helped and so that the earthly kingdom may serve the heavenly kingdom.” And best Augustine, epistle 50, treating the verse of *Psalms* 2.10-11: “Be wise now therefore, O ye kings; be instructed, ye judges of the earth. Serve the Lord with fear,” says: “In one way he serves because he is a man, in another way because he is also a king. Because he is a man he serves by living faithfully; because he is a king he serves by sanctioning with due vigor laws that prescribe justice and that prohibit the contrary.” Hence the Council of Paris under Louis and Lothar, bk.2, ch.2, says: “The king ought first to be a defender of the Church, of the servants of God, etc.” And therefore the same emperors, Louis and Lothar, wrote to Pope Eugene: “Truly do we acknowledge ourselves indebted, according to the quality of our strength and the capacity of our intellect, to provide, in all causes that pertain to the divine cult, support and help to those to whom the governance of the

churches and the care of the Lord's sheep has been committed." And the Catholic emperor Charles V, in the Edict of Worms, said: "To the honor of Almighty God and to the reverence of the Roman Pontiff and of the holy Apostolic See, we, according to the duty required of the imperial dignity, with both zeal and eagerness, in the custom of our forefathers, and also with our inborn strength, are ready, for the defense of the Catholic Faith and for the honor, guard, and protection of the holy Roman and Universal Church, to expose all our force and powers, our empire, kingdoms, dominion, life at last and our very soul."

But from these things the inference above made is easily proved. For if a king or a prince in providing this help to the Church should be negligent, without doubt can the Pontiff excite and move him by giving command. First from the principle above proved, that the Pope is not only pastor of the king as a man but also as a king, because in each office he ought to conduct himself rightly, so that he can be saved and please God; therefore the Pontiff can attend to and give him command to fulfill in this regard the obligation of a king. Next, although the necessity of the Church be not so urgent that there arise from the law itself of charity as it were a natural obligation, the Pontiff, when a sufficient cause intervenes, may impose it, because it would be a just precept; for in order to the spiritual end it would be consonant with reason, and hence it would be imposed by legitimate power. Because, although the Pontiff be head and superior in spiritual things, he has the power of imposing those precepts that in order to the spiritual end and the good of the Church are just and prudent.

And by this reason did Pope Boniface, in Extravagant *Unam Sanctam, De Maior. et Obed.*, tacitly giving his approval to the opinion of Bernard, 1.4 *De Consider.*, ch.3, say that in the See of Peter there was not only the spiritual sword but the temporal too. "But this one is for the Church and that one by the Church to be wielded; that one is in the hand of the priest, this one in the hand of kings and soldiers, but at the will and with the forbearance of the priest, because it is necessary that sword be under sword." Which he proves at large by showing that the due institution of the Church demands this order, and he concludes: "That to the Roman Pontiff every human creature is subject we define and pronounce to be altogether necessary for salvation." And in the same way Pope Nicholas II, speaking of the Roman Church, says: "It he alone founded who committed to the blessed key-bearer of eternal life the rights of the earthly as at the same time of the heavenly kingdom," namely by exercising the heavenly *per se* but the earthly by using its power, exciting it efficaciously, if there be need, by command. And in the same way the same Pontiff, in an epistle to the bishops of Gaul, enjoins on them and their defenders, "that with the spiritual as at the same time with the temporal sword they pursue certain wicked persons until the goods of the Church are recovered." Which with the appropriate division is to be accepted, for the bishops with the spiritual sword, but the defenders, that is the patrons or the princes, with the material sword are commanded to defend the Church.

Many like things can be taken from the *Decretum*, dist.96, chapter 'Si Imperator', where Pope John says: "from the ordination of God all secular powers ought to be subject to the Church;" and Gelasius, ch. 'Duo Sunt', writing to the emperor Anastasius, says among other things: "You know that you depend on their judgment and not that they are reduced to your will, etc." The same in ch. 'Quamvis', dist.22, Innocent I, in ch. 'Quoties', 24, q.1. Like things are had from Gregory VII, in ch. 'Quis dubitet', and from

Innocent III, in ch. 'Solitae', *De Maiorit. et Obed.*, where he says that the pontifical power is compared to the imperial as the soul to the body, or as the sun to the moon. The same in ch. 'Per Venerabilem', *Qui filii sint legitimi*, said in this sense: "in other areas too, after there has been inspection of definite causes, we occasionally exercise temporal jurisdiction," that is, not directly as in the proper patrimony of the Church, but indirectly, when a reason of the spiritual end demands it. Which is confirmed from *Deuteronomy* 17.8: "And if there arise a matter too hard for thee in judgment, etc." and from *1 Corinthians* 6.2: "Know ye not that we shall judge angels? How much more things that pertain to this life?" Thus finally is to be received what Bernard said above and epistle 256 to Eugene: "Both swords are now to be exercised: by whom, then, if not by you? Each belongs to Peter, the one at his will, the other in his hand, as often as it need to be drawn." For the phrase 'at his will' needs to be expounded, for it is to be understood of just and prudent will, as by the other phrase 'as often as it need to be drawn' makes sufficiently plain. But this will supposes power which, for a certain eminent reason, is called the material sword, insofar as it can by it be efficaciously moved. There is, therefore, in the Pontiff as to this part too a directive power over temporal princes. And thus is sufficiently declared and proved the posited assertion, which will in the following chapter be more fully confirmed.

Chapter 23: It is shown that the Supreme Pontiff can use coercive power against kings, even up to deposing them from their kingdom if there be cause.

Summary: 1. Target of the controversy with the king of England. 2. Power for coercing unjust kings certainly exists in the Supreme Pontiff. 3. The same is proved from the Scriptures. 4. By the rod in Scripture coercive power is signified. 5. The evasions of adversaries are rejected. 6. The power of binding includes coercive power. 7. It is shown that Pontiffs can punish temporal kings even with temporal penalties. 8. The same is collected from the deed of St. Peter the Apostle. 9. The usage of the Pontiffs confirms the same truth. 10. The same is proved by reason. 11. Confirmation. 12. The power of punishing with temporal penalties is necessary for the Church. A tacit evasion is excluded. 13. Kings are not more exempt from the coercive power of the Pontiff than are others. 14. Although the Pontiff cannot punish a heathen king, yet he can free the subject faithful from his dominion.

1. Here, as I said, is the hinge and chief target of the present controversy. For indeed king James, who denies the Pontiff's jurisdiction over the Universal Church and especially over kings, has cared little about the directive power. But, on the other hand, he is anxiously afraid of the Pontiff's coercive power, that power especially which extends itself to despoiling of the kingdom, because, persisting in his error, he does not believe his scepter is secure if such power is believed by his subjects to exist in the Pontiff. So that he can, then, persist freely in his blindness, he wishes to deprive the Church of all remedy against heretical princes. Which before him was also the fabrication of Marsilius of Padua and of other enemies of the Church. But the contrary is taught by all the Catholic doctors whom I above mentioned, and Bellarmine in his cited new work notes them more at large, and it is not less certain than the other things that have been said. Nay, if these be carefully weighed, refutation of the said error and defense of the Catholic truth proved by usage, authority, and reason will not be difficult.

2. For first, that in the Pontiff there is power for coercing temporal kings who are unjust and incorrigible and especially schismatics and stubborn heretics follows evidently from what has been said. Because directive force without coercive is ineffective, witness the Philosopher *Ethics* 10, last chapter. Therefore if the Pontiff has directive power over temporal princes he has coercive power too, if they refuse to obey his just direction by law or precept. The consequence is proved because things that are from God are ordered and instituted in the best way; therefore if God gave the directive power to the Pontiff, he gave the coercive, since the institution would otherwise have been made imperfect and ineffective. Hence, by the contrary reason, theologians teach that the Church does not have power of prescribing acts merely internal, because it cannot pass judgment on them and consequently cannot impose on them a penalty, which pertains to the coercive power, as St. Thomas says, Ia IIae, q.91, a.4, and q.100, a.9. Therefore, conversely, since the Pontiff can by effective command direct the temporal power in its acts, he can also compel and punish princes not complying with him in things which he justly prescribes.

3. And this reason was without doubt enough; but because adversaries demand Scriptures, from these too we can confirm this truth in no obscure way. For Paul 2 *Corinthians* 10.4 first speaks thus: "For the weapons of our warfare are not carnal, but mighty through God to the pulling down of strong holds." And later he subjoins, v.6: "And having in a readiness to avenge all disobedience." And later, v.8: "For though I should boast somewhat more of our authority, which the Lord hath given us for edification, and not for your destruction, I should not be ashamed." Now in these words the Apostle openly teaches that he had from God power of avenging and punishing all disobedience of any of the faithful whatever, as far as was necessary for the edification and good of the Church; but the power of avenging or punishing is coercive, as is evident *per se*. Hence Chrysostom in homily 22 on that place speaks thus: "For this purpose have we received power, that we might edify: But if anyone should struggle and strive and be so disposed that he cannot be cured by any reason, then finally we use also another faculty, striking him down and laying him low." Theophylact too expounds it thus: "We have in a readiness penalty and vengeance." And later: "Especially indeed for edification have I received it (namely power), but if anyone is incurable, we will use demolition." And later: "If I wanted to boast, because God has given me somewhat more, so that I should have power for conferring benefits first of all, and, when I am compelled, for punishing, I will not be ashamed, that is, I will not be shown arrogant or a liar." And in this way do Theodoret and other Greeks give exposition to the letter, and Anselm among the Latins, and Cajetan on that place, and St. Augustine in epistle 50, when he uses this testimony for proving that the Church can compel heretics with penalties to bring them to their senses.

4. The same power of avenging is, in fact, signified by Paul with the name of the rod, 1 *Corinthians* 4.21: "What will ye? Shall I come unto you with a rod?" according to the phrase of Scripture, *Psalms* 22.9: "Thou shalt break them with a rod of iron," and similar places, and *Psalms* 22 [23].4: "Thy rod and thy staff they comfort me," the way Jerome expounds *Zechariah* 1. And he thinks the same about the aforesaid words of Paul, *Galatians* 6. More clearly did Augustine thus expound them, bk.3, *Contra Epistolam Parmen.*, ch.1, saying: "Now here it appears that he speaks of vengeance, which to signify he names rod." And Ambrose, epistle 18 to his sister Marcellina: "Whom the rod expelled from the heavenly sacraments, him meekness has restored." And bk.1, *De*

Poenit., ch.12: “What it is to come with a rod is taught by the attack on fornication, the accusation of incest, the rebuke of the tumor, the condemnation finally of the thing.” The same opinion is maintained by Gregory, bk.1, epist.4, and Tertullian, bk. *De Pudicit.*, ch.4, to pass over the expositors on the same place.

5. Nor do I see what can be said in response to these places, unless perhaps either that Paul was speaking to the common people of the Church subject to him not about kings, who are superiors; or that he was speaking about a power especially conceded to him, from which it is not licit to argue to the ordinary governance of the Church. But each is futile. For why do the words of Paul not comprehend disobedient and stubborn Christian kings? Not, surely, because there were then in the Church no temporal kings? But perhaps then too there were in the Church no English; so will his words not comprehend all them either? Or is it perhaps because kings are higher in power and temporal dignity? But this does not prevent them being subject to the yoke of Christ and ecclesiastical power, as we have shown; therefore if that power is coercive over bad Christians, as Paul is witness, it is also punitive over Christian kings; or if the king of England glories that he is exempt, let him either confess that he is not a Christian or let him show the divine privilege and the exemption made in the word of God, otherwise he by right loses the cause, albeit he in fact resist. But although the power of Paul, as far as it regards his person and apostolic dignity, be extinguished with him, it does not follow that it does not in the Church perpetually remain; because that same power was more perfectly in Peter by ordinary right and so as to have succession to him, because it was necessary for the office of feeding and for the agreeable governance of the Church, as was shown in earlier chapters.

6. And it is confirmed finally from the power of binding and loosing singularly given to Peter; for the power of binding includes also the power of coercing and punishing. And if adversaries deny this fact, they must show the exception, for Christ spoke in universal terms, saying: “Whatsoever thou shalt bind.” Add that Christ himself so interpreted that power, *Matthew* 18. For when he said: “If he neglect to hear the Church, let him be unto thee as an heathen man and a publican,” he subjoins: “Whatsoever ye shall bind on earth shall be bound in heaven.” As if he were to say, if he obey not the Church when it binds, let him be to thee as an heathen, because there will not be lacking in the Church power for binding so effective that what it shall bind will in heaven too be judged to be bound. And so, although Calvin and his followers twist this place, as they do others, the Church has from it always understood that there is in its pastors the power of coercing, at least by censure of excommunication, which is spiritual penalty. Which, that at the time of the apostles it was used in the Church, is sufficiently shown by Paul, *1 Corinthians* 5; and that it has in this way been kept by perpetual tradition is testified by all the rights, all the Councils, all the decrees of the Pontiffs, all the writings of the holy Fathers, and finally by all the histories, such that it is superfluous to bring them forward. But that this sort of coercion is especially necessary against heretics is sufficiently show by Paul, *Titus* 3.10, saying: “A man that is an heretic after the first and second admonition reject.” And by that verse of *2 John* 10: “Neither bid him god speed.”

Only I will not omit that which is of most importance for the cause, namely that it is a thing very much known for true that this censure has often been used by the Pontiffs against emperors and kings. For Innocent I excommunicated Arcadius and Eudoxus

because of crimes committed against St. Chrysostom, as is clear from the last of his epistles, and from Nicephorus, bk.13, ch.34; and the same is related by Gregory VII bk.8, *Registri*, ch.21. Gregory II bound with a synodal anathema the emperor Leo and his followers in the overthrowing of images, as is reported from Zonaras and others by Baronius for the year 726, no.24. And the same was afterwards confirmed by Gregory III, as Platina reports. Also Gregory VII, after often admonishing the emperor Henry IV, excommunicated him in a Roman Synod, as is contained in bk.3 of his epistles, epistle 15. And that the same sentence was by the succeeding Pontiffs and the Councils confirmed is eruditely confirmed by Bellarmine against Barclay, ch.9. And the same Gregory VII in another Roman Council bound emperors, kings, and other temporal princes who usurped the investiture of bishops or of other ecclesiastical dignities with the bond of excommunication *ipso facto*, as is contained in bk.7 of his epistles, after epistle 14. And the same put an interdict on Poland because of the king's very great offense committed in the killing of St. Stanislaus, as is in the writing of Baronius, for the year 1079, n.40. In addition, Alexander III excommunicated the emperor Frederick I, as Platina reports of Alexander III, where he also places on record many other things which show this supreme power in the Pontiff. Afterwards, Innocent III "branded emperor Otho the fifth with an anathema," as Platina says in his life. Gregory IX excommunicated Frederick II, as is had from ch. 'Ad Apostolicae', *De Sentent. et Re Iud.*, in 6. Finally John XXII excommunicated Louis of Bavaria, the intrusive emperor, as Albert Pighi reports at large in his book *De Visib. Monarch.*, ch.14. In addition this power in the Church is supposed by the Lateran Council under Innocent II, 1, ch.3, when it bids that by ecclesiastical censure, if it be necessary, secular powers, whatever duties they fulfill, be compelled publicly to swear an oath for the defense of the Faith, etc. Which form of passing a censure, which is to comprehend kings and emperors, is very frequent and was not recently usurped but is sufficiently ancient, since in a certain privilege conceded by Gregory I to the monastery of St. Medardus it is found, as is read after his letters. And to that place of Gregory the other Gregory VII refers and takes the same argument from it, bk.8, *Registri.*, epistle to Herimetus.

Basil the emperor also confesses the same power in the Pontiff over emperors in the 8th Synod, act.6, saying: "Pope Nicholas together with the Church of the Romans has pronounced an anathema against those who resist a decree and sentence of this sort. But we, once knowing this and fearing the judgment of the promulgated anathema, thought it necessary to comply with the judgment of the Roman Church." The same was recognized by Philip I king of Gaul, who was excommunicated by Urban II and was afterwards brought to his senses by Paschal and sent to Rome for release from it, as can be seen in Baronius for the years 1100 and 1101. The same was acknowledged by Louis king of Gaul, when he wrote to Alexander III earnestly requesting him to use his power against the king of England for the death of St. Thomas of Canterbury. And Henry himself king of England did not dare resist, and humbly undertook the penance imposed by the Pontiff, as Platina reports. A like example is reported by Peter of Blois in epistle 145 about Eleanor queen of England, who in her own defense and for her son who was unjustly held in prison by the king of Gaul requested the Supreme Pontiff's help and his use of the spiritual sword against the king. Lastly the same power was acknowledge in the Pontiff by the king of England who delivered the king of Gaul to Innocent III to be rebuked and, if he refused to listen to him, to be excommunicated, as we collect from ch. 'Novit.', *De*

Iudiciis, where the Pontiff has the words: "It is not our intention to judge of feudal compact." And later: "But to make decree about sin, of which without doubt the censure pertains to us, which censure we can and should exercise over anyone." Hence about the same Innocent III Matthew of Paris reports that, in the year 1204, he excommunicated John king of England and debarred him from his kingdom.

For this reason even Marsilius of Padua himself, as they report, did not dare to deny that the Pontiff can coerce princes and kings, especially heretical ones, by ecclesiastical censures of excommunication or also of interdict, but he did deny that he can proceed further against them, Azor, p.2, *Inst.*, bk.4, ch.19. And king James in defense of his oath of fidelity does not seem so sharply to resist the power of excommunicating than of temporally punishing, and so he defends the oath most with this title, that by it he is not compelling subjects to abjure the Pope's power for excommunicating a king but only for depriving him of his royal power and dominion. For he reckons, as he says in his *Preface* p.12: "The right of deposing kings has been sought out for the Pontiff by no legitimate title. And this unjust usurpation (as he calls it) and secular violence of the Pontiffs far and greatly exceeds excommunication, which is a spiritual censure." From which words it is sufficiently clear that he is not so averse to spiritual censure than to temporal coercion.

7. It remains therefore for us to proceed further against him and against Marsilius and others, and to show that the same power of the Pontiff can to coercion of kings by temporal penalty and to privations of kingdoms, when necessity requires, be extended. Which thing can by almost the same discourse from the same places of Scripture be satisfactorily done. For Christ the Lord gave to Peter and his successors power for correcting all Christians, even kings, and consequently, if they are disobedient or incorrigible, for coercing and punishing them; but he did not limit this power to ecclesiastical censures; therefore neither could it by us or by any prince of the Church be limited, but it pertains to the Roman Pontiff himself to decree and to determine fitting penalty according to occasion or necessity as it occurs. The first proposition we have already sufficiently proved, but the second we can show from the words of Christ often adduced and rightly weighed. For the word of Christ: "Feed my sheep," is indefinite, hence insofar as in the word 'feed' is included also the power of coercing, which is necessary in any pastor, such power is not delimited to censures but is left as to mode of penalty or coercion for determination by prudence or the equity of justice. For any pastor has power for coercing the sheep, not according to a determinate mode, but as it will be fitting or expedient for the sheep.

Next this we also collect from the other words of Christ: "Whatsoever thou shalt bind," for these too are general and indefinite. But if anyone says that in *Matthew* 18 they were declared and delimited to the tie of censure, we reply that it is declared there that in the general power of binding is included the chain of excommunication, not however that the power is limited to imposing that penalty alone. Both because no such limitation is from the context collected, and also because although there is mention only of excommunication made, nevertheless other censures fall under that power, as interdict, suspension, and again other ecclesiastical penalties. Nay, even the chain of precept and law is included under that power; and, from the force of such words, that power, as it is directive, is not delimited to this way of directing by means of personal precept or of settled law that obliges in this or that way, but it embraces indefinitely every appropriate

directing. The same therefore holds of coercion. And so from this place by Innocent IV along with the Council of Lyons was this power collected in ch. 'Ad Apostolicae', *De Sent. et Re Iud.*, in 6.

8. Besides, that this power is adumbrated in Peter's deed, at whose rebuke Ananias and his wife died, is indicated by Bede, bk.3, *On Luke*, ch.40, when he says that at the words of the apostle Peter Ananias and his wife fell, because it was expedient in the New Testament too that sometimes, though rarely, such vengeance happen, for the correction of others. And in bk.3 *De Mirabilib. Sacrae Script.*, last chapter, it is said in the name of Augustine, that it was done "so that it might be shown how great the apostolic authority was and how great the sin had been, and so that the rest might by the example be chastened." More clearly Gregory, bk.1, epistle 24, when treating of the office of Pastor, and of the kindness and severity and also zeal for justice that it requires, adduces Peter as example, saying; "For hence it is that Peter holding, by the authority of God, the principality of the holy Church, refused to be venerated immoderately by the well acting Cornelius and, when he discovers the guilt of Ananias and Sapphira, soon shows how much his power above the rest had grown. For with a word he struck down their life, which he seized with scrutinizing spirit, and again recalled that he was supreme in the Church against sins." And thus although that deed was extraordinary and done by special prompting and virtue of the Holy Spirit, nevertheless as Gregory says later: "The zeal for vengeance opened up the force of the power."

And the same is shown by Paul *1 Corinthians* 5.5 when he not only excommunicated the fornicator but even delivered him "unto Satan for the destruction of the flesh, that the spirit may be saved in the day of the Lord;" for the fact he says "for the destruction of the flesh" clearly indicates that he was punished beyond spiritual censure also by bodily vexation, and compelled to do penance that his spirit might be saved. And thus is the place expounded by Chrysostom in *orat.* 15, when he says that he was delivered to the demon for the destruction of the flesh, as Job was, although not for the same cause, so that "he might," he says, "scourge him with an evil sore or some other sickness." Theophylact: "that he might vex him with disease and make him waste away." Anselm too, although he adds another explanation, persists more in this one. For at the end of ch.24, explaining the act of the "rod", that is of the apostolic power for coercion, says: "By excommunicating some, by harshly reproving others, by bodily scourging others (as befits a father)." And afterwards, ch.5, says that the destruction of the flesh signified "strong affliction of the flesh done by the devil." And he reports that the Apostle had power "that anyone he excommunicated was at once seized and plagued by the devil for as long and as much as the Apostle wished." Which mode of plaguing required a singular quasi executive or imperative virtue over the demon, which is commonly not given to others; but nevertheless it supposes a jurisdiction of coercing not only by excommunication but also in other ways. And the same exposition is signified by Pacian, in *Paraenesis De Poenit.*, when from that place he collects that sometimes penalty and affliction of body is necessary; and similarly Ambrose, bk.1, *De Poenit.*, ch.12, insofar as he compares that destruction of the flesh with the afflictions of Job, as Chrysostom did. Therefore, according to this exposition of the Fathers we get from that place ecclesiastical correction and vengeance standing not in spiritual censure alone but also sometimes in affliction of the body, and therefore the pastors of the Church can use temporal penalty in order to a spiritual good.

9. Secondly, we can show this truth by the authority and practice of the Church. For among those Pontiffs, who we said excommunicated emperors and kings, Gregory II made Rome with the whole of Italy withdraw from the empire of Leo, as Baronius reports from Theophanes for the year 730, nn.3 & 4. And the same is attributed to Gregory III by Sigbert in his *Chronicle* for the year 731, saying: "he refuted the emperor Leo of error, and took the Roman people and the taxes of the West away from him." But Gregory VII deprived Henry IV of the empire and of the kingdom, as is clear from the sentence above cited, whose words are these: "Blessed Peter, prince of the apostles, incline, I beseech, your ears to us." And later: "Supported then by this confidence, for the honor and defense of the Church on the part of Almighty God, the Father, the Son, and the Holy Spirit, I by Thy power and authority deny to king Henry, son of the emperor Henry, who has with unheard audacity risen up against Thy Church, the government of the whole kingdom of the Teutons and of Italy, and I absolve all Christians from the bond of the oath which they have taken or will take upon themselves, and I forbid anyone to serve him as king." In like manner Innocent III deprived Otho, whom he excommunicated, "of the titles of empire," says Platina. Again Innocent IV, in the Council of Lyons, deprived the emperor Frederick II, already excommunicated by Gregory IX, of the empire, not only releasing his subjects from the oath of fidelity but also "by apostolic authority firmly prohibiting anyone from in any other respect obeying or attending him as emperor or king;" and binding with censure of *ipso facto* excommunication those who thereafter afforded him as emperor or king advice or help or favor. Finally Clement VI thrust Louis of Bavaria, who had unjustly obtained the empire and was already excommunicated by his predecessors, out of the empire and had someone else, namely Charles IV, elected legitimate emperor.

But besides these things, which have regard to the empire, Pope Zacharias in a similar case in the kingdom of Gaul transferred the title of the kingdom from king Childeric to Pippin, as is found in Gregory VII, bk.8, *Registri*, epist.11, ch. 'Alius', 15, q.9, and Baronius for the year 751 at the beginning, and for the year 841, n.3. Where also is reported that a change was made in the kingdom of Gaul at the time of the emperor Lothar and of his brothers Louis and Charles who, supported on the authority of the bishops, divided the kingdom between themselves and deprived Lothar of it on account of his crimes. Also Boniface VIII declared Philip the Fair king of Gaul deprived of his kingdom, and on that occasion promulgated his Extravagant 'Unam Sanctam', *De Maiorit. et Obedient.*, as Aemilius reports in his life of the same Philip. Again Gregory VII, when he laid an interdict on Poland because of the killing of Stanislaus, deprived king Bonislaus of the kingdom, as Cromer testifies, bk.4 of *Rerum Poloniae*. But we have a striking example in England itself in king John, who, when he was committing great crimes against religion, priests, and other innocents, and was often warned by Innocent III, so that, as disobedient and stubborn, he refused to come to his senses but rather became daily worse, was by the same Innocent, after much consultation with the fathers (as Polydore says), deposed from the royal dignity, and the peoples subject to him were absolved from their oath, and Christian princes, being informed of the fact, were admonished to pursue John as an enemy of the Church. Terrified by this sentence and struck with fear of imminent peril, John at last swore that he would abide by the decision of the Pontiff and handed the diadem taken from his head to Pandulph the Pontiff's legate, never in the future to receive it, either he or his heirs, except from the Roman Pontiff. So Polydore, bk.15.

Now all these and the like things were done not rashly or in a corner but some of them very frequently in Councils and sometimes in a General one, as in that of Lyons. And they were done in the sight of the whole Christian world, by which they were approved and entrusted to execution; therefore it is incredible that they were acts of usurped and not of true power. Add that the Lateran Council under Innocent III, ch.3, supposes the same power, when it says: "If a temporal lord, after being warned by the Church, neglect to purge his land of heretical deformity, let him be excommunicated by the metropolitan. And if neglect to make satisfaction within a year, let it be made known to the Supreme Pontiff so that thence he may himself declare the vassals released from fidelity to him and expose his land to occupation by Catholics, etc." From all which things an argument of the following sort is concluded: The Universal Church cannot err in things that pertain to faith and morals, but the Universal Church agreed to deeds of this kind and approved them as consonant with divine and natural right, and it likewise approves canon laws imposing penalties of this kind on temporal princes because of the gravest crimes; therefore it is as certain that the Pontiff can coerce or punish temporal princes with these types of penalties as it is certain that the Church cannot err in faith and morals.

10. Third, this truth is made plain by reason; for this power was necessary by a double title in the supreme head and pastor of the Church, namely both because of emperors or kings themselves and any temporal princes whatever, and because of the peoples subject to them. By the first title was this power necessary so that the Pontiff could either correct and emend a rebellious prince or even punish him as he deserves, for both pertain to the Pontiff: but if often happens that censures alone are not sufficient for these effects, as daily experience sufficiently shows. Therefore it must necessarily be said that Christ conferred this power on his Vicar, since he no less established him Pastor of Christian princes than of the rest of the Christian people. Wherefore, as far as concerns the first title, when either solely or principally the question is one of emending a prince who has sinned, Pontiffs are especially wont to use the censure, because it is the proper medicinal penalty of which Christ speaks *Matthew* 18. But if it happen that princes are corrected by censure and emended, the Church is not wont to proceed against them to rigorous vengeance by grave and public penalties; it can, however, and is wont to enjoin some penalties, both for repairing losses, if any have perhaps been by them inflicted, and also so that they may give as well to God as to the Universal Church some satisfaction. For to repair losses and compensate for injuries inflicted is not so much a penalty as a certain restitution and payment of a debt, even though compulsion for doing it require superior power. But besides this compensation due by commutative justice, reason of the common good and of legal justice requires that some penalty be applied to avenge the offense for the satisfaction to the Church and for example and fear to others. But when, notwithstanding the censure, a king is defiant and incorrigible in his offense, then graver penalties ought to be applied, and of this sort are almost all the cases above enumerated, as St. Thomas noted, bk.3 *De Regimine Principum*, ch.10.

11. And this part can be confirmed because, with respect to the other faithful or baptized Christians, the Church has power not only for coercing them through censure for emendation of the offense, but also for avenging the offenses through other temporal or bodily penalties in manner suitable to the ecclesiastical judge and pastor; therefore legitimate bishops of the Church have the same power, and especially the Supreme

Pontiff, over temporal princes even supreme ones. The assumption is manifest from the perpetual use of the Church; for the canons are wont to impose pecuniary penalties sometimes up to the confiscation of goods. Sometimes even they impose corporal penalties short of danger of life and limb, as is the penalty of flogging, sometimes even as far as condemnation to the galleys; and when the penalty of blood is necessary, although ecclesiastical judges are not wont to impose it because of the decency of their status, they can commit the culprit to the secular judge, bidding him to punish him according to the equity of the laws. All which things can be most of all considered in the crime of heresy. For heretics are not only excommunicated by the Church and afflicted with other spiritual penalties, but are also deprived of all their temporal goods, not only by the laws of the emperors but also by virtue of the canons. And lastly if he is either stubborn or relapses, by the laws of the emperors he is punished with death, but by the canons he is released to the decision of the secular judge, so as to receive retribution for the quality of his deed, according to the ch. 'Ad Abolendam', *De Haeret.*, with the like.

12. Now that these penalties are most just the use of the Church satisfactorily proves, and Augustine very well defends it, epistles 48 and 50, and bk.3 *Contra Epist. Parmeniani*, ch.2. But that this power is necessary in the Church of Christ as it was by him established is proved by reason; because if the subjects of the Church cannot by penalties of this sort be coerced, they would easily come to despise spiritual ones and do very great harm to themselves and to others. For as is said *Proverbs* 29.15: "A child left to himself bringeth his mother to shame." Hence the Christian thing would not be agreeably instituted, nor would it be sufficiently provided for, if it did not have power for compelling rebels who refuse to obey its censures. Nor will it suffice to say it is enough that there is in Christian temporal princes this power, both because princes too can themselves commit offense and need correction, as I will say even now. And also because avenging misdeeds pertains *per se* only to civil magistrates insofar these are contrary to the peace of the republic and human justice; but to coerce them as they are contrary to religion and the salvation of the soul looks *per se* to the spiritual power, and therefore to it should most pertain a faculty of using temporal penalties for such correction, either by inflicting them itself or by employing the service of the secular arm, so that everything may be done decently, in order, and effectively.

13. It remains that we prove the first inference, namely that if over the rest of the faithful of inferior order the Church has this power, it has also received it besides, in Peter especially and his successors, over supreme temporal princes. The consequence is proved, then, from the principle posited above, that these princes are as well the sheep of Peter as all the rest; and temporal dignity or power does not render them immune or exempt from such power or penalty, because neither from Christ's words nor from any other principle or reason can such liberty, or rather license for sinning, be collected. Nay rather is this power much more necessary in the Church for coercing princes of this sort than their subjects. First indeed, because they themselves are freer and so fall more easily and, once fallen, are with more difficulty corrected. Next because the sins of princes, especially those against faith and religion, are more pernicious, for they easily draw along subjects to imitate them, whether by example or by benefits and promises or even by threats and terrors. For which reason rightly did the Sage of *Ecclesiasticus* 10.2-3 say: "A foolish king will be the ruin of his people. For as the governor of a city is so also will be the inhabitants thereof." Which even the philosophers, led by reason and experience,

taught, as Cicero from Plato, bk.1 letters. Hence the same Cicero, bk.3 *De Legibus*, rightly also said: “Vicious princes do not only conceive vices for themselves but also pour them out on the city.” Because, lastly: “Princes offend more gravely than the rest, and therefore they should by their pastors also be more gravely punished,” as Gregory said about pastors themselves in *Pastoral*, p.3, ch.5, and it is referred to by Pope Nicholas against Lothar king of Gaul in his epistle to the same, and it is referred to in ch. ‘Praecipue’, 11, q.3.

14. And hence finally can easily be shown another title of this power over kings, namely for the defense of their subjects; for it not only regards the pastor to correct erring sheep, or to recall them to the fold, but also to ward off wolves, and to defend them against enemies, lest they be dragged from the fold and perish; but an unjust king, especially a schismatic or a heretic, puts his subjects in great danger of perdition, as is made known from what has just been said, and therefore Claudian said: “To the example of the king the whole world is conformed; the fickle crowd always changes with its prince.” Therefore it regards the office of the Pontiff to defend the subjects of an heretical or perverse prince and to liberate them from that evident danger; therefore Christ, who did and instituted all things well and best, conferred on Peter this power and comprehended it under the word ‘feed’ and under the power of binding and loosing. Therefore by it can Peter both deprive such a prince of his dominion and constrain him so that he not harm his subjects, and release them from their oath of fidelity or declare them released, because that condition is always understood to be included in such an oath.

Which title was by St. Thomas and approved theologians seen to be so grave and efficacious that it alone *per se* suffices for depriving an infidel king of his dominion and power over the faithful, even though the first reason of vengeance and just punishment is inoperative. For according to the doctrine of Paul, “about those who are without” the Church does not judge. Hence the same theologians collect that the Pontiff cannot punish a heathen non-baptized king on account of infidelity or other sins. And yet if he have subject faithful, the Pontiff can snatch them from his subjection because of the moral and evident danger of destruction, as St. Thomas teaches, IIa IIae, q.10, a.10. And it is collected from Paul *1 Corinthians* 6, for he rebukes the faithful because they were going to court before infidel judges, and he supposes that the Church can create judges, who may even in temporal things judge among the faithful, lest they be compelled to go to infidels; and to give proof of this he says, v.3: “Know ye not that we shall judge angels? How much more things that pertain to this life?” Which words are alleged by Gregory, bk.7, epistle 21, and he infers from them: “To him then to whom the opening and closing of heaven is given it is not licit to judge of the earth? God forbid.” Hence too a faithful spouse can be separated from an infidel spouse, if she cannot live with him without injury to the Creator, according to the doctrine of Paul, *1 Corinthians* 7. And by the same root baptized children are freed from the power and association of infidel fathers, lest they be again involved in their errors, as is said in the 4th Council of Toledo, ch.59. Therefore by like or greater reason is a king who is Christian or subject to the Church by reason of baptism deprived of his power and dominion over his vassals; therefore the title is *per se* sufficient for the Pontiff to be able to punish those princes and by right to deprive them of their kingdoms, and for this purpose to use the sword of other princes, so that thus sword may be under sword, so that they may be mutually aided in fighting for and defending the Church.

I could in this place expound, confirm, and defend other titles whereby the Roman Pontiff can from just causes make disposition of temporal things, as he did in transferring the empire, and in instituting the manner of election of the emperor, and in administering it, when it is vacant, and in other cases too pronouncing justice in temporal causes. But neither the brevity of this sort of work permits us to pursue all of them, nor are they necessary for our intention and plan, and therefore to other authors who have very learnedly disputed on these things I remit the reader.

Chapter 24. Objections to the doctrine of the previous chapters taken from Scripture are met.

Summary. 1. First objection. 2. Response is made to the testimonies of the New Testament. 3. To the testimonies of the Old Testament. 4. The prerogatives adduced by King James are weighed. The name of sons of God does not befit all kings. 5. Priests more frequently than kings are said to be anointed in Scripture. 6. This praise is especially attributed to the kings of Israel. 7. Priests are much more excellently called ministers of God than kings. 8. David was not called an angel, but he was made equal to one in a certain property. 9. Kings are nowhere called angels, but priests very much so. 10. A certain evasion is attacked. 11. From the fact that kings are called lamps no spiritual power is attributed to them. 12. Kings are nurses of the Church in temporal things, the Pontiff in spiritual ones. 13. The conclusion is drawn that the prerogatives introduced by the king bring nothing against the supreme power of the Pontiff. Solution.

1. So as more to confirm the Catholic doctrine that we have displayed in the three preceding chapters we have thought it necessary, at the end of this book, to make satisfaction to some objections whereby the power of the Pontiff over temporal princes is wont to be attacked by adversaries. And since Cardinal Bellarmine does this copiously in his last work against Barclay, therefore I shall propose only those objections which are insinuated by the king of England, or which contain some difficulty, or whose resolution might contribute something useful for greater manifestation of the truth. But I note (as I also warned above) that in these objections the cause of the primacy and power of the Pontiff over the laity is often confused with the cause of the exemption of clerics from the jurisdiction and power of the laity; which controversies, as they are distinct, so they are by us separated in our dispute (as they are by other Catholic authors); and therefore everything that pertains to exemption we reserve for the following book, and we will there make specific satisfaction to the objections pertaining to that matter. But because the exemption of the person of the Supreme Pontiff himself is conjoined with his divine dignity and with natural right, therefore we cannot pass over some of the things that are wont to be objected to the immunity of the Pontiff and to his supreme exemption from all human judgment. And although the superior power of the Pontiff over kings and princes, both in temporal and in spiritual matters, has been made plain by us in distinct assertions, as if in their parts or grades, yet, because the king speaks in indistinct manner against the primacy, therefore will we put forward his objections in more or less the same way, but in responding we will declare distinctly what is directly attacked by each, and thus we will more clearly and easily defend the individual things we have said.

The first objection, then, is taken from Scripture and has two parts, one we can in scholastic manner call positive, the other negative. The first is indicated by the king in his

Preface p.14, when he says in general that the authority and power which the Pontiffs have usurped for themselves over the temporal rights of kings is nothing other than an ambitious tyranny against the authority of the Scriptures; and about the same he says on p.22 that the power unjustly usurped by the Pontiffs conflicts with the Scriptures. But which these Scriptures are he does not say in those places but refers to his *Apology*, which he says is wholly devoted to asserting the authority of kings. In the *Apology*, however, I only find on p. 25 and 129 some testimonies of Scripture wherein obedience to secular princes, even for conscience' sake, is commended, and they are indeed the epistle to the *Romans* ch.13 along with others, which were treated by us sufficiently at the beginning of this book. To these he there adds many from the Old Testament which I note are of a double order. For there are certain of them in which obedience even to unjust and infidel princes is permitted, or praised, or prescribed, or in some other way confirmed, as is that of *Joshua* 1.17: "According as we hearkened unto Moses in all things, so will we hearken unto thee;" and that of *Jeremiah* 27.12: "Bring your necks under the yoke of the king of Babylon, and serve him and his people, and live." Again he adds the one of *Exodus* 5, that the children of Israel requested permission to depart from Pharaoh, and the one of *1 Ezra* 1, that they obtained similar permission from Cyrus, king of the Persians. And in this order should be numbered the other testimonies of Scripture which he afterwards brings together, in which the dignity of kings is declared with various titles of honor in the Old Testament, for kings are called 'sons of the most high God', 'Anointed of God', 'made according to the hear of God', 'lights of Israel', 'nurses of the Church'. In another order he puts certain deeds of the kings of Israel, which we will speak of in the following chapters.

2. However, the aforesaid testimonies neither contribute anything to the present cause nor, considered in themselves, contain any difficulty or controversy besides one, which furnishes occasion for a certain specific question; but that question is of a sort that the truth handed down does not depend on the resolution of it which, by running through them one by one, I will briefly make clear. For, to begin with, the places of the New Testament do indeed prove that there is in kings a true civil jurisdiction drawing its origin from God himself, and that therefore a king is in a proper way to be honored, and obedience is to be given to him, not only from fear of punishment but also from conscience; all of which we taught at the beginning of this book to be true according to the doctrine of the faith. But from them it can by no likelihood be inferred that kings have no superior by whom they are to be ruled in spiritual things, and consequently also in temporal things in their order to spiritual things; and therefore I said that those testimonies do not in any way pertain to the present cause. Nay rather, it is not even sufficiently proved from those places that the power of temporal kings is so supreme in its own order that they should recognize no direct superior in temporal things; for this, as I said, does not strictly have regard to the faith, although it be a thing most true by far and more consonant with Scripture, as we also showed in our discussion.

3. Nor do the former testimonies of the Old Testament prove anything more; for we only obtain from them that obedience is to be given to the king, or the prince, or the governor of the community, namely in his own forum when he prescribes a valid precept. For this and nothing else did the children of Israel offer to Joshua, when they said: "According as we hearkened unto Moses in all things, so will we hearken unto thee; only the Lord thy God be with thee, as he was with Moses." But the words of Jeremiah, if

they be understood about the absolute will of God whereby he decreed to give the children of Israel under the true dominion and power of the king of Babylon, prove at most that temporal kings must be obeyed, just as was said about the other testimonies. But if they be understood only of the permissive will whereby God had decreed to permit it for the punishment of the sins of the Jewish people, so that the king subjugated that people to himself by his own power and by fact rather than by right, thus the words contribute nothing to the cause, because the discussion in that place is not about a true king but about a tyrant to whom the Israelites were admonished to submit their necks, not so much for conscience' sake as for avoiding greater evils, as the words subjoined indicate, vv.12-13: "Serve him and his people, and live. Why will ye die, thou and thy people, by the sword, by the famine, and by the pestilence? Etc." And it also helps that the said words are from the prophet before the people were reduced to servitude to Nebuchadnezzar, and so he was rather inducing them not to resist his dominion and power, and consequently to serve him at least in fact, even though they were not bound by right to do so. And the reason is the same about the other places, whether Pharaoh or Cyrus were true kings of the people of the Jews or not, or (which is the same thing) whether the people of Israel were bound by right to ask for permission to depart, or whether merely in fact, because of the power of their princes, they did not dare to depart without their permission and will.

4. Much less indeed is urged by those testimonies wherein various titles of veneration and honor are attributed to kings, because some of them are common to others who are not kings, while some do not befit all kings but were prerogatives of certain persons. Which is clear from a brief run through of them one by one. For, in the first place, that the title of 'sons of God' is attributed to a temporal king is collected by the king of England only from the words which God says about Solomon, *2 Kings* [*2 Samuel*] 7.14: "I will be his father, and he will be my son." But these words, as they are there said, are certainly not common to all kings but contain a particular promise made to Solomon, as is clear both from the preceding words, v.13: "He shall build an house for my name, and I will stablish the throne of his kingdom for ever," and from the words subjoined, vv.14-15: "If he commit iniquity, I will chasten him with the rod of men, and with the stripes of the children of men; but my mercy shall not depart away from him, as I took it away from Saul, whom I put away before thee, etc." From which words it is openly clear that the words "I will be his father" do not fit Saul, although he was a temporal king chosen by God, made king immediately and without succession by God's authorship; that excellence, therefore, is not common to all kings, but a singular favor promised to Solomon.

Nay, there are some who think that the words in their propriety neither fit Solomon himself nor are literally said of him but of Christ alone signified through Solomon, because Paul alleges them of Christ in *Hebrews* 1, and because in Christ alone are they fulfilled, which God immediately promised, *2 Kings* [*2 Samuel*] 7.16: "And thine house and thy kingdom shall be established for ever before thee; thy throne shall be established for ever." But although it be true that the words do in a certain singular way fit Christ and are said of him in a historical or at least mystical sense, nevertheless we cannot deny that they are literally said of Solomon, for that is openly collected from the context and from *3 Kings* [*1 Kings*] 1 and from *1 Chronicles* 22 & 28. Now they are said of him not because of the mere dignity or power of a temporal king, otherwise they

would have been said of all kings and would fit Saul, which has been shown to be false; but because of the singular providence, governance, and protection under which God had determined to assume Solomon, or because he had decreed never to deprive him of the kingdom, even if he were to sin, but that he would chastise him, as God himself sufficiently declared in his words. Or, certainly, because he had determined to make him holy and just, and the name of ‘sons of God’ is more proper to the just than to kings. For kings, if they are impious, are not sons of God. And therefore if the words are understood of adoptive sonship to God, they have a condition attached, “if he be constant to do my commandments and my judgments,” as is expressly added in *1 Chronicles* 28.7, and later David is reported to have said to Solomon, v.9: “If thou seek him he will be found of thee; but if thou forsake him, he will cast thee off for ever.” Now in this way could it be said in the name of God to any just man: “I will be his father, and he shall be my son.” What prerogative, then, of temporal kings can be collected from those words?

The second title for kings, which the king makes much of, is that they are sometimes called Gods, and he mentions the verse of *Psalms* 81 [82].6: “I have said, Ye are gods.” But whence does the king show that those words are said specifically of temporal kings? Certainly he cannot show it, since it is false. For Christ in *John* 10 expounded the words differently when he said, v.35: “If he called them gods, unto whom the word of God came.” For the word of God was not made to kings alone, but more to prophets, or even to all the faithful, and especially the just. Hence Augustine on that place in *Tractat.* 48 understands Christ’s exposition about all men who through the word of God become by participation sons of God, and especially about the faithful Jews who then believed in God. Besides, the beginning of the psalm itself, namely v.1: “God standeth in the congregation of the Gods [alt. the mighty], etc.” can scarcely be adapted to kings, but best to the faithful and to prophets, or also to priests; but most of all to judges and their congregation, for it is added, vv.1-2: “he judgeth among the gods. How long will ye judge unjustly?” as is noted by Euthymius and others. Just as also in *Exodus* 22 judges are called Gods there, vv.8-9: “...shall come before the gods [alt. judges],” that is, to the judges, and later, v.28: “Thou shalt not revile the gods,” although Chrysostom understands this of priests, *Psalms* 137 [138] at the beginning, when he says that Scripture is accustomed to call a priest an angel and a God. And again many understand of priests and of judges the words of *Psalms* 49 [50].1: “The God of Gods [alt. the mighty God], even the Lord, hath spoken,” and that verse of *Psalms* 46 [47].9: “The strong Gods of the earth are greatly exalted [alt. the shields of the earth belong unto God, he is greatly exalted].” Which words can indeed comprehend kings, though not them only, but all the great and powerful ones of the earth, who are said to be Gods, not because they are, but because they wish to dominate in such a way as if they were Gods, or (if the appellation be taken in a good sense) because they in a special way participate in the power and preferment of God. In which way indeed can priests much more than kings be called Gods by participation.

5. The third note of kings is that they are called ‘anointed’, *1 Kings* [*1 Samuel*] 24. But this appellation is much more frequently attributed to priests, because by anointing are they consecrated, as is evident from *Exodus* 29, *Leviticus* 4 & 8. Hence when it is said *Psalms* 104 [105].15: “Touch not my christs [alt. mine anointed],” not only kings but priests too are included. And therefore perhaps (which is a thing to be noted) in *2 Maccabees* 1 both are conjoined when it is said of Aristobulus, v.10: “who is of the

family of the christ priests,” either to distinguish him from christ kings or from their priests, who were not christs, as they existed among the gentiles or in the law of nature. Next, external anointing of itself confers no power nor indicates any dignity, except the one it is imposed to signify. If therefore the king speaks of a christ or of someone anointed by this external anointing, whence does he prove to us that the anointing of kings signified their power over the Pontiff or over ecclesiastical matters, and not rather that by the anointing of the Pontiff himself is signified his primacy and excellence over kings? No reason can assuredly be given. But the truth is that from the force of anointing alone neither of them is signified or can be proved but has to be collected from other principles. But if the king is talking, not about mere external anointing, but about an invisible and interior one, since that happens through the internal grace of the Holy Spirit, not only can kings in this way be said to be Anointed but all the just and in a way all the faithful, and about them too can be understood the words cited: “Touch not my christs.” Neither can even all kings be called christs in this way, and it is clear that David, when in the place mentioned he spoke of Saul, did not call him a christ in this sense.

6. The fourth prerogative is that “he sits on the throne of God,” from *2 Chronicles* 9 there at v.8: “Blessed be the Lord thy God, which delighted in thee to set thee on his throne.” But, to begin with, in those words “the throne of God” signifies nothing other than the governance of the people of Israel, or the seat of the kingdom in that people. For as that people is in a special way said to be the people of God, because he chose it specially and sanctified it and undertook a particular care for it, according to that verse of *Exodus* 19.5-6: “ye shall be a peculiar treasure unto me above all people...and a kingdom of priests and an holy nation;” so the kingdom of it is said to be the throne of God, and more frequently is it called the throne of David and the throne of Israel, *3 Kings* [*1 Kings*]1 & 2, and often elsewhere. Hence just as God said to Samuel *1 Kings* [*1 Samuel*]8.7: “they have not rejected thee, but they have rejected me, that I should not reign over them,” so the throne of that kingdom could also be called the throne of God, because the kings of that kingdom were both made by God and were in some way put in place of God in the governance and care of the kingdom. That praise, therefore, thus understood is not common to all kings but is proper to the kings of Israel, nor does it signify in them another excellence or power but only the civil power for that particular people, given in a special way and election by God. Next, although all kings can be said to sit in the throne of God, because they are ministers of God and have their power from him, what is got therefrom except the temporal power of kings supreme at most in its own order? For in this signification there is not only one throne of God given but many, because as Nazianzen said: “A bishop too has his throne, on which he is put to rule the Church of God,” on *Acts* 20. There exists, therefore, a spiritual throne and there can be throne under throne, either in the same order, as a bishop is under the Pontiff, and a king sometimes in his own way under the emperor, or in a diverse one; and in this way the temporal throne is under the spiritual, because although both are of God or from God, yet “the things that be of God are ordered.”

7. A fifth excellence of kings is posited, that they are the servants of God, and so are they called in *2 Chronicles* 6. But this can be attributed to kings in two ways. First, by the very fact that they are kings, because they are the ministers of God whom in their office they chiefly serve or should serve; and in this way indeed the prerogative fits all kings; but it fits more and in a more noble way priests and Pontiffs, because they minister

to God in things of greater moment and of more excellent order, and by him are they more immediately established in their office; and for that reason Paul thus begins his epistle to the *Romans*: “Paul a servant of Jesus Christ,” and his epistle to the *Philippians*, “Paul and Timotheus, the servants of Jesus Christ,” and to *Titus*: “Paul, a servant of God, and an apostle of Jesus Christ,” and in the same way speak Peter and James and Jude at the beginning of their epistles, and John his *Apocalypse* 1. But in *Acts* 4 & 17 the preachers of the Gospel are called servants of God; nay they are also called “stewards of the mysteries of God,” in *1 Corinthians* 4.1, nay helpers too and ministers in *1 Corinthians* 3. But in another way the appellation of servant of God is said by reason of obedience to God, and of observance of his precepts, according to that verse of *Romans* 6.18: “Being then made free from sin, ye became the servants of righteousness.” In which sense without doubt Solomon called his father a servant of God in the said place of *Chronicles*, and in this sense neither are all kings servants of God but only the pious and those obedient to God, nor kings alone but all those made free from sin are servants of God, as is manifest from the said words of Paul and from the very frequent use of Scripture. Therefore this appellation denotes no particular excellence in kings.

8. Sixth the king ponders that the name of angel is sometimes attributed to kings, and he adduces only the place of *2 Kings* [*2 Samuel*] 14.20, where a certain woman said to David: “My lord is wise, according to the wisdom of an angel of God,” who also said above, v.17: “as an angel of God, so is my lord the king to discern good and evil.” And we can add a like place from *1 Kings* [*1 Samuel*] 29.9 where Achish said to David: “I know that thou are good in my sight, as an angel of God.” However these things were said not to all kings but only to David, and not because of his royal dignity, which in the place mentioned later he had not yet obtained, but because of certain special reasons found in him; namely because of his wisdom, his meekness of spirit, and his honesty of morals; therefore the person of that king, not the royal power, is therein commended. Add that in those places David is not called an angel but is in a certain property compared to an angel, which is a very different thing, as is *per se* evident.

9. Nor is that comparison to be taken according to equality but according to a certain imitation or even analogous proportion. For thus the particular “as” is frequently taken in Scripture, as in *John* 17.11: “that they may they be one, as we are”, and *Matthew* 5.48: “Be ye therefore perfect, even as your Father is perfect.” And very similar is the place of *Acts* 6.15 where it is said of Stephen: “they saw his face as it had been the face of an angel.” By which words neither is Stephen called an angel nor is any excellence of power indicated, but only a marvelous beauty or brightness or splendor of light which then appeared in his face. For that phrase is a Hebrew one, whereby the excellence of some virtue or beauty is exaggerated after the likeness of an angelic one, as is common. Thus, therefore, in the said place, that woman wished to praise the wisdom of David, not to call him an angel. Hence, if we are to speak truly and strictly, there is no place in Scripture in which the name of angel is attributed either to all kings or to any temporal king, although however it is written about a priest, *Malachi* 2.7: “For the priest’s lips should keep knowledge, and they should seek the law at his mouth; for he is the angel [alt. messenger] of the Lord of hosts;” where Cyril of Alexandria said: “Because he perspicuously proclaims the will of God and contains the hortatory law of speech;” and Jerome says: “The priest of God is called an angel, because he is a follower of God and of men and proclaims his will to the people.” Therefore from the appellation of angel

much more is the priestly dignity commended than the royal. For although a priest be said by metaphor or analogy to be an angel, yet the proportion is founded on the office itself or on the priestly dignity, not on any property found in the person of any priest, as was explained of the person of king David.

The same paralogism is committed when from that which is said of David by Samuel, *1 Kings* [*1 Samuel*] 13.14: "The Lord hath sought him a man after his own heart," the inference is drawn that kings are said to be 'made according to the heart of God.' Which is an open fallacy, both because David is not there said to be made according to the heart of God when he is made king, but he is said to be found to be a man according to the heart of God and therefore was he assumed by God to be the leader of his people; therefore, royal power did not make him to be according to the heart of God but the grace which God first conferred on him, so that when he was already made to be according to his heart God should also make him king. Therefore an inference to some excellence of kingly power is not thence rightly drawn, but there is only shown the equity of God's election and the singular election of grace in respect of the person of David. Hence God conferred no less a royal dignity and power on Saul, although however he did not find him to be according to his heart. For God said, *Acts* 13.22: "I have found David the son of Jesse, a man after mine own heart."

10. But if someone says that a king can, because of likeness and participation of power, be said to be made according to the heart of God, and that thus it fits all kings, we reply, to begin with, that this is not the sense of that place, as has been proved, nay neither can a place be found in Scripture on which it might be founded. Next we add that, although it be freely conceded, nothing further is proved by it than that a king participates in a certain special way in the power of God, or that the institution of kingship is pleasing to God and draws its origin from his providence. But how does this relate to the comparison with priestly dignity or pontifical power? For this is much more according to the heart of God, because it both pleases him more and draws its origin in a higher way from him. Nay, if we speak of the people of Israel, the pontifical dignity was for a special reason more according to the heart of God than the royal, for God invented and established the former from his sole good pleasure and wisdom, but the latter he conceded as if compelled to the request of the people, as is taken from *1 Kings* [*1 Samuel*] 8. And for much greater reason can the Pontificate among the Christian people be said to be according to the heart of God, because it is both more divine and of a higher order and was conceded by God to his Church by a greater providence and good pleasure.

11. Nor is the argument much dissimilar which is taken from the eighth title of the king, taken from *2 Kings* [*2 Samuel*] 21.17, where David is by his subjects called "the lamp [alt. light] of Israel." For those words too (as Abulensis there thought) can be understood as specially said of the person of David, on whom the eyes of the whole people were intent as on a lamp because of his singular virtue and fortitude, and therefore they were very afraid lest he be quenched, that is killed, because they hoped for great benefits from God through him. But let us grant that he was called lamp because of the eminence of the royal dignity, and that the name befits, under the same metaphor, all kings, what can thence be collected against the pontifical eminence? For Christ said to the apostles, and consequently also to their successors, *Matthew* 5.14, "Ye are the light of the world," which is something greater than to be a lamp, and hence, if we persist in the metaphor, indicates a greater dignity.

The final title the king takes from *Isaiah* 49, where Isaiah predicted about the Church that has been assembled from the gentiles, v.23: “Kings shall be thy nursing fathers, and their queens thy nursing mothers,” and he tacitly understands kings to be called nursing fathers because of the eminence of power which kings were going to have in the Church of Christ and in ecclesiastical things. But, first, Jerome explains the place there about the apostles and apostolic men, but the sense seems to be mystical one. We admit, then, that the discussion there is literally about the kings of the gentiles converted to the faith of Christ, but we say that not their power but their piety is there extolled. Such as it was in Constantine, in Charlemagne, and was also and now is in our Catholic kings who, with all their strength, apply themselves to helping the faithful and to guarding and spreading the true Church of Christ. This is also signified by Augustine *De Unit.*

Ecclesiae ch.7, when he said that Isaiah predicted that the kings of the earth, who first persecuted the Church, were afterwards going to be its helpers. In addition St. Cyril of Alexandria adds in his book 4 on *Isaiah*, and does so very well, that the prophecy was fulfilled, because “one may see that those who have believed in Christ are endowed, because of the piety of their lords, with honor and are thought worthy of all mercy, so much so that their lords seem to be none other than their nurses.” Add that the very metaphorical name of ‘nurse’ signifies or indicates nothing else than the care of feeding and promoting offspring, according to that verse of Paul *1 Thessalonians* 2.7: “But we were gentle among you, even as a nurse cherisheth her children.”

12. Hence not only kings but also apostles and Pontiffs can be called nurses of the Church, as Jerome wished and as Paul indicated, but in a far different way; for kings are (so to say) *per se* nurses in temporal things, but apostles in spiritual things, according to that verse of Paul *1 Corinthians* 3.1-2: “Even as unto babes in Christ, I have fed you with milk.” And thus Pontiffs *per se* nourish the Church as it is the Church, but kings as it is a civil and political assembly. But because that which is spiritual presupposes that which is animal, therefore the Church is much helped in spiritual things by good civil governance and by temporal benefits, and therefore are good and pious kings called nurses of the Church. For that name is more a mark of kindness and condescension than of power and majesty. Under which metaphor it is also attributed to God in *Hosea* 2 and in other places. And this sense of the words of *Isaiah* is declared by the words that follow where he at once subjoins about the same kings, 49.23: “they shall bow down to thee with their face toward the earth,” that is, to the Church, or Christ in the Church, as the Fathers expound. For because Christ is the head of the Church, says Jerome, rightly is Christ adored in the body, and especially in his Vicar. Rightly therefore do we understand that that prophecy is literally fulfilled in emperors and kings kissing the feet of the Pontiff, their face toward the earth, which many have done in presence before him, others showed by letters their ready spirit, and especially Edward, king of England, in his epistle to Clement VI. With which accords another prophecy of the same prophet, 60.14: “The sons also of them that afflicted thee shall come bending unto thee...and shall bow themselves down at the soles of they feet.”

13. It is therefore manifestly clear that from these sorts of notes of royal dignity nothing else can be collected than that to kings honor and obedience are due within their domain and in matter that is subject to them, which there is no one who denies; but it is not licit thence to infer anything that derogates from pontifical dignity. For all the titles befit the priest in a more excellent way and especially the Supreme Pontiff, as has been

declared by the by. And besides, priests and apostles are said to be the foundations of the Church, the salt of the earth, the light of the world, the ministers of Christ, the stewards of the mysteries of God, the helpers of God, the parents or begetters of the sons of God, *Galatians* 4, *1 Corinthians* 4; mediators between God and men, ambassadors of Christ and of God, *2 Corinthians* 5 and *Ephesians* 6; key-bearers of the heavenly kingdom and accordingly possessed of the royal throne, not an earthly one, but an heavenly, as Chrysostom said, *Homilia* 5 ‘De Verb. Isaiae’. Lastly they are called pastors by Christ and by the apostles, namely of rational sheep, that is, leaders and rulers of the flock of Christ, as Ambrose said bk.2 on *Luke* and bk.1 *De Dignit. Sacerdotal.* ch.2. And the king of England could have attributed this name as well to a king, because it is said to David, *2 Kings* [2 *Samuel*] 5.2: “Thou shalt feed my people Israel;” and hence he might take up a more apparent argument against us, because we collect the power of Peter from the word ‘feed’. But to this too we will easily reply that the word ‘feed’, since it is metaphorical, can signify diverse things, and has to be understood according to the subject matter and other places of Scripture and the interpretation of the Fathers. But in these ways it is manifest that, when said of David, it signified civil and temporal governing, as is in the same place, and in chapter 7, immediately explained, when it is said: “and thou shalt be a captain over Israel, etc.” But what was said of Peter signifies a higher and spiritual government, through the power of binding and loosing and the keys of the kingdom of heaven, to which temporal kings must be subject if they wish to attain the heavenly kingdom.

Chapter 25. Satisfaction is made to the other objection taken from the deeds of kings narrated in the Old Testament.

Summary. 1. Various actions of kings are brought in as objections. Response to them individually. Kings are bound by the right of nature to take away idols. 2. Jehosaphat brought the people back to God through the priests. 3. Why Jehosaphat sent princes along with priests. 4. Jehosaphat only designated priests who had from God the power of judgment. 5. The fourth action adduced by King James is solved. 6. Another action is added by the king. 7. It belongs to kings in their own way to take away abuses. 8. David did not touch the ark of God. 9. The king brings in as objections the deeds of Solomon in *1 Chronicles* ch.28 and *2 Chronicles* ch.6. These deeds display no spiritual power. 10. How the dedication of the temple could have been done by Solomon. 11. Two other deeds of the same order. A deed from *2 Chronicles* ch.34 is of no importance for the cause.

1. For foundation of this objection the king tries to show from Scripture that kings among the people of the Jews “managed everything” that in some way pertains to ecclesiastical governance. Because, since it should not be believed that they usurped a jurisdiction not given by God (since kings both just and holy exercised those actions), it is rightly inferred that they did everything by royal power. Hence further it is also established that kings can do the same now in the Church of Christ, because neither did the ancient kings have any other power besides royal, nor is there now less power in kings than there was then.

To prove this foundation, therefore, he induces, to begin with, a place from *2 Chronicles* 19 where three things are reported about King Jehosaphat. First, vv.3-4, “he took away the groves, he went out through the people and brought them back unto the

Lord God of their fathers.” Again, that in Jerusalem, v.8, “he established the Levites and the priests and the princes of the families of Israel to judge judgment and the cause of the Lord for the inhabitants thereof.” But from these nothing else can be collected than that they took away the groves or the idols, which was also done by other kings of Israel, Asa *3 Kings* [*1 Kings*] 15, and Hezekiah *4 Kings* [*2 Kings*] 18. This, I say, pertains also to secular kings from their office. For to worship idols is contrary to natural reason, and contrary to the common good of the human city or republic. Hence also, in the absence of faith, the kings of the gentiles would be bound to this very thing, if they wished properly to use the natural light of reason; and by greater reason are faithful kings bound to this, whether in the Old Law or now in the Law of Grace. That action, therefore, is not proper to spiritual or ecclesiastical power but is common to each or belongs to each forum, as they say, because it conduces to the end of each. But, particularly as to the exercise of it, there is wont to be need of the power of kings, as was in fact the case among the people of Israel because of their hardness; and therefore are the kings greatly praised who destroyed idols; but because they introduced idols, or were negligent in abolishing them, they are greatly blamed and marked. From that action, therefore, nothing is collected, as will immediately be more declared of another similar case.

To this kind of action also has reference the fact that many of the kings of the Jewish people are blamed, for the fact they did not take away the high places. For whether those “high places” were certain idols placed on high mountains or hills for worship, or whether they were certain altars erected on various mountains or places outside the temple or the place of the tabernacle for also sacrificing to the true God, almost always the term is in Scripture taken in a bad sense, and it signifies a place in which sacrifice was made in an undue and superstitious way. Because either sacrifice was made to an idol or, if it was made to the true God, it was not according to his will, that is, not in the place deputed by him, that is, in the temple when already built or before in the place of the tabernacle. About which can be seen Abulensis on *3 Kings* 3 q.3. In the way, then, that kings can and should overturn idols, the kings of Israel were also bound to taken away the “high places”, not as Pontiffs, but as executors and assistants of the Pontiffs. And for that reason the contrary negligence in them is especially blamed, because they were able more effectively to destroy them than the Pontiffs were by their teachings and precepts, and in addition because the history there was composed about kings in particular.

2. Almost the same thing can be considered in the second action. For when it is there said that Jehosaphat “went out again through the people...and brought them back unto God,” one must understand that he did it not of himself but through certain messengers or ministers, as is there commonly noted by interpreters. For the word ‘again’ indicates that he had before gone out on another occasion; but no other going out of Jehosaphat to his people is read of besides the one that is read in *2 Chronicles* 17, namely vv.7-8: “in the third year of his reign he sent of his princes...to teach in the cities of Judah, and with them he sent Levites...and priests;” this very thing, then, he is said to have done again in ch.19, namely, that he sent them to go round all the cities to teach and instruct the people in the law of the Lord. But this action, although *per se* and by office it pertains to the Pontiffs and to the priests, yet it belongs in their own way also to kings to furnish their own mode of providence for it. For thus now too Catholic kings are said to send preachers to the nations subject to them, because they are sent at their will and

request and under the protection of the same and at their expense. In this way, therefore, could Jehosaphat, by the providence of a faithful king who has zeal for God, go out by means of preachers and doctors to instruct the people, observing however the necessary mode and order according to the rite of that time. And therefore he is said to have sent priests and Levites, to whom that office *per se* pertained.

3. But that he also sent certain “of his princes” is not an obstacle, even if we admit that those princes were not of the tribe of Levi but were mere laymen, since they are distinguished from the Levites. This is, I say, no obstacle because either those laymen could be sent, not to teach, but to guard the Levites and priests and to restrain by their office the rebels and idolaters that there were then, and also, in case of need, to compel them to hear the word of God. Or certainly, although they too taught, there is no impropriety, because, although it does not pertain to laymen either to resolve doubts of the law or to define doctrine of the faith (for this was committed to priests, *Deuteronomy* 17), yet they could be learned and instructed in the law and in faith, so that they could instruct and exhort others; for this is neither evil from the nature of the thing nor is it found forbidden in the Old Law, especially since they did it by the consent of the priests. Just as in *Acts* 13, when Paul and Barnabas had entered a certain synagogue, the princes of the synagogue sent to them saying, v. 15: “Ye men and brethren, if ye have any word of exhortation for the people, say on,” although however Paul was not of the tribe of Levi, and therefore he was reputed by the Jews to be a mere layman. And we have a like example about Christ in *Luke* 4. Thus the action of Jehosaphat, therefore, when rightly understood, did not pertain to proper ecclesiastical government but to royal protection and to defense and propagation of the faith, which office is also by canon right commended to Christian kings.

The third action was to establish judges. And there too Levites, priests, and princes are enumerated. Where also two like things need to be explained, namely how it pertained to the king to establish Levites and priests in that office, and how he could associate lay princes along with them. But each will easily be understood if the other words that are added later are considered, namely, v. 11, “Amariah the chief priest is over you in all matters of the Lord; and Zebadiah, the son of Ishmael, the ruler of the house of Judah, for all the king’s matters.” Where the office of the king and the office of the Pontiff are openly distinguished, and the latter is said to preside over the things that have regard to God, but the king or his vicar over those that have regard to men. Thus therefore, when priests, Levites, and princes are said to be established to do judgment, a double judgment is comprehended under that term, as Cajetan rightly noted on that place, namely a secular judgment and, as it were, an ecclesiastical one, or one that pertains to sacred things. And in this way is the second question easily answered; for it is not necessary to associate the judgments or the persons but to understand them with an appropriate partition, for to secular princes ought the secular judgment to be committed, but to Levites the ecclesiastical. And thus should it plainly be understood, since the Pontiff ought to have charge over the one judgment but the royal governor over the other, when and as it might be necessary.

4. Also for almost the same reason, although the king be said to have established both judges, there is no need to understand it in the same way about all of them, for of himself he established lay judges, both choosing them by his own virtue and giving them power, but not so the Levites and priests, but only by attaching and designating them to

such office; for they had the power of exercising it from divine institution, whether immediately or through the Supreme Pontiff. Which is made plain from the other words: “Amariah the chief priest is over you in all matters of the Lord; and Zebadiah in other matters;” which, although they seem to be said in the same way, did, however, in respect of the Pontiff, not effect power, so to say, or confer it, but declared what pertained to the Pontiff by his own right, as is clear from *Deuteronomy* 17. But, power in respect of the civil governor flowed from the king, because it was especially established on the king’s behalf. Thus, therefore, although it be in one word said that he established these judges and those, nevertheless it must be understood about each with a distribution that is appropriate and in accord with law and due order. Princes, therefore, he made judges *per se* and by his own force, but Levites only in the manner of a *per accidens* cause by as it were attaching and nominating the persons, not however by creating them without the consent of the Pontiff. And in this way this action is of almost the same reason as the preceding, and does not pertain to proper jurisdiction of ecclesiastical governance, but only to a certain care and pious zeal of a faithful king, as was explained in the case of the others.

5. The king next adds another reason, which we can number in fourth place, namely, “to purge corruption and take away abuses.” But for proof of this he only adduces the place of *2 Kings*, or as he puts it, *2 Samuel* 5.6, where no mention is made of purging corruption or taking away abuses; but all that is reported is that, when David went up to Jerusalem to the Jebusites to attack the city, it was said to him by the inhabitants of the city: “Thou shalt not come in hither except thou take away the blind and the lame who say David will not come in hither [alt. thinking, David cannot come in hither].” But these words cannot in any way be applied to the reformation of morals or the taking away of abuses, because neither is the matter dealt with there, nor can it be thought that the Jebusites wanted to consult David on this matter under that metaphorical locution, as it were. Hence, although the words are obscure, and are therefore variously expounded by interpreters (as one may see in the Gloss, Theodoret, Abulensis, Carthusianus, Cajetan, and others on that place), nevertheless all agree that in those words the taking away of the blind and lame was only proposed to David as a necessary means for capturing the city. Either by those words other enemies of David among the Jebusites are signified, who rose up against him saying: ‘David will not come in hither,’ and they are called ‘blind’ because of the error of their mind, and ‘lame’ because they did not walk rightly with David. Or in fact the lame in body and the blind were placed on the walls of the city to defend it in mockery and derision of David (as seems more probable and more agreeable to the sense according to the Vulgate edition), but in neither sense is there anything of importance for the present cause, because the purging of corruption is not there dealt with. For although there is immediately subjoined that David proposed a reward to those who took away the blind and lame who hate the soul of David, and hence the proverb arose: “the blind and lame will not enter the temple,” the inference cannot thence plausibly be drawn that David, by taking away the blind and lame, wished to signify that the taking away of abuses and the purging of corruption pertained to himself; for what is this conclusion or connection or conjecture? Assuredly it can be nothing but pure divination.

6. To this action indeed pertains also the other that the king puts later, when he says of kings that: “they establish public reformers, having summoned and gathered for

that end priests and laity promiscuously;” for the taking away of abuses and the purging of corruptions has particular regard to public reform. But for proof of those reforms he only adduces the place already dealt with from *2 Chronicles* 17, whence all that is obtained is that Jehosaphat ordained or procured a certain reform by sending princes, priests, and Levites to reform the people by teaching and instructing them in the law of the Lord. But why laymen were sent along with Levites has already been made plain; nor is any gathering there read of that was made up promiscuously of laymen and Levites. Therefore just as we said that the sending was not an act of jurisdiction, so must we say it of this reform.

7. Wherefore (however it may be with proofs) we readily concede that it pertains to kings, within their own order and in the way appropriate for them, to take away abuses and purge their realm of corruptions. For, to begin with, if the corruptions and vices are against natural justice or just civil laws, or are against the peace of the republic, it directly pertains to the king to re-purge his subjects of such vices. But if the vices are in matter of religion or faith, after he has established through the same faith or through the Pontiffs (to whom it pertains to explain the will of God) that they are abuses and corruptions, it also pertains to the king to take away abuses of that sort, either by using punishment and coercion against his subjects, or also by carefully procuring that the ecclesiastical pastors apply their efforts to it at the same time, or finally by taking away with his strong arm the occasions for corrupt customs, just as we said a little above about the destruction of idols. For that was assuredly in that people a chief part of the reform of morals and the purging of corruptions. Although, therefore, it be expressly said in the Old Testament that kings took away abuses and purged corruptions, it can and should be understood in the aforesaid way and without any usurpation of ecclesiastical primacy. Just as now too Catholic and pious kings take away abuses and corruptions from their domains; nay, inferior princes too in their territories and private heads of families in their own home can in their own way and according to their own capacity expel corruptions from their home, and use all the providence, whether political or domestic, that can be exercised by them in respect of their subjects and that can be of service to that end.

To this head too has regard the example which the king adduces from *4 Kings* [2 *Kings*] 18 about the bronze serpent broken up by Hezekiah. For (as I said in book 2 chapter 12) although that serpent was made by command of God and had a good signification, because of which it had at the beginning a good use, nevertheless afterwards it began to be for the Hebrews an occasion for scandal and ruin because of the ignorance of the people, and their blindness of mind, and their hardness of heart caused by corrupt custom. And therefore rightly could the king, by breaking up the serpent, take from the people the occasion for their ruin. For although it was made by God’s precept, God had not for that reason commanded it to be preserved; but it was kept in memory of the divine kindness by the prudent and pious decision of the preceding princes of that people; but after it began to be worshipped and adored in an irreligious way, it ought to have been broken up according to the law that command: “Break the statues, and cut down the groves.” And because this law was spoken not only to the priests but also to the kings, therefore Jehosaphat could break up the serpent, not by exercising priestly jurisdiction but by fulfilling the law.

8. In the fifth place we put the other actions reviewed by the king, which contribute to the cause much less than the preceding ones; such indeed is “to take the ark

of God to an appointed place,” *1 Chronicles* 13. For David, about whom the discussion is there, did not carry the ark nor did he touch it; for it was first licit only to Levites, and second only to priests, *Numbers* 4, *2 Kings* [*2 Samuel*] 6, but not to David, although he was king. And therefore only for the sake of divine honor did he accompany the ark, which was licit not only for the king but to anyone among the people, as is said a little later in the same place, *2 Kings* [*2 Samuel*] 6, that David and the whole house of Israel brought up the ark. And the like is contained in *3 Kings* [*1 Kings*] 8. But it is added that King David danced before the ark. But what of it? Was that action proper to priests or to kings? Certainly it could seem to be more proper to men of an inferior condition. Hence a little later in the same place David was despised and blamed by Michal, not because he had performed an action of great dignity, but because he had been made, v.20. “as one of the vain fellows,” but he himself with great devotion and gratitude toward God replied, v.22: “I will play and be yet more vile than thus, and will be base in mine own sight.” David, therefore, did not deem that action to have been of priestly dignity, much less of pontifical, or above it, but to have been of great humility and reverence toward God, and Scripture portrayed the person of David to indicate this, but added, v.5: “David and all the house of Israel played before the Lord.”

9. Of the same order are certain deeds of Solomon, from which also a royal argument is taken, namely, “to build the temple, to dedicate it when built, and to honor it when consecrated by his presence.” But all these things kings do today even now, nay also other lesser pious and powerful men, and they are not for that reason reckoned to be exercising a work of ecclesiastical power, much less of primacy. For to build a temple is of itself just an act of religion that requires on the part of the builder, beside a pious will, only the means for the necessary expense, but on the part of God is required acceptance of it by himself or by his Vicars. But on that occasion God had shown his will sufficiently by a special revelation, and therefore on the part of Solomon only royal power and magnificence along with a pious and faithful will could have been wanting; therefore nothing else is rightly collected from that deed.

10. But dedicating a temple can signify two things. One is to consecrate it by some proper religious action; the other is to offer or give it to God by one’s own will externally manifested. In the first way, to dedicate temples pertains to priests or Pontiffs. Now in the dedication of that temple this action does not seem to have been other than either, on the part of men, offerings of sacrifices, which pertain to priests alone, as I will now explain, or, on the part of God, his presence or descent under the appearance of a cloud that filled the temple, to signify that the dedication pleased God, and therefore, as is said in *3 Kings* [*1 Kings*] 8.11: “the glory of the Lord had filled the house of the Lord;” which action was not of man but of divine honoring, to which King Solomon gave testimony saying, v.12: “The Lord said that he would dwell in the thick darkness.” In this sense, therefore, King Solomon cannot be said to have dedicated the temple, nor is it so read about Solomon, nor does the king of England attribute this to him, since he only says that by his presence he honored the work of consecration. But in the second way it is rightly said that Solomon dedicated the temple. But thence no argument is taken; for anyone can offer a thing or his house for the divine cult. As it is said in *Exodus* 35.29: “every man and woman, whose heart made them willing to bring for all manner of work, which the Lord had commanded to be made by the hand of Moses.” And it is at once added: “The children of Israel brought a willing offering unto the Lord.” Thus therefore,

in the said place of 3 *Kings* [*1 Kings*] 8.63 is it said: “The king and all the children of Israel dedicated the house of the Lord.” Next, as for what is added, that the king honored the work of consecration with his presence, it is clear that it was common to the whole people, and thus it makes nothing to the purpose.

But, to distinguish the mode of his presence, the actions that were performed in the dedication must be distinguished. The first was to bring the ark, the tabernacle, and the vessels of the sanctuary into the temple, and of this it is said, v.4: “those did the priests and the Levites bring up,” and it is added, v.5: “And king Solomon, and all the congregation of Israel, that were assembled unto him, were with him before the ark,” where the king is conjoined with the multitude and is distinguished from the priestly order. The second action was the offering of the sacrifices, and this was done without doubt by the priests as by the proper ministers; but it seems to be attributed both to the king and the people when it is said of them, v.5: “and they were sacrificing sheep and oxen, that could not be told nor numbered,” but they are understood to have been immolated by the priests, as is frequent in Scripture and also in the common way of speaking. And thus it is also said there, v.63: “Solomon offered a sacrifice of peace offering,” and again, v.64: “the king hallowed the middle of the court that was before the house of the Lord, for there he offered burnt offerings and meat offerings,” namely, through the priests, wherein no power above them is shown but rather an inferior status and condition. Hence now too kings, just as also other laymen, make offering through the priest. The third action was of praying, and this was also common to the whole people. Another action finally was to render an account to the people about the building and dedication of the temple, which indeed Solomon performed with royal authority and as the singular patron (and so to say) of the temple, yet he usurped nothing that was pontifical, nor did he show himself superior to the Pontiff. Therefore the whole of that deed pertains in no way at all to the cause about ecclesiastical and royal power or their comparison.

11. Next, for proving the same power of the king, two other deeds of almost the same order are brought forward, which have no greater force than the preceding ones. One is that “they had the book of the law, that was plucked out of the darkness, to the people,” from 4 *Kings* [*2 Kings*] 22. However it is reported in that place indeed that Hilkiyah the Pontiff said to Shaphan the scribe, v.8: “I have found the book of the law in the house of the Lord,” and it is added that he gave it to Shaphan, who also read it and afterwards said to the king that Hilkiyah had given him a book, which Shaphan also read before the king. But that the king had the book recited to the people is not said in that chapter, but only that the king, greatly moved by the reading of the book, sent the priests to consult God about the thing. But in chapter 23 it is added that the priests reported something to the king that a certain prophetess had said, and it is added, vv.1-2: “The king sent, and they gathered unto him all the elders of Judah and of Jerusalem. And the king went up into the house of the Lord, and all the men of Judah and all the inhabitants of Jerusalem with him, and the priests, and the prophets, and all the people, both small and great; and he read in their ears all the words of the book of the covenant,” where Abulensis expounds ‘he read’, that is, he had it read; for he thinks that Shaphan the scribe read the book, which is not foreign to the use of that locution, as the king himself rightly proves from another similar use in chapter 22. Yet, nevertheless, from 2 *Chronicles* 34 it is collected rather that the king himself read the book of himself, for there it is expressly

said, v.30: “he read in their ears all the words of the book.” But in this history what is there, I ask, that shows in the king a pontifical power or primacy? That he gathered the people, or read the book? Neither certainly. For to gather the people is not of itself a spiritual or ecclesiastical action, but indifferent, which could be done by royal authority for various ends. But that it should now be done for a spiritual end does not come from the spiritual power of the king but from his holy zeal and intention, for a faithful king aided by divine grace and faith can often use his royal and civil power for the spiritual good of his people, because, although he acts proximately in matter civil or indifferent, he can refer it to the said end. But to read the book was more a work of honoring, of humility, and of devotion than of power. And although he himself did not read but had it recited, he showed no greater authority, because it was the same to do it himself or to do it through Shaphan his scribe and minister, and because, although the book was sacred, the action of reading it is common to priests and laity.

Another deed is that kings “sometimes renewed the covenant between God and the people.” And the citation in the margin of the royal *Apology* is the place in *Nehemiah* or *2 Ezra* 9 at the end. But in that place it is not said that the king renewed the covenant between God and the people, nor could it be said, because at that time there were no longer kings in Israel. Since, therefore, it was said at the beginning of the chapter, v.1: “The children of Israel were assembled with fasting and with sack-clothes;” and since later was added, vv.4-5: “Then stood up upon the stairs, of the Levites, Jeshua, and certain others...and said, Stand up and bless the Lord, etc.,” the conclusion is made at the end of the chapter, v.38: “We make a sure covenant, and write it; and our princes, Levites, and priests, seal unto it.” From which context it is very clear that the whole people, either of their own accord or moved by the words of the Levites, renewed the covenant, and therefore the princes in the name of the whole people along with the Levites and priests sealed unto the covenant. But if someone perhaps ponders that ‘princes’ (who it is likely were laymen) are put in the first place, he may notice that the Levites too are put before the priests, and hence he may conjecture that the later place in that order seems to be the more worthy, as often happens. Also mentioned in the same margin is the second book of *Kings* (for us the fourth) chapter 8 verse 4, but I find nothing in the whole chapter. Now we cannot deny that in chapter 23, treated of above, after the reading of the book of the covenant, there is added, v.3: “And the king stood by a pillar, and made a covenant before the Lord.” And a little later is added: “And all the people stood to the covenant.” But in this deed too nothing else shines forth than the piety and the holy zeal of the prince. For the renewal or making of the covenant was nothing other than a certain renewing of fidelity to God, or a sort of new promise of obedience to his law; but this any man can do, or any people, whether of their own accord or provoked by the example or word of another. In this way, then, did the aforesaid king do it, and in doing it he went before others, so that he might provoke them by his example and word. Hence rightly Cajetan there notes: “See how much good a good prince may be cause of.”

From all these examples and testimonies, then, no spiritual jurisdiction or special power in things pertaining to God is shown to have existed in the kings at the time of the Old Law. But it is very well shown that a good and faithful king should be a defender of divine faith and of true religion, and that he will diligently see to it that all errors and superstitions against doctrine true and approved by the Church either should have no entrance or, where it may have been found, should be expelled. This fidelity, then, toward

God was shown by the aforesaid good kings and was, in the New Law, observed with the greatest piety by Constantine, Charlemagne, Charles V, and other Catholic kings, although they did not acknowledge themselves parents of the Church, or prelates, or superior to prelates, but sons, and subjects, and protectors.

Chapter 26. Satisfaction is made to the argument taken from the comparison of the king and the Pontiff.

Summary. Objection of the king from the deed of Solomon. 2. The deed of Solomon indicates in him no spiritual power. 3. Even in the Old Testament the Pontiff was superior to the king. King Uzziah was punished because he tried to undertake the office of the priests. 4. The preeminence of the Pontiff is shown by reason of his greater dignity. 5. From the deed of Solomon it is not sufficiently collected even that his civil power was above the Pontiff. 6. An argument taken from the old Pontificate over to the new is nothing in the present cause. 7. Instance of heretics. Response. 8. The argument of the adversaries is turned back against them.

1. After the rest of the deeds of the kings of Israel, the king of England introduces a deed of Solomon, “who took authority from Abiathar so that he was not a priest of the Lord,” as he himself relates; and hence he collects that the king was superior to the Pontiff, so that he thence concludes that the same is to be observed in the Church of Christ. This argument is founded on the place of *3 Kings* [*1 Kings*] 2 where Solomon commanded the Pontiff Abiathar to go as it were into exile, saying, v.26: “Get thee to Anathoth, unto thine own fields; for thou art worthy of death; but I will not at this time put thee to death, because thou bearest the ark of the Lord God etc.” And later the conclusion is drawn, v.27: “So Solomon thrust out Abiathar from being priest unto the Lord.” Now Solomon is never reprehended in Scripture for this deed; nay in ch.3 is added, v.3: “And Solomon loved the Lord, walking in the statutes of David his father; only he sacrificed and burnt incense in high places.” Which exception, of whatever sort it was (which is not now important), shows that up to that time Solomon kept the other precepts and consequently did not sin in that deed. Rather, some commend the clemency of Solomon in that deed because, although Abiathar was worthy of the penalty of death, Solomon allowed him his life because of the office of priest which he had exercised and because he had been partaker in the labors of his father, and he commuted the punishment to the milder one of exile and dismissal. But for that same punishment to have been justly inflicted it is necessary that Solomon had jurisdiction and superior power over the Pontiff; therefore the king was then superior to the Pontiff. Which Abulensis qq.28 & 31 admits on this place among others who were guided by this argument, and it was the opinion of St. Bonaventure in his tractate *De Ecclesiast. Hierarch.* p.2 sect.1 at the end, and on *Sentences* 4 distinct.24, in his exposition of the literal sense, which is also handed on by St. Thomas, if the little work 20 is his, bk.1 *De Regimine* ch.14 at the end, whom also many other grave authors have followed. From this fact, then, the king of England infers that the king is also superior to the Pontiff in the New Law, and hence that he has the primacy in his own realm.

2. This objection indeed is founded on a thing very dubious, namely whether in the Old Law the Pontiff was exempt from the jurisdiction of the king as to offenses and the judgment and punishment of them, which here we do not wish to dispute, because we

do not think that a truth of the faith, which is what we are teaching, depends on that controverted question among Catholics. Especially because, as I have often said, the question of the exemption of clerics from the jurisdiction of laymen in temporal affairs is altogether diverse from the question of primacy and power in spiritual affairs. Now, from that deed can at most be collected that the Pontiff in the Old Law was not exempt from the royal jurisdiction as to secular or civil or criminal tribunals. But one may not thence infer that King Solomon had any jurisdiction in spiritual affairs or in things pertaining to God, because that cause was a temporal one. For the crime which Abiathar is supposed to have committed was one of treason because of his conspiracy with Adonijah against Solomon. Again, the punishment of exile was temporal. But dismissal from the pontifical office either followed from the prior punishment of exile or was only a certain separation from the use of that office; which could then more easily be done, because two people then carried out that office, namely Zadok and Abiathar, and thus Abiathar could for a just cause be removed so that Zadok alone bore the pontificate. And perhaps, just as the sacrifices of that time were carnal and the ceremonies are called by Paul, *Hebrews* 9.1, “ordinances of divine service and a worldly sanctuary;” thus that pontificate was not so spiritual that someone could not be deprived of it for the crime of treason by the same majesty he offended, if jurisdiction was not lacking to it. For if it could deprive him of life, as those words indicate, “for thou art worthy of death,” what wonder that it could deprive him of the pontificate?

3. But I add further that, even with this concession or permission, it does not follow that the pontificate at that time was not simply superior to the king in dignity and power. The proof is that, to begin with, those functions were altogether distinct and *per se* and directly uncombined. For we are supposing about the king that he had supreme power in temporal things, which is simply true about direct power, whether it extended to priests and the Pontiff or not, from which question we are now abstracting, as I said. Next, to the Pontiff was committed power and administration of spiritual things, or of things that pertained to God and to the doctrine of the faith and to declaration of law, as is clear from *Deuteronomy* 17.8-12: “If there arise a matter too hard for thee in judgment...etc.” up to “And the man that will do presumptuously and will not hearken unto the priest that standeth to minister there before the Lord thy God, or unto the judge, even that man shall die etc.” And therefore in *2 Chronicles* 19 he is said to preside in things that are referred to God. In these things, then, the king could not introduce himself, as is sufficiently proved from the deed of King Uzziah, who, when he tried to exercise the ministry of the priest by burning incense on the altar of incense, was struck with leprosy until the day of his death, as is related in *2 Chronicles* 26. Which deed is expounded at large by Chrysostom *Homilia* 4 ‘De Verbis Isaiae’ etc., who addresses the king: “Stay within your limits; the limits of the king are one thing, the limits of the priest another.”

Now that among those two dignities the pontifical was simply greater is subjoined in express words by Chrysostom when he says: “This kingdom” namely the sacerdotal “is greater than that,” that is, the temporal. “For a king is not made plain from the things that are seen here; nor should his value be estimated by the gemstones that are affixed to him, nor from the gold with which he is clothed. He indeed has been allotted the things on earth to administer; but the right of the priest comes down from above.” Which he pursues at large later. And although he is often and in many matters speaking of the priesthood of the New Law, yet he also speaks of the Old, hence he later infers: “This

principate is greater, wherefore the king submits his head to the hand of the priest, and everywhere in the Old Scripture priests anoint kings." Hence again Chrysostom on *Psalms* 113 [115] when expounding the words, vv.9-10: "O Israel, trust thou in the Lord; he is their help and their shield; O house of Aaron, trust in the Lord; he is their help and their shield," he thence collects the excellence of the priesthood, when he says: "He divided speech between Israel and the priestly class, because a private man is not to be compared with a priest, but the latter far surpasses him." Therefore he thinks that it was for the sake of greater honor that the priestly class was divided from the rest of the people of the children of Israel, under which people kings are manifestly comprehended. And many collect the same excellence from the fact that in *Leviticus* 4 a nobler victim is commanded to be offered for the Pontiff than for the King, for that it was an indication of his more excellent dignity is noted by Philo, bk. *De Victimis*, and he is followed by Theodoret, Procopius, and others. And other indications of this excellence are wont to be taken from *Exodus* 19, *Numbers* 27 & 35.

4. The reason indeed for the greater dignity can be taken from the matter of each office; for the pontificate, even the legal one, was proximately ordered to God and did not touch upon men except in their order to God; the kingship on the contrary, however, deals wholly with men, and as far as concerns itself, or by the force of its object, it does not touch upon God except as is expedient for the good of men and of the republic. Hence the matter of the pontificate is of a higher order and was even then in some way spiritual. And next, just as the virtue of religion is higher than the virtue of justice, so the pontificate, which the functions of religion regard, is of more worth than the kingship, whose function it is to deal with justice. For in the Old Law too did this reason hold place. And by almost the same proportion his excess not only in dignity but also in power can be shown. For that the Pontiff then also had his own power, not only for administering, but also for giving command and passing judgment in controversies about the law and about doctrine, cannot be denied from the places cited in *Deuteronomy* 17 and *2 Chronicles* 19. But the fact that his power was supreme in its own order is proved by the words of *Deuteronomy* 17: "And the man that will do presumptuously..." And from the same words can be collected that they also include the king because they are universal; therefore the king too was subject to this power of the Pontiff, and was bound to stand by the Pontiff's definitions and decrees and to obey his precepts in his own area; therefore, in this respect, the Pontiff was superior to the king. But if perhaps the Pontiff was subject to the king as to temporal or civil crimes, and therefore in diverse respects and on diverse foundations they had a mutual relation of inferior and superior to each other, nevertheless, because of excess in matter and end, the power of the Pontiff can be called simply greater and superior.

5. I add in addition that from Solomon's deed (as far as it is of present concern) is not sufficiently collected that the king had jurisdiction over the Pontiff in a temporal or criminal cause (however it be with whether it can be proved from some other source). The proof is, first, that many think that Solomon in his capacity as prophet and not as king deposed Abiathar, as Theodoret says on that place q.9 and Procopius on the same, and several of the moderns. And they base themselves on the subject words: "So Solomon thrust out Abiathar from being priest unto the Lord; that he might fulfill the word of the Lord, which he spake concerning the house of Eli in Shiloh." For Abiathar was of the seed of Eli to whom God said through Samuel, *1 Kings* [1 *Samuel*] 2, that it

would sometime come about that the pontificate would be taken from his family because of the sins of his sons; which words were perhaps fulfilled in Abiathar. Now Solomon, understanding that fact by the prophetic spirit and moved by divine instinct, committed to execution what God had threatened. But if this be so, nothing can be collected from that place about the ordinary power or jurisdiction of kings over Pontiffs, because this was extraordinary. And this response can easily be sustained but with difficulty proved; because the words “that he might fulfill etc.” are frequently said even if God’s threats are fulfilled through evil ministers and deaths or unjust acts of violence. Because those words do not give a reason that may move a man to action but one that moves God to allow, or they signify the sequence of one thing after another, not a cause. Just as it is said about the soldiers who crucified Christ that they divided his garments “that it might be fulfilled etc.,” *Matthew 27.35*. Yet nevertheless the response is probable which we will by the authority of Innocent III confirm in the following book and which is defended by Cardinal Bellarmine both from other places of Scripture and from consideration of the Hebrew word, in ch.15 against Barclay.

But others do not hesitate to say that Solomon acted unjustly in that deed, by usurping a power he did not have. But I dare not affirm it because of the words of Scripture that I mentioned in chapter 3, and because in the ancient Fathers and expositors I do not find that deed numbered among Solomon’s sins or charged to his guilt. Wherefore if he had neither jurisdiction nor a special instinct or revelation, I would rather excuse him by saying he banished or separated Abiathar, who had conspired against him, not in punishment of him but as consulting his own defense and the preservation of peace and of the kingdom. For if Abiathar had conspired against him and was conjoined with Adonijah in friendship, Solomon could rightly be afraid that, after the death of Adonijah, Abiathar, who was in the office of Pontiff and in Jerusalem, might work something to his ruin. Therefore such circumstances could then occur that the king might prudently and without sin coerce the Pontiff in that way, even if he had no jurisdiction over him.

6. But I add lastly that even if we grant (which we are not now conceding) that the Pontiff in the Old Law was not exempt from the coercive power of the king, no argument is thence taken for the time of the Law of Grace. For the power of kings in the Law of Grace is not in itself greater than it was in the Old Law, for in both it is of a merely civil or natural order and origin, although in the Old Law it was conferred in a more special way by God. But the pontifical dignity and power is far greater and of a higher order, as is sufficiently clear from what has been hitherto said and as was said in our tractate *De Legibus*. And therefore no argument can be made from the old Pontiff to the Vicar of Christ in things that pertain to subjection and imperfection. For to the Mosaic Pontiff were not given the keys of the kingdom of heaven nor the power of binding and loosing, whose action on earth is held ratified in heaven, which were given to the Supreme Pontiff, the Vicar of Christ, along with a far greater supreme government of the Church than the old Pontiff had for ruling the Synagogue, to whom it is nowhere said: “feed my sheep,” as was said to Peter. Therefore subjection to a temporal prince is far more in conflict with the pontificate of the New Law than it was in conflict with it in the Old Law, and accordingly from deeds of the Old Law no argument to the New Law can be drawn. Besides, the pontificate of that law pertained to its ceremonies, which have already wholly ceased, and a new institution has been made, according to which supreme power and exemption has been given to the Vicar of Christ.

7. But adversaries urge against us a demand to display this institution from Scripture, and they use against us the second mode of arguing from the Scriptures which we above called negative, namely that nowhere is it found written down in the *New Testament* that the Roman Pontiff has primacy or power over kings, especially one that extends in any way to temporal things. But, if what we have so far said is weighed, we will not only reply easily to this argument but we also turn it plainly against the king of England. For first, about what concerns power and primacy over kings, it is already clear from what was said above, where we proved how this power is collected from Scripture and the words of Christ; nor is it necessary that the conclusion be express in Scripture, but it is enough and more than enough that it be made clear and firm by tradition and definition of the Church. But as to what pertains to exemption, besides what is manifestly collected from that superior power itself, it will in the next book also be proved from the words of Christ and the like tradition of the Church.

8. To the negative argument, therefore, we deny that the power of the Roman Pontiff over kings is not proved from Scripture. But we turn back the argument in this way: the primacy of the king of England is not proved from Scripture and according to his faith nothing is to be believed which is not contained in Scripture; therefore he is in conflict with himself by asserting it and by compelling his subjects to believe it. The proof of the major is that it is not made clear from the *Old Testament*, because all the testimonies brought forward do not prove it even about the state of the Old Law, as we have seen; and were they to prove it about that period of time, they would effect nothing for the state of the New Law, as was also shown. Nor can it even be proved from the *New Testament*; for all the testimonies adduced by the king are of no moment, as we have shown. Hence his chaplain (as I find related) admitted that the foundation of that primacy must be looked for in the *Old Testament*, and no trace or example of it is found in the New. And the same argument can be made against the exemption of the king of England from the coercive jurisdiction of the Pontiff, for the foundation for that, if there could be any, would certainly have to be looked for in the *Old Testament*; now it has none in the New but is rather in conflict with the general words of Christ, “whatever you bind” and “feed my sheep.”

Chapter 27. Satisfaction is made to other objections taken from the Councils.

Summary. 1. First objection. 2. Solution. 3. Second objection from certain provincial Councils. It is solved. 4. As regard the Council of Tours. As regard the Council of Chalons. 5. As regard the Council of Mainz. 6. As regard the Council of Reims. 7. Solution.

1. The king of England adds further in his *Preface* p.22: “The aforesaid power over kings usurped by the Pontiffs is in conflict with the Councils and the Fathers;” and he says he has demonstrated it in his *Apology*. Indeed in the *Apology* itself on p.29 he introduces, to begin with, the Council of Arles that met in the time of Charlemagne, which thus concludes at the end of its chapters: “These things which we perceived to be worthy of emendation we have noted with the greatest brevity possible, and we have decreed them to be presented to the Lord Emperor, requesting his clemency so that if anything here is deficient his providence might supply it; if anything is contrary to reason his judgment might emend it; if anything is arranged reasonably his help, with the aid of

divine clemency, might perfect it.” From which words the king of England wishes to collect that the Fathers of that Council recognized the emperor as judge and superior over them and over their decrees.

2. Yet they themselves thought nothing of the kind nor reckoned that the emperor thought it. For in the prologue of the same Council they thus speak of the emperor: “He arranges with watchful urgency the strengthening of the state of the Church of God.” And later: “Beseeching and imploring all the priests of God to instruct with pious preaching the churches which he has undertaken to rule, etc.” And at the end of the aforesaid words they do not ask that their decrees be confirmed by the emperor but that they be perfected by his help, that is, committed to execution. Therefore they recognize that the governance of churches is entrusted, not to the emperor, but to themselves; indeed they indicate two offices of the emperor in these sorts of things, namely to exhort and to assist the pastors of the Church in their governance; which, as I have often said, does not pertain to jurisdiction but to piety and human power or authority. There is also to be noted in those words that there is in them no talk about things of faith but about decrees pertaining to moral practice, as is clear from the words, “things which we perceived to be worthy of emendation we have noted with the greatest brevity possible.” So because there were in them many decrees that concern laymen together with clerics, as is clear from chs. 4, 5, 12, 13, 15, 22, 23, they therefore acted prudently by presenting them to the emperor so that, aided by his authority, they might be able more easily to commit them to execution. But the remaining words are words of urbanity, modesty, and humility, as is clear from the use of the like words; and so it is vain to collect from them a proper subjection or jurisdiction.

3. Secondly the king objects, “six General Councils altogether handed themselves over to Charlemagne.” Now he names the Councils of Frankfurt, Arles, Tours, Chalons, Mainz, and Reims. But, to begin with, I do not see why he calls these Councils general since almost all were provincial, and some were at most national; next I find nothing in the said Councils on account of which they may be said to have “altogether handed themselves over to Charlemagne.” And, in the first place, the Council of Frankfurt was without doubt not general; for, as is clear from the title of the letter of the same Council to the prelates of Spain, only the bishops of Germany, Gaul, and Aquitaine were present at it, and no mention is made of legates of the Apostolic See or of confirmation by it. But about Charlemagne is only said, in the title of the book of the sacred syllabus, that the Council was held in the presence of the most clement prince Charles. And there Charles is placed, not as author, but as exhorter and defender, nor as part of the Council but as an honorific witness. And although at the beginning of the book of the sacred syllabus Charles proposes to the Council the necessity of extirpating a certain error, yet afterwards it is only the Council which teaches the truth in the discussion of the book, whose author is said to have been Paulinus, and he at the end of the book thus speaks: “But we, lords and most dear brothers, following the sound doctrine of faith of the Fathers who preceded us, rejecting altogether all the ravings of frivolous men, let us with our heart have belief unto justice and with our mouth make confession unto salvation, etc.” But afterwards it prays only for Charlemagne “that God may protect him and defend him, etc.” and later it prays him to do battle for the love of Christ against visible enemies. Nor do I find there any word whereby the Council “altogether handed themselves over to Charles.” The king of England would have acted more satisfactorily if in the acts of the Council he had

considered that the same Charles, in his epistle to Elipandus and the other Spanish priests, calls himself, not father or primate of the Church, but son and defender of the holy Church of God. Again he could have noticed that the Fathers of the Council, when they pronounced their sentence at the end of the book, at once added: "With reservation in everything to the privilege of right of the Supreme Pontiff, our Lord and Father Adrian, most blessed Pope of the first See." Again he might note what they say later, "and of blessed Peter, the first Pastor of the Church." And again he can note that only the synod of the bishops wrote the doctrine of the faith to Elipandus and others; but later Charles wrote as protector and defender of the synod.

4. About the Council of Arles we have already spoken [chapter 9]. Now in the Council of Tours nothing else is found except that in its preface they praise Charlemagne and affirm that they have met at that place on his most salutary exhortations, but at the end they conclude in these words: "These things we have aired in our meeting; but as to how next our most pious Prince will be pleased to manage them, we his faithful servants are with cheerful heart ready for his command and will." For what else were religious and prudent and modest bishops going to say to a pious emperor who was, with holy zeal, attending only to those things that pertained to the good of the Church, not as governor of the Church, but as son and defender? Now in the Council of Chalons there are contained at the beginning words similar to those treated of above from the Council of Arles, and so there is no need to make the same repetition. For in that Council only morals were dealt with, and among its decrees are found also some things that are common to the laity, as chs. 18, 21, and especially 43; where, for that purpose, the opinion of the emperor is waited on for applying a remedy to certain public and common vices. Nor do I find any word in that Council whereby it altogether handed itself over to the emperor. But there is in ch. 66 only a decree that all should pray unceasingly for the king, which is a far different thing. Rather an addition is made there that the Council said that the warnings of the Scriptures and the decrees of the canons needed to be examined with careful search and carried out with like observance, wherein is commended, after the Scriptures, not the imperial but the ecclesiastical authority. Nay, rather the subjection of the Council to the emperor, which the king of England makes much of, is repugnant to chapters 28 & 37 of the same Council. For in the former is said that, concerning the degrees of consanguinity that prohibit or nullify marriages, the ecclesiastical canons are to be consulted, not the king. While in the latter is said that the canons of the Councils are to be read and understood by the priests, because priests should live and teach by them.

5. Almost the same judgment holds of the Council of Mainz, for although in the preface of the Council the Fathers treat the emperor with the same honor and refer all things to him as with the preceding Councils, nevertheless they make sufficient distinction there between the powers, and to the laity they commit controversies about mundane laws "and justicial matters of the multitude" (as they say), and bestow proper honor on each person and state, "according," they say, "to the word of blessed Peter (*1 Peter* 2.17), the first Pastor of the Church." Hence they add later: "In addition it also seemed fitting to us that priests be honored with the legitimate and undisturbed right of the Church of God; of whom the Lord says (*Luke* 10.16): 'He that heareth you heareth me; and he that despiseth you despiseth me; and he that despiseth me despiseth him that sent me.' And the Apostle says to the *Hebrews* 13.17: 'Obey them that have the rule over you, and submit yourselves; for they watch for your souls as they that must give

account.”” But later in ch.6, when they were making certain dispositions about sons disinherited by their parents, they add, since they seemed to be touching on civil matters: “As far as pertains to us or to our power;” and to the emperor they say: “But anything perhaps that is anywhere found to be outside our office, we dare to urge your clemency to correct it.” There they make open disposition in spiritual and pious causes by their own power; but where secular help is necessary they request it from the emperor. And thus in ch.7 about the causes of the poor they say: “Let this be altogether corrected by your command.” And in ch.8 they speak very well about each power.

6. Finally, in the Council of Reims honorific mention of the emperor is indeed made at the beginning, but nothing is attributed to him which seems to concede him any jurisdiction in the Council. Rather, when it is said at the beginning (which was said also in the four prior Councils) that “the meeting was convened by the most pious Caesar, Lord Charles, in the manner of the former emperors,” there is an addition made as it were in clarification of that manner: “on the order of Ulfarius, archbishop of the same holy See;” a fact we will explain a little later in the case of the General Councils as well. For these five, about which we have spoken, were without doubt only provincial Councils, and therefore the proper convoking of them, along too with power of jurisdiction, belonged to the archbishop, but it is attributed to the emperor as to one petitioning for it and cooperating with it through his temporal support.

Third, the king brings in as objection the first four General Councils. “Nay,” he says, “the other four too, thus commonly called, subjected themselves in everything to the prudence and piety of the emperor. So much so that the Council of Ephesus inculcates with sufficient clarity that they came together summoned by the wise word, the will, sanction, and mandate of the emperor.” He introduces in addition words of the same Council in its epistle to the Augustuses, where the Fathers say that “they all take flight together as suppliants to the dominion of his piety, so that what they have carried out against Nestorius and those who agree with him might have the emperor’s strength.”

7. However, the king hides in the first four Councils all the things that show the primacy and power of the Roman Bishop over the emperors and over the General Councils, and he only snatches on one word or another that commends in its degree the imperial dignity, and that is readily understood from other places. And since the king adduces nothing in particular about the Council of Nicea, and since we mentioned many things above, there is no need to add anything here, especially since it is well known how much the emperor Constantine deferred in that Council to the bishops and to their power.

From the 1st Council of Constantinople too the king notes nothing, although however he should not ignore what the Fathers of that Council wrote to Pope Damasus, namely: “By the mandate of the letters which were sent last year by your reverence after the Council of Aquilea to the emperor Theodosius, we prepared ourselves to make the journey as far as Constantinople, and we carried the consent of the bishops along with us about celebrating this Council;” Theodoret bk.5 *Hist.* ch.9. Behold how the emperors concur in convening Councils, namely by asking and requesting from the Pontiff a mandate for convoking them or, when they have obtained it, by procuring its execution, or by giving commands in virtue of it.

From the Council of Ephesus too might the king note the words of the emperors Theodosius and Valentinian which they put in their epistle to the Council. For when they sent Count Candidianus to the Council so that he might be as it were the protector of the

Council and the guardian of the peace, they subjoin: "But by the law and on the condition that he have no common share in questions and controversies that concern dogmas of the faith; for it is impious for him who is not inscribed in the catalogue of the most holy bishops to involve himself in ecclesiastical business and consultation." These words are contained in vol.1 of that Council ch.32. And in ch.29 there is contained an epistle of Cyril to Pope Celestine, where he asks that, in the cause of faith that was then being dealt with against Nestorius, he might clearly expound by letters his judgment to Macedonia and the bishops of the entire East. And from vol.2 it is clear, especially from ch.13 on, that nothing in that synod was done without the authority of the Pontiff. Besides, in the acts preparatory to the Council of Chalcedon there is contained an epistle of the Augustuses Valentinian and Marcian to Pope Leo, to whom they thus speak: "We thought it right at the beginning with sacred letters to address Your Holiness, who posses the principate in the episcopacy of the divine faith, inviting and asking Your Holiness to pray to the eternal divinity for the stability and status of our empire, so that we may obtain that intention and desire, insofar as, once the impious error has been taken away by the celebration of a synod on your authority, there might be the greatest peace among all the bishops of the Catholic Faith." In which words I put very great weight on the words "on your authority;" for by them, along with the preceding ones, is very well explained what the emperor or what the Pontiff confers in convoking a Council, namely that the emperor confers intercession and the Pontiff authority. And the same words suffice to explain the words of the Council of Ephesus about the convoking of it by the emperor. Indeed the things that the Fathers of the same Council (see vol.4 of the same Council ch.14) wrote to Theodosius after the Council's definition, begging that the things done and defined thereat might receive his strength, have the same sense as explained above, namely that the Fathers asked them to protect and defend the faith by their authority. Hence later in another epistle to the Augustuses, ch.16, they exhort them to follow in the footsteps of their predecessors, so that, they say, "just as each of them obeyed the synods of the holy Fathers celebrated at the time of their rule, and fortified the sanctions of the Fathers with their laws, and showed by their decrees with what observance they deferred to them; so you also, etc." Where they clearly teach that it belongs to an emperor to obey and observe the decrees of General Councils, but then to fortify them with his laws and to provide for them to be carried out. On which point can also be read the 3rd Roman Synod under Symmachus, where not only the Fathers but also king Theodoric attribute to the Pontiff the power of convening Councils, although he often use it at the request of emperors and kings.

Chapter 28. Satisfaction is made to the testimonies of the Fathers that the king objects. *Summary. 1. A first testimony from Augustine. Nothing favors the king. 2. A second from Tertullian. Which however only commends the supreme power of kings in temporal affairs. 3. A third from Justin. 4. A fourth from Ambrose. The true mind of Ambrose. 5 A fifth from Optatus. Its true sense. 6. A sixth from Gregory. 7. Response of Baronius for the year 593 nn.14ff., and of Bellarmine in response to the king of England. 8. Other testimonies of the Fathers commending the imperial dignity, and the explication of them. 9. In the testimony of Cyril, already related in the previous paragraph, the same holy Doctor insinuates that there is another dignity superior to the regal.*

1. The king objects further in his *Apology* p.26 certain opinions of the Fathers. The first is from Augustine on *Psalm* 124 [125], where he says that Julian, although he was unjust, an infidel, and an idolater, nevertheless was true temporal lord, and Christians were obliged to obey him. But who denies this? For it was expressly proved by us above that infidels too can be true kings and lords, and that they are to be obeyed in things just and licit. Which we also say is true of an heretical and schismatic king, as long as he is not deposed or deprived of his kingdom by the Church. And thus did Augustine speak. But if the king says that he cannot be deposed, he has to prove it from somewhere else; for Augustine certainly does not say it; and in other places he generally teaches that it is just for heretics to be compelled to the faith by tortures and punishments. But if the king takes an argument therefrom that that most impious apostate [sc. Julian] was not deposed by the Church, we reply that the argument is of no moment, for the Church did not omit to do it because it could not rightly do it, but because it was vain to attempt it, because the Church could not then carry it out.

2. The second testimony is from Tertullian, bk. *Ad Scapulam* ch.2: "A Christian is enemy to no one, much less to the emperor; and since he knows him to have been established by his God, he must both love him, and revere him, and honor him, and wish him safety along with the whole Roman Empire as long as the age lasts, for so long will it last. Therefore, in the way that is licit for us and as it is expedient for him, we honor the emperor, as a man second to God and consequent to whatever is from God, and less only to God. This he himself too wishes. For thus is he greater than all when he is less only to God." But we too used this testimony and another from Tertullian above to prove the supreme power of temporal kings; and nothing else can with any foundation be collected from those words. For that he calls the emperor "a man second to God" he said for this reason, that in the order of temporal governance the emperor or supreme king is immediately under God, and he recognizes no other superior in that order. And in the same sense must be taken that he calls him "less only to God", namely in his own empire, obedience, and purely civil and temporal governance. For it is otherwise manifest that one temporal king or emperor can be greater than another in power and domain, even if one is not subject to the other. And by greater reason is the Pontiff greater than the emperor, because he exceeds him not only in dignity and domain but is also superior to him in another more excellent order, and in order to a higher end. And in this way there is place for the limitation which Tertullian applies in the same words: "in the way that is licit for us and as it is expedient for him we honor the emperor," namely in the things that are subject to his power and that are not repugnant to God and his faith. For when the emperor goes to excess in these and offends, he is no longer using legitimate power and, if he be a Christian, he has as such a superior by whom he may be corrected.

3. Nor is more proved by the words that in the third place he adduces from Justin *Apolog. 2 Pro Christianis*, which we also treated of above, and they prove nothing other than that the emperor and king, as long as he is king, is true lord whom one must obey in things that are subject to him. But no one will doubt that a king can either renounce his kingship or lose it, and also then his lordship and power, and that consequently also the obligation to obey him ceases.

4. Fourth, he adduces the words of Ambrose, *Orat. contra Auxentium de Basilic. non Tradend.* at the beginning: "I will be able to grieve, I will be able to weep, I will be able to groan; against arms, soldiers, the Goths too my tears are arms. Such are

fortifications of the priest. In other wise I neither may nor can resist.” By which words the king of England seems to want to conclude that Pontiffs cannot resist the unjust attempts of schismatic kings with power, but only with word, with exhortation, and with prayer. But the mind of Ambrose was far different, which he sufficiently showed when he resisted Theodosius not only with prayer but also with command and spiritual power. Ambrose’s opinion, then, was that it was not the office of the priest to take up sensible and material arms against a tyrant emperor or rebel, and to resist him with camps of soldiers. And nevertheless he does not deny that the Church has power whereby to resist him; but because this is often ineffective against the incorrigible and contemptuous, therefore, he says, the last refuge of a priest lies in tears and prayers to God. Now the king of England could have more carefully weighed the words that Ambrose put at the end of his oration: “What is more honorable than that an emperor should be called a son of the Church? Which, when it is said, is said without sin, is said with grace. For a good emperor is within the Church, not above the Church.” Therefore, he will be able as a son to be corrected by a father, and as an inferior by a superior, because if he is not superior assuredly he must be inferior; for two heads cannot be equal without schism. And there is a like place, to be expounded in the same way, in Chrysostom *De Verbis Isaiae hom.4*: “For a priest’s job is only to rebuke, and to give frank warning; not to take up arms, not to hold the shield, not to brandish the lance, not to draw the bow, not to shoot the darts, but only to rebuke and to give frank warning.” For under the word ‘rebuke’ must be understood to be included whatever pertains to ecclesiastical correction, and then also is in place what the same Chrysostom put as preface: “Where the priest is contemned, and the dignity of the priest trodden under foot, nothing else besides could the priest have done, (he addresses God:) ‘I have furnished what belonged to my office; I can do nothing more; come to the aid of the priest, because he is trodden under foot, etc.’” Now he is treating of Azariah, who resisted Uzziah as much as he could, and it must be proportionally understood of the Pontiff of the New Law.

5. In the fifth place the king adduces the words of Optatus, bk.3 *Contra Parmen.*: “Above the emperor there is only God, who made the emperor.” But these words are to be expounded in the same way as the like ones of Tertullian, namely that the emperor is in his order supreme under God, which does not exclude a subordination he has as a Christian to a spiritual power. And that this was Optatus’ intention is sufficiently manifest from the other places of his mentioned above, and from the occasion he then had for guarding the imperial dignity. For he was acting there against Donatus, who was despising the laws of the emperors, and he says: “What has the emperor to do with a Church” that, as he says, “had its mind against the precepts of the Apostle Paul?” About which precepts he says later that they are to be kept “even if the emperor lives as a gentile.” The thing he says, then, that only God is greater than the emperor, he understands also of a gentile emperor, about whom he could not be thinking that he had primacy or spiritual power over the Church; he was speaking, therefore, of the emperor only as to temporal power.

6. Sixth, he inflicts greater violence on the words of Gregory in bk.2 epist.51 indict.2, otherwise ch.100, which is to the emperor Maurice about the law he had passed that soldiers were not to be received into the monastery, which was unjust and contrary to the supernatural end; and yet he did not dare to revoke it by that indirect power which we attribute to him; he did not therefore recognize that power in himself. Hence, after

Gregory had addressed the emperor in words of submission and humility, calling himself “his Lord, and servant of his piety,” then, showing the injustice of the law, he says among other things: “But I, who spoke these things to my lords, what am I but dust and ashes? But yet because I consider this constitution to tend against the Lord God, I cannot be silent before lords.” And nevertheless at the end of the epistle he thus concludes: “I indeed, subject to command, have had the same law transmitted through the several parts of the earth; and because the law is itself not at all in concord with the Almighty God, behold I have by a page of my suggestion made announcement to the most serene lords. On each side, then, I have done what I owed, who have both to the emperor shown obedience and on God’s behalf not kept silent about what I thought.”

7. We reply that it has been sufficiently shown above what St. Gregory thought about the power of the emperors over the Church, since on the fifth penitential *Psalm*, otherwise 101 [102], about the words, v.8: “Mine enemies reproach me all the day,” he has against the emperor Maurice left written: “So greatly does he extend the temerity of his madness that the head of the churches, the Roman Church, he makes claim of for himself and usurps the right of earthly power over the mistress of the nations.” And later on another verse, v.25: “Of old hast thou laid the foundation of the earth,” he numbers the same Maurice among the persecutors of the Church, saying: “What is Nero? What Diocletian? What lastly this fellow, who at this time persecutes the Church?” From this place, therefore, a rather different understanding is rightly collected by Cardinals Baronius and Bellarmine. For since the emperor, though a Catholic and otherwise a benefactor of the Church, was abusing his power, prudently did Gregory behave toward him by writing submissively, and gently exhorting and instructing him, so that he might more easily lead him to emend or revoke the law. So not for this reason did he not immediately use his power, that he did not have it, but because he did not then expect fruit if he used rigor. And therefore to insinuate this and to guard the dignity of his office, he says at the beginning of the same epistle: “But I, unworthy servant of your piety, do not speak as Bishop in this suggestion, nor as servant by right of the republic, but by private right.” And nevertheless he did not at that time disregard necessary providence toward the Church; for the law, which he says at the end of the epistle he has had sent to various parts of the world, he did not send without due correction and moderation, as is clear from the epistle of the same to the bishops of the diverse regions, which is contained in bk.7 indict.1 epist.11. Where, after he has said: “The law which the emperor has given etc. I have endeavored to send to your firmness etc.” he adds: “Exhorting this most of all, that unless their life be strictly examined, they are not to be received, but after sufficient proof and examination” he says they are to be received. In which he manifestly used the authority he had over the civil laws in order to the good of the soul and for moderating law to a spiritual end.

8. Lastly we can add certain other locutions of the Fathers which seem to favor too much the civil power or dignity. Ignatius in his epist. to the Smyrnaeans says: “One must also honor the king, for neither is anyone more excellent than the king or anyone like him in all created things.” But it is understood of excellence and likeness in power, namely in its own order, as we have said. Hence in the same place he also says about a bishop that he is to be honored “as prince of priests, bearing the image of God and of Christ.” And later: “Nor is anything in the Church greater than the bishop who has been consecrated to God for the salvation of the whole world.” Which is also to be understood

relatively and with proportion. Cyril of Alexandria too, bk. *De Recta in Deum Fide ad Theodosium*, speaks thus at the beginning: “From God, whose height is greatest, to you, most famous kings, the height of human fame rising up with incomparable excellence over all others, has been given an outstanding and honorable lot. For you are the founts of the greatest dignities, and above all eminence, and the principle and origin of human happiness. And whatever lies below the thrones of kingship is governed by the most clement commands of your majesty so that it may lead a legitimate and admirable life; and they who do not bear the yoke fall easy victim to your strength.”

9. Now these above said words easily receive understanding and are written with so much moderation and prudence that they not only do they *per se* betray at once their true sense but also give sufficient indication of another power more excellent and more than human. For that is why Cyril said that the height of human highness has been given to kings, because the priestly and pontifical height is more than human. Hence after he has said that the emperor is the fount of the greatest dignities and above all eminence, he at once adds “the principle and origin of human happiness.” For all those things are to be understood of earthly and temporal dignities that are ordered to human, that is, natural or civil happiness. Which is further declared by the words: “whatever lies below the thrones of kingship is governed by the most clement commands of your majesty so that it may lead a legitimate and admirable life.” For Cyril knew that there were many things that did not lie below the thrones of kingship, which it was not then necessary more clearly to explain; because his determination then was not to hand on ecclesiastical doctrine but only to render the emperor kindly toward hearing the true faith about Christ.

Finally can be noted the words of Pope Symmachus in *Apologet. adversus Anastasium Imperatorem*, where he compares the Pontiff with the emperor in the honor due to them and says: “Not to say superior, the honor is certainly equal.” However, from his preceding words the sense and modesty of the Pontiff are clear. For he had said: “Let us compare the honor of the emperor with the honor of the Pontiff, between whom the distance is as great as that the former carries the care of human things, the latter of divine.” From which principle he could indeed have expressly concluded that the honor due to the Pontiff is greater, but he did not wish to out of modesty. Now he calls the honor equal, not simply, but according to proportion, insofar as each of them is supreme in his own order. But afterwards in the discussion of the *Apology* he eloquently affirms and proves that he has superior authority for coercing an emperor, if he is a heretic or communes with heretics condemned by the Church.

Chapter 29. Satisfaction is made to objections taken from the novelty of the thing and from the deeds of emperors and kings.

Summary. 1. The king charges the primacy of the Pontiff with novelty. 2. How ancient the primacy of the Pontiff is. 3. Philip was the first Catholic emperor, and the Pontiff used his power against him. 4. The argument of the king taken from the vote of the emperor in choosing the Pontiff. 5. By what right emperors sometimes cast a vote in the election of Pontiffs. 6. A privilege conceded by one can be revoked by another who is equal. 7. The second objection of the king taken from the acts of emperors over Pontiffs. Otho did not depose the Pontiff John. 8. Of the Pontiffs mentioned, not all were legitimate. 9. The third objection from the deeds of kings. Response. 10. The king St. Louis. 11. Louis XI. 12. The error of Gerson about the power of a Council over the Pontiff.

1. The king of England complains further that this power over Christian princes “was usurped through ambition and abuse,” as he says in his *Preface* p.22. But to prove this he also contends that its use is new. For thus in his *Preface* p.24 he says that “new and absurd is” the sense of those words of Christ, “Feed my sheep,” and “Whatever you bind,” by which a power of that sort is collected. And on p.60, when he had said that Peter was prince of the apostles whom Christ chose only by a certain order, he subjoins: “Nor did the Bishop of the Roman See arrogate anything more to himself in the three hundred years after Christ.” Next, to prove this newness, he says generally in the same place that the Roman Bishops were up to the times of Phocas subject to the emperors. But how foreign this is to the truth has been sufficiently shown above. But previously, on p.28 and following, he had reviewed some of the deeds of emperors and kings that can be brought to bear to show the aforesaid novelty of usurped jurisdiction and the ancient subjection of the Roman Pontiffs, and we must therefore speak about them here.

2. But first, as to refuting the general complaint about novelty, sufficient indeed might be the things we adduced to prove this power from ancient usage and tradition. However we add briefly that, if the discussion is about the power itself, it is as old as is the ancient institution of ecclesiastical monarchy set up by Christ himself in words sufficiently express. For that this is the legitimate sense of those words and that it is not new but very ancient, nay that it has also been perpetual in the Catholic Church, has been sufficiently demonstrated. But that in the institution and power is included this power for coercing Christian princes who are heretics, schismatics, or disobedient to the Church, pernicious, and incorrigible, has been shown by evident reasons and testimonies. Since to these the king of England has nothing to say in reply, he feigns that Catholics assert that “the Pontiff can take and bestow kingdoms at will,” as he says in his *Preface* p.23, nay can even “lead kings to death at pleasure,” as he adds on p.24. Where he also adds that the words of Christ, “Feed my sheep,” are so expounded by us “as if they signified this: take away, proscribe, depose Christian princes and kings.”

But (as I again already said above) these are frivolous evasions and vain monsters invented by Protestants so that they might both impose on the king and excite hatred against Catholics and against the truth itself. For can it be that, because the king of England has power to coerce his subjects by just punishments when they offend against his laws, therefore it must be said that he can at will kill his subjects or deprive them of their goods? Certainly neither would his subjects want to hear this nor would he himself permit so great a tyranny to be attributed to himself. Why then does he invent in Christ’s Vicar what he would be ashamed to hear about himself? A true novelty, then, is found in this inventing of tyrannical power by Protestants, but the antiquity of legitimate pontifical power for the just coercion of princes, even up to privation of kingdoms if the cause deserve it and they themselves are rebels, has, on the basis of the words of Christ, been evidently shown by Catholic doctors; nor does anything remain to be said about the power itself.

3. But if the discussion is about the use, we can distinguish between the use of directive and of coercive power, and about each we readily confess that they did not exist in the Church toward Christian emperors or kings in the three hundred years after Christ, not because they could not exist, but because their matter did not exist; for there were no Christian princes or emperors at that time. What wonder, then, if the Pontiffs could not

govern them by their precepts and laws, nor compel them by their power, since Paul said, *1 Corinthians* 5.12: “For what have I to do to judge them that are without?” At that time they could only preach the faith to them; but as long as the emperors did not voluntarily receive it and did not profess it through baptism they could not more effectively be directed or ruled. However, I except from this time that brief period when Philip was Christian emperor; for the Pontiff Fabian used his power against him, to the extent just occasion permitted, as we reported above from Eusebius. So that, by this example, it may appear that neither solid nor simply true is the absolute saying of the king that “neither did the Roman Bishops arrogate more to themselves in the three hundred years after Christ,” since, to the extent the occasion of that time permitted, Fabian legitimately used it. Add that also at that time the Church used its spiritual power even in temporal matter, as far as was expedient for its own good, taking no account of the civil laws, but correcting or limiting them for a spiritual end. The best example is in the law made by a certain African Council, ch. ‘Displicet’ §Repetis q.4 as Cyril relates in epist.66, that a cleric may not be named as guardian in a will, although the civil laws lay down that no one can be exempted from guardianship, etc. ‘De Excusat. Tutor.’ over several laws.

Besides, after those times, the Pontiffs always used this power over Christian princes, first indeed by directing them with warnings and precepts and, when they had to, by emending their laws, as we saw about Gregory in the preceding chapter and as we reported above about others. But afterwards also by coercion, as far as necessity required and the reason of the times permitted. For use of this coercive power is not *per se* necessary but when necessity compels. And would that there had never been necessity for its use, that is, that there had never been things that required its exercise! Therefore, as long as such crimes were not found in Christian princes, such a use could not have existed in the Church without prejudice of power. On the contrary, indeed, it was not necessary, as soon as Christian emperors began to be apostate or rebels against the Church, that the Church or the Pontiffs should have used all their power against them; because they could have feared from such use not fruit but harm to the Church. Hence Augustine, replying to a similar argument of Donatus epist.204, says to the same: “You repeat, as I hear, that in the Gospel it is written that seventy disciples left the Lord and were allowed the choice of their evil and impious departure, and that to the remaining twelve who stayed the response was made, Will ye also depart? And do you not notice that the Church was first then sprouting with new seed and that not yet had in it been fulfilled the prophecy: ‘And all the kings of the earth will adore him, all the nations serve him’? Which indeed the more it is fulfilled the greater the power does the Church use, so that it not only invites but also compels to good.” The same thing happened, then, in the first times, for instance, of Julian or of others, who by power and tyranny persecuted the Church in the manner of gentiles. And nevertheless the use of this power was not lacking in those times when it could with fruit be used, as is openly shown from the censure of Ambrose against Theodosius and of Innocent against Arcadius; and thus also afterwards, in the succession of times according as occasions occurred, this power was made use of, as we saw.

4. But the king of England opposes with contrary facts, showing the contrary right of the imperial power over the Pontiffs. “For the assent of the emperor,” he says, “in a long course of years intervened in the choosing of Pontiffs, etc.” Which he pursues at length, and from them he tries to take an argument for a more excellent imperial power.

But because I have dealt with the election of Pontiffs more at length in the material proper to Pontiffs, now I briefly admit that the practice was for some time kept that the election of the Pontiff was confirmed by the consent of the emperor, as is clear from Platina on Pope Firmian and from other histories, and openly from Gregory bk.7 indict.1 epist.1 at the end, where he affirms in these words that he was made Pontiff by the will of the emperor: "Behold the most serene Lord emperor commanded that the monkey be made a lion. And indeed by his provision he can be called a lion, but he cannot become a lion. Hence it must be that all my guilt and negligence he should depute not to me but to his piety, who committed to the weak the mystery of strength." But we then add that on many occasions Pontiffs were made without the consent of emperors or kings, namely both before the conversion of the emperors to the Christian faith for three hundred and more years, and after the conversion of Constantine for another two hundred years until the August Justinian, from whose time the emperors began to take up that right, as is common in the histories. Hence we collect that the emperors did not receive this power by divine right, because otherwise without their suffrage the election of a Pontiff could never have been validly done. Neither did they have it by force of the empire, both because otherwise they would have arrogated it to themselves from the beginning, and chiefly because the empire is earthly and human, but the dignity of the Pontiff is in its manner divine and heavenly.

5. They exercised that power, then, either as usurped or as conceded by the Pontiffs themselves. And indeed in the first way they exercised it by force and by power from Justinian up to Constantine IV. And this force and tyranny is deplored by Gregory on the fifth penitential *Psalm*, where he also relates the violence, avarice, and simony of the emperors in extorting money for their confirmation; which custom endured up to Pope Agatho, as is taken from ch. 'Agatho' d.63. Wherefore the argument is vain that the king takes from this custom, because no right can be obtained by extreme force and injury. But in the second way some say that the emperors Charlemagne and Otho used this power by virtue of the privileges that Adrian I and Leo VIII conceded to them, as Gratian reports in ch. 'Hadrianus' 2 etc. *In Synodo* d.63. However those chapters from Gratian are taken from false histories, and the privilege was invented by schismatics, as Cardinal Bellarmine shows fully in his response to the king, and Cardinal Baronius more fully for the year 774 n.10, and for the year 94 n.22, where he takes, among other reasons, an argument from the fact that no history relates that Charles or his successors used such a privilege. And so the royal argument is altogether overthrown.

6. And although I consider this opinion of the cardinals to be altogether true, lest however anyone think that the solution of the argument depends on repudiating the history, which now there is not leisure to examine, we judge it needing to be added (which even Bellarmine did not omit) that even if the history were true and the privilege true, and even if there be sufficient agreement about the legitimate use of it, nothing is thence inferred against the eminence of the pontifical power; nay in this it is enhanced, because it is so great that even the election of the Pontiffs depends on its institution and determination, and that it was able by privilege to communicate to the emperors some part either of the election or of the confirmation of a future Pontiff. Which, although some Pontiff had conceded it, some successor of his too could have revoked it. For the Supreme Pontiff always remains superior to the emperor, and a privilege freely conceded by a superior can be revoked by the same or by an equal successor; especially if such

privilege is of little use to the Universal Church, such as it doubtless was, or pernicious rather. But that the emperor, notwithstanding such a privilege, always remains inferior to the Pontiff is manifest, because by such a privilege no spiritual jurisdiction was given to the emperor. For the right of nominating, choosing, or confirming is not jurisdiction but a certain authority that (of whatever sort it is) is concerned with choosing the person to be Pontiff but not with the Pontiff once chosen, over whom not even the Pontiff himself can concede or delegate any jurisdiction or power. Neither too was the emperor, because of such a privilege, exempt from the jurisdiction of the Pontiff, because it is even repugnant for a Pontiff to concede a like privilege in diminution of the dignity and care that flowed down to him from Christ. Nor is such exemption necessary for the effect of such a privilege for, before the Pontiff is chosen, exemption has no place, but after he has been chosen even those who chose him are subjected to him, as is clear in the case of the cardinals and the other electors. But in the course and change of time the privilege was taken away, and a better form of election was instituted, about which, by God's gift, we will speak elsewhere.

7. The king continues and objects, secondly, that "everywhere there occur examples of emperors who abrogated from the Roman Pontiffs their power." And he uses the examples of the emperor Otho who deposed John XII, and of the emperor Henry III who deposed Benedict IX, Gregory VI and Sylvester III. But, in the first place, even if these examples were true, they would effect nothing against the truth. Because from facts that are not proved to be just and licit no right is shown. Next, we say that they are in part not true, in part not faithfully narrated. For Otho did not depose John. For either he did it by temporal power, and he could not legitimately use this against a Pontiff, not only because by force of the pontificate he was exempt, as I will show in the next book, but also because the Pontiff was then a king and supreme in temporal matters, just as he is now; or Otho did it by spiritual power, and this too cannot be said, because he did not have it, as we showed, nor do we read that he usurped it or that Otho labored under the error of making himself head of the Church. Nay, we read as much in him as in other Catholic emperors that they never treated of the causes of abdication of Pontiffs by their own arm or power, but by the authority of a certain synod, whose gathering together they were seeing to.

8. Hence Platina in his life of John XII, although he first says that Otho, by persuasion of the clergy, created Leo VIII in the place of John who had fled away, nevertheless he at once made the thing clear by saying that since the Romans were insistent with the emperor that, when John had been taken away, he should create another Pontiff, he replied that the election pertained to the people and the clergy, and that in this way the clergy had chosen Leo but that Otho had received him. Nay he even indicates that John was not deposed because of his morals alone but because "he had seized the pontificate by the power of his father Alberic;" for in those words he seems to indicate that he was not rightly elected but was intruded by violence and power. And this is what Onufrius thinks in his additions to Platina, when he thinks that Leo VIII was rightly elected while John was alive. But because it is perhaps truer that neither was John rightly deposed nor Leo validly elected, one must add that Otho was excessive in a zeal not according to knowledge [*Romans* 10.2], and that the synod was private and illegitimate, and that it could have erred in judging that a Pontiff could be deposed because of crimes other than heresy; or perhaps it did it more because of the violence of the emperor and

human fear than because it thought it could legitimately be done. See Baronius for the year 964 n.15. But as to what concerns the three Pontiffs, it is in the first place false that they were all true Pontiffs, for about Sylvester it is certain that he was intruded and schismatic. But about the others there is also some doubt, although it is more probably believed that they were legitimate Pontiffs. Next Sylvester was ejected not by Henry but by Benedict IX, the legitimate Pope. Again he himself was afterwards not deposed by Henry, but of his own free will (or on the persuasion of a certain holy abbot as some report, or so that he might live more freely) he took money and renounced the papacy. And in this way was Gregory VI ultimately introduced; whom alone did Henry afterwards take care to depose, where there could be the same error which many say happened in the case of John XII although they say he also voluntarily yielded. See Baronius for the year 1044.

9. Third the king makes a transition after emperors to kings, and first he says in general that kings rejected with no less constancy this temporal right of the Pontiff over themselves; next he relates certain deeds of some of the kings of Gaul and England, from which he wishes to conclude that the Pontiff has over kings no right by divine institution, and that he could not have it acquired by prescription either, since the prescription would be interrupted by similar facts. But I have not deemed it necessary in examining the truth of the histories to delay over facts of this sort, because although they all be admitted as they are related, they conduce not at all toward concluding what is intended. First from the general reason that the deeds of temporal kings are of little value for showing divine right; both because it is not their office *per se* to know it or teach, but that of the prelates of the Church and especially of Supreme Pontiffs; and also because, to be sure, kings often pass beyond the rights of royal power supported by their power and seduced either by ambition to dominate or by desire for most base gain. Second, and more especially, because all the words and deeds that are reported pertain to other causes or matters; and from them not only can it not be inferred that the Roman Pontiff does not in spiritual things have a supreme power that may extend itself to the direction and correction of kings even in temporal matter, but also it cannot be collected either that those kings so thought. Which I will show in a brief discussion by running through one by one the things adduced.

For first he adduces certain foolish words of Philip the Fair, king of the Franks, which, driven by a certain furor of mind or force of anger, he wrote in a certain epistle to Boniface VIII; and to take an argument from these is against reason. But setting aside the insults, what ultimately did that king affirm? “Know that in temporal things we are not subject to anyone.” But what finally follows therefrom? Or who denies it? Certainly he who said that in temporal things he was not subject to anyone has tacitly confessed that in spiritual things he is subject; but to whom more than to the Pontiff? But if he admitted he was subject to him in spiritual things, he assuredly could not deny that, if a king were to abuse temporal things against spiritual things, he could, by reason of the spiritual things, be harried and rebuked, even in temporal things.

10. Next, he alleges St. Louis who “by public sanction prohibited all exactions of the papal curia in his kingdom,” which he alleges from the *Arrêts*. Since, however, we do not have a supply of them we cannot explain its definite sense, for we believe that nothing was sanctioned by so great and such a king that was not just and religious. But in vol.6 of the *Bibliotheca Sanctorum* at the end we find a certain pragmatic sanction of the

same king printed out, in which we find many things written in favor of ecclesiastical jurisdiction and of free provision of benefices and with observance of the sacred canons; but about the exactions of the Roman curia altogether nothing. But others report the prohibition not absolutely but with a limitation, namely “exactions and very heavy burdens...we in no wise wish to be collected except for reasonable, pious, and most urgent unavoidable necessity.” Therefore, if the holy king sanctioned anything, it was not in a spirit of exaltation or of exemption from obedience to the Pope, but insofar as he reckoned it necessary for the just preservation of his kingdom and to pertain to his temporal jurisdiction. For he was so alien from usurpation of spiritual power that when his legate had, on his private initiative, obtained from the Pope “a bull of provisions” for the cathedral churches, “the king threw it into the fire saying, ‘we do not thank you for these things which you have obtained to the peril of our souls, namely that we should make provision for churches.’” And he did not use it. Thus does Rebuffe report in *Concordat*. in the preface § ‘Quaedam nobis’ at the word ‘Optamus.’

11. Next the king of England reports at large the deed of Louis XI, king of Gaul, who, when the Pontiff Pius II sought for a certain pragmatic sanction to be revoked, did not assent. But this too does nothing for the cause, for that whole controversy was without schism, for that king was always obedient to the Pope, as was shown above from his letters to Pius II. Nor do I see why King James made mention of Pius II and Louis XI rather than of the subsequent Pontiffs and kings up to Leo X, in whose time the dispute was ended and the pragmatic sanction was removed in the Lateran Council under Leo X, session 11. There the whole history is fully related, and from it is clear that the Pontiffs never used absolute power in that business but proceeded sweetly so that, with concord preserved, the matter might at last be carried out with unity of faith.

12. Next, however, after a large and prolix exaggeration, which the king does not prove, he turns away to a far different question, and mentions the book of Gerson, wherein Gerson did indeed gravely fall by attributing to a General Council coercive power over a Pontiff, even as far as deposition for crimes other than heresy; yet in no way does he attribute spiritual power to kings, nor does he exempt them from subjection and the coercive power of the Pontiffs. Nor did he call into doubt the ecclesiastical monarchy which was instituted by Christ, and he confirms in the same book that it cannot be taken away or transferred to another system of government; so it is superfluous to obscure the truth by these verbal exaggerations and digressions.

Finally King James enumerates the kings of England who either arrogated to themselves the investiture of bishops or violated the liberty of ecclesiastical persons or refused to obey the Pontiff. However these deeds are base and are rather to be kept hidden than brought into the open, and they contribute little to the matter. For the investitures of bishops was at some time conceded or permitted to kings; hence Richard or some other like king of England dared to retain or exercise that power, supported, not by divine right, but by custom perhaps or some pretended privilege. And although he was disobedient and stubborn in resisting the prohibitions of the Pontiffs, namely Gregory VII and his successors, yet he did not arrogate to himself the primacy of the Church, nor did he absolutely deny obedience to the Pontiff, but only erred in a particular deed or practice, or made up by some color a defense of his right. But eventually he returned to his right mind “and restored the investitures to God and to St. Peter,” as William of Malmesbury says in bk.5 *Histor.*

Likewise we cannot deny that other kings of England were too stubborn in usurping jurisdiction over ecclesiastical persons. But from abuse and tyranny a legitimate power is badly collected; and besides the error or sin pertains to another controversy, as I have often said. Hence the same kings themselves recognized the primacy of the Pontiff and feared his coercive power, as was seen above about Henry II, who was such a violator of ecclesiastical liberty that he gave occasion for the killing of St. Thomas of Canterbury, and nevertheless he bowed his neck to the Pontiff and did public penance. Similarly Edward I as well as Edwards II and III, although they erred in their deeds, did not depart from obedience to the Pontiff, as we saw above from their epistles, where we also reviewed the similar letters of Richard II. Wherefore what King James responds on this point is frivolous: "It is enough that the unjust ownership of my rights, as often as it was permitted, was interrupted." For the pontifical power was not prescribed by human right but conceded by divine right, and therefore no tergiversation of men, no disobedience, no custom of many years can change it or diminish it.

Chapter 30. Satisfaction is made to objections taken from certain reasons.

Summary. 1. First objection. Instance. 2. Solution. 3. Second objection. 4. Solution.

Distinction between baptized and non-baptized kings. 5. Final objection conflated in a threefold way. 6. Solution to the first. 7. Solution to the second. 8. Solution to the third.

1. Although in the book of the king of England I find no new reason whereby he tries to prove his error and his total exemption from the power of the Pope, especially in temporal matters, nevertheless, for the completion of this book, it has seemed necessary briefly to propound and solve certain reasons that are commonly spread about or judged more powerful. The first, then, is wont to be (and seems even to be the king's foundation) that a king is supreme in temporal matters, as is taken from the Scriptures and was also proved above by reason; therefore he cannot at the same time be subject in temporal matters. The proof of the consequence is that he who is subject in some matter has a superior therein; but it is a thing repugnant to be supreme and to have a superior. You will say that it is true of subjection and superiority of the same kind, that is, as each is direct or indirect; but the same thing being supreme in respect of a directly superior power, because it does not have one above it, and yet being subject indirectly to another, is not a thing repugnant. But on the contrary, because, as the jurists say, what is forbidden to be done directly cannot be done in another way, even indirectly, because otherwise the prohibition would be enervated and made useless; therefore similarly in the present case. For in whatever way a king is said to be subject to another (even indirectly) in temporal matters, his excellence too in that order is taken away.

2. But nevertheless the reply is very good and the response to it of no moment, because there is no right that absolutely prohibits a king supreme in temporal matters from being subject to a superior of an order which is higher and exceeds temporal matters. Because either this right is natural, which cannot be the case because this indirect subjection is of a superior order and flows from divine positive right; or it is a human right, and this cannot be contrary to divine right nor prevail against it. Wherefore natural right in this case, as it is the fount and origin of civil principality and of its supreme power, so also it can be said directly to take away or to prohibit subjection to a similar power of the same order; but, with respect to indirect subjection to a power that is of

another order and is spiritual, it is disposed negatively as it were; because a civil prince supreme in temporal matters is indeed subject to no one in the same temporal matters, even indirectly, yet it is not repugnant for him to be subject through a right of a higher order. Add that this indirect subjection in temporal matters is intrinsically conjoined with subjection in spiritual matters, especially in respect of a spiritual power supreme in its own order; and there is nothing repugnant, even according to the principles of human right, for a king directly supreme in temporal matters to be made indirectly subject in the same matters, insofar as this subjection is intrinsically conjoined with the spiritual one; for thus do the laws themselves say that what is directly prohibited can be done in another way, when this necessarily follows from something else that has been conceded by the same or by a higher right. Nor for that reason is the excellence of the supreme temporal power taken away, or rendered superfluous or of no moment, both because it always retains the negation of a direct superior in the same order, though the negation of an indirect superior does not belong to the idea of it; and also because this manner of negation or of supreme power suffices for all moral effects that are necessary and sufficient for correct political governing.

3. Against this, however, a second reason can be objected, that an infidel non-baptized king is so supreme in temporal matters that he does not in them recognize any superior either direct or indirect; therefore Christian princes too are supreme in the same way; therefore they are subject to no one in temporal matters even indirectly, and according not to the Pontiff either. The proof of the consequence is both that faithful princes are not of a worse condition than infidel ones, and also that they are not by baptism deprived of other temporal goods, therefore not of their kingdoms either, nor of their temporal prerogatives, according to the saying: "He who gives heavenly kingdoms does not snatch away mortal ones." And finally because otherwise this would be a great impediment to the conversion of infidel kings to faith and baptism, if by it they were to be deprived of their supreme liberty, whether directly or indirectly. And thus all the arguments by which above we proved this point about direct subjection in temporal matters seem to urge it too about indirect subjection.

4. We reply that this equivalence between faithful and infidel kings is not to be accepted with all equality, because a non-baptized king is not directly subject to the spiritual power of the Church; and so it is no wonder that his spiritual power is not subordinate to spiritual jurisdiction and does not depend on it, even indirectly, as to directive or coercive force. But a baptized king is directly subject to the spiritual power, as we saw, and so as a result even his temporal power remains subordinate to the spiritual power, at least indirectly in order to its end. Wherefore temporal power in both kings is indeed the same, or equal, nor is it properly or intrinsically diminished (so to say) in a Christian king; but only by reason of being subject does he possess a new rule, whether a proximate and internal one, which is faith and infused prudence, or an external one, which is a spiritual pastor and law, or the power thereof, insofar as he is ordered to a spiritual end.

And in this way the other objections cease, which only prove that an intrinsic diminution in that power cannot happen by reason of the faith; but they do not prove that the aforesaid subordination is not added, for this follows intrinsically from the faith. And it is not an imperfection but rather an excellence of that power, and therefore it does not add a burden or an impediment to the conversion of kings beyond the intrinsic difficulty

that the faith itself and ecclesiastical obedience bring along with them. See Bellarmine *Contra Barclaium* ch.3 n.3. But this burden, whatever it be, is contained intrinsically in the profession of Christian faith, wherein is included a tacit agreement and promise of obedience to the pastors of the Church, and to the giving up of everything for Christ, if there be need, according to the verse, *Luke* 14.26: "If any man come to me, and hate not his father, and mother...yea, and his own life also, he cannot be my disciple." And consequently there follows also an obligation to persevere in the faith and to defend it by reason of one's state; and finally it thence also arises that any Christian at all is subject to correction and deserved punishment if he offends against this sort of obligation. This obligation, therefore, and profession are common to Christian princes, and therefore they are, with due proportion, subject to the same power.

Indeed I add lastly that even pagan kings, according to the capacity of their state, are subordinate to the spiritual ecclesiastical power, and that, conversely, the power of the Church can at least indirectly exercise the act of a superior over them. For if they have Christian subjects, it can liberate them from their dominion, either when they try to turn them from the faith, as Durandus defines on *2 Sentences* dist.44 q.3, or simply and absolutely by reason of the danger, as St. Thomas wishes, *Summa Theologiae* IIa IIae q.10 a.10. Which latter is more probable, because in things that pertain to good morals a moral danger must be guarded against before the event is expected; and therefore the power is extended also to avoiding the danger, although in the use thereof scandal must be prudently guarded against, as we said above. But if pagan kings have no Christian subjects, the Church does not ordinarily have power over them, even by reason of their subjects, except in the case where they are impeding the preaching of the Gospel or are compelling their subjects not to accept it. Hence it seems to be that the power is formally (so to say) the same, or under the same title and respect, although the use of it about different persons can be rarer or more frequent, greater or lesser, according to their various conditions and states. Some difference, however, intervenes, because the power of the Pontiff over Christian princes is a proper jurisdiction, which, although it be spiritual, is extended indirectly to temporal things. But as regard pagan princes it is not by way of jurisdiction over the princes themselves but over their Christian subjects, for the protection of whom it can ward off infidels or confine them in their office; and therefore whatever it does about them is by way of defense of the faithful, not by way of vengeance or punishment of the infidels. Next we can add that, just as royal power receives some subjection by its being united to the faith, so also it participates a certain greater fullness and excellence, and thus that burden, whatever it be, is compensated with this benefit. For a Christian king, led by the rules of the faith, can make many prescriptions, by directing them to defense of the faith, or to the honor of the Christian religion, or to some other spiritual good, which as led by pure reason he could not prescribe; and likewise he punishes many offenses that he would not punish by the force of natural reason alone, as for example heresy or other like thing.

5. Finally, certain reasons are added of lesser moment. One is: the Pontiff has a sufficiently large solicitude for spiritual cares, therefore he should not involve himself in temporal ones; for if Paul prohibited this to all who fight for God, much more does it seem to be prohibited to the supreme Pastor, who ought to be an example to others and is occupied in greater spiritual cares. A second reason is: because there is in the Pontiff, speaking *per se* and by the force of his pontificate, not formally found a royal dignity,

therefore royal power cannot be subordinate to him. The proof of the consequence is that one power cannot be subordinate and subject to another unless the same power that is in the subordinate is found in him to whom he is said to be subordinate. Another reason is that the Pope cannot dispense in natural right, nor change a divine institution; therefore neither can he take away either the natural obligation to obey the king from his subjects or vassals, or from the king the power that God himself conferred.

6. However these reasons are easily solved. For to the first we reply that it at most proceeds about direct administration of temporal things but not about indirect. Both because the first is distinct and separable from the spiritual power, but the latter is not distinct but *per se* and intrinsically pertains to the spiritual power; and therefore it cannot be an impediment to it since it is rather an exercise and use of it. And also because the direct administration of temporal things deals with them *per se* and by institution, and therefore it is necessary that in its principal intention, and hence either almost always or for the most part, it be busied about them; but indirect administration occurs rarely and only by occasion (as we touched on above from Bernard); and hence it can be said neither to be a secular care nor to impede the spiritual. I add next that although the Pontiff does not, by force of his pontificate, have direct temporal governance, neither against his office, nor against the advice of Paul, has it been that he should have received both joined together from somewhere else, because thus was it fitting for the common good of the Church and for the better use of the spiritual power itself. On which point we have spoken at length elsewhere, and one can look at Gennadius bk.4 *De Legibus* in his exposition for the Council of Florence ch.5 sects.3 & 4.

7. To the second the response is by denying the consequence, for the proposition, which is assumed in its proof, is found, simply speaking, to be false both in the case of physical powers and in artificial ones, and consequently in moral ones too. For the will is subject to the intellect and depends on it, even if the formal power of the will is not found in the intellect. Again the bridle-making art is subordinate to the equestrian art, although the latter does not formally include it; and paternal power is subordinate to royal power, although there is not formally in the king a paternal power about the sons of his subjects. Thus therefore is the royal power subordinate to the pontifical, even if the Pontiff is not formally a temporal emperor. And the reason is that this subordination is founded on the power of a higher order that eminently as it were contains the other. Again, because it arises from the subordination between the ends of each power, which suffices for a power ordered to a lower end to be subordinate to a power that respects a higher end. That proposition, then, that he who has a certain power is not subordinate to another unless to another who has the same or a similar power, is true at most in powers of the same order, where one is a participation of the other, as are delegated and ordinary power or the power of a vicar and of a prelate. But the proposition does not hold when the subordination is founded on the eminence of the superior power and of its end, as has been made plain.

8. To the third we reply that although the Pope may not dispense in natural law, he can nevertheless change its matter; which change once made, the natural right itself ceases; and thus in the present case he can make a subject not to be subject, but, once the subjection is taken away, the reason and natural obligation for obedience ceases. But subjection itself, as also royal power, is not immediately of natural right but of human right, as was shown above, and therefore it can for just cause be taken away by the

superior power of the Pontiff. For this reason most of all, that some goods, conferred immediately by nature, as liberty and life, can sometimes be justly taken away by superior human powers, as is sufficiently clear from the licit and honest use itself, because God himself, who conferred those gifts, also gave men public power to take them away for just cause. In this way, therefore, the subordination of temporal kings to the spiritual power is from God himself, who has conferred such power; and therefore it is not against the right of nature but is above it, and is, with preservation of proportion, most consonant with it.

Sum and conclusion of the whole book with an appeal to the king of England.

Since by the inviolable law of the Supreme Legislator, from whom all power in heaven and on earth is derived, it has been decreed that the things that are Caesar's are to be rendered to Caesar and the things that are Gods' to God, thus have we studied to keep this rule in the doctrine of this book, so that no one, if he rightly observe with his eyes, may doubt that to each has by us been given what is his own. For we have shown that the double power by which this world is ruled, the temporal and the spiritual, the royal and the pontifical, has been given by God, and we have proved that each is in its own order supreme. In this way indeed we have pointed out the differences between them, that the royal carries only the care of human and temporal things, but the pontifical, transcending the limits of temporal things and gazing at the ultimate end of spiritual life, applies itself to the ordering of divine and eternal things. Hence we at length concluded that there is as much distance between these powers as the soul is distant from the body, as the eternal from the temporal, as the spiritual from the bodily, as the celestial from the earthly. And accordingly, as it is just that the body be subject to the soul and that temporal things be referred to eternal and be subordinated to them, so it is necessary that in the Church of Christ, wherein everything ought to be established in the right and best order, the royal power be subject to the pontifical, so that it may be directed by it to eternal beatitude, and, if it anywhere turn from that end, may be emended and corrected.

Having kept, then, this just and most fair distribution, we gave to the Pontiff what is his and what the Prince of pastors and leader of the whole flock conferred on him; and to you, most serene king, we did not deny what is yours. It remains, therefore, that you consider yourself to be subject to the same rule and law of Christ, lest, presuming on your power more than you ought, you transgress the limits prescribed to you and usurp what belongs to divine power. Know that you are a sheep of the flock of Christ, not a pastor; do not therefore feed and rule the pastors, and leap over the bounds prescribed by the Supreme Pastor. Listen to Nazianzen *orat.*¹⁷ 'To Citizens Struck with Heavy Fear,' preferring his empire to the earthly empire, and counting among his sheep emperors and kings. To which sheep elsewhere he speaks in this manner: "Sheep, do not feed the pastors, do not rise up above your bounds, for it is enough for you if you are rightly fed. Judges, do not judge or prescribe laws to legislators. For God is not a God of dissension and confusion but of peace and order. Let no one then be a head who is scarcely a hand or a foot or some other more lowly member of the body; but let each abide in that grade in which he was called, even if he be worthy of something more outstanding, being about to have more honor indeed from the fact that he acquiesces in his present grade than if he seeks one that he has not received. Let no one, since he may follow another without

danger, seek to go in front with danger; nor let the light of obedience, which sees and preserves both earthly and heavenly things, be quenched.”

What, I ask, most humane king, do you demand and require by the highest right from your subjects as anxiously as due obedience to the prince? You frequently inculcate in your book that judgment of Paul, *Romans* 13.1: “Let every soul be subject unto the higher powers.” Fulfill therefore the natural law proposed and commended by Christ, *Luke* 6.31: “And as ye would that men should do to you, do ye also to them likewise.” And the obedience which you require from your subjects, give it faithfully to that prudent and faithful steward whom Christ has set over all his goods, and he has so placed him over you that he is to render account for your soul. For what Paul advises and prescribes to all the faithful, *Hebrews* 13.17: “Obey them that have the rule over you, and submit yourselves; for they watch for your souls as they that must give account,” pertains no less to a king, if he be a Christian, than to the rest of the faithful. But if perhaps, most serene king, you do not deign to attend to my words, listen, I ask, to Bernard writing to King Conrad and speaking for me: “I have never wished the dishonor of the king, or the diminution of the kingdom; my soul hates the violent. I have read indeed: ‘Let every soul be subject unto the higher powers’ and [*Romans* 13.2] ‘whosoever resisteth the power resisteth the ordinance of God.’ Which judgment, however, I desire and in every way admonish you to keep in showing reverence to the Supreme and Apostolic See and the successor of St. Peter, just as you wish it to be kept toward you by the whole of your empire.” And he adds the following words, which I do not less gladly seize upon: “There are things that I have not thought should be written down; may I when present perhaps more opportunely intimate them.”

BOOK FOUR

BOOK 4: ON ECCLESIASTICAL IMMUNITY OR THE EXEMPTION OF CLERICS FROM THE JURISDICTION OF TEMPORAL PRINCES

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Summary. 1. *Sense of the question.* 2. *First conclusion. The exemption of clerics is also of divine right. By whom the aforesaid exemption was introduced.* 3. *Constantine conceded the exemption of clerics.* 4. *Constantius also conceded the same privileges to clerics.* 5. *The other emperors too confirmed the same exemption.* 6. *Valentinianus deprived clerics of exemption.* 7. *Before Justinian the privilege of forum was conceded to clerics.* 8. *Justinian wished clerics to be judged by laymen in criminal matters. Whether the privilege of forum was restored by Charlemagne.* 9. *The privilege of forum in civil and criminal matters was very fully established by Frederick. In various civil laws too this privilege was introduced in Spain.*

Chapter 13. A difficulty that arises from the preceding chapter is met, and how the Church has used the privilege of forum at different times is explained.

Summary. 1. *First doubt about the use of the privilege of forum. Reasons for doubting.* 2. *Second doubt: whether clerics were by imperial power exempt. Reason for doubting on the negative side.* 3. *Reason on the affirmative side.* 4. *For the resolution, two periods of time are distinguished.* 5. *First conclusion.* 6. *In the use of the privilege of forum the Church has always acted prudently.* 7. *Heathen princes never had true jurisdiction over clerics.* 8. *Clerics, from among the other faithful, always enjoyed the privilege of forum.* 9. *The opinion of the Fathers who understand the place of Paul about elders is not opposed to the resolution already delivered.* 10. *The Church could always have compelled the faithful to keep the exemption of clerics.* 11. *Second conclusion: Clerics under the Christian emperors began to enjoy exemption. Proof.* 12. *The reasons for doubting posited in the first doubt are solved.* 13. *Satisfaction is made to the reasons posited in the second doubt.* 14. *A certain evasion is precluded.* 15. *The deed of Charles V.*

Chapter 14. What sort of exemption there is for clerics in civil causes.

Summary. 1. *Formal cause of the privilege of forum. The material of the privilege of forum is double.* 2. *First conclusion: clerics in civil causes are exempt from the secular court.* 3. *Proof also by reason.* 4. *Clerics enjoy the aforesaid exemption only when they are defendants.* 5. *Whether the Church could concede the privilege of forum without limitation. First reason for the negative side.* 6. *Triple confirmation.* 7. *Second conclusion: The Church could exempt also a cleric who is a plaintiff.* 8. *Proof.* 9. *The contrary reasons are solved.* 10. *To the doctrine of Bartolus.* 11. *Whether the rule put in the preceding paragraph allows an exception to the privilege of forum. First exception. It is rejected.* 12. *Second exception.* 13. *Third exception.* 14. *Fourth exception.* 15. *He who unjustly seizes the goods of the Church ought to be arraigned before an ecclesiastical judge. A certain objection is refuted.* 16. *Fifth exception.* 17. *By no custom can a defendant cleric be brought before a secular court.* 18. *Sixth exception. It is made plain.* 19. *Whether, because of the negligence of the ecclesiastical judge, a defendant cleric can be brought before a secular court. Reason for doubt.* 20. *The doubt is refuted.* 21. *Why the negligence of a secular judge can be supplied by an ecclesiastical judge but not conversely. The rights adduced to the contrary are expounded.*

Chapter 15: What sort of exemption there is for clerics in criminal causes

Summary: 1. *First assertion. Canon rights which concede exemption absolutely from the secular forum.* 2. *Diverse readings of the canon about this sort of exemption.* 3. *What Gratian decided about the crimes of clerics.* 4. *There were therein (section 3) no laws of Justinian.* 5. *Whether this assertion suffers exception.* 6. *Conclusion.* 7. *The assertion is confirmed by reason.* 8. *Whether the rule already laid down may be*

extended. 8. Response. Even in criminal matters the prosecutor should follow the forum of the accused. 9. Those who commit wrongs against churches or strike clerics can be convened in the ecclesiastical court. 10. Whether the privilege of the forum may be extended to crimes committed in advance of it. Reason on behalf of the negative side for doubt. 11. Reason for the affirmative side. 12. True resolution. 13. The limitation imposed by certain people is rejected.

Chapter 16: Whether the privilege of the forum includes exemption from civil laws, and of what sort the privilege is.

Summary: 1. Laymen may in no way bind ecclesiastical persons by their laws. 2. Whether the privilege of the forum for clerics includes exemption from civil laws. 3. The force of civil law is double, directive and coercive, and what each is. 4. Several other effects of the civil laws are reduced to this directive and coercive force. 5. Distinction of civil laws on the part of the persons and on the part of the matter. 6. Civil laws passed for laymen alone do not oblige clerics. 7. Civil laws which make disposition in ecclesiastical matter introduce no obligation. 8. Objection. Confirmation of it. 9. Response. And to the confirmation. 10. Civil laws which make disposition about the goods of clerics or churches have no validity. Reason for the first part. 11. Reason for the second part. 12. First opinion. 13. Second opinion. 14. Opinion of the author. 15. Whether clerics are exempt from the directive force of civil laws. 16. Various opinions. 17. Civil laws, even non-noxious ones, do not oblige clerics as regard coercive force. 18. Objection. 19. Solution. 20. Whether civil laws are able to void the contracts of clerics.

Chapter 17. What sort of privilege there is for churches as to their own exemption and that of their goods from burdens and from secular power.

Summary. 1. Various acceptations of 'church'. 2. Which of these acceptations is of service to the present purpose. 3. Various immunities of churches. 4. The goods of churches are twofold: some are specially consecrated, some are not. 5. Things dedicated to the divine cult are exempt from human uses. 6. All goods of churches enjoy the privilege of forum. 7. Reason for this exemption. 8. Ecclesiastical goods are exempt also from the civil laws. 9. They are exempt too from secular courts.

Chapter 18. Whether exemption from secular taxes is proper to churches and their goods, insofar as they are the patrimony of Christ.

Summary. 1. Ecclesiastical goods are some moveable and some immoveable: what each is. 2. What secular taxes are. 3. A twofold secular tax. 4. First conclusion: all ecclesiastical goods are exempt from taxes. 5. Proof by reason. 6. Objection. 7. First response. 8. Ecclesiastical goods are immediately under the lordship of God. 9. Second response.

Chapter 19. Whether exemption from secular taxes is fitting to the Church and to sacred things because of their special sanctity or consecration.

Summary. 1. Temples or churches, because of their consecration, are exempt from taxes of this sort. 2. First conclusion: immunity is due to sacred places also because of consecration. 3. Ecclesiastical goods ordered to the maintenance of ministers are not by reason of any consecration exempt. 4. Whether sacred things, if they are sold by reason of their matter, are subject to taxes. 5. Whether sacred things are, by force of consecration alone, exempt from human dominion. 6. Things of this sort are not exempt from human dominion. 7. A true theft is committed by him who steals the consecrated thing of any private person. 8. Consecrated things, although they are not exempt from human dominion, yet remain exempt from taxes. The matter of a thing once consecrated cannot be again applied to profane uses.

Chapter 20. Whether any good whatever, when it becomes ecclesiastical, is by that very fact exempt from all taxes and civil burdens attaching thereto.

Summary. 1. First opinion to the negative. 2. Triple foundation for this opinion. Double confirmation. 3. Second opinion to the affirmative. 4. Double manner of imposing burdens on immovable things. 5. Goods of the Church are not exempt from taxes already contracted by some agreement. 6. The conclusion is proved by reason. 7. Elaboration of the assertion. 8. Objection. 9. Solution. 10. Goods of the Church are exempt from taxes imposed by force of royal power. 11. By what right ecclesiastical goods are exempt. First opinion. It is rejected. 12. Second opinion, which attributes this exemption to divine and canon right. Foundations for the first part. 13. Whence it can be concluded that they are by divine right exempt. Objection. Response. Why tax but not rent is repugnant to exemption. 14. Foundations for the second part

of the second opinion. 15. The said opinion is not proved by the rights adduced above. 16. Other rights from which the said exemption can be concluded. 17. Proof from civil right. 18. Second proof from the same civil right. 19. Frederick exempted goods properly so called of churches from tax. Exposition of Bartolus. 20. This exposition is rejected. 21. Exposition of Baldus. It is rejected. 22. The conclusion is shown by reason. 23. Confirmation. 24. Response to the civil rights adduced at the beginning. Again, response to the reason that a thing is transferred along with its burdens. 25. A question. Response. 26. To the last confirmation.

Chapter 21. Certain objections are met, and explanation is given by the by of how ancient this exemption of ecclesiastical goods is.

Summary. 1. First objection from canon right. 2. Second objection from civil right. 3. Response to these objections. 4. First conclusion: how ancient the privilege of not paying taxes is from the goods of the Church. 5. The Supreme Pontiff can of his own power exempt the goods of the Church from taxes. Proof. 6. Second conclusion: the privilege of exemption for the goods of the Church has not always been observed. Proof. 7. Exemption of the goods of the Church was established before Frederick by the civil laws. 8. Triple response to Ambrose. 9. First response to ch. 'Tributum'. Second response. 10. It is attacked. True response. 11. To ch. 'Sancimus'. Goods that relate to the manor of the Church are exempt from all tax. 12. Response to the civil laws adduced to the contrary.

Chapter 22. Of what sort ecclesiastical exemption is as regard the personal burdens of clerics.

Summary. 1. Censuses or assessments are another matter of exemption for clerics. 2. Clerics are exempt from assessments. 3. This exemption of clerics from taxes is by divine right. First proof. A tacit objection is met. 4. Second proof. 5. Clerics are exempt from mean functions. 6. Confirmation from canon right. 7. It is shown also by divine right. 8. Clerics cannot be deprived of the advantages common to all citizens. 9. Clerics are not made more fearful whenever some burden falls on them from the civil laws. 10. Laws that speak of common matter or in general do not derogate from the immunity of clerics. 11. When clerics are made more fearful by civil laws. 12. Through laws depriving them of things common by natural or civil right, clerics are rendered more fearful for themselves. 13. Laws removing from clerics things common to other citizens are repugnant to ecclesiastical liberty. Evasion. It is refuted. 14. Reason for the conclusion. 15. Double Confirmation.

Chapter 23. Whether the ecclesiastical revenues of clerics are exempt from taxes.

Summary. 1. Twofold goods of clerics. 2. First conclusion. 3. Reason for the conclusion and confirmation. 4. The reason for the conclusion is weighed. 5. Whether ecclesiastical revenues transferred to clerics are subject to taxes. 6. What holds if clerics do not have ownership of these revenues. 7. True resolution. 8. What holds of the patrimonial goods, so to say, of clerics.

Chapter 24. Whether the patrimonial and, in general, the temporal goods of clerics are included under the common laws of secular taxes.

Summary. 1. Triple reason for doubt. 2. All goods of clerics enjoy exemption. 3. Proof from civil right. 4. Proof also by reason. Objection. 5. Response. 6. First response to Ambrose. 7. Second response. 8. To the second and third objection from civil right.

Chapter 25. Whether clerics are held to pay the real burdens that attach to immovable things.

Summary. 1. Double exception from the rule of paying taxes. 2. Whether the goods of churches and clerics enjoy an equal exemption. Opinion to the negative and its foundation. 3. Conclusion: the goods of churches and clerics are equal in exemption from royal taxes. 4. Confirmation. 5. Solution to the contrary opinion. He who steals the goods of the Church commits sacrilege. One who seizes the goods of a cleric does not commit sacrilege unless he uses force against him.

Chapter 26. Whether clerics are held to contribute to the common expenditures of citizens.

Summary. 1. Reason for doubt on behalf of the affirmative side. 2. Resolution to the affirmative, and foundation for this resolution. 3. Second opinion and its foundation. 4. True solution. When necessity arises a bishop is bound to consent to contribution by clerics. Proof. Laymen can never compel clerics to contribute. 5. Whether in this contribution the form prescribed by canon right is to be kept. Opinion to the

negative. 6. It is rejected. 7. A second way of defending this opinion. 8. It is refuted. 9. Response to the reason adduced for the foundation. 10. Objection. Solution. 11. Conclusion: in requiring contributions from the clergy the mode and form prescribed by canon right is to be kept. 12. What conditions the form prescribed by canon right requires: first condition. 13. Second. 14. Third. 15. Evasion. Limitation to be admitted in the third condition.

Chapter 27. Whether all clerics, those ordained as well in sacred orders as in minor orders, and who continue in the clerical state, have full enjoyment of ecclesiastical liberty.

Summary. 1. Double order of ecclesiastical persons, one of clerics and one of regulars. 2. What the difference is between these ecclesiastical persons. 3. First conclusion. Proof first from canon right and second from civil right. 4. Proof also by reason. 5. Assertion of the limitation: 'who continue in the clerical state.' Sacred orders introduce by themselves alone the privilege of exemption, but not so minor orders. 6. A triple condition is required in minor clerics for enjoying this privilege. 7. Objection. 8. Whether remuneration along with minor orders suffices for this privilege. 9. For this same privilege the age of 14 years is not required. 10. A cleric in minor orders, when any of the conditions is lacking, by that very fact loses the privilege. 11. Whether a minor cleric, if he is not serving in any church nor is engaged in study, is exempt from taxes. Affirmative opinion. True opinion. 12. Consideration of a certain law of Spain. 13. Whether clerics, when they have once been deprived of this privilege by defect of conditions, may further enjoy it. First opinion. 14. Opinion of the author. 15. A cleric can sometimes because of crimes lose this privilege. 16. In what ways the punishment of being deprived of this privilege may be imposed on clerics. 17. The privileges of the canon and of the forum of clerics are distinguished in canon right.

Chapter 28. Whether married clerics enjoy the privilege of ecclesiastical exemption.

Summary. 1. Four conditions are required for the exemption of married clerics. 2. Married clerics never completely enjoy clerical privilege. 3. What privilege a cleric enjoys who after sacred orders takes a wife. 4. What habit these married clerics should wear to enjoy exemption. 5. Whether clerics enjoy this privilege if they go about with weapons. 6. Bigamous clerics do not enjoy the privilege of exemption. Whether a cleric contracting with a virgin who has already been corrupted by him enjoys this exemption. Whether a cleric who has contracted with two women and has consummated with one of them enjoys exemption. 7. By what sort of bigamy a married cleric is deprived of exemption. 8. A married cleric at leisure in advanced studies at a University does not stay exempt. 9. Whether someone engaged in business enjoys this privilege. 10. Which sort of married clerics are altogether deprived of exemption.

Chapter 29. Whether other ecclesiastical persons who do not have orders enjoy completely the exemption of forum.

Summary. 1. Doubt. 2. Assertion: ecclesiastical persons without orders enjoy the privilege of exemption. The assertion is proved and the doubt solved. 3. The same assertion is proved from civil right. 4. Proof again by reason. 5. Which non-ordained persons are to be reckoned ecclesiastical. Profession with simple vows suffices for enjoying this privilege. Novices too among religious enjoy the same exemption. 6. Other ecclesiastical states that without a vow introduce this exemption. 7. Those who enjoy the privilege of the canon also enjoy the privilege of forum. 8. A professed religious wearing lay dress retains the exemption. He who abandons religion before profession loses the privilege. 9. Whether the servants of churches or of clerics enjoy this privilege. 10. Resolution to the negative. Question about members of a bishop's family.

Chapter 30. Whether the privilege of immunity for clerics can be revoked by any human being.

Summary. 1. Properties of the privilege of immunity. 2. Which property is treated of in this chapter. 3. Threefold way of losing the privilege. It can be lost neither by lapse of time nor by the death of him who concedes it. 4. First conclusion. Proof. 5. Whether this privilege can be revoked by kings. Reason for doubt. 6. The conclusion is proved also as to kings. 7. Evasion. It is refuted. 8. No privilege of the Church once conceded can be revoked by the secular power. 9. This privilege of immunity cannot even be limited by the civil power. 10. Objection. Solution. Privileges conceded by kings to ecclesiastical persons have no effect prior to their acceptance by prelates. 11. Four reasons for doubt against this sort of concession are solved. 12. Evasion. It is resolved. 13. Neither can the Supreme Pontiff simply revoke this privilege. 14. This assertion is demonstrated on the part of clerics. An evasion is rejected. 15. The Pontiff cannot abrogate all the rights that concede immunity. Objection. 16. Solution.

Chapter 31. Whether the privilege of clerics can be lost or lessened by renunciation.

Summary. 1. *This privilege cannot be lost by voluntary renunciation. The privilege of forum introduces a precept with respect to those who have the privilege.* 2. *Whether a cleric can renounce this privilege by license of the bishop. Reason for doubt.* 3. *True resolution and reason for this resolution.* 4. *Second and third reason.* 5. *The rights objected to the contrary are solved. The response of the Gloss. Another Gloss. True response.* 6. *Another on ch.2 De Foro Competenti. A bishop cannot commit to a layman who lacks any mark of orders jurisdiction over a cleric.* 7. *A cleric can renounce this privilege by license of the Pontiff.* 8. *Reason for doubt.* 9. *A General Council even along with the Pontiff cannot renounce this privilege.*

Chapter 32. Whether the privilege of clerics can be lost or lessened by custom.

Summary. 1. *The assertion is proved first of disuse.* 2. *It is proved second of custom proper.* 3. *First reason.* 4. *Second reason. Whether custom can prevail against canon right. Reason for doubt, and a confirmation.* 5. *Two ways are put forward by which some law can be abrogated by custom.* 6. *Unraveling of the doubt.* 7. *This immunity cannot be abrogated even partially by custom.* 8. *Objection.* 9. *Response.* 10. *Reason for the negative side.* 11. *Opinion of the author.* 12. *Response to the reason for the opposite opinion.* 13. *Objection. Response. It is rejected.* 14. *Custom cannot give prescription against immunity. Twofold reason.* 15. *Third reason.*

Chapter 33. In what ways ecclesiastical immunity can be violated.

Summary. 1. *The violation of ecclesiastical immunity is per se evil, and accordingly is a grave sin; it is against justice; it includes the guilt of sacrilege.* 2. *Twofold way of violating immunity.* 3. *When striking a cleric is contrary to the privilege of forum.* 4. *Ways common to the laws as well as to men's deeds of violating this privilege.* 5. *When ecclesiastical liberty is indirectly violated.* 6. *First opinion.* 7. *The contrary opinion is chosen by the author.* 8. *Satisfaction is made to the foundations for the opposite opinion.*

Chapter 34. In what ways actions against ecclesiastical liberty are wont to be excused, and what judgment should be made about them.

Summary. 1. *Six ways in which the violation of immunity is excused.* 2. *Ignorance the first excuse for violation. Twofold ignorance: of right and of fact.* 3. *Whence comes ignorance of right.* 4. *A second excuse for violation, necessity.* 5. *What should be thought about this excuse.* 6. *Conclusion: a cleric cannot be judged by a layman if he cannot be prosecuted by someone his superior.* 7. *Third excuse for violation, custom.* 8. *Custom does not excuse an act done against immunity.* 9. *How those who take forbidden weapons from clerics are excused.* 10. *In what way is excused the custom of apprehending clerics discovered in committing transgression.* 11. *Another way of defending this custom.* 12. *Whether immemorial custom is a sufficient sign of a privilege conceded by the Pontiff.* 13. *A custom founded on privilege can be revoked by the Pontiff.* 14. *Fourth excuse for violation, mutual agreement.* 15. *Agreement between ecclesiastics and seculars may not derogate from immunity in any way without the Pontiff's authority.* 16. *An agreement confirmed by the Pontiff is valid and sufficient.* 17. *Objection. It is solved.* 18. *The agreement of an inferior prelate with a layman, when done without concession of jurisdiction, is valid.* 19. *Fifth excuse for violation, privilege.* 20. *Whether any unrevoked privileges against immunity stand. Reason for doubt.* 21. *Opinion for the negative.* 22. *The last excuse for violation is just defense.* 23. *A twofold condition is absolutely required for this excuse.* 24. *This defense is almost always exercised through use of jurisdiction by laymen. Two evasions are refuted.* 25. *A defense of the spiritual power which includes usurpation is not to be admitted.* 26. *Whether this defense is licit by canon right. First opinion.* 27. *It does not have foundation in canon right. Satisfaction is made to the rights adduced for the opposite.* 28. *Canon right does not approve this mode of defense.* 29. *The evasion of others.*

Sum of the whole of the fourth book.

BOOK 4: ON ECCLESIASTICAL IMMUNITY OR THE EXEMPTION OF CLERICS FROM THE JURISDICTION OF TEMPORAL PRINCES

Preface:

The truth of the dogma of ecclesiastical immunity, or of the exemption of clerics from the jurisdiction of temporal princes, we have often assumed in preceding discussions and we promised at the beginning of this work, and in chapter 11 of the previous book, to explain, establish, and defend it in the present book. For we judge it necessary for the completion of this work and for a full response to the complaints and objections of the king of England. Also at the end of his Apology for the oath of fidelity, and in his Preface to Christian princes, drawing out that dogma in amazement (as he himself says) from the books of Bellarmine, he has dared to invent and reprehend not only audacity and temerity in the Cardinal but also novelty in the doctrine itself. And thence he strives greatly to excite and provoke Catholic kings against the Pope because, p.25, “it is in their chief interest that nothing of their legal prerogatives be taken away.” Hence he thus speaks to them, p.27: “If each the most powerful among you deeply and seriously considers that almost a third of your people and your soil is dedicated to the Church, will not your souls, I ask, be struck by the sense of that loss which subtracts from your right so much of men and of estates, because colonies and provinces for the Pope are established everywhere?” And he pursues other matters which we will refer to below; for they contain certain objections which we must answer in the discourse of this book. First, then, we will concern ourselves with explaining, in accord with the true principles of theology and canon right, the Catholic dogma about the true liberty or immunity of the Church and the exemption of clerics, and with establishing it, to our poor ability, by theological evidences and reasons. Next we will bring to the center not only the king’s objections but also weightier ones which may have arisen, and, as I hope, we will so satisfy them that it will be agreed that in this dogma what Chrysostom elsewhere said (*Hom. 51 on John*) has place: “Nothing is clearer than the truth, nothing simpler, if we do not intend to be malicious.”

Chapter 1: What is meant by the terms ecclesiastical immunity, freedom, and exemption. *Summary: 1. Method to be followed in this book. 2. Description of immunity. 3. Immunity is threefold: of places, of persons, of goods. In what the immunity of places consists. 4. What ecclesiastical liberty is. First opinion. 5. Second opinion. 6. The second opinion is preferred. 7. Difference among canons punishing offences against the immunity or liberty of the Church. 8. When the offence is done against the immunity and when against the liberty of the Church. 9. What is meant by ecclesiastical exemption. 10. Whether a privilege specially conceded to some person belongs to the immunity of the Church. 11. Which immunity this work deals with.*

1. Since the matter of this book embraces the doctrine not only of the faith but also of morals, we must so treat of it that we both show the truth of the faith of the Catholic Church and are able to be of service for Catholic use and practice. And for that reason we will diligently consider and weigh not only the witness of the sacred page but also laws both canon and civil, for on these the greatest doctrine, especially moral doctrine, depends. In the first place, then, the terms that authorities are accustomed to use

when speaking on this matter must be explained, so that in this way the thing itself and the authorities may be able the better to be understood. But these terms are especially those three which we put forth in the title, which we will in this chapter briefly declare.

2. The first term is *immunity*, which taken generally can be described as being the privilege whereby some thing or person is exempted from some common obligation or burden. I take this description from *The Digest*, *1 Munus* 18 ff. on the signification of words, where duty (*munus*) is said to signify burden, among other things, to which Paulus *I.C.* subjoins, "When it is remitted it provides release from military service and duty (*munus*), whence it is said to be named im-mun-ity." Here the name 'military service' seems posited for sake of example, insofar as duty is something burdensome; but immunity in general is said to be release from a duty undertaken for some burden, which release is given by a certain remission or concession; this lack or taking away of a burden, therefore, when applied to the Church, is said to be immunity ecclesiastical. But what is denoted by this last adjective will be clear what is to be said. Now in this immunity can be considered either the act of remitting, or the special right whereby someone is exempted from a common burden, or the effect of that right, which is the lack of or release from such burden and obligation. Each can be signified by the name of immunity, as can be taken from the title *De Immunitate nemini conced.* Code bk. 10. Immunity, therefore, as it signifies a right of being released from burdens, is a privilege we say that excuses from a common burden. But we use the name of privilege in a broad sense as can comprehend a natural or divine right especially agreeing with some person by contrast with others (as we will more explain in what follows). But immunity taken for the effect itself of the privilege can be called freedom or excuse from a burden, especially when legitimate and founded on some right. And perhaps in this way can be distinguished the two titles of civil law in the *Digest* 'De Vacat. et excusat. munerum,' and 'de Iure immunitatis'. But about this elsewhere. At present therefore the immunity which is called ecclesiastical can be taken in both ways, in that it exempts ecclesiastical things or persons from burdens common to other things or persons and is a concession to the decency and reverence of such things or persons.

3. Now this immunity is accustomed to be distinguished in a double or triple way on the part of the subjects or things it is conceded to and to which it as it were adheres. One is the immunity of places or temples or churches, another is the immunity of persons or clerics, a third is immunity of goods, which can be referred to the two prior ones because the goods are either of churches or of clerics and are exempted from burdens and tributes by reason of those. The first immunity, that of sacred places, consists of two things: first of release from profane actions that are repugnant to the sanctity of such places or that pollute them; second of the fact that they are places of refuge and security and protection, both for accused persons who flee to them and for goods which are placed in them. So much is taken from the titles 'De Immunitat. Ecclesiarum,' and from pretty much the whole of *Decretals* 17 q. 4, and the *Gloss* has specially noted the fact in the chapter 'Cum devotissima' 12 q. 2 the word 'Pro violata immunitate.' But we have spoken largely about this kind of immunity in our 'De Religione' vol. 2, the whole of book 3, and nothing occurs that needs to be added in this place, mainly because nothing is pertinent to the present dispute. But the other two immunities, of persons and of goods, belong most of all to the present consideration and the king of England touches on each, since he complains that a huge part of persons and estates has been subtracted from his

royal right. For that reason we will speak of both.

4. Now, from the declaration of this word it is easily understood what ecclesiastical liberty is; for some think these words to be synonymous, others set up some difference between them. As may be seen in Cajetan's *Summa*, in the word 'Immunity', where though he first confounds these words, yet at the end, in order to understand the canons, he so distinguishes them that by the name of ecclesiastical liberty he wishes only the immunity of persons in themselves and their goods to be meant, by the name of ecclesiastical immunity only the exemption of places, and therefore he does not deem him who violates the immunity of a temple to be acting against ecclesiastical liberty, nor to incur the censures laid down against violators of ecclesiastical liberty. To confirm this fact Cajetan considers the words of Benedict XII in *Extravag. 1* 'De Privileg.,' where, referring to reserved cases, he distinctly numbers violators of the immunity of churches and of ecclesiastical liberty; therefore he thinks that by these words diverse privileges of the Church are signified.

5. Nevertheless, that these words signify the same thing is taught by Covarruvubias *Decretals* ch. 20, bk. 2, at the beginning, and he is followed by Tusco, ver. 'Ecclesiae immunitas,' concl. 8, n. 9. The point can also be urged from the description of immunity, because immunity is only a certain lack of subjection and burden, which lack is also signified by the name of liberty, as liberty too is wont to signify lack of servitude and necessity. Therefore, if there be added the same determination for ecclesiastical liberty and immunity, the same thing will be signified by each word. Hence Covarrubias in the aforementioned *Extravag. 1* considers that the same determination is not added but varied when it is said 'immunity of churches and ecclesiastical liberty', for the words 'churches' and 'ecclesiastical' do not signify the same thing, because by the name 'churches' is there signified temples, according to common usage, and thus, in that compound phrase, only the immunity of sacred places is there signified. But when 'ecclesiastical liberty' is mentioned the word 'ecclesiastical' is taken by the Church in a general way, mostly by reason of ecclesiastical status, and hence it there properly signifies the exemption of ecclesiastical persons, both in themselves and in their goods. But this liberty is also rightly called ecclesiastical immunity in the *Decretals*, chapter *Adversus*, about the immunity of churches, joined to the chapter *Non minus*, in the same. Therefore, with this determination of ecclesiastical liberty and immunity in place, the same thing is signified by each word. Hence in the common usage of the Doctors those words are used as synonyms, as may be seen in John Lopez, *Tractate on Ecclesiastical Liberty*, throughout from the beginning, and especially 1 p. q. 3, and 2 p. q. 11, Rebuffe, *Tractate on Immunity* and Jerome Albano in another tractate on *Immunity* and in the rest in the Rubrics *On Immunity*.

6. For which reason this second opinion is in true force and is rightly approved, with due attention to the use and propriety of words. Nor is Cajetan simply in opposition, for he confesses that those words are often confused; he adds, though, that in the usage of the canons that lay down censures against violators of ecclesiastical immunity or against ecclesiastical liberty that difference is observed, because the former canons punish those who injure sacred places but the latter those who act against the immunity of persons. Even this difference is not constant, for the first part has place in the heading, when there is in the canon talk of ecclesiastical immunity, for then ordinarily by the name of churches is signified temples, as I said, and from that addition the canon is determined to

sacred places. But if the canon is making disposition against violators of ecclesiastical immunity, plainly it comprehends everything, unless from the action which it punishes or from other circumstances it is clear that it is specially talking of the immunity of places or of persons. Thus the word is in itself indifferent and comprehends everything, unless it is determined by something else. And the same is true if the canon speaks of the immunity of the Church in the singular, both because the word 'Church' alone of itself generally determines the immunity conceded to the Church, whether in places or in persons, and also because the word is wont especially to signify the congregation of the faithful, unless there is determination by something else, or it is clear from the context, that a material temple is being talked of.

7. But another difference can be considered between the canons that punish those who do something against the immunity or the freedom of the Church. For immunity can be violated in two ways. First, by the mere fact or the mere usurpation of a right; second under the pretext of another right of legitimate power. In the prior way he acts against immunity who burns a church, or infringes or spoils or purloins the goods of the Church; in the second way a judge acts against immunity who drags an accused person from a church. Hence this second way is not wont to be committed except by someone who wields public power, or does so under some color or pretext of it; but the prior way can be committed, when power is lacking, by anyone by force. Now in each of these ways something is done against immunity, but it is only in the prior way that something seems to be committed against liberty. For thus he who lays violent hands on a cleric seems to act against ecclesiastical immunity but he does not seem to act against ecclesiastical liberty; on the other hand, however, a secular judge who usurps judgment against a cleric is properly and, so to say, specifically a violator of ecclesiastical liberty, although there too a violation of immunity is generally included, because the right of immunity cannot be violated without an act contrary to immunity.

8. In a similar way, he who, by private authority, through force and injury alone, drags some person from a church, acts against the immunity only of the church; but he who does it by title of public authority and jurisdiction, or who makes determination that churches are not to have the privilege of safety and asylum for offenders fleeing to them, he violates ecclesiastical liberty also, because he tries to rob the Church not only of the use but also of the right of immunity. And in this way the words of Benedict XII above cited seem best understood. A reason too can be given, that less is required for acting against the immunity than against the liberty of the Church, and hence acting against immunity extends more broadly than acting against liberty; for everyone who infringes liberty detracts also from immunity, but not conversely, for he who denies obedience to the Church in deed only will at most be a schismatic. Further, by this reason too Cardinal Zabarella, *Repetit.* ch. 'Perpendimus', on Sentence of Excommunication, n. 2, opposit. 7, said that it was more hateful for a cleric to be judged by a layman than to be struck by someone of a private capacity, namely because the former act is against ecclesiastical liberty but the latter seems only to be against immunity. It has a foundation too in the chapter 'Si vero' on Sentence of Excommunication, where the striking of a cleric done by a minister of power, not as a minister but as a private person, and without usurpation of jurisdiction, is not always deemed to incur a censure reserved to the Pope; but a striking done by an official in power, by his capacity indeed as minister of it, is always declared to be reserved, the reason for which seems to be no other than that this latter is a graver

and more hateful act, because contrary to the liberty of the Church and not merely, as the former, to immunity. Lastly, this difference seems also in agreement with the propriety of the words, for he properly acts against someone's liberty who wishes to reduce him to servitude and impose on him the burden of servitude; but he who inflicts on someone only an injury in fact, and strikes him as if he were a servant, does not properly act against his liberty.

However, on this point, we cannot indeed deny that these two ways of violating ecclesiastical immunity are distinct, and that an offense is graver in its kind when immunity is disrupted not only in fact but also by pretended right, just as it is far graver to deny the Church the right to tithes than not to pay tithes. But nevertheless this fact does not prevent its being the case that in both ways ecclesiastical liberty is violated as well as immunity, because (as I showed) ecclesiastical immunity and liberty, being determined in the same way, are the same in reality. Further, although it also be true that the name violation of ecclesiastical liberty can easily be applied, as by *antonomasia*, to signifying the mode of the violation – which mode rests not only on violence but also on a presumed and usurped right, in that by the name of liberty the right itself seems more to be signified, and because authorities seem frequently to signify this violation of immunity to be against ecclesiastical liberty, as in the cited chapter 'Non minus' and as one may see in many censures of the Bull *Coenae* – nevertheless we cannot affirm that that difference is constant in law, nor that it constitutes as it were a rule that the censure laid down against violators of ecclesiastical liberty does not comprehend all violators of immunity, unless such a limitation be gathered from the words or the matter of the law. For that rule or difference is not sufficiently founded in law, nor in the use of doctors, as is clear from what is collected by John Lopez, tractate 'On Ecclesiastical Liberty' p. 1, ch. 10, and from the others enumerated by William Luvérano in his tractate 'On the Tree of Jurisdictions' in declaration no. 15, and from Rebuffe in 'Concordat', the title on firm and irrevocable agreement, section at the second to last term, 'I ask, which are statutes'

9. Next, there is left explained from these the third term, that of ecclesiastical exemption, for in reality it signifies the same as immunity or liberty, and thus one term is commonly explained or described by another. However, the term exemption seems more one of fact than of right, and so to signify more the effect of the privilege of immunity than the privilege itself. Hence one can not unworthily enquire whether every exemption conceded by privilege to ecclesiastical temples, things, or persons, is deemed to pertain to ecclesiastical immunity or liberty, such that he who violates any exemption of this sort is deemed to act against ecclesiastical immunity or liberty and to incur the censures laid down against usurpers of the liberty of the same. For such privilege can be double: one is general, conceded to all churches insofar as they are churches, or to ecclesiastical persons insofar as they are such, and of this privilege it is certain that it pertains to ecclesiastical immunity, for all agree in this fact, as will be plain from what is to be said. But the other can be exemption by a particular privilege given to such and such a church or dignity or ecclesiastical person by a particular way of considering it.

10. About this exemption there is doubt whether it pertains to ecclesiastical immunity such that a violation of it is a violation of ecclesiastical immunity. For Rebuffe in 'Concordat', the place just cited, openly affirms the fact with many references; Cardinal Tusco follows him, at the term 'Ecclesiastical liberty', conclusion 341 no. 17 ff., where he alleges others; and Roque Curcio seems to think the same, tractate 'On

Customs' sect. 5, about the second part of *Gloss* no. 2, and John Lopez in the mentioned tractate 'On Ecclesiastical Liberty' p. 1, q. 10, case 12 and 16. These doctors could have been influenced either by the fact that ecclesiastical immunity comprehends all privileges conceded to churches or ecclesiastical persons, or by the fact that, in order to act against ecclesiastical liberty, it is enough to act against the liberty of one church. For the statutes against the Church that are private to one republic harm the churches only of that territory, and yet they are against ecclesiastical liberty because in the one church all churches are offended, just as in the striking of one cleric the whole clergy is offended and made more fearful.

Nevertheless it must be said that, according to legal usage and ecclesiastical custom, only that exemption belongs to ecclesiastical immunity and liberty which flows from the general privilege given to the Church, whether for the honor and reverence of temples, or because of the decency and dignity of ecclesiastical status or clerical order. This is the common opinion of legal experts, *Decretals* ch. 'Noverit' on sentence of excommunication, and on *Authent.* 'Cassa' ch. on Ecclesiastical Sacrosanctity, as is evidenced by Panormitanus in the said ch. 'Let him know' no. 2 and bk. 1 Councils, 83 no. 1, and Decio on the word *Authent.* 'Cassa' no. 18, Julio Claro, bk. 5, last section, q. 77, no. 28, Sylvester on the term excommunication 'Excommunication' 10, and Lopus allegat. 3, and others I referred to and followed vol. 5 'De Censuris' disp. 21, sect. 2, nos. 89, 90, where I have given fuller explanation. Cajetan thought the same in his *Summa* on the term immunity; for he says, as regards punishments of law, that they do not come under immunity, except for exemptions which belong to the Church by general privilege; but as regards guilt there can, for the same reason, be violation of an exemption given by special privilege to a particular church along with violation of the immunity conceded commonly to the Church, although the former guilt is not punished in law in the way that the latter one is. Hence he thinks, and rightly, that the exemption by special privilege of some church is in the thing itself truly a sort of ecclesiastical immunity and liberty. For it is a liberty from a burden, which the term of immunity generally signifies, but it is conceded to a sacred thing, insofar as it is such, and hence is a religious thing, and can in its own way deservedly be called sacred; therefore violation of it is irreligious, sacrilegious, and consequently of the same species with violation of a like immunity conceded to the Church by general privilege. Nevertheless, the laws do not punish these violations of special privileges, nor do they deal with them when they protect ecclesiastical immunity and liberty but with things that concern the Church and the ecclesiastical state in general. That is why we said that in legal usage only exemptions flowing from universal privileges are included under ecclesiastical immunity.

Hence it happens that the determination of immunity, when it is called ecclesiastical, bespeaks a relationship to the Church according to its common nature. For a privilege ought not to be conceded to the universal Church in all its members, for this is not necessary, as is evident, but so as to regard the whole Church on behalf of those members or places which are capable of such immunity. Hence again Cajetan rightly noted that for violation of this immunity it is not necessary that the immunity be violated in the whole Church or all its members, or in places it belongs to, but enough that it be violated in one person or in any place to which it belongs by force of general privilege. And this alone proves the foundation of the contrary opinion; and some of the earlier authors mean nothing else, especially Roque Curcio, and the others he refers to. The fact

is manifest from the laws which he himself alleges ch.2 'De Reb. eccles. non alienan.' and ch.2, 'De Foro compet.', where the reason is also given, that an injury inflicted on one person against the general privilege of the community and granted on account of the community, redounds on the whole community, and for that reason the violation of immunity which the laws punish is violation proper. Hence also it is by the by understood that, although it could happen that a violation of a special privilege is, as regards its guilt, of the same kind as violation of immunity of the Church proper, yet, of its kind or by its own mode, a violation of immunity has this peculiar to it, that it is as it were a common injury and redounds by a special title on the community; thus therefore immunity properly means some exemption common to the Church.

11. From these things the conclusion is at last drawn that the treatment at present is only of ecclesiastical immunity or liberty proper, and that, because we have now excluded immunity of places, our discussion is only of the immunity of persons, whether in themselves or in their things. But it is to be added that a double immunity or a double general privilege has been conceded to ecclesiastical persons: one is called privilege of the canon and the other privilege of the forum. The first is the privilege (so to speak) of the security and indemnity of ecclesiastical persons, by which, through the canon 'Si quis suadente' 17 q.4, a caution carrying a special censure is given against striking clerics. About this immunity we have no controversy with the king of England and besides the matter of that canon has been treated by us elsewhere, and therefore there will be no talk in the present about that exemption and immunity. But the privilege of the forum is called that whereby exemption from lay jurisdiction is conceded to clerics, to which there is consequently annexed exemption from taxes, and the whole controversy turns on these matters.

Chapter 2: Whether clerics are by divine right exempt from the power of secular princes in matters spiritual and ecclesiastical.

Summary: 1. An error of heretics. The foundation of the error. 2. Conclusion de fide. 3. The assertion is proved by reason. 4. The conclusion is shown from Scriptures. 5. It is confirmed from the Supreme Pontiffs. 6. From the secular power are also exempt all spiritual causes. 7. Solution to the foundation of the contrary error. 8. Response to the confirmation. 9. Objection. Solution.

1. This point was defined virtually in the principles laid down in the previous book; but we here pass it over; both because the king of England contends that the clergy will in his kingdom be subject to himself in all matters and causes, and he affirms the same respectively about other kings and kingdoms, in common with Marsilius of Padua and others like him; and also because, once this error is rejected, it will be evident with greater clarity and certitude what the proper immunity and exemption of clerics is based on. The foundation, therefore, of the aforesaid error is: either that there is no spiritual power in the Church of Christ but only a civil or temporal one by which all things, both secular and ecclesiastical, are to be governed and all laws to be passed and all judges decided, whatever matter they be about. For all things both ecclesiastical and civil are included under the political order and regime, nor do they otherwise fall under human power, but the whole political order falls under the royal power. Or certainly that the followers of this error, if they recognize a certain spiritual power, wish it, more or less on

the basis of the same foundation, to be at its highest level in kings, that the whole order of the Church is only political, that is, on account of the external ecclesiastical polity, which makes one body with the civil polity; and therefore it is necessary that it be wholly subject to the same supreme king. Hence, to confirm this point, they judge that Paul placed everything which concerns human rule without exception under the king, when he says in *Romans* 13.2: "Whosoever therefore resisteth the power resisteth the ordinance of God." From these words a certain person inferred that secular princes have authority for passing laws in every matter and obligatory on all persons, in accordance with *Proverbs* 8.15: "By me kings reign and princes decree justice." The confirmation is that the emperor Theodosius in his *Code*, and Justinian afterwards in his, gave many laws about spiritual things, as about sacrosanct churches, about bishops, about clerics, etc. And Alfonsus king of Spain has many similar ones in his laws, *Partidas* p. 1. Therefore "whosoever therefore resisteth him (Paul's witness), resisteth the ordinance of God."

2. Catholic truth nevertheless is that clerics are in causes spiritual and ecclesiastical altogether immune from the jurisdiction of temporal princes. Thus do all Catholic writers teach in the places mentioned below, and they all agree that the immunity of clerics as far as this part is concerned is of divine right; this matter I believe to be as equally certain as to be *de fide* because it rests on the same principles and foundations. Now these principles are principally three, which were proved in the previous book. One is that there is in the Church a governing spiritual power distinct from the civil power and of a superior order, given to the Church itself by the singular institution and donation of Christ, beyond the right of nature. This principle was proved in ch. 6 of the previous book. Another principle is that this power is not in kings or temporal princes but in the pastors given by Christ to the Church, and especially in the Supreme Pontiff, who is the Roman Bishop, and this principle was proved in the previous book, from ch.10. The third principle is that this spiritual power is not subordinate to the power of kings but rather has that power subject to itself, which was copiously proved and defended in the same book, from ch.20.

3. From these principles, therefore, the conclusion thus follows: spiritual causes are to be established and defined by the spiritual power; but this spiritual power is neither in kings nor subordinate to their power; therefore such causes are outside the forum and power of secular princes both directly and indirectly; therefore ecclesiastical persons with respect to these causes are by force of divine right constituted outside the jurisdiction of princes, and hence by the same divine right they enjoy an exemption and immunity of this kind. The major is evident *per se* on the supposition of the first principle, because if the spiritual and temporal powers of jurisdiction are distinguished, it is necessary that they deal with distinct matters, and that each claim a matter proportionate to itself and be confined to it; therefore spiritual matter as regard all disposition and rule pertains to the spiritual power and, conversely, spiritual power operates in spiritual matter as in its proper sphere and has it for its proper and adequate object. The minor is proved in the second and third principles. But the first inference is evidently inferred from the premises, because no power operates directly save on its own matter, nor does it extend indirectly save to the matter of a power subordinate to itself; but the civil power has neither of these with respect to spiritual matter, as has been shown; therefore spiritual matter is altogether outside the jurisdiction of temporal princes. Thence finally is evidently concluded the second inference because, in the first place, clerics, insofar as

they are clerics, pertain to spiritual matter by virtue of an order which is spiritual and from Christ's institution. Next, persons are allotted a forum by reason of matters or causes, because an act of jurisdiction is proximately concerned with some matter which it prescribes or restricts for a subject person, and therefore, if the matter is outside someone's jurisdiction, the persons also, to whom such matter pertains, will, by such reason, be immune from the same jurisdiction.

4. With this manifest proof in place, therefore, from principles of the faith already proved, this truth is shown from Scripture in no other way than from those places where the rule of the Church is shown to have been committed by Christ to the pastors of the Church, 'Feed my sheep' *John* 21.16, 'Whatsoever thou shalt bind etc.' *Matthew* 16.19, 'He who hears you hears me, and he who rejects you, rejects me.' 'If he neglect to hear the Church let him be unto thee as an heathen man and a publican' *Luke, Matthew* 18.17. Also from those places where it is shown from the institution of Christ that there is in the Church judicial power and ecclesiastical tribunal, according to that verse, 'What will ye? That I come to you with a rod? etc.' and the verse, 'For I verily, as absent in the body but present in the spirit, have judged already as though I were present, him that hath so done this deed.' And that, 'For what have I to do to judge them also that are without? Do not ye judge them that are within?' *1 Cor.* 4.21, 5.3, 12. And that, 'Having in a readiness to revenge all disobedience,' and later, 'For though I should boast somewhat more of our authority which the Lord hath given us for edification, and not for your destruction, I should not be ashamed.' And again, 'Therefore I write these things being absent, lest being present I should use sharpness, according to the power which the Lord hath given me,' *2 Cor.* 10.6, 8; 13.10. Again that, 'Obey them that have the rule over you, and submit yourselves,' *Hebrews* 13.17. For in these places his speech is about spiritual power, and it is said to be given for ruling the Church, most of all in spiritual things, and for the spiritual edification of the faithful. And the fact that rule over clerics pertains to this power is sufficiently declared from the words of St. Paul to Timothy, *1 Tim.* 5.19, 'Against a priest receive not an accusation, but before two or three witnesses.' For thus is it sufficiently clear that the causes of clerics, insofar as they are clerics, pertain to the prelates of the Church and to them alone. For although it is not there expressly added that this power is exclusive, the fact is sufficiently gathered from here that the power belongs to a superior order and has not been given to others save to the pastors of the Church, nor has it been subordinated to an inferior power, as I said (§3).

5. In this way, then, has this truth been taken by the holy Pontiffs and Councils from the doctrine of Christ and the Apostles. For thither have regard the words of Pope John, 'If an emperor is Catholic, he is a son and not a lord of the Church.' And later, 'So that he should not ungratefully usurp anything from the benefits of God contrary to the disposition of the heavenly order; for God has wished that the disposition of the things of the Church pertain to priests and not to the princes of the world, etc.' About whom he again says, 'Not by them but by the pontiffs and priests has Almighty God wished the clerics and priests of the Church to be ordered and restricted'. In these words he openly declares that this institution is of divine right; and that word 'restricted' is to be weighed, for thence it is clear that the causes of clerics pertain by divine right to the ecclesiastical forum alone; which must at any rate be understood of ecclesiastical and clerical causes insofar as they are clerics. The same doctrine is approved and confirmed by Popes Gelasius, Nicholas I, and Symmachus in various synodal decrees (as mentioned in the

same distinction 69). Pope Felix also, and Nicholas I again, in ch. 'Certum est' and ch. 'Imperium' and ch. 'Quoniam' dist. 10, and Innocent III in ch. 'Ecclesia' *De Constit.*, and in ch. 'Solitae', *De Mariorit. et obedien.*, and in ch. 'Novit.' *De Iudiciis*, and in the same place ch. 2. The same is got from the Council of Rheims under Eugenius, and from Pope Honorius, in ch. 2 *De Iurament. calum.*

I know indeed that the king of England along with his Protestants despises the authority of such great Popes, and refuses to have them as judges in his own cause. Yet as I already said in the preceding book, their ignorance or perversity cannot diminish the authority of the Popes, which is founded on the words and promises of Christ. Especially is this so because not only the Roman Pontiffs but also the most ancient fathers agree in the same truth, as has been proved at large in the previous book, ch. 9 ff., from Ambrose, Gregory Nazianzen, and many others, and so I judge it superfluous to refer to their opinions again. But if it be said about all these that they were bishops and priests and speaking in their own cause, certainly the Church has never had other pastors or doctors by whom it might be taught and through whom it might receive the divine and apostolic traditions and be preserved in the purity of the faith and the sound interpretation of the Scriptures. 'For the perfecting of the saints, for the work of ministry, for the edifying of the body of Christ, until we all come in the unity of the faith and of the knowledge of the Son of God, unto a perfect man, unto the measure of the stature of the fullness of Christ,' as St. Paul says in *Ephesians* 4.12-13. It is impious, therefore, to think that they have imposed on the Church in this cause or have spoken by human affection, but that they have defended the cause of the Church, which could not be separated from their own, not arrogating to themselves a new power but the power they received from Christ through the apostles and their successors, preserving it and defending it for their posterity to the advantage of the Church.

With the Catholic claim thus confirmed both by infallible authority and by firm reason, there can also be understood from the same proof, first, that this immunity or exemption of clerics is not by way of taking away or diminishing the jurisdiction that was before in princes, but by way of negation, because princes never had such jurisdiction, nor could they show whence they had it. For (as I have often said) Christ the Lord, in founding his new spiritual republic, gave no power to temporal princes (for where or when did he confer it?), but gave it to the pastors of the Church; and that is why temporal princes have no power over ecclesiastical persons or their causes, insofar as they are such; nor are persons of this sort, with respect to such causes, subject to kings, and it is in this way that they are said to be exempt, not because they are removed from their jurisdiction, but because kings themselves never received power over them. The fact is best shown from the time of the primitive church, when temporal princes were infidels, for no one would say that they then had power for judging the ecclesiastical causes of clerics, and yet the Church did not then lack perfect power for governing itself and for passing judgment in cases of this sort and about persons of this sort, which in no way pertained to secular princes. But secular princes, because of their conversion to the faith, did not acquire any new jurisdiction over the Church (for who would have conferred it on them?); therefore they do not have it now. Rightly, therefore, are clerics said to be exempt in these things, not by a removal proper and by a new privilege as it were, but because princes themselves lack, of themselves, such power over clerics as regard such causes.

6. Secondly, I collect from what has been said that although this exemption is especially clear in clerics, because they are both sacred persons and are specially dedicated to the divine cult; and therefore they are principally governed by canon rights and, as a result, ecclesiastical causes have place in them most of all and as it were in their proper subject; nevertheless, the same exemption can be seen in the rest of the faithful insofar as spiritual causes can also pertain to them, because it arises not only from the proper status of an ecclesiastical person but also from the general nature of such causes, as was shown. But all those causes are called spiritual which pertain to the faith, to sacraments, to sacrifice, and universally to the divine cult, and to the salvation of the soul and of its cure and remedy from sins, as we said at large in *De Legibus* bk. 4, which is about canon rights, and as the doctors treat it in the stated chapter 'Ecclesia' *De Constit.*, and various examples can be seen in Tusco, under the term 'ecclesiastical liberty', ch. 1, and we will add some things about this point below in chs. 15 and 16.

7. Finally, from what has been said a response to the foundation of the contrary error is evident. For the principles on which it is founded are heretical and have been sufficiently refuted above. But the words of Paul, 'whosoever therefore resisteth the power, resisteth the ordinance of God', and the words of *Wisdom*, 'By me kings reign', are very absurdly adduced. For Paul speaks of the power in its own forum, and of its giving commands within its own limits. For when he said, 'Let every soul be subject to the higher powers', he did not understand that every man ought to be subject to any king at all, but to his own king, for neither is a Spaniard bound to obey or to be subject to the king of France; therefore each one is commanded to be subject to his own king; therefore also in this way he is said to resist the ordination of God who resists the power or the superior, and resists one giving commands in ordered fashion or in matter subject to him. Nor Paul did say that one should obey the king in every matter, but spoke simply, just as he also said elsewhere, 'Obey those placed over you'. That is also why it was not necessary to add the limitation or exemption, for in the very nature of obedience is intrinsically included respect for the superior as he is superior and as he legitimately gives commands. In another place too, just as the Wise man said, kings rule through wisdom, so he at once added, 'and law givers decree justice'.

8. As for the confirmation about the laws of Justinian in matter of canon right (§1), I said in the above mentioned book 4 of *De Legibus*, ch. 11, that they are not true laws but that they can be held to by way of instruction, not by way of right; and therefore, that in those things where they contradict the canons they are of no use was also declared in the *Code* 1 *Privilegia* and *Authent.* 'Cassa', the *Code De Sacrosanct. Eccl.* The thing was even specifically stated about ecclesiastical causes by the same Justinian, *Novel.* 38, which is contained in collat. 6, tit. 11, 'ut clerici apud proprios episcopos etc.'

9. But there is one objection remaining against that part where it is said that this immunity is of divine right, for by that fact it would be made immutable and incapable of being lessened or diminished by the Pontiff, which is false. For by the consensus of the doctors the Pontiff can commit ecclesiastical causes and spiritual jurisdiction to laymen; therefore it could be that clerics are subject to kings even in those same causes. I reply that this exemption, as I said, is negatively of divine right, insofar as divine right has not given to kings spiritual power over clerics or churches or ecclesiastical causes. Hence, to this extent, it is absolutely an immutable divine institution, for it could not happen that a king, by force of his regal power, could give judgment about a cleric in causes of this

sort. For neither could this honor be given by any dispensation, for it involves a repugnance to natural reason. Hence it is forbidden by divine right that anyone, by sole regal jurisdiction without higher jurisdiction, usurp such judgment; on this, then, no dispensation or limitation falls.

But the same divine right does not thus prohibit spiritual jurisdiction from being committed to laymen; and therefore although the canons prohibit this and it does not regularly happen by usual dispensation, nevertheless by the absolute power of the Pontiff there is no repugnance in its happening, as we said along with common opinion in our books *De Censuris et Legibus*. Panormus too and Felino and other expositors commonly hand it down in the chapter ‘*Ecclesia sanctae Mariae*’ *De Constitutionibus*. But I reckon that this is to be understood of delegated jurisdiction, or in some particular case, for I do not reckon that the ordinary rule of the Church can be committed to kings or laymen, because by divine right it has been established that the Church be governed by bishops, as is clear from *Acts* 2. For the same reason also I reckon that it cannot happen that clerics in their proper and ecclesiastical matters and causes be by ordinary right subjected to secular princes, even by concession of the Pontiff; for in this way much of the ordinary rule of the Church, rule established by Christ, would be overthrown, and it is not possible to give a just and reasonable cause on account of which it might seem possible validly to be done.

Chapter 3: Whether clerics can be and are exempt from the jurisdiction of princes even in matters and causes temporal.

Summary: 1. The error and doctrine of schismatics on this matter. 2. Confirmation. Evasion. Instance. 3. The true and Catholic opinion about the exemption of clerics. This can happen in three ways. The first way is proved. 4. A reason against this mode of concession is solved. 5. By the exemption of clerics kings are deprived of jurisdiction over them. 6. The second mode of exemption is proved. 7. Objection. Response. 8. The Pontiff can exempt clerics by his direct power over kings. 9. The third mode of exemption is proved. 10. Exemption is an act of voluntary jurisdiction. 11. The exemption of clerics is repugnant neither to justice nor to natural reason. 12. It is intrinsically evil so to exempt someone that he be subjected to no one. 13. Arguments against this mode of exemption are solved. The confirmation of the adversaries. 14. Response to the confirmation. An ecclesiastical judge can impose the penalty of death. 15 Final assertion. The exemption of clerics is ancient and holy. Proof. 16. Conclusion, that exemption has de facto been conceded to clerics.

1. There is on this point a special controversy with these schismatics who, although they do not deny the primacy of the Roman Pontiff as regard spiritual power, nevertheless they attribute the primacy in temporal matters, both civil and criminal, even as regard clerics, to temporal kings, and therefore we propose to investigate the thing first in general, whether there is such an exemption, so that afterward we may declare its origin, properties, and effects in particular. But in the question proposed there are two things insinuated: one is about the power, that is, whether clerics can be exempted from the jurisdiction of kings in matters temporal, the other is whether they are in fact exempt. For the heretical followers of Marsilius of Padua, and Illiricus, and other inventors of new schisms, constantly deny that in the Church an exemption has been made for clerics

which supreme temporal princes are required to observe. But in order to find some foundation for this assertion they deny as a result that such an exemption could have been made in the Church without grave lapse and error against divine and natural right. This reason for constructing this error is the one that a certain Paul Servita and other secret writers against ecclesiastical liberty seem to have had, who a few years ago spread about certain libels against the Apostolic See on the occasion, known to all, of the disturbance in Venice, and Barclay seems to be numbered among them, to whom the most illustrious Bellarmine is very recently responding; and these people the king of England praises and imitates.

But to make persuasion of this their foundation they use only those testimonies of Scripture where kings are said to be ministers of God, and their power said to be from God, and therefore obedience to them is prescribed as necessary by right of nature, 'for conscience' sake', *Romans* 13, *Proverbs* 8, and similar. From these they establish this principle too as certain, that kings have power and care immediately imposed by God for governing all men under their sway. Finally they infer from this that the exemption of clerics from the king in any kingdom is repugnant to divine and natural law and for that reason impossible. Now this last inference could in this way be deduced by us so as to seem to have a certain shadow of reason; for this exemption could be made either by God or by some man; but neither can be asserted; therefore neither can simply be introduced. The minor as to the first part about God is proved, because, first, God is not contrary to himself; if therefore he has himself prescribed to kings that they should have the care of all men who are born and live under their empire, and has prescribed to all of these that they should obey their kings, it could not happen that he could take power away from kings over subject clerics, or (which is the same) that he could exempt clerics from the power of princes. Also, because this exemption is contrary to natural right, which Paul has taught us; but God cannot dispense from natural right either at all or certainly he does not do it by his ordinary power, especially in the law of grace and by a dispensation so universal.

2. The second part about man is proved first of all by universal reason, because a man can overthrow natural right much less than God. Next I use another dilemma, because, if some man could have made such an exemption, it would be either the Pope, or the emperor, or a king, or any prince at all who was supreme in his territory; for if these cannot, certainly much less can inferiors. But that the Pope could not concede this exemption to clerics is proved because he cannot deprive kings of their power nor detract from royal prerogatives, as the king of England says, for there is the same reason of the whole as of the part. If therefore the Pope cannot deprive any Christian king of his whole jurisdiction neither therefore could he deprive him of any part of it, especially so great and notable a part as would be 'a third part of the men and estates', as the same king complains. There is confirmation also of the fact, because the Pope could not concede this exemption to clerics with respect to a heathen and unbaptized prince, if there were clerics subject to him, as is now the case for example in Japan or China; therefore neither could he do it with respect to Christian princes. The proof of the consequence is that Christian kings are not less supreme in temporal matters than heathen kings; and although we grant that Christian princes are spiritually subject to the Supreme Pontiff (which the king of England and Protestants do not admit), this contributes nothing to enable him to deprive them of their temporal jurisdiction; therefore in this they are on an equality with

heathen princes and in no way subject to the Church. Perhaps someone will say, to prove this summarily, that Pontiffs could not have done this against the will of Christian princes but they could have done it with their consent. But in the first place this does not suffice to refute the adversaries, for thence schismatics will infer that the exemption of clerics is not *per se* settled but depends always on the consent of princes and thus can be revoked on the choice of the same. Next the king of England will say that he is supreme in temporal matters and has never consented but has resisted, not only he but also his predecessors. Finally also it needs still to be seen whether kings themselves could have consented, for to consent is the same as to do; but we will prove that kings could not have conceded this exemption; therefore neither could the Pontiffs have introduced it by the consent of kings.

The proof, then, that a temporal king could not concede the privilege of such exemption to the clerics of his kingdom so as to make them not subject to himself, is taken in the first place from the principle received by experts in jurisprudence, that princes cannot concede a privilege which is directly contrary to the royal dignity, because they cannot diminish it or take anything from it, for it was not made for their utility principally, nor have they received an absolute dominion over it, but so that they might preserve it unimpaired for their successors. For because of this cause also the Supreme Pontiff cannot diminish his own dignity, nor concede a privilege which would take anything from his dignity. Hence Navarrus inferred, ch. 'Novit.', *De Iudiciis*, coroll. 69 n.166, that no king could concede to his kingdom or his subordinate dominions a privilege such that they should be bound to obey neither him nor his magistrates. He also confirms the point, both because such a privilege would be contrary to the law of nature which dictates that one should obey princes and superiors, and because the republic itself, if it retained in itself the supreme power given to it by God, could not exempt any member of the republic from the law to obey it, because it could not abdicate from that natural power which it has received from nature over its citizens as long as the relation and union of the citizens with the city remains the same, as of the members with the body. Therefore neither could a king do that now, since his power, which preceded him in the republic and was transferred to him, is the same.

Finally we can confirm this by an example taken from the Supreme Pontiff, who cannot exempt any baptized man from his jurisdiction such that he should not be bound to obey him; for it seems the same should be said of a temporal king, that he is compared in temporal rule to his kingdom and to its persons as the Pope in spiritual rule is compared to the Church. Now the reason is common to both cases, that God has committed both to the king and to the Pope the care of their subjects, and has prescribed that they should give them justice and should continue in office by punishing the bad and defending the good; therefore a king could not exempt persons committed to him by God and leave them free, because this would be contrary to divine institution and contrary to the natural obligation of his office. And this is what the king of England and others claim when they say that this exemption is against natural law. Lastly, there is confirmation of this part, together with the preceding one, that such an exemption would not be to the edification but to the detriment of the Church, therefore it could be introduced neither by a king nor by the Pope. The king of England seems to have this reason in mind when he warns princes to consider: "how many thorns and thistles (he says) are left in the middle of your kingdoms when it is claimed that so powerful a party of men is born, educated,

and able to enjoy copious booty, that is immune from your power and not subject by any right to your laws and judgments.” Now Paul of Venice tries to show that this inconvenience follows because, since ecclesiastical prelates cannot use the material sword against their subjects by exacting from them the penalty of death, hence it happens that vices and sins increase in the Church. Therefore he concludes that this liberty, which ecclesiastics pretend to, is nothing other than a liberty for sinning.

3. Nevertheless the true and Catholic opinion is that clerics could justly be exempted from the jurisdiction of temporal princes. This assertion, to the extent it must be founded on the authority of the Church, depends on a fact that has not yet been stated; and for that reason we will first show the truth itself by way of possibility and afterwards we will prove its certitude in fact. We say, therefore, that this exemption could justly have been made, there being three modes in argumentation touched on, namely from God, from the Pope too, from the emperor or kings. The first part is indeed so evident that it could be denied by no one without great blindness and impiety; for God is absolute Lord of life and death, as of human liberty; therefore by most justly using his power and right, he can make any man slave or master and subject or superior of another, and similarly he can deprive any man of his proper dominion and power and give it as he may please to another. For that reason Daniel says, 2.20-21: “Blessed be the name of the Lord for ever and ever: for wisdom and might are his: and he changeth the times and the seasons: he removeth kings, and setteth up kings.” Therefore with the same facility he could transfer clerics to be under the power of the Pope, taking away from kings the power which they could have over them and conferring it on the Pope.

4. Nor is the reason, which was made to the contrary, of any moment, because through an exemption or change or transfer of this sort no change has to come about in God himself, for, remaining himself unchanged, he changes empires and the states of human things; and in this way in the Church itself he has wished that there be distinct modes of governance for diverse times, according to the counsel of his will, without any change or contrariety in the same will. For although God bestows a kingdom or other power on someone, he is not compelled to preserve it perpetually, but he can take it away according to the reason of his own providence and give it to another, not because he retracts his former will but because from the beginning he disposed all things under that law and condition and as depending on his own will. Nor, lastly, does any dispensation in natural right intervene in this business, but only a certain change in the matter of it, which can be done not only by God but even by man, as has elsewhere been by me largely treated of, and I will also immediately touch on it.

5. So then two things are here briefly to be distinguished which our adversaries confound, so that they involve the thing in obscurity when, however, it is very clear and manifest to anyone with a little learning. For it is one thing to exempt someone from someone’s obedience by taking from the other jurisdiction, or all right of a superior, with respect to such person, even though he retain power over other persons. But it is another thing, while preserving in a prince or prelate the same jurisdiction over such a person and the same right of giving commands, to remove nevertheless from the subject the obligation to obey. Exemption, therefore, as explained in this latter sense (which we can, in the theological manner, call the composite sense), can most justly be said to be contrary to natural right as regard this indispensable thing, because it involves an open repugnance and contradiction even in the divine will itself. For thus it would happen that

God wants at the same time that the superior be able truly to command, and hence effectually to bind the subject, and that the subject nevertheless be able licitly not to obey, and consequently that he be at the same time both subject and not subject, and again that there be a war that is just on both sides, not as founded in ignorance but in the thing itself, which is an intolerable and incredible perplexity. But who ever understood so the exemption of clerics? No one, to be sure, who is of sound mind. The other mode of exemption, therefore, is not only possible but also very easy, nay it exists daily in those powers which are given by men and can be taken away or limited by the same. For thus a king can exempt some noble from the jurisdiction of an inferior magistrate, and the Pope can exempt a religious from the jurisdiction of a bishop. In this way, therefore, God could exempt clerics from the jurisdiction of kings without any dispensation in natural law, because there is no natural law that commands kings to have jurisdiction over clerics, or over all inhabitants of their kingdoms; but rather, since kings are ministers of God and have from him power over what subjects he pleases, the same natural reason dictates that God could diminish that power and exempt from it whichever of the subjects he should please.

6. The second part (§3) was that it is not impossible nor contrary to natural reason that this exemption could be efficaciously made by the Supreme Pontiff so that it is just and valid and secular princes are held to admit and preserve it. This part demands a proper disputation, which we will give in ch. 11 where we will show it directly by authority and by reason; now it only needs to be explained so that it is clear it has in it nothing repugnant. It can therefore be understood in two ways: that the Pontiff confers this liberty on clerics first by human or merely natural power, or second in some way by divine power, that is, by supernatural power divinely given. We confess that in the former way the Pontiff could not introduce this exemption, for the thing is at any rate proved by the reason given, that the Pontiff could not by human right or by natural or acquired power take away or diminish the power of kings since they are supreme in their order and are not subject to him according to natural power.

7. Someone will perhaps say that the title of prescription is human and natural, and that the Pontiff could by custom have prescribed against temporal kings this right of exempting clerics from their power. The reply will be that this title does not have place in the present matter, nor are Pontiffs founded upon it, as the king of England seems sometimes to have supposed and as he indicates in his words. But a reason can be given. Either a general one, that those things which belong to the intrinsic nature of supreme power cannot be prescribed against a supreme prince, as is the common opinion of the jurists with Bartolo, 1 'In omnibus', about diverse and temporal prescriptions, and Panormitanus, ch. 'Cum nobis' *De Preascript.*, and others whom Covarrubias in his practices, ch. 4, and in the Rule 'Possessor' p. 2, sect. 2, n. 8. Or the reason can be a particular and proper one, that the exemption of clerics, setting aside the concession and will of the secular princes themselves, could not be justly begun on human reason or title alone, or on good faith, and hence it is necessary that the power not proceed from custom but rather, on the contrary, that legitimate custom rest on the power and begin from it.

8. It is necessary, therefore, that this power be supernatural and specially introduced by Christ; and it is evident in this way that there is no repugnance in Christ having given this power to his Vicar through a certain participation in his own dominion and power which is in himself by essence or excellence. For what reason is there that this

could not happen? Or what deformity or malice against natural reason could be discovered in it? For, once the Pontiff has been conceded such power, he is by it constituted superior to kings as the minister of God of a superior order, and hence the exemption made by power of this sort will be indeed a certain mere right of nature and not however against it. Nor do I see that there could be a question on this matter, but only on this other, whether Christ has in fact given this power to the Pontiff, which question we will deal with in the place cited (sc. ch. 11); and there we will reply directly to the objections posed on this point, for these are especially aimed at it, to show that in fact this power has not been given to the Pontiff. We therefore say now briefly that those arguments only prove that the Pontiff could not confer this exemption on clerics by a direct power that he has in temporal matters over the kings of the earth, but do not prove that this exceeds his spiritual power insofar as by it he is, at least indirectly and in order to spiritual things, superior to temporal kings. This power has place in many cases even over heathen kings, as was shown in the previous book. But how this indirect power is sufficient for effecting exemption we will see in the place mentioned.

9. The third part posited above (§3) was about temporal kings, about whom we said that they could licitly renounce their right, and that, although they may be compelled by no superior virtue or power, they could abdicate from the temporal jurisdiction which they had over clerics and transfer it to the Roman Pontiff or to other ecclesiastical prelates. This part is supposed as certain by many civil and canon rights, and by their interpreters commonly, and by doctors of theology, as we will mention at large in the following chapters. Now the reason is plain: because a supreme king is also true lord and has the free power of using his jurisdiction in any way that is neither intrinsically evil nor prohibited to him; but the act of exempting clerics from lay jurisdiction is an act of lordship and of the same voluntary jurisdiction which was never prohibited to kings, nor is it intrinsically evil; therefore it could validly and licitly be done by any supreme king. The consequence is very good and legitimate. Also, the king of England will not deny the major, for it is favorable to kings, and indeed deservedly, for it is a thing clear and evident from the things said above about regal power. For although a king is not so made lord of the republic that he can use his power at will and convert everything to his own utility, yet he is a true lord insofar as he has a true and proper right of commanding, judging, governing, and disposing of things for the common utility of his kingdom; and the jurists thus call this the lordship of jurisdiction because in the supreme prince it has, *per se* and in its kind, independence from every other superior beneath God, and therefore it has the most ample and free faculty for every use that is not prohibited or not repugnant to right reason.

10. It remains, therefore, that we prove that the concession of the exemption we are dealing with is of this kind. For it is a certain use of supreme jurisdiction, for (as I said), exemption is a certain privilege, but the concession of a privilege is an act of voluntary jurisdiction, as we treated of at large in *De Legibus* 8. Rightly therefore is it said that this exemption is a use of a voluntary jurisdiction which must be supreme in its own order, so that a supreme prince could exempt even from himself the one privileged. By another argument too this act can be said to be a use of jurisdiction, because it is a certain donation of jurisdiction; for no one can give a jurisdiction unless he possess it. But peculiar to this way of conceding jurisdiction which happens through this exemption is that the prince, who concedes it to another, deprives himself of it, because he exempts

the subject from his own power; something which is not found in other modes of delegating or granting jurisdiction, nor in an exemption from an inferior magistrate which the prince concedes. Hence if that exemption be considered as it is a conferring of jurisdiction it is rightly called an act of jurisdiction; but if it be looked on as an abdication of proper right it seems more to be an act of dominion and liberality; but under both reasons it falls in the best way to the supreme governor and lord. That this use, therefore, of his jurisdiction is not prohibited to a supreme prince by positive law is manifest, because he does not have a superior by whom that law could have been passed. For we suppose that that law is not a positive divine law, for nowhere has it been passed or can be pointed to. Also, next, that it is not a canon right we take to be as it were self evident. And for that reason we are speaking only directly of a superior when we deny that a king has a superior by whom that law could have been passed, because it would have to be a human and civil law which in temporal matters could be directly made by a supreme prince alone. Nor can it be feigned to have been passed by the king himself, because a supreme prince cannot *per se* and primarily oblige himself by his own law, but, in sum, it is by a certain consequence when a law imposed on the community possesses a similar nature of obliging the prince; but this law, if it were given, would be imposed not on the community but on the prince alone, and for that reason it could not be passed by the very same prince. Nor lastly can it be feigned that it was a law passed by the republic; for after a republic has transferred its own power to a king, it is inferior to him so that it cannot oblige him by positive laws.

11. It remains only to show that that use is not evil intrinsically and *per se*, or what is the same, that the privilege is not against justice or natural reason. But the thing seems indeed to be self evident, because it favors faith and religion, and harms no one, and it is not prejudicial, except to the prince himself who concedes the privilege, which he can do voluntarily and piously if he does it for the stated end and without harm to anyone. The thing is shown also in this way, because either that use is *per se* evil, because it is against the compact entered into with the republic when it first transferred its power to the king, or because it is against the natural law of justice by which the king is bound to have care for his subjects, or for all the inhabitants of his kingdom, in accord with the demands of his office which he has received from the republic; but each of these is thought up without foundation and can easily be excluded; therefore there is no true nature of intrinsic malice in such a privilege.

The first part of the minor is proved because that there was such a compact between the republic and the king is gratuitously feigned, I mean that the republic transferred its power to the king under the condition or limitation that he could not concede such a privilege of exemption to any citizens. For whence could such a condition be proved, or what sign of it could be pointed to? Besides the republic itself would not have its power so limited, because it received it not from any like compact but from God himself as congenital with its nature and under the condition only that it use it justly and according to right reason; therefore it transferred it in the same way to the king, and anything else that is feigned is arbitrary and impertinent. Especially so because if the human republic be considered in the state of the law of nature, in which it could rule itself by right reason, whether natural only or illumined by faith, it could also have instituted temporal kings for itself and priests particularly dedicated to the cult of God, and it could exempt the priests from the power of the kings and constitute them under another

governor supreme in his own order; for in this type of institution there is no repugnance or deformity; therefore the king too, although he has simply received the whole of his power from the republic, could afterwards concede a similar privilege to priests; therefore it is superfluous to feign that that compact and condition or limitation has been imposed on itself by the republic, since it is not necessary for the convenient governing of the republic. Nay rather, if that condition be extended so as to have place also with respect to priests or Pontiffs instituted in a supernatural way by Christ, in this way it could not even have come into the mind of a human republic viewed in itself, and it would be against reason and public honor, and hence it would be of no moment or worth. Therefore the power of kings is on this head not tied down so as to prevent them being able rightly and validly to give this privilege to clerics, even if these did not have the privilege from elsewhere.

12. Thence lastly the second member [sc. of the minor] may easily be proved, namely that this privilege is not contrary to the natural law of justice whereby the king is bound to have care for all the citizens so that they may be agreeably governed. For by conceding this privilege the king does not give up this care but provides for it in a deeper and more agreeable way. Hence there are two ways in which a king can be thought to exempt from his jurisdiction someone subject to him. The first way is by removing from himself all power and jurisdiction with respect to him and not subjecting him to anyone else but leaving him a vagabond, so to say, and without law and government. And this manner of privilege we confess to be most disordered and intrinsically evil, because it is contrary to good morals and very pernicious of itself to the community of the republic. But the exemption of clerics we are now supposing is not of this sort. In another way a king can exempt a subject from his jurisdiction, by granting or leaving power over him to another; and this way is not evil but can have an agreeable reason, because it is not contrary to the good morals of the subjects since they are not left without a sufficient government; and government from elsewhere can be more fitting and more agreeable to the common good on account of the peculiar status of certain citizens. But the exemption of clerics is of such a kind, as we will prove below; therefore to concede it was not contrary to the good use of regal jurisdiction and power, and consequently neither is such a privilege repugnant to natural reason, nor does it exceed the power of a supreme prince.

13. Nor even do the arguments proposed in the third place above (§2) stand against this. For what is said first, that a prince cannot diminish his jurisdiction or power by communicating it to another, is not universally true when such a division or communication of jurisdiction is judged agreeable to the good of the republic, because that power is of itself changeable and is ordered to the common good of the republic; and, for this reason, that a change of this sort should occur in it is not repugnant to any right. Especially so because by this privilege the republic is not deprived of such jurisdiction in itself or over all its members, but the jurisdiction is transferred from one to another, which can happen for many reasons, as is evident. Nor must an equivalence with the jurisdiction of the Supreme Pontiff be here admitted, because the pontifical dignity has a higher institution by reason of which it is immutable, as I said above, and for that reason it cannot happen that any baptized person should be exempted from it, since he is subject to it by divine right; but it is otherwise in the case of regal power, which is simply and proximately from human institution. Now that which Navarrus and other jurists say, that a king cannot exempt anyone from his obedience, must be understood of merely private

exemption, that is, one which leaves the subject without law and governor, but not of an exemption that transfers jurisdiction to another, as has been shown. And this very fact is confirmed by the example which Navarrus introduces about the republic itself, as is evident even from what he said.

14. To the final confirmation (§2), I reply that the remark of Paul of Venice, that ecclesiastical liberty is nothing other than a liberty or license for sinning, is impious and blasphemous; for the liberty which the Pontiffs have taught, and which the sacred canons defend, and for which many holy Pontiffs have fought for with their blood, and which emperors and Catholic kings along with the Church have piously and faithfully received and praised, is not a license for sinning freely and without impunity, but it is a certain veneration of ecclesiastical order and an agreeable distribution of jurisdictions, so that everything in the Church may be done in order and decently. Nor is the argument of Paul of any moment. First because an ecclesiastical judge or the Pontiff can impose the corporal punishment even of death, although on account of decency and lenity he does not do it of himself, as Innocent indicated in ch.1 *De Maiorit. et Obed.*, and Baldus in the same place, and as Bernard Diaz notes in *Pract. criminal.* ch.61, and Covarrubias *Variar.*, bk.2, ch.20, no.10, where he devotes *De Homicid.* ch.1, n.6, to this fact, when a Pontiff imposes the penalty of loss of trust on account of homicide committed by assassins, which loss of trust virtually includes the penalty of death, as he there declares. Hence the fact that an ecclesiastical judge does not of himself use the sword nor pronounces of himself a sentence of blood is not because he, or at least a Pontiff or one who has received singular power from him, cannot, but because it is not fitting. Yet, nevertheless, when the gravity of the offence demands, an ecclesiastical judge hands over a criminal cleric to the secular arm so that he may be punished by it in accord with the rigor of the laws; therefore, from this part, there is not given to clerics impunity in committing like offences. Next, outside the case of penalty of death, clerics can (as Panormitas notes in ch. 'Cum non ab homine,' *De Iudic.*, no.26) can be inflicted with very grave penalties by the Church, for they are sometimes condemned to perpetual incarceration, and of such a strictness that it could be deemed to be rather perpetual death than life, as is understood from ch. 'Novimus' sect. 1, on the signification of words. Next, also a sufficiently grave punishment is perpetual and burdensome exile, condemnation to the galleys, grave beating, and others similar.

Last of all, although perhaps some perverse men take occasion of sinning from the greater benignity and lenity of an ecclesiastical court, the privilege of ecclesiastical exemption is not thereby damnable, because that fact is accidental and against the intention of the Church, and many greater and necessary advantages follow from it, as we will show below; also there is no good thing which perverse men may not sometimes use badly and it is not for that reason to be condemned. Just as in a secular court itself there is some distinction between laymen made, for those who are nobles are exempted by the privilege of nobility from the graver torments and from shameful punishments, which many of them abuse as a license for sinning, and the privilege itself is not disapproved for that reason, but those who use it badly are deemed worthy to be deprived of it; why, then, is not the same said analogously of ecclesiastical liberty since the clerical order is of its kind constituted at a higher level of dignity and nobility?

15. Finally therefore we conclude that the exemption of clerics could have not only been with justice conceded but also has in fact been with holiness conceded and that

it is very ancient in the Church. This assertion we believe to be not only true and pious but also Catholic so that it cannot be denied without error in the faith. But because in the discourse of this book it must be treated and defended at large now too we will briefly thus prove it. For, in the first place, that this exemption is to be preserved in the Church has been taught by the Pontiffs and the Councils almost from the beginning of the Church up to the present day, as is clear from Alexander I, Epistle to all the Orthodox, who was on the see in the year 109 AD, and he testifies that it had been observed from the times of the apostles, which fact Pope Caius also afterwards taught, Letter to Bishop Felix 283 AD, and Marcellinus, Epistle 2 to all the Bishops of the East, in the year 196 AD, Pope Sylvester, in a certain Roman Council, which is placed as the first in order under him, canon 4, the year 314 AD, Gelasius in Gratian, ch. 'Christianis', and ch. 'Sylvester', 11, q.1, and Boniface V in a letter to the Bishops of France, as Gratian above reports in ch. 'Nullus', for it is not found in the original, and the chapter seems more to have been taken from *Authentica* 'Nullus', the body of the text on bishops and clerics. Gregory hands on the same, as Gratian reports in the same place from *Epistles* bk.9, indict. 4, epistle 32, to the Roman defender of Sicily, and epistle 74, to Boniface defender of Corsica, has the same, where he speaks thus, ch. 'Pervenit', 11, q.1: 'It has come to us that certain of the clerics, while you were posted there, were held by laymen. If this thing is so, you know that the guilt is considered to be yours, because this should not have happened, if you were a man. And for this reason you must, for the rest, take care that you do not permit it to happen; but if anyone has a cause against any cleric, let him go to his bishop etc.' I pass over the later Pontiffs because the thing is manifest about them, and it is apparent from the custom of promulgating every year the Bull *Coenae Domini*.

I add older and graver witnesses, whom Gratian omits. One is Leo I in epistle 36 to the Bishops and priests of Thrace, whose words are to be noted: "The powers of the age, even those whom the divine power has commanded to preside over territories under the name of emperor, have excelled with so much reverence with respect to the sacerdotal order that they have allowed to the holy Bishops the right of distinguishing occupations in accord with the divine constitutions. But although it be confirmed by the formulas of ancient right and more frequently by unimpaired laws, we find, however, that at the present time it has by many been trampled on. For, having omitted sacerdotal judgment, they have everywhere passed over to secular examination. For which reason it has seemed to us that a full separation avenge for the present this insult of sacred law and of our order and establish for the future that the formula is to be observed etc." The other is Telesphorus, ninth Pope in succession from Peter, who in his letter to all the faithful speaks thus: "The life of clerics should be distinct from the association of laymen; and just as laymen and secular men do not wish to accept them in their own accusations and infamies, so clerics ought not to accept them in their own instigations." – Showing by these words how great a distinction there then was between each forum.

Besides many sacred Councils, general and provincial, ancient and more recent, have handed down that clerics are not to be judged by laymen but by Bishops or by provincial Councils, as is clear from the Council of Chalcedon, act 15, ch.9, and from the 3rd Council of Carthage that met before in the year 397, ch.9, where, among other things, it is said that a cleric who seeks help from a secular court is thinking ill of the Church. Also, in ch.38, occasion is sought from the same Council for imploring the secular arm against a certain incorrigible Bishop, and Aurelius responds, with the consent of others,

that this is not contrary to the form of discipline when a cleric, after having been admonished, has been stubborn and contemptuous of it. Also, in the 3rd Council of Toledo, ch.13, clerics are punished who abandon the ecclesiastical courts and go to secular ones. The same is held too at the Council of Agde in the time of Symmachus, chs.8 and 32, the 3rd Council of Orleans, ch.31, Malea, ch. 19, the 1st of Macon, chs.8 and 32, and more broadly at the 2nd of Macon, chs.9 and 10, where these words are to be noted: "The most reverend canons and the most sacred laws, in the very beginning almost of Christianity, have pronounced judgment about the Episcopal tribunal, but because the same has been disregarded, human temerity has proceeded against the priests of God, etc." These words are to be especially noted, both for the antiquity of the exemption and because in them is insinuated that it is declared and defended rather than instituted by the canons and laws; for the fact is indicated by this manner of speaking: "have pronounced judgment for the Episcopal tribunal."

The same is taken from the Council of Paris, ch.2, about the competent forum, and from the Lateran Council under Alexander III, ch. 'Si clericus', the same title in which many things are decreed about the distinction between each forum, and more in ch. 'Qualiter, et quando,' and ch. 'Clerici', and ch. 'Cum non ab homine,' *De Iudiciis*. Next in the 1st Council of Cologne, p.9, ch.20, it is said that 'this immunity is very ancient', and in the Lateran Council under Leo X, sess.9, in the Bull of reformation, all the apostolic sanctions in favor of ecclesiastical liberty are renewed. 'Since,' it says, 'no power over ecclesiastical persons has been bestowed on laymen by either divine or human right.' And lastly the Council of Trent, sess.25, ch.20, about the Reformation, speaks thus: 'The Holy Synod decrees and prescribes that all the sacred canons and all the general Councils and also the other ecclesiastical sanctions in favor of ecclesiastical persons and ecclesiastical liberty and issued against violators of it, which are all renewed also by the present decree, must be observed exactly by all.' In addition, civil laws agree with these canonical decrees, which we will afterwards refer to.

16. From these testimonies the conclusion is evidently drawn that there has been given to clerics in the Church of Christ a privilege of exemption from the secular power. For it is impossible that so many holy and wise Pontiffs, of whom many were also martyrs, and so many Councils could in this matter have been deceived. Hence also it is incredible that clerics have usurped this privilege against emperors and kings through tyranny and injury. Rather it ought to be held certain *de fide* that the institution and observance of this privilege has been and is honorable and holy. The fact is gathered in this way from the principles of faith and the testimonies cited. For it is *de fide* that the Church cannot err in the precepts of morals which are commanded to be observed by the universal authority of Pontiffs or general Councils, but this privilege of exemption for clerics has been approved and has been commanded to be observed by many laws canonical and universal, and they were very recently renewed and confirmed by the Council of Trent in the place cited; therefore it is certain *de fide* that both this Council and the above decrees have in this point not erred; therefore it is in the same way certain *de fide* both that this privilege is just and valid and that it has been agreeably instituted. But by what reasons it was conceded we will see in what follows by investigation of what the right is by which it has been introduced. For it is plain from the things said in this chapter that it could have been given in three ways, namely by divine, canon, and civil right, and therefore from which of them it has emanated remains to be inquired.

Chapter 4: Whether the Supreme Pontiff be exempt by every divine and human right from all jurisdiction of secular princes.

Summary: 1. Sense of the question. 2. The error of Protestants. The opinion of Palatius is not to be admitted. 3. First conclusion. 4. It is proved first from canon right. 5. When something may be said to be by divine right, natural or positive. The exemption of the Supreme Pontiff is by natural and positive divine right. 6. The preceding assertion is proved as to its first part. 7. A difficulty about the proposed proof. 8. Resolution of the aforesaid difficulty.

1. Although the privilege of exemption be common to the Supreme Pontiff in company with the rest of the clerics, since he himself is not only a cleric but also prince and head of all clerics and of the whole Church, yet because in him, on account of his singular eminence, the origin of such privilege is more known, and because knowledge of it can prepare the way for investigating the origin of the immunity of other ecclesiastics, we will for that reason organize our talk first about the Pope in particular. About him even heretics do not deny that he is *de facto* exempt from all secular power, because he himself possesses, joined to his pontifical office, a temporal kingdom in which he recognizes no superior; but because that kingdom is not immediately from God but he has attained it from the devotion of men or by some other similar title, therefore such exemption is not *per se* joined to the pontifical dignity, nor does it draw its origin from divine but from human right, or to be sure it follows from the nature of the thing on the supposition of such status of temporal prince, just as it does in other kings, who are exempt by force of their status because they do not have a superior. Hence, in order to respond to the question posed, the regal dignity must be cut away from the person of the Pontiff and he must be considered solely as Pontiff, in the way Peter was and his successors before Constantine.

2. In this way, then, do both Protestants and the king of England deny openly that the Roman Pontiff has this exemption: Either because they believe he is no more than some private bishop or at most a patriarch; but they hold the view about all bishops and archbishops that they are subject to their kings in temporal matters; Or certainly because the Pontiff is not exempt either by divine right, as appears in Peter and the other apostles, to whom Christ never conceded such a privilege, or by canon right, because the Pontiff could not assume this privilege by his own authority alone, but canon right rests for its support principally on pontifical authority. In civil right, however, nothing singular is said about the Roman Pontiff more than about the rest. Hence even among Catholics Palacio, in 4, dist.25, has dared to assert that the Pope is not exempt from the civil power by divine or canon right but only by civil right, or by privilege of the emperors. For he thinks the same about other ecclesiastics and attributes to the Pontiff nothing singular as regard this privilege. But this opinion, insofar as it takes this whole privilege back to the sole gift of the emperors, is pernicious even for the other clerics who are inferior to the Pope, and is not at all to be approved, as I will show below; about the Supreme Pontiff, however, it is altogether to be rejected and not at all to be tolerated.

3. One must say, therefore, that the Supreme Pontiff has by divine right exemption and immunity from every secular court and jurisdiction, even those of emperors and kings. This assertion is maintained in the first place by all Catholic doctors,

who generally affirm that this exemption exists by divine right in the whole ecclesiastical state, and we will refer to them in ch.8. Besides them, however, those who either deny it about inferiors or are doubtful frankly confess it about the Supreme Pontiff on account of his singular dignity, Soto bk. 5 *De Iustit.*, q.4, a1; Bañez thinks the same, 2.2, q.67, a.1, dub.3, and it is taken from Cajetan in the same place and in *Opuscula*, vol.1., tract.1, *De Potestate Papae et Concillii* ch.27, ad.2. It is expressly noted and proved by Torquemada, *Summa* bk.2, ch.93, and Bellarmine, *De Sum. Pontif.*, bk.2, ch.26, who are followed by Molina, *De Iustit.* vol.1, disp.31, Valentia, 3 par., disp.5, q.11, punct.1, Henry, *De Indulgent.*, bk.7, ch.24, and Driedo, *De Libert. Christian.*, bk.1, ch.9 near the middle, and ch.15 near the end.

4. This assertion can in general be proved from canon right, insofar as therein it is simply asserted that the Pope does not have a superior on earth by whom he could be judged or coerced. Thus is it handed down from the Roman Council under Sylvester, can.20, 'No one,' it says, 'will judge the first see, since all sees desire to have justice moderated by the first see.' And lest anyone consider that that council is speaking of the court alone, or of the judicial power, there is immediately subjoined: 'Neither by Augustus, nor by any cleric, nor by kings, nor by the people will the judge be judged.' It is almost these words that Gratian refers to, 9. q.3, from Pope Innocent, 'No one will judge the first see etc.' Also the same words from Sylvester are reported by Pope Nicolas, Epist.1, elsewhere numbered 8, to the Emperor Michael, § *Consonat autem*. And in the following § he refers to the similar words of the Council convened in the case of Marcellinus, namely: 'The first see will not be judged by anyone;' and he confirms this opinion with many testimonies and arguments. Finally he himself concludes: 'It has been shown with sufficient evidence that the Pontiff cannot be at all bound or loosed by the secular power.' Hence, when a sedition in the time of Leo III was started at Rome against him, and Charlemagne had come to Rome to put the sedition down and, in the Basilica of St. Peter, with all the people and the clergy of all the Bishops who had convened there from the whole of Italy and France standing by, started to ask for their opinions and votes about the life and morals of the Pontiff, the response came from all with one voice, 'the Apostolic See, the head of all the churches, ought to be judged by no one (especially not by a layman),' and Charlemagne, having heard so weighty a response, dropped the question. Thus reports Platina in his life of Leo, and it is found in vol.3 of the Councils. The same opinion is also proved by the deacon Ennodius in his book for the defense of Symmachus, which was received and approved in the 5th Roman Synod under the same Symmachus. The same is reported from the words of the martyr Boniface by Gratian in ch. *Si Papa*, dist.40, and he took them from Cardinal Deusdedit in his history *De Rebus Ecclesiastic.*, bk.1, ch.231, since it is reported at large in the Gregorian decree under the said chapter *Si Papa*. Lastly in the 8th General Synod of Constantinople can.21 the opinion is singularly enriched, because not only about the Pope but about the other patriarchs too it is said: 'None at all of the powers of the world can take away their honor or move them from their proper throne,' and there is added: 'especially indeed the most holy Pope of Old Rome.' And later: 'But neither may anyone else file or prepare documents or words against the most holy Pope of Old Rome as if on the occasion of certain divulged crimes.' It also later says that even a general synod cannot give sentence against the Supreme Pontiffs of Old Rome.

From this dogma, therefore, so ancient and constant, we collect that this privilege of the Supreme Pontiff is not human but divine, because he would not in fact dare to arrogate it to himself unless he could have done it by right; for it would not have been admitted with so much facility and agreement by the Church and by Christian princes without any force or coercion (which to be sure neither could the Pontiffs themselves have effected); nor could the Pontiff have sought it by right either unless he had power and authority for it which he had received, by reason of his dignity, from Christ. But if he has authority from Christ himself for deflecting all human jurisdiction, certainly he is exempt from it by divine right. Nor is it credible that he had received this right from the emperors; both because the dogma is known in the Church in advance of the Christian emperors, as we said of the time of Marcellinus, and because the emperor could not concede this privilege for all the kings and peoples not subject to him, although in the cited Roman synod that opinion is pronounced generally and with respect to all. Finally also because the Councils and Pontiffs do not found that dogma on any favor of the emperor but on the eminence of the dignity of the Roman See. And that is why they deem that such a privilege is perpetual and altogether firm and immutable, which it could not be if it had its origin from the emperor. In this matter I consider too the fact that neither is the emperor himself or a king exempt on earth in this way from all temporal jurisdiction that he can in no case be judged or coerced by men or by the whole community, because, as was said in Book 3, the power of any temporal monarch whatever flows from the republic with a certain limitation and condition included; but the exemption of the Pontiff is much greater and higher; therefore it could not be founded on the concession of emperors or kings; therefore such a privilege was given by God himself. Hence Ennodius says, ch. 'Aliorum', 9, q.3, above: 'The causes of other men God has wished men to put a final settlement to, but the causes of the see of that Superior he has reserved without question to his own decision.'

5. Now so as by some reason to declare more distinctly where and when Christ conferred this privilege immediately on the Pontiff, it is necessary to distinguish two ways in which this privilege may be understood to be divine, namely either by natural right or by positive right. But in the present matter one must understand that natural right is not considered in its pure condition in respect of human nature; for in this way it is known *per se* that this exemption is not by natural right; but by natural is meant in the present what is connatural to some grace or to a supernatural dignity conferred on man, that is, once such dignity is posited, what necessarily follows from it according to natural reason. But there will be said to be such a privilege by divine positive right if the point is established that it was *per se* and directly, or by his proper and particular will, conferred by Christ the Lord on his Vicar. We say, then, that it is true in both ways, which must be shown one by one.

6. In the first place, that this exemption is by divine natural right is signified by Pope Nicolas, ch. 'Patet', 9, q.3, in the letter cited: 'It is certainly clear that the judgment of the Apostolic See, than whose authority there is not a greater, is to be retracted by no one and that it is not licit for anyone to judge its judgment.' And later: 'No one has ever thrown his hands with daring against the apostolic summit, no one has stood up a rebel in this, except he who of himself wished to be judged.' As if he were to say that the Pontiff, by force of his apostolic summit and authority, than which there is not a greater, is exempt from human judgment. Ennodius too in the place next cited finds this

exemption on the words of Christ: 'You are Peter' and 'Whatever you loose, etc.' As if he were to say that Christ had given this exemption there to Peter where he created him his Vicar and supreme Pastor of the Church, even if he had said nothing else express; because, surely, from the nature of the thing this privilege accompanies such dignity, and therefore it belongs to such dignity by natural divine right, although simply and in itself it be of supernatural divine right, because in its root (so to speak) it can be said also to be positive right. But the reason for this consequence or natural right must be that Peter was by that dignity set above everyone not only in spiritual things but also in temporal, as was seen above; therefore by that very fact he is exempt from the power and subjection of all.

7. Yet this inference is not so evident that it may not suffer some difficulty. For the Pontiff is not by force of his dignity directly superior to everyone in temporal things, but rather he has by force of divine right no directly temporal jurisdiction but a spiritual one alone, which is extended to temporal ones only indirectly; therefore there is no repugnance in his being subject directly to temporal jurisdiction and having indirect power over the temporal king; therefore, conversely, that exemption in temporal things does not follow intrinsically from the spiritual dignity. This latter consequence is evident and the antecedent was proved in the previous book. But the former consequence is shown because these two things, subjection and preferment, are of different natures, and so they are not opposed, nor is there repugnance in their coming together at the same time in the same person. The demonstration is that they are not referred to according to the same nature, nor in respect of the same thing, nor according to the same thing; for although the Pontiff, as Pontiff, be superior in his order, as a man he can be a subject in a lower order. Again, because the Pope can only use his indirect power in temporal matters when, for instance, a king abuses his power in order to a spiritual end, therefore this does not prevent him from being able to be justly subject to the emperor who is punishing him through his own direct power. Finally it is clear by other examples that there is no conflict in him who is superior to a second in one title being subject to him under another, as when, if someone has a son for king, he is superior to him by the natural title of father and nevertheless he will be subject to him as king.

8. Nevertheless the connection of such a privilege with such dignity is very much in agreement with reason, and it can be shown in various ways. First because just as the giver of form in natural things gives the things that are consequent to the form, so in moral things the giver of jurisdiction is deemed to give all that is necessary to the due use and administration of it. But in the present matter, so that the Pontiff be able to exercise his supreme power and indirect jurisdiction in temporal matters over all temporal princes, it is necessary, morally speaking, that he be directly subject to none of them in temporal causes that pertain to the person of the Pontiff himself by some title or in some way; therefore such exemption has been given to the Pontiff by the force of his dignity. For, since God disposes all things most wisely and sweetly, it is not probable that he has given exemption and power without the exemption that is necessary or agreeable to the due use of such power. But that such dignity demand such exemption can be shown both because it was least fitting that the supreme head of the Church, to whom all the kings of the earth ought to be subject, could be judged, coerced, and punished by the same; and because it would have been a perpetual seed of divisions and schisms; and also because the Pontiffs would not be able with due liberty and authority to use their jurisdiction and power over

the kings and princes of the earth if they had been subject in another way to them and could be thrown into chains and be punished by them.

Second, this fact is declared further because the Pontiff by force of his dignity and supreme power could dispose of all temporal rights and even of the supreme secular power itself, insofar as it was necessary for the convenient government of spiritual things, as shown above; therefore the same Pontiff by force of the same spiritual jurisdiction has the authority to give commands to any king at all lest he dare to extend his hand or exercise his power against his person, and he can annul and hold as naught whatever a secular power may have attempted to the contrary, because without doubt this greatly pertains to the spiritual good of the Church and the reverence due to Christ and to the person carrying out his functions on earth; therefore it is plainly repugnant for the Pontiff to be subject to a temporal king as regards his coercive power, because coercive power requires such a power over another that he cannot be hindered or restrained from it by a superior power. The confirmation is that by this reason we will show in what follows that a Pontiff can exempt other clerics from secular jurisdiction without having waited for the agreement of temporal princes; therefore much more could he exempt himself; but this is the same as to be exempt by force of dignity and received power; for he who has it in his will and faculty not to be subject to the coercion of another is surely immune and exempt from it.

Third, there is the explanation that it is impossible for a temporal magistrate to have coercive power over a king directly superior to him on whom he depends in the use of his own power; therefore it is no less repugnant that a Pontiff be subjected in that way to the temporal power. The antecedent is fully accepted by the jurists cited above, and it is taken from ch. 'Cum inferior', *de Maiorit. et obed.*, where it is said that an inferior cannot restrain a superior. And the reason is an open one, that it is repugnant for the same person at the same time to be with respect to another inferior and superior on the basis of the same involuntary and coercive jurisdiction. But the reason for this is that coercion cannot happen by the proper virtue of him who is coerced and, consequently, not by an inferior power which depends on a superior power existing in him who is to be coerced. But the proof of the consequence is that although the power of the Pontiff be not directly temporal, nor of the same order with the power of kings, nevertheless it eminently contains that power and all the efficaciousness of it with respect even to temporal matter which has a sufficient relation to a spiritual matter, such as we have shown judgment about the person itself of the Pope to be; therefore it is equally repugnant for the Pontiff to be subject to the tribunal of a temporal prince whom in this way he has subordinate and subject to himself. Therefore by the same divine right by which temporal princes are thus subjected to the Pope, by the same right, I say, the Pontiff himself is exempt from their jurisdiction. It remains for the other part to be proved, about divine positive right, which we will pursue in the next chapter.

Chapter 5: Consideration of the place in *Matthew* 'Give to them for me and for you' on behalf of the exemption of the Supreme Pontiff.

Summary: 1. In what sense the exemption of the Pontiff is by divine positive right. This assertion is proved. A certain inference of heretics is rejected. 2. First doubt about which sons Christ the Lord had spoken. First reason for the doubt. 3. Second reason. 4. To the

first doubt. 5. To the second. 6. Christ the Lord, even as man, is natural Son of God. 7. Third doubt. Solution. First opinion: it is rejected. 8. The apostles thought that Peter was superior to themselves in some temporal dignity. 9. Opinion of others. The privilege of Peter passes to his successors. 10. In the words referred to Christ demonstrates the privilege of exempting others from tribute. 11. Objection. Response. Immunity from secular power is rightly gathered from the immunity from tribute.

1. We call divine positive right here a privilege conceded by Christ by a particular and direct will. I state the fact thus so that this part may not seem contrary to the preceding; for speaking strictly positive right is said to be what is not natural but added by the free will of God, and it seems to be a repugnance that this privilege is at the same time by divine right both natural and positive. For that reason, therefore, we say that here positive right is taken broadly for any right at all founded on the express and direct will of Christ, even if it could also be founded on another remote will, through the medium of natural discourse or reason. Hence this positive right can also be said to be declaring rather a right that was already connatural to the idea of the earlier dignity than conceding it again. With the term thus explained, then, the assertion proposed is proved from the words of Christ, *Matt 17.24-27*, when the exactors of the tribute, which at that time the Jews used to pay individually to Augustus, had asked Peter: ‘Doth not your master pay tribute?’ and he had responded by saying yes, Christ afterwards, so as to teach Peter and his Church in him, asks him: ‘Of whom do the kings of the earth take custom or tribute? of their own children, or of strangers?’ Peter responds, ‘Of strangers’; hence Christ inferred, ‘then are the children free. Notwithstanding, lest we should offend them, go thou to the sea, and cast an hook, and take up the fish that first cometh up; and when thou hast opened his mouth, thou shalt find a piece of money; that take, and give unto them for me and thee.’ From this fact the heretics not only do not conclude to the immunity of Peter from payment of tributes, but infer rather that Christ was also debtor to the tribute when he commanded him to pay it on his behalf. But they are manifestly in error, both because Christ wanted to conclude from his argument that he was immune from payment of tribute, since the sons of an earthly king are immune from tributes, and also because he afterwards expressly said, ‘lest we should offend them,’ as if he were to say, although we are not debtors to the tribute, pay it for me and for you so that they not be offended. The place was so understood by Jerome, Chrysostom, and everyone, and Augustine, *serm. 6 De Verb. Apost. ch.7*, says of Christ: ‘He did not owe it and he paid it’; and Ambrose in his notes on *Exodus ch.31*, says: ‘The Son of God did not owe it, Peter did not owe it; but lest they be offended, he says etc.’

2. However, before we conclude from this sentence of Christ to this privilege of the Apostolic See, we must inquire which sons Christ spoke about and what the force of his argumentation is and what the implication of his words. For either he spoke about proper and natural sons alone or more broadly about adoptive and improper sons as well; the latter cannot be asserted, otherwise all the just would be exempt from the tributes of princes because all are adoptive sons; also, because it is impossible to be certain about the eternal justice of individual men, all Christians will be exempt because all are in the status of sons, or they can have as much of it as exists by force of their profession, and they do have it as begun through faith and baptism; and on this account all the faithful are accustomed to be called saints in Scripture, especially by Paul. Nay further, all men could

claim the same exemption from subjection to other men because all are sons of God by creation, for this title is enough to make them all able to call on God as Father.

3. But if Christ the Lord spoke of natural sons alone two doubts arise: one is how Christ may rightly infer that he himself was free, because he was not himself a natural son of Augustus Caesar so that by this title he might be immune from the tribute which was paid to Caesar. For the natural son of one king is not exempt from paying tribute to any king at all but only to his father; for if the son of one king were to live in foreign provinces beyond his father's sway, he could become a tribute payer to another king. But, saving proportion, it may very well be accommodated to Christ who, although as God he be natural son of the King and as such, therefore, free from tribute with respect to his Father, and a fortiori with respect to all human kings because all are subject to his Father's sway and are themselves, as a result, subject to him too; yet he is not, as man, natural son of God with that property, but he is a son by grace; therefore, when he speaks of himself as man, he could not justly infer from the title of his sonship that he was free and only paid tribute to avoid scandal. Also, just as many think that, though Christ, as God, is King and Lord of all men, yet he was not King as man nor had lordship over temporal kingdoms, therefore, by the same reason, his natural sonship was not an obstacle to his being, as man, a debtor to the tribute. The second and greater doubt is that Christ seems to associate Peter in this exemption along with himself, and by force of the same principle, that sons are free, makes him equally immune, seeing that he next inferred, 'lest we offend them...give unto them for me and thee'; for it was as if he were to say: we are both free but it is expedient not to scandalize them and therefore pay it for both of us. But this inference had no foundation in Peter, because he was in no way a natural son.

4. To the first question, Augustine, bk.1. *Quaest. Evangelicar.* q.23, indicates that when Christ inferred 'then are the children free', he spoke not only of natural sons but also of sons by adoption or by grace, for he says: 'What he said: 'then are the children free' is to be understood in every kingdom, that the sons of the kingdom are free, that is, not tribute payers; much more, therefore, ought they to be free in any earthly kingdom who are sons of that kingdom under which all kingdoms are.' But they are not sons of the Supreme King, that is of God, in the earthly kingdom save by grace; therefore Augustine extends Christ's inference also to sons by grace. Nevertheless, it must without doubt be said that Christ spoke of proper and natural sons, for the reasons made above give clear conviction of the fact. Because in addition too Christ did not ask Peter save about those sons about whom Peter himself could understand the words that were simply spoken, but Peter without doubt did not understand the question except about natural sons, because either he was not then able to understand it about sons by grace or at least he could not then ascend to that thought from that simple and common saying. Just as when he responded 'Of strangers' he did not think anything about the unjust or sinners but only about foreigners, who are not natural sons.

Hence Chrysostom there in Hom. 59 proves from those words that Christ is the natural Son of God, saying: 'You note how he distinguished sons from non-sons; for if he were not a son, he would not surely have used the example of kings. But is anyone a son, you will say, but not a proper son? He is not a son, then; but if not a son, then neither proper, nor his at all, but alien. In this way the example will have no force. For he is not disputing about sons simply but about proper sons and heirs of kings. And, distinguishing

in this way, he put strangers opposite, by which term he called those who were not born from kings themselves; their own sons, however, they begat from themselves.' This very fact Hilary indicated too, canon 17 on *Matthew*, saying: 'Is there any doubt that the sons of kings are not liable to tribute, and that those who have the truth of the kingdom are free from servitude?' for by the truth of the kingdom he indicated true and natural royal origin. And later Chrysostom, using the argument almost, says: 'In order to show that he was not subject to the law, and in order to testify to the glory of the paternal dignity in himself, he posed the example of an earthly kingdom, that the sons of kings are not bound by census or tribute.' Christ's argument, therefore, is taken from natural sons. But Augustine either took it in a mystical sense for the sons of God by grace, and passed from that to their immunity from servitude to sin and paying tribute to the devil, as St. Thomas noted about Origen in the same place from *Matthew*. Or Augustine also certainly spoke of natural sons; for although the Son of God is the only natural son, he could have spoken in the plural so as to keep to the words of Christ, for it would be just the same even if there were several such sons of God, as Jansen noted, ch.69 *Concordiae*, and Salmeron, vol.6 *De Miraculis Christi*, tract.37.

5. But to the first doubt all the mentioned fathers, and the rest of the expositors, respond in the second place that Christ's argument is taken a fortiori from natural sons of temporal kings for the natural son of that king under whom are all earthly kingdoms, as Augustine said above. Hence we will respond to the objection made to the contrary, that it is indeed true that the son of an earthly king is only immune from tribute in his father's kingdom, not however with respect to another king, if he be subject to him for any reason, or is living under his sway. Nay in his father's kingdom too the son is not exempt from his father's jurisdiction but is, by his will, exempt from all his ministers and from the exaction of tribute and from all other jurisdiction which is exercised by his father's ministers. But we deny the consequence, or the likeness of the reasoning to Christ the son of the heavenly King. For each earthly king is limited and does not have other supreme kings subject to him; but God is King of all kings, and therefore his natural son is also above them all, and hence he is free and immune from every tribute and exempt from their jurisdiction, since they are only certain ministers of the supreme King, his father.

6. But to the reply that this proceeds of Christ as he is God and not as he is man, we will respond by denying the assumption; for Christ, even as man, is natural Son of God on account of the grace of union, by which his natural sonship itself is substantially conjoined to his humanity, and so too created grace is made to be connatural to that man. And hence also by the same reason Christ was endowed not only with being free as man from all power and tribute of the earthly king but also with being by a certain singular excellence King of kings and Lord of lords, as is said of him in *Revelation* ch.17. For the property and dominion of this kingdom, which he now has in heaven, he always had on earth by reason of union, although he did not receive the use of it in his mortal life. In this way are they to be understood who deny that Christ as man was King; or perhaps they are speaking of a proper temporal and perishable kingdom, which it is true that Christ did not receive nor did he have it by right of inheritance. But he had over all earthly kingdoms a kingdom and dominion of a higher nature and a power of excellence, and for that reason also he had an innate liberty from all tribute due a mortal king or emperor; and this immunity he has by reason of his natural sonship, and therefore he argued in the best way about himself, even as man.

7. The greater difficulty is in the second doubt, which demands why Christ joined Peter with himself in this liberty and made him as it were his equal, when he said to him: 'lest they be offended...give unto them for me and thee.' Some deny that this can be collected from the quoted words or that there is some mystery hid in those words, but they say that Christ spoke in the plural to Peter, [lit.: 'lest we give them scandal'], not because Peter was bound only by reason of avoiding scandal to pay tribute, but because he could easily have spoken of his own person in this way, using the plural for the singular, or because the scandal of Christ would redound on Peter and the other Apostles. And in this way they say Christ commanded Peter to pay the tribute, even for himself, with the coin found in the fish's mouth, because, since Peter was a debtor to the tribute, Christ wanted at the same time to come to his aid, and perhaps to his aid alone, because the other Apostles were not then present. This opinion heretics gladly seize upon; but to me it is not probable. For, in the first place, when these expositors say that the other Apostles were not present at that time, they speak without any foundation but make guesses. Next, the manner itself in which the exactors of tribute questioned Peter in the plural: 'Does your (pl.) master pay the tribute?' sufficiently indicates that not only Peter but the other Apostles too were then with Christ, hence the fathers commonly assume the fact, as I will immediately report.

8. I add further that it is not probable that Christ intended no mystery in that fact or did not show some particular regard toward Peter. For when Christ there taught that he was natural Son of God and for that reason was not liable to the payment of tribute but only commanded that it be paid on account of avoiding scandal, and when he specially joined Peter to himself in this prerogative and way of paying the tribute, he wished without doubt to signify that he would communicate to Peter some participation in his own privilege, by reason of which he too would not be a debtor to the tribute except on account of avoiding scandal. Also Chrysostom at that point adds that Christ joined Peter with himself in paying the tribute in reward for the faith by which he complied at once to a thing by nature so incredible; and he calls that reward the excellence of honor, which Christ showed to Peter, saying, 'Give unto them for me and thee.' Hence also the other Apostles understood that Christ had in that fact preferred Peter to themselves. For thus arose the occasion of their asking Christ: 'Who is the greatest in the kingdom of heaven?' as Matthew immediately reports at the beginning of ch. 18, and as Jerome there expounds, saying: 'After finding the coin, and the payment of tribute, what does the sudden question of the Apostles mean?' and he responds: 'Because they had seen that the same tribute had been paid for Peter and the Lord, they thought that, from the equality of the price, Peter, who had been put on a par with Christ in the paying of tribute, was preferred to all the Apostles.' In which fact, if they had rightly understood it, they were not deceived, but they erred think that that excellence of dignity was to exist in some temporal kingdom in a human way, and they asked out of envy. For that reason too Jerome adds: 'Jesus seeing their thoughts and understanding the causes of their error, wishes to cure their desire for glory with a striving for humility, saying: 'Verily I say unto you, Except ye be converted, and become as little children, ye shall not enter into the kingdom of heaven' [*Matt.* 18.3].

The same doctrine is in Chrysostom too, homil. 59 on *Matthew*, saying that the disciples had suffered something human in their questioning, and to signify the fact the Evangelist added 'At the same time' [18.1], when, that is, he preferred Peter to all the rest. And he says later that the disciples were inflamed for many reasons, and he numbers

the singular promise: 'I will give you the keys...' and 'Blessed art thou, Simon bar Jona,' and to these he added the present words: 'Give unto them for me and thee,' thinking that a singular excellence and prerogative was signified through them. Origen conveys the same, tract.5 on *John*, judging that remark 'At the same time' in the same way, and saying, 'I think, since they were judging this to be a very great honor conferred on Peter by Christ, as if he had indicated by it that Peter was better than the rest of the disciples, they desired to learn cautiously what they suspected, etc.' The same too is found in the name of Augustine, in the book of *Quaestionum novi et veteris testamenti*, q.75, where he says that Christ had commanded payment for Peter individually because he had decided to make him head of the other Apostles and Pastor of his flock, and he compares those words with these, 'I will ask for you.' Lyranus, *Matt.* 17 and 18, notes the fact too, and almost all Catholic doctors confess that a special prerogative of Peter is there signified, although all do not agree in the explanation of it.

9. Some therefore judge that Christ had there shown a particular love and care for Peter but not an exemption. But this is of little moment in a thing so marvelous, and observed with so much diligence by the evangelist, and emphasized by the fathers. Others, recognizing some deeper mystery, turning to mystical senses, as Augustine seems, in sermon 6 on the words of the Apostle, saying that, 'Peter represented the Church, for which Christ paid an undue death so as to free it from the debt of sin,' which Anselm and St. Thomas follow. But this is to be so received that the literal sense is not passed over. Therefore it cannot be denied that Christ specially commanded that tribute be paid for the person of Peter, just as also for himself, for this is peculiarly signified by the words: 'Give unto them for me and thee,' and the fact is noted by the fathers above cited, by making these words equivalent with those, 'I will give you the keys,' and 'I will ask for you'; for in all those passages the pronoun indicates the individual person of Peter. Therefore Christ signified in those words that Peter would be exempt from payment of tribute as he himself was. In this way too we believe that from this place can be collected at least that Christ conceded to Peter this privilege of exemption, because he was to be the Prince of the Church, and Vicar of Christ. Hence the consequence is made that this privilege was not personal but real in Peter, by reason of his dignity, and that it passes to his successors by force of divine right and of the particular institution or will of Christ. This opinion is sufficiently indicated by Jerome, Chrysostom, Theophylact, Eutymius, and others, insofar as they say that that privilege was conceded to Peter because he was the head of the Apostles, and insofar as they equate this place with others in which Christ, when speaking to Peter, is speaking with him and his successors.

10. But to the difficulty posed, how Christ extends that inference to Peter who was not natural Son of God, many respond that Christ tacitly assumed another principle, namely that under sons of kings are comprehended their domestics and intimates, for these too are wont to be exempt from tribute by reason of the sons to whom they adhere. But we will speak later about this reason; for if it is true, that privilege, as it is divine, is extended not only to the Pontiff but also to others. I say, therefore, that Christ signified that not only was he himself immune from payment of tribute, but also that he could communicate that privilege to Peter, as being most closely joined to him and very similar in the power which he was going to concede to him over the whole Church and over all the kings of the earth. Therefore when, after making that inference 'then are the children free', Christ added, 'Lest they be offended...give unto them for me and thee', it is not

necessary that these later words be understood to be joined by force of the former inference, but by way of new declaration and extension from the special will of Christ. Or certainly it could be said, because the argument of Christ was from the lesser to the greater, as I declared above, that for that reason Christ was not content with inferring that he was himself immune from tributes, but also that he had joined Peter with him, so as to show that he, as natural Son of God, was immune in a far higher way than are the sons of the kings of the earth, because he is not only immune from them but is also superior to them all and was able so to communicate to Peter his own power or participation in it that he made him participate in the same exemption as well.

11. But someone will finally insist: although we concede that exemption from tributes can be gathered from this place, to gather exemption also from all subjection and coercive power of princes does not follow. For the son of an earthly king, though he be free from paying tribute to his father, is not free from the directive power of his father, because he is bound to keep his laws; nor is he free from his coercive power, for a king can punish his son in accord with the equity of justice. I reply by conceding that the inference is not, as they say, formal, because it does not hold in all matter, as the argument made proves. Yet still in Christ himself, just as from his natural sonship is inferred immunity from tribute, so is inferred immunity from all subjection and jurisdiction of temporal princes; because sonship, which is the reason for one exemption, is necessarily also the reason for the other, because it is a reason for domination and excellence over all kings. In a similar way, therefore, or by accommodation of proportion, we understand that this privilege was communicated to Peter, and therefore from immunity from tributes we gather exemption from all temporal subjection and jurisdiction, because it has been communicated to him by reason of his dignity and power over very kings.

Chapter 6: Satisfaction is made to objections against the solution of the preceding chapters.

Summary: 1. First objection. Solution. 2. Second objection. 3. Solution. 4 The Supreme Pontiffs have always been exempt. 5. Exposition of the words of St. Paul. 6. And of St. John Chrysostom. 7. To the reason given in the same objection. 8. Third objection from the deeds of the emperors. Response. Why a vote to elect the Pontiff does not impart to the emperor any jurisdiction over him. 9. Deposing the Pontiff cannot be done by the civil power. 10. Fourth objection from Matt. ch.18. Solution. Instance. 11. Solution. The Church has no coercive power over the Pontiff. 12. How fraternal correction may be exercised toward the Pontiff. 13. Objection. 14. Solution. The Church has no coercive power over the Pontiff. The objection is turned back on the king of England. 15. Various ways of protecting Pontiffs foreseen by Christ. A Pontiff waging unjust war can be resisted.

1. Since the exemption of the Supreme Pontiff is conjoined to his dignity and power over temporal kings, therefore almost the same objections are opposed to this exemption as to his power; and because we dealt with almost all of them in the previous book, therefore, while touching on them briefly, we will add one or two that are held to be more proper to this place. The first objection is taken from the Old Law, in which the Supreme Pontiff was not exempt from the jurisdiction of the king; rather he could be

punished by him, as the deed of Solomon shows, 3 *Kings* ch.2, where Solomon dismissed Abiathar from his authority for the crime of treason, punishing him with his royal authority. But we replied to this objection above, that the assumption is not sufficiently proved from the deed, both because Solomon perhaps did it not as king but as prophet, and also because one deed does not show the right, since many things are done by kings through violence. Hence since the subjection of the Pontiff to the king in the Old Law is not proved from other places of Scripture, the upshot is that either the antecedent is false or that it is at least uncertain. Next we joined thereto that, whatever was the case in the Old Law, no argument can thence be taken about the Pontiff of the Law of Grace, who is of a far higher order. So there occurs now only to be added that a similar objection was made four hundred years ago by the emperor of Constantinople in a letter to Innocent III, whence is taken the chapter ‘Solitae’ *De Maior et obedient.*, who argued not about Solomon but about David, that king David surpassed the Pontiff Abiathar. To whom Innocent responded in the same ways, saying: ‘Although David possessed the crown of kingship, he ruled not so much with royal as with prophetic authority. But whichever of these was the case in the Old Testament, it is different now in the New, whereby Christ is made a priest according to the order of Melchisedech.’ And he concludes: ‘Chiefly so as regards him who is successor of Peter and Vicar of Jesus Christ.’ See Torquemada, bk.2, *Summ. Eccles.*, ch.96, ad.4.

2. Secondly it can be objected that those things which were constituted by Christ of divine right had their effect at once from the beginning of the Church; but the Roman Pontiffs, not only from the beginning of the Church but also during the whole time when the Roman emperors were heathen, were not exempt from their jurisdiction; therefore they did not from Christ have exemption of this sort. The minor proposition is proved from Paul in his *Epistle to the Romans*, 13.1, saying: ‘Let every soul be subject unto the higher powers.’ In that place Paul is speaking principally of political principality and of obedience due to the king, as the expositors there note, and Augustine, letter 54 to Macedonius, and Basil, *Constitutionibus Monasticis*, ch.23. And Paul himself later openly shows the fact when he says, 13.4, ‘he beareth not the sword in vain’, and when he adds, 13.6, ‘for this cause pay ye tribute also’. Therefore, as the same fathers advert, he specially made that warning against certain persons who had at that time begun to preach that Christians were not held to obedience to temporal princes; but he himself teaches the opposite about all Christians, and, so as to except no one, he says, ‘Let every soul etc.’, and Chrysostom there expounds, homil. 23, saying: ‘Showing that those things are commanded to everyone, both priests and monks and not only seculars, he declares at once in the introduction itself, when he says “Let every soul be subject unto the higher powers,” even if you be an apostle or an evangelist or a prophet, or whoever in short you may be, for that subjection does not even subvert piety.’ In the same way too does Theodoret speak in that place, and Theophylact and Oecumenius. So, according to the opinion of the Apostle there expounded, even Peter was then subject to the higher powers. For since Chrysostom said that even apostles were subject, and since he expanded the opinion, saying: ‘Or whoever in short you may be’, he certainly seems to have included Peter too. With much greater reason, therefore, were the Pontiffs, the successors of Peter, subject to the emperors as long, at any rate, as they were not Christians. The fact can also be confirmed by reason, because a heathen prince is not subject to the Pontiff; therefore he could be superior to him; therefore in fact he was

superior, because he had universal power over all, and did not have a subjection by reason of which he might be deprived of power over Peter or his successors.

3. The reply will be by conceding that this privilege, insofar as it was conceded by Christ the Lord to Peter and his successors, had its proximate effect as soon as Christ conferred on Peter the pontifical dignity, because that privilege was either conjoined intrinsically to that dignity and as it were flows from it, or was given by special will of Christ, which will was efficacious and could not be impeded by any temporal power. It also included exemption from subjection in respect of the infidel princes no less than of the faithful, both because in *Matt.* ch.17 Christ spoke absolutely and the occasion of his speaking was taken from the tribute which was paid to the heathen emperor, and because the reason is no greater about a faithful than about an infidel prince. Nay, if the Pontiff Sylvester, for example, had been subject to Constantine before Constantine's conversion, he would remain subject after the conversion, because, as I said above, no infidel king *ipso facto* loses any jurisdiction because of his conversion to the faith. Finally, when the Councils and the fathers teach that the Pontiff does not have a superior on earth, they exclude everyone, whether he be faithful or infidel.

4. I say, therefore, that Peter and his successors were in the whole time of the heathen emperors exempt from their jurisdiction as far as the privilege was concerned, although they did not at that time have the use of the privilege, which was not repugnant to divine right. Just as they also at that time had dignity and power over all emperors given to them by Christ, without his having waited for the consent of temporal princes, but Peter or his successors did not, as regard the same princes, have the use and exercise of that power, because it was dependent, in accordance with the ordination of the same Christ, on voluntary acceptance of the faith; therefore the reason is the same about the privilege that is accessory to the dignity, for Christ conceded it on his own without dependence on the consent of princes or of other men, but the use of it was dependent partly on the will and partly on the power and deeds of men.

5. Nor do the words of St. Paul, however general they may seem, exclude a special privilege conceded by Christ, for the rule of right is that a general right is limited by a special one, even if the special one be more ancient; which rule can here satisfactorily be accommodated. Especially so because St. Paul is there only explaining an ancient and natural right, and he teaches that it is to be observed by Christians, and so he hands down (as Theophylact there says), that the Gospel does not teach defection or disobedience toward princes but control and obedience. Now this natural right is not violated but its matter is partly altered by the privilege of exemption conceded by Christ, which Paul did not there exclude, nor did he make mention of it, because it was not necessary. Although if the words of Paul are carefully considered, it can be understood from the form of them that he did not comprehend the Vicar of Christ under them, for he says: 'Let every soul be subject unto the higher powers.' These words are circumspect, and they comprehend both private men with respect to those who are immediately set over them, and the magistrates of lower orders with respect to superior powers. But, in truth, by comparison with the Vicar of Christ there is no higher power on earth, and therefore the opinion of Paul does not there have place.

6. As to Chrysostom, however, we will, with respect to what concerns the present question, reply in a similar way, that he spoke generally and did not there exclude the special privilege of Peter, nor did he handle the question whether the Vicar of Christ has

on earth a higher power whom, by force of natural and divine right, he may be held to obey. But as for what concerns the other special examples, which he induces about apostles, priests, and monks, it must be dealt with directly below, whether they have exemption by divine or human right. Now we only say that whatever be the case even with the other apostles, there is a special reason about Peter as Vicar of Christ, both because of his special dignity, and because of the words of Christ exempting him specially from the debt of paying the tribute. Wherefore this right of exemption was equal in the Pontiffs with respect to heathen and Christian princes, because the privilege, as I said, did not depend on the subjects' faith, although without it the use could not exist.

7. Nor is the reason made to the contrary a barrier, because although an infidel prince, as to that status, is not directly subjected to Peter, nevertheless he is held by divine right to be subjected to him by receiving faith and baptism, through which every one is made part of the flock of Christ and consequently subject to Peter. In addition, even before baptism this sort of prince is indirectly subject to Peter who has the right to coerce infidel princes lest they impede the preaching of the gospel in their lands and lest they compel their subjects to deny or not receive the faith, or in some way be hostile to the Christian religion. By this reason, therefore, Pontiffs were made by Christ simply immune from the power of temporal princes, whether faithful or infidel; for infidelity does not make them to have a better condition nor does it increase their jurisdiction; as regard use, however, the Pontiffs could not, in the times of infidel princes, escape their judgments, just as also they could not vindicate themselves or their dignity from all injury; which ought not to be wondered at since even under faithful princes they have sometimes suffered similar things, God permitting it either to prove them or for greater confirmation of the faith.

8. From this is easily solved the third objection, which is often inculcated by the king of England and by other schismatics and supporters of schismatics; it is also taken from the deeds of certain emperors who often exercised a superior power over the Supreme Pontiffs, either by electing them, or placing them in their sees, and confirming them or punishing them or dismissing them from authority. They especially bring in for this purpose the deed of Otho I, who they say was a very pious emperor, who deposed John 12, or elsewhere John 13, from his see because of his perverse morals. But about this argument I said a great deal in the last chapter of the previous book, to which place we send the reader, for here we have only mentioned it lest we leave untouched a frequent objection on this point. Yet we can add that the first part of the objection does not in any way belong to the present cause. For what if we were to grant that emperors or kings could be electors of the Pontiff, surely they could not on that account be their legislators or judges? Or their superiors because of some jurisdiction over them? Surely Cardinals are electors of the Pontiffs and yet, after they have elected the Pontiff, they have no power or jurisdiction over him, nay rather they are completely subject to him. But the reason is that, when they cast votes, they nominate or elect someone equal to themselves; but he who is duly elected is at once invested by Christ himself and made superior to his electors, to whom he was before equal or perhaps inferior. Add the fact that the electors themselves have the power of election from the Apostolic See as if from a superior, and from the Vicar of Christ, whose concern it is to prescribe the manner of electing a successor to himself. The same must therefore proportionally be said of the emperor, even if he was allowed to elect the Pontiff or to confirm his election by his

consent; because he is not by that fact made superior to the Pontiff but remains always inferior to a Pontiff already established, just as he was also subject to him from whom he received such a prerogative.

9. About the second part of the objection, however, I showed in the place cited that the histories in which that fact and others like it are reported are both uncertain and varying, or discrepant among themselves, and are not reported with sufficient fidelity. For from then it can not only not be gathered that an emperor had rightly deposed any Pontiff, but also not even that he had in fact attempted it by force of his proper jurisdiction or judgment or sentence, but either by the open force or tyranny by which other Christian princes threw violent hands on the Pontiff, or in sum by securing, through their industry and authority, that some synod be convened which would pass sentence of deposition against the Pontiff, whatever may be the case about the power of such a synod or whether it proceeded from error or malice; for that so in fact it happened with John XII I showed in the place cited. And to be sure, although the punishment of deposition is canonical, it has in it a peculiar deformity and repugnance, because it may be imposed by the secular power. Nor could anyone fall into that error except he who thought there was nothing supernatural or spiritual to the pontifical dignity but that it was only political or civil. Therefore if any emperor or faithful by rash daring and indiscrete zeal undertook to judge the Pontiff, he was, as I said, careful to depose him not by himself but by some gathering which seemed to have an appearance at least of spiritual power. But because that deposition is, in its kind, the highest spiritual punishment and reaches divine right, from which the pontifical dignity immediately and *per se* is, therefore it requires on the part of the Pontiff the greatest cause, such as only heresy is, which in some way takes away the foundation of such dignity; but on the part of the Church it requires the sentence, not of any synod whatever, but of a legitimate and universal one, and nevertheless there is need on the part of God that he himself take away the dignity which he himself of himself conferred.

10. A fourth objection is taken by heretics from the words of Christ, *Matt.* 18.15-17: 'If thy brother shall trespass against thee, go and tell him his fault...' and lastly, '...tell it unto the Church; but if he neglect to hear the Church, let him be unto thee as an heathen man and a publican.' For they deem this sentence and law of Christ to proceed no less of the Pontiff than of the other faithful, because even the Pope is a man and can offend in their presence and with their scandal and injury; therefore he can and should be rebuked, either in secret or in the presence of witnesses; and if he refused to emend he could be denounced to the Church, which if he neglected to hear he could be excommunicated by it, and be held by others as a heathen man and a publican; therefore the Pontiff is subject to the coercive power of the Church. You will say, to follow hence to the sum of it, that the Pontiff is not altogether exempt from the spiritual power, but not that he is not exempt from the temporal power. But on the contrary, for from the first the second can be inferred, at least as far as it is by force of divine right; because, if the Pope is not exempt by divine right from the ecclesiastical forum, he does not have that supreme dignity in which we principally found the divine right of his exemption from the secular power. Again, because if the Pontiff can be excommunicated by the Church, he could, by the same reason, be more gravely punished according to the quality of the offence; therefore he could even be degraded and remitted to the secular arm; therefore he is not

altogether exempt by divine right from secular jurisdiction, otherwise he could not again be subjected by the Church to the secular power.

11. I reply in the first place that these latter arguments are not effective, because, one, although it is imagined that the Pontiff is subject to some ecclesiastical tribunal, e.g. a General Council, nevertheless he could be exempt by divine right from seculars, either by a special privilege of Christ or because he always remains above secular princes, even if, *per impossibile*, he be subject, in the order of spiritual powers, to a Council. Two, because the same arguments can be made about bishops and inferior clerics, of whom we will speak afterwards. Again, I add that, even if those arguments be allowed, they rather show things inconvenient and absurd, which follow from the first antecedent, than they confirm it. We deny, therefore, that the Church can exercise coercive power over the Pontiff, whether by censure or in any other way, unless he first fall from the pontificate, either by voluntary renunciation accepted by the Church or by the guilt of heresy juridically declared by the Church. For as long as that person exists as true Pope, he has jurisdiction over the whole Church, even when taken together; and therefore of necessity he is by divine right spiritually exempt, that is, not subject to a higher spiritual power outside Christ, because there is none such found in the world, as was sufficiently treated of in the previous book.

12. Hence I respond to the objection that fraternal correction can have place toward the supreme Pontiff insofar as it is an office of charity and rests within it; for in this way sometimes a greater can be admonished by a lesser, as a Prelate by a subject, just as Paul conducted himself with Peter, as Augustine explained, epist. 19 to Jerome, and Gregory, hom. 18 on *Ezechiel*. But the progress of correction ceases when it passes over to force of coercion. Therefore the Pontiff can be rebuked or admonished with reverence, first alone if the crime be secret, then in the presence of others if the thing and necessity demand. But as to what is further said, 'Tell it unto the Church,' does not have place in him, because there by the name of 'Church' is understood not the body of the Church but the prelates of it, for not even can a sinner be denounced to the whole body of the Church, but to his pastor. Hence it is necessary that it be understood relatively or with due proportion, in the way that any sinner may be denounced to his pastor and prelate; for an outsider cannot effectively rebuke or compel someone not subject to him. Because therefore the Pontiff does not have a superior prelate, in him that denunciation has no place, but rather because he himself is supreme Pastor of the whole Church, his sin is sufficiently said to the Church when it is said to himself. But, with respect to the Pontiff, not badly could his confessor be understood by the name of 'Church', who can warn him and in his own manner rebuke and in a special way bind him in his own forum. But as for what follows, 'but if he neglect to hear the Church, let him be unto thee as an heathen man and a publican,' it cannot properly have place in the Pontiff, because he cannot be excommunicated, since he does not have a coercive superior. Nor is this an inconvenience, because that precept is an affirmative one, and is binding with respect to each one according to his capacity.

13. But a fifth objection at once arises against this, for it follows that Christ has not sufficiently provided for his Church, nor conveniently established its regime. For as we say, he gave supreme power in the Church to one man, and set him 'over the nations and over the kingdoms, to root out, and to pull down, and to destroy, and to throw down, to build, and to plant,' *Jeremiah* 1.10. Now such the Pope can be, so that he may use his

power in destruction, for he is left to his own liberty, and he can be a sinner; therefore if there is in the Church no power to coerce him the Church is imperfectly established and has been insufficiently provided for. For what sort of body is it which could not by any violence purge a rotten member, or, if this be not enough, cut it off, lest it corrupt the whole body? Therefore since the Church is one mystical body and the Pope is one member of it, which can so much the more damage it the more powerful and principal it is, there is necessity, for the preservation of the Church, that there be in it some power which by right and deed can resist an unjust Pontiff, and compel him, or even cut him off, if it be necessary; but this power is no other than the royal and imperial power; therefore etc.

14. I reply that they have used this argument who reckoned that a General Council was above the Pontiff, and that it could depose him, not only in case of heresy, but also on account of other crimes extremely damaging to the Church. And indeed if the argument had so much efficacy that because of it some other power would have to be admitted in the Church that was coercive of Pontiffs who were abusing their power to the ruin of the Church, that power should rather be posited as a spiritual than a temporal one, placed rather in a General Council than in any particular person. And in this way the objection would not progress, for the last proposition assumed is denied, namely that a power of this sort could only be royal or imperial. Nevertheless, the true response is that there is in the Church no such power over the Pontiff, neither spiritual nor temporal power, as has been sufficiently proved above. But the objection can be turned back against the king of England with much greater reason; for he himself wishes so to be head in his rule that he have a superior neither in spiritual nor in temporal matters, and he is compelled to affirm the same of any supreme king, lest he should seem to be usurping so great a dignity for his own lust alone. Surely, therefore, it is much more inconvenient that in the Church of Christ, which ought to be one body, there be many heads supreme in such a way that any one of them may judge its subjects and itself be judged by no one, than that there be one such head having this singular privilege especially established under the direction of the Holy Spirit?

I say, therefore, that in this is rather shown the singular providence of Christ for his Church. For earthly kingdoms are divided among themselves and not subordinate, because in temporal and civil things they do not have unity; and although in each kingdom inconveniences can follow from the fact that the supreme king can be judged or punished by no one in temporal matters, those inconveniences are either tolerated because of conveniences that are greater (which is something that in human providence must often happen, and it pertains to rightness of prudence), or each republic has its own laws and just means whereby to meet these inconveniences. But in truth, with respect to the Church of Christ, it was not convenient that there be many heads simply supreme within it, nor several kings so supreme in temporal matters that they be subordinate to no superior head, at least in order to a spiritual end, and for that reason the best establishment demanded one supreme head. Also for greater unity and an easier and sweeter regime it was necessary that it be a single person, and for removing schisms it was also convenient that under no reason it be subject to its subjects. Hence finally it was necessary that that one head could by God alone be punished or deposed by coercion and superior power.

But if it happen that herefrom certain defects or inconveniences follow, the thing is not to be wondered at, because although this institution be divine, it deals with men and is exercised by them, and therefore necessarily it participates in some respect in human providence, which does not always escape every inconvenience but chooses the lesser. Hence that imperfection cannot be attributed to Christ, but to man; for Christ, as far as is in him, provides sufficient means for avoiding these inconveniences. The greater ones, indeed, which could stain the faith or the sanctity of the Church, he has altogether prevented and taken away, by giving to his Vicar a certain and infallible direction in defining things pertaining to faith and morals. Again, because heresy creeps as a cancer and takes away the foundation of the Church, he also established a right, by virtue of which a Pope may fall from his dignity if he be a heretic, giving also power to the Church so as to take cognizance of such a crime, and so as to be able to pronounce sentence declaring the fact and the divine deposition that follows therefrom. However, in the other things, which pertain to morals, it did not pertain to the sweet and wise providence of Christ either to deprive all Pontiffs of moral freedom or to confirm them in grace, and for that reason he has allowed sins in them too. Yet he did not wish that they could be coerced or punished by men, lest the due order of providence and government be inverted and greater evils and disturbances follow.

15. Nevertheless he did also provide various remedies whereby this evil might either be prevented or relieved insofar as it could be. First and principal is the internal help of the Holy Spirit, which we believe to be in a far greater and special way readied for the Pontiff, accompanied at the same time with a singular and more excellent angelic guardian. The second is the prayer both of the universal Church and of the individual faithful, which for the head himself ought always to be greater and more frequent, and it ought then to be more fervent when the head happens to fail. The third and best means is secret admonition or, if the sins have been scandalous, even public, saving due reverence and humility; and if necessity demand it, sometimes this admonition can be made by temporal kings and princes, whose authority can and should weigh much with Pontiffs if it have joined with it the aforesaid modesty and submission of spirit. See Cajetan in opusc. *De Postestate Papae*, ch.27.

A fourth remedy, not indeed unjust but more human and dangerous, and therefore not to be used without extreme necessity, is just defense; for if the Pontiff brings to bear manifest violence and unjust force, he can be resisted by way of defense within the limits of a guiltless protection; because to repel force with force is a natural remedy and denied to no one, and it does not require a superior power or jurisdiction in him who defends himself but only right and strength for self protection. For if he bring evil to bear on another, he does not punish him, but in that way justly escapes his own evil. Wherefore if the Pontiff bring corporal force to bear by aggression or unjust war, he can be resisted by the like action, for purposes of defense and not offense. But if the violence is spiritual, by commanding injustice or profaning or destroying sacred things, he can be resisted in a proportionate way, by ensuring that such things are not put into execution. These things, however, are rare and, if this license is to be taken, they must be very evident. Lastly (which is a thing very much to be noted) the Church has been governed in this way for 1,600 years, acknowledging in the Pontiff this power and exemption, and deferring to him this honor and reverence, and tolerating the unjust ones, who were few in comparison with the holy and good ones; and the Church has not suffered in this

toleration as many inconveniences as it has sustained in the times of schism and rebellion of temporal powers against the Pontiffs: therefore gratuitously and without foundation do the heretics invent imperfection and defect in this institution, which rather experience itself, besides the other things which we have adduced, show to be worthy of God.

Chapter 7: Satisfaction is made to the sixth objection, and the question is treated whether the Pope can submit himself to human judgment.

Summary: 1. Sixth objection against ecclesiastical immunity. 2. First conclusion: the Pontiff cannot subject himself to human jurisdiction. Proof. Solution to the sixth objection. The Pontiff cannot renounce his exemption. 3. Second conclusion: the Pontiff cannot submit himself to a spiritual power as concerns coercive force. The assertion is proved. 4. The Pontiff does not have coercive power over himself. 5. In case of heresy the deposition of the Pontiff is done by God alone. 6. Last conclusion: the Pontiff can submit himself to another as to an arbiter. 7. Objection. Solution. 8. The Pontiff cannot be compelled to a penalty imposed by an arbiter. 9. Solution to the objection posed in the beginning. 10. Why the Pontiff subjects himself to the judgment of a Confessor and not of another. It is more probable that the Pontiff attributes jurisdiction to his Confessor. 11. Whether Christ subjected himself to Pilate.

1. The final objection remains, that the Roman Pontiff can at least by his own will renounce this privilege, not only by renouncing the Papacy (which is clear), but also when the dignity is retained, therefore it is a sign that this exemption is not of divine right; nor is the exemption conjoined necessarily by the nature of the thing to the dignity, for if such it were it could neither be changed nor removed by human will. The antecedent is proved from the use, for Leo IV did it by subjecting himself to the judgment of the emperor Michael and his legates, as is reported in ch. 'Nos si incompetenter' 2, q.7, and Symmachus submitted himself to the judgment of a temporal king, as is taken from the 3rd Roman Council under the same; and Pope Gregory, in ch. 'Si quis' 42, 2, q.7, speaks thus, as Gratian reports: 'If anyone wishes to argue with us on these things, or contends that we are acting outside authority, let him come to the Apostolic See, ... so that he may justly contend with me before the confession of St. Peter, as far as there one of us may receive his sentence,' where he commits himself to another's judgment. And Sixtus III, in ch. 'Mandasti' 2, *quaest.* 5, says, when he was unjustly accused, that he had purged himself in the presence of Valentinianus Augustus and the synod, and he adds: 'But not by making form and giving example to others who did not wish or did not willingly choose this.' The same is reported of Leo III in ch. 'Auditum', in the same case and question. See the Gregorian decree, and Paulus Aemilius, bk. 3, *De Gestis Francorum*. About Marcellinus too it is clear that he submitted to the judgment of a certain synod. Finally, in the sacrament of confession the Pontiff submits himself to the jurisdiction of a private confessor; why therefore could he not also submit himself in a civil or temporal cause? Some even bring in the example of Christ, who placed himself under the power of Pilate, giving him true power over himself, as his words in *John* 19.11 show: 'Thou couldest have no power at all against me, except it were given thee from above.' St. Thomas uses this example, 2.2, q.67, a.1, ad 2, to prove that a superior can be subjected to the judgment of an inferior, where he even simply says that Pope Leo subjected himself to the judgment of the emperor.

2. This point is treated at large by theologians on [*The Sentences*] 4. dd. 18 and 19, namely by Thomas, Paludanus, Bonaventure, Richard, Albert, and others, and by Cajetan, *dicta* q.67, art. 1, and by the Canonists in ch. 'Ecclesia Sanctae Mariae', *De Constitut.*, where it is treated at large by Panormus, n.7, and Felinus, 2, and Baldus, in 1. 'Est receptum', *Code De Iurisdic. omn. iud.* In brief, however, as it concerns the present matter, it must be said in the first place that the Pope cannot so submit himself to the emperor that he remain truly subject to his temporal or civil jurisdiction and able to be compelled by him or obliged by reason of such jurisdiction. The authors mentioned agree in this; and there is a proof that the emperor does not have civil jurisdiction over the Pontiff, for Christ took it away from him by exempting the Pontiff. Also, neither can the Pontiff give it to him, because the Pontiff, insofar as he is Pontiff (for that is how we are now speaking of him) does not have direct temporal jurisdiction even over others, much less over himself; therefore he cannot give it to the emperor over himself, because he does not give in this class what he does not have; therefore he cannot submit himself to the jurisdiction of a secular emperor. The proof of the consequence is that he could not submit himself except by giving him such jurisdiction, because the emperor himself does not already have it; therefore although the Pontiff wish to be judged by him, if he give him not jurisdiction, he is not submitted to his jurisdiction; nor could the emperor judge the Pontiff as if having jurisdiction over him. But I am speaking of temporal jurisdiction, because only subjection with respect to temporal jurisdiction is contrary to the exemption about which we are now treating. The fact can be confirmed too from the other principle, that no one can renounce a privilege conceded in favor of the community and the dignity; but such is the exemption of the Pope, for it is not given in regard of his person but for the honor of Christ himself, about which argument more below. The objection made proves this also, and it is thereby solved; for we deny that the Pontiff can renounce his exemption by subjecting himself to another, especially to a layman; for the Pontiff could not be subject to such jurisdiction, as I said, because he cannot give it to one who does not have it. Nor can he make to be extended to him the jurisdiction of temporal kings over which Christ has constituted him his Vicar. Thus therefore is the objection sufficiently satisfied.

3. But because the things adduced in the objection prove that the Pontiff can in some way voluntarily submit himself to another's judgment, there is need to declare how it is to be understood. I say further, then, that the Pontiff cannot submit himself in the external forum to ecclesiastical or spiritual jurisdiction committed to another as regard coercive force over him, whether directly in spiritual causes or indirectly in temporal ones, both all and singly, either in one cause or a second. So do many of the authors cited think, and Bellarmine best, bk.2, *De Conciliis*, ch.8, and Torquemada, bk.2, *Summ.*, chs.104 & 105, Cajetan too thinks the same, tract.2, *De Potest. Papae*. The proof is clear, because there cannot exist in anyone outside the Pontiff an ecclesiastical distinction which does not depend or flow from the Pontiff himself; therefore never can the Pontiff be subject to him as to coercive force. We assume the antecedent, for although it be not certain that all Episcopal jurisdiction flows from the Pontiff, it is however more probable. Besides it is certain that all jurisdiction of this sort depends on the Pontiff and can be amplified or restrained by him as to causes, persons, and places; which is now enough for us. Nay, though we were to imagine that some ecclesiastical jurisdiction not dependent on the Pontiff has been given to someone by divine right, that is, which could not be

taken away or limited by him, yet that would not suffice for judging the Pontiff, because, as we assume, he is by divine right exempt from every human superior; that jurisdiction, therefore, though it be by divine right, would not have been given over the Pontiff, nor over the whole Church, because this has been committed only to Peter, but at the most it would be in this or that episcopacy, and in some lower grade. Therefore it cannot be thought that the Pontiff is judged by anyone through spiritual power unless it be through a power flowing from himself.

4. Hence therefore the conclusion is evident that this jurisdiction cannot be proper and coercive. The first proof is that the Pontiff has not received such power over himself; for no one has coercive power against himself, because although he could punish himself, he does it willingly, and so is not compelled; therefore neither could he communicate such power to another. Second, because the causes of the Pontiff are reserved to divine judgment, as the canons say which most speak in order to the external and coercive forum; therefore the Pontiff could not commit those causes to another as to the same genus of coercive judgment, because an inferior cannot give jurisdiction in cases or causes reserved to a superior. Third, because the Pope cannot so commit some cause to an inferior that he not remain himself always superior in that cause, and consequently he could either recall the jurisdiction, if he wished, or judge of the sentence given by the inferior, because the whole of it is intrinsic to the pontifical dignity; and for that reason it so exists in the Pontiff by force of divine right that he could never remove it from himself, except by renouncing his whole pontificate. Therefore although the Pontiff may feign that he is giving jurisdiction over himself to another, that jurisdiction could not really be coercive, because it depends on the will of the Pontiff both in duration and in execution; but what is thus voluntary cannot be coerced. This reason proceeds equally in all cases and in single ones; for in none can the Pontiff remove from himself the supreme jurisdiction which he has.

5. The confirmation is that the Pontiff can in no case, even if he wished to subject himself to another, be compelled through censure, as is the common consensus of theologians on [*The Sentences*] 4, dd. 18 & 19, and as we said at large in the tractate *De Censuris*. But there is no other reason save that he always remains superior to him to whom he has committed jurisdiction, and therefore he cannot be insubordinate in respect of man, nor be bound by censure, nor afflicted with any violent punishment, nor deposed. For though in a case of heresy he could be deposed, he is not in truth then deposed by man but by God himself, after the declaration of a legitimate Council has preceded, as I said; and in this way no voluntary subjection of the person of the Pontiff, nor even involuntary coercion, there intercedes as long as he is Pontiff, but only knowledge and examination of the cause, which he himself in that case cannot justly impede, because it has been conceded by God as a just and necessary defense.

6. Therefore I conclude lastly, as regards what concerns external human judgment, that the Pontiff can only submit himself to the judgment of another as to an arbiter, not as to a proper judge who uses jurisdiction over the person itself of the Pontiff. Thus St. Thomas explained his opinion in the solution cited, ad 2, and the others mentioned follow him. The thing also follows from a sufficient enumeration of parts; for the Pontiff can in some way submit himself to the judgment of others, even in personal causes, about which we are principally treating, as the things prove that we adduced in the objection, but he cannot be subjected to the proper jurisdiction of another, as we

showed; therefore at least he can submit himself to the judgment of another as an arbiter, because there is no other way for a voluntary subjection. But I say *voluntary* because although the Pontiff could be judged by someone by force or tyranny or usurped jurisdiction, and the Pontiff himself could even permit it, as Paul perhaps did, when he appealed to Caesar, nevertheless that submission is simply involuntary, and the judgment about him is violent and unjust; but in the voluntary subjection of which we are treating judgment can be made about him without any force or injury. But the reason has already been touched on, that now no juridical sentence is given that is founded on jurisdiction or superiority, but an arbiter's sentence founded on fact or some agreement. And so in that act the Pontiff does not conduct himself as Pontiff by giving commission of his jurisdiction, but as a man who voluntarily wishes to do what any private man can perform.

7. You will say that after the Pontiff has subjected himself to the judgment of another he is held in conscience, and sometimes in justice, to obey the sentence passed, if it is just; therefore it proceeds from superior power and coercive force, because every necessity is a sort of coercion. Cajetan agrees to this in the place cited, that there some superior power, at least in a certain respect, intercedes, and in the same way he says that coercive force is preserved there; and lastly he judges that the sentence is passed in virtue of jurisdiction committed by the Pontiff. But this last point is, as I said, not to be admitted, but in the rest there can be equivocation in the words, which we must beware of. And so I reply briefly that in an arbiter's sentence there is not required the power of a superior but the pure judgment of the arbiter, nor is coercive force necessary; and that is why St. Thomas said in the same place that in arbitration the use of punishment is a custom because the judge has no coercion. Which is so far true that he cannot even compel to the punishment itself. Hence although the Pope, when he submits himself to the judgment of another, can promise to stand under some punishment from the sentence, he cannot be compelled to the punishment, although in conscience he could sometimes be obligated to it.

8. As to the argument, therefore, I deny the consequence, because the necessity of obligation in conscience does not arise from coercive but from directive force, which can be admitted in such a sentence. However I draw attention to the fact that this is to be understood of ostensive rather than of effective virtue; because such a sentence with respect to the Pontiff does not have the force of a precept that could oblige the Pontiff in conscience, which we call directive force in the effective sense, but it has the force of a purely ostensive sentence pointing out the due of justice, which from an injury or an agreement or another similar title can fall on the Pontiff by force of natural law; and in this way the thing is clear. And for that reason I do not consider the distinction of Cajetan necessary when he says that the Pope can subject himself to the judgment of others in some causes and not in others; for it is more truly and more easily said that in all of them he can subject himself as regard directive force in the way explained, but in none of them as regard coercive force.

9. Therefore the response to the principal objection is that in the aforesaid mode of voluntary subjection no renunciation of the privilege of exemption intervenes, as is clear. But to the first example of Leo IV the response is that he did not exceed the aforesaid mode of sentence of an arbiter, as is clear from the text and from the histories. The same is to be said of Symmachus, in which fact however must be considered that

when Theodoric wished to misuse the modesty of the Pontiff and to judge by way of superior, the Council cried out that the Pontiff could be judged by no one, at least in that way, even if he himself was consenting, just like the cry that was also made in the other Council about Marcellinus. In like manner too, the other facts of Sixtus and Leo III are clearer, because in them the Pontiffs did not submit to the judgment of others, but only perhaps for taking away scandal did they wish voluntarily to purge themselves, at least by showing their innocence either by public oath or by other proofs and reasons.

But as to the words of Gregory, which are reported by Gratian in the cited chapter 'Si quis', and they are the words of Gregory IV in epist. unic. to the Bishops of Europe which is reported at the end of the volume of decretal letters, they make nothing to the present cause; more exactly, however, their sense cannot be understood sufficiently unless both the end of the letter and the words preceding are considered. For the Pontiff wrote that letter in defense of Bishop Aldric who, having been accused perhaps by some people, had fled to the Apostolic See and had implored its help. And on this occasion the Pontiff there decrees that it is the privilege of the Apostolic See that all are permitted to appeal to it, and that 'nothing may be decreed about him who flees to the bosom of the Holy Roman Church and implores its aid before a commandment has been made by the authority of the same Church.' But after he has gravely established these very true principles, he subjoins: 'If anyone wishes to argue with us on these things, or contends that we are acting outside authority, let him come to the Apostolic See etc.' which we reported above. Hence it is clear that he is not treating of any personal cause or judgment of his person, but of the dogmas of the faith and of the authority of the Apostolic See, to whose judgment, not to another human judgment, he makes summons, as is plain, when he says: 'Let him come to the Apostolic See, whither all ecclesiastical matters that there is question about are commanded to flow.' But to demonstrate his confidence in the virtue of the doctrine, the same Pontiff adds: 'so that he may justly contend with me before the confession of St. Peter,' certainly not in decision of law but in inquiry of truth, and not by witnesses confirming some fact but by the authority of Pontiffs, Councils, and custom. He concludes: 'as far as there one of us may receive his sentence,' that is, that he may conquer who has better proved his sentence. He does not, however, so speak in doubt but, as I said, certain of his truth.

10. To the example about the forum of confession, we reply that the reason is in many respects dissimilar. First, because the Pontiff is not by any right exempt from the judgment of sacramental confession, since he is a man and a sinner and is obligated by the same precept of penance or confession. Second, because that judgment is higher and more divine than any external judgment; hence in it the principal judge is God alone and the confessor is only the instrument of God and immediately represents him. Third, some say that the confessor has jurisdiction in that forum immediately from God, but that the Pontiff only supplies the matter or chooses the confessor, which is probable, especially in that special case. But it is more probable to me that the Pope gives the confessor jurisdiction over himself as over a sinner but that the jurisdiction is dissimilar in this respect that it is not at all coercive but medicinal, the sign of which is that the confessor cannot at all compel the penitent to satisfactory penance, but the penitent must voluntarily accept it. Again, there is another dissimilarity, that the judgment of that forum, though insofar as it is immediately given by man and depends on him for its continuance because it can be revoked by him, yet in itself it is higher and more divine, because he judges

even of things the most secret and that lie hid in the heart, and he pronounces final judgment about them all, from which judgment there can be no appeal either to the Pontiff or to any man.

11. To the example about Christ the Lord, some consider that Christ truly subjected himself to the jurisdiction of Pilate, giving him true power over himself as man; to this opinion inclines Toletus, on *John* 19, adnotat. 4, and he refers to Irenaeus, bk.4, ch.34. But I draw attention to the fact that it is one thing to speak about the power of Pilate and another about power with respect to Christ, which can also be the respect either of right or of fact. The power itself, therefore, which Pilate in fact used against Christ was from God, and can thus be understood as not only permissive but also as positive, because Christ said: 'Thou couldest have no power at all against me, except it were given thee from above,' as Augustine tract.116 there thinks, and Bernard epist.42. But that power as referred to Christ was not given over him as over a subject, because that power viewed in and of itself did not fall on him as on a subject, as Christ's words in *Matt.* 17 sufficiently prove, which also on that point we dealt with in the preceding chapter. So it happened only by the violence of the Jews and the ignorance of Pilate that that power was exercised over Christ, and in this regard the power's being from God is to be understood only in a permissive sense, as is rightly taught by Chrysostom, hom.83, and Cyril, bk.12, ch.22, and certainly not otherwise by Irenaeus. Wherefore the subjection of Christ the Lord was on his part only of tolerance and permission, and not of any concession of power or jurisdiction, nor of renunciation of any privilege, and for that reason the example is of no service to the proposition.

Chapter 8: Whether all clerics existing under the Pontiff are exempt by divine right from the jurisdiction of temporal princes, and two contrary opinions are treated of.

Summary: 1. First opinion to the negative. 2. First basis. 3. Second basis. 4. First confirmation. 5. Second confirmation. A certain evasion is refuted. 6. Third confirmation. Evasion. It is attacked. 7. Second opinion to the affirmative. 8. Triple basis of this opinion. 9. Bases bestowing immunity by natural right. 10. Reason for this part. 11. First confirmation. Second confirmation. 12. Bases bestowing exemption by divine positive right. 13. Objection. Response. Corroboration from the tradition of the Church.

1. On this point there are two contrary and very common opinions, which I will briefly report with their bases in this chapter, but in the second I will introduce my own opinion, of whatever sort it be. The first opinion, then, absolutely denies that this immunity is of divine right. Many doctors hold it, among whom some affirm that it is of human right, and they indicate implicitly that it is exclusive. Others declare either generally or specifically that it is not of natural right. Thus St. Thomas is referred to on behalf of this opinion, on *Romans* 13, lectio 1, where he says that priests are immune from paying tributes by a concession of princes in accord with natural equity; but there is the same or even greater reason for exemption from the forum or jurisdiction of princes, as was touched on above and will be said in what follows. Henry too, *Quodlib.* 9, q.31, says that the immunity of clerics is from the statutes of the Pope and the emperors; where, although he does not expressly state the negative part, namely that it is not of divine right, he sufficiently indicates it when he attributes the origin of this immunity to

human statutes. It is more expressly held by Almain, on [*Sentences*] 4. d.25, q.1, where he refers to Ockham and the common opinion of those in Paris.

The opinion is more widely held by modern theologians, Medina, *Code* 'De Restitut.' q.15, where he mainly deals with exemption from tributes but extends his discussion to everything. The same is held by Vitoria, in *Relect.* 1. 'De Potestate ecclesiast.' q.6, conclus.2, by Soto, on [*Sentences*] 4, d.25, q.2, a.2, by Ledesma, 2. part. quart. q.20, a.4, versic. 'Haesitabit', conclus.2 & 3, by Palacios, on [*Sentences*] 4, d.25, disput.3, near the end, by Salon, 2.2, q.67, a.1, contr.1, ch.4, and by Bañez, *ibid.*, dub.2. Albert Pighi, bk.5, *Ecclesiasticae Hierarch.*, ch.7, uses this reason to establish a difference among heathen and infidel princes, because clerics were under the jurisdiction of secular princes as long as they were heathen, or because they now still are in kingdoms where the kings are gentiles, and they are not subject to Christian princes. But the reason for the difference is that heathen princes have not ceased from their right nor are subject to the ecclesiastical laws in the way Christian princes are. This doctrine openly supposes that this exemption is only of human right, and it is followed by Jansen, ch.69 'Concord.', and is declared by Maldonado, *Matt.* 17, while expounding Jerome, but more expressly by Salmeron, vol.6, in *Evangel.* tract.87, towards the end. The same opinion is also held by Molina, 1. *De Iust.*, disp.31, Henry, bk.7 *De Indulg.*, ch.24. Among the canonists Innocent thinks the same, ch.2, *De Maiorit. et obedi.* For although he speaks under a distinction, yet he places this part second and more inclines toward it. The same is held by Covarrubias, book *Practicarum Questionum*, ch.31, where he refers to others.

2. The basis for this opinion can be explained in two ways, namely negatively and positively. The negative argument is that this divine right is satisfactorily proved neither by authority nor by reason. And this negative argument is effective on the supposition of the antecedent, because precepts of divine right are not to be accepted without sufficiently certain testimony or cogent reason. But the declaration that this does not hold is that either the right is positive, and no testimony gives sufficient proof for this; or that it is natural, and this requires convincing reason, which is not easy to find. The proof of the first part is that only one place of the Gospel is accustomed to be adduced to prove this divine positive right, namely the words of Christ, *Matt.* 17, 'then are the children free,' which do not seem effective, because we said above that they are understood of natural sons and that Christ, because of the singular participation in his own dignity which he bestowed on Peter, extended them to him. But it is insisted that it can, by another consideration, be extended to the whole clergy, because they are as it were the special family of Christ, and the exemption of the natural son is wont to be extended to family members.

But this introduction of the words of Christ does not seem to urge much, both because there is no necessity by the nature of the thing that when the natural son is exempted the family be exempted too but this depends on the will of the father or the prince; and this will Christ did not there declare toward the others in the way that he did toward Peter, nay by especially singling out Peter he seemed to exclude the others, or not to include them; and also because, although a family is very often exempted along with its patron, it is not so always, nay rarely in equal manner: in what way, then, can an equal exemption from the power of secular principles be concluded therefrom for all the clergy along with Peter, or even with Christ? Or if equality is not inferred, how much of it is collected? Especially because a certain difficulty touched on above is more pressing, that

the talk there is only of exemption from tributes; but an exemption for the family from forum and jurisdiction is much more difficult, since it is not wont to be conceded even to sons themselves.

The proof for the second part about natural right is that this right ought to be founded on some supernatural property, because, as I explained above about the Pontiff, this right is not regulated by merely natural light but by light illumined through faith, some supernatural property or dignity being presupposed. But in the present case there seems to be no supernatural property on which such exemption may necessarily follow. The proof is that if there were one it would most of all be the clerical character; but this does not seem to be the case, first because a slave ordained against the will of his master is not immediately by force of that character freed from servitude, according to *Decretals*, ch.2 and the ch. second to last, about non-ordained slaves, nor do all who have the character enjoy this privilege but many are deprived of it, as we will see below. Then also because through the clerical character a man is not only dedicated in a peculiar way to the divine cult, or not only receives a peculiar power for serving therein, but also, from the nature of the thing, there is no repugnance in someone being in a peculiar way deputed to the divine service and at the same time being subject to a temporal prince in those things not repugnant to the divine service. Also again, because otherwise a handle would be given to those who say that all Christians are exempt from the jurisdiction of temporal princes by force of the baptismal character and are consecrated to the divine cult in a way very different from the rest of mankind. Besides also, because there are many clerics who do not have the character, as those who only have the tonsure, and yet, if the other necessary conditions are present, they have the same exemption as other clerics; therefore here is a sign that it does not arise from natural right. And the same argument is assumed from other ecclesiastical persons who enjoy this exemption even if they do not have the tonsure either, as do lay or convert religious, and women religious, and any others of this sort. Finally too because what is by divine right in this way is necessary in such a way that the contrary is intrinsically evil; but a cleric being judged by lay jurisdiction is not intrinsically evil; therefore its opposite, namely that a cleric be exempt from such jurisdiction, is not of divine natural right.

3. This last reason also seems to give persuasion to this opinion not only in a negative but also in a positive way (which is what I proposed second). For what is against divine right is never licit; but subjection contrary to this exemption is often licit; therefore here is a sign that this exemption is not of divine right.

4. A first confirmation is that clerics have not always in the Church been exempt from the forum of the secular court, as is gathered from Paul, *Romans* 13, with the exposition of Chrysostom and others; therefore it is not of divine right, otherwise it would have come into existence at the same time with the Church. And the argument can be explained in this way, that clerics from the beginning of the nascent Church were in a far different way exempt from the secular forum in spiritual causes than in temporal. For in the former they were in no way bound in conscience to obey laymen, nor could they have recourse to their tribunals to expedite such causes. But in the latter they were bound to obey them, and could have recourse to them, as far as the force of jurisdiction was concerned. Therefore here is a sign that the distinction of forum in spiritual things is of divine right in a far other way than the distinction of forum in temporal ones. Therefore

here is a sign that this privilege is not, as regard temporal things, immediately and *per se* of divine right.

5. A second confirmation is that the Church sometimes hands over a cleric to the secular arm so that, once a declaration has preceded that deprives the cleric of the privilege of the forum, he may be punished by it even with death; and there are certain causes of right whereby clerics are deprived of such privilege; here then is a sign that the privilege is not of divine right. For things that are established by divine right cannot be changed or taken away. Nor will he do enough who says that the privilege is not then taken away nor divine right changed because the secular judge does not as principal cause (so to say) punish the cleric but as minister of the Church and by its power. This, I say, is not enough, both because the laws and the doctors everywhere say that the cleric is then deprived of his privilege of the forum, or (which is the same) that he does not enjoy ecclesiastical immunity; and also because when the judge uses the material sword for the punishment of death assuredly he does not give command by spiritual jurisdiction but by temporal, because spiritual jurisdiction does not extend to this sort of punishment, except permissively, so to say; wherefore it does not then conduct itself as a cause with an influence *per se* (so to explain the thing), but as removing a prohibition, at least by taking away the privilege for that case and abolishing the precept which prohibits a layman from judging a cleric; therefore here is a sign that it is not of divine right.

6. Finally, a similar confirmation can be taken from the fact that, if this exemption were of divine right, it would be equal in all clerics, because divine natural right does not make any distinction among them; but the case is not so, because in the first place married clerics do not enjoy this privilege the way others do, as is clear from *Ius*, ch. un. 'De Cleric. coniug.' on 6. Again, minor clerics, although they not be married, do not, unless they have an ecclesiastical benefice or bear the tonsure and the clerical habit, enjoy the privilege of the forum. Next, although a cleric cannot be brought before a lay judge, yet he can be brought there on appeal, at least in a civil case though not in a criminal, as Sylvester notes from *Ius*, verb. *Iudex*, n.4, See the Council of Trent, sess.23, ch.6, *de reform*. Again in a feudal cause exemption is not preserved nor in certain other causes, and especially in the case of law the exception is wont to be added, 'unless the consent of the prelate accedes,' ch.2, *De Iudiciis*; therefore there is no uniformity nor equality in this exemption. But if someone says that if divine right alone is attended to the exemption is uniform about all and for all but that the variety has been introduced by human right, this works to the contrary, for it seems to be a sufficient sign that the immunity itself is not absolutely of divine right, otherwise it could not so be varied by human right; just as we gathered that the jurisdiction of Bishops is not immediately of divine right because it can be limited, amplified, and varied by man.

7. Nevertheless there is a second opinion, which simply affirms that the exemption of clerics is of divine right, and which is sufficiently common, though the authors of it hardly explain whether they are speaking of divine positive or natural right; several of them, however, seem to speak of natural right, as far as can be collected from the reasons and the things they allege, although some touch on something also of divine positive right. So on behalf of this opinion, therefore, can be alleged in the first place the Gloss on ch. 'Si imperator', at the word 'Et discuti', 69 distinct., which openly says that the constitutions of the Church exempting clerics from the secular forum are declarations of divine right which conceded such exemption to them before all constitution of the

Church. Yet that Gloss does not declare of what sort the divine right is, nor does it even speak expressly of exemption in temporal causes. And it can be understood of ecclesiastical causes, about which the text itself seems most to be speaking. Toward the same opinion inclines the Gloss on ch. 'Quaquam', at the word 'Divisio', *De Censibus*, on 6, where the text too is favorable, when it says that churches and priests are exempt from the yoke of temporal tributes not only by human but also by divine right. These two Glosses on those places are commonly received, as Covarrubias above cited reports, along with many other doctors. Again Innocent does not reject the opinion in ch. 2, *de Maiorit. et obedient.* It is held by the Rota, at the title 'De Consuet.' decis.3 & 10 in *Antiquis*, by Abbas in ch. 'Ecclesia Sanctae Mariae', *De Constit.* num.6, where Felinus, also num.6, alleges several others and declares more expressly that it is contrary to natural reason for clerics to be judged by laymen. Rebuffe more broadly declares the same referring to others in *Concordat.* last title. And the same is held by Navarro, ch. 'Novit.' *De Iudic.*, notab.6, num.30, at any rate as regard exemption in criminal causes, about which he thinks the same as about exemption in spiritual cases, although he thinks otherwise about civil ones. Among theologians it is held by Almain, *De Potest. ecclesiast.* ch.8, where he judges this opinion more probable and refers to a certain Carlierius in tractat. *Contra Bohemos*, who defends it. The same is held by Bellarmine in book one *De Cleric.* ch.28, proposit.5, and ch.29, and more at large in *Disp. Speciali*, vol.2 at the end, and finally in his book *Recognit.* around the same places, and around bk.2 *De Pontif.* ch.29. Julius Clarus holds the same, referring to others, bk.5, § fin. q.36, and Cenedus, collect.37, and Sylvester points it out, at the word 'Immunitas' 1, q.4, and Angelus at the same word, n.33.

8. As to the bases for this opinion, certain are general and they abstract from both divine positive and natural right; others mention natural right, but others positive right. First in order we put the canon rights which have this significance, and there are many laws accustomed to be alleged in this order, which I referred to above in ch.2; but I omit them because they speak of exemption in spiritual causes and therefore cannot strictly be extended to exemption in temporal ones. Many are also brought to bear which I adduced at the end of ch.3, and I similarly pass over these, because although they affirm exemption in temporal things they say nothing about its origin; but in what way they can be introduced I will declare below. From ancient decrees, then, I find only ch. 'Relatum', 11, q.1, from Pope Alexander, epist.1, which can be introduced for this side, insofar as it concludes against violators of the immunity of ecclesiastical persons in this way: "Those who have prevaricated thus have prevaricated against their God, and are not obeying his precepts." Secondly there is a text that makes for it from the Lateran Council under Innocent III, in ch. 'Nimis', on oaths, which has this: "Some laymen strive to usurp too much from divine right when they compel ecclesiastical men, to whom they have provided nothing temporal for possession, to oaths of fidelity to themselves."

Third there makes for it ch. 'Quaquam', *De Censibus*, on 6, insofar as it says: "Churches and ecclesiastical persons and their possessions are immune from the exactions of secular persons not only by human right but rather by divine right too." Although here the talk be of exemption from tributes an argument can be taken from it for the privilege of the forum, either by parity of reason, or because Paul, *Romans* 13.4, says: "For he beareth not the sword in vain, for he is the minister of God, a revenger to execute wrath upon him that doeth evil." And he adds later, v.6: "For for this cause pay

ye tribute also: for they are God's ministers, attending continually on this very thing," signifying that those two things are conjoined, the right of ruling temporally and of exacting tribute, and consequently it can be inferred by the converse that if divine right has exempted clerics from tributes it has also exempted them from civil subjection. Fourth can be induced the chs. 'Continua' 11, q.1, and 'Futuram', 12, q.1, insofar as in them the words of the emperor Constantine are referred to, who said to the Bishops at the Council of Nicea: "You can be judged by no one, but you are reserved to God's judgment;" for he seems to have spoken in force of divine right since at that time no human right on this point had yet been sufficiently settled.

Fifth, from more recent General Councils there is a very fine witness from the Lateran Council under Leo X, in session nine, in the Bull for the reform of the curia, saying: "Since by both divine and human right no power has been attributed to laymen over ecclesiastical persons, etc." For if laymen do not have power over clerics by any right they assuredly do not have it, because they cannot have it without just title and without foundation in any right; therefore just as laymen lack this power to the extent it is by force of divine right, so clerics are exempt from it by force of the same right, because no one is subject to one who lacks power. Sixth, this is strongly confirmed by the Council of Trent, sess. 25, ch.20, '*De Reformatione*', saying that: "The immunity of the Church and of ecclesiastical persons has been established by ordinance of God and by canonical sanctions." But that is said to be of divine right which is decreed by ordinance of God. Finally the words of the Council of Cologne make for the same thing, part 1, ch.20, saying that this "very ancient" immunity "was introduced equally by divine as by human right."

9. Second in order are to be put those bases which give persuasion that this right is divine natural right. And although, as I said, this right is not of purely natural order but is by way of connaturality to a supernatural priesthood, nevertheless from pure nature itself there is assumed a strong indication and as it were an *a fortiori* argument. For, among infidels, their own priests of whatever sort were, as if by guidance of the natural light, exempted from the burdens of the laity; much more therefore will this exemption be by divine natural right in the law of grace. This argument was almost used by the Pontiff in ch. 'Non minus', about the immunity of churches, adducing the example of Pharaoh, "who," he says, "did not have knowledge of the divine law and yet, with everyone else subjected to servitude, he left the priests and their possessions in their pristine liberty, and assigned them nourishment from what was public," *Genesis* 47.22. A similar thing was also done by Artaxerxes, who made the Levitical priests and other ministers of the house of God free of the taxes, tributes, and corn contributions, *Ezra* 7.24. Finally Pope Anacletus, epist.2, brings in for this purpose the verse of *Zechariah* 2.8: "he that toucheth you toucheth the apple of his eye." With this agrees the verse of *Psalms* [104] 105.15: "Touch not mine anointed," that is, the priests. For in these words is declared a peculiar reverence which is due to priests by the dictate of natural right, because they are peculiarly dedicated to and joined with God, according to the verse of *Numbers* 3.12: "Therefore the Levites shall be mine," and at 18.6 they are said to be handed over "as a gift to the Lord;" for that reason too in *Joshua* 13.33 the Lord is said to be the possession of the tribe of Levi. As therefore natural reason dictates that priests are to be peculiarly revered, so too does it dictate that they are not to be subjected to secular judges.

10. But this kind of argument has assuredly a greater force in the status of clerics of the Law of grace, because they are consecrated to God in a more excellent way. Hence we can argue in this way: ecclesiastical persons are dedicated to God and rendered sacred by a special consecration; therefore by the right of nature a peculiar reverence pertaining to religion is owed to them; therefore also the exemption of such persons from the yoke of secular power is as if connatural, or due by the right of nature to the status of such persons, especially as regard their criminal and personal causes. Just as a golden or silver vessel which could, of itself, licitly serve a common use, by the very fact of being consecrated as a chalice remains, from the nature of the thing, immune from such use, nor can without sacrilege be transferred to that use, according to rule 51, *De Regul. iur.* on 6: 'Once it has been dedicated to God it is not to be transferred to human uses,' with similar rules; so must it be said, it seems therefore, of a person who is consecrated to God with respect to subjection to the secular tribunal. For the use of such subjection could not fail to lead to great irreverence for such persons and for the whole ecclesiastical state.

11. This reason is confirmed by the jurists, first, because a priest is, by force of his status, superior to a layman, distinct. 96, ch. 'Duo sunt'; but by the nature of the thing an inferior owes honor to a superior; therefore a layman too to a cleric. But the opposite to this honor due to clerics happens if they are called to a secular court, and from the nature of the thing it redounds to the cheapening and ignominy of ecclesiastical dignity and gives the common people occasion for despising the clergy; therefore, by the status of such persons, such exemption follows from the nature of the thing. This reason is very well declared and confirmed by the words of the 2nd Council of Macon, ch.9, where the Council, rebuking acts of violence of secular judges against clerics, adds this reason: 'For it is impious that a Bishop should be dragged from a church by the hands or command of him for whom he always prays to God and to whom, after having invoked the name of the Lord, he has often held out the Eucharist for the salvation of body and soul.' For one must note that, in order to prove it 'impious', he does not adduce a positive law but sacerdotal dignity and the reason founded on it. A second confirmation is that it is against reason that an inferior judge a superior, ch. 'Cum inferior,' and ch. 'Solitae,' *De Maiorit. et obedient.*, and, for that reason, by no custom can it be introduced that an inferior acquire jurisdiction over a superior, as the doctors gather from the ch. 'Inferior', dist.21. Therefore it is contrary to natural reason that a lay inferior judge a priest superior to him. This is rightly confirmed by the words of Gregory VII, bk.8, epist.21, which Gratian reports, dist.96, ch.9: 'Who may doubt that the priests of Christ are deemed to be the fathers and masters of kings and princes and all the faithful? Is it not thought to be a mark of miserable insanity if a son try to subjugate to himself his father, a disciple try to subjugate his master, and subject, with unjust obligations, him to his power by whom he believes he can be bound and loosed not only on earth but also in heaven?' Finally Felinus and Rebuffe add that it is against reason for anyone to be taken to a tribunal that is suspected of hatred and enmities; but laymen are ordinarily hostile to clerics, ch. 'Laicos' 2, q.7, ch. 'Clericos' *De Immunit. Ecclesiae* on 6. Therefore etc.

12. In the last place there are bases introduced which give persuasion that this exemption is of divine positive right; there are three very powerful ones. The first is taken from the words of Christ already treated of, *Matt.* 17, 'then are the children free,' where the fact that under 'children' are comprehended clerics as the family members of Christ is indicated there by Jerome, saying: 'He both bore the cross for us and rendered tribute; we

do not return tribute for his love and as sons of the king we are immune from taxation;’ for under that pronoun ‘we’ he seems to comprehend himself and other priests or clerics alone, because it is not likely that he is speaking of all Christians. The same exposition is also wont to be attributed to Augustine, bk.1 *Quaestionum Evangelicar.* q.23, as far as it is inferred from his stated words, ‘in any earthly kingdom whatever, all the sons of the supreme King, under whom are all earthly kingdoms, are free;’ for by sons of the supreme King he cannot mean all the just; and therefore it is likely that he understood Bishops, priests, and clerics, in that such are in command in the kingdom of God as sons of the king, as Cajetan expounded *Matt.*17. But, in truth, this was not the mind of those fathers, as I said above, nor does it have a basis in the words of Christ, and therefore those words are introduced in a different way, by a certain extension. For the sons of the king are free such that their family members are also exempted along with them, but clerics are in a peculiar way the family members of God and the Savior, as Pope Thelesphorus said in his epistle to all the faithful; therefore in those words Christ comprehended them along with himself, and under Peter, when we said to him: ‘Give unto them for me and thee’, because Peter was then bearing the vicariate for the whole ecclesiastical state, as Augustine indicated, *sermon* 6 on the words of the Apostle.

13. You will say that this extension is not contained in the words of Christ, nor was any precept or institution there delivered which could be of divine right. Also neither is the exemption of the family along with the natural son founded on any natural right, but in a certain congruity and human usage, and therefore the said divine institution cannot thence be sufficiently inferred. They reply that it is true that Christ did not say openly that the family was free along with the sons, nor even that it follows by a necessary and evident consequence, for that is why the aforesaid opinion is, as far as concerns this part, neither *de fide* nor altogether certain. Yet nevertheless it is very probable that the extension is of the mind of Christ; both because he argues *a fortiori* from the natural sons of men to himself, and so, if in others the privilege is extended to the family, it should in a more excellent way be extended to the family of Christ, because his privilege too ought to be greater by reason of his very great dignity, and his family is nobler and more excellent; also too because, although the joining of the family in the exemption does not seem necessary by strictness of right or of natural consequence, yet it is very consonant to reason; and it is *per se* credible that Christ assumed the privilege of exemption in the best way and in the way more consonant to reason.

A second proof is added from the tradition of the Church. For when tradition is constant and perpetual it is wont to display divine right, especially when no reason appears for attributing it to apostolic institution; but such seems to be the tradition of this exemption, for it is very ancient, so that there is no beginning known for it; for it was observed always according to opportunity of times, but especially after the times of the Christian emperors, as we will see at large in ch.12. But under heathen emperors it could not indeed be entrusted to execution as regards infidel magistrates, who did not obey the Church, which execution pertains to the fact but the right was not absent to the Church; a sign is that ecclesiastical prelates always made this right of immunity to be observed insofar as it could be among the faithful themselves. And the fact is shown by the ancient canons mentioned at the end of ch.3, which never refer this custom to any apostolic institution but venerate and study to observe it as divine. In these ways, then, both these opinions are founded as probable.

Chapter 9: The privilege of forum for clerics is founded on divine and human right, and the way this is to be understood.

Summary. 1. Conclusion. Human right is double. 2. First explanation of this conclusion. 3. Proof of this sort of exposition. 4. Second explanation of the same conclusion. 5. This declaration is further elucidated. 6. Divine right does not immediately provide individual clerics with exemption. First basis. 7. Second basis. 8. Third basis. 9. Third exposition of the conclusion. 10. The exemption of clerics is, as regards its manner, subject to the Pontiff. 11. How divine institution subsists along with dependence of the exemption on the Pontiff. 12. An exemption of this sort could be conceded by Christ in a twofold way. 13. Confirmation. 14. Clerics are exempt as regards both directive and coercive force. 15. This exemption is in all strictness by divine right. 16. The same is further confirmed from the priesthood of the Old Law. 17. Why Scripture numbers only twelve tribes. 18. The final declaration of the conclusion is to be preferred to the second. 19. The bases for the second declaration are taken away.

1. The certain and indubitable resolution of this matter is that clerics are exempt from the civil power by divine and human right equally: for this is taught almost in these very words by the canon rights above referred to, and by the sacred Councils, especially the Lateran one under Innocent III, the other under Leo X, that of Trent, and that of Cologne, which I cited above. Hence it is necessary that all the authors alleged in the preceding chapter for both opinions agree in this general resolution. The bases of both opinions also prove it, for in truth they prove that this privilege is in some way founded in both rights. But how this is to be understood, that is, what is to be attributed to the individual rights in this business, needs to be explained as best we can; and hence it will also be clear what the diversity is between the aforesaid opinions, or whether they can be reduced to concord. But since human right is twofold, namely civil and canon, and since we must directly speak about them in chapters 11 and 12, therefore in brief now I assume that this exemption does not depend *per se* on civil right, because of itself it precedes it, but yet it does depend on it, either as on what contains and approves it, or as on what bestows it, as far as its side is concerned or should there be need, or as on what prescribes to lay judges the observance of immunity for clerics. But it is certain by canon right and sufficiently proved that it prescribes observance of this immunity. But whether it prescribes this by conferring it, or only by declaring what God has conferred and wishes to be observed, depends on the manner in which such jurisdiction could be by divine right, and therefore it will at the same time be explained. But whether canon right alone would be sufficient *per se* to confer this privilege, even if it had not been given by God and civil right was not cooperative but resistant, we will see in chapter 11.

2. The first explanation of the resolution posed, then, could be that by human right be understood civil right, but by divine right be understood canon right, which is sometimes called divine right insofar as it has been passed by a power that is divine and supernaturally conferred, and because it chiefly makes disposition of things divine and pertaining to the good of the soul, and is frequently founded on the words and examples of Scripture. And thus is divine right expounded in the present matter by Hostiensis, ch. 'Nimis', *De Iureiur.*, who interprets that chapter in this way, and he is followed by Salmeron, in the said tract.³⁷, who thus expounds ch. 'Quamquam', *De*

Censibus, in 6. And according to this exposition the second opinion in the preceding chapter is altogether rejected; for that is why the authors mentioned in the said canons understand by divine right canon right, so that they may defend the view that this exemption is in no way by divine right proper, that is, by a right which draws its origin immediately from God himself.

3. But Panormitanus departs from this opinion in d. ch. 'Nimis', at the end; and certainly rightly. For, first, it is very improper for a merely canon right to be called divine, and the use is rarely or never found in canon right itself. Also because, although in one or another place that interpretation could be permitted, especially if other circumstances are in its favor, yet when so many rights and Councils agree in asserting divine right, the interpretation is very violent and incredible. Add that the Council of Trent, perhaps to exclude equivocation or abuse over the word, expressly distinguished between canon and divine right, saying that the immunity of ecclesiastical persons 'has been established by ordinance of God and by canonical sanctions.' For what are 'canonical sanctions' save canon right? But those sanctions are also of divine ordinance, along with the mediation of the pastors of the Church; therefore they are distinguished from the divine ordinance which is immediately from God; but this is divine right proper; therefore that is what the Council is speaking of, and it is tacitly interpreting the other rights in the same way. The Lateran Council, too, under Leo X, when it says that neither by divine nor human right has power been given to laymen over clerics, must be speaking of divine right proper, otherwise it would not have sufficiently proved that laymen do not have such power, because someone could say that they have it by natural and divine right proper, as heretics contend. Let it be certain, then, that the proposed assertion or resolution is to be understood of divine right proper or immediate, and that, in particular, canon right is included under human right, although civil right is not excluded, because the Councils openly assert this, nor can they be otherwise suitably explained; and this is enough to require confessing simply that so it is, although in declaring the way that divine right concurs in conferring this privilege there can, among Catholics, be disagreement and difference without denial of the faith.

4. A second possible declaration of the assertion, therefore, is that the privilege of exemption has in part been established by divine right proximately and properly and in part by canon right. For it exists by divine right in two ways: first because it was given immediately to the Pontiff by Christ himself, second because power and divine precept was given to him to communicate that privilege to the whole clerical state. But this privilege is completed, as it were, and entrusted to execution by canon right in the particular and definite way of conferring it on the individual orders of clerics contained under the Pontiff, and thus this canon right determines, as it were, and entrusts to execution the general divine precept to exempt clerics from secular jurisdiction, which precept this opinion supposes and by which it differs most from the preceding opinion. Now such a precept can be understood to be of either divine positive or natural right. In the first way, it is either understood to be contained under the general precept given to Peter: 'Feed my sheep', individually, to be sure, according to their status and condition; or it is said to be divine because it is taken by imitation and likeness from the testimonies and examples of the Old Testament. Just as the precept of tithes is customarily said to have flowed from divine right, as in ch. 'Tua Nobis', 2, and ch. 'Decimas', 2, on tithes, see Bellarmine, bk.2, *De Clericis* chs.28, 29, 30. For that reason, just as the precept of

tithes was, as to the quota, completed by canon right, so also was this privilege of exemption. But the precept can be considered to be of divine natural right most of all because, on the supposition of divine institution of the clerical order, it is deduced as evident by inference from natural principles, or as so necessary morally that, on this account, the supreme Prelate of the Church is obliged to confer the privilege on the inferior clergy and to establish it under a certain law and manner.

5. But so as to make the basis for this declaration or opinion understood, four assertions can be distinguished in it. The first is that canon right prescribes that clerics be exempt; and this part is very true, if we abstract for the moment from the mode of such precept, and thus the assertion above is proved, and it will be further confirmed in the next chapter. Second, this opinion supposes that there is in the Church a power for giving clerics this exemption, if the hypothesis be also granted that it was not made by divine right. And this too is easily conceded, about which we will speak in chapter 11. Third, this opinion affirms that this exemption has been prescribed by divine right, which we think to be altogether true not only of a precept improperly divine by imitation nor by mere moral deduction from the principles of divine right, which are completed by human constitution, but by a proper and strict precept laid down either immediately by Christ the Lord or at least through the medium of natural reason. The reason is that without this exemption the decency and dignity of the clerical state could not be maintained with due reverence and honor; therefore Christ certainly gave to him to whom he committed the care of that state the precept to have or to keep the clergy exempt from secular power, by prescribing it to him either explicitly or implicitly and by force of the office which he committed to him, wherefrom such an obligation is collected by morally evident inference.

6. Fourth, this opinion teaches that this privilege has not been given by God immediately to individual clerics or orders of clerics but to the Pontiff alone, so that by him it might be applied and distributed to the rest. On this point the opinion agrees with the first opinion reported in the preceding chapter, and so it rests on the same bases. Especially so, because use itself seems to declare the fact, for this exemption is not equal in all persons nor at all times nor for all cases and, further, it can vary; therefore here is a sign that it was not distributed immediately by divine right but was committed to the faithful dispensation of the Vicar of Christ. Again, because this suffices for the things that the canons teach about the exemption and that are, in sum, reduced to the words of the Council of Trent when it says that this exemption 'has been established by the ordinance of God and ecclesiastical sanctions.' For the first point, most appropriately, is made true by the said obligation and precept of divine right, and the second point by reason of the ecclesiastical execution.

7. It can also be shown from the similar question that is wont to be dealt with about the jurisdiction of Bishops, whether this is immediately of divine right or from the Pontiff. In that question the more probable solution is customarily that divine right does indeed immediately prescribe that the Church be governed by ordinary pastors and princes; and because they could not do this without jurisdiction, therefore it has been prescribed by the same divine right that sufficient jurisdiction be communicated to them, and that yet in the thing itself and in effect it is immediately communicated through the Pontiff. This way, then, is how this opinion makes affirmation about the bestowing of exemption on clerics. For there is no little likeness and proportion; for just as the

exemption is, in its kind, of divine right, so the Episcopal office is of divine right; and, conversely, just as the jurisdiction of Bishops is not certain and determinate by divine right but can be amplified or restrained by the Pontiff, so also the exemption is not by divine right determinate for individual clerics, causes, places, or times, but can be varied, increased, and diminished by the Pontiffs. Therefore, just as the jurisdiction of Bishops, although it be of divine precept, yet is conferred immediately by the Pope that from the same it may receive definite mode and measure, so this privilege is left directly to the concession of the Pontiffs, that it may thereby receive definite mode and determination without which it could not in actuality be agreeably conferred, but left to them under obligation of their conferring it as faithful and prudent steward.

8. And this rule is general in other observances of the Church which do not have in particular a certain determination from divine right, although they do in general have a necessity from divine positive or natural right; for although such things can be said to be from divine right as regard general obligation, nevertheless, as regard proper and particular institution, they are accustomed to be immediately of human right. Thus may it be seen in censures, which have a basis in the divine right: "If he will not hear the Church, let him be to you as an heathen man and a publican;" and yet censures, as the Church puts them to use, are immediately from its institution. The same can be observed in many ecclesiastical rites and ceremonies; for divine right gives prescriptions in general, that sacraments and sacrifice for instance be done in a decent and decorous way; but because divine right does not immediately determine this, such institution is in effect ecclesiastical taking its origin from divine right; and many similar examples could be brought forward. But the general reason is that divine right does not immediately establish things that are liable to change and variation, and because a proper institution does not come about except in particular and with a certain mode and measure.

9. The third declaration of the proposed assertion is that the privilege of exemption for clerics is immediately and with all propriety of divine right, because it was not only promised and commanded by Christ, but also given and actually conceded; and yet it is also of canon right declaring divine right and preserving this privilege or moderating it as expedient. According to this declaration the former opinion, treated of in the previous chapter, is altogether refuted and the latter is fixed in a very proper and rigorous sense; and although few of the authors referred to for it declare it in this way, nevertheless many certainly seem to have thought thus, especially Carlerius whom Almainus refers to and follows. And the same was thought by Rebuffe and others who say that clerics have never by right been subjected to emperors, even heathen ones, from the beginning of the Church, which Torquemada also thinks, bk.2, *Summae de Ecclesia*, ch.96, ad.3. This opinion and declaration of the aforesaid opinion is very pious and very much in agreement with reason, and therefore we must defend it and diligently explain it.

10. In the first place, although we admit that this privilege was given immediately by Christ to clerics, nevertheless we do not deny that it was subordinated to Peter and his successors as to the mode to be observed in using it, both on the part of the persons to whom the privilege was to be applied, and on the part of the things, causes, or businesses, in which such exemption ought to be observed. For manifest conviction is given for this by some of the arguments made for the prior opinion, and by others which can be taken from the use of the Church. For we see that a cleric in a civil cause, if he bear the person of prosecutor against an accused layman, is not exempt in such prosecution from the lay

tribunal, but is held to follow the forum of the accused. But why is this so except because the Church has determined that the exemption of clerics be kept within those limits, and because it could have made disposition otherwise if it had judged it otherwise expedient? Similarly everyone concedes that clerics are obliged, in respect of directive force, to keep certain laws which regard the common and convenient state of the citizens; and this has not arisen from anywhere than from the Church judging it expedient so, as I showed elsewhere. Therefore the privilege of exemption, which by divine right is indifferent and as it were general, is subject, as regard determination, limitation, or expansion, to ecclesiastical power. But neither can it be said that all these things are only done by the Church by way of declaration of divine or natural right, because without doubt many are done by prudent human choice, and therefore they change at diverse times, as that married clerics enjoy this privilege in these things and not in those, and that minor clerics do with these circumstances and not without them; and that in such a crime a cleric is handed over to the secular arm and not in another sometimes graver one. Therefore these things are done by the power not only of interpreting, but also of establishing new right, or limiting or extending an old right.

11. But so as to explain how these things cohere, since the Church does not have power over divine right, I suppose from the tractate *De Legibus* that this name 'right' sometimes signifies a proper law or precept, but at other times, and properly and frequently enough, it signifies a faculty of using, or (so to say) a *quasi* right of fact, in the way rights of servitude or right in a thing or for a thing and the like are distinguished. In these two ways, then, can divine right also be received in the present case. For the privilege itself of exemption, insofar as it is a certain liberty from subjection to another, is a certain moral faculty for not obeying such a power, or for freely acting without respect to it or impediment from it; this faculty, then, given by God himself, is said to be divine right, not as a precept but as a gift from God. Just as liberty from servitude, which is natural to man, is very well said to be, in this sense, by divine natural right. But once such privilege is posited, there also follows a divine prescriptive law that no force or coercion be brought to bear on him who has such privilege but that his immunity be preserved; and thus there intervenes also in such exemption a divine prescriptive right which is acted against by violating the exemption of clerics.

Now that which, by this double right, consists in the general faculty and is, as it were, a certain good which is properly called a privilege, I say that it, though divine, namely given by God, can be subject to loss or change for just causes; just as life itself and the members of the body and the natural right of liberty are given by God and are said to be by right of nature, and yet they can, for just cause, be taken away or lessened by human power, and this we understand to have been conceded by God, because thus it was expedient for the common good of the human republic. In this way, therefore, should it be understood that, though the privilege of exemption has been given to clerics by God himself, nevertheless, for just cause and by legitimate power, it can be lessened or taken away, for thus was it necessary for the common good of the Church. Hence as a result it happens that the other divine right prescribing observance of such privilege does not contain an absolute prohibition that such privilege cannot be lessened or taken away, but that it not be done without legitimate power and just cause, as we said of natural liberty.

12. But that power is only in the Pontiff, because it is a power that is spiritual, supernatural, dispensing the mysteries of God, a power of binding and loosing, and

supreme in its order. But a legitimate cause, generally speaking, will exist whenever some limitation or privation of this exemption will be judged necessary or convenient for the convenient and decent order of the Church, or for the good morals of the Ecclesiastical state; and this judgment is also committed to the prudence of him to whom the keys have also been given. Thus therefore it is easily understood that notwithstanding the variety which we see in the legitimate use of this exemption it could be of divine right, because by that variety there is no going against some divine precept, nor is there dispensation made from it, but the precept itself includes such a limitation or condition accommodated to such privilege and to the condition of it, as has been explained. And in this way can easily be solved the arguments which the first opinion made in objection to this direct and positive divine right.

But this privilege as thus explained can be understood to have been given by Christ the Lord to the clerical state in two ways, namely either because he instituted his Church and the diverse orders and acts of it and its mode of government in such a way that it would obtain therefrom this privilege by natural and necessary consecration; or also because he conceded this exemption to clerics by a particular and express will. This second way is made sufficiently probable by the words of Christ, *Matthew 17*, insofar as we expounded them in the preceding chapter on behalf of the second opinion, with the addition too of ecclesiastical tradition, which is the best interpreter of the words and laws of Christ. And this part is further confirmed from the first one; for the reason that this privilege is deduced from the institution itself of the Church and of the clerical state also gives persuasion that Christ, in the words, “then are the children free,” wished to comprehend the whole clerical state. Therefore, that this privilege, at least in the first way, is by divine natural right, provided divine institution of the ecclesiastical status and of the whole Church is presupposed, is thus proved; because clerics, both as to their body and their soul, are specially subject to Peter by divine evangelical right; therefore by the same right they are exempt from the jurisdiction of secular princes.

13. The assumed proposition is made plain from the doctrine of St. Jerome, which is referred to in ch. ‘Duo sunt,’ 12, q.1, where he distinguishes two kinds of Christians, one that is delivered over to the divine office and is given to contemplation and prayer, as is the state of clerics and religious; the other kind is that of lay Christians, who, though they are appointed to divine service by general reason, attend principally to temporal things in accordance with their common mode of life. Since, therefore, all Christians are subject to Peter in spiritual things by divine right, as was shown in book 3, and since that subjection can be said to exist as regard the soul, because it is only in spiritual things and things pertaining to the cult of God; we say of clerics that they have been subjected to Peter by the same divine right not only as regard the soul but also as regard their bodies. The fact is proved from the said doctrine, because clerics are specially dedicated and handed over to God and to his cult not only as to the soul but also as to their bodies; therefore as a result they are also as regard both subject to Peter. The proof of the consequence is that by the very fact that clerics are dedicated to God according to body and soul they belong in each way to the particular right of God; and they are said to be handed over to the gift of the Lord with greater reason, and therefore with greater title said to be of God, than the Levites, about whom these things were above said. Therefore by that very fact they are, in accord with each reason, constituted under the proper jurisdiction conferred on Peter as Vicar of Christ; for Christ’s particular property, and

whatever belongs to the particular right of it, he has committed to his Vicar as proper manager and steward.

There is also confirmation, for the goods of churches and sacred things are committed by divine right to ecclesiastical prelates, and especially to Peter, as regard their care and distribution, no doubt because they pertain in a particular way to the dominion of God and the patrimony of Christ; therefore by the same and greater reason the whole government of clerics, both in what regards the body and temporal life and in what regards the soul, has been specially committed to Peter by Christ. The antecedent is expressly handed down in the 4th Roman Synod under Symmachus. For it is said that laymen, even religious and men of power, cannot make any decree in any way at all about ecclesiastical faculties, “the care of disposing of which has been indubitably given by God to his priests.” But the consequence seems to be no less certain, both because the persons themselves pertain to Christ and to ecclesiastical things more than do ecclesiastical faculties; and also because the universal care of the divine cult is by divine right under the jurisdiction of Peter, because it is immediately ordered to a spiritual end; and by this reason all things which are dedicated to the cult of God are simply and absolutely under the jurisdiction and administration of the Church, among which things dedicated to God the persons of clerics hold first place; therefore simply and absolutely and according to every reason are they committed by divine right to the jurisdiction and disposition of Peter.

Having set this down, therefore, the first consequence, namely that if they are committed to Peter they have been as a result exempted from the jurisdiction of temporal princes, is *per se* evident from that evangelical dogma of *Matthew* 6.24: “No man can serve two masters, for either he will hate the one and love the other, or else he will hold to the one and despise the other.” For a similar inability and moral repugnance is found in clerics being in the same respect, that is in respect of their body, subject to the Pontiff and to the king, because these could sometimes prescribe contrary things, and it would be necessary to obey one and despise the other; as, for example, a king could prescribe to a cleric to go to war or be busy with other temporal actions, but the Pontiff could prohibit these actions or prescribe other things that were repugnant to them. Again, since clerics should, as to the actions of the body, be devoted to divine ministries and be removed from secular businesses, it is necessary they have a rule and way of living and operating and of using temporal things or offices from the Pontiff; therefore they cannot at the same time be under the jurisdiction of temporal princes, even as regard things that pertain to the body; just as vessels sacred to God are by that very fact and by the nature of the thing exempt from profane uses, and just as a contract of marriage consecrated into a sacrament has by that very fact passed into the ecclesiastical forum and is exempt from the secular one.

14. Therefore it is hence very well inferred that clerics are absolutely exempt from the jurisdiction of temporal princes, because this jurisdiction deals especially with those subject by reason of their bodies and so with all those things that are ordered to the convenient preservation of bodily life, as was shown at large in book 3. Therefore, if clerics are exempt from the jurisdiction of princes also in respect of their bodies, they are certainly exempt from their temporal jurisdiction. Hence the conclusion is also drawn that clerics are not only exempt from the power of princes as to its directive force, at least in disposing and governing them in things that regard the actions of the present life, but also

as to coercive force; both because one subjection is not separate from the other, nor can it rightly be considered without the other, and therefore as regard both they are by divine right subject to the Pontiff and as a result exempted from others; and also because this exemption is no less necessary than the other for the cult of God and the convenient use of things dedicated to the divine cult. Therefore deservedly did Pope Nicholas say in his letter to the emperor Michael: "How those, to whom it has been permitted only to rule over human things and not divine, presume to judge about those by whom divine things are administered, we are altogether ignorant." This too is strongly confirmed by the words of the Lateran Council under Leo X: "By a right as well divine as human no power over ecclesiastical persons has been bestowed on laymen." In these words I note first that the talk is about all power, and hence it comprehends not only spiritual power but also temporal, nay this power especially because about the other there was no controversy. Next the Council supposes that laymen cannot have any jurisdiction over ecclesiastical persons, unless it be conceded to them by some divine or human right. Hence it must either be supposing that laymen do not have it by natural right, or must certainly be including under divine right both positive and natural right, otherwise it would be proceeding incompletely and concluding nothing. Therefore the intention of the Council is that laymen do not by divine right have such jurisdiction over clerics, because neither has divine positive right attributed it to them, as is clear of itself, nor has natural right permitted it but has exempted clerics from the jurisdiction of laymen by the very fact that they are subject by a special title to the Pontiff. Finally, I advert to the fact that the other part too about natural right can be understood most of canon right, about which that opinion is manifest. But the Council did not seem to have any reasoning about civil right, because it supposes that there is no power in temporal princes for establishing such a valid right, since they do not have for this very thing power by divine right.

15. To these can be added other General Councils besides, and the provincial Councils adduced above, which constantly teach that this exemption is of divine right; but this can and must be properly understood in accord with the capacity of the matter. And it is not properly said to be of divine right, because its immediate establishment is from the Church even if it takes its origin from a precept or power given by divine right. Just as royal power is not, nor can properly be said to be, of divine right, even if it takes its origin from natural law and power. And for that reason neither are ecclesiastical ceremonies, outside the Sacraments, said to be of divine right; neither even is the jurisdiction of Bishops said to be so, according to the opinion of those who think that it is conferred immediately by the Pontiff. Since therefore the Councils say of this exemption so constantly and absolutely that it is of divine right, surely they are to be taken in the more proper sense. Similarly too the Council of Trent – it says that this exemption is by divine ordinance – is most correctly understood in the common manner of rights, that the exemption is ordered and instituted by God himself and declared and made firm by canonical sanctions. Add too that the very emperors seem to have been led, not by human right indeed or ecclesiastical, but by reason illumined by faith, to recognize rather than to concede this exemption.

So Charlemagne, in his capitulary, bk.6, ch.109, when he gave sanction thus: "Clerics are reserved not to secular courts but to Episcopal audience," explains the reason by saying: "For it is not holy that the ministers of divine duty be subject to the judgment of temporal powers." But 'holy' [*fas*] means, on the evidence of Isidore, bk.5, *Etymol.*,

ch.2, and ch.1, d.1, a divine law that both pertains to God and descends from some natural equity; such therefore did Charlemagne think the right of exemption of clerics to be. In agreement with this is what is said in the Council of Macon, 2, ch.9, that it is 'unholy' [*nefas*] to violate the immunity of Bishops, which is, in can.10, extended to other clerics. One must also attentively weigh what is said at the beginning of that ch.9: "the most reverend canons and the most sacred have given sentence about the Episcopal audience almost from the very beginning of Christianity." For the Council speaks very openly of an audience with respect to temporal and personal causes, as it at once explains, and it does not say that human laws have introduced it but gave opinion for it as declaratory of a *quasi* connatural right of Episcopal jurisdiction and ecclesiastical exemption. Emperor Theodosius too, as Ambrose, epist.32, elsewhere bk.2 epist.13, to Valentinian, reports, gave equal sanction that: "in a cause of faith or of any ecclesiastical order he should be judge who is neither unequal in duty nor dissimilar in right. That is," says Ambrose, "priests judge of priests," as if both were of the same divine right. Constantine also thought this in fact and in his oft repeated words, from Gregory, bk.4, epist.13, indict.13, elsewhere ch.75, from Ruffinus, and from other ecclesiastical histories.

16. There can to these be added conjectures taken from the right of the Old Law. For if priests and Levites were in that Law exempt from temporal power, no one will deny that the same is to be said in the New Law by force of divine right, at any rate natural divine right; both because this pertains to the greater perfection of the priesthood of the New Law; and also because if such an exemption was found in the people of Israel, certainly it was not by any human law, for no such law is either read in Scripture or can with a basis be thought of, especially since these sorts of laws were at that time very rare, because everything was minutely prescribed in the law of God itself. Therefore from the priestly state itself, and from the general words by which the tribe of Levi was assumed into it, there was collection made that the tribe had been given to God and wholly subjected and subordinated to the power of the Pontiff; therefore in the same way must be gathered a similar divine right in the New Law. Not because the ancient Law, insofar as it was ceremonial, is obligatory in the New Law, but because that ancient right followed the priesthood, not in force of the ceremonial law, but in force of the moral law. Therefore in a similar way, from the supposition of a better priesthood has followed the same moral divine right in the New Law. But that the right of exemption existed in the Old Law is made very likely from the way of speaking of Scripture, *Numbers* ch.3, "And they shall be my Levites," at least by peculiar title and gift, about which it is said in ch.8.10-11: "And thou shalt bring the Levites before the Lord: and the children of Israel shall put their hands upon the Levites: And Aaron shall offer the Levites before the Lord for an offering of the children of Israel, that they may exercise the service of the Lord." And later, 13-14: "And thou shalt offer the Levites for an offering unto the Lord. Thus shalt thou separate Levites from among the children of Israel: and the Levites shall be mine." And later, 16: "For they are wholly given unto me from among the children of Israel." And later, 18-19: "And I have taken the Levites...And I have given the Levites to Aaron and to his sons from among the children of Israel, to do the service..." Similar things are also repeated in ch.18, and to Aaron it is said, 3: "And the Levites shall keep thy charge."

From these, therefore, and from similar ways of speaking it is gathered with sufficient probability that the tribe of Levi, by force of its being separated and deputed to

the ministry of the temple, was exempt from civil jurisdiction that, from the nature of the thing, was in the community of that people. First because, by giving up that part from itself and donating it to God, it deprived itself of some power and dominion, as it were, and transferred it to God; but this power could not be other than power of jurisdiction, because there was no other power of dominion in that community with respect to that part; and consequently God, by accepting the donation, reserved that right for himself by a special title, and committed it to the Pontiff of that people. Second because from the force of that separation the priests and Levites were rendered immune from merely secular burdens and duties that could either distract the Levites from the ministry of the temple or would be incongruent and unfitting to that state. The sign thereof is *Numbers* 1.47-48, when God commanded the people to be numbered: "But the Levites...were not numbered among them. For the Lord had spoken to Moses, saying, Only thou shalt not number the tribe of Levi." "Because" (says Josephus, bk.3, *Antiquit.* ch.11), "the Levites are holy and immune from military service." And immune, for the same reason, from other secular duties and tributes, as Abulensis also thought, q.25, on ch.1 *Numbers*, saying that the tribe of Levi, since it was instituted for the ministry of the tabernacle, could not be at leisure for the other burdens and necessities of the people. And for that reason the Levites did not receive part in the promised land, but in place of it they received the rights of the sanctuary, *Numbers* 18, *Deuteronomy* 18, *Joshua* 13. Hence Abulensis also adds in the same place that the Levites were not numbered with the rest of the multitude, because they did not make one people with them. "For," he said, "all ten tribes were one people and communicated with all, and divided all the land among themselves, and were at leisure for purely secular things; but the Levites came together with the people in nothing." Hence also the tribe of Levi was as if separate from the others, and the twelve tribes of the people were accustomed to be numbered apart from them. For thus in the cited ch.1 of *Numbers*, the twelve tribes are numbered with the exception of Levi, because, as Josephus notes above, Manasseh was put for Levi among the head of the tribes, and for Joseph was put Ephraim, whom Jacob secured in adoption from Joseph, *Genesis* 48.

17. One must consider that, although according to the said computation and adoption there were thirteen tribes, never in Scripture, because of the perfection of the number, are there numbered other than twelve. Now it has been observed that whenever the tribes are numbered in order to things spiritual, the tribe of Levi is numbered, and either the tribes of Ephraim and Manasseh are reduced to the one tribe of Joseph, as *Genesis* 46, *Exodus* 28, *Deuteronomy* 27, or one is excluded, as in *Revelation* 7 the tribe of Dan, because of the Antichrist, is omitted. But when the tribes are reckoned in order to secular or temporal things, the tribe of Levi is omitted and Manasseh and Ephraim are distinguished into two, as *Numbers* 1, *Deuteronomy* 18, etc., because in order to temporal things the tribe of Levi was as if separate from the others. And in the same way, when under Jeroboam the twelve tribes were divided and two, namely Judah and Benjamin, remained under Roboam and the remaining ten passed over to Jeroboam, Levi is not numbered among them, as is taken openly from *2 Kings* [*Samuel*] 11 and *2 Chronicles* 11, because no doubt (as one may conjecture) it did not pertain to the temporal kingdom. From these, then, is collected with probability the exemption of the priestly tribe from the jurisdiction of kings in the Old Law. And no little confirmation comes from the authority and power of prescribing given to the Pontiff of that law, *Deuteronomy* 17; about which

there was discussion in the previous book. With much greater reason, therefore, should such an exemption be believed to have been conceded to the clerical state by divine right in the New Law.

18. Finally, having rejected the first opinion reported in the preceding chapter, and the first declaration of the Catholic assertion posited in this chapter, which coincides with the said first opinion, and comparing this last declaration with the second, that this last is to be preferred can be declared by moral reason thus. For those two declarations or opinions agree that the privilege of ecclesiastical immunity is of divine and human right, for which the reason can be given that it was necessary for such privilege to be perpetual, fixed, and unchangeable, and therefore it ought to be of divine right; and at the same time it was necessary that it be in part changeable or variable, and therefore it ought also in some way to be put under human right. But the joining together of each right about such a privilege could be thought of or happen in two ways: first, that divine right would prescribe such privilege only remotely, but human right would establish it by choice of men. Second, conversely, that divine right conferred it proximately but committed it to man so that he could moderate and accommodate it in the particular case. But, of these two ways, the latter is more convenient; therefore it is to be believed that in this way was this privilege given by Christ to his Church.

The declaration of the minor is from two properties which can be considered in this privilege, namely stability and a certain variety; for the former will be much greater and more secure if this privilege has been established and conceded immediately by divine right itself. For thus by no human power, whether temporal or ecclesiastical, could that be altogether taken away which was necessary for the preservation of the ecclesiastical state and for the reverence due to the divine cult. Again, in this way no usurpation or presumed human prescription could prevail against this immunity, which was also very convenient and almost necessary for restraining the force and ambition of temporal kings. Lastly, in this way even the Pastors themselves of the Church will be more cautious in making changes in these privileges, and they will be able with greater title to resist the importunate prayers of secular princes lest, by in some way taking away faculties and licenses from this privilege, they might yield to them without very grave and urgent causes. But in the second part, in the use of this necessary privilege, namely so that it could sometimes vary and be changed in particular cases or persons, very sufficient provision was made by subordinating the privilege, as regard the need to make this change for a cause, to the power of the Pontiff; therefore this institution was the most convenient. Therefore, the third opinion, which declares this privilege in this way, is to be preferred to the second.

19. For this reason this privilege is not rightly put on a par with other ecclesiastical observances or ceremonies, whose institution in a particular case is of human right although the general precept of them be of divine right; for in many of them there is an unlikeness of reason. First, because their institution could not be done in general by divine right, abstracting that is from particular ceremonies, because institution is a certain act or effect which cannot deal with the kind but only with the particulars; but a precept could very well be given in general, by committing a particular institution or determination to the decision of another. For to do this immediately by divine right was not expedient or necessary, except as regard the substantial rights of the sacraments and the divine sacrifice. But an exemption could very well be conceded absolutely by divine

right in general, or universally, so to say, because generality does not there consist in abstraction from particulars but in comprehension of all ecclesiastical persons and of all effects of immunity, or of total liberty from temporal jurisdiction; and so we say that it was in fact instituted by divine right, by giving clerics absolute exemption from all jurisdiction of laymen, which clerics would have even if the Church had made no disposition about it. Second, because the other ceremonies and rites of the Church are not so proximately of the dictate of natural right, nor do they follow immediately from some prior divine institution, as this exemption does, as has been sufficiently declared. Third, because the other particular rites were not so necessary to the good governance of the Church and to the splendor and decency of religion, as was this privilege. And for the same reason the example of the jurisdiction of Bishops is not similar. Because the fact that Bishops receive jurisdiction immediately from Christ is not found written or sufficiently insinuated in Scripture, nor does it have a necessary connection with another prior institution of Christ, nor was it so necessary or convenient for the good governance of the Church that the whole spiritual jurisdiction be given without any limitation to all and each; and it could not be conceded with variety and limitation immediately by Christ, and for that reason it was more convenient that he should submit its distribution to his Vicar. Apart from the fact that it was much more convenient for greater union and subordination of the members with the head that in this all the inferior Bishops should depend on the Vicar of Christ. But in the exemption the reason is far different in all these respects, as has been declared.

Chapter 10. How ecclesiastical exemption is, by divine right, fitting for individual clerics or ecclesiastical persons.

Summary. 1. The various grades of persons enjoying exemption. 2. A first opinion to the negative. Triple foundation of this opinion. 3. A second opinion to the affirmative. 4. The foundations of the contrary opinion are dissolved. 5. Whether bishops are exempt. 6. Of the exemption of priests. 7. Whether inferior clerics are by divine right exempt. 8. The opinion of Navarrus is preferred. His own objection and response. 9. Navarrus' solution is further declared. And confirmed. 10. Response of the author. 11. This exemption is enjoyed by any person in an ecclesiastical state established by the Church.

1. In order to make more luminous the truth confirmed in the previous chapter, it has seemed worthwhile to explicate it of the individual states and orders of ecclesiastical persons, and to assess the reasons for this privilege proper to each case; for greater and more compelling reasons could be found for some of them than for others, although they are for all of them sufficient. Various grades of ecclesiastical persons can, therefore, be distinguished under Peter, for about Peter and his successors we have already spoken. In the first and chief grade were the apostles other than Peter; in the second are bishops, who succeeded to the apostles not as apostles but as bishops. Under these are priests, of whom some are parish priests and pastors of souls, others are simple priests, whether altogether so or established in some dignity. Under priests are the inferior clerics of sacred things, and under these are others established in minor orders, married or not married. And lastly there are others persons who, although they do not have orders or the tonsure, are reckoned to be ecclesiastics by reason of their status, and who enjoy the canonical privilege. About all of them, then, we must speak one by one.

2. A first doubt is whether the apostles other than Peter had this privilege such that it was by right licit for them not to obey the emperors, if in fact they were able to, and whether, conversely, secular magistrates were, on account of usurped jurisdiction, unjustly judging them, unless by chance their ignorance of the privilege excused them. For the king of England, in his *Preface* p.139, persistently denies this exemption of the apostles, saying that “in the times of the primitive Church it had never been called into doubt.” Which opinion is, with saner mind indeed and not with so much exaggeration, defended also by some Catholics. They seem to be favored by Chrysostom and Theophylact on *Romans* 13 who say that even the apostles were not exempt from obedience and subjection to temporal magistrates, and who speak not only with respect to directive power but also with respect to coercive, as the Apostle too spoke. And among other modern authors this is expressly taught by Albert Pighi and Jansen in the places already cited. They base themselves generally on the fact that clerics were not exempt from the power of heathen princes when they lived within their realms, because those princes were not under the jurisdiction of the Church; and this reason holds also of the apostles. However, the reason does not prove, but supposes, that this privilege was not conceded by Christ to the apostles; for if Christ wanted to concede it there could be no obstacle in the fact that infidel princes were not directly subject to Peter or the Church, because they were subject to Christ himself, and therefore he could exempt from their jurisdiction those whom he wished, as he exempted Peter.

If therefore the apostles did not have this sort of privilege, it is not because infidel princes were outside the jurisdiction of the Church, but because this depended on the will of Christ, and about this no certainty is given by revelation, written or unwritten; but an extraordinary and supernatural privilege is not to be asserted nor believed without the testimony of the will of the prince. Second, because such a privilege would have been useless to the apostles, because they were never in fact going to use or to have such privilege. Third, the addition is wont to be made that Paul in *Acts* 25 appealed to Caesar as to his judge and legitimate superior in the criminal case in which he was involved. This place is strongly urged by the king of England, and in this way was it understood by Albert Pighi and was at one time approved by Bellarmine whom Lorinus has followed. And the proof can be that otherwise Paul would not have acted well in appealing to a judge who was not his own, and in tacitly renouncing his privilege to one whom no prelate can renounce it to. Lastly an argument can be taken from *Matthew* 17 where Christ paid the tribute only for himself and Peter, and thereby the other apostles understood (as I reported above from the Fathers) that some special privilege had been conferred on Peter; there is no reason then for us to say that it was common to the other apostles.

3. The contrary opinion is supposed by Torquemada in the place cited, and Bellarmine ultimately preferred it; both of them for this reason say that Paul did not appeal to Caesar in right but in fact, not as to his superior, for he was exempt from his jurisdiction, namely by divine right, but because he could not by any other reason escape the snares of his enemies; nor does that place strictly require more, as I will immediately say. Hence this opinion is altogether to be preferred and, besides the general foundations for the whole clerical state, confirmation can be given, first, by the things we have said about Peter; for although Peter in respect of the apostles was their superior, nevertheless they had, in respect of the Church and all temporal princes and the whole world, a certain

equality with Peter and had immediately from Christ himself a direct or indirect jurisdiction over all the princes of the earth; therefore, by force of that excellence, they were exempt from the jurisdiction of temporal princes. For it is preposterous and improper for superior princes to be judged by inferior, and for pastors to be subject to the sheep. Hence too the words of Christ, “then are the children free,” can be extended to the apostles with greater reason certainly than to any other clerics whatever. Both because they were more properly and strictly of the family of Christ the Son of God, for they were more closely connected to him and composed with him one college, and their board and any other temporal goods they had were common to them all. And also because they participated in a singular way in the excellence and power which Christ had over men, and therefore they ought to imitate him also in exemption from human powers; and so they are, under the name of sons, as accessories to the principal. In these ways, then, Christ’s will seems sufficiently clear.

4. Nor does it matter that the apostles were never going to use that liberty, for it was connatural as it were, or certainly very fitting, to their dignity; and therefore they ought not to have been deprived of that nobility (so to say) or status, even if, because of the ignorance or malice of men, they were not to be permitted to enjoy it, as must also be said of Peter. And thus could it also have happened in the case of Paul, about which Cardinal Bellarmine very recently and very well proves, in ch.13 of his *Apology*, that the court presider was not a legitimate judge, because Paul’s cause, which was then being dealt with, was not a civil one but a matter of religion, namely about Paul’s preaching to the gentiles, *Acts* 22, about the resurrection of the dead, ch.23, and that he was a defender of the sect of the Nazarenes, ch.24, and “certain questions of their own superstition and of one Jesus,” as the presider said, 25.19. But in a cause of religion a layman and a heathen man could not be legitimate judge. Nor for that reason did he act wrongly by appealing to the a lay and infidel judge, because a court like the one in which he had already been placed under an inferior judge, who was also a layman and infidel, could not be avoided; and therefore he acted prudently by appealing to the legitimate superior of the same inferior judge and of his accusers, whose unjust disturbance he in this way atoned for. Especially because Paul could also have appealed to Caesar with the intention of imploring his help in the best way he was able. For thus does his deed seem to be interpreted by Athanasius in his *Apologia ad Constantinum*; but to implore the help of a secular prince against the violence and injury inflicted by an inferior lay judge is not illicit, nor repugnant to ecclesiastical liberty; nay it is very much in conformity with it, as Athanasius in the same place intended to signify, and as Augustine taught in epist.48, 50, & 204 against the Donatists. And this is signified by the words of Paul in *Acts* 28.19: “I was constrained to appeal unto Caesar,” namely to rescue him from the hands of the Jews, from whom he feared he could not be freed by the presider alone.

5. In second place we must speak about bishops, in whom can be considered the power of order, wherein they are equal to the apostles and superior to priests; hence under this title some greater reason for this privilege can be considered in them than in priests, but a greater reason is taken from their pastoral function. For, besides the power of order, there can and ought to be considered in bishops the dignity of pastor and the power of Episcopal jurisdiction, by reason of which they are spiritual princes of the Church, not indeed universal ones, like the apostles, but in their dioceses, because of which they are said to be the successors of the apostles. By this reason, then, it seems to be efficaciously

proved that, after the apostles, bishops have from Christ the Lord this privilege of the secular forum. For to them can be proportionally applied the reasons made about the apostles. Because they are of the family of Christ in a higher way than the rest, and are specially called, along with the Pontiff, to partake in his care, and therefore are they called by him brothers; therefore rightly can they be judged to be comprehended by Christ among his sons, when he said: "then are the children free." And also because bishops are fathers of secular princes and their superiors simply, and therefore it is unworthy and improper that they should be judged by them.

Hence Pope Anacletus, speaking about bishops in epist.2 ch.2, says as follows: "Hence is it proved that the supreme priests, that is the bishops, are to be judged by God, and are not to be slandered by human beings or by men of corrupt life, but rather are to be borne by all the faithful, the Lord himself giving example when he ejected the buyers and sellers from the temple by himself and not by another," and the rest which he pursues. And the same is very well confirmed by the words of Gregory VII in bk.8 epist.21, which I already reported above: "Who doubts that the priests of Christ are held fathers and masters of kings and all faithful princes? Surely it is acknowledged to be a wretched insanity if a son should try to subjugate to himself his father, a disciple his master, and to subject by his power with unjust obligations him by whom he believes he can be bound and loosed not only on earth but also in heaven?" Where it is clear that he is chiefly speaking of bishops, to whom belongs the power of binding and loosing in the exterior forum or the ecclesiastical court.

Hence at once the same Pontiff reports from the other Gregory, bk.4 epist.31 ch.75, the history touched on above about Constantine, who in the Council of Nicea "presumed to give no opinion of a judge above the bishops, but calling them even Gods, judged that he ought to submit, not to his own judgment, but to make himself dependent on their decision." Further, Pope Melchiades, ch. 'Futuram' 2 q.1, said that Constantine "reserved bishops to the judgment of the throne of God." Adversaries collect therefrom that those words of Constantine were a sign of urbanity only, since otherwise bishops could not be judged by the Pope either. But Pope Melchiades explains this far otherwise and confirms it in his epistle to the bishops of Spain when he says: "the bishops, whom the Lord chose for himself as his eyes and whom he wished to be the pillars of the Church, to whom also he gave the power of binding and loosing, he reserved to his own judgment, and committed this privilege only to the key-bearer, blessed Peter, his vicar." In these words he seems to make all the bishops similar in this respect to the Pope, because God reserved them to his own judgment. Hence, as to this part, they were by divine ordination exempt from merely human or secular judgment. They differ, however, from the Pontiff because they have a judge on earth to whom God committed his vicariate; the Pontiff, by contrast, has no man his superior by whom he may be judged. All these things proceed *a fortiori* of the apostles as well, and seem to argue much for this side.

6. Third we must speak of priests, in whom is not found the special reason we considered in bishops, because they do not have a proper ecclesiastical jurisdiction in the external forum, and therefore they are not princes of the Church, nor are they superior to lay princes as to power of commanding and judging in the external forum. They do have, however, more dignity than them in status and grade, and they represent the person of Christ in his ministers in a more excellent way, especially in the oblation of the great

sacrament and in the absolution of sins, when they bear the person of Christ, and they are deputed to those functions by force of their order and status. And so, in the words “then are the children free” priests are rightly to be regarded as included, because by a peculiar title and manner they are of the family of Christ, although not in as excellent a grade as bishops. But as regards what pertains to natural right, it seems to have in them too a greater appropriateness than in inferiors, by reason of the priestly character. First indeed because it gives power over the true body of Christ, for by it they participate very much in the priesthood of Christ and by it things very sacred are brought to be, and therefore they are by that very fact removed from secular jurisdiction and subjected to spiritual power. Next is added power over the mystical body of Christ, by reason of which they become spiritual fathers of the laity and judges in the place of God in spiritual causes that most regard God, and especially in the sacred forum. By reason of these powers, especially fitting to priests of the Law of Grace are the titles of kings and Gods, which Scripture is wont to adorn priests with, as even the canon rights above cited emphasize for considering how improper it is for priests to be judged by the laity. Which impropriety is present in them from the nature of the thing, and is founded on the excellence of the sacerdotal character; therefore it is very credible that they are exempt by force of it.

7. And hence finally is clear what must be said about inferior clerics. For some said that they were not by divine right exempt, even if those consecrated in major orders do have exemption by divine right, which is the opinion of Bernard Diaz de Lugo, in *Pract.* ch.65, and John Lupus, tract. *De Libertate Christiana* p.2 q.5. But this is not altogether agreeable, both because the fact that some order is reputed to be in a special way greater or sacred depends on divine right, accord to ch. ‘Miramur’ about not ordaining slaves; and also because the rights above mentioned speak generally and without distinction. Finally too because not only clerics constituted in minor orders but also ecclesiastical persons generally, who receive a character either by some order that is a true sacrament or by some other right or mode instituted by the Church, can have discussion of the fact proportionally applied to them. For all are included under the peculiar family of Christ, and all pertain to the order of sacred and ecclesiastical things, and more and less do not vary the species; just as some ecclesiastical goods are more proper than others, and some sacred things are more sacred than others, and yet all are equally committed to the Church and are by divine right exempt from secular power. Therefore the same will hold of persons.

8. Navarrus, therefore, is better, when in ch. ‘Novit.’ *De Iudiciis* notab.6 num.30, in his response to the sixth argument num.15, he says absolutely that by force of the clerical character there follows, from the nature of the thing, an exemption from lay jurisdiction for the person thus made sacred, not only insofar as he is sacred but also insofar as he is a man. An objection he raises, however, against himself is that it would follow that every Christian was by force of the baptismal character exempt from lay power, because by that character he is consecrated to God. But if the reply be that it is true that a Christian *qua* signed with the character is subject to spiritual and not secular power, namely in things that pertain to Christianity, yet *qua* man he is subject to secular power; the easy response will be that the same may be said of a cleric as affected by the clerical character. Hence Navarrus himself labors to assign a difference, and, having rejected the opinions of others, he at length responds by denying the inference and by

setting up a distinction between each character, “because the baptismal character,” he says, “does not distinguish between Christians but rather gathers them into one body; but the clerical character distinguishes between the clergy and the Christian people.” However he does not further declare the thing, but says rather that he is omitting certain objections that he had made in another edition because their solution is easy.

9. Yet nevertheless the thing seems to need exposition, because the difficulty does not seem to be solved. For in the first place, every form constituting and uniting in some way all who have a like form distinguishes them from others who lack that form, and thus the baptismal character distinguishes from heathens or infidels not subject to the Church; hence it differs from the clerical character only in that the baptismal character only distinguishes from those who are altogether outside the Church while the clerical distinguishes among the faithful. But this does not seem enough for one of them to be exempt and not the other, because even the priestly character distinguishes not only among the faithful but also among clerics of a higher or lower order; therefore although the priestly character brings exemption along with it, it will not be the same in inferiors, or certainly not equally so. A like argument can be made in the case of inferiors, especially by distinguishing clerics in sacred orders from minor clerics. Or certainly, if the priestly character in the first grade, or even the first tonsure, which is what, through a certain special consecration, first distinguishes a cleric from a non-cleric, by that very fact introduces exemption of the person; then the baptismal character too, since it makes the first distinction of a Christian from a non-Christian, by consecrating the baptized person to Christ, brings with it a like privilege. The difficulty is also increased by the fact that the baptismal character would at least introduce exemption from the power of heathen princes, which, as was seen above, cannot be said. The consequence is clear; for the character of order, which distinguishes a cleric from a layman, exempts the person of the cleric from lay judgment; therefore, keeping the same proportion, the baptismal character, by distinguishing Christian from heathen, would exempt the same from the latter’s jurisdiction. There is a confirmation too, that no less impropriety and no less danger is found in one of the faithful being judged by an infidel than in a cleric being judged by a layman; and therefore Paul, *1 Corinthians* 6 reprehends the faithful who were going to court before infidels and not before the saints, that is, the faithful; where St. Thomas adduces various reasons of impropriety and danger, which, saving proportion, can be applied equally to each case, as will easily be clear to one who reads and considers. Hence Pope Alexander takes thence the converse argument to prove the exemption of clerics, ch. ‘Relatum’ 11 q.1.

10. But notwithstanding these things, and supposing what we have said about the priestly character, we reply that the same must be said of every character of order. For asserting which not a little help is given by the opinion of Alexander I in the canon just mentioned, along with others that we reported above. Now the reason is that although those characters differ according to more and less, yet they agree in this, that they consecrate the person by dedicating him to the divine cult and to some sacred ministry, by beginning from something inferior and of itself ordered to something supreme, which is priestly and episcopal, and by this reason such a character at once establishes a person as sacred and exempts him from secular things. And in this respect a distinction can be established between the character of order and of baptism; for the character of baptism does not make a person sacred by deputing him to a sacred ministry, but only signs him

to Christ, and specially obliges him to keeping his faith, and it is of itself common to all men, and it is by accident that it does not exist in some people. And therefore it does not *per se* distinguish between faithful and infidel in things which have regard to temporal life and political status; and for that reason it does not bring with it exemption from jurisdiction for the faithful in the same civil and human matters in the way that the character of order exempts the cleric from the power of the laity; because, by dedicating a person to sacred ministry, that character *per se* distinguishes both the clerical and the lay state; and this perhaps is the difference that Navarrus wished to indicate in the said ch. 'Novit.'

11. Hence also finally the same thing, it seems, must be said about other persons who in some other way instituted or determined by the Church are established in an ecclesiastical state. Which is what Navarrus thought above when conjoining the status of monk with that of the clergy; for the status of monk does not impress a character and does exist by institution and determination of the Church. And the same can be said of the first tonsure, which is the beginning of the clerical state without the impression of a character, and of any others that are similar. A confirmation can also be given from the ch. 'Duo Sunt,' 12 q.1, where two types of Christians are distinguished, and one is said to be "that which, having been delivered over to the divine office and given to contemplation and prayer, is fittingly removed from all the tumult of temporal things, such as are clerics and those devoted to God." From which words one may collect that the same reason for exemption exists in the whole class of persons, because the whole class is dedicated to God and to the divine cult, which is the foundation for exemption, although the mode of consecration be diverse; therefore all these persons are deemed to have the same right as regards exemption.

And in this way will divine positive right be able to be applied to the whole class of persons, because from the whole class of persons the full family of Christ is completed, according to the opinion of Pope Thelesphorus in his epistle, where he speaks of all ecclesiastical persons under the name of clerics, and calls them the family members of Christ. Divine natural right can also be applied to them all, insofar as it is founded on the general reason of consecration or dedication to the divine cult, as I said. Nor is it an obstacle that the mode of this consecration or dedication to the divine cult exists in many of these persons by institution of the Church, because nevertheless, once the institution has been made, a natural right can result. Just as, although the consecration of the chalice is by ecclesiastical right, the exemption of the consecrated chalice from all common and non-sacred use follows by natural right. Or as we said in the matter of simony, although the consecration or benediction of some thing be by ecclesiastical right, nevertheless the fact that it cannot be sold insofar as it is consecrated is by natural right; thus therefore can it be said to be in the present case.

Chapter 11. Whether, if divine right is set aside, the exemption of clerics could have been immediately introduced by canon right without the aid of civil right.

Summary. 1. Sense of the question. 2. Confirmation. 3. Sure and true sense of this question. 4. First proof. Evasion. 5. The evasion is refuted. 6. Second proof. 7. The argument is strengthened. 8. A question. It is resolved. Whether bishops in their dioceses are able by themselves to confer this exemption on clerics. Reason for doubt on the affirmative side. 9. Reason for doubt on the negative side. Confirmation. 10. The negative

side is preferred. 11. Bishops can prohibit clerics from having recourse to secular courts. 12. Foundation of the contrary opinion. The indirect use of spiritual power is necessary even apart from the crimes of secular princes. 13. A servant initiated into sacred orders is exempted from servitude. 14. The Church is able, against the will of heathen princes, to exempt clerics from their jurisdiction. 15. Response to the confirmation. 16. A heathen prince ought not to be admitted to the faith under the condition of not observing the exemption of clerics. First reason. 17. Second reason.

1. This simply and absolutely posed question is not a necessary one, since we showed in the preceding chapter that this privilege was conceded immediately by divine right, and since above in chapter 3 proof was also given that it has been confirmed by canon right; yet nevertheless the question proposed must be treated *ex hypothesi* by us, both to complete the subject, lest we leave any question untouched and undiscussed, and also to protect the ecclesiastical power and make satisfaction to certain objections that militate against the above solution. For we ask whether, when the immediate concession of this privilege by divine right has been removed, the Supreme Pontiff could concede it by his supreme power without the consent of secular princes, or whether he is only able to prescribe and protect the observation of it on the supposition of their gift or consent. On this point not only do Marsilius of Padua and other heretics and schismatics, who follow his doctrine, deny that ecclesiastical power is sufficient for this without consent of the secular power, but also some Catholics seem to agree with them in this respect. For those suppose it who say that this immunity is primarily of civil right, as is the opinion of Medina, ch. 'De Restitut.' q. 15, who says that this privilege is by concession of the secular power, signifying that otherwise it could not have been introduced. The same is also openly thought by Palacios on *Sentences* bk. 4, dist. 25 disput. 3, near the end, and it had been handed on before by Hostiensis on *Summa* bk. 3 title 'De Immunitat. Ecclesiar.' § 'Sed nec alia' near the end, where he says: "Now the emperor could not have been compelled from the beginning to grant privileges, but once he had granted them he could not take them away;" and, as Rebuffe and Covarrubias, who are to be mentioned, reported, Peter of Ferrara expressly taught that opinion in his *Practic.* in the form of a little book, see 'Plenam.'

The foundation for this opinion could be that secular princes had from the beginning by the right of nature, or at least of nations, civil jurisdiction over the persons of clerics, and they were not immediately deprived of it by God himself, as they themselves think and as we allow for the sake of disputation. Therefore neither can they be deprived of it by the Pontiff; because just as they cannot be deprived of their dominion, so neither of a part of it, such as is this jurisdiction and, as it were, dominion over the persons of clerics; therefore neither can the Pontiff concede the privilege of exemption, because it could not subsist unless princes were deprived of jurisdiction. You will say that although the Pontiff may not directly deprive a secular prince of his dominion, he could sometimes do it indirectly by spiritual power, and in this way he could concede this privilege. But on the contrary, because this use of indirect power only has place as it were *per accidens*, either by way of defense of the subject faithful, when the prince is pernicious and an occasion for ruin, or by way of ecclesiastical punishment, when a criminal and incorrigible prince is deserving of such punishment – in which cases the Pontiff can even exempt the subject laity from subjection to such princes – here,

however, we are speaking *per se* and when there is no intervening cause or guilt on the part of the prince. And this argument is particularly compelling in the case of infidel princes, because they are not subject to ecclesiastical power, whether directly or even indirectly; but it extends to faithful princes, because conversion does not make them to be of a worse condition nor deprive them of any part of their jurisdiction.

2. There can also be a confirmation for both. For faithful princes indeed, because we read that bishops either requested judgment from emperors as long as these did not give up their right, as is plainly shown by the oft mentioned act of Constantine and of the bishops at the Council of Nicea; or that they secured this privilege from the emperors, when they had desired to have it, as is collected from Novella 83 ‘*Ut clerici apud proprios episcopos etc.*’ title 11 collat.6, where Justinian says that he has written several laws whereby he wished ecclesiastics to be judged by bishops alone, and afterwards he subjoins: “We have been petitioned by Menna, an archbishop dear to God, to give this privilege to the most reverend clerics, etc.” And in many other laws, which we will refer to in the next chapter, the emperors signify that this privilege was given by them and depends on their will. Nay, the 3rd Council of Toledo ch.21 requested the privilege of exemption for the servants of the churches, of bishops and priests, from the king of Spain, as is contained in ch. ‘*Ecclesiarum Servos*’ 12 q.2.

But about infidel princes there can be argument, because before they are converted to the faith they can expressly demand the condition, and be converted on the agreement, that none of their subjects be exempted from their jurisdiction, whether he be cleric or lay. But if the kings of Japan, China, or others similar seek baptism under that condition and refuse to receive it otherwise, they are not to be denied it for that reason; because that condition is neither intrinsically evil nor repugnant to the intention to believe all things necessary for salvation and to obey them. Therefore the condition is to be accepted, or at any rate tolerated, because of so great a good as is the complete conversion of the kingdom; but once the condition has been accepted it should be kept, since it is not unjust; therefore it is a sign that temporal princes have the right that, although they be converted to the faith, they are not deprived of their subjects or of a part of them; and consequently, although they do not expressly lay down the condition, they implicitly include or suppose it, because no one is to be judged to renounce his right unless he is sufficiently express in making it plain.

3. Nevertheless the true and sure opinion, whether or not this privilege of exemption has been conferred on all clerics immediately by Christ himself, is that Pontiffs could have conferred it and prescribed its observance to secular princes, and compelled them to agree. Thus did Innocent teach, in ch.2 ‘*De Maiorit. et Obedient.*’ For, when he proposes the question as to who exempts clerics, he first says that “the Pope, with the consent of the emperor,” afterwards that “they are exempt by God,” and finally he says, Or say that “the Pope, even without the consent of the emperor could have exempted them from the jurisdiction of the emperor by his constitutions, because since clerics are spiritual things, and have wholly given their body and soul to the service and lot of Christ, they are consequently subject to the judgment and constitutions of the Pope.” And the same opinion is common to the canonists in ch. ‘*Ecclesia Sanctae Mariae*’ *De Constitut.* especially Panormitanus, Felinus, Decius, Rebuffe in *Concordat.* last title where he calls the opinion of Peter of Ferrara false and condemned; and the same is held by Alvarus Pelagius in bk.1 *De Planct. Eccles.* ch.44, at the end reporting and

following to the letter the opinion of Innocent. The same is held by Driedo bk.1 *De Libertate Christiana* ch.9, and Covarrubias, bk. *Practicar.* ch.31 concl.3 & 4, Soto *Sentences* bk.4 dist.25 q.2 a.2 concl.6, Molina vol.1 tract.1 *De Iustit.* disput.31 § Tertia vero, and Henry bk.7 *De Indul.* ch.24.

4. The proof is first from the decrees whereby the observance of this immunity is prescribed under censure even to temporal princes themselves, as is clear from ch. 'Noverit' and ch. 'Gravem' *De Sentent. Excommun.*, and last chapter 'De Rebus Eccles. non Alienand.' and ch. 'Quamquam,' *De Censib.* on 6, and in almost the whole chapter about ecclesiastical immunity in the *Decretals*, and in Sextus and from the Bull 'Coena Domini' repeated so many times by so many Pontiffs; for in it they defend this ecclesiastical liberty through various articles and with automatic infliction of very grave censures even against temporal princes and kings. But perhaps someone could say that all these decrees are rather new and presuppose a privilege of exemption previously conferred by the emperors, and so they also presuppose the consent of the temporal prince, which once given cannot be retracted; and therefore, on the supposition of that fact, all those precepts have place; yet nevertheless at the beginning the consent of princes was necessary, and without it the Church could not have enjoined the like precepts.

5. But this is surely incredible, both because the said Pontiffs do not found themselves on the principle that a privilege given to the Church by the emperor cannot be revoked by him; for although it be true, as we will see below, it is yet not as certain as it is certain that the decrees and censures obligate all princes, even supreme ones, to not violating ecclesiastical immunity. The Pontiffs therefore do not rest for support on that principle, but either on divine right or on the supreme power, which they have from Christ, for ruling the Church and in particular sacred and ecclesiastical things, as they have judged is expedient for the divine cult and for the supernatural end of men. Hence many also of the older Pontiffs forbade clerics to be judged by laymen or to bring cases before them, even during those times when the emperors were infidels, as is clear from ch. 'Relatum' 11 q.1, and from the others that we mentioned in chapters 3 and 4. But in particular this truth is confirmed by the Council of Trent sess.25 ch.20 'De Reformat.', because, without making any mention of civil right, it says that "the immunity of the Church and of ecclesiastical persons has been established by divine ordination and ecclesiastical sanctions." Wherein it openly supposes that this immunity has not drawn its origin from civil right or from the confessions of secular princes, otherwise it would have kept silent about the proper and immediate cause of this immunity and the doctrine would, in strictness, have been false or greatly diminished. But next it admonishes the emperor, kings, etc. that "the more they are adorned with temporal goods and with power over others, with the more holiness should they venerate the things that are of ecclesiastical right, as being the chief things of God and guarded by his protection, and should give due observance to the sacred constitutions of the Supreme Pontiffs and the Councils."

6. Now this truth is by reason and at the same time by the authority of Scripture founded on the power given to Peter for governing the Church and for binding and loosing in all things that might be necessary for the good of the Christian religion and for the convenient governance of the Church. For this exemption, speaking *per se* and as from the nature of the thing, is very necessary for the Christian religion, so that

ecclesiastical things and the divine cult may be treated with due reverence; therefore, on account of this end, power was given to Peter and to the Pontiff for loosing or exempting clerics from the civil power, and for binding the civil power itself, so that it may keep this immunity for ecclesiastical persons. This consequence is evident from what was said above about the power of the Pontiff about temporal affairs in order to a spiritual end; for it was shown there that this power is divine and supernatural, and accordingly *per se* sufficient so as to work effectively in its own sphere, not on the expected consent of the subjects, even if they be temporal princes, but by obliging them to consent and, if necessary, compelling them. Now the antecedent continues to have been declared and proved from the two preceding chapters. For if this exemption is properly and completely of divine positive or natural right, it is clear that the Pontiff can and should compel Christian princes to observe that right. But if this immunity is at least very close to natural right, and very much in conformity with the divine right and consent of all nations, as all the doctors without dissent admit, it certainly cannot be denied that this exemption is by the nature of the thing so necessary to religion and the divine cult that the latter could not be conveniently administered without it.

7. This can also be further declared by the reason touched on above, which on this point was even indicated by Innocent above; because sacred things are by force of consecration so subject to ecclesiastical power that this power not only makes disposition about consecration itself but also about the material and its appropriate use when already consecrated; and such that it prohibits not only things that are intrinsically evil but also things that can tend frequently and morally to irreverence for sacred things; but ecclesiastical persons are things very sacred and they can, by subjection to secular jurisdiction, be much distracted from the divine cult and be treated irreverently and despised by secular men, if their crimes are introduced publicly among laymen before the common tribunals; therefore such exemption has regard *per se* to spiritual power on account of the spiritual end. Lastly for this cause the Church could make disposition about marriage, not only as it is a sacrament, but also as it is a certain contract, because it is already matter for a sacred thing; and thus the Church makes disposition too about the goods of churches, and about tithes, and about many other things that, in their matter, are temporal; therefore it has the same power over this matter of exemption, which is also in its own way sacred and no less necessary for the divine cult.

8. But someone may ask whether the Pontiff alone has this power not only with respect to the whole Church but also with respect to individual episcopates. For in the prior way it is clear that only the Pontiff has this universal power for the whole Church, whereby we do not exclude a General Council for the Pontifical authority ought to be in it and it should be confirmed thereby, so that it can pass laws binding the universal Church. Therefore it can only be asked whether this privilege was not given by Christ or by the Pontiff generally to the clerics in the whole Church, or whether individual bishops in their own dioceses can confer it on their clerics. Now a reason in favor of the affirmative side can be that on each bishop is incumbent the care for making disposition about everything in his church that has regard to its convenient governance; and for this end each bishop can do in his diocese whatever is not forbidden him or otherwise prescribed by a superior; but this is not found to be forbidden them; therefore, on the supposition that the exemption had not been introduced by the Pontiffs, each bishop could bestow it in his diocese.

9. But there is to the contrary that bishops cannot in their dioceses do whatever is not forbidden them but only what is conceded to them, because they do not have jurisdiction of divine right but from the Pontiff; but it is not read that this was conceded to them. Next, the greater causes are reserved to the Pontiff, as is said in ch. 'Maiores' *De Baptism*. But the exemption of clerics, whereby supreme temporal princes are in part deprived of their jurisdiction, is a very grave thing and needs great authority and power; therefore either it was done by Christ or was reserved to his Vicar. There is also a confirmation, that bishops cannot in their dioceses increase this exemption; therefore neither could they introduce it if it did not exist. Lastly, from this sort of exemption scandals and disturbances could arise between princes and prelates, unless it be done with great prudence and authority; therefore whatever establishment can be made about this privilege must be believed to pertain to the authority and power of the Pontiff.

10. This second part, then, is more likely, which the practice of the Church also confirms. For the Pontiffs have used the greatest care in making disposition of all things that pertain to this exemption, nor have they left this faculty to bishops. There is also a very good reason, that this privilege (as is said in ch. 'Si Diligenti' *De Foro Compet.*) was introduced not for the favor of this or that person, nor for the favor of this or that episcopate, but simply "for the favor of the whole ecclesiastical college;" therefore the power of conferring it exists in the universal head alone of the whole college, who is the Supreme Pontiff. But this must be understood of this privilege as it is purely canonical and conceded by spiritual power alone independently of the consent or donation of secular princes.

11. Now there are two ways that bishops could prescribe exemption in their bishoprics even if it had not been generally introduced. First on the part of clerics alone, by prescribing to the clerics subject to them that in all court cases that they themselves introduce, or where they are free to choose the judge, they should avoid a lay judge and appear before their own bishop. For this would be a just precept and would not in strictness derogate from the jurisdiction of laymen; therefore it would not exceed the ordinary power of bishops. For just as Paul, *1 Corinthians* 6, reprehended the faithful, who were bringing court cases among themselves, because they were conducting them before infidels, and whether he reprehended it because it was evil or because it was little fitting and dangerous, there is no doubt that he could prohibit it; so too bishops could forbid clerics from litigating, as far as was in their power, before laymen, even if they were not otherwise exempt, because just as it is not fitting for one of the faithful to conduct a case before an infidel, so, with preservation of proportion, it is unfitting and dangerous for clerics to be judged by laymen, by the argument of ch. 'Relatum' 11 q.1. In another way any bishop at all could prescribe in his diocese the observance of some exemption by accepting some privilege conceded by the prince or the supreme lord of the territory, which is *per se* manifest because such a privilege would be to the Church a benefit which it is licit for a layman to give and for a bishop to accept, and, once it has been accepted, the bishop has the power of prescribing its observance, because in that case he is not now depriving a layman of his power but guarding and defending an ecclesiastical thing.

12. To the foundation for the contrary opinion the response here, *ex hypothesi*, is that, because Christ did not of himself confer this privilege on clerics, the Pontiffs could by spiritual power have conceded it and, as a result and as it were indirectly, take from

secular princes the jurisdiction that they had over the persons of clerics, or should have had were they not clerics. But to the reply here made, that this indirect use of spiritual power only has place *per accidens* because of the crimes or the tyranny of the prince, let the assumption be denied; for spiritual power also extends to temporal affairs even if there intervenes on the part of the secular prince no guilt but a sufficient cause on the part of the matter, as is the connection, whether the sufficient conjunction of the material thing with the spiritual or such relation to a spiritual end, such that, by reason of it, it is expedient for it to be directed or ordered by the spiritual power. For then the Pontiff has about such things the rights of heavenly and earthly rule, as Pope Nicholas II said in ch. 1 dist. 22. And in this sense there is no repugnance in the use of this spiritual power being *per se*, although it is indirect; for it is called *per se* because it is not by way of punishment nor by occasion of some evil by chance arising, but because, on the supposition of the human condition and of such an institution of ecclesiastical status, exemption is morally necessary for the spiritual end; and nevertheless the use is called indirect, because it is not on account of a temporal but a spiritual end, as was declared above.

Now the reason is that this power was *per se* given for the ordinary and convenient governance of the ecclesiastical monarchy, and therefore it is *per se* capable of whatever is morally expedient for its end, even if there is need to dispose or change something in temporal affairs. Most of all so indeed, because power was not given to temporal kings for their own advantage but for the agreeable government of the republic. Therefore, if in the republic itself such a change is made by reason of which exempting some persons from the jurisdiction of princes is expedient for the greater good of the republic, there is no marvel that the prince of the Church, who has a higher care and providence for the same republic when it has been raised to a higher order and state, could, on account of the same end, supply exemption. Especially since this ecclesiastical republic, as it has been instituted by Christ, is supernatural and has respect principally to the divine cult, for which this immunity is chiefly ordered.

13. This fact can also be declared by an example. For if a servant receives sacred orders, he is sometimes freed from servitude, ch. 'Per Venerabilem' *Qui Filii sint Exempti* and ch. 'Si Servus' 54 dist. ch. 'Miramur' *De Servis non Ordinandis*. Which thing the Church could establish for the due use and fittingness of the sacrament of order and of ministry even by depriving the master of the power which he before had over the servant, whether payment is given or even not given, when the master consents to the ordination. There is no marvel then that, by reason of orders, clerics could be freed by ecclesiastical power from temporal jurisdiction; for lordship over a servant is greater in its kind than lordship over jurisdiction alone; and secular princes, especially the faithful, give their consent, whether expressly or tacitly, to such ordination; and the Church has the right not to give them ministry in spiritual things except as it were under this agreement and condition (which is most just) that they should enjoy the immunity that agrees with such a state; therefore rightly can the Pontiff by his sole authority confirm this immunity and oblige secular princes to the observance of it.

14. But because at the end of that argument it is said that it has the greatest force with respect to infidel princes, the addition must be made that even at the time of the infidel princes the Church was able, and is able even now, in kingdoms and provinces of infidel princes, wherein churches have been founded – able (I say) to concede, against the will of princes, this privilege to clerics. But the power must be distinguished from the

fact, or the right from the use. For we are speaking about right and power, and we are resting on the same principle and on the reasons given. There is a declaration too, for above we said with St. Thomas that the Church can, on account of danger, exempt all the faithful from the power of infidels; therefore by greater reason it could exempt priests and clerics on account of reverence for the divine cult. For the power of the Pontiff, in order to its end, extends even over infidels, and therefore it has the right of instituting what pertains to the true cult of God and what is fitting and expedient for it, even against the will of infidel princes. Just as it could prescribe that secular courts not be set up in temples, even by secular magistrates, and has the right of coercing them, if it can, to the observance thereof. For as regards what pertains to the fact or the use, the Church cannot with fruit and effect use this power with infidel princes; because they do not recognize in the Pope a power in any way superior, nor can they be compelled by censures or by the spiritual sword; but to use the material sword of war is difficult or sometimes more hurtful, and therefore the Church could more easily dissemble itself at that time. But how it should behave now, or could behave, we shall inquire below.

15. To the first part of the confirmation, which was about the ancient use by prelates of the Church of requesting from the emperors either judgment in causes and controversies or the privilege of exemption for their clergy, the response can in the first place be made that it did perhaps have place at the beginning of the Church, because then the exemption of clerics had not been sufficiently introduced in use, or was not sufficiently known to an emperor recently converted to the faith, as Constantine was at the time of the Council of Nicea; and therefore then a bishop could willingly and not by compulsion have requested judgment from him. Or it can also be said that the bishops did not approach Constantine as a judge having jurisdiction over them, but either as a defender and protector, which is the office of an emperor, or certainly, which appears more likely, as an arbiter whom they voluntarily chose, because it was not then forbidden; but he himself, because of reverence for bishops, refused to accept that office. And for the same reason bishops could once have asked this privilege from the emperors, not because it did not by right belong to bishops themselves, but either because it was not permitted to them in fact, even by faithful magistrates, to whom then perhaps the right of clerics was not sufficiently known; or certainly it was from urbanity and to make the thing to be done more sweetly that they asked for the consent of the prince. And finally some emperors speak in this way in their laws, as if they were the authors of this privilege, because perhaps they so thought through ignorance, or to show that they were altogether renouncing their right and, as far as it was from them, giving it in such a way as if it depended on their sole will and power.

16. In the second part of the confirmation it is asked whether an infidel prince could be admitted to baptism who did not wish to permit the exemption of clerics in his kingdom, nay demanding under condition and agreement that he could not be deprived of such jurisdiction. On which point we say in the first place that even if we grant that the Pontiff can permit it in such a case, because it is not intrinsically evil, and accordingly such a prince can be disposed for faith and baptism, nevertheless it does not thence follow that this immunity depends *per se* and by right on the will of princes, but it only follows that the Pontiff can sometimes make dissemblance and not use his power for conceding or implementing such privilege in fact, on account of avoiding greater evils. But I add further that the condition is so unjust and contrary to divine right, whether

immediately or at least indirectly, that it is not to be permitted, nor is baptism to be conceded to any prince under such an agreement. First because a Pope can never renounce the power that he has for conceding this privilege, or renounce the use of it, as often as he has judged it expedient for the universal Church or a particular church; but by that agreement he would seem to renounce this power, otherwise the condition would be frivolous and of none effect; therefore to allow it is never licit. Nay, although he may under that condition receive some prince into the Church, he would not afterwards be held to keep it, both because it would be against the good morals of the Church, and also because it was extorted by unjust force, as is the condition of paying usury in the case of loans.

17. Hence arises a second reason why this is not licit, namely that such a prince is indisposed to receive baptism, both because he sins gravely in imposing that force on the Church, and also because he seems to prefer his temporal status to baptism, since he does not wish to allow it unless such a condition has been conceded to him. And finally because, from the allowance of that condition in one kingdom, the Church could be troubled in other provinces already Catholic, and also, in the one that is newly converted, ecclesiastical immunity could never be conveniently introduced, and disturbances and scandals could always be feared. Wherefore, absolutely speaking, a condition of this sort seems unjust and in no way to be allowed, especially in an absolute way and without proposal of determination of time or other decent limit.

But if these things are true (as they really are) when the Church does not seem to have acquired right over a not yet baptized prince, assuredly for far greater reason such resistance is not to be permitted in a prince already faithful or baptized, who is subject to the Church and is bound to obey its just laws. Nor is it true that the condition is implicitly included in the voluntary reception of baptism; for since it is unjust and to be rejected if it is by chance expressed, how can it be implicitly included? The condition, therefore, that can be thought to be implicit is only that a temporal prince may not be deprived of his rights in all things that are not repugnant to faith and ecclesiastical obedience.

Chapter 12. Whether the privilege of forum for clerics is also founded on civil right.

Summary. 1. Sense of the question. 2. First conclusion. The exemption of clerics is also of divine right. By whom the aforesaid exemption was introduced. 3. Constantine conceded the exemption of clerics. 4. Constantius also conceded the same privileges to clerics. 5. The other emperors too confirmed the same exemption. Valentinianus deprived clerics of exemption. 6. Before Justinian the privilege of forum was conceded to clerics. 7. Justinian wished clerics to be judged by laymen in criminal matters. Whether the privilege of forum was restored by Charlemagne. 8. The privilege of forum in civil and criminal matters was very fully established by Frederick. In various civil laws too this privilege was introduced in Spain.

1. The sense of this title or question is to be taken from the doctrine of the preceding chapter; for we are not now asking whether the first origin or principle, or the necessary cause, of this privilege is civil law or will, or the donation of secular princes, but whether in fact it was introduced with their consent, or at least whether it is of civil right in the way it was possible or expedient for it to be, whatever that way ultimately is.

2. With this sense proposed, then, the assertion is certain, and has been received

by common consent, that this privilege was also conceded by civil right, or by temporal princes, which is to be understood from the time that princes became Christians; for before then it is clear that infidel princes conceded no privilege to clerics; but as soon as the emperors began to be Christians they conceded immunity to clerics. Hence Constantine is first believed to have allowed this privilege (for no account is available about Philip because of his brief time). And some have said that at the time of the Pontiff Julius I Constantine gave assent to this privilege, as Almain reports on *Sentences* 4 d.25 q.1, whom he himself also follows; but it cannot be proved nor does it consist with the truth of the histories. For Constantine died at the beginning of the pontificate of Julius I; hence it is probable that those authors intended to speak about Constantius. But others consider that Constantine began this ecclesiastical privilege at the Council of Nicea, when he said to the bishops that they were to be judged by God alone; which is signified by Palatius on *Sentences* 4 d.25 disput.3. But in truth it is not collected from the words of Constantine that Constantine gave a new privilege but that he wished to compose and with a word put to rest the dissensions of the bishops by honoring them at the same time; or at least that he recognized in the bishops some immunity divinely conceded to their dignity.

3. Besides there is no doubt that Constantine conceded the privileges of immunity to clerics, for bk.1 *Code* 'De Episcop. et Cleric.' he exempted clerics and their property from new taxes and from being compelled to billet soldiers; which law is contained also in the *Theodosian Code* bk.16 l.8, but it is attributed to Constantine and these words are given to him which Justinian omits: "And if any of you wish to engage in business for the sake of maintenance, let him possess immunity." And in law 1 'De Lustral. Collat.' in the same *Theodosian Code* the same Constantine removes clerics from any tribute that was called 'lustral tribute', perhaps because it was required every 'lustrum' or every five years. See Gratian in ch. 'Generaliter' § Novarum, 16.9.1. Besides in law 1 'De Episcop. et Cleric.' in the same *Theodosian Code* the same Constantine confirms that "clerics may not be burdened, contrary to the privileges granted them, with nominations or undertakings," and he is speaking of nominations to secular public offices and of civil functions, from which he wished clerics to be immune, as he more clearly explains in law 2 of the same title; and he adds a reason saying: "lest, by the sacrilegious spite of certain people, they be called away from divine service." And a similar rescript of Constantine is reported in bk.10 *Hist.* ch.7 of Eusebius, whereby he wanted the clerics of the African province "to be immune and absolved altogether from all common and civil ministries of public affairs." See Nicephorus bk.7 ch.42 and Sozomen bk.1 ch.9. Now he adds a reason common to all clerics, "so that in no way by error or sacrilege and profane lapse, which is wont to occur in business of this sort, may they be drawn away from the cult due to the divine majesty." And the same Constantine supposes the same privilege and declares how it is to be kept in law 6 of the same title of the *Theodosian Code*.

But because in these laws no express mention is made of the privilege of forum, although it would seem to be connected with the others, law 7 is to be added from the same title and code wherein the same Constantine thus speaks: "Clerics who have been summoned to court by the injustice of heretics are to be absolved and are for the rest, in likeness with the East, not to be called into the courts, and are to possess the fullest immunity." Where one should notice that, although mention is made of heretics in the rescript, because the privilege was given on the occasion of the persecution of the

Donatists, nevertheless the privilege itself was given absolutely, and the supposition is made that it was conceded before in the East and extension is being made to the Western Church. Nay, what is most to be noted, is that sometimes Constantine deferred so much to the judgment of the bishops that he allowed everyone, even laymen, to appeal in civil causes to the bishops, and he placed their sentences before those of the secular magistrates, as is clear from law 1 'De Episcopali Iudicio' in the *Theodosian Code* and from Sozomen bk.1 *Histor.* ch.9. See Baronius for the year of Christ 330 at the end.

4. Besides in the same *Theodosian Code*, title 'De Episcop. et Cleric.' are contained various laws of the emperor Constantine in which he concedes similar privileges to clerics; for in law 9 he exempts clerics from "curial duties and from all the worry of curial functions;" and in law 10 he conceded to them "immunity from the exaction of mean offices and from the expenses of business," which seems to have been exemption from paying tributes from the gains they were making by their own industry; for this he signifies in the reason that he adds when he says: "Since it is certain that the profits which they gather from stores and workshops will be to the advantage of the poor." And the addition is made: "Let the exaction of feudal services also in like manner cease," and later: "We order them also to remain immune from the census." And likewise in law 11 he exempts clerics from "curial functions." But he adds a restriction worthy of note when he says: "clerics who possess nothing at all and have no profit from an inheritance," because perhaps clerics were then professing that status.

However, in these laws the privilege of the forum is not sufficiently explicated, although sometimes it seems to be insinuated by the general words. But in law 12 the same emperor forbids "bishops to be accused in public courts, lest," he says, "the minds of officials have means free to accuse them;" and therefore he subjoins, "the causes of bishops are to be heard before bishops." Baronius also conjectures that Constantius conceded this privilege on the petition of Hilary, who, in his book to the same, whose beginning is 'Your beneficent nature', speaks thus: "May your clemency see to it and decree that judges do not hereafter make presumption and usurpation and suppose that the causes of clerics belong to their cognizance, etc." where I weigh the words 'presumption' and 'usurpation', by which he seemed to be demanding that a privilege not so much new as ancient not be violated. And thus Constantius confirmed an ancient privilege rather than conceded a new one; and in the same way in law 13 of the same title he confirms, together with Julian, the privileges conceded to the clerics of the city of Rome, and in law 14 in the same place he confirms the clerical exemptions from taxes conceded by Constantine.

5. Besides, this immunity was confirmed by later emperors, although sometimes they tried to restrict or change it. And indeed Valentinian I, as St. Ambrose reports bk.2 epist.13, elsewhere epist.32, "not only responded in word but also ratified by his laws that, in a cause of the faith or of any ecclesiastical order, he ought to judge it who is neither unequal in function nor dissimilar in right. For these are the words of the rescript," says Ambrose, "that is, he wished priests to judge priests. Moreover, if also elsewhere a bishop was accused, and a cause of morals was needing to be examined, he wished this cause as well to belong to the Episcopal court." But afterwards, because many were, for the sake of avoiding official cares and obtaining the Church's privileges, becoming clerics, the same Valentinian in 'De Episcop. et Cler.' decided that only he who had continued in the clerical state for ten years might acquire the immunities of

clerics, as is gathered from law 19 ‘De Episcop. et Cler.’ in the *Theodosian Code*. Later, however, Gratian in the last law of ‘De Episcop. Iudic.’ established “that clerics are not to be dragged into secular courts.” And next Honorius restored absolutely to clerics the same privilege of the forum, as is clear from law 41 ‘De Episcop. et Cler.’ in the *Theodosian Code*, when he says about the causes of clerics: “Only bishops should hear causes of this sort, carried out on the evidence of many witnesses;” and in laws 29, 30, & 38 he confirms all the privileges conceded to clerics by his predecessors, among which without doubt the privilege of the forum is contained. It is also more expressly collected from laws 45, 46, & 47 of the same title. Whence, that the same privilege was preserved under Theodosius the Younger, can be collected from epist. 54 of Augustine, whose words we will report a little later. But afterwards Valentinian III altogether deprived clerics of the privilege of the forum, as is clear from the book of his *Novellae* title 12.

Again Baronius reports for the year 455 n. 25 that Marcian, the successor of Valentinian, restored ecclesiastical persons to their ancient liberty, having revoked the laws against it promulgated by his predecessors; he only alleges, however, the novella of the same emperor, which is the last in bk. 3 of the *Novellae* in the *Theodosian Code*, and in the law ‘Generalis’ in the *Code* ‘De Sacros. Eccles.’ But therein are only revoked the laws by which clerics were forbidden to take anything left in a will from widows, but about the privilege of the forum nothing is there read. But in a certain scholium to the novella of Valentinian it is noted that the revocation of the privilege was retracted by the Augustus Maiorianus, which fact is also noted by Baronius for the year of Christ 452 n. 22, where he says: “These things were indeed basely promulgated by Valentinian at Rome, but with what injustice and impiety was demonstrated by the ordinance passed against them by his successor Maiorianus.” But these authors do not report the ordinance of Maiorianus, nor is it contained among his novellas which are found, after the *Theodosian Code*, in bk. 4 of his *Novellae*. Nor do I find, from that time up to Justinian, anything more clearly established about the status of this privilege that I can affirm with certainty.

6. Now from what has been said the falsehood has been plainly exposed that certain supporters of schismatics have at this time been saying, that the distinction of forum between ecclesiastics and laity did not exist in the Church before Justinian. For it is shown from what was said that several emperors conceded or allowed this distinction of forum, as we have shown about Constantine, Honorius, and Valentinian I. Again, much older than Justinian, is that grave opinion of Ambrose at the Council of Aquileia, that “laymen should not judge priests but rather priests laymen;” which is also contained in the said epist. 13 to the Augustus Valentinian, and therein the distinction of forum is signified. It is also supposed by Augustine in epist. 53 to Macedonius, Proconsul and secular judge, who, when he asked Augustine why priests were interceding for defendants in the secular forum, received reply in turn from Augustine himself: “I know that you yourself along with your friends in the Church at Carthage have interceded for the clergy against whom the bishop was rightly angry, and certainly there was in the unbloody discipline there no fear of risk of blood.” In which words he openly supposes and declares the distinction of forum that was already then in use. Nay rather, the 2nd Council of Macon ch. 9 asserted that this distinction “was introduced almost at the beginning of Christianity by intervention not only of the canons but also of the laws.”

7. Justinian, therefore, was not the author of the distinction of the ecclesiastical

forum from the secular, nor was he himself the first to concede the privilege of forum to clerics. Nay rather, although he seemed to concede or to renew the ancient privileges about this forum, yet he limited them to civil causes. For in criminal causes, when the crimes were not ecclesiastical but common, as theft, murder, etc., he wanted clerics to be judged and punished by laymen, as is clear from novella 83, otherwise *Authentica* ‘Ut clerici apud proprios episcopos, etc.’ and from *Authentica* ‘Cassa’ and *Authentica* ‘Clericus’, *Code* ‘De Episcop. et Cleric.’ But some think that the privilege of forum was again fully restored by Charlemagne in a certain law by which he renewed another law of Constantine and of Theodosius, which we reported above, whereby it was established that all causes even of laymen might be ended by the sentence of bishops, as Gratian reports in ch. ‘Omnes’ 11 q.1, and Baronius more extensively vol.9 for the year 801 near the middle. But, in the first place, that law did not speak about criminal causes but civil, for it would be very foreign to the Episcopal office to give sentence in the criminal causes of laymen. Next, by that law the privilege of forum was not conceded to clerics but rather the opportunity was given to laymen to enable them to treat and settle their own civil causes before bishops. Lastly, this very privilege was either not accepted or certainly did not last long but was abrogated in use, as is noted by the Gloss, Hugo, Torquemada, and other doctors in the said ch. ‘Omnes’ and ch. ‘Quicumque’ 11 q.1, and more broadly by the Gloss on ch. ‘Relatum’, same cause and question. Wherefore although it is clear from the histories that Charlemagne conferred many benefits and privileges on clerics and priests, yet whether he established something singular about the privilege of forum I do not find written down, nor about the other emperors who were after him up to Frederick II.

8. Now this Frederick under Honorius III conferred on clerics the fullest privilege of forum in both criminal and civil causes, as is clear from his constitution which is contained in the volume after the books of fiefs, and from the *Authentica* ‘Statuimus’ in the *Code* ‘De Episcop. et Cleric.’, from the *Authentica* ‘Cassa’ *Code* ‘De Sacrosanct. Eccles.’ Which laws were accepted by the Pope at the end of the said constitution in this words: “We Bishop Honorius, servant of the servants of God, give to these laws, published for the utility of all Christians by Frederick, emperor of the Romans our most dear son, praise, approval, and confirmation as eternally valid for the future.” And this right was thus received in the whole Christian world, from which it is sufficiently clear that this privilege was confirmed by common civil right. It was also imitated by the laws of particular kingdoms, especially of Spain, both in its more ancient laws, *Partita Prima* title 6 law 51 and following, and in its new compilation, bk.1 title 3 from the beginning, especially laws 11 and 12, and of Lusitania, bk.2 of *Ordinances*, over various laws; and we judge the same of the laws of other Catholic kingdoms.

Chapter 13. A difficulty that arises from the preceding chapter is met, and how the Church has used the privilege of forum at different times is explained.

Summary. 1. First doubt about the use of the privilege of forum. Reasons for doubting. 2. Second doubt: whether clerics were by imperial power exempt. Reason for doubting on the negative side. 3. Reason on the affirmative side. 4. For the resolution, two periods of time are distinguished. 5. First conclusion. 6. In the use of the privilege of forum the Church has always acted prudently. 7. Heathen princes never had true jurisdiction over clerics. 8. Clerics, from among the other faithful, always enjoyed the privilege of forum.

9. The opinion of the Fathers who understand the place of Paul about elders is not opposed to the resolution already delivered. 10. The Church could always have compelled the faithful to keep the exemption of clerics. 11. Second conclusion: Clerics under the Christian emperors began to enjoy exemption. Proof. 12. The reasons for doubting posited in the first doubt are solved. 13. Satisfaction is made to the reasons posited in the second doubt. 14. A certain evasion is precluded. 15. The deed of Charles V.

1. From what has been said in the preceding chapter a doubt arises about the use of this privilege of forum, for it seems to follow that either the Church did not use this privilege fully and constantly before the times of Frederick II, or that at many times it observed it against the opposition of the emperors; but the first seems to be a considerable inconvenience while the second is difficult to believe; what then is to be said of the antiquity and manner of the use? For the fact that the Pastors of the Church did not exercise this privilege against the will of the emperors, but dissembled and yielded to their will and power, can be concluded both because, in their decrees, they frequently allege the consent of emperors and kings or the agreement of civil rights; and also because we do not read that they fulminated their censures against any emperor who, before Frederick II, took away the privilege of forum either altogether or from a part of the clergy, as we reported about Valentinian and Justinian. Nay, the emperors themselves, who seem to have very much favored clerics in this privilege, sometimes assumed, even at the request of the very bishops and clerics, this jurisdiction in some causes, and the Pontiffs did not resist them but seemed rather, by seeing it and keeping silent, to give their consent.

2. And hence arises another difficulty which Barclay, ch.35 in Bellarmine, has touched on, because although many emperors conceded to clerics this exemption from their courts and magistrates, yet we do not read that they exempted them from their own proper and imperial power. For never did they make it clear, which however would seem necessary in so special a privilege. And they showed the opposite in their deeds, as I said. He himself also alleges the modern deed of Charles V who ordered Herman, Archbishop of Cologne, to be summoned to court before him, so as to clear himself of certain crimes objected against him. He might also allege the difficult words of Justinian in *Authentica* 'Nullus Episcopus' Code 'De Episco. et Cleric.' which read thus: "Let no bishop be brought or produced before a civil or military judge in any cause unless the prince commands." Where it is clear that exemption from inferiors, not from the prince himself, was conceded. And the same can be taken from *Authentica* 'Sed Hodie' under the same title, at the place: "Except when they are, by order of the prince, called to other provinces."

3. But there is to the contrary, first, that this is repugnant to the many Councils asserting that this immunity is very ancient and was observed from the beginning of Christianity. The fact is also proved by reason, because it seems incredible that the Church lacked for so long a time a use and observance of immunity absolutely necessary for the good of religion and the decency of the ecclesiastical state. Especially since it is proper and immediately of divine right, or at least so close to it that the right cannot be kept without it. Second, because it would hence follow that even now clerics do not enjoy complete exemption, because they will at least be subject to the jurisdiction of the

emperor, of kings, and of all supreme princes, because neither did Frederick II agree to this exemption in any other way than his predecessors did, but “he renewed, restored, and ordered to be kept” what they themselves did; the other emperors and kings too after Frederick did not renounce more of their jurisdiction; but the consequent is an intolerable error, although Barclay insolently allows it.

4. On this point two periods of time must be briefly distinguished, one is from the beginning of the Church up to Constantine when temporal princes were heathen, the other is from Constantine up to Frederick II; but we omit the third time from Frederick up to our times, because about these four hundred years there is no doubt but that the Catholic Church fully and wholly kept this privilege without the contradiction of any Christian prince who was not held to be a heretic or schismatic. In addition, about the two first times, the other distinction given above must be passed over, about the right of using this privilege and about the fact of it or the effective use itself thereof; for often the one who has a privilege does not use it, although he might by right do so, because he is not able to do so in fact. But this inability in fact can exist either in individual private ecclesiastical persons, if they are compelled to attend secular courts, or in the Supreme Pontiff, if he cannot resist with effect or fruit the secular power that is inflicting this violence.

5. About the first time, then, we must say that this privilege could not have been fully observed or vindicated by the Church, not from defect of right, but from defect of capability in fact or from executive defect (so to say). This assertion was insinuated above and has, as to the first part about the right, been sufficiently proved, because this privilege was both immediately conceded by divine right and, had it not been, power was given to the Church, and obligation imposed on it, to introduce it. But a difference is to be noted between these two modes whereby this privilege could be by divine right, because in accord with them there can also be distinguished a double mode of having the right in respect of this privilege. For in the first way the right will exist in fact with respect to clerics all and singular; but in the second way it will exist only as a right to the fact. For if the privilege was conceded by Christ in the first way, all clerics at any time whatever were actually exempt from the jurisdiction of heathen princes, and this we call a right in fact, and consequently princes were also deprived of jurisdiction over clerics, because these two things are connected. From which it also follows that clerics at that time could in conscience have disobeyed the laws or pronouncements of heathen princes or judges, and, if they were coerced by them, could have repelled force with force, had they the power and strength; because if infidels did not have jurisdiction over them, clerics were suffering injury at their hands and were in conscience not bound to put up with it, save perhaps for avoiding scandal or some other like extrinsic reason.

But if however the privilege exists only in the second way, that is, it was conceded through the Pontiffs in force of their power and the precept of divine right, clerics thus had at that first time only a certain right to the privilege but did not during it have the right, because they were not actually exempt until the Church instituted it or actually conceded it. And consequently infidel princes were not at that time deprived of their own jurisdiction which they had over the persons of clerics, because we do not read that the Church at that time used the power or the right which it had to exempt clerics, or to deprive princes of jurisdiction over them. Hence further it happens that clerics were at that time obliged in conscience to obey the laws and the pronouncements of magistrates even of heathen ones, because they proceeded from true jurisdiction. And for the same

reason they were bound to be subject to their coercive force, if they used it justly in any way.

6. Now between these two ways of explaining this right, although the first is more probable, yet in each is very well made plain that the custom which the Church kept in the use of such privilege was always in conformity with reason and the prudent government of the Church. For although the Pontiffs had at that time the power and the precept to exempt clerics altogether from the jurisdiction of secular princes, yet they were acting prudently in not using that power, because it was not expedient for the Church, for they would be attempting it without fruit, and with scandal and impediment to the faith; and for that reason they were not transgressing divine right, because the precept was an affirmative one, whose nature it is not to be obligatory for every time, and so it did not oblige at that time. And likewise although the privilege of forum were conceded immediately by Christ in the first way, the very probable and prudent explanation is that it was given with such a dependence on the Pastor and Governor of the Church that, without his consent and determination, it was not licit for individual private persons to use the privilege according to their own choice. For this dependence cannot be denied, as I already said, both because it is proved by use and experience itself, and also because it was very necessary for the peace and good governance of the Church. Hence it happens that one must absolutely say that clerics could not at that time in conscience resist the jurisdiction of secular princes, because the Church had declared or established nothing on the matter, and, besides, those princes were using their right as something judged to be in good faith, although they were otherwise infidels. And this way of explaining this right is conformable to Paul in *Romans* 13, and to the opinions of the Fathers, especially of Chrysostom and of the Greeks when they are expounding Paul.

7. From which one may conclude whether it should be said that clerics at that time were by right exempt, although they were not in fact, and (which is the same) were subject to the jurisdiction of princes in fact, not by right, and thereupon by usurped, not true, judgment; or whether they were rather in some way truly and rightly subject. For I think it should be said that clerics were, on their own part, by right exempt, because they enjoyed this privilege by divine right, as was said. And consequently secular heathen princes did not have proper jurisdiction over them; they could, however, have been excused from formal tyranny by ignorance. And nevertheless, for avoiding greater evils and lest a just war be by ignorance allowed to each side, the pastors of the Church then permitted ecclesiastical persons to obey temporal kings and magistrates; they also wanted them to be held as legitimate judges and superiors in temporal and honorable affairs; because it was a lesser evil to tolerate them, and as it were to commit to them office in their own stead, than either to disturb the ecclesiastical state or to leave clerics without legitimate judges in actual use. In this way, therefore, notwithstanding the immunity conceded to clerics by divine right, they could at that time be judged by laymen, not by a specially usurped right but by a true right, if the cause was otherwise a temporal one and was handled legitimately.

8. But there must further be added that clerics at that time did in some way have the use of this privilege within the Church itself in regard to the other faithful, the Church so disposing, as far as the state of the time permitted. The proof and the declaration are after this manner; that always the Church forbade the faithful to draw clerics before lay judges but before the ecclesiastical forum. Which law we find was passed, not only by

many Councils that met after the times of Christian princes and that were mentioned at the end of chapter 3, but also by several of the older Pontiffs, especially by Alexander, Caius, and Marcellinus in their decretal epistles, which I cited in the same place. For although at that time infidel princes were exercising their jurisdiction, and therefore their magistrates could be true judges in the causes of clerics after the manner declared, and a cleric accused or cited before an infidel lay judge would be held to appear at the command of such a judge, nevertheless the Church could set up an Episcopal forum wherein the causes of clerics, as far as was possible on the part of the Church, would be dealt with. For it always had both the power for this purpose given by Christ and the opportunity to exercise it. And therefore from the time of the apostles it already had the use of it, and it is openly taken from the verse of *1 Timothy* 5.19: "Against an elder receive not an accusation, but before two or three witnesses;" which words suppose that already then an Episcopal tribunal for judging the causes of clerics had been set up.

9. One must also carefully consider that Paul does not speak of ecclesiastical causes but of complaints against clerics in criminal causes; for an accusation is proper in those; and since Paul speaks indefinitely and simply, his opinion is not restricted to ecclesiastical crimes; about any crime at all, therefore, could and should an elder then be accused in an ecclesiastical tribunal. Nor does it matter that Chrysostom, Theophylact, and the Greeks apply the word 'presbyter [elder]' not to the dignity of the priest but to the time of old age. This, I say, is not an obstacle; both because in that sense an ecclesiastical tribunal is proved from that place for the causes of the faithful, and with greater reason for the causes of clerics, for these could not be of a worse condition if the others were allowed, which fact we are not now examining because it is of little importance for the present cause. And also because the more probable exposition is that of Ambrose, if the commentaries are his, and of Jerome, with the same correction, of Anselm, of St. Thomas, and the Latins who interpret that place as about priests. For Paul was speaking about them in the words that immediately precede, when he says, v.17: "Let the elders that rule well be counted worthy of double honor, especially they who labor in the word and doctrine;" and immediately he subjoins, v.19: "Against an elder receive not an accusation, etc." There was also greater reason to set up an ecclesiastical tribunal for clerics than for other faithful older laymen, because clerics are under the care and governance of prelates by a more special reason than are the common people of the faithful, for the reason that they are more especially dedicated to ecclesiastical ministries, as was said. And in this way there was from the beginning of the Church some discrimination of the ecclesiastical forum from the civil, not only for ecclesiastical causes, but even for others, and for the crimes at least of clerics, as was also noted above.

10. With this distinction supposed, then, the Church could at that time very well forbid clerics to be accused or brought before the tribunals of laymen by other clerics or by the faithful. For although it could not forbid this to infidels, among whom the faithful were then living, because they were not subject to the Church, nor was it able to compel them, and thus they could start a suit or an accusation before their own judge, whom alone they recognized to be legitimate; nevertheless the Church could prescribe to the subject faithful that, if they wished to accuse a presbyter, they should do it in an ecclesiastical tribunal, because thus was it very fitting and necessary for preserving divine right and for the honor of the Christian religion and the decency of the ecclesiastical state, which at all times, as far as the condition and state of the time

allowed, the prelates of the Church were bound to provide for.

But the prohibition was just at that time, because although secular princes were exercising their jurisdiction, their faithful subjects were not held in any way to start an accusation or a suit before them, but were able to settle their own controversies or suits in any honorable way; therefore could the Church licitly and prudently forestall and bid the faithful to proceed against a cleric in an ecclesiastical and not in a secular court, and consequently could even gravely punish with ecclesiastical censures transgressors of this precept. Most of all, indeed, because although by this precept causes of this sort were in some way removed from lay judges and their jurisdiction was in part impeded, or taken away, it was altogether licit by force of divine privilege; but also because it fell at least indirectly under the spiritual power of the Church, because of the good of religion and the supernatural end; and the use of such power it could then exercise without scandal to the faithful, or impediment or disturbance to the faith. Rightly, therefore, did the Church thus forbid in fact, as it could by right, clerics to be brought before secular tribunals. The fact is confirmed by Pope Alexander, because if Paul prescribed (*1 Corinthians* 6) the causes of Christians to be brought before churches and there concluded, the Pontiffs too could prescribe priests to be accused before bishops alone; which argument is also used by the 3rd Council of Carthage ch.9, and about it St. Thomas on the place from Paul can be looked at.

Thus therefore did the Church at that time, in the way it could, begin to rescue clerics from the court of seculars, and in the same way it began to guard their immunity, not indeed fully and in every part, because then it was not opportune, but, as I said, as much as it could on the part of the faithful. Hence rightly could that prohibition be called a certain privilege of forum for clerics, just as the prohibition under special censure against anyone daring to lay violent hands on a cleric is a great privilege for clerics, which is called a prohibition of the canon. For just as this prohibition of the canon was made for the sake of the ecclesiastical state, so also was the ancient prohibition put in place that clerics, as sacred and religious things, should be reserved also for a certain sacred court, as far as it could be done. This privilege was also increased at that time by another ecclesiastical law, whereby it was conceded to clerics that they could not be accused by laymen but only by clerics, or conversely laymen were prohibited from daring to accuse clerics; about which prohibition many decrees are reported by Gratian 2 q.7, of which the more ancient are those of Evaristus in epist.2, of Fabian epist.1 & 2, of Eusebius epist. 1 & 2. However this prohibition was afterwards made more plain or limited, as can be seen in the whole of that question. And these remarks are sufficient for the first period of time.

11. About the second period of time one must say that, almost from the beginning of the Christian emperors, clerics were exempt from the secular forum, both by a proper right that was also really obtained through a privilege actually conceded, and also in fact, except when they were prevented or coerced by injury or tyranny. This assertion can easily be proved from what was said in the preceding chapter. And the first part is indeed well known because this privilege was conferred immediately by Christ himself. Nay, although some application by the Pontiff was necessary, it could be proved in this way. For the Church or the Pontiffs always wanted, insofar as was in them, to preserve this immunity of clerics, because they were held to it by divine law, and because it was most fitting for the good of religion; but, in the time of the heathen princes, they could not try

to accomplish it because of their lack of ability; therefore, by the very fact that Christian princes readily submitted themselves to this immunity, Pontiffs introduced the use of it and perfectly established it. But we showed that Constantine, when he became a Christian, either acknowledged and allowed this immunity, or, if there was need, donated it; therefore at once too the Pastors of the Church both accepted the donation and, if anything more was necessary on their own part, added it; therefore, from then on clerics began to have not only the right to immunity but also the privilege itself and the actually conceded use of it.

Hence the second part of the assertion is easily proved, because as the observance of this privilege was not only introduced in right but also in fact, only the consent and authority of Christian princes was wanted; but Constantine, as we said, at once provided his consent, and established by his authority that it should be entrusted to execution; therefore nothing could stand in the way to prevent this immunity from being entrusted to execution in fact and in use. The same is also to be believed of the others who, together with succeeding Constantine in the empire, succeeded him in faith and piety, with a few exceptions who, either through ignorance or ambition, attempted something contrary to this immunity. Which fact is sufficiently confirmed by the rest of the things that we adduced about the other emperors up to Frederick. And in the said title 'De Episcopis et Clericis' many laws of the emperors are found wherein civil magistrates are rebuked who did something against this immunity of clerics, and if any contrary customs were little by little introduced they were reprov'd and retracted; therefore here is a sign that, ordinarily and with just judges, the exemption was also preserved in fact. Hence the emperor Frederick, who confirmed it more clearly and generally, did not decree it as a new thing but as already made firm "by imperial and canonical sanctions," and therefore in the cited law he established that none should presume to bring a cleric into a secular court "against," he says, "the imperial and canonical sanctions;" therefore already before that fact it was presumptuous and unjust, and thereupon the contrary was legitimate and obligatory at that time.

And hence the last part of the assertion openly follows. For as to what concerns use, we cannot deny that, in the course of those times, many things were done and attempted against this immunity, not only by inferior magistrates, but also by the emperors themselves; but it is not licit thence to infer that those deeds were either valid or licit, for secular judges are hostile to clerics, as is said of laymen in ch. 'Laici', together with similar ones, 2 q.7. They also always study to increase their jurisdiction, either from their own human ambition or from desire to please temporal princes, or sometimes indeed from zeal for justice, but not according to knowledge. Whatever, therefore, was done at that time against the immunity by any Christian magistrate or prince was no less unjust and tyrannical than what in later times up to the present day has been or is being done. Because, after the privilege of exemption was conceded and established, whatever is done contrary to it is a work of usurped jurisdiction and power and thereupon unjust and tyrannical. And in this order must be put any retraction of previously conceded privilege whatever that has been done by secular power, even imperial power, because an emperor cannot take away what Christ has given either immediately of himself or through his Vicar. Nor does it matter that the privilege was not given without the consent of the emperor, because that consent was not the proper and *per se* cause of such privilege, nay was not even a condition simply necessary for its worth, but it was waited on for the use

only by the kind and prudent providence of the Church; and therefore a retraction of that consent following afterwards cannot taken away or change the privilege. Nay, although this privilege were principally given by the emperors, it could not afterwards be revoked by them, as I will show more at length below.

Wherefore, notwithstanding the revocation made by Valentinian or anyone else, this part of the assertion always had place and truth, because all the things which were at that time done afterwards were unjust and tyrannical; because the privilege to which they were contrary always subsisted, and because, since its revocation was made by tyranny, whatever was done in virtue of it participated in the same iniquity. But I speak always of the deed itself considered in itself, not of the persons, who perhaps could sometimes be excused by ignorance. For certainly the emperors at that time do not seem to have known the proper origin and excellence of this privilege; for that is why they so speak of it as if it were a proper gift of the emperors themselves, dependent, that is, on their decision; and so some of them, by human ignorance and without heresy, could think that they were able to take away a privilege once given. But however it may be with their guilt or excuse, the deed itself considered in itself was unjust and of no worth or efficacy. And therefore the Fathers of the Council of Anjou, who gathered in Gaul after the revocation was made by Valentinian III, took no account of the law of Valentinian and, for the defense of immunity, established that it was not licit for clerics to resist the Episcopal court nor, without consulting the priests, to seek out the courts of seculars, as Baronius reports for the year 453 n.3, for that Council is not contained in the volumes of the Councils. Also the Council of Chalcedon, which was celebrated immediately after Valentinian III, similarly prescribes, ch.9, that the distinction of forum is to be kept by clerics. And although this Council seems to prescribe to priests alone that they are not to go before secular judges, nevertheless the 1st Council of Macon, celebrated a hundred and thirty years later, made disposition, ch.7, that even judges who presumed to judge clerics should be kept away from the doors of the Church. From which is sufficiently understood that the revocation was reckoned by the Fathers of the Church to be of no worth or moment. Which fact afterwards the emperors too understood better, and therefore they restored ecclesiastical immunity to its former state.

12. To the first difficulty, then, posited at the beginning the response is easy; for we say that the Church always used the ecclesiastical forum for its clerics, but could not always equally exempt them from the secular forum, because at the time of the infidel emperors, as I said, it did not exercise immunity with respect to them; because, although this could not be done without disadvantage, it was patiently to be endured, because it could not be avoided without greater disadvantage, or at least because it could not simply and effectively be delivered to execution. But after the times of the Christian emperors the Church always retained its privilege intact; but, at the beginning, it waited on the consent of the Christian emperor for the use of it, so that the thing might be done more sweetly and effectively in imitation of divine wisdom and prudence. And for the same cause the Pontiffs in their decrees allege the consent of the civil laws. And for the same cause, although some emperors turned their back on it in those ancient times and did something contrary to this immunity, they were not at once condemned or punished by the Pontiffs, because the right and foundation of the exemption was not yet sufficiently known and explained to them, nor perhaps were they then capable of it; and therefore they could not be forcefully coerced without greater loss, but the Fathers judged it more

opportune sometimes to make some dissemblance and teach the truth and introduce the use of immunity little by little. But never did the bishops or Pontiffs require secular judgment from the emperors in ecclesiastical or clerical causes, unless perhaps they were heretics or schismatics; but Catholics only interposed the authority of the emperors for obtaining, without impediment, a legitimate and ecclesiastical judgment. Which fact is rightly explained in few words in the Council of Milevis, ch.19 'Placuit' 11 q.1: "It has been found pleasing that anyone who has sought from the emperor the cognizance of public judgments should be deprived of his proper honor. But if an Episcopal judgment is required by the emperor, nothing prevents it." And the same is declared in the 3rd Council of Carthage ch.38, and it is contained in ch. 'Petimus' 11 q.1; and something similar is contained in the same place in the following chapter, and it is taken from the chapter 'Christianis' 11 q.1, which is from Pope Gelasius writing to a certain count that he should protect certain clerics from the violence of a certain secular prince: "Let them be fortified," he says, "by the protection of your Sublimity." On which matter can also be seen epist.68 of Augustine.

13. To the second difficulty, which Barclay started, the response is that, although perhaps some emperors, through ignorance or error, so understood the privilege that they did not think clerics were exempted by it from their own supreme power, nevertheless they were deceived, because the Church has otherwise introduced or declared this exemption. For, in the said ch. 'Placuit' just cited, the Council of Milevis expressly said that the judgment of clerics cannot be asked for "even from the emperor," and in the said ch. 'Christianis' Pope Gelasius considers it to be against ecclesiastical immunity that a proceeding is made "by royal authority" against a cleric; and Pope Gregory, bk.4 epist.31, otherwise ch.75, writes to the emperor Maurice: "Let not lordship over clerics by earthly power be such that it does not devote due reverence to them." Where he tacitly rebukes him, since at that time he was studying to exercise tyrannical empire over priests, as Gregory himself complains of on the 4th Penitential Psalm (as I reported above), but he speaks moderately to him lest perhaps he be provoked to greater savagery. He did not, however, omit to propose to him the example of Constantine, who responded to the bishops where they were disagreeing among themselves: "Go and discuss among yourselves, because it is not proper for us to judge Gods." Besides in many other decrees it is said absolutely that laymen do not have any jurisdiction over clerics, as is expressly said in the Council of Constance sess.31 and the Lateran Council under Leo X sess.9 and in others that we referred to above; but it is manifest that under the name of laymen emperors too are included, for since they are not clerics they are assuredly laymen.

14. Next, even the emperors themselves, although they do not speak about themselves in particular, yet often speak generally and with so much evidence that they signify the same sense. For Constantine in the said law 7 of the *Theodosian Code* 'De Episcop. et Cleric.' determined that clerics in the West as in the East "should possess the fullest immunity;" and Theodosius in the last law of the same title confirms this privilege and says that the causes of clerics are reserved "to the audience of the bishop;" they are therefore exempt from every lay audience, even the imperial one. Nor can it be said that this is only understood of the first instance, but that by way of appeal it was always licit to call upon the emperor; for this is both gratuitously said and has a proof of its falsity; both because never in the Church was appeal made from the bishops to the emperor, but either to the metropolitans, or to the patriarchs, or ultimately to the Supreme Pontiff, as is

expressly handed down in the Council of Chalcedon ch.9; but from the Supreme Pontiff it was never licit to appeal to another tribunal, whether ecclesiastical or lay, as Pope Gelasius said to the bishops of Dardania and to Faustus, and as is handed down by the Council of Sardica canons 4 & 7, and by many other decrees of the Pontiffs and Councils which we reported in the previous book to prove the supreme authority of the Pontiff. Therefore the causes of clerics, by the very fact that they are reserved to bishops, are to be concluded within the ecclesiastical forum, and so they are set up outside every lay forum, right up to the very tribunal of the emperor. And certainly the reason rendered by that last law makes this sufficiently firm: “For it is not right,” it says, “that the ministers of divine office should be subject to the decision of temporal powers;” for assuredly the imperial power is also a temporal power; therefore it too is comprehended under the indefinite term, which is equivalent to a universal. And lastly in the same way, by an indefinite and general locution, the same privilege was conceded by Frederick II and confirmed by Honorius III.

15. But as for the deeds of emperors that are alleged, or can be alleged, to the contrary, we reply in general that perhaps many of them were not exercises of an act or jurisdiction but of intercession or assistance, which the secular arm is wont to grant to the ecclesiastical, as we said above about Constantine and others. Or certainly they could sometimes be excused because they were not giving judgment by their own authority, but on petition of the prelates themselves and as a sort of arbiter between them, or rather they were composing quarrels; and then if any of these deeds could not be excused even by other reasons, one must reply that they went too far in usurping jurisdiction, as Gregory cited a little before said about Maurice, and as we have already said about Valentinian III, and as Baronius shows at large for the years 452 and 453. Now as to the very recent deed of Charles V, whom we know to have been a signal protector and observer of ecclesiastical liberty, we reply that Charles could have summoned the Archbishop Herman to him, not as Archbishop, but as a prince of the empire. Again that he could have issued the summons not as judge but as protector of the clergy and of the academy of Cologne. For Surius, who reports that deed for the year 1545 in his commentary, says at the same time: “In the month of June of this year Caesar received under his patronage the clergy and academy of Cologne.” In order therefore to protect the afflicted, he could summon the bishop so as to discern the truth and avoid harms to the Church, until the Pope should draw the cause to himself; which he did do a little later, in the following month of July, by citing Herman, whom afterwards the Pontiff even deposed, with the cooperation of Charles, as the same author reports at the beginning of the year 1547. Lastly as to the words of Justinian in those Authentics I find nothing said by the Glosses or by the jurists; but it does seem to me that he went to excess in fashioning laws about ecclesiastical matters, and did not hold the force and origin of ecclesiastical immunity with sufficiently clarity, and so he made many dispositions about it through error and without legitimate power, as was already touched on above, and as will occur time and time again in what follows.

Chapter 14. What sort of exemption there is for clerics in civil causes.

Summary. 1. *Formal cause of the privilege of forum.* The material of the privilege of forum is double. 2. *First conclusion:* clerics in civil causes are exempt from the secular court. 3. *Proof also by reason.* 4. *Clerics enjoy the aforesaid exemption only when they*

are defendants. 5. Whether the Church could concede the privilege of forum without limitation. First reason for the negative side. 6. Triple confirmation. 7. Second conclusion: The Church could exempt also a cleric who is a plaintiff. 8. Proof. 9. The contrary reasons are solved. 10. To the doctrine of Bartolus. 11. Whether the rule put in the preceding paragraph allows an exception to the privilege of forum. First exception. It is rejected. 12. Second exception. 13. Third exception. 14. Fourth exception. 15. He who unjustly seizes the goods of the Church ought to be arraigned before an ecclesiastical judge. A certain objection is refuted. 16. Fifth exception. 17. By no custom can a defendant cleric be brought before a secular court. 18. Sixth exception. It is made plain. 19. Whether, because of the negligence of the ecclesiastical judge, a defendant cleric can be brought before a secular court. Reason for doubt. 20. The doubt is refuted. 21. Why the negligence of a secular judge can be supplied by an ecclesiastical judge but not conversely. The rights adduced to the contrary are expounded.

1. Hitherto we have only shown that the immunity of clerics is fitting to them, or that the privilege of forum was conceded to them, and we have at the same time explained the origin of this privilege; and by giving the reason for it we have made plain the efficient and final cause of the same privilege; it consequently follows, therefore, that we should explain what this privilege is; which cannot be done except by inquiring what is conferred by a privilege of this sort; for the whole reason and essence of any privilege whatever consists in the right or power which is given by it according to its general idea; but the species is taken from the matter in which or about which it revolves. And thus also it will happen that whatever could be desired about the cause as the material cause of this privilege will be explained at the same time. For about the formal cause, indeed, there is nothing for us to say, because the liberty or immunity is itself as it were the moral or internal form, wherein the privilege itself consists; but the external form is nothing other than the concession itself which is done by the words of Scripture or of the canons; which words have been rather often dealt with and weighed in what we have said hitherto and in the course of the whole book. On the matter, then, most depends knowledge of the immunity, but this matter can be distinguished into two members: in one are contained the things, the actions or passions, or the functions and other like things from which exemption is given; under the other are included the persons to whom this exemption is given. We must, then, speak about them individually, and thus we will explain not only the essence and causes but also at the same time the effects of this privilege.

2. The first, then, and so to say most ancient matter of this privilege is the civil forum or the secular tribunal, wherein temporal lawsuits pertaining to the external goods of fortune are handled. It is certain, therefore, that clerics are exempt from the secular forum in civil causes. The proof is first from canon right ch.2 *De Foro Compet.* where the discussion is in general terms; just as also 11 q.1 ch.1 & 3 with many others similarly gives prescription indefinitely, that clerics are not to be brought before secular courts, and in the chapter 'Nullus Clericus' a distributive addition is made: "All business of clerics in their bishop's, etc." and in ch. 'Nullus Episcopus' it is said specifically: "Nor for a civil cause;" and in ch. 'Placuit': "Whoever has sought from the emperor the cognizance of the public courts;" and in ch. 'Placuit' 2 at the place: "Or a civil cause has been brought," and many like things are read in that question. And in ch. 'Saeculares' *De Foro Competent.* in the sixth part it is said that secular judges are to be curbed by ecclesiastical

censure who presume, when a cause has been heard and judged, to compel ecclesiastical persons to pay debts; which cause is without doubt a civil one.

3. The same is in addition certain and constant in the civil right of the ancient emperors, who speak indefinitely about the whole forum. And although the emperor Leo, with his colleagues, in the law 'Omnes' *Code, De Episcopis et Clericis* conceded in certain cases, and with certain conditions, that clerics could be arraigned in the secular forum, even in civil causes, this was afterwards revoked, first by Justinian, who spoke absolutely about civil causes in *Authentica* 'Ut Clerici apud Proprios Episcopos, etc.' collat.6, otherwise novella 83, then especially by Frederick, who in his constitution spoke specifically about both causes, civil and criminal. And it is noted by the Gloss on *Authentica* 'Statuimus', at the word 'Vel civili' *Code, De Episcop. et Cleric.* And thus this part is indubitable among Catholic doctors. But the reason or congruence is that in this matter there is for this exemption the same, or greater, necessity as is found in any other matter, both because civil suits are wont to be more frequent, and also because there was greater danger that about these temporal things secular judges would be less favorable to clerics, or would at least be remiss in giving them justice in court, as is said in ch. 'Cum sit Generale' *De Foro Competenti*.

4. To this rule, however, a clarification must be added, namely that clerics are exempt in civil causes when they are defendants or are challenged to a suit at law; for if they are plaintiffs they should follow the forum of the defendant, as was determined by Pope Pelagius, reported in ch. 'Experientia' and ch. 'Si Quisquam' 11, alleging the general rule of each right, that the plaintiff follows the forum of the defendant, ch. 'Neminem', along with many others, 3 q.6 last law, *Code* 'Ubi in Rem Actio', and in law 2 and law 4 'De Iurisdict. et ubi Quis Convenire Debeat' in the *Theodosian Code*. Hence this rule proceeds not only when a cleric challenges a cleric of a different episcopate, or of a distinct ecclesiastical forum, but also when a cleric makes demand of a layman, for then he cannot use the privilege of forum, because he ought to follow the forum of the defendant.

5. But so as to give a reason for this clarification, the question can be asked whether the Church has thus limited this privilege because it could not concede a greater one, or only because it did not want to. For it seems the first should be asserted; for if the Church could remove clerics from secular courts, even when they are plaintiffs in civil suits, it would assuredly have done so; for the same necessity then intervenes, that no lesser harms could result for clerics, whether they be plaintiffs or defendants, from communication with laymen in secular courts; and there will be the same danger of losing causes and of having hostile secular judges, according to the rule ch.2 'De Immunit. Ecclesiar.' at 6; therefore if the Church did not do it, it is because it could not.

6. There is also a confirmation, that the Pontiff cannot usurp the jurisdiction of laymen, according to the ch. 'Novit' *De Iudiciis*, and the others dealt with above; but if he might exempt a cleric even when plaintiff from the secular court, he would be usurping the jurisdiction of laymen; therefore he cannot do it. Proof of the minor. First, because lay judges would be deprived of the jurisdiction which pertains to them. Second and better because the defendant would be compelled to appear before a judge not his own, namely an ecclesiastical judge, and so the Church would usurp jurisdiction over a layman. Wherein there is to be noted a difference between a plaintiff and a defendant; for the plaintiff comes to court not compelled but voluntarily starting it; and therefore, when

he acts against a cleric, it is no wonder that he is compelled to go to a judge who is not *per se* his own but the cleric's, because he who is compelled ought to have a better condition than he who compels; but, however, when a layman is defendant he is compelled to appear, and therefore he cannot be compelled to appear except before his own direct judge, otherwise jurisdiction over him would be usurped; therefore for the same reason the privilege could not be conceded to a plaintiff cleric of bringing a layman before his own forum or (which is the same) outside the layman's forum. There is confirmation too from Bartolus, on the said law 2 'De Iurisdic. Omnium Iudic.' where he asks whether it could be determined that the defendant follow the forum of the plaintiff; and he replies that a prince can make statutes of this sort for his subjects but that he cannot determine that a man not of his jurisdiction be held to follow the forum of the plaintiff, because no one can make determination about things which are not of his jurisdiction. Which decision of Bartolus and the reason for it seems to proceed equally in the present case, because a layman is not subject in temporal affairs to ecclesiastical jurisdiction. And it can be further confirmed, for if one of the faithful bring a civil suit against an infidel not subject to the Church, the Church cannot compel the infidel defendant to follow the forum of the faithful plaintiff; therefore the same will hold of the present case.

7. Nevertheless one should say that power is not lacking to the Church to exempt a cleric even as plaintiff from the secular forum, although by sweet providence and prudent government it has not done so, because of a certain natural equity to which it is agreeable that he who is accused and brought unwillingly to court should not be compelled to go outside his forum, lest he sustain a double disadvantage. For also because of this equity, "when the rights of the parties are obscure, the defendant is rather to be favored than the plaintiff," as the rule of right 11, at the sixth section, has it. The first part of the assertion can be taken from the Gloss on ch. 'Si Clericus' at the word 'De consuetudine' and in ch. 'Ex Transmissa' at the beginning, *De Foro Competent.*, insofar as it says that the Pope not only can, but also frequently does, concede rescripts and privileges to clerics, so that they may in any cause whatever, even when prosecuting a layman, compel him to come to their own forum; which opinion is also followed by Panormitanus, and he refers to Archidiaconus and Speculator. But Hostiensis in his *Summa* title 'De Foro Compet.' § 'Quibus ex Causis' vers. 'Ex Praemissis' says that in the Roman curia a cleric obtains without distinction this favor against a layman.

8. From this common custom and opinion, then, the assertion is proved that the favorable privilege, which the Pope can concede to many clerics as individuals, he can also concede to all clerics, in favor of the whole community and clerical state, if he judge it expedient; but often he concedes it to many ecclesiastical persons, so that even when prosecuting they be exempt from the secular forum; therefore he could also concede it to the whole clerical state. The major is proved first because there is, as to what concerns the power, the same reason of the whole as of the part, if a proportionate cause subsist. Second, because the custom sufficiently shows that a privilege of this sort is not in its kind and form intrinsically evil, nor against natural justice; therefore neither could such iniquity be by probable reason shown with respect to the whole clergy. Which reason absolutely proves the assertion, and shows that the custom of conceding such privileges to certain persons is just and conformable to reason, which will be further proved by responding to the arguments. Add that, since it has been shown that this privilege of

exemption was immediately conceded by divine right, it seems more difficult to explain how the Church could make this limitation than whether it could not make it; because the privilege, by standing on divine right, is altogether absolute and was conceded without limitation; therefore the Church could implement it and fully conserve its use. But because, as we have often said, this privilege was so given by Christ that it was committed to the disposition of the Pontiffs as to its regulation, extension, or particular alteration, therefore the Church could regulate it in the aforesaid way and in part cede its right for appropriate reasons, which will be more explained by solving the arguments, and the second part of the assertion will be proved.

9. To the first conjecture, then, we reply by denying the consequence, for not everything which can be done, or is licit, is expedient. Hence although it be true that there is no lack of appropriateness on the grounds of which the Church could concede this favor to the clergy, nevertheless the Pontiffs wanted to be in conformity with the civil laws in this rule, that the plaintiff follow the forum of the defendant, as is said in the said ch. 'Si Quisquam' 11 q.1, both because this is very consonant with natural equity, as I said, and also because prosecutions of this sort, and the bringing of suits for temporal things, ordinarily proceed from too much affection for wealth, which does not become ecclesiastical persons, and therefore, speaking as a rule, clerics ought to avoid these sorts of prosecutions, especially for their own temporal goods, unless compelled by evident and grave reason. Lest, therefore, the Church seem to be favoring these sorts of suits, it did not wish to exempt clerics when acting as plaintiffs but only as defendants, because they are only defending themselves, which is both just and honorable. The Church could also thus act lest the ecclesiastical courts be burdened with very many suits from laymen, and so as not either to offend laymen and seem to have too much affection for forensic jurisdiction. And so, when private exceptions or favors from this rule are made through special privileges, they are not conceded only because of general reasons of fittingness or advantage to the clerical status, but when other special reasons are adjoined according to the occurrent circumstances.

10. To the second confirmation, and the doctrine of Bartolus, the response is that it can be turned back in the contrary direction; for if a prince can establish among his subjects, or grant the privilege, that the defendant follow the forum of the plaintiff, the Pope too can give the same privilege to clerics in respect of the other faithful; because they are all subject to him. Nor is it an obstacle that faithful laymen are not directly subject to the Pope in temporal things; for it is enough that they be indirectly subject; for just as spiritual power suffices for making disposition of temporal things when a spiritual end and reason require it, which is to make disposition indirectly, so too the same power suffices for conceding the privilege among those who are directly subject in spiritual things and indirectly in temporal ones. For which cause, when the Pope concedes these sorts of special privileges, he does not usurp the jurisdiction of the secular court but commits it to another by his superior power. Neither too is the defendant compelled to appear before a judge not his own, but the cause is transferred from one judge to another by him who has legitimate power. What, then, we say of particular privileges should be said too in general, if the concession is from the absolute power of the Pontiff. Hence I amplify it with a final addition, that this pontifical power extends of itself also to conceding this privilege with respect to infidels, if it be necessary for the good of the faith and to avoid moral dangers, as was said above; the use, however, of this power

cannot be thus effectively entrusted to execution in the case of infidels, because they cannot be spiritually compelled as the faithful can, and there is often not enough force to compel them corporeally.

11. Now it can be asked whether the aforesaid rule or its declaration suffers any exception. To which we reply briefly in the affirmative. But one must note that this exception can be assigned on the part of the persons to whom this privilege is conceded, or on the part of the causes or the matters that are dealt with. We omit now, therefore, the first mode of exception; for we must deal with the persons below, and we will there say which of them enjoy this privilege simply and which with a certain limitation. In the second kind, then, a first exception is assigned by some people about real causes, that is causes founded on a reality merely temporal, without any personal action of the cleric himself intervening whereon the suit or cause is founded; because in that case the person is not under obligation, nor is he brought to court, but the thing which is merely temporal is. Now the privilege of forum only exempts the persons of clerics so that they cannot be arraigned civilly. But this exception is not a true one and derogates much from the privilege of clerics, and therefore it is commonly rejected, as Abbas well noted on ch. 'Qualiter' *De Iudic.* n.8, and on ch. 'Ecclesia' *De Constitut.* n.22, and use itself sufficiently condemns it. The reason is that a general rule of right exempts clerics from being able to be arraigned civilly in a secular court; but this is an exception from the rule that is proved by no right; therefore it is not to be admitted, especially because it is little consonant with other rights, as can be seen in Panormitanus above, in Felinus, and others.

12. Another exception, then, true and common, is about fiefs or feudal goods; for in causes that pertain to these goods, although the cleric is defendant and is arraigned by a layman, he ought to be arraigned before the lord of the fief, even if the lord be a layman; the reason for which is none other than that so in right it is disposed in favor of fiefs, ch. 'Ex Transmissa' and ch. 'Verum' *De Foro Competent.* where see at large the expositors. Or certainly also the reason can be given that things that are given in fief are from the beginning conferred under a burden or condition, therefore the condition is to be kept.

13. Hence there is another general exception, which is sometimes handed down by the civil laws under these words, namely that a cleric is to be arraigned in a civil cause before an ecclesiastical judge "unless the goods, about which the suit is brought, are regal," for they are reckoned to have been given under this condition. And it is the same whenever goods are from the beginning given to clerics or the Church under the condition that they always remain under the same forum under which they were at the time existing. For such a condition is not *per se* evil and can be voluntarily attached, and therefore it is to be kept, according to the rule commonly accepted by jurists that when goods are given to the Church under some condition or burden or contract that is not illicit, it is to be kept, because to keep a contract belongs to the right of nature, which canon right does not contradict; nay it expressly confirms it and in its proper form, ch. 'Verum' *De Conditionib. Appositis*, where the fact is noted by Panormitanus and other doctors, Joannes Andreas and Hostiensis on ch. 'Verum' *De Foro Compet.*, Felinus on ch. 'Ecclesia Sanctae Mariae' *De Constit.* and Ancharrano cons.223. Besides these exceptions, others are wont to be added that Navarrus has touched on, ch. 'Novit.' *De Iudiciis* notabil.6, from Stephanus Aufrerius, decis.126 & 167, and from William Benedictus in *Repetition.* ch. 'Rainutius' *De Testam.*, but I omit them because they are

not certain and because this matter pertains not so much to theologians as to jurists. Hence other exceptions are pursued at length by Gergorius Lopez on law 57 tit.6 parit.1.

14. But about this declaration of the assertion other exceptions can be noted. One is if the goods, about which the suit is brought, belong to the Church or a cleric, for in that case the cleric can bring the layman before an ecclesiastical judge. So is it held by Panormitanus in ch. 'Ecclesia Sanctae Mariae,' n.22, when he says it is a singular case in ch. 'Si Clericus Laicum' *De Foro Compet.*, where he himself teaches the same, so interpreting the text. He also adds that it is so kept in the curia, as (he says) is reported and followed by Collector on ch. 'Qualiter' and on ch. 'Clerici' *De Iudiciis*. However Felinus inclines to the contrary opinion in the said ch. 'Si Clericus Laicum' n.4. His foundation is that this is not directly laid down in the said ch. 'Si Clericus' as is clear from its words: "If a cleric accuses a layman about his own goods or those of the Church, and the layman avers that the things themselves are not the Church's or the cleric's but his own property, he should by strict right be brought before a public judge." In which words disposition is only made that when the layman denies that the things are the Church's or the cleric's he cannot be brought before an ecclesiastical court. But it cannot hence be inferred that when he does not deny it he cannot be brought before an ecclesiastical court. Which argument is not efficacious when such a sense is against other general rules of right, as it is in the present case, because a defendant is not brought to the plaintiff's but to his own forum. And this opinion pleases me more.

15. A certain difference, however, can be noted between the goods of the Church and the goods of clerics. For if it is definitely clear that the goods of the Church have been seized, whether unjustly taken away or retained, then a layman can, by reason of the sacrilege, be arraigned before an ecclesiastical judge; but it will be otherwise if it is not clear that the goods are unjustly detained and the layman contends that he possesses them by some just title. And only this is proved in the said chapter and in ch. 'Similiter' 16 q.1, taken from the 6th Roman Council under Symmachus. But the goods of clerics are not sacred in the way that things of the Church are, and therefore they can, without sacrilege, be taken even unjustly; and therefore although a suit be brought about them for this cause, the lay defendant should be arraigned before a lay judge, unless some force committed against the cleric be alleged, which involves sacrilege, as Innocent thinks on ch. 'Cum Sit' *De Foro Compet.* Now it can be objected that, in the said synod under Symmachus, the things of bishops are made equal in this respect to the goods of the Church. But the reason of the Pontiff is to be considered: "Because the things of bishops are without doubt things of the Church." And thus I understand the text according to the custom of that time, when the lordship of the goods of a bishop was reckoned to rest with the Church, but now a distinction of lordship is sufficiently well known, and therefore the reason is different.

16. Another exception is that by custom an ecclesiastical plaintiff can sometimes bring a defendant to his own forum, and thus an exception is made in this matter concerning the rule, because the plaintiff follows the forum of the defendant except where something else has by custom been introduced. This exception is wont to be collected from the chapter 'Si Clericus' *De Foro Competenti*, where, after Alexander III has said that the plaintiff by strict right should follow the forum of the defendant, he adds: "Although in several places it is by custom held otherwise." Which words can be understood in two ways: first, that the aforesaid rule and strict right be kept, even if a

contrary custom is alleged, because it is contrary to all right, as the Gloss there says. Second, that the rule and strict right be kept except when there is by custom derogation from it. And this latter is the legitimate sense, as Hostiensis, Joannes Andreas, Panormitanus, and other expositors there recognize, and they found it on the aforesaid exception. Which is openly indicated by the very words of the Pontiff, which are thus read in the Lateran Council itself under Alexander III p.8 ch.7: “Although in several places it is by custom done otherwise,” which does not reprove the fact but rather approves it tacitly. And the reason is that the custom is not evil, nor contrary to natural right, as is clear from what has just been said; therefore to this extent it can derogate from positive right; but it is also, from a different direction, favorable to religion, and therefore it is rightly approved and kept.

17. There is to be noted here a difference between this custom and another (if it be anywhere introduced), that a lay plaintiff bring a challenged cleric to his own forum; for although the first is valid this one is not valid, because the first favors ecclesiastical liberty and increases it, but the latter is contrary to immunity, and derogates much from divine right. And, therefore, the fact that it is in right condemned is also noted by the same interpreters on the same chapter, and we will say more at large below in its own place. However, the Gloss says in the said ch. ‘Si Clericus’ that this custom was introduced by occasion of the neglect of secular judges, because they were not giving justice to clerics, by the argument of ch. ‘Cum sit Generale, etc.’ ‘Licet’ and ch. ‘Ex Tenore’ *De Foro Competent*. But this pertains to the fact, for the custom could be introduced by the piety of laymen or even by a certain thoughtlessness. And, on whatever occasion it was introduced, the exception has place, because the text speaks simply and also the same reason holds. There can be a like exception too, that the plaintiff follow the forum of the defendant unless something else be legitimately conceded to him by a special privilege, which is sufficiently clear from what has been said, and nothing needs to be added except that the tenor of the privilege should be observed according to the common rules of privileges.

18. Another exception can in fact hence be added, namely that also when custom or privilege is removed, if a lay judge neglects to provide justice to a plaintiff cleric, the layman can be arraigned before an ecclesiastical judge. Thus the Gloss seems to think on ch. ‘Cum sit Generale’ at the word ‘Remissi’, and on ch. ‘Licet’ at the word ‘Vacante’ *De Foro Competenti*, which is there approved by the doctors, and they found it on those texts, although it be not sufficiently collected from them except in the cases expressly therein, namely in certain criminal causes, about which we must speak in the following chapter, or when the empire or a magistracy is unfilled, such that clerics fail to find a secular judge to whom to have recourse so that justice might be provided them. Yet nevertheless, by parity of reason, the exception is to be admitted. However, it seems it must be understood in this way, that, when a lay judge is negligent, a cleric can have recourse to an ecclesiastical judge who can compel the lay judge by censures to use his office justly, by the argument of ch. ‘Administratores’ 23 q.5, because the fault is grave and injurious to clerics, and therefore it pertains to an ecclesiastical judge to apply the remedy. Hence if a lay judge is stubborn, the ecclesiastical judge can rightly take the cause to himself, partly in punishment of the negligent and stubborn judge, partly in defense of the cleric. And thus too can the other exceptions be easily understood that are posited by the Gloss on the said ch. ‘Licet’, about which the expositors also thereon can

be looked at.

19. Now it can be asked whether this exception about the negligence of a lay judge similarly has place when an ecclesiastical judge is negligent with respect to a lay plaintiff demanding his property from a cleric. For it seems it should be admitted, because Justinian in *Authentica* 'De Sanctissimis Episcopis' collation.9, otherwise novella 123 ch.21 § 'Siquis autem Pecuniaria', established that, in case of negligence by an ecclesiastical judge, it is licit for a lay plaintiff to summon the cleric before a secular judge. And in novella 83 or *Authentica* 'Ut Clerici apud proprios Episcopos, etc.' he extends it to other cases. It is also referred to in ch. 'Siquis cum Clerico' 11 q.1, and is favored by ch. 'Filiis' 16 q.7, where the Gloss, at the word 'Regis', has the same opinion. However no account is to be taken in this of the decisions of Justinian, who could not limit the exemption of clerics, because this matter is not of civil right but of canon right, as I will say more generally below.

20. One must say, therefore, that it is not licit for a cleric, because of the negligence of the ecclesiastical judge, to be arraigned before a secular one. Thus did Innocent III determine in ch. 'Qualiter, et Quando' *De Iudiciis*, where he prescribes to prelates that they act to provide full justice to laymen complaining about clerics, lest by this occasion clerics be brought by laymen before a secular court, "which (he says) we altogether forbid to be done." Which prohibition is so to be understood that it not only simply forbids clerics to be brought before secular courts, which was already prohibited before, but also prohibits it from being done for that cause or occasion or under that color. And thus was the text understood by the Gloss thereon, and very well by Panormitanus at number 7, and the same is held by the Gloss on ch. 'Placuit' 1, 11 q.1, at the word 'Petierit', and Archdiaconus on the said ch. 'Filiis'. Now the reason is that a secular judge has no jurisdiction over a defendant cleric, nor can the emperor or a king give it; nor does he, because of the negligence of an ecclesiastical judge, *ipso facto* acquire it by force of natural, divine, or canon right; therefore without jurisdiction he cannot take up such a cause. Next, a lay judge is inferior to an ecclesiastical one; but an inferior cannot supply the defect of a superior. Therefore etc.

21. And from here is easily collected the difference between the secular and ecclesiastical judges; for the secular is inferior, and therefore his negligence can be supplied by the ecclesiastical, that is, by virtue of canon right, which is above civil, and thus he decides by the power which the Pontiff has for correcting defects of secular judges. But an ecclesiastical judge is superior, and therefore a secular judge cannot *per se* and (so to say) by his own virtue supply his defect; nor by virtue of civil right either, which also has no power over a cleric, whether direct or indirect. Nor did canon right wish to give such power to him, nor to permit it, on account of the decency of the clerics and prelates of the Church. In that case, then, remedy is to be demanded from the superior prelate. But as to what is said in the said ch. 'Filiis', that if the prelate be negligent the king can be asked for help, either it is understood only of a special case, when the goods of the Church are being squandered by clerics, on which that text speaks; or it is understood that an approach can be made to the king, not as to a judge, but as to a protector and defender, so that he might with his authority admonish the prelate, and might in the meantime guard and protect the things of the Church by his own power, until the Supreme Pontiff can be consulted. In which way are to be understood and reconciled the many rights that are reported by Gratian, 11 q.1 ch. 'Si quis Clericus', ch. 'Placuit',

ch. 'Christianis', and 23 q.3 ch. 'Ab Imperatoribus', and q.5 ch. 'Regum', and ch. 'Administratores'. About which we will add something below in the last chapter.

Chapter 15: What sort of exemption there is for clerics in criminal cases

Summary: 1. First assertion. Canon rights which concede exemption absolutely from the secular forum. 2. Diverse readings of the canon about this sort of exemption. 3. What Gratian decided about the crimes of clerics. 4. There were therein no laws of Justinian. 5. Whether this assertion suffers exception. Conclusion. 6. The assertion is confirmed by reason. 7. Whether the rule already laid down may be extended. 8. Response. Even in criminal matters the prosecutor should follow the forum of the accused. 9. Those who commit wrongs against churches or strike clerics can be brought before the ecclesiastical court. 10. Whether the privilege of the forum may be extended to crimes committed prior to it. Reason for doubt on behalf of the negative side. 11. Reason for the affirmative side. 12. True resolution. 13. The limitation imposed by certain people is rejected.

1. There is a general rule that ecclesiastical persons enjoy immunity or privilege of the forum in criminal causes "not only in ecclesiastical crimes but also in civil ones," to use the words of Justinian so distinguishing in the place immediately to be cited. This assertion is most certain and is received by all Catholic writers; and it cannot be denied except by denying some principle of faith. For it is so evidently handed down in canon right that no one who does not labor under great ignorance could deny the assertion, except he who has denied that there is in the Church a power for either guarding or conceding this sort of exemption; but this is repugnant to the principles of the faith, as we have shown. Now the ancient canon decrees on this matter are found in 11.q.1 Some of these indefinitely prohibit clerics from being transferred to the secular court, as ch.1, ch. 'Placuit', and the like, and they comprehend, as I said above, all causes both civil and criminal. Others prohibit laymen from accusing, detaining, arresting, or punishing a cleric, as ch.2, ch. 'Nullus clericus,' ch. 'Si quis clericus,' with others. But those words are proper to criminal causes. Others speak expressly and formally of criminal cause, ch. 'Nullus episcopus,' ch. 'Clericus nullus,' ch. 'Placuit', from the 2nd Council of Carthage ch.9, and ch. 'Clericum,' from the 3rd Council of Agde ch.3.

2. About this canon one must note that it is read differently in the Council itself than as cited by Gratian. For Gratian speaks of 'cleric' in the accusative case: "Let no one presume to indict a cleric before a secular judge, etc." But in the Council 'cleric' is said in the nominative case: "Let no cleric presume to indict anyone before a secular judge." A similar decree is read in the same way in epist. 2 of Pope Marcellinus, whence the Council seems to have taken it. But those readings give very diverse senses, as is clear. Hence it is probable that Gratian himself had made use of some badly written Council, because it cannot be presumed that Gratian changed the words of the Council on purpose, nor is it as probable that an error occurred in the Pontiff's letter and in the Council. But this is not an obstacle, both because other decrees are sufficient to confirm the truth, and also because other words are added in the same place which signify the same exemption. For Marcellinus, after he said: "Let not a cleric presume to bring anyone to a secular court," added: "Nor is it licit for a layman to accuse any cleric." Which, if understood absolutely the way it sounds, is certainly a greater privilege for clerics; but if it be referred to the secular court only, as is probable in accord with the words just preceding,

what is contained there is exemption of a cleric from the secular court in a criminal cause. For that it is why he cannot be accused, because he cannot be judged. But if he ought not to be accused by a layman, much less should he be so by a cleric, which is there supposed as known.

Also the Council, after it has prohibited a cleric from indicting another, adds: "But if he is indicted (to wit a cleric, for it is continuing to talk about him), let him not respond, nor propose, nor dare to present," or "dare to propose" as Gratian rather reads, "a criminal proceeding in a secular court." In accord with either sense, both are contained in that canon, namely that a cleric not accuse a layman before a secular court, especially on a criminal charge, without consulting his bishop, and that he not respond if accused or indicted. And so, as far as the sense is concerned, the reading of Gratian reduces to the same with the order changed. For when it says, in the first place, "Let no one presume, etc." it declares the privilege of the cleric; but when it says at the end: "Nor let a cleric dare to propose a criminal proceeding in a secular court," it insinuates the other prohibition made to a cleric, against accusing a layman on a criminal charge without the license of his bishop. This was first handed down by Pope Fabian, epist.2, and it is contained in ch. 'Si quis sacerdotes,' 2, q.7; and a similar canon is contained in the Council of Orléans, 3, ch.31.

Later decrees also decree the same immunity in criminal matters, ch. 'Clerici,' and ch. 'Qualiter et quando,' *De Iudiciis*, and ch.2, and ch. 'Si diligenti,' with similar ones about the competent forum. And in the said ch. 'Clerici,' Alexander III says that in this respect civil right agrees with canon right, because it delivers laws in a general way, that a cleric should come in the case of any crime before an ecclesiastical judge. Which is true of modern civil right, for Frederick expressed it specially in his constitution and it is contained in *Authentica* 'Statuimus,' *De Episcop. et cleric.*, and Honorius III accepted it, and it has been confirmed by all later rights of Catholic kingdoms.

3. But in the older civil right Justinian established the contrary, in the said novella, 83. There he distinguishes two crimes: certain ecclesiastical ones, as error in the faith, sacrilege, faults in administering orders or benefices; and about these he concedes that a cleric is to be summoned only before the ecclesiastical forum, which is not a concession (whatever he himself may seem to have thought), but a recognition, and a confession of divine right. Other crimes he calls civil faults, and about these he wanted judgment, even in the case of the persons of clerics, to belong to secular judges. But he adds a limitation in these words: "This fact is plain, that if the superior of the province thinks the one who has been summoned is guilty, and judges him worthy of punishment, he must first be despoiled of his sacerdotal dignity by the Bishop, and thus come to be under the hand of the laws." He seems to have understood this with respect to the execution of the punishment, for no faculty or diligence of the Bishop was required for beginning and prosecuting the case and for taking cognizance of it. And so thinks the Gloss thereon.

However the same Gloss adds that, for passing sentence of condemnation, the despoiling and depriving of the priesthood had to have preceded, although a secular judge could pronounce a sentence of acquittal without the cooperation of the Bishop. But I do not see how a Bishop could degrade anyone (for that is what despoiling of the priesthood is) before sentence has been given about the crime and about the punishment to be inflicted because of it. Hence the words themselves indicate this fact, at the place: "if he

thinks the one who has been summoned is guilty, and judges him worthy of punishment.” Therefore this judgment had to precede, at least a legal and authentic judgment, because it is pronounced by sentence of condemnation. When therefore it is subjoined that “he must first be despoiled”, the implicit meaning must be: before the punishment is inflicted, not: before sentence is passed. So in fact is it declared in *Authent. ‘Clericus’ Code De Episcop. et cleric.*, at the place: “Nor may he however be punished, even if he has been found guilty.” For that reason, then, it does not seem it can be understood generally of every sentence of condemnation, nor of every punishment; but of a punishment of blood, or a corporal punishment, so severe or offensive that privation of the priesthood is required beforehand; for not every punishment requires this, as is clear in the case of exile, life imprisonment, fines, and the like. Therefore, by the force of that law, clerics are wholly deprived of the privilege of the forum in crimes that are non-canonical in their whole business and cause, besides the execution of certain punishments which demand a degradation made by the Bishop. But later the same Justinian, in *Authentica De Sanctissimis Episcopis* ch.21, limited this and made these crimes of clerics to belong to a mixed forum; and when they were first summoned to the secular forum he established another order, which can there be seen. And before Justinian this had been established by Valens and his colleagues, in bk.23 *De Episcop. et cleric.* in the Theodosian code.

4. However, these laws were not only repealed by the constitution of Frederick (as the Gloss noted in the said *Authentica ‘Statuimus’*), but also by canon rights, nay they were invalid and of no effect from the beginning; because they were against divine right, and against canon rights, and against concessions of previous emperors, especially Constantine, bk.7, ch. *De Episcop. et cleric.*, which were renewed with other similar ones by Theodosius and Valentinian, in bks. 46 & 47 of the same title. Where all the privileges in general are first renewed that were previously conceded to clerics by pious emperors, there is however later added: “Clerics too, whom the unhappy usurper (to wit, Julian the Apostate) gave edict to be led indiscriminately before secular judges, we reserve to Episcopal audience. For it is not holy that the ministers of the divine office be subjected to the decision of temporal powers.”

There remains in the canon right only one scruple, from the Council of Macon, 1 ch.7, where a general rule is first delivered in these words: “No cleric about any cause without discussion of his bishop is to suffer injury or be handed over to custody by a secular judge.” But afterwards an exception is added wherein there is a difficulty: “But if any judge of anything has perhaps presumed to do this to a cleric without criminal cause, that is, homicide, theft, or malfeasance, he is to be kept away from the doors of the church as long as it seems good to the Bishop of that place.” Here, when it says “without criminal cause,” it seems to establish an exception contrary to the rule we have set down. Hence it seems that that Council, which was celebrated a little after the times of Justinian, imitated the civil right of that time, or perhaps in Gaul this was then the custom. However I draw attention to the fact that the Council does not there except every criminal judgment, otherwise it would be an exception contrary to the rule, but it excepts certain sins, which it calls crimes by *antonomasia*, which are of the sort it there enumerates. And in this way the exception could have been tolerable at that time and only in that province in which then perhaps the Bishops could give similar faculty to laymen, as we will see below. But now this is neither licit for Bishops, as I will also show below, nor is a similar exception to be admitted, as I will soon say.

5. Therefore it can be doubted whether the rule posited does admit any exception. This question, as I said in the preceding chapter, can be understood either on the part of the persons or on the part of the matter of the crimes. I will speak below about the persons, but now I suppose that no persons are excepted apart from those who are deprived of this privilege either by canon law or by just ecclesiastical sentence or by delegation of the Pontiff made to a lay judge. But about the crimes I say that, by force of common right, none are excepted from the aforesaid rule. The proof is that it is thus expressed in right, in ch. ‘Cum non ab homine,’ *De Iudiciis*, at the place, ‘Sive in furto, sive in homicidio, sive in periurio, sive in alio crimine etc.’ Also in ch. ‘At si clerici,’ under the same title, it is first said absolutely that clerics not only cannot be condemned for a crime by a secular judge but also that when cases are tried before such a judge, even if in them a cleric has been convicted or has confessed, he is not to be harmed in any way. And from that text and from the following section it is clear that both the greater and the lesser crimes of clerics pertain to the ecclesiastical judge. Also in ch. ‘Clerici,’ it is said that the sacred canons generally imitate the laws stating that in the case of any crime a cleric should come before an ecclesiastical judge. Finally, no such exception is found in common right, nor can it be introduced even by a custom that might have the force of law, as is expressly said in the cited ch. ‘Clerici’; therefore such an exception cannot with foundation be affirmed.

6. There can also be added a sufficiently congruent reason; because if an exception be admitted, it would be either because of the gravity of the crime or because of its triviality; this latter no one will say because the lighter sins can more easily be taken cognizance of and punished by the proper ecclesiastical judge. But as for the graver crimes of clerics, it is more necessary that they not be dealt with by laymen; nay not even be taken cognizance of or known, were doing that possible; and besides they can by an ecclesiastical judge be sufficiently cured and vindicated. But if secular power were necessary for this, the judgment of such crimes should not for that reason be committed to seculars; for it is much more agreeable that they themselves not introduce themselves until they are summoned and, as requested by the ecclesiastical judge, are held to lend their aid, according to the ch. ‘Ut famae,’ *De Sentent. Excommunication*. Nevertheless I have said that this is to be understood to be *of common right*; for in certain kingdoms certain crimes of clerics are accustomed by privilege to be excepted which the civil magistrates could take cognizance of, as the crime of treason, the fabrication of false money, etc.; yet it is necessary that this privilege be pontifical, because no king or secular prince could give this privilege, as will be said below.

7. Second, the question can be asked whether this rule admits of any amplification. To which I briefly reply that it cannot be amplified on the part of the matter of the crimes, because it extends to all crimes, to which none can be added. But on the part of the court or the judge a double amplification can be noted. One is that neither directly nor by way of appeal can a lay judge take cognizance of the crime of a cleric, as John Lupus noted, tract. *De Libert. Eccles.*, p.2, q.1, from ch. ‘Qualiter et quando’ *De Iudiciis*, in which I am expounding the phrase ‘we altogether prohibit’, for to say ‘altogether’ was the same as to say ‘in any way whatever’. Again it is amplified by the same author so that not even in case of negligence by an ecclesiastical judge can a secular take cognizance of any crime of a cleric, for this is proved *a fortiori* by the things said

above at the end of the preceding chapter. But as to what the secular power can sometimes do about a clerical malefactor by way of defense or aid we will see below.

8. Third the question can be asked whether the declaration given in the preceding chapter about the prosecutor and the accused in civil matter has place in criminal matter. I reply that without doubt there is the same or greater reason about criminal causes as about civil. Thus do the authors brought forward in the preceding chapter teach. It can also be proved by the same rights, for besides what they say in general, it is said in ch. 'Si quisquam,' 11, q.1, that the canons imitate the laws in the said rule, because the prosecutor should follow the forum of the accused; but this rule is expressly handed down for criminal causes in 1 *In criminali*, Code, *De Iurisdiction. omn. iudic.*, in 1. last code, 'ubi in rem actio'. The reason made above also proceeds of criminal causes no less than of civil. Nay, a greater reason intervenes in criminal matters; because it is less fitting and more dangerous for a cleric to initiate against a layman a criminal action than a civil one, because in a criminal action there is introduced a certain vengeance and danger of hatred, and thus it can more easily generate scandal. This is so true that for this reason the old canons prohibited clerics from accusing a layman without consultation with the Bishop.

9. Yet nevertheless in this matter there is added a certain exception in ch. 'Cum sit generale,' *De Foro Compet.*, in these words: "It has been introduced for the favor of the Church that the rectors of venerable places can summon their malefactors, who are to be deemed sacrilegious, to whichever judge they please." I only draw attention there to the fact that it does not exempt all malefactors against clerics, otherwise the exception would destroy the rule; therefore it excepts malefactors against churches, such as are robbers and the like, as the Gloss there notes. However it is true that even those who strike clerics can be delivered to an ecclesiastical court, not by reason of the person accusing, if he be a cleric, as if he himself drew the accused to his own forum, but by reason of the sacrilege, which belongs to the ecclesiastical or at least the mixed forum. The rest about this declaration can be seen in the Gloss and the doctors there. And the things we said above about the other moderating factor founded on negligence by a lay judge are to be applied here, as is clear.

10. Finally one can inquire here whether this privilege or exemption may be extended to the past, that is to crimes committed before becoming a cleric, or at a time when some person was, for whatever cause, not enjoying the privilege of the forum, even if he was otherwise a cleric. A reason for doubt is that he who in his status as cleric commits an offense, although afterwards he leaves the clerical state (as can happen in the case of clerics not ordained for sacred offices, or of religious who are not professed, or who are professed but have changed status by dispensation), he, I say, always enjoys the privilege as far as the offense is concerned which was committed while he was in that state, as is taught by Covarrubias, § final., q.36, n.11, by Barbosa, in 1. 'Titia' ff. *solut. matrimon.*, who refer to others. And the basis is that for the enjoyment of the privilege the status of the time in which the offense was committed is attended to, according to 1.1 ff., *de poenis*. Again, because when the offense was committed he was immune from secular jurisdiction; therefore he is not subject to it even if the state is left. Because there is no canon right which imposes such a punishment, or which declares that loss of privilege by dismissal of status is to be retroactive to the past time during which the state existed, or to an offense then committed; but it is not without right or evident reason that the privilege is to be limited and that nothing is to be asserted which is penal and odious.

Therefore, in a similar way, he who has left off the lay state and has afterward received orders or the ecclesiastical state, will not enjoy the privilege for those offenses which he committed earlier, when he was in the lay state. The proof of the consequence is both that it follows from the same principle, that for enjoying the privilege the time of the offense is to be attended to; therefore he who was not a cleric or, if he was, was not living in the clerical state, and he then committed an offense, although he be afterwards ordained or receive clerical insignia, he will be subject to a secular court as regard that offense. And also because the offense pertained from the beginning to the secular forum, and there is no right which draws it therefrom, or which makes the privilege apply retroactively to the effect; therefore, etc. And thus Covarrubias and Barbosa seem to think in the places mentioned.

11. But making to the contrary seems to be first that privileges, to the extent the propriety of the words allows, are to be amplified very greatly in favor of religion; but the rights conceding this privilege simply exempt the persons themselves signed with the character or dedicated to God in such a way, and they do not limit it to offenses committed after becoming a cleric or before; therefore the privilege is not to be limited but extended. Second, because although the offense preceded, it cannot fail to lead to the ignominy of the clergy that he, who is now a cleric, be punished or judged by a layman; therefore since the privilege regards more the decency of the clergy than the advantage of the person, it ought to have place even as regard a preceding offense. Just as he who before was a slave, if he be ordained, is exempted by right from servitude on account of the honor of the clergy, although not always in the same way, as is clear from the material about irregularity. Therefore in the present too, although someone be, by reason of his offense, liable to the secular forum, he will be liberated by ordination, at least from the forum, although not from the debt of some punishment. Third, he who flees to a material church after an offense enjoys immunity; what marvel, therefore, that he should enjoy it who flees to the spiritual level of the Church?

12. Panormitanus disputes at large on this point in ch. *unic. de obligates ad rationcinia*, and several others in that place and in the places which Felinus refers to copiously in the last chapter of the *Constitution*, n.14, near the end, and Avendanus among the moderns in tractat. *De Mandat. reg. exequend.*, ch.22, and Covarrubias, in 'Pract.' ch.3, no.4. They refer to various opinions and use many distinctions which to refer to and discuss here would be prolix and foreign to our stated purpose, especially because they do not adduce canon rights which make any clear disposition in this matter. Speaking about it in general and using conjecture, I am pleased with the opinion saying that ordination obtained after an offense exempts the person of the cleric from secular jurisdiction, even for that offense. First, for the reasons given; next arguing from similars and *a fortiori* from 1. 'Hos accusare,' ff. *De accusat.*, insofar as it says that the legate of a province is not be accused about that crime which he committed before becoming legate. Therefore by the same or greater reason a cleric who has abandoned the lay state is not to be accused of that crime in a secular court.

13. The jurists, however, are wont to apply a limitation, "unless he have assumed the clerical state in bad faith;" by bad faith they understand assuming the clerical state so as to flee the secular forum, whence they impose on the cleric himself the onus of proving that he did not have bad faith. But it certainly does not seem to belong to deceit or bad faith that someone assumes that state from the intention of exempting himself

from that forum and protecting his person; just as it is not bad faith to flee to a church after an offense so as to save oneself; for that intention is not a bad one; hence if good faith is preserved by some, that does not seem to be an obstacle. Therefore I would understand by bad faith if someone fictitiously and by pretence had assumed that state for a time so as to avoid the forum. Wherefore, to this extent, I think that one must judge differently if someone is ordained for sacred offices or only for minor orders. For the first assumed a perpetual and unchangeable status, and therefore he cannot be presumed of that fiction, unless it is clearly apparent; and that is why I think that he remains immune, even if it be clear that he had done it on the occasion of the offense and so as to change forum, because that is not evil, nor does it bring grave disadvantage to the republic.

But he who only assumes minor orders could easily do it by bad faith, that is, not because he wanted truly to dedicate himself to the cult of God, but only for a time, so that he might more easily be freed and afterward change status; and then I think the prior limitation does proceed. And much more in a cleric already ordained in minor orders who was not wearing the habit or the tonsure at the time of the offense, and afterward assumes it and wishes to enjoy the privilege. For it can easily be feared that he is proceeding deceptively; then therefore he will not enjoy the privilege, unless he prove a contrary mind, which is very difficult. But the same doctors add another limitation, namely that “a cleric ordained in good faith can enjoy the privilege if the cause be intact;” for if it had already begun before a secular judge the reason would be different, according to ch. ‘Proposuisti,’ *de foro compet.* Again they add that in other cases, in which this cleric is judged by a secular judge about a prior crime, he cannot be corporally punished but in other ways. About which and other similar points we refer the reader to the aforesaid authors.

Chapter 16: Whether the privilege of the forum includes exemption from civil laws, and of what sort the privilege is.

Summary: 1. Laymen may in no way bind ecclesiastical persons by their laws. 2. Whether the privilege of the forum for clerics includes exemption from civil laws. 3. The force of civil law is double, directive and coercive, and what each is. 4. Several other effects of the civil laws are reduced to this directive and coercive force. 5. Distinction of civil laws on the part of the persons and on the part of the matter. 6. Civil laws passed for laymen alone do not oblige clerics. 7. Civil laws which make disposition in ecclesiastical matter introduce no obligation. 8. Objection. Confirmation of it. 9. Response. And to the confirmation. 10. Civil laws which make disposition about the goods of clerics or churches have no validity. Reason for the first part. 11. Reason for the second part. 12. First opinion. 13. Second opinion. 14. Opinion of the author. 15. Whether clerics are exempt from the directive force of civil laws. 16. Various opinions. 17. Civil laws, even non-noxious ones, do not oblige clerics as regard coercive force. 18. Objection. 19. Solution. 20. Whether civil laws are able to void the contracts of clerics.

1. We suppose that ecclesiastical immunity includes exemption from the obligation and bond of civil laws to the extent they have any force from human power and jurisdiction. This is most certain from canon right, although perhaps it may not be found expressly and particularly in civil right. Which fact, however, is no obstacle because canon right is sufficient, as I said above. Now this canon right is contained in ch.

'Ecclesiae Sanctae Mariae,' *De Constitut.* and dist.96, over many chapters; it is also said in these chapters that laymen have no power or jurisdiction over churches or ecclesiastical persons. The thing is also borne witness to by many Councils, as was proved in earlier chapters. But it is clear that no one can oblige by his law him over whom he has no jurisdiction; therefore neither can lay legislators bind clerics by their laws, because, as was said, they have no jurisdiction over them; but legislative jurisdiction is great; so since the Councils say *no jurisdiction*, they even deny this. And there is assistance from *Authent.* 'Cassa', Code *De Episcop. et cleric.* where all statutes of laymen contrary to ecclesiastical liberty are said to be null and void; for by the very fact that civil laws are made to bind clerics they are repugnant to ecclesiastical liberty. This therefore is certain in generality; but how it is to be understood, amplified, or limited remains to be explained.

2. But first I note that some people doubt whether the privilege of the forum too, just like ecclesiastical immunity, includes this exemption from the bond of the civil laws. I say, however, that this question is about the name alone. For, if the name of forum is strictly taken, it will seem only to comprehend exemption from judgments of the secular forum, as well in civil as in criminal causes, because 'forum' properly signifies the place where judgment is exercised, and consequently the judgment too itself, or the jurisdiction by which it is exercised. Hence, if the privilege of the forum is thus strictly taken, it does not comprehend the whole liberty of clerics. For the immunity or exemption of clerics, of which we are treating, comprehends more things, as I said at the beginning of this book, namely immunity from certain burdens, duties, tributes, and secular laws, all which are comprehended by ecclesiastical liberty. However, the privilege of the forum can be taken in the whole of this amplitude. For thus two privileges of clerics are accustomed to be distinguished, namely, of the canon and of the forum, of which the first alone signifies a special immunity from the violent imposition of hands, and for that reason all the remaining liberty of ecclesiastical persons has to be comprehended under the privilege of the forum, so as to make the enumeration adequate. And in this way Sylvester expressly speaks, at the word 'Ecclesia,' 1, q.5, verse 'Primum.' Nor without basis, for the privilege of the forum, as we said, does not only exempt a cleric from the temporal jurisdiction of inferior magistrates but also from the supreme jurisdiction of kings and emperors; because, therefore, all civil laws flow from that same jurisdiction, as well as all burdens which can be imposed by laws of this sort, hence it is that the privilege of the forum has been extended to signify exemption from all of them. Wherefore, now that we have explained exemption from courts, what is left so that we may clarify the privilege completely is that we expound exemption from the laws; for under this all the other immunities are included.

3. Now, in order to give this explanation, it is necessary to lay down that there is a multiple force to human, that is, civil law, about which we are specially speaking. There are, however, two chief heads to which the others are reduced, namely, directive force and coercive force. And lest there be equivocation in the words, as there is wont to be, we understand by directive force the power of giving commands that oblige not only by penalty but also in conscience. But coercive force is the force of compelling through penalty; for although this compulsion is ordinarily brought to execution through men, namely the judge and his ministers, yet it comes to be in its own way through law, and that doubly, namely either by merely imposing the debt or the guilt of a certain penalty

on transgressors of the law, or also by inflicting the penalty itself, when it is such that it does not need human execution but can come to be through the law itself, if it is sufficiently expressed therein.

4. Beside these two powers of law, others can be numbered, as to value the price of things, which is best reduced to the directive power, because a reason of justice obliging on conscience results therefrom; again to invalidate contracts, or to prohibit them with that degree of rigor, or by instituting a forum without which they are not valid, which to some has seemed to be penal and for that reason to proceed from the coercive power. But this is not always so; for sometimes it is done for direction of morals alone and the good governance of the republic; and then it more pertains to the directive power. Again law has the force of imposing tribute, real or personal, and thither also has regard the imposition of any burden or secular office, especially a mean or base one or one that is more burden than honor. And, on this view, this virtue of law is reputed *quasi* coercive, although in truth it is not properly so, because *per se* these things are not imposed by way of penalty for guilt or transgression of law, but they are directly and *per se* imposed because they are necessary in the human republic. A declaration must therefore be given as to how clerics are exempted from all these by the privilege of the forum; but in this chapter we will speak only of laws as prescriptive or prohibitive, whether purely so or with a penalty added, and in the following chapters about other laws, especially the burdensome ones.

5. But first civil laws must again be distinguished, on the part of the persons and on the part of the matter. For commonly these laws are passed for all citizens generally, with abstraction from laymen and clerics; for both are citizens and make up the city. But sometimes they are passed for laymen alone; also they could sometimes be passed for clerics alone, I mean could in fact, but what we must say about the right we will see. Next, the matter of the law can sometimes be proper to clerics, which will rather be ecclesiastical than civil matter; sometimes it is proper to laymen, but often enough it is common to both. Again, sometimes the matter, or the disposition of the law, whether made in particular or in general, is burdensome to clerics, and less fitting to their state, but sometimes it is favorable, and sometimes indifferent. Because, although it be useful with respect to the community, nevertheless with respect to individual persons it can sometimes bring disadvantage with it, although more frequently it has the advantage of all in prospect; according therefore to this variety in laws, judgment about this exemption must also vary.

6. But we must collect from what has been said certain things which are clear and beyond controversy. The first is that civil laws passed for laymen alone do not oblige clerics. For this is true not only by reason of exemption but also because of the form of such a law; for no law obliges save the persons to whom it speaks or is directed. The second is that also the civil laws which make disposition in matter merely lay or secular, although they do not speak to lay persons in particular but are passed indefinitely, do not oblige clerics, just as civil laws giving order to secular courts do not oblige in the ecclesiastical forum; and so of other laws. The reason is clear, both because of exemption and also because the matter of the law restricts its obligation to those persons to whom such matter is proper, as is *per se* clear.

7. Third, it must be said that civil laws, if they make disposition in ecclesiastical matter, introduce no obligation, because of the exemption of such matter. This assertion

is clear from things said above in chapter 2, where we showed that all ecclesiastical things and causes are exempt from the jurisdiction of laymen; therefore laws passed by laymen about matters of this sort are, by the right itself, null from defect of jurisdiction. About this matter I spoke fully in *De Legibus* bk.4, ch.2. Hence, fourth, it must be said that civil laws making disposition about the persons of clerics in particular, even if they seem to be making disposition in civil matter, do not oblige clerics by reason of the exemption of clerics. This assertion together with the preceding one is expressly handed down in ch. 'Ecclesia Sanctae Mariae,' *De Constitut.*, and ch. 'Quae in ecclesiarum,' the same title, and the last chapter *De rebus eccles. non alien.*, and in ch. 'Bene quidem,' with the many that follow 96 dist. This matter has been broadly treated by authors in these places, especially Panormitanus, Felinus, Bartholus, on the law 'Cunctos populos,' Code *De Summa Trinitate*. Now the reason is given in the same place, that no power over churches and ecclesiastical persons has been attributed to laymen "on whom there rests a necessity to obey, not an authority to give commands." For hence it comes about that these sorts of laws do not oblige clerics, not because they are valid and do not extend to them, but rather because they are null from defect of jurisdiction over the persons to whom they are directed.

8. You will say that this proceeds at most when such civil laws afflict clerics with some loss or burden but that it appears to be otherwise if they are favorable to clerics; because the privilege, which is given in their favor, ought not to be so extended that it harm the one privileged; but that these laws should be null, even if they are favorable to clerics, falls to their harm; therefore it is not probable that the privilege of exemption has extended to this effect. And there is a confirmation, for a lay prince can confer a valid privilege on a cleric, as is taken from ch. 'Novit.,' *De Iudiciis*, and from many other canons and laws earlier mentioned, wherein emperors confer privileges on churches and prelates and the ministers of them; but a privilege is a certain favorable law; therefore etc.

9. Nevertheless it must be said in the fourth place that such laws, even if they seem favorable, cannot oblige; for they are also spoken about in the cited chapter 'Ecclesia Sanctae Mariae,' as Panormitanus there well expounds at the beginning and at the end. And the reason in the text there is convincing, because such a law is not in truth a law, even if it seem favorable, because it does not proceed from jurisdiction; therefore it cannot oblige. The reason is again the best, because by the very fact that the law prohibits or prescribes to clerics in particular it presumes that it is exercising a superior power over them; therefore it presumes a power which does not exist and is therefore null. Nay, by that very fact it cannot be deemed favorable, because it harms more by usurping jurisdiction than it benefits by conferring something of advantage. The response to the confirmation is that it is different in the case of a privilege; for the concession of a privilege is not an act of jurisdiction but can be said to be an act of liberality and of dominion over the thing or the right which is given by the privilege; and for that reason someone could give a privilege, not to a subject, but even to a superior, and thus too can a layman concede a privilege to a cleric. Nor does the privilege have the proper nature of a law with respect to the one privileged, because *per se* it does not impose an obligation on him, and in this way it is not given by prohibiting or commanding the one privileged but by conceding; however, it is accustomed to prescribe observance of the privilege to others, and thus does the privilege have the proper nature of a law, as I have declared at large on the matter *De Legibus*. And in this way civil laws conceding privileges to clerics

do indeed favor clerics but do not bind them; but they oblige laymen to observe such privileges of clerics.

10. Fifth we can add by amplifying the above assertion, that even civil laws that make disposition in particular about the goods of churches or of clerics are not valid nor can they oblige churches or clerics. So teach the Gloss and the doctors, especially Abbas in the cited chapter 'Ecclesia,' nos. 20 and 21. And what concerns ecclesiastical goods is contained expressly in that text, and in the cited chapter 'Bene quidem,' whose decision Innocent III alleges in the previous chapter. For there the statute of a certain layman, Basil, because it was a statute in particular about the goods of the Church, even in their favor, was deemed to be void because it was not confirmed by apostolic authority. The same is taken from ch. 'Quae in ecclesiarum,' the same title, and the last chapter *De Rebus Eccles. non alien.*, and from ch. 'Decernimus,' *De Iudiciis*, where all ecclesiastical business is said to be exempt from the secular forum. Now the reason is that ecclesiastical goods are accounted among things sacred and for that reason they are wholly exempt from the jurisdiction of laymen, not only by human but also by divine right, according to what is handed down in the decrees in the whole of dist. 96, and which were treated above in chapter 2.

But the said reason does not militate against the case of the proper goods or patrimony of clerics, because the proper goods of clerics are not sacred as are the goods of churches, and therefore it is not necessary that they enjoy the same or as great exemption as ecclesiastical goods or the goods of churches. But a reason can be given for the difference, because ecclesiastical goods seem to be under the immediate dominion of God, and for that reason no one can make disposition about them except either God himself or the dispensers by him established of his mysteries and goods. But the goods of clerics are immediately under the dominion of men, those men, which dominion belongs to them, not as clerics, but as citizens or as men, and therefore about such goods it seems possible for civil laws to make disposition.

11. But nevertheless even in these goods of clerics I think the opinion of Panormitanus to be true, although the rights which he alleges do not directly make this disposition, yet by argument from similars, or by parity of reason, they may be brought to bear. But reason convinces of it, because civil law cannot make any disposition in particular about the goods of clerics without obliging clerics to observance of such law, because the goods attach to the persons and a law making disposition concerning goods cannot be observed except by some person. But civil law cannot oblige in particular the persons of clerics; therefore neither can it make disposition in particular about their goods. Again, a law is not passed without jurisdiction; but no one has jurisdiction or power of making disposition about the goods of someone unless he have jurisdiction over his person. Since, therefore, a temporal king does not have jurisdiction over the person of a cleric, neither can he have it over the goods which attach to the person as an accessory attaches to its principal; therefore a law made by the civil power in particular about the goods of clerics is null as having been made without jurisdiction. Now the reason to the contrary only proves that it is not as certain that the goods of clerics are by divine law exempt from civil power as it is that ecclesiastical goods are, for they are not thus immediately and as if *per se* exempt. For sacred things and the goods of the Church are exempt because of a certain sanctity which they share in by immediate relation to God;

but the goods of clerics are exempt because of a relation to such exempt persons; but this is no obstacle to their participating in that exemption.

12. Sixth must be added that civil laws, which speak to citizens generally, abstracting from clerics and laymen, and make disposition in temporal matter common to everyone that pertains to their mutual society and uniformity, do oblige clerics as to directive force. In this assertion agree all Catholics whom I referred to above, and I treated of it at large in *De Legibus* bk.3, ch.34. And the reason on the part of the final cause is that uniform observance of such laws is necessary for the peace of the republic and for preserving equity among the citizens; therefore too the directive obligation ought to be general to all. But on the part of the efficient cause, or of the power imposing such obligation, the same reason is not given by all. For many think that it comes forth from the force of the power and jurisdiction of the temporal prince; they say that as regard passing these laws he has retained jurisdiction over everyone, even clerics, because thus was it necessary for the convenient governing of the whole republic; and for that reason it is not required for clerics to be exempt as regard this part, since the use of such exemption would not be useful to the Christian republic and so it was not to be observed therein. Hence, as we said above, a cleric as prosecutor against a layman is liable to the secular court in a temporal cause, and therefore as regard this prosecution he is not exempt; in this way it is not agreeable for a cleric, who is communicating as a citizen with laymen in such common actions, to be exempt from the virtue and jurisdiction of civil law as regard its directive force. And this way of speaking has been avidly seized on by heretics and schismatics, and many Catholic doctors approve of it, whom I referred to in the place cited; and it is a not improbable one, setting aside the spirit and error of schismatics about the whole of the exemption of clerics.

13. However the opinion of others is that clerics are not obliged to observe these sort of laws from the force of the laws themselves, that is, from the force of jurisdiction, which civil legislators do not have over clerics, but from the force of reason, that is, because once such a just law has been posited about a thing pertaining to all, and it can be decently kept by priests and without special difficulty, natural reason dictates that it is to be kept by clerics too; either because they are parts of such community and a part is ugly that is not in concord with the whole in things where it can advantageously be so; or because due equity will not be kept between clerics and laymen if laymen keep these sort of laws and clerics do not. This latter reason has place most in laws that define the mean of justice, such as are those that value the worth and price of things; about which things no one for that reason doubts that they are, by force of natural justice, to be kept by clerics, whether they are obliged by the force of such laws or not. And the same reason holds of laws making disposition about certain human actions, *quasi* reciprocal ones and ones that include a certain mutual relation among the citizens themselves; because such laws cannot with security or equity be kept by laymen without being kept by clerics, as are laws prohibiting the carrying of such and such arms or at such and such a time or in such and such a place, or prohibiting the taking of such and such things or merchandise out of the kingdom, and the like. But the former reason could have place in laws that make disposition of other actions of citizens, wherein is not found this mutual respect of equity or security or conservation or abundance of things pertaining to all; but they only pertain to the agreeable manner of living of each according to political status, as are for

example laws prohibiting games of chance and the like, to which there is regularly joined a reason of scandal if clerics do not keep them.

And this opinion, that laws of this sort do not oblige clerics by force of lay jurisdiction but by force of reason, is defended by Bellarmine in his *Controversiae*, especially in the last edition, and is rather often inculcated in his later opuscula, namely in his book *Recognitionum*, and in his book *Against Barclay*, and in his *Apologies* against the king of England. And for that reason the king himself rather often bites into this very article, as in his Preface, p.25, and in his catalog of lies under the title *Nova Dogmata*, as at the end of his *Apology*. However neither is this opinion new nor is it peculiar to Bellarmine but is ancient and belongs to many grave authors, as I showed in the cited book *De Legibus*, and for that reason undeservedly does the king either accuse it of novelty or make complaint specially about Bellarmine. Also he does not bring forward any reason or any testimony of any moment, but only charges Bellarmine either with hatred or with less well disposed affection for temporal kings; which thing is very frivolous, except perhaps among those who think a truth repugnant to their inordinate affections to be hatred.

14. But the opinion is very well founded elsewhere in divine right simply conceding this privilege. Add too the testimonies from the Councils and the canons saying that there has been attributed to laymen no power or jurisdiction over clerics, without which they cannot oblige them directly and by force of law. Again, for this reason, kings cannot oblige clerics by laws particularly imposed on them; therefore for the same reason they cannot oblige them through common laws by the force of their command, because a law with respect to its force does not exceed the power of him who passes it. And thus this opinion, as regard this negative part, is more probable and true; but as regard the other part, of explaining the obligation from the sole force of reason, it is indeed probable; however if it is understood nakedly and precisely, it will often be found insufficient for convincing that the obligation is a serious one. And for that reason I am wont gladly to add that the obligation is also supported by virtue of the canons that dispose that these sort of laws are to be kept by clerics, which I referred to in the cited place, together with the authors who declare the obligation of such laws in this way, and together with the reasons that confirm this way of speaking. This opinion is not repugnant to the opinion that says these laws oblige by force of reason, because the latter does not exclude acceptance of the canons, or the virtue of them, nor does it prohibit recourse to it when the sole force of reason has not shown a serious obligation on clerics to observe civil laws of this kind.

15. But you will ask, on the supposition of this opinion that clerics are not obliged to observance of these laws from the force of them, whether clerics are simply to be said to be exempt, or instead not to be exempt from the directive force of such laws. The reason for doubting is that if they are not obliged by the force of them, it cannot be except by reason of the exemption from the jurisdiction by which these laws are passed, as was explained; therefore they must simply be said to be exempt from such laws. Again, he who is not held to obey from obedience to the law is certainly exempt from it; but clerics, if they are not obligated to such laws from the force of them, are not required to keep them by force of obedience due to the authors of them; therefore they are exempt from such laws. But to the contrary is that clerics are absolutely required to observe such laws; therefore they are not absolutely exempt from them, because absolutely exemption means

liberty and absence of obligation; how therefore, when he remains obligated, can he be said to be exempt?

16. For these reasons authors are wont to speak in various ways. For some, although they say that clerics are not obligated to these laws by the force of them, deny nevertheless that they are exempt from them. But others think, as a consequence, that it must be said that they are exempt also from the directive force of such laws, since indeed they are not obliged by the force of them but by force of reason and canon right. To me, however, the controversy seems to be only about the way of speaking, and I consider that it can properly be said they are not exempt from observance of such laws, or from the obligation of doing what they prescribe and of refraining from what they prohibit. And nevertheless it can also be said that they are exempt from the virtue or the proper bond of the same laws; for these two things are not repugnant, and each is proved by the reasons made for each side. And thus it can be said about clerics that they observe these laws as being free from the yoke of them because they are not free from the yoke of natural reason, and of canon right, which pertains to perfect exemption and is consistent with their state.

17. Lastly it must be said that also civil laws common to all citizens and not noxious to clerics, nor unbecoming to them, do not oblige clerics as to coercive force, and hence exemption from the force of this sort of such laws belongs very much to the full liberty of ecclesiastics. The assertion is certain, and all the Catholic doctors agree in it whom we alleged in the place above cited. It also follows manifestly from the preceding; for if it is true that these laws do not oblige clerics by their own virtue, even with directive obligation, much less could they compel them with coercive force. Now the declaration is simply in this way, that a law binds by its coercive force to the extent that it imposes a penalty; this can be effected in two ways, namely, either by the very fact of inflicting the penalty or by prescribing through a judge that it is to be inflicted. In the former way a civil law cannot of its very self punish a cleric, because he is exempt in criminal cases from the secular forum, as we proved above, and this is true not only of the forum of an inferior judge but also of the supreme king, as I also showed; therefore a civil or a royal law does not proceed from a power that is coercive over a cleric; therefore it cannot of its very self punish him, because its virtue is commensurate with the power from which it proceeds. And the confirmation is that a temporal prince cannot in his actual or personal judgment pronounce sentence (which they call sentence from the man) against a cleric; therefore neither can he say that sentence has been passed on a cleric through the law, or that he is including a cleric under such sentence, because he would be declaring right outside his forum.

Nor too can laws that impose penalty in the latter way exercise their force over clerics, because they do not exercise it save through the medium of a judge; the judge therefore will be either a layman or a cleric. If the judge is a layman, not only can he not execute such penalty on a cleric, but he cannot even condemn him, nor take cognizance of his cause, or of his sin, even if he has transgressed a civil law, because he is not a competent judge of him in any cause whether civil or criminal to which a cleric may be taken as an accused, as has been shown; therefore the civil law cannot exercise its coercive force on a cleric through a secular judge. But if the judge be an ecclesiastic he is not required to impose on a cleric the penalty of the civil law; both because it will often not be fitting or accommodated to the clerical state; and especially because an

ecclesiastical judge is not required to judge or to impose penalties according to civil laws but according to canon right; but if there be therein no law designating the penalty to be inflicted for such an offense, the ecclesiastical judge may impose it at his discretion. And he could, indeed, if he judged it opportune and capable of being done without inconvenience, imitate the civil laws (for the canons themselves do not disdain doing this, as they themselves say); he is not, however, required to do so. For the civil law, by designating the penalty to be imposed through the judge, is instructing, by obligating, a secular judge, and not an ecclesiastical one, over whom it has no jurisdiction. And although the law, as imposing the penalty, speaks in a common way, abstracting from the secular or ecclesiastical judge, nevertheless it is, by that reason, not among those common laws that clerics are held to observe. For uniformity in punishments and in penalties in all members of the republic does not pertain to its good governance; and for that reason neither do the canons prescribe it, nor does natural reason dictate it, but rather it demands that transgressors be punished in different ways according to diversity of status. But to define penalties accommodated to clerics for any offense at all does not pertain to the civil laws but to the ecclesiastical, and, where there is deficiency, it is deservedly left to the discretion of the ecclesiastical judge, because he himself will judge better of the quality of the penalty to be imposed on a cleric than the civil power whether it is speaking through a sentence or through a law; therefore in no way does civil law comprehend a cleric under its coercive force.

18. You will say: therefore a cleric will not be able to be punished for transgression of the civil law, or at least an ecclesiastical judge will not be held to punish him for such offense; the consequence is utterly absurd, because the directive force would be utterly ineffective without any coercive force, and public offenses against the common good would remain unpunished. The proof of the former result is that a cleric is exempt from the coercive force of the civil law; therefore he is exempt not only from such kind of penalty but also from penalty simply, because otherwise that law would exercise some coercive force on the cleric, by binding him to the penalty, or by inflicting the debt of the penalty. And *a fortiori* the ecclesiastical judge will not be held to punish such offense, because either the culprit is by force of such law simply not subject to penalty, or certainly the judge himself is not held to judge according to such law, and so, just as he is not held to punish the culprit in such a way, so neither to punish him simply.

19. The response is by denying the result as to each part; for the transgressor of such law, although he be a cleric, by the very fact that he has transgressed the law which he was, by some title or other, held to keep, he has become debtor to the penalty, not by force of the civil law, but by force of natural right and the right of nations, whereby the sinner is made debtor to the penalty, not only before God, but also before men when the crime offends the republic. And so the reason to the contrary fails, because this liability to the penalty does not properly arise from the coercive force of the civil law as from its cause, but from the natural law; but civil law was only as if the remote occasion, because without the positing of that law, the action would not have been evil and consequently not worthy of penalty either. Similarly, I say to the second part that an ecclesiastical judge is held to judge a like offense in a cleric if he is brought before his court, not by force of the civil law, as the argument proves, but by force of the law of justice and of his office whereby he is held to vindicate and to correct the offenses of his subjects, whatever law they are committed against. Very much the more so, because the crime is more against

canon or natural law than against the civil law, even though it requires first the existence of such a law.

20. Finally it can here be asked whether this exemption of clerics with respect to the civil laws extends to the force of voiding some human acts or contracts, which force these laws sometimes exercise; but this is to ask whether a civil law that voids contracts, which are wont to be made as well by clerics as by laymen, voids also those made by clerics, as for example whether a will made by a cleric with the solemnity required by the civil law is valid, etc. I reply briefly that one must make a distinction about voidance; for one is penal, as that which is imposed as penalty, or which results from some unfitness imposed, through the law, by the right itself as penalty for some crime; but another is voidance which happens *per se* for the common good, although the guilt of the doer not intervene. I say, therefore, that a civil law that voids, if it is properly penal, does not comprehend clerics as to its force or act of voiding. The proof is that the civil law does not bind a cleric as to coercive force, nor as to the penalty imposed by that fact, whatever it be, as was proved; but such voiding is made through the coercive force of the law and is imposed by way of some penalty; therefore it does not bind a cleric when it voids his act, just as too, if it imposes some unfitness on a similar act, it does not bring that upon a cleric, because all the reasons made about the other penalties proceed about these too.

But if the civil law directly *per se* voids an act because of the common good, it must be said that it does comprehend clerics as to its force of voiding, because then it does not pertain to coercive but to directive force. And this would be manifest if it were true that laws of this sort oblige clerics by force of law and jurisdiction, because then there is nothing which may exempt a cleric from the such effect of the law, since it would proceed from the same directive force of morals. However, even when holding that these laws only oblige clerics by force of reason, Vasquez asserted it, 1.2, disp.167, ch.4, because, he says, such voidance is necessary so that the peace or the good governance of the republic may be sure. But this is not lacking in difficulty, because this positive voidance or voidance introduced by man is not done without jurisdiction and power over the person or the will whose act is voided. And for that reason we can deservedly add that the civil laws have this effect because they are simply accepted through canon right as to their directive force, and so the voidance is founded on ecclesiastical jurisdiction rather than on civil. Hence also the aforesaid assertion is to be limited so that it does not proceed when canon right sustains the act in another way, either in favor of the cleric or, so to say, in favor of the act itself, for then canon right with respect to clerics prevails. So, for example, the will of a cleric is valid without civil solemnity because canon right is content with less in favor of a last will, ch. 'Cum esses,' *De Testament.*, and it is the same in like cases.

Chapter 17. What sort of privilege there is for churches as to their own exemption and that of their goods from burdens and from secular power.

Summary. 1. Various acceptations of 'church'. 2. Which of these acceptations is of service to the present purpose. 3. Various immunities of churches. 4. The goods of churches are twofold: some are specially consecrated, some are not. 5. Things dedicated to the divine cult are exempt from human uses. 6. All goods of churches enjoy the privilege of forum. 7. Reason for this exemption. 8. Ecclesiastical goods are exempt also from the civil laws. 9. They are exempt too from secular courts.

1. It remains to speak of the other power of human law, which is to impose burdens or taxes on subjects; and since these are wont to be imposed sometimes on persons, sometimes on things themselves, therefore we must speak about them separately. But because not only clerics but also churches themselves enjoy this immunity, we will speak first about churches themselves and ecclesiastical goods, but afterwards about clerics and their goods. We distinguish, therefore, in the first place ecclesiastical goods from the goods of clerics; for the former, as I said above, are more sacred and religious, because they are *per se* ordered to the divine cult and to works of piety, but the goods of clerics are of themselves merely temporal, although they adhere as it were to ecclesiastical persons, and so we will speak about them afterwards.

Now about ecclesiastical goods one must further note that many things can be included under them, among which churches themselves hold the first place, from which the other sacred goods seem to be denominated as ecclesiastical. But it can be asked what we here understand by the name of 'churches' or of 'church'. For it can be understood as the temple itself which is dedicated and consecrated for the use of sacrifice, of sacraments, and for the faithful coming together therein for prayer and hearing the word of God; or by the name of church can be understood a particular college of clerics who are deputed to each church or temple for the service of it and of the divine cult, and for the care of the faithful, and for the guarding and administration of the other sacred things and goods. Or third, by the name of a particular church can be understood the whole congregation of the faithful who belong to the same church or temple insofar as they receive the sacraments in it, and are subject to its pastor in things that pertain to the soul, and possess, for that reason, a special spiritual union.

2. And though it be true that this term is in common use in all these significations, especially the first and third, yet this last is of no service to the present purpose. Because 'church' taken in that way does not have a special ecclesiastical exemption or liberty beyond that which has regard to spiritual governance, whereof we spoke in chapter 2. Nor does that congregation have other ecclesiastical goods besides those that have regard to the clergy and the temple. 'Church' taken in the second way too, which is more frequently called the clergy or the chapter, if it be considered as a certain fictive person, has the same reason for exemption as clerics have, and so it is included under them; but if it be looked at as to the goods deputed for sacred use and for the use of the temple, and that are committed to its care, it does not in this way have any other exemption than that which we are going to explain about ecclesiastical goods. It remains for us, therefore, to speak about 'church' as it is a sacred place, to whose service or decoration, and to the sacred ministries that exist in it, and to the remaining works of piety, other ecclesiastical goods are ordered.

3. Again, 'church' taken in this way can be considered either under the general idea of sacred thing, and thus it has the exemptions or immunities common to other sacred things with which it agrees in that general idea, about which we will at once speak. Or it can also be considered under the proper idea of the place or dwelling which is ordered to guarding or protecting the persons that are in it or flee to it, or to guarding the things that are placed in it. And under this idea churches and sacred places have, insofar as they are such, certain privileges that are proper and are especially adapted to them. Which privileges are, taken generally, a result of natural reason, but taken particularly

some of them are determined or declared by canon laws. For on the supposition of the sacred institution and benediction or dedication of such a place, natural reason itself dictates that it be kept immune from any action that is indecent or that is done contrary to the reverence due such a place. But which actions tend to the injury or irreverence of a sacred place, if they not be defined by ecclesiastical law, will have to be left to prudent decision.

Now in large part ecclesiastical law has determined this, by conferring the privileges of certain immunities on churches. First by defining by what actions a church is polluted according to ecclesiastical institution, and forbidding them. Second by prohibiting churches from being treated as lay houses by the receiving or admitting into them of common furniture without great necessity, ch.2 'De Custodia Eucharistiae'. Third by providing churches with immunity and exemption from forensic actions that pertain to secular courts, or to the handling of the business of politics or war, or to commerce. Fourth by bestowing on a church a special power for guarding goods deposited in it or in some way placed there, so that they cannot be removed thence by injustice without special sacrilege. Lastly, to omit other things, a privilege has been given to temples of protecting culprits who flee to them, such that they cannot be taken by violence therefrom by the secular ministers of justice without injury and grave sacrilege. With which immunities I dealt at length in tract.2 *De Relig.* in the whole of bk.3 and especially with the last one from ch.8 to the end, and therefore we pass over them now. For we have only touched on them so that it may be clear how a church, insofar as it is a sacred place, is exempt from the burdens or actions and, so to say, passions that are profane and prohibited by the Church. But about exemption from taxes with respect to a church in this acceptation there is no need to say anything, because, although it is an immovable thing, it is not, so to say, a thing fruitful in temporal goods or fruits, and therefore it is not capable of tax, in addition to the fact that, insofar as a church is a sacred thing, it has, as I said, every exemption common to the other goods and sacred things, about which we must now speak.

4. Besides churches, then, the other ecclesiastical goods can be divided into two members: some are what are properly called sacred things because they are consecrated by a special blessing or are instruments of the divine cult; but others are what retain the general name and are properly called ecclesiastical goods, whether movable or not, which, insofar as they are destined to the cult of God, the upkeep of ministries, the support of the poor, and other expenses of temples, are reckoned among sacred things, on the witness of St. Thomas *ST IIa IIae* q.99 a.5, q.185 a.7. About the sacred things of the first order it is certain that they enjoy many immunities from common uses or ministries, and from all injury and unjust alienation. For this type of immunity is founded on natural reason, because holy things should be treated in a holy way; but things that are dedicated to God, partake of a certain sanctity; therefore reason itself dictates that they are not to be transferred to profane uses. And thus in the Old Law the vessels of the temple were in great veneration and were therefore specially consecrated, as St. Thomas says, *ST Ia IIae* q.103 a.4 ad 9; and for that reason they could not be applied to other profane or common uses. Hence in *Daniel* 5 Belshazzar, king of Babylon, who dared to profane the vessels of the temple in a certain feast of his, felt at once the divine vengeance, as there Jerome and Theodoret note, and Pope Stephen I, epist.1 to Hilary ch.3, and it is contained in ch. 'Vestimenta' *De Consecrat.* dist.1 Nay even among the gentiles in their own way this

right of sacred things was preserved, as we collect from the law ‘Inter Stipulantem’ § ‘Sacra’ ff. *De Verborum Obligat.*, but it is now especially confirmed by canon law, as is clear from ch. ‘Ligna’, with many that follow, *De Consecrat.* dist.1 and ch. ‘Quae Semel’ and following 19 q.3, and from the rule ‘Semel’ from *Regulae Iuris* on 6, and this has been declared even by a new civil right in law ‘Sancimus’ *Code. De Sacrosanct. Eccles.*

5. For this immunity pertains to a certain veneration or complimentary cult of this sort for sacred things, and therefore it has been explained in the material *De Adoratione*. And for the same reason this immunity does not in this way agree to other ecclesiastical goods of the second order, because they are not proximate instruments of the divine cult. And therefore the former goods are wont to be said to be exempt from human exchange and use; but these latter can exist in human exchange and be applied to ordinary uses, provided it be done in due manner and with piety, as is taken from ch. ‘Sine Exceptione’ ch. ‘Aurum’ and ch. ‘Gloria’, with many others, 12 q.2. For, because these latter goods too are in some way sacred, they require this at least by force of their institution, that they be proximately consumed only in religious and pious uses, because they have been given to the Church for this end, as many canons hand down in the said 12 q.2. But if the goods be immovable or precious, they have a special privilege, that they cannot be alienated, except in the way and for the reason prescribed by canon right, ch. ‘Nulli’, along with other things of the Church that are not to be alienated.

6. In addition, all these ecclesiastical goods can be said to enjoy the privilege of forum, or, which is the same thing, to be exempt from all jurisdiction or secular power of princes or magistrates. First with respect to administration, for they ought to be guarded, conserved, transferred, or exchanged, distributed, or, when necessary, alienated by ministers of the Church, not by laymen, to whom no power over these goods has been attributed, according to the things said in chapters 2 and 15, and from what was said there it is clear that the immunity of these things in this respect descends from divine right, on the presupposition of the Church’s institution as well as of the power given to Peter and to his successors for administering, *per se* or through their ministers, all ecclesiastical things. Hence in the Lateran Council under Leo X, in the bull *De Reformatione Curiae* § ‘Et cum Fructuum’, it is said that it is prohibited by divine right for laymen to usurp the right of administering ecclesiastical goods.

7. The reason indeed is that these goods, if they be considered as sacred, are *per se* ordered to a spiritual and supernatural end, and therefore, by force of divine right, the administration of them pertains to the spiritual power. But if they be considered by reason of their matter, in this way, by the very fact they have been handed over to the Church, they have been put outside the dominion and power of laymen, and have been dedicated to the divine cult and constituted by a special reason under the dominion of God, as the Council of Trent signified, sess.25 ch.1 *De Reformat.*, when it prohibited bishops from giving ecclesiastical things “which belong to God” to their blood relatives, which way of speaking is frequent in sacred ceremonies, as one may see in many decrees, 12 qq.1 & 2, 16 qq.1 & 7, and in ch. ‘Cum secundum Apostolum’ *De Praebend.*, where these goods are called the patrimony of Christ; which is also contained in ch. ‘Cum ex Eo’ *De Elect.* on 6, and in ch. ‘Tua Nobis’ *De Praebend.* they are said to be, by the special title and manner of tithes, the goods of God. Therefore the administration of such things pertains to them whom God has disposed as dispensers of his goods; but these sorts of dispensers are chiefly the Roman Pontiff and, under him, the bishops in their dioceses, according to

the power conceded to them, as the Pontiffs and various Councils have taught, which can be seen in Gratian dist.96, especially in ch.1 and the last one, and the said 12 qq.1 & 2, and 17 qq.1 & 7. And best Ambrose on ch. 'Convenior' 23 q.8, from epist.33 to his sister. And for that reason they are said to be sacrilegious who through the secular powers usurp these sorts of ecclesiastical goods, as being violators of sacred things.

8. Second these goods can be said to enjoy the privilege of forum because they are exempt from the civil laws, such that these can make no disposition about them in particular, as is sufficiently clear from what was said in the preceding chapter, and it is taken from ch. 'Ecclesia' and ch. 'Quae in Ecclesiarum' *De Constitut.* and the last chapter, *De Rebus Ecclesiasticis non Alienandis*. It is also very plainly handed down in the Roman Council under Symmachus, which Innocent III alleged in the said ch. 'Ecclesia', and it is referred to in ch. 'Bene quidem' dist.96, where a certain law about ecclesiastical goods passed by a certain Basil, a layman and prefect of the city of Rome, although it was favorable to the Church, was declared null from defect of power, lest it should remain as an example of presumption for certain laymen, although religious, or for the powerful in any city to make any decree in any way about ecclesiastical resources, the care of making disposition about which it teaches was unshakably committed by God to priests alone. The reason is, then, that such laws are null as being made without jurisdiction; for just as the civil magistrate or the prince does not have power for administering ecclesiastical goods, so he does not have jurisdiction for passing laws by which some disposition is made about the same goods. Both because the same reason is in play, namely that these goods, by the very fact that they are by a special title made to be divine and spiritual through a special relation to a supernatural end, are constituted outside the object and matter of temporal jurisdiction. And also because legal dispositions about any goods contain, so to say, eminently and virtually the principal disposition and administration of such goods; because laws of this sort are rules by which the administration of such goods ought to be directed; therefore those who cannot administer such goods can much less create laws about them. Wherefore this exemption from civil law is no less of divine right than exemption from the administration of laymen. This exemption, however, has been determined in many ways by ecclesiastical canons prescribing the manner of alienation, transfer, and other ways of dispensing or administering these goods, as one may see in the ancient decrees alleged especially in 12 q.1, and in the whole title *De Rebus Eccles. non Alien.*, and in ch. 'Pastoralis' about the things that are done by prelates without the consent of the chapter. Hence by the same canon laws this exemption has been increased by various privileges conceded to churches about their goods, and about alienations, prescriptions, and the like, about which here is not the place to speak, but the learned canonists can be seen on ch. 'Nulli' *De Rebus Ecclesiasticis non Alienandis*, and the summarists, especially Sylvester at the word 'Alienatio' and the word 'Ecclesia' 2 & 3.

9. Third, for the same reason these goods enjoy exemption from the burden of the secular court. In which briefly is to be noted that these goods can be considered in two ways, first precisely as they are sacred things, and as such it is manifest that secular courts cannot deal with them; for if any doubt or lawsuit is brought about them as they are sacred, from the very nature of the things and by divine right it pertains to the ecclesiastical court, because the matter is sacred and spiritual, such as if what is at issue is whether a church be polluted or not, or a chalice has been rightly consecrated, and the

like. In another way these goods can be considered by reason of the matter, according to which they are temporal goods, and there can be litigation about the ownership of them or about the right of using and enjoying them; and in this way it is also clear that these goods are exempt from the secular court, as is noted by the Gloss, by Panormitanus, and the doctors on ch. 'Ecclesia Sanctae Mariae' *De Constitut.* throughout the text, and through ch. 'Si Clericus' with similar ones *De Foro Comp.* and ch. 'Decernimus' *De Iudiciis* along with the others that we adduced in chapter 13. For this part more or less coincides with what we said there about the exemption of clerics in civil causes. For if clerics are exempt as to their own goods from the secular court, much more as to ecclesiastical goods. Hence this must be understood with the clarification there added, namely that it proceeds when the church itself is defendant or is brought to court by a layman, or (which is the same thing) when a layman claims that such goods are his own or that he has some right over them. If however conversely a church or its pastor prosecutes a layman for these sorts of goods, which it claims are ecclesiastical, then the exemption from the secular court does not have place, because a defendant ought to be prosecuted in his own forum, unless perhaps sacrilege has intervened, by reason of which a defendant could immediately be brought to an ecclesiastical court, as was sufficiently explained in the aforesaid chapter.

Chapter 18. Whether exemption from secular taxes is proper to churches and their goods, insofar as they are the patrimony of Christ.

Summary. 1. Ecclesiastical goods are some moveable and some immoveable: what each is. 2. What secular taxes are. 3. A twofold secular tax. 4. First conclusion: all ecclesiastical goods are exempt from taxes. 5. Proof by reason. 6. Objection. 7. First response. 8. Ecclesiastical goods are immediately under the lordship of God. 9. Second response.

1. By the name of churches, as I explained in the preceding chapter, we understand material temporal things themselves or sacred places, but by ecclesiastical goods all sacred things, both those that have been given to God or to the churches themselves for the use of churches, and those that continue under the administration of the same church or its ministers. For we will speak afterwards about the goods proper to clerics. Now these goods can be distinguished into immovables and movables. Under immovables we include not only farms, estates, houses, and the like corporal goods that have a fixed base, but also rights to proceeds, as the censuses that annual returns correspond with, and services, and the like perpetual goods that are said to be incorporeal, following the custom of right in the *Clementina* 'Exivi' § 'Cum Annui Redditus' *De Verbor. Signific.*, and the things noted by the doctors on ch. 'Nulli' *De Reb. Eccles. non Alienand.* and the Gloss on ch.2 *De Reb. Eccles. non Alienand.* at the word 'Iura'. But under movables we include all other things deputed to the uses of the Church, of whatever valuation or worth they may be. For although, in their order to perpetual preservation and prohibition of alienation, the precious things of the Church are wont to be included under immovables, because they are reckoned by the same right, as Panormitanus notes on ch. 'Tua' *De His quae Fiunt a Praelatis, etc.*, yet they do not, in their order to taxes, have a special nature, and therefore they are reckoned among movables, as such things really are, according to law 'Lex, quae Mancipia' *Code. De*

Administrat. Tutorum. But things that are called self-moving things, although they cannot be properly said to be immovables, as is evident of itself, insofar as they are wont to be fruitful and can by a certain succession be perpetual, they are now reduced to them.

2. By secular taxes, indeed, we understand those that can or are wont rightly to be imposed by temporal kings or monarchs or other magistrates. For as to taxes that can be exacted by the Supreme Pontiff and can be called ecclesiastical, these are not under consideration in the present case; for they are not contrary to ecclesiastical exemption, for this is exemption from the civil power, not from the pontifical. Nay, because these goods are fully under the power of the Pontiff, they are exempt from the secular power, and therefore reference is made to exemption so that that subjection may be fully realized; and thus there is no doubt but that ecclesiastical goods can be subjected to some ecclesiastical taxes, at any rate by the Supreme Pontiff, who is the supreme steward of them. But of what sort and for what causes they may come to be, and whether they can be introduced by inferior prelates, does not belong to the present consideration, as I said, but is to be treated of in the matter of ecclesiastical prebends and benefices.

3. Next, secular taxes, although they are multiple, as I said in book 5 *De Legibus*, are in the present case to be distinguished under two heads, according to the division posited about movables and immovables; some taxes, then, are required of immovable things and are wont to be called real taxes, or rents, or incomes, although these terms are sometimes more general. But others are taxes that are sought of movable things, as an impost, which is also called income from being brought in. For a difference is to be noted between movables and immovables, that movables, because they are not fruit-bearing, are not of themselves able to be taxed save insofar as they are subject to commercial transaction or conveyance from one place to another, and that is why such tributes receive therefrom the names of incomes etc. But immovable things, insofar as they are fruit-bearing, are *per se* capable of some rent, and for that reason we use this name in respect of them.

4. I say, therefore, that ecclesiastical goods, as well movable as immovable, are exempt from the payment of taxes. The conclusion is certain and common to the places of the doctors to be cited below, and it is taken from ch. 'Non Minus', and ch. 'Adversus' *De Immunitate Ecclesiar.*, and ch. 'Quanquam' *De Censibus* on 6, and *Clementina* 1 at the same title, and in *Extravag.* 'Quod Olim,' at the same. Again, this immunity is confirmed in civil right, especially in the *Constitution* of Frederick after the books of fiefs, and it is contained also in § 'Item Nulla' *Code. De Espiscop. et Clericis*. Lastly a very good argument is taken from ch.2 *De Censibus* insofar as it says that a tax is a sign of subjection; since, therefore, neither churches nor their goods are subject to the secular power, neither can they be subject to secular taxes. Which reason is general as to all ecclesiastical goods, and other rights speak also in the same way.

5. Now so as specially to make plain the foundation for this immunity in these goods, one must note that two respects can be considered in them so as to found this immunity thereon: one is that things of this sort are under the special dominion of God, as I said; the other is that such things are specially consecrated or blessed. The former respect is general to all these goods that are named ecclesiastical, and therefore we will speak about it in this chapter; but about the second, which is less universal, we will speak in the following chapter. I say therefore that this relation to God as to special lord suffices for founding the said exemption, not only in human, but also in divine and natural right.

For if the lord of the goods cannot be subject to taxes, neither can the goods themselves be burdened with taxes, as we will also say below about clerics, both because the goods adhere to the person and follow his condition as principal accessory; and also because the payment of such tribute cannot *per se* be demanded from anyone else but the lord of the goods, and thus it is necessary that the tax redound on him and that it be imposed on him virtually. Yet, however, the lord of these ecclesiastical goods cannot be subject to taxes, since he is Christ himself; therefore neither can ecclesiastical goods be. And here the words of Christ fit very well: “then are the children free,” for the natural son of a king, just as he is in his person exempt from tax, so too in his own proper goods; therefore much more are ecclesiastical goods, which are the property of Christ and as it were his proper patrimony, as the Councils speak of them, free from incomes and taxes.

6. You will say that the proper and as it were proximate lordship of these goods is not in fact immediately with God, or Christ only, but with certain men or congregation of men having the right of using and enjoying such goods and of disposing them for every use not prohibited by law. As, for example, the goods of any monastery are ecclesiastical, and yet the lordship of them is with the assembly of such monastery, and the goods of some mother church are under the lordship of the whole clergy of such church, as it is a certain particular and spiritual congregation coalescent from clerics. Therefore that title of divine lordship is not sufficient for founding this exemption from taxes; because a tax is more considered with respect to the proximate lord, for by him is it to be paid. Besides too [*Psalm* 24.1] “The earth is the Lord’s and everything in it;” for everything is more deeply and perfectly under divine lordship than under human; nevertheless because that divine lordship does not exclude human lordship, human goods are, under this latter respect, capable of being taxed; therefore the same will hold proportionally of ecclesiastical goods. For although they be said to be in a peculiar way God’s, because they are in a peculiar way ordained to his cult, yet insofar as they are temporal goods which men must use, they cannot not be under some human lordship.

7. We reply in two ways; first by denying the assumption; for the opinion of Navarrus is very probable who asserts that ecclesiastical goods are proximately and immediately under the lordship of God and of Christ the Lord, not metaphorically, but with all propriety, such that no man or congregation of men has proper lordship, but only stewardship with greater or lesser fullness of power. Which opinion Navarrus says is the common agreement of all Catholic doctors. And he proves it at length with decrees of the Pontiffs and Councils and with reasons, as one may see in his *Apologia de Redditibus Ecclesiasticis* q.1 advice 18 & 24, and in the more recent edition of his tractate *De Redditibus* q.1 advice 16, 21, & 40, and q.3 advice 31 n.7.

8. This opinion is also satisfactorily pious and probable, and it can be proved by this reason besides others, that if any man were lord of these goods, it would be the Supreme Pontiff above all, for with him is the supreme power of managing all ecclesiastical goods, as was seen above, and as is handed down everywhere in the canons dist.96, 12 q.2, and in the titles *De Reb. Eccles. non Alienandis* and *De Immunit. Ecclesiar.* But the Pontiff himself does not have proper lordship of ecclesiastical things, even of those that belong specially to the Roman church, as is taken from the 3rd Roman Council under Symmachus, ch. ‘Non Licet’ 12 q.2. For he cannot spend or alienate these goods at will but only as faithful and prudent steward; therefore neither does the whole Universal Church have such lordship over such goods, because they seem to have been

given to it in its head; just as neither does any particular church have proper lordship of its own ecclesiastical goods, because each church depends on the Pontiff in the administration of its goods, and the Universal Church is inferior to him even in this; therefore they are all only stewards of these goods and not true lords. Nor is it inconvenient that some human and temporal goods are put outside the lordship of mortal men, because the faithful, with a higher mind than human, namely by operating by faith, could and wanted to give them to Christ, and he himself, although he accept them through his ministers, can be made and is made proper lord of them.

9. But because there are not lacking grave authors who say that lordship of these things rests with men, at any rate with the Church, whether universal or particular respectively, according to the intention of those who gave such goods to churches, as one may see in Torquemada ch. 'Videntes' 12 q.1 on a.2, and in Cajetan Ila Ilae q.43 a.8; therefore one must reply otherwise, by abstracting from opinions among which perhaps, as far this point is concerned, the question is more about the name than the thing. I say, therefore, let such goods be under some human lordship, this is no obstacle to their needing to be by divine right exempt from taxes. Both because, notwithstanding the lordship of the Church, it cannot be denied but that they pertain in a special way to the right of Christ the Lord, since they are given especially for his cult and honor, because of which they are called the patrimony of Christ, as we saw; and in canon 39 *Apostolor.*, otherwise 40, these goods are called Dominical or Dominical things; this is enough, therefore, that they should neither be applied to other uses nor be made subject to taxation. And also because the very persons or communities to which the lordship of such things is attributed are not subject to the jurisdiction of secular princes; therefore neither ought such goods to be subjected to taxes by the same princes, according to the rule posited a little above. The assumption is clear, because the Church, under whose lordship these goods are said to be, does not have this lordship as it is a civil but as it is an ecclesiastical community and as it is the mystical body of Christ; but the Church, as it is such, is not subject to the secular prince, but to the Pontiff; therefore neither are ecclesiastical goods.

Chapter 19. Whether exemption from secular taxes is fitting to the Church and to sacred things because of their special sanctity or consecration.

Summary. 1. Temples or churches, because of their consecration, are exempt from taxes of this sort. 2. First conclusion: immunity is due to sacred places also because of consecration. 3. Ecclesiastical goods ordered to the maintenance of ministers are not by reason of any consecration exempt. 4. Whether sacred things, if they are sold by reason of their matter, are subject to taxes. 5. Whether sacred things are, by force of consecration alone, exempt from human dominion. 6. Things of this sort are not exempt from human dominion. 7. A true theft is committed by him who steals the consecrated thing of any private person. 8. Consecrated things, although they are not exempt from human dominion, yet remain exempt from taxes. The matter of a thing once consecrated cannot be again applied to profane uses.

1. Another foundation for this exemption can be the special consecration, or benediction, or the deputing of such things such that they are as it were the proximate instruments of the divine cult. Which reason is not as universal as the preceding one,

although in the things in which it is found it provides a sufficient cause for this exemption from taxes. And, in the first place, churches themselves among immovable goods, or temples and the like places proximately dedicated to the divine cult, do participate in this special mode of sanctity. For the other immovable goods, as are estates of churches and the like, do not have a respect of this sort but only the respect by reason of which they pertain remotely to the divine cult, insofar as they are ordered to the maintenance of the ministers. And therefore St. Thomas *ST* IIa IIae q.99 a.1 places these goods in the last rank of the third species of sacred things, although he attributes to temples and sacred places the second species.

2. Ecclesiastical temples and sacred places, therefore, among immovable goods merit, so to say, this sort of exemption from tributes because of a special title of sanctity. Thus is it taken from ch. ‘Secundum Canonica’, and ch. ‘Sancitum est’ 23 q.8, and ch.1 *De Censibus*, in which rights the site or land of a church, where it has been built, nay and the churchyards placed next to the church, and the estates especially set in place for dowry of the church (which are wont to be called manors) are exempt from taxes; therefore much more the house itself or the edifices of temples or churches enjoy the same exemption. For the other things, which are adjacent to the church and are as it were parts of it, are exempt because of the sanctity of the churches themselves; therefore much more the churches themselves, according to the rule of the dialecticians: “That because of which something is such is itself more such.” Although there could also be another reason to be considered in the case of churches, that they are not productive of any temporal proceeds nor have a civil or secular use with a measurable price, but have only the sacred use for which they were built or specially dedicated, and therefore they are intrinsically incapable of temporal tax. And the same reason for exemption is found in the site of a church, and in the reception areas, and in the other parts of places adjacent to a church that have no other profit besides the use or service of the same church. The dowry, however, or the manor of a church although it can deliver temporal proceeds, yet, because all those profits are reckoned necessary for the maintenance of the church, therefore the dowry is exempt along with the church.

3. Now in the case of the other ecclesiastical goods as well immovable as movable, which are ordered only to the maintenance of the ministers or the expenses of a church, as are money, wheat, wine, and other things consumable in use, there is no place for the special reason of consecration, as is clear, but they are exempt in the aforesaid rights alone, whether by the general idea of divine dominion or because they are necessary in their totality and without diminution for the maintenance of a church. But this latter reason can seem less universal, because sometimes the profits of some church can be more abundant, such that they exceed the expenses – unless alms are computed among the expenses, as they in fact should be, and in this way that reason too will, morally speaking, be adequate and universal. But there are other movable goods of a church that are said to be in a special and higher way sacred things, which St. Thomas above numbers in the third species and in its second rank. For in the first rank he puts the sacraments, which are not relevant to the present case; but in the second rank he puts consecrated vessels, sacred images, and the relics of saints, under which he includes also sacred vestments; nay he also generally adds everything which pertains to the adornment of a church and of the ministers; and there is the same or greater reason about the chrism and sacred oil, which can be reduced to the sacraments; and again about sacramental

Agnus Deis, blessed grains, and the like.

4. About this second class of sacred things, then, it can be doubted whether, with exclusion of the relation to the special dominion of God or of the Church, they are, by force merely of the consecration or as it were sanctification that they have, exempt from the taxes of which movable things are capable, as of imposts, if they are sold by reason of their matter, or of incomes, if they are transferred from one place to another. On which doubt I find nothing specially said by authors. For they deal only of ecclesiastical goods in general, and about them indefinitely both movable and immovable, and accordingly they define universally that they are exempt from taxes. But under ecclesiastical goods they include all the sacred things that we have enumerated, and consequently they are of opinion that they all enjoy the same exemption. Now this opinion can be founded on another principle, namely that the two respects posited above, that is of a thing existing under the special dominion of God and of a thing specially sacralized and proximately dedicated to the divine cult, are distinguished in such a way that the first respect might be separated from the second as more universal than it; nevertheless the second is never separated from the first because, by the very fact that some thing is in some way sacred, it ceases to be under human dominion and pertains proximately to divine dominion alone, and hence consequently the result is that it is exempt from human taxation, remotely indeed by reason of consecration but proximately by reason of the person of Christ, under whose dominion it is.

5. Now that foundation, namely the fact that the sacred thing by the very fact that, because it is such, it is put outside human dominion, is very common among jurists; for the Gloss thinks in this way about inanimate things in ch. 'Frequens' dist.54 at the word 'Reddi', and in ch. 'Comperimus' 14 q.6, and in ch. 'Episcopus in Dioecesis' 7 q.1 at the word 'Altaria'; which glosses are proved there by the doctors. It is true that those glosses do not expressly say that a consecrated inanimate thing cannot be under human dominion, but that it cannot be returned again to vulgar and common uses, and therefore, if the thing was, before consecration, under someone's dominion and it is consecrated against the owner's will, it is not to be restored to him. Which seems to be plainly taught by Gregory in the said ch. 'Comperimus', otherwise bk.7 epist.58 indict.1 More clearly Navarrus, in the said *Apologia De Redditib.* advice 24 n.5, says universally that sacred goods do not belong to any mere man or men, but to God alone and our Lord Jesus Christ. Which fact is proved from § 'Nullus' *Institut. De Rerum Divis.*, when sacred things are said to belong to no one, where the reason is given in these words: "For that which is of divine right belongs among the goods of no one." But it is not said that it belongs to no one because it so lacks an owner that it might belong to the first occupier; so it is said to belong to no one because it is not under the dominion of any mere man but under the special dominion of God, as was noted by the Gloss in the said § 'Nullus', and in law 2 and following *De Rerum Divis.*, which glosses there are commonly approved, as Navarrus reports. And on behalf of this opinion the jurists can be alleged who say that, if anyone steals a chalice from a private house, a prosecution for theft against him does not fall to the competence of the lord of the dwelling, except perhaps in the name of God, because a sacred thing belongs to no man but to God alone, as one can see in Sylvester at the word 'Sacrilegium' §2. Next, this opinion can be confirmed, because it is not licit for laymen to handle sacred vessels or vestments, ch. 'In Sancta', and ch. 'Vestimenta' *De Consecrat.* dist.1, with similar ones; therefore much less are they capable of dominion over such things.

6. But this foundation thus indistinctly taken does not seem true, at least in the strict sense in which Navarrus speaks. First, because there is no ecclesiastical right by which all private persons or human communities are made incapable of dominion of such things by the very fact of their being consecrated; nor are they incapable even from the nature of the thing, for they can have true title of dominion concerning the thing itself, or concerning the matter of the consecrated thing, for there is no reason why consecration alone should take away dominion. For many theologians say that man has dominion even of grace itself, which is much more supernatural than a consecrated vessel. Next, if the private person be an ecclesiastic, in particular a priest, there is no reason for him not to be properly owner of a chalice or of other things that serve sacred ministers, because he can, on the part of the matter, make them at his own expense, and he can, on the part of the consecration, freely and of his own right use them for legitimate use, which is enough for the idea of dominion. But if he is made a layman, he can also have title of dominion with respect to the matter. And although, after the consecration, he cannot of himself licitly use those things, on account of the incapacity of his person, yet he can use them through other convenient ministers, and he can likewise concede to others the faculty of using things of that sort, and no one can, without his will, lay claim to such things or their use without injustice; here is a sign, then, that a private man, even a layman, can have dominion of such things. Next, use too and experience prove this, for many private persons possess as their property consecrated things of this sort, as sacred vestments and chalices and the appurtenances of altars, which they often have in their private oratories, wherein, or even in their own chambers, they have sacred images, relics of saints, and other blessed things, about which they also make disposition as proper owners, by giving them, lending them, or even selling them, as far as, on the part of the matter, it can be done; all which things are, by the same use, proved to be licit not only to ecclesiastics but also to laymen, for these are done by pious and prudent men, and they are tolerated by prelates without rebuke or contradiction.

7. Wherefore what the aforesaid glosses say does not seem true, that things once consecrated are not to be restored to laymen, even if they were theirs before consecration and were consecrated against their will. For in the first place Gregory does not say this in the said ch. 'Comperimus', where he was speaking about certain synagogues of the Jews, which had been transformed and consecrated into churches against their will, about which Gregory says that, although they were consecrated without cause, they are nevertheless not to be returned to the Jews but the price of the dwellings is to be paid; and he gives the reason, "because what has once been consecrated cannot be restored to the Jews." Where he does not speak universally of the lay faithful but of the infidel Jews, who wanted to turn those dwellings to profane uses, which after consecration is not licit. Hence, from that opinion on behalf of the lay faithful it is licit at most to collect that sacred things are not to be restored to them, nay nor permitted to them, so as to be used by them for profane or common acts; but if they possess them only for sacred uses and wish to retain them, there is no reason not to hand them over to them, if they are in addition assumed to have a proper right over such things. And for a like reason the other assertion of the jurists does not seem true, namely that a true theft is not committed by him who steals, for example, a chalice or some other consecrated thing from a private person who possesses it as his property. For although the circumstance of sacrilege is added to the theft, the true malice of theft is not thereby taken away, for it is the unjust

taking of a thing belonging to another against the will of the owner. Nor is that injustice against anyone else except against him who possesses that thing, though sacred, as his own; therefore theft is committed against him, and there is no reason that a prosecution for theft should be denied him. The proposed difficulty, therefore, does not seem to be satisfactorily dissolved in that way.

8. Yet, nevertheless, it seems more probable to me that things of this are, by force of their consecration, exempt from revenues and the like taxes, because the rights and the doctors speak indifferently of ecclesiastical goods, under which all sacred things are included. Again, because this is very much in conformity with divine and natural right, because to these things is owed, as to things sacred, complimentary and religious cult, as is said in the 7th synod; therefore it is against reason that they be profaned by exaction of taxes. In addition, because, although we cannot deny that sacred things of this sort are sometimes under the dominion of the private faithful, nevertheless it is also true that they pertain to God by a special right and title, insofar as they are so dedicated to his cult that they cannot now be returned to profane uses, especially while they retain the consecration and the form necessary thereto; nay, even if they lose it, the matter itself, because of its relation to a prior consecration, is removed from common uses, according to ch. 'Ligna', and ch. 'Altare' *De Consecrat.* dist. 1. From which it also results that, although they can be under the dominion of man, yet that dominion is very much restricted and limited to sacred use alone; therefore rightly should these sorts of things be exempt from tax, both because it would seem to be being required because of the relation they have to sacred use, since they do not now have any other moral use; and also because it seems exorbitant and unjust to demand a temporal tax from the owner of such a thing, since he now possesses it, not as temporal, but as sacred and in some way spiritual.

Chapter 20. Whether any good whatever, when it becomes ecclesiastical, is by that very fact exempt from all taxes and civil burdens attaching thereto.

Summary. 1. First opinion to the negative. 2. Triple foundation for this opinion. Double confirmation. 3 Second opinion to the affirmative. 4. Double manner of imposing burdens on immovable things. 5 Goods of the Church are not exempt from taxes already contracted by some agreement. 6. The conclusion is proved by reason. 7. Elaboration of the assertion. 8. Objection. 9. Solution. 10. Goods of the Church are exempt from taxes imposed by force of royal power. 11. By what right ecclesiastical goods are exempt. First opinion. It is rejected. 12. Second opinion, which attributes this exemption to divine and canon right. Foundations for the first part. 13. Whence it can be concluded that they are by divine right exempt. Objection. Response. Why tax but not rent is repugnant to exemption. 14. Foundations for the second part of the second opinion. 15. The said opinion is not proved by the rights adduced above. 16. Other rights from which the said exemption can be concluded. 17. Proof from civil right. 18. Second proof from the same civil right. 19. Frederick exempted goods properly so called of churches from tax. Exposition of Bartolus. 20. This exposition is rejected. 21. Exposition of Baldus. It is rejected. 22. The conclusion is shown by reason. 23. Confirmation. 24. Response to the civil rights adduced at the beginning. Again, response to the reason that a thing is transferred along with its burdens. 25. A question. Response. 26. To the last confirmation.

1. This question has above all place in the case of immovable things, whereon real burdens are wont to be imposed that attach to them morally and go along with them and are paid by reason of them, insofar as they are productive or have a calculably priced use distinct from the ownership of them. But on movable goods these burdens, or real taxes, are not wont to be imposed for the contrary reason, that they are not *per se* productive, and therefore taxes are only demanded of them by the medium of some action, such as business, transport, etc. Yet there is no repugnance for some burden to be, by way of some service, imposed on a movable thing; and therefore a general question is proposed, whether any good whatever ceases to be subject to civil or secular burdens by the very fact that it is ecclesiastical.

Now the reason for doubt is that some rent or tax can be imposed on these goods either after they have become ecclesiastical goods or before they have been given to the Church. About the former taxes it is most certain that these goods, after they have become ecclesiastical, cannot be made subject to tax; which point proceeds universally without exception, as the rights brought forward prove and as all Catholic writers without dissent admit. But about the latter taxes there is no little controversy; for a common opinion holds that ecclesiastical goods are not exempt from the real taxes that attached to them before they became ecclesiastical. Thus does Bartolus hold on the law 'De Iis' *Code. De Episcop. et Cleric.*, and on law 'Placet' *Code. De Sacrosanct. Eccles.*, Innocent on ch. 'Non Minus' *De Immunit. Eccles.* n.4, the Gloss on ch. 'Secundum Canonicam' 23 q.8, which opinion is there followed by Archidiaconus; again the Gloss on ch. 'Tributum' at the word 'De Exterioribus', and on ch. 'Sancitum' at the word 'Annua', and on ch. 'Secundum' at the same cause and question, and on the first chapter of *De Immunitat. Ecclesiarum* on 6 at the word 'Bonorum', where Johannes Monachus and Johannes Andreas teach the same thing; and Panormitanus on the said ch.1 *De Censibus* nn.6 & 7, and on the last chapter of *De Vita et Honestate Clericorum* n.12, where he explains that this opinion is to be understood of the case when the burden is perpetual and invariable, because then it is understood to be attached to the possessions, but not otherwise. The same is contained in *Cons.* 26 vol.1 and *Cons.* 3 and 6 vol.2. This opinion is also followed by Sylvester at the word 'Immunitas' 1 q.5 the verse 'Tertium', although he admits that this is not kept in Italy, and Angelus at the same word 'Immunitas' n.36, where he distinctly explains that this point holds whether the burden has been imposed by public disposition or by private disposition. The same is also more fully handed on with the same explanation by Gregorius Lopez *Partit.* 1 title 6, law 51, Gloss 4, and title 15 law 1 Gloss 4 at the end, where he also alleges the laws of the kingdom of Castille for the same opinion.

2. This opinion is founded, first, on certain civil rights, especially on the last law of *Code. De Exactionibus Tributorum* bk.10, and *Authentica* 'Idem Praedium' *Code. De Sacrosanct. Eccles.*, which is also referred to by Gratian on § 'Idem Praedium' 10 q.2, insofar as it is there supposed that the estate of the Church can be under a burden to the exchequer, that is, of paying tax to the prince, as is also noted by the last Gloss on *Authentica* 'Sicut Alienatio' *Code* at the same place. This is more expressly founded on law 'Placet' *Code. De Sacrosanct. Eccles.* and law 'De iis' *Code. De Episcop. et Cleric.*, and by comparison on law 1 *Code. De Indictionibus* bk.10 where it is said that the like goods are transferred to the exchequer along with the burden, even if the exchequer is wont to be made by civil right equal to the Church in privileges. Second, the opinion is

founded on canon rights, ch. 'Convenior' along with the others proximately mentioned from 23 q.8, and ch. 'Si Tributum', and ch. 'Magna' 11 q.1. Third a compelling reason is added, that a thing's having a burden attached to it is transferred along with its burden; therefore if the goods, before they belonged to the Church, had this burden attached, they are transferred to the Church along therewith when they are donated or are bought by it, and consequently the Church will be held to pay the burden or tax by reason of the thing that was received. The consequence seems clear, and the antecedent is, to begin with, commonplace in right ch. 'Ex Clericis' *De Pigniorib.*, and in ch. 'Si quis Clericus' 16 q.1 with the like. It also seems to be efficaciously proved by reason, because no one can transfer to another more right than he has himself; therefore he who does not have dominion of a thing except with such a burden cannot transfer it to the Church except with the same burden; because just as it was not in his power to have or possess the thing without such burden, so he cannot make it to be possessed by another without the burden. There is also confirmation and clarification of this reasoning, that otherwise injustice would be done to the prince or to the other who has a right to that burden, because he would be deprived of his right without his consent, which is against natural justice. There is also a second confirmation, that otherwise gifts of immovable goods made to the Church would lead to the great prejudice of temporal princes, because they would be deprived of a great part of their revenues, which they are in particular need of for sustaining the burdens and honor of their office. Which argument is very often driven home in his book by the King of England, so that he may move Christian princes against ecclesiastical immunity.

3. Nevertheless there are not lacking authors who say absolutely that ecclesiastical goods not only cannot be burdened with new taxes but that they can also be exempted from paying the taxes wherewith the goods were burdened before they accrued to the Church itself, or (which is the same) that the goods themselves can be freed from such burdens by the very fact that they have been transferred to the Church. On behalf of this opinion Panormitanus cites the Gloss on the said law 'Placet' *Code. De Sacrosanct. Eccles.* and on the said law 'De iis' *Code. De Episcop. et Cleric.*, because it says that those laws were revoked by the constitution of Frederick, which is also asserted by Cynus on the said law 'Placet' at the end. However it is not hence satisfactorily gathered that those glosses were of this opinion, unless it be supposed that Frederick spoke, in his constitution, also about real burdens adhering to the goods themselves before they reached the Church, which however the said glosses do not make clear; but they favor it in this respect, that they speak indefinitely and without limitation. This opinion indeed Cardinal Albanus attempts extensively and with sufficient diligence and elegance to prove in his tractate *De Immunit. Ecclesiast.*, whose opinion is very pious and seems to me to approach the truth. But because he speaks too indistinctly and absolutely and because his reasons persuade somewhat beyond what is true, therefore it seems that the resolution of this doubt needs, with the use of a distinction, to be put forward more clearly.

4. In two ways, therefore, can a real burden be imposed on an immovable thing. First by force of proper dominion in respect of such thing and by the intervention of some compact between him to whom the rent is to be paid and him who is lord of such thing, or conversely between him who was first lord of such thing and him to whom he transferred it with such burden, whether he transferred direct ownership to him or merely use

ownership. An example of the first member is when someone buys an assessment over another's house or vineyard; for then the thing remains burdened by such rent, which the lord of the thing is bound, with a real obligation by force of such contract, to pay to the holder of the assessment or rent, nor can he sell the thing or alienate it without such burden. But examples of the second member are when the lord gives to another his goods in fief or lease, in Spanish *prazo*, and it can, as far as depends on the nature of the thing, be given as assessment by transferring total ownership of the thing to another, with the exception only of the obligation of paying such burden, or by conjoining with it some part of the price, insofar as the equality of justice demands. In another way the burden can be imposed on an estate, not by force of ownership of it, but by force of supreme royal jurisdiction over such estate or in such territory; for in this way a prince can impose taxes on lands subject to him, as on the person or the movable things. And about this second kind of real burdens there is a controversy peculiar to them, that these are taxes proper, and thus have we simply called them; but the others we will call by the very general name of rents or private burdens.

5. I say first, then, that temporal goods which, before they come to be of a church, have attached to them a real private burden or rent to be paid to another by force of a preceding ownership or compact, are, even if they become ecclesiastical goods, subject to the same burden, which the church is bound to pay, nor does the privilege of exemption free it from such burden. In this matter the common opinion seems to me not only true but also certain. Nor is Cardinal Albanus in disagreement, nay he expressly concedes it in his fourth reason for the common opinion, along with its solution. This assertion can also be got from ch. 'Verum' *De Conditionibus Aposit.*, where it is said that when goods are given to a church with a condition interposed, the condition is to be kept; but if it is not kept, the gift cannot be at once revoked, unless perhaps there is added to it: "When the condition ceases the gift should be revoked;" therefore, although the condition be onerous, it should be kept; therefore, in a like way, when once it has been imposed and adheres as it were to the very thing, it is to be kept. The same is gathered plainly from the principle that a thing is transferred with its burden; again from the principle that a pious donation or a reason of religion does not overturn the order of justice, but it would be against justice to deprive another, against his will, of the right which he has over such thing for such rent, since he is true owner of that right, in the way that such incorporeal things (as the jurists call them) can fall under ownership.

6. From which principles this reason can be put together, that when a church acquires goods of this sort and in any way, whether by legacy, or by gift, or by purchase, etc., either the thing is freed from that burden by force of the will of him from whom it receives it, or by force of some positive law, or from the nature of the thing; but none of these can be said; therefore in no way is it freed. For we are supposing that the will of him to whom the rent is due does not concur; for if he himself wishes to remit it, no question arises; but this fact is accidental and extrinsic, while here we are treating of this precise reason that the goods are made ecclesiastical. Now the first member of the antecedent is *per se* evident; because no one can transfer to another more right than he himself has; and also because no one can dispose of the right of another when that other himself is unwilling, since each one is ruler and arbiter of his own possession, law 'In Re Mandata' ch. 'Mandati'. The second member is plain, because no such positive law can be pointed to, whether divine or human, for the laws that speak of this matter are dealing

with taxes proper. For about them Christ was speaking when he asked Peter: “Of whom do the kings of the earth take custom or tribute? etc.” And the laws and canons speak only of the same, as we will immediately see. Also, morally speaking, these cannot be extended further, because they would be repugnant to justice. For human laws too cannot thus absolutely deprive men of their own possessions and ownerships, except when an evident necessity or a great advantage to the common good compels, which in the present case cannot be said, as is clear of itself.

Finally, the proof of the third member, about natural right or “from the nature of the thing”, is that it is not contrary to reason or the fittingness of religion that the Church sustain and pay real burdens of this sort. For therefrom only follows that the Church is less enriched, which is not *per se* unfitting, nor does it introduce any other inconvenience, especially when such goods are either given freely to the Church or the Church acquires them at a just price. For if they pertain to the sacred place itself, or to its dowry, they then have a special reason on account of which something is in right especially established about them which must be kept, as we will say in the following chapter. Finally, keeping just contracts and paying the debts that arise proximately or remotely therefrom not only is not repugnant to the Church but is rather very fitting to it; because no one is found immune from contracts, nor from the obligation that arises from them, since God himself is bound by a compact, as Baldus, more as theologian than as jurist, said on law 1 and following about compacts, and that is why he alleges the Master of the Sentences. Hence, if the thing is carefully considered, the Church is not only not incapable of this burden or obligation, when it comes along with the goods before they belonged to the Church, but can also impose it on its own goods, unless alienation of the ecclesiastical goods is prohibited to it; and, therefore, when it has power to alienate, or when there are exceptions in the prohibition, it can also impose this burden on its own goods, as we see happening everyday; therefore here is a sign that this is not repugnant to ecclesiastical goods; therefore such burden does not, from the nature of the thing, cease when it comes along with the goods themselves.

7. From which I collect that this assertion is true, and that it proceeds when the burden was imposed not only by a private person but also by a prince, if it came from a like compact and particular ownership of such thing and not from the mere power of jurisdiction. Which fact I advert to for the reason that it could perhaps be of service for understanding the authors of the common opinion. Now the reason is clear, that as a private person can have proper dominion of some estate, and by force of that dominion can impose some burden on the estate, so also can a king, as is *per se* manifest; but once this is posited, the reasons made for the assertion proceed equally of a king as of any private person. Hence in the case of these taxes or pensions, which are paid to princes in a fixed measure or unvarying amount from certain estates or fields, one must carefully consider whether the estates were once under the proper dominion of the prince and whether he gave them in fief or lease or for such rent simply. For if one can be certain about this, assuredly the common opinion proceeds in their case, that such goods, although they have become ecclesiastical, are transferred to the Church along with their burden, as follows sufficiently clearly from what was said. But one can be certain about this sort of origin either through ancient writings or constant tradition. And a significant sign for such authors will be if such rent is never diminished or increased, even if other royal taxes proper vary in multiple ways, and that the goods are read or believed never to

have been outside the royal, right, or under the dominion of another, without the burden of paying such rent to the king. Because this seems to be a sufficient indication of that origin, and because, since the contrary cannot be established, it is rightly presumed to be in favor of the king.

8. Against the assertion can indeed be objected what is read about Joseph in *Genesis* 47, that when he made the whole land of Egypt tributary to Pharaoh, he nevertheless exempted the priestly land. For the tribute came not from mere royal jurisdiction but from a compact. For, when the Egyptians wanted to buy wheat from the king and did not have money, they gave, in lieu of price, their possessions, which from the king, as the proper owner of them, they received under the tributary burden of paying to the same a fifth part of the fruits; therefore, since the priestly land was exempted from that tax, a sufficient indication is given that ecclesiastical goods ought to be free even from the rents that are imposed by compact.

9. I reply in the first place that the discussion there is not about a tax before imposed but about imposing it on possessions that were before given free to the priests; for thus is it said, v.22: "Only the land of the priests bought he not... which Pharaoh gave them;" the land, then, was not exempt from a tax previously imposed but from the imposition of one. Next (which is chief) the land of the priests was not then exempt from the tax by a special privilege, but because it was not subject to the compact on which the tax was founded. For the laymen, because they were oppressed by hunger and need, sold their possessions for wheat, and afterwards, by means of a tributary burden, bought them back; but about the priests it is subjoined, v.22: "for the priests had a portion assigned them of Pharaoh... wherefore they sold not their lands." Thus therefore their lands remained free of the tax, because no selling or buying back was made of them; and thus they did not need a special exemption by privilege, since the compact, which was the foundation for the tax, did not intervene in their case. Therefore the favor to the priests was only that necessary food was provided to them from the public storehouses; which thing is now kept in the Church by the payment of tithes, which can be given wholly, even if some rents are, by a previous compact, paid from some ecclesiastical goods.

10. I say secondly that ecclesiastical goods are exempt from taxes proper, which are imposed by force of royal jurisdiction, even if such goods, before they passed to the Church, were subject to the tax and the burden. This seems to have been the chief intention of Cardinal Albanus, and it seems also to be taken from the mind of Abbas in *Cons.* 26 vol.1, where he uses almost the same distinction we have used. And perhaps other authors are not in contradiction, for Innocent is plainly speaking of when the Church is obliged by compact, but he does not say that it can be obliged by the mere jurisdiction of the prince.

Lastly I find this opinion made clear in the same way in Gutierrez bk.1 *Practicar. Quaest.* q.3 num.15, where he expounds the words of a certain law of Spain, bk.1 *Novae Recopilat.* tit.3 law 11, which read thus: "Clerics who purchase tributary inheritances, in that the tax is attached to the inheritance, pay such tax," that is, clerics buying estates that have taxes imposed and as it were inherent in them, are to pay such taxes. But the said author says that the said law is to be understood "when the estates were by the express and special agreement of the parties already encumbered with the burden of taxes, but it is otherwise if they were only encumbered or subject to taxes by general law; because if such goods pass to a cleric they are not transferred along with the burden." Nor does it

matter that he is not speaking about the goods of churches but of clerics, for this follows *a fortiori*, because, properly speaking, the exemption of churches is greater and more excellent. Hence a little later he speaks in general of the goods of the Church or of ecclesiastical goods, referring on behalf of this opinion to Alphonsus Guerrero in his *Thesaurus Christianae Religionis* ch.36, and to Otalora, Didacus Perez, and Quesada, modern Spanish jurists.

11. Now to prove the assertion we suppose that, when such goods are handed over to the Church, they are not freed from these taxes by the efficacy of the private person making the gift or otherwise contracting with the Church; for the reasons of the first opinion, and the others made in the first assertion, manifestly prove that no private owner of any goods can exempt them by his own authority and will from the taxes due to the prince. It is necessary, therefore, that this exemption be made through some superior will, or declared by some right, or demonstrated by the prince himself through express and personal consent. Hence, because it is difficult to find a right in which such will is shown, some said it was necessary that, when goods of this sort subject to taxes are transferred to the Church, the prince, whom the taxes regard, should actually and specially consent, and at least give his assent to the donation or the transfer; for then he virtually consents to the remission; otherwise, they say, either the donation will not hold or the goods will be transferred along with their burden. But this limitation destroys the assertion; for in that way the exemption will not be made by force of the privilege of churches but by a new remission of the prince, the contrary of which we intend in the assertion, and in that sense is the question under dispute; for no one ever doubted that a prince can remit taxes by his own will. Again, from the declaration it follows that the Church either cannot acquire this sort of goods without the consent of the prince; or, if it acquire them without his consent, it necessarily becomes subject to tax as to such goods; but the first is expressly repugnant to canon right in ch.1 *De Immunit. Ecclesiar.* on 6, while the second we are contending is false.

12. For this reason, therefore, Albanus above tries to show that these goods are exempt from taxes of this sort by force of divine, canon, and civil right. Now to prove that it is of divine right he only adduces the place of *Genesis* treated a little before, and the place of Ezra chapter 7 where king Artaxerxes exempts the priests and Levites from taxes. But in the former place, as I said and as Abulensis notes, king Pharaoh did not concede a special exemption to the lands of the priests but, because need did not compel the priests to sell their lands, the consequence was that these lands did not abide subject to tax. But in the latter place the discussion is not about real taxes attaching to immovable things but about personal or mixed taxes, which are wont to be imposed by reason of movable goods; nor is the discussion about ancient taxes already imposed on the things themselves, but about a new imposition, which is forbidden to be done to sacred persons, both in themselves and in their goods. For the words of the king were these, v.24: "And also we certify you, that touching any of the priests and Levites, singers, porters, Nethinims, or ministers of this house of God, it shall not be lawful to impose toil, tribute, or custom upon them." Nothing, therefore, can be gathered about taxes before imposed and as it were adhering to the lands themselves if they become the new acquisition of those persons or of the temple. Besides, from those places a divine right is not collected, as is *per se* clear, but at most a natural right is indicated, though whether it be such as to induce of itself a necessity for such exemption and to confer it, or only an honor or at

most an obligation for a prince to concede it, cannot be sufficiently defined from those places, but the inquiry must be made with other reasons, as it was generally disputed above and as on this particular point will be immediately mentioned.

13. About which I only see that this divine right can probably be collected from the words of Christ: “then are the children free,” by adducing them as I insinuated above, that the natural son of a king is in such wise exempt from taxes that his goods too become immune; therefore this right is to be kept most for Christ and his goods, of which sort are ecclesiastical goods, as we showed. Now the natural son of a king not only enjoys the natural privilege, that on goods already his own new taxes are not imposed, but also that, if he newly acquire the goods that under others were subject to tax, they become, under his ownership, free and liberal, as he himself is; therefore much more Christ and his ecclesiastical goods enjoy this privilege with this fullness. But if someone object that that place adduced in this way can also be proof against the first conclusion, the reply is to deny the assumption; for even the natural son of a king is not free from every burden attaching to goods by an older compact, even with respect to inferiors, because neither is the king himself free from every obligation by compact. But the reason for the difference is touched on by Panormitanus in the said *Cons.* 26, and following him by Albanus near the end, with a reply to the fourth reason, that taxes proper are repugnant to the exemption of the person himself whose goods they are, for they are presented to him because of the exemption, as Paul signified in *Romans* 13; but the other kind of rent is not a profession or indication of subjection but of justice and of his obligation arising from the compact, which is not repugnant to any person however free and excellent or supreme.

14. Secondly, so that the aforesaid author may show that this right is also a canon right, he adduces ch. ‘Sancitum’ 25 q.8, which is the same as ch.1 *De Censibus*, and he says that the text is express, because therein it is decreed that taxes, which were before supplied from certain goods, are not to be paid when those goods are made to belong to the Church. And he confirms the same from ch. ‘Secundum Canonicam’ 23 q.8. But if someone reply that the discussion there is not about universal goods or estates of the Church, but about the manor, the houses, the vestibules, and the gardens placed next to a church, the objection against it is that to establish a distinction between these and other goods of the Church is foreign to all reason and truth; both because the same reason of immunity that is in a garden or a manor prevails in other estates that churches acquire, namely that all are dedicated to God or belong to God, which reason is the foundation of this immunity; and also because one and the same substance of the Church ought not to be reckoned under diverse rights, ch. ‘Cognovimus’, with the Gloss 12 q.2. So he concludes that those texts are incontrovertible.

15. Yet I think nevertheless that the assertion is not proved by them; rather, from the final words can be taken a difficult objection to the contrary, as we will see in the following chapter. Because the manor and the other places of a church, which are there specifically numbered, are not only exempt from royal taxes proper but are also exempt from any rent and private burden, even a pre-existing one and founded on any compact at all, as the Gloss there and the doctors commonly understand. And it is collected from the rights themselves, to the extent they except the ecclesiastical ground, which exception strengthens the rule to the contrary as regard all other taxes. Which is so true that neither the patron himself can reserve any rent to himself from those goods; and if a burden was

before incumbent on the thing itself it ought necessarily to be remitted or redeemed, so that the Church might remain free in the said goods. But yet this is not so in the case of the other estates of the Church, as Panormitanus and others expressly note along with the Gloss on the said ch.1 *De Censibus* and on the said ch. ‘Secundum Canonicam’ 23 q.8; and it is clearly collected from the very ch. ‘Sancitum’ at the end. Therefore necessarily a difference must be made between the goods there specifically named and other ecclesiastical goods, since that special right cannot be extended to them all. Therefore there cannot thence be taken an effective argument for what we intend, otherwise it would give equal proof about every kind of tax or temporal rent, which is plainly false. Nor is it unfitting that some part of the goods of the Church enjoy by special privilege a greater exemption. But the reason for the privilege and the discrimination between these and other goods we will deliver in the following chapter.

16. Secondly, this right can be collected from other decrees wherein is prescribed simply that the goods of churches are not subject to temporal taxes or exactions from any lay powers whatever, as is clear from ch. ‘Non Minus’ and ch. ‘Adversus’ *De Immunit. Ecclesiar.*, and in ch. ‘Quamquam’ *De Censibus* on 6. However, it can be replied that in these rights only the imposition of these taxes on churches or ecclesiastical goods is prohibited, but there is no forbidding that ancient taxes, which belonged to the goods themselves before they became ecclesiastical, persist in them and are paid by churches, not because a tax is imposed on them but because they received the goods along with that burden. Hence when in the same place exactions of taxes from churches because of such goods are forbidden, the correct understanding is about exactions that are made because of taxes imposed on churches for goods already their own, both because the exactions make reference to the taxes that the discussion there is about, and also because all exactions could not otherwise be absolutely and without distinction prohibited, because some of them could be taken justly from the Church and without injury to ecclesiastical immunity, as in the case of a demand for those that are owed by a just title and in an ecclesiastical court, if coercion be necessary. But although this interpretation is sufficiently conformable to the words and mind of those rights, nevertheless we believe, by identity of reason, that an efficacious argument is thence taken that the decision of those rights extends also to ancient taxes and to the exactions that are made because of them, which we will explain by adducing a little below the reasons for the assertion, for first we must ponder some other rights.

Thirdly, then, this canon right can be collected from ch.1 *De Immunit. Eccles.* on 6, where there is first a report of a complaint against and an abuse of secular powers that “strive and study to make churches pay collections to them, and tallies, and other things of this sort, on pretext of the goods they have acquired, or that they release acquisitions of this sort from their possession.” And afterwards such abuse is condemned and the declaration is made that “it is not licit for any who exercise temporal jurisdiction to impose any exactions on churches or to exact them from the same for houses, estates, or any possessions at all legitimately acquired hitherto by churches or to be acquired in the future.” In these words I weigh first that there is not only reproof of exactions from goods that were already in the possession of the Church when the tax was imposed, but also from goods that are later acquired, even if such goods, when they were secular before, were subject to taxes. For that the discussion is about this sort of goods is manifest. For that is why laymen wish to compel the Church either to pay the tax or to give up the

goods, lest they themselves be deprived of the tax attached to the good; therefore that right is speaking about these tributary goods and it has nevertheless established that such goods, by the very fact they are transferred to the Church, are exempt from exactions of such taxes. Hence also I weigh that a prohibition is there distinctly and universally made against “imposing or demanding any collections or exactions at all,” namely in respect of ecclesiastical goods; therefore not only is there a prohibition to impose them but also to exact those that had already been imposed before the Church acquired the goods. And this text, adjoined to the preceding ones that were proximately mentioned, seems to me to give sufficiently probable proof from canon right of this opinion.

17. It remains to speak of civil right whence certain words of Justinian are wont to be adduced, whereby this assertion seems to be signified, and in the first place those words are adduced that Gratian reports in ch.2, 10, q.2: “Those things that pertain to the rights of the most blessed Church, or that will perhaps have hereafter come to it, it is fitting venerably to guard untouched, just like the sacrosanct and religious Church itself.” Which words were of the emperor Leo, and they are reported by Justinian in law ‘Iubemus’ *Code. De Sacrosanct. Eccl.* Now in them it is said generally that all goods that come to the Church are to be kept untouched like the Church itself; therefore it is not licit to exact taxes for them, just as not for the Church either. But as I was saying above in a similar case, if the argument were efficacious it would prove too much, namely that all goods of the Church ought to be so kept untouched that no rent or burden, even one coming from a preceding compact, could be exacted for them, because the Church itself, or its land or site, enjoys this immunity, which we showed to be false. Therefore the equivalence is to be taken, not universally, but according to the subject matter. Hence one must note that in the law alienations of ecclesiastical goods are specifically prohibited, and that in this sense they ought to be kept untouched, that is without diminution or sale or any like change, just as churches themselves are preserved. And thus does the Pontiff take that decision on ch. ‘Nulli’ *De Rebus Eccles. non Alien.* when he concludes thus: “Let all priests abstain from alienation of this sort, fearing the penalties that the Leonine constitution threatens.” Therefore that word ‘untouched’ is extended without foundation in the text to taxes and especially to those that adhere to goods before they become ecclesiastical. For if the Church receives goods under such a burden, although it afterwards pay it, it does not for that reason alienate anything, because such goods were from the beginning not integrally, so to say, transferred to the Church but with the diminution of such burden, and therefore when it afterwards pays them it does not alienate its property but pays a just debt.

Hence even Gratian adduced the words of that law, not for exemptions from taxes, but for alienations, and he adduces for the same purpose many others of the decrees of the Pontiffs, both there and also in ch. ‘Praedia’ 12 q.2, wherein some words are general and are by certain people not rightly applied to taxes, as are those in epist.2 of Pius: “It has been brought to the attention of the Apostolic See that some are applying to human uses estates handed over for divine uses, and are taking them away from the Lord God, to whom they were delivered, so as to serve their own uses; wherefore the insult of that usurpation is to be by all repudiated, lest estates dedicated to the uses of heavenly secrets be vexed by some people’s intrusions.” By which words some wish that all taxes from ecclesiastical estates be prohibited, because the payment of tax is a certain human use while all application of such goods to human use is there held to be prohibited. But

although this might by a certain accommodation be applied to royal taxes proper, yet not universally to all temporal burdens or rents which the Church from its estates, even lay ones, can, according to the first assertion, pay by a just antecedent title. The discussion in that place, therefore, is only about a human use that is unjust and usurped contrary to the right of the Church, as those words make clear: “are taking them away from the Lord God, to whom they were delivered.” Yet the payment of a rent due by just title is not an unjust use, nor by it is taken away from God what had been given to him, for from the beginning it was given with such burden; therefore the right to such burden was not given, and thus is not taken away from God that which was delivered to him but that which was reserved in the gift itself. And therefore it can also be said that that use is not properly of ecclesiastical goods as they are such but as they have remained in some part subject to secular burdens. Wherefore unless it be proved from elsewhere that taxes do not persist in goods after they become ecclesiastical, it is not proved from those and the like words that the payment of such tax pertains to alienations or other prohibited uses of ecclesiastical goods.

18. Next the assertion can be confirmed from law ‘Iubemus’ *Code. De Sacrosanct. Eccles.*, where Valentinian and Marcian confirm ecclesiastical privileges, and they subjoin: “Because it is a mark of our humanity to look out for the needy and to see to it that they do not lack victuals, the salaries too that have hitherto been ministered in diverse kinds from the public funds to the sacrosanct churches, we command now also to be provided undisturbed and undiminished by absolutely anyone, and to this most ready liberality we give lasting certainty.” From which words and by likeness of reasoning a not improbable argument can indeed be taken, but the words do not formally or dispositively prove the thing intended; because that law makes no disposition about exemption from taxes but only confirms the salaries, or subventions, or annual payments which the emperors had commanded to be made to the churches from the public goods. But it can hence rightly be collected that it was not the will of the emperors that imperial taxes should be exacted from the acquired goods of the Church, since rather the emperors themselves prescribe the giving to the churches of many of the other goods for the subvention of the poor. Hence also that reason about the subvention of the needy gives no less persuasion that the fruits of ecclesiastical estates should be kept undisturbed and undiminished by public taxes than that other subsidies should be which were for the same end being provided to the churches from the public goods.

19. This civil right, therefore, is reckoned to have been properly disposed and passed by the emperor Frederick in his constitution, wherein he established generally that “no community or public or private person may presume to impose collections or exactions...on churches or pious places.” Since this law speaks indefinitely, all exactions of taxes proper, which are called collections or by some other like name, are prohibited to be made from churches and their goods. However it is opposed by the exposition of Bartolus on law ‘De iis’ *Code. De Episcop. et Clericis*, where he says that the constitution of Frederick must be understood only of personal or mixed taxes, which are imposed on a person for things; for these alone are properly called collections, and therefore the constitution does not prohibit the estates of the Church from being subject to tax, so far as it is laid down in the same law ‘De iis’ and in law ‘Placet’ *Code. De Sacrosanct. Eccles.* And therefore he faults the glosses that there say that the laws ‘De iis’ and ‘Placet’ have been abrogated by *Authentica ‘Item nulla’ Code. De Episcop. et*

Clericis. Which opinion was also approved by Panormitanus in the said ch.1 *De Censibus*.

20. But it is rightly faulted by Baldus on the said law ‘Placet’, and taken universally it seems improbable. For it follows therefrom that the estates of the Church are, by force of that *Authentica*, or of the constitution of Frederick, and consequently by force of civil right, not exempt from real taxes, even those freshly imposed after the estates have become ecclesiastical, if the taxes are imposed as ordinary and perpetually lasting; the consequent is altogether false and is rejected by everyone, as at the beginning of this chapter I supposed from what was said in the preceding one. The proof of the implication is that the aforesaid taxes were permitted by the said laws ‘Placet’ and ‘De iis’; therefore, if they have not been abrogated by Frederick, they still remain in force, and consequently by force of civil right the estates of the Church will be subject to tax, even as regard taxes imposed after the Church had acquired such goods. Wherefore it cannot be denied but that the *Authentica* ‘Item Nulla’ speaks also of real taxes, for it absolutely and universally prohibits any exactions to be imposed on churches; now under the name of exactions come all taxes, as well ordinary as extraordinary, and as well real as personal, especially because in the text itself there is an express distinction of “exactions being imposed on churches, and pious places, or ecclesiastical persons” and all of them are prohibited; therefore also the Church and pious places are exempted from the imposition of any tax.

21. A response may be made in another way that there indeed exactions are prohibited from being imposed on churches and pious places, but not the demanding of those that had been previously imposed on goods that were transferred to the Church along with that burden. And thus does Baldus limit the constitution along with a certain Jacob on the said *Authentica* ‘Item Nulla’ num.4; but he adds that the emperor does not permit Italian estates to be subject to tax, but that outside Italy, where there are estates subject to tax, they are transferred to the Church along with their burden. However this distinction and limitation is not to be admitted. First, because the benefit made by the prince is to be interpreted liberally, especially in a cause of religion according to the common law ‘Sunt Personae’ and the following ones *De Religiosis et Sumptib. Funer.* Second, because a universal privilege extends to things present and future according to ch. ‘Quia Circa’ *De Privileg.*, and it is noted by Bartolus on the said law ‘Placet’ num.8. Therefore, by force of that constitution, all the goods were exempt from taxes that were ecclesiastical at the time when the privilege was conceded, even if before they were burdened with taxes; therefore much more is the same to be kept in the case of all goods afterwards acquired by the Church. Third, because the word ‘impose’ does not strictly seem there to signify a new imposition of tax, because the supreme prince alone can in this way impose tax, and yet there the prohibition is given to all communities and persons, not only public but also private; therefore the word ‘impose’ must there signify or comprehend an action that can be carried out by them all; therefore the prohibition is there of every petition or distribution or imposition of paying tax that may be made of the Church, whether from goods acquired or to be acquired. And in this way there is also a satisfactorily probable confirmation of this opinion from civil right.

22. But beyond these rights the aforesaid author adduces various reasons to confirm the same assertion, which can be seen in him; only one must beware that some are too general and concern all burdens or rents, as well public as private. Again I take

note that many of them, if they are carefully considered, suppose rather than prove that the privilege of exemption extends to ancient taxes. Wherefore those reasons seem to me effective that are taken either from the general idea of tax or from equivalence between ancient and new taxes. Such is the reason that taxes proper are imposed by right of subjection, whence they are by the same right exacted and paid, according to the saying of Paul *Romans* 13.5-6: "Wherefore ye must needs be subject, not only for wrath, but also for conscience sake. For for this cause pay ye tribute also;" therefore when the subjection ceases the tax cannot justly be exacted, because with the cessation of the reason for the debt the debt ceases, provided the reason is adequate, as it is in the present case. But yet all goods whatever, by the very fact that they become ecclesiastical, cease to be subject to a lay prince, because they come to be outside his jurisdiction; the Church itself too, to which the goods pertain, is outside the jurisdiction of the same prince, and much more the Prince himself Christ, whose the goods are; therefore by the very fact that such goods become ecclesiastical, they become exempt from all taxes that are founded on jurisdiction alone. Just as, if a person subject to one king is exempted from the jurisdiction of the same king, by that very fact he is exempted from taxes to him; nay, not only the person but also his goods are exempted from these taxes, by which reason of person they are imposed; therefore likewise, when immovable goods are transferred to such state that neither they themselves, nor those who have the ownership or use of them, so to say, nor the proper and principal owner of them remain under the jurisdiction of the prince, they are exempted from taxes.

23. This reason is also confirmed from the other principle of right, that when some disposition reaches the case where it could have begun, the prior disposition ceases, namely when the same reason militates against the continuation as against the beginning. But so it is in the present, for the imposition or exaction of tax cannot begin in the case of ecclesiastical goods; therefore it cannot continue in the same goods after they have been made ecclesiastical. Therefore in the imposition by a prince of such tax this condition is understood to be included, so that it lasts as long as the thing will be unsuitable or incapable of such tax; for then, as the tax could not begin, so neither could it be preserved, because there is the same reason about both, as has been made clear, and it will be clearer from the response to the foundations of the first opinion.

24. To the civil rights, then, the response is that all laws which permitted ordinary taxes to be exacted from churches are revoked by the constitution of Frederick, whence to law 1 'De Indictionib.' the response is that the public exchequer must not be made equal in everything to the Church, for it is just that the Church enjoy greater privileges. Now the *Authentica*, which supposes that burdens of the exchequer can exist in the goods of the Church, could be true in burdens of the first kind, if perhaps the goods that have passed to the Church were first under obligation by a contract or quasi-contract to the exchequer, and in that case the decision can have place that Gratian reports in ch.2 § 'Item Praedium' 10 q.2. To the canon rights we will expressly reply in the two following chapters. To the reason that a thing is transferred along with its burden the reply is that it efficaciously proves the first assertion but is not compelling against the second. Now the reason for the difference is because the axiom proceeds when the thing is not transferred to a state wherein it becomes incapable of such burden; for if the change is that great, the necessary consequence is that the thing is exempted from such burden. For thus a servant, if he be legitimately ordained, is exempted from the burden of servitude, and a

consecrated thing, although before it was subject to mean or profane functions, is by force of consecration exempt from them. So, in the present case, goods when they become ecclesiastical are constituted in a certain higher state, wherein they are incapable of taxes but not of other real burdens that arise from private contracts; and therefore by such change taxes proper cease, but not other rents, except in the special cases expressed in the right. Then too it is necessary that either he who had some right over such goods consent to such change in them, or that recompense be made to him according to what we will say in the following chapter.

25. But someone will ask why the same is not required with respect to a prince when goods tributary to him are transferred to the Church. For, since he suffers thence a loss or diminution in his goods, it seems he is unjustly done by if such change is made without his consent or without compensation. The response is that neither of these is necessary here. And the reason for the difference is that the prince did not before have proper dominion, or any particular right equivalent to dominion, by reason of which tax was owed to him, but he could only exact it by reason of jurisdiction, because the thing itself or its owner was under his superior administration. But no reason of justice compels the thing to be kept under the jurisdiction of the temporal prince, because its owner can freely dispose of it. Most of all, indeed, he can dedicate or give it to God, by which gift such goods become ecclesiastical, but the consent of the prince is not necessary for secular goods to become ecclesiastical. Which, as I said, and as is cautioned by canon right and by divine natural right, seems satisfactorily founded on the said reason.

Nor does it matter that the revenues of the prince could thence be diminished, because the diminution does not happen in his own proper goods, but in his common stipends; it is also *per accidens*, for it follows from subtraction of the material, done religiously and justly, and for this reason no recompense is due. Especially because it can also happen contrariwise, that if ecclesiastical goods are sold and become secular, they begin to be subject to tax, and thus the revenues of the prince are increased. All which things do not have place in private burdens that began from special right or ownership, as is sufficiently clear from what has been said. Add that the cessation of tax in that case does not happen by the private will or authority of the giver, but happens by the authority either of a divine right or of a human right founded on the divine. And so there too the prince's consent, given by right itself in virtue of the said civil law, is not lacking, who could not any more revoke it after the Church has received the benefit and privilege; although even without that it could be done by virtue of divine right, or also of canon right, as was above shown generally about this ecclesiastical exemption.

26. Hence the reply to the final confirmation is that the loss is not ordinarily of great moment, nor is account taken of it, because of the reasons given. But if it sometimes happen that so many goods have accrued to the Church that it redounds to the grave prejudice or great diminution of the royal revenues, the Supreme Pontiff is to be consulted, for it concerns him to apply a remedy in cases of this sort. For it is not licit for Christian princes "to take possession of ecclesiastical goods", as is expressly said in the said *Authentica* 'Item Nulla', nor can they make a disposition or decision about them either, as has been proved above.

Chapter 21. Certain objections are met, and explanation is given by the by of how ancient this exemption of ecclesiastical goods is.

Summary. 1. First objection from canon right. 2. Second objection from civil right. 3. Response to these objections. 4. First conclusion: how ancient the privilege of not paying taxes is from the goods of the Church. 5. The Supreme Pontiff can of his own power exempt the goods of the Church from taxes. Proof. 6. Second conclusion: the privilege of exemption for the goods of the Church has not always been observed. Proof. 7. Exemption of the goods of the Church was established before Frederick by the civil laws. 8. Triple response to Ambrose. 9. First response to ch. 'Tributum'. Second response. 10. It is attacked. True response. 11. To ch. 'Sancimus'. Goods that relate to the manor of the Church are exempt from all tax. 12. Response to the civil laws adduced to the contrary.

1. Against what has been defined in the previous chapter certain objections are possible that can urge that the doctrine is false, or at any rate too novel. And from canon right is firstly objected ch. 'Si Tributum' 11 q.1, taken from Ambrose's oration or 1st speech *De Basilica non Tradend.* towards the end, where he says: "If the emperor requires tax, we do not say no; the fields of the Church pay tax." Like things are also contained in ch. 'Convenior' 23 q.8, taken from the same oration, and from epist.33 to his sister, which is now 13 in book 2. Secondly is objected ch. 'Tributum' 23 q.8, where Pope Urban speaks thus: "Tax was found in the mouth of a fish when Peter fished, because from external things, which appear openly to all, the Church renders tax." And later: "From the external things of the Church, that which was anciently established is to be paid to the emperors, for the peace and quiet whereby they must guard and defend us." Thirdly is objected ch. 'Sancitum est' 23 q.8, where the Church along with its gardens, halls, and the houses attaching to it, and its manors are specifically said to be exempt, but there is afterwards added: "And if they have anything further, due service is devoted therefrom to the seniors;" by which words some tax is signified, as everyone understands and as they themselves show on their face. This then is the general rule, that the goods of the Church pay tax, except for those few that were put at the beginning, which exception establishes the rule for the rest. And although that chapter be from the Provincial Council of Worms ch.50, it was accepted for the Universal Church in ch.1 *Extra De Censibus* by Gregory IX, who lived only about four hundred years ago.

2. Second there is principally objected from civil right law 'Placet' *Code. De Sacros. Eccles.* which is from Honorius, and from Theodosius on law 40 *De Episcop. et Cleric.* in the *Theodosian Code*, where, although churches are exempt from mean duties and from extraordinary taxes, they are not however exempt from ordinary ones, as is clear from the words in Justinian: "Nothing beyond the canon payment," that is, beyond the imposition that is ordinary and established by certain rule. Nay, something can also be exacted "if the sudden burden of an adventitious necessity demands;" which law was inserted in his decree by Gratian on ch. 'Generaliter' § 'Placet' 16 q.1, signifying that canon right does not repudiate that law. Secondly, there is objected law 'De iis' *Code. De Episcop. et Cleric.*, where the estates of clerics are said to be under compulsion "to payments to the exchequer", but under the estates of clerics seem to be understood also those of churches. Thirdly, there is objected the last law of *Code. De Exactor. Tribut.* bk.10, which contains the following: "If a divine house, or any other house of any dignity and fortune, possesses lands by any title and does not acknowledge the imposed duties of the republic in the way the previous owner was performing them, let their possessions be in every way claimed for the public;" where the Goss expounds public duties as, it says,

“the taxes, allotments, burdens of things, and so what is transferable along with the things themselves.” For thus did the emperors give in rescript that “among revenues belong estates themselves,” law ‘Imperatoris’ and following *De Publicanis et Vectigalibus*, and that accordingly taxes of this sort are real burdens and are owed by churches according to that law, whatever the reason be whereby the estates came to them.

3. To these objections we can reply in one word, that those rights proceed according to ancient custom, but they have now been revoked and greater privileges have been conceded to churches. Which response may be ungrudgingly accepted for the civil laws, insofar as they are handed on by the Glosses on the said law ‘Placet’ and the said law ‘De iis’. But as for what regards canon right, it is incredible that taxes of this sort were ever approved by it, especially after the times of the Christian emperors; and therefore, before we respond to them one by one, we must explain how ancient, as to this point of taxes, the exemption of churches is; for I judge that the same opinion more or less is to be held about it as what I said in earlier chapters about exemption itself in general, because this is a certain part of ecclesiastical immunity and is no less necessary, nor less consonant with reason, than that is. Therefore the distinction given above is here also to be made by way of preface; namely that it is one thing to speak of the right but another of the fact.

4. First, then, I say that the privilege or right of not paying taxes from ecclesiastical goods was introduced from the beginning and grew up, as it were, along with the Church itself. This is readily apparent from what was said above in general about the origin of ecclesiastical immunity, and it must be made clear in the same way. For, in the first place, I reckon that this right arose intrinsically from the very institution of the Church as it was made by Christ; for by force of such institution the Church is capable of acquiring goods, both immovable and movable, that are destined for the cult of God alone and for works of piety. For the Church does not have this capacity or power from the emperors or from men, but has it intrinsically and from the nature of the thing, by the very fact that it is an assembly of mortal men having a special unity and bond from Christ’s institution; whether such capacity be considered in the Church from the fact that it is an assembly of men with the use of liberty, which is the foundation of dominion over external things; or whether it be considered in the way that the Church is one body whose principal head is Christ, who is much more capable of such dominion. Hence, from the beginning of the Church, the faithful began themselves to hand over to the Church their own goods, which by that very fact became common to the body itself of the Church through which they were distributed to individuals as to the use of them, as is manifest from the *Acts of the Apostles*. And although then the Church only had movable goods, it began a little after to acquire immovable ones, not by extrinsic privilege, but by intrinsic power and the prudent will and stewardship of the pastors of the Church, as we understand from Pope Urban in his letter ch.1, and it is contained in ch. ‘Videntes’ 12 q.1. Now Urban lived in the year 227, and yet he places on record that it had already been ordained by the Supreme Priests that the estates, which were being given to the Church, were not to be sold but to be kept under the power of the same Church, so that from their revenues it might the better assist all the needs of the faithful. Which custom was from the time of Constantine much indeed increased, not because Constantine gave the Church itself the power of acquiring such goods, but because by his faith he gave to all the opportunity for giving to the Church whatever they wished, and by his own example

preceded and aroused them, as is taken from an edict about the primitive Church and the munificence of Constantine which is contained in vol.1 of the Councils, and in ch. 'Futuram' 12 q.1.

From which we further collect that, from the same institution of the Church, as it was made by Christ, intrinsically arose that these goods, which are given or accrue to the Church, accrue to Christ as principal lord, because they do not accrue to the Church except as it is a mystical body whose principal head is Christ. And therefore, although there is in the Church power to dispense these goods, it is only a ministerial power coming down from Christ, and it resides principally in the pastors of the Church, because they are the stewards of the mysteries and the goods of Christ on earth. And hence ultimately the right of exemption of such goods from human taxes seems necessarily consequent on the institution of such Church, because the head of this Church, which is principal lord of such goods, has not only a connatural exemption but also a connatural power and lordship over all the kings of the earth. Hence there is no doubt but that Christ could also immediately and of himself exempt such goods from taxes by the very fact that they are his own, and because this is very much in conformity with the divinity and excellence of his person.

5. One must add besides that, even if such goods had not been by divine right itself immediately exempt from taxes, the Pontiff could by his own power exempt them, as we said above about persons; for almost the same reason holds, with proportion preserved. Hence just as the Church always had this power, so also did it always have the right to enjoy this immunity as to ecclesiastical goods. Now the proof is first from the principle that Christ has the right; therefore he committed the prudent execution of it to the pastors of the Church and especially to his Vicar, just as he chiefly committed to them also the stewardship of his other goods. Second, for this reason the Vicar of Christ has the power and obligation of managing well the patrimony of Christ; but one of the chief acts of this management is to vindicate those goods from burdens and taxes, as piety and the reason of religion, with justice preserved, demands. Just as from the beginning of the Church, therefore, the management and stewardship of such goods existed in Christ's Vicar and in the bishops, as is extensively proved in *Decrees* 96 d. and 12 qq.1 & 3, so also the right of exemption of such goods existed perpetually in the Church. Third, the same reason holds for exemption from jurisdiction and from taxes; nay this second part follows from the first, as was proved; but the Church, by force of dispensing and managing such goods, always had the power and right to exempt these goods from secular jurisdiction, as was proved above; therefore it always had the same right about taxes as well. Lastly an explanation and a very good reason for this power is given, that ecclesiastical power, as it exists in the head and in the Vicar of Christ, is supreme in its order; and because that order is more divine than the rest, therefore it is also supreme simply with respect to all the powers of the earth. That power, indeed, although it be spiritual, needs the use of temporal goods for convenient government and the execution of its power; therefore too, so that it may deal with the temporal goods committed to it, it is a power simply supreme; therefore it suffices of itself for exempting these goods from the impositions that may be made by some other earthly power. Hence the Pontiff himself can burden such goods with taxes, independently of the other's consent, as supreme governor, provided he do it as faithful and prudent steward, according to *Clementin.* 1 'Ut Lite non Contestata' at the end, along with similar ones; but the Pontiff could not have so

free and supreme a power if he could not exempt those goods from the encumbrances of other princes; otherwise such goods would rather often be too greatly burdened, if one power did not yield to the other. But if one of the two powers is to be acknowledged and preferred, it ought assuredly to be the spiritual power, as was often said and proved above.

6. Second we must speak about the fact or the execution of this exemption from real taxes imposed on immovable goods, and say that it was not always necessary in the Church, nor always possible, nor is it known for certain when it began; but that it is nevertheless likely that it was introduced and preserved from the beginning of the Christian emperors, as far as could be done by the pastors of the Church. The first part is manifest about that primitive time when the Church did not have these immovable goods, but sold the fields and estates offered to it by the faithful for the support of the common burdens, as is said in the said ch. 'Videntes'. For, at that time, there was not in the Church the matter or foundation for such taxes, and therefore we say that exemption of this sort was not necessary to it. The second part proceeds about the second period of time, from when the Church began to possess and retain such immovable goods (according to the same ch. 'Videntes') up to the times of the Christian princes or of Constantine. For at that time the emperors and kings, to whom these taxes were paid, were not sons or subjects of the Church; nor were they able, since they lacked faith, to understand what sort of right the Church had to the free use of such goods; and therefore the Church could not at that time either effectively or fruitfully, nay nor without scandal, use the right. The third part about uncertainty can, in the first place, be taken from the objections that have been made. And next because we do not find rights from which to collect clearly and with certitude the beginning of this execution or observance of exemption.

Now I say that this beginning as to the cessation of the first period of time is uncertain; for as to the assertion of the other period of time, wherein the exemption was established as going to endure always into the future, it can be assigned with sufficient certainty at least from the time of Frederick II and Honorius III, as is sufficiently clear from what has been said. But that the use of this exemption was established, at least by canon right, before that time is manifest from the Lateran Council under Alexander III, which took place almost a hundred years before, and from the other Lateran Council under Innocent III celebrated later, ch. 'Non Minus' and ch. 'Adversus' *De Immunit. Eccles.* And from the same decrees we collect that this right did not begin with them but was older, and was in those Councils confirmed under more severe censures and declarations. Hence although perhaps there may not be found an older decree expressly and in this kind establishing this exemption of ecclesiastical goods, we conjecture with probability from this very fact that by Pontifical right, not so much written as unwritten, by tradition, and by the precepts of the prelates this immunity was observed in the Church from when the Pontiffs began to have their unencumbered and free power to administer goods, that is, after the impediment of the heathen emperors was removed.

7. Hence it also seems to me likely that Constantine conceded at once this exemption to ecclesiastical goods, or rather consented to it (see the edict of Constantine cited above, and Eusebius *Hist.* bk.10 ch.5, and his oration *De Laudibus Constantini*). For all the histories hand down that he at once commanded all goods to be restored to the churches, and not only gave estates with the greatest liberality to the churches, but also fortified them with great privileges. And he was imitated by his pious and Catholic

successors. Nay, Baronius notes for the year 387 n.13 that, after the gentile emperors, only the apostate and heretical emperors demanded tax from the goods of the Church, and first among them was Julian the Apostate. Although, therefore, there is not found in the *Code of Justinian* or the *Theodosian Code* a civil law that expressly concedes this privilege before the constitution of Frederick, one must nevertheless believe that long before, nay from the beginning of the Christian emperors, it had been conceded or admitted by them (see the *Theodosian Code* at the title *De Episcop. et Cleric* in many of the laws, especially the last ones). And although there was sometimes interruption, borne patiently but not consented to by the Church, yet it was done by tyranny, both because it was against divine and canon right, and also because such privilege, once conceded, could not be revoked; and therefore whenever emperors generally renew the privileges conceded to the churches by their predecessors, this too must be reckoned to be included in them.

8. In answer to Ambrose, then, on ch. 'Si Tributum' 11 q.1, the Gloss there seems simply to concede that the estates of the Church are subject to taxes, and to enjoy a privilege only in this respect, that, should the Church not pay, its goods could not be claimed in vindication. But if this be understood about that period of time, it is altogether false; if, however, it be understood about Ambrose's time, it is more tolerable but not true. The other Gloss, therefore, on ch. 'Secundum Canonicam' 23 q.8, understands that text of the real burdens with which the goods were transferred to the Church; and it thinks, from the opinion of Ambrose, that the Church is bound to pay them. But it seems to understand it about taxes proper, for about them Ambrose is certainly speaking, as is clear from the words: "If the emperor requires tax, etc." But in this sense the opinion would be false, and so we do not admit it. The true understanding, then, of Ambrose's words is what Cardinal Albanus above extensively treated of, and it is embraced in one word by Cardinal Baronius above who says that Ambrose said those words rather by permission than by approval, and asserting the fact, not acknowledging the right. For it is likely that, at that time which was the time of Valentinian the Younger and when he was a boy, Justina his mother, governing for him and an Arian, had exacted some tax from the churches; and Ambrose wisely judged that she was not to be then resisted, either to avoid scandals or because greater dangers were then threatening the Church which were more in need of being met, and they could not all be resisted at the same time. Hence Ambrose subjoins with the same tenor of words: "If the emperor wants fields, he has the power to claim them; none of us has intervened; the collection from the people can redound to the poor; let them not stir up jealousy about fields; let them take them if it please them." Moreover, explaining the sense in which he says this, he subjoins: "I do not give to the emperor, but I do not say no," as if he were to say, I permit but I do not approve. Much more easily, indeed, could tax be permitted than usurpation of estates; for this latter so contains injustice and sacrilege that it cannot be excused by ignorance, while the exaction of taxes does not so bear intrinsic malice on its face that it cannot be hidden by ignorance or excused by color of some apparent title. And therefore this could by Ambrose be more easily pretended, since he reckoned too that the tax was not then altogether unjust, for later in the same oration he subjoins: "We pay what is Caesar's to Caesar and what is God's to God; the tax is Caesar's, it is not refused; the Church is God's, to Caesar it should certainly not be assigned, because it cannot be Caesar's right." And such too is the response to ch. 'Convenior'.

9. To ch. 'Tributum' the same response is applied by Albanus above, namely that Urban spoke about the fact, not about the right, when he said that tax is paid by the Church voluntarily and to avoid scandal, not from obligation or debt. And to prove this he adduces the words: "For the peace and quiet, etc." But the interpretation seems forced, for the words of the Pontiff are: "That which was anciently established is to be paid to the emperors, for the peace and quiet whereby they must guard and defend us." Of which words the sense is not that tax is to be paid for the sake of avoiding scandal and keeping the peace, but is to be paid to the emperors on account of the duty and obligation they have of guarding us and keeping us in peace. Hence those words more indicate a right than a fact; for about the fact he said at the beginning: "The Church pays tax from its external things," but afterwards he gives the reason for which it is to be paid. In this way too did Torquemada and others there understand that text not only about the fact but also about the duty. Hence they reply otherwise by interpreting the text only of goods that came to the Church along with the burden of tax.

10. To me, however, this too does not seem satisfactory, because the text speaks of tax indifferently. For gratuitously is it limited to an improper tax or a private burden founded on some compact; for rather the words make clear that the discussion is about a tax that is paid to the emperor by reason of his public function, which the Church does not owe, whether it be old or new, because the same reason applies to them, as I said. I note, therefore, that the chapter is reported by Gratian from Pope Urban; but he does not designate which Urban it was, although moreover we do not have decrees in the volumes of the Councils or of the decretal epistles of Urban II, or of those later called by that name, nor is that decree found among the acts of Urban I in volume 1 of the Councils; we conjecture, nevertheless, that it belongs rather to Urban I than to the others, because the manner of speaking in that text is redolent more of the antiquity of Urban I than of the more recent times of the other Urbans. So I say this, that Urban spoke according to the manner of his time, when the emperors were heathens and the Church had not yet vindicated to itself the liberty from taxes of this sort, but that now the right has ceased.

11. In response to ch. 'Sancimus' and ch.1 *De Censibus*, the Glosses there understand the words of the older real burdens. Which response pleases me for that text, provided it be understood of private burdens, which we spoke about in the first conclusion in the preceding chapter. And to confirm this sense can be weighed the fact that there no mention is made of tax, nor of the prince, but the Council says that "to their greater" or rather, as the original has it, "to their seniors" do they "devote due service." Which words, whatever Gratian in the following section and the Glosses there say, are rather broad, for "due service" is rightly said of any burden whatever, but by "seniors" is understood by the Gloss and Joannes Andreas on the said ch.1 *De Censibus* the ancient lords from whom the possessions came to the Church along with their burden, and therefore they are to be paid by the Church from the same goods, when these do not pertain to the manor of the Church or to other places conjoined to it, from which, by the special disposition of that right, nothing except ecclesiastical tax is permitted to be paid. Which exception of "ecclesiastical tax" confirms the rule to the contrary in respect of other real burdens, of whatever kind they be. But if the Church has besides these goods something further, as is said in the text, it will be obliged by the real burdens which by virtue of some compact pertained to the ancient lords. Now the reason for a special exemption of the first goods can be that, either they are reckoned as it were accessory

parts of the Church itself, which deserves the total immunity, and what is accessory follows the nature of the principal, or they are judged necessary for the support of the Church, as Abbas there notes, and therefore other burdens on them are not permitted. Hence if they had them before, by the very fact that the goods are united to the Church, the burdens cease, as was made plain in the preceding chapter.

12. Finally to the civil laws we reply in a single word with the Glosses above cited, that those laws were abrogated by the constitution of Frederick. Or perhaps it might better be said that those laws were always null, as in a similar case is signified by the Gloss on ch. 'Generaliter' 16 q.1, at the word 'Collationibus'. Now the reason is that such laws were contrary to the privileges earlier conceded to the churches, which could not be revoked; or that certainly they were making disposition in ecclesiastical matter, and to the prejudice of the Church, which civil laws cannot do, as has often been said. To which we add that among the ordinances of Lusitania [Portugal] bk.2 title 22, there is found a very good law that confirms the doctrine given.

Chapter 22. Of what sort ecclesiastical exemption is as regard the personal burdens of clerics.

Summary. 1. Censuses or assessments are another matter of exemption for clerics. 2. Clerics are exempt from assessments. 3. This exemption of clerics from taxes is by divine right. First proof. A tacit objection is met. 4. Second proof. 5. Clerics are exempt from mean functions. 6. Confirmation from canon right. 7. It is shown also by divine right. 8. Clerics cannot be deprived of the advantages common to all citizens. 9. Clerics are not made more fearful whenever some burden falls on them from the civil laws. 10. Laws that speak of common matter or in general do not derogate from the immunity of clerics. 11. When clerics are made more fearful by civil laws. 12. Through laws depriving them of things common by natural or civil right, clerics are rendered more fearful for themselves. 13. Laws removing from clerics things common to other citizens are repugnant to ecclesiastical liberty. Evasion. It is refuted. 14. Reason for the conclusion. 15. Double Confirmation.

1. We do not intend in this chapter to declare what persons enjoy this exemption or in what way, for this pertains to the other, as it were. remote part of the matter, about which we will begin to speak in chapter 23, but we suppose in general what in this matter is evident of itself, that clerics enjoy the privilege of exemption and that, because it was shown above, the matter of the exemption is the secular courts, as well criminal as civil, and the civil laws, as well coercive or penal as directive or imposing an obligation directly; therefore it remains to say whether taxes too are, with respect to the same persons, matter for this exemption. Now certain of these taxes are wont to be imposed on persons themselves without respect to goods, and they are said to be purely personal taxes and are wont to be called by the name of assessment, as in *Matthew* 17 according to the exposition of many, and in the law of the *Code. De Capitatione Civium Censibus Eximenda* bk.11, where the same tax is called assessment and poll tax, because it is put together by a poll of heads according to number, without respect to goods. But sometimes tax is imposed by reason of the goods, which is called real or mixed tax, as we will say in the following chapter when we treat of goods, for now we are dealing with purely personal burdens.

2. First, then, we must say that ecclesiastical persons enjoy personal immunity as to assessments and poll tax. This assertion is most certain among Catholics, for it is expressly contained in the many decrees of canon right adduced above to prove exemption in general, as ch. 'Adversus' and ch. 'Non Minus' *De Immunitat. Ecclesiar.*, and ch. 'Quanquam' *De Censib.* on 6, and in others where special mention is made of persons. Thus also is it noted there by all the expositors, and the same is taught by the theologians on *Sentences* 2 dist.34. And this exemption is very old, not only by canon right but also by civil, as can be gathered from the *Theodosian Code* title *De Episcop. et Cleric.* law 8, which is attributed to Constantine by Gratian on ch. 'Generaliter' 16 q.1, and he reports it in these words: "According to the sanction which you were a little while ago held to have merited, your possessions and estates, etc.;" however in the *Theodosian Code* it is attributed to Constantine and reads thus: "No one will lay new obligations on you and your possessions, but you will enjoy freedom." It also reads in the same way in law 1 *Code. De Episcop. et Clericis*, where it is attributed to Constantine. The same privilege is confirmed by Gratian on law 26 at the same title, where he has these noteworthy words: "Who would allow them to be bound by assessment of poll tax who he understands to have necessarily been transferred to the obedience above mentioned (namely obedience to the Church)?" The same privilege is also further declared and confirmed by Frederick.

3. And indeed if any exemption of clerics is by divine natural right and in conformity with the Gospel, it is most of all this one, which is from taxes purely personal. The proof is that tax is not with just reason imposed on a person except by reason of his goods or by reason of his own actions insofar as by them he can make some profit wherefrom he may pay such tax. But when tax is imposed in the first way it is not purely personal but mixed, and so it does not pertain to the present question but to another one to be dealt with in the following chapter. In the second way, on the other hand, clerics are by right reason not capable of personal tax because by reason of their state they are altogether dedicated to the divine cult, and they should, by force of their state, order their actions, not to temporal gains, but to spiritual ministries; therefore by force of their state they are by natural right exempt from personal and temporal taxes. Nor does it matter that they can, on account of such ministries, receive some temporal stipend; for it is not received by way of temporal gain but by way of just and fitting support, which should not be subtracted or diminished by imposition of tax. For the reason indeed most of all that the stipend is as it were annexed and accessory to spiritual ministry, and therefore partakes of its nature and condition, and accordingly of the freedom and exemption from every secular power that spiritual ministries have.

4. Hence the other reason is evident too, that no one can impose personal tax except on a person subject to his jurisdiction; but the persons of clerics are not subject to the jurisdiction of temporal princes; therefore they cannot be burdened by them with personal taxes. And it is according to these principles that this exemption of clerics is collected from the words of Christ in *Matthew* 17: "then are the children free;" for there the discussion is about exemption from taxes and in particular personal taxes. For the tax which was paid to Caesar and was called the assessment or census, seems to be the same as the poll tax imposed by Caesar when he ordered "that all the world should be taxed," as is said in *Luke* 2.1. Now from this tax are the children above all free, and consequently their family members should be free too, who are busy both altogether with persons and

with service to the children, and are nourished by their goods. Thus by a certain consequence, then, clerics are included under those words. To which sense can rightly be drawn the words of Jerome, at the place where he says: "We, for his honor, do not pay taxes, and as sons of the king are immune from tributes." But under the pronoun 'we' should be included not all Christians but only ecclesiastics.

And hence St. Thomas on *Sentences* 2 dist.44 q.2 a.2, treating of the same place, says: "Because Christ is speaking of himself and of his disciples, who were neither of servile condition nor had temporal possessions wherewith to be obliged to pay taxes to their lords." Hence he infers further that, by force of the same words of Christ, all are exempt "who profess the apostolic life, possessing nothing in this world and being immune from servile condition." Now he seems to name servile condition either temporal subjection to secular jurisdiction or the care and concern that attach to the acquisition of temporal goods. And the same doctrine is found in Bonaventure, a.3 q.1 ad 1, and in Richard [of St. Victor] a.3 q.1 ad 1, from the arguments placed second, and in Thomas de Argentina at the same place a.4, in a certain solution ad 3. Lyra too expounds in the same way the same words of *Matthew* 10, and the ordinary Gloss, taking up the words of Augustine bk.1 *Quaestionum Evangelicar.* q.23, says that free are the sons of the King under whom are all earthly kingdoms. But the exposition of the scholastics cited above is that by sons of the kingdom are to be understood not all Christians but those who have left everything for Christ. About what the sense was that was intended by Augustine I make no assertion, but I consider it probable that all these persons are by a certain consequence, at least as regard these personal taxes, included under the words of Christ.

5. I say, second, that clerics are exempt not only from monetary taxes but also from all that may consist in any mean or secular action or in any obligation to undergo such functions. This assertion is frequent in civil right, especially in the *Theodosian Code*, title *De Episcop. et Clericis*, for in law 1 Constantine prescribes that "clerics are not to be burdened with any nominations or undertakings demanded by public custom against the privilege granted to them." And on law 2 he says "they are to be altogether excused from every duty lest they be diverted from divine service." And on law 9 Constantius says: "Clerics ought to be exempt from curial offices and all care of civil functions;" and on law 10: "let the exaction of mean offices be thrust away from them." The same on law 11 and law 14. Valentinian on law 21, 22, & 24 and Arcadius and Honorius on law 36 say the same: "We command that they not be touched whom both clerical rank and (which is not less) a more holy life protects from acts of public labor."

Besides, in law 1 *Code. De Episcop. et Clericis* are to be noted the words: "No one will obligate you with new taxes, but you will enjoy exemption," where the Gloss adds "from mean duties." Again, another example of this exemption is there added when it is said: "Nor will you billet soldiers," which contains a special privilege as the Gloss there extensively notes, and in law 2 the same immunity is handed down in a general way, and more distinctly in law 'Placet' 17 at the same title: "It is decreed that clerics should have nothing common with public actions or those pertaining to the civic body, with which they are not connected." And on law 'Generaliter' at the same title they are expressly exempted from the guardianship and care of orphans, and it is added that such benefit is given to those who do not wander about or are lazy in divine ministries. "Since," it says, "we bestow this very benefit on them so that, with all else set aside, they may attach themselves to the ministries of almighty God." And the same privilege is

contained in law ‘Placet’ *Code. De Sacrosanct. Eccles.* and it is taken by likeness from law ‘Sancimus’ at the same title, where these words are to be noted: “Why make we not a distinction between divine and human things, and why may not fitting prerogative be preserved by a heavenly favor?”

6. Now in canon right not only is this mode of exemption approved and accepted in the whole title *De Immunit. Eccles.* but it is also commanded to be observed in the whole title *Ne Clerici vel Monachi Saecularibus Negotiis se Immisceant.* And it can, by argument from special case, be taken from ch. ‘Pervenit’ *De Immunit. Ecclesiar.* where it is said that in times of necessity no cleric is to be excused from taking watch on the walls but can in general be compelled to it, “so that, when all take watch, the defense of the city may be better procured.” Rather is there then also requirement that it be done, the bishop giving approval, and that, if coercion be necessary, it be done by the same in accord with the things we will note in the next chapter. There are, then, two things to be distinguished in this kind of exemption: one is that clerics cannot be compelled or obligated to undergo these functions; the other is to prohibit, and to obligate with necessity, that they not exercise them. The first can be done not only by canon laws but also by civil ones, because they do not in this respect exercise jurisdiction over clerics, nor use coercive or directive force proper, but concede a privilege, which does not always concern jurisdiction but liberality, as I said above. Although, if the thing be carefully attended to, on the supposition of the privilege of forum, the aforesaid laws are speaking more to secular ministers than to clerics, and are more making plain what they are bound to do than conceding something *de novo* to clerics. For since clerics are exempt from the jurisdiction of laymen, the laws or the secular magistrates cannot compel clerics to undergo these burdens; or that they abstain from these or those functions. However canon law can and does do both; for it effectively exempts clerics from profane or secular functions by prohibiting and, if there be need, coercing laymen from compelling clerics to undergo them, and also by obliging clerics themselves to abstain from them, for it can give command to both of them, in order to a spiritual end, as has often been said.

7. From these things too can the fact easily be understood that the exemption of clerics in this respect or matter follows from divine natural right, in many cases indeed by necessary inference but by a very close one in others that are determined by ecclesiastical right. The brief explanation is that clerics, by force of their state, are committed to divine ministries, to which secular functions can by a double title be repugnant. First because no one can serve two masters, and therefore clerics cannot be involved in secular business, so that they not be distracted from divine service. Second because holy things are to be handled in a holy way and with honor and reverence, but clerics have by ordination and deputation to the divine cult acquired a special sanctification; and therefore, so that they may be dealt with in a holy and honorable way, they must be exempted from these secular or more common functions. Hence, just as we were saying above about sacred things, so now we must say about sacred persons, that it follows from the nature of the thing that they should have a singular prerogative in being separated from mean functions.

Now among these functions there are some that manifestly derogate from the sanctity of the persons, or they impede ecclesiastical functions, and with respect to these this exemption necessarily follows by force of natural right. Nay, often not only does exemption follow but also prohibition, as when the functions are overly profane, of which

Paul most speaks in 2 *Timothy* 2.4: “No man that warreth entangleth himself with the affairs of this life.” But there are other functions wherein so great a deformity does not at once appear, as is, for example, the guardianship and care of orphans, exercising an honest and moderate and necessary art, and the like. And in this an exemption can be determined by canon right. Which sometimes happens by prohibition of such functions, but at other times only by concession, lest clerics be held to accept any functions of this sort. And this latter is also done by civil right, for thus is a cleric exempt from guardianship in *Authentica* ‘Presbyteros’, under law 41 *Code. De Episc. et Cleric.*, and nevertheless they can accept it if they wish, as the Gloss there notes, and the other Gloss on ch. ‘Irreligioso’ d.87. Likewise too, although clerics are not compelled to testify before a secular judge, nevertheless they can do it in some causes; and so in other like things.

8. I say third that it pertains to this liberty or exemption of clerics that they are not to be deprived of the rights, conveniences, or other things common to all citizens. This assertion I take from the doctrine of Bartolus on *Authentica* ‘Cassa’ *Code. De Sacrosanct. Ecclesi.*, where he says that civil laws whereby clerics are made more fearful are against ecclesiastical liberty, even if such laws are not addressing the clerics themselves. He hands on the same on law 1 § ‘Quae Honorandae’ ff. ‘Quarum Rerum Actio non Detur’, and the same doctrine is commonly followed by the canonists on ch. ‘Noverit’ *De Sententia Excommunic.*, especially by Panormitanus and Felinus, and on the last chapter *De Immunit. Ecclesiar.* on 6, where Ancharranus in particular can be looked at, and on his repeat of ch.1 *De Constitut.*, and the Cardinal on his repeat of ch. ‘Perpendimus’ *De Sententia Excommunicat.* § ‘Et Specialiter Quaero’. But what it is to make clerics more fearful is not clearly explained by the said authors, although however it can be understood in a too broad and a too narrow way.

9. The explanation will be too broad if one supposes that whenever laymen do or establish something from which some burden or inconvenience for clerics results, it is done against their exemption or immunity; which is sometimes insinuated by the canonists on ch. ‘Ecclesia Sanctae Mariae’ *De Constitut.* and on ch.1 ‘De Novi Operis Nunciat.’ But that is not indeterminately true; for when the burden or prejudice is general, and can turn out either way, sometimes as a burden and sometimes as an advantage, then, if the disposition is general for the whole city, it cannot be said that a burden has been imposed on clerics against their liberty, because nothing is then done against their privileges nor against natural justice. Again, because almost all human laws have this feature, that although they are useful to the community and to everyone as a rule, sometimes they turn out as a burden or prejudice for someone; nor are they for that reason to be judged unjust or harmful; both because they intend the common good and justly permit, on account of it, a private disadvantage; and also because, although on one occasion or at one time they seem to inflict a burden, on other occasions they are helpful and bring advantage, and thus the one is compensated by the other.

10. Such laws, therefore, if they make disposition in matter common to all citizens and speak in general terms, will not be against the liberty of clerics, nor can they truly be said to impose a burden; rather, they are to be observed by clerics in the way the canons dispose, or in the way we said above, that clerics are bound to observe just civil and political laws that are not repugnant to their status. And this explanation and opinion is common to the expositors on ch. 1 *De Novi Oper. Nunciat.*, by which text this very thing

is proved. The same is maintained by Felinus and others on ch. 'Ecclesia Sanctae Mariae' *De Constitut.*, and the same doctrine is supposed by many doctors whom Tiraquel reports on marriage laws gloss 8 q.17 n.169 and following, and on each retraction p.1 § 1 gloss 13 n.5. The same opinion is held by Cajetan at the word 'Excommunicatio' ch.3, and by Navarrus on *Summa* ch.27 n.130, insofar as they say that a civil law moderating funeral pomp with respect to human honor, as it can be matter for such law, is not contrary to the liberty of clerics, even if perhaps they experience therefrom some burden, in that their gain is in some part impeded, because this is accidental and can be compensated from elsewhere.

11. Too narrowly indeed will he understand that doctrine who judges that a cleric is only made more fearful when, by the deed of a secular prince, or from a law or disposition of his, laymen can assume the license of harming or afflicting clerics, because this is what those words 'to be made more fearful' seem in propriety and strictness to signify. For although it be true that this way of burdening clerics is contrary to their immunity, yet and to a large extent it can pertain to violation of the privilege rather of the canon than of the forum if clerics are made more fearful that violent hands may be laid on their persons, according to the doctrine of Baldus on *Authentica* 'Cassa' *Code. De Sacrosanct. Eccles.* q.3 n.4; and to the extent this may concern the privilege of forum it is not adequate, because clerics can be burdened and made more fearful in many other ways, even if there is not inflicted on them the fear of some harm or wounding that can be done to them by laymen, as will at once appear.

Nay, neither is this effect satisfactorily explained in the way that Cajetan and Navarrus above seem to explain it when they say that the law then violates the immunity of the cleric when in some way it burdens him contrary to the special privilege conceded to him because he is a cleric or an ecclesiastical person, but not if it burdens him as he is a citizen or a man. They seem to be favored by Innocent on ch. 'Noverit' *De Sentent. Excommunic.* to the extent he says that those things are properly against ecclesiastical immunity that are contrary to privileges conceded to the Church. This opinion also seems to be held by Baldus on the said *Authentica* 'Cassa' q.2 n.3 and by Lapus 'Allegat.' 92 under the title *An Constitutio sit contra Libertatem Ecclesiae*. Because although it is true that a cleric is in this way burdened contrary to his immunity, yet it is not true that only this is signified by the words 'to be made more fearful', because clerics are not only burdened against their immunity when they are burdened contrary to the privileges that they have as clerics, but also when they are burdened particularly as citizens, that is, contrary to the rights which belong to them as citizens, that is which are common to all citizens, whether these are owed to clerics by the right of nations or by civil right or by positive right; and therefore, if in these they are burdened only because they are clerics, the commission of it is against ecclesiastical liberty, as will be clear from what follows.

12. I say, therefore, that the doctrine of Bartolus must be explained according to the third assertion proposed. For whenever by a statute or law, or a mandate, or the force of laymen, clerics are deprived of the things that are by natural right, by the right of nations, or by civil right common to citizens, they are, by the fact itself of being members of such community, burdened contrary to ecclesiastical liberty; and then can they be said to be made more fearful, because men are in that way turned aside from the clerical state when they see that clerics, by the fact that they are clerics, are treated thus by laymen. Or they can also be said to be made more timid because they are not allowed freely to use

and enjoy the rights or the things that are common to the rest of the citizens, even though these are not repugnant to the clerical state. And this opinion thus explained is common to the authors whom I alleged for the conclusion. The same opinion is held by Joannes Andreas and others on bk.1 cons. 26, better on 83. The same opinion is held by Felinus on ch. 'Noverit' *De Sentent. Excommunicat.* on 6 n.2; where he adds that Innocent does not think otherwise than Bartolus thought, because things that are applicable by common right are stronger than those that are so by privilege.

I add too that Innocent spoke not only about the privilege of the Pope or of the emperor but also of God; for there he expressly numbers the privileges conceded to the Church by God, and he afterwards concludes that whatever is contrary to a privilege given to the Church by God, the Pope, or the emperor is contrary to immunity. But by the name of privilege is not understood only that which is in addition to universal law as an exception from it, but also everything that is fitting either to the Church or to clerics by force of divine right, whether positive or natural, once the supposition of such an institution of ecclesiastical monarchy or hierarchy has been made. For many of the Church's prerogatives, which are numbered among these privileges by Innocent, Panormitanus, and others, do not otherwise befit the Church than by divine positive or natural right, although they suppose some divine institution. And it was shown above that ecclesiastical exemption pertains of its kind to this divine right, and many of the things contained under this exception are immediately of this right, although some were perhaps added or increased by the Church or the emperors.

13. To this manner, then, we say that it pertains to the immunity of clerics that they are not to be made of worse condition by the power of laymen, even in those temporal advantages that are common to all citizens. A very good example is in the last chapter *De Immunit. Ecclesiar.* on 6, where ecclesiastical liberty is said to be acted against by temporal lords "who forbid their subjects to sell anything to ecclesiastical persons, or to buy anything from them, or to grind grain for them, or to bake bread, or do them any other service." For all these things are not contrary to the special privileges of clerics, even as they are clerics, but contrary to common civil society; and nevertheless they are judged to be contrary to ecclesiastical liberty, and are prohibited and punished as such. Cajetan however replies that there it is not said that those interdicts or statutes are against ecclesiastical liberty, but it is presumed that they are. However, about the sense of the phrase 'let them be presumed' we must speak below in chapter thirty two; now I briefly say that, of whatever sort the presumption be thought to be, in order that it may be true and have foundation, there is need for it to suppose that to deprive a cleric of the common right of civil society is a true and proper object of crime against ecclesiastical liberty, even if it not be done by the exercise of jurisdiction over a cleric but in some other way.

14. Now the reason is that although such rights common to citizens are not due to clerics because they are clerics, they are however due to them as citizens, even if the state they have is diverse from laymen; nay, because they are clerics, they are for that reason due them by a new and greater title, so that they not be deprived of these common rights, because they do not lose the rights common to citizens on account of the clerical state, and besides they are by reason of their state worthy of greater honor and reverence; therefore it pertains to the immunity due by natural right to clerics that they not be deprived of these rights. This reason is also very well furthered by the words of the

emperors Arcadius and Honorius on law 19 *Code. De Episcop. et Clericis*: “On all who serve churches protection is to be conferred, because we desire that in our times reverence rather be added to than that a change be made from those things that were formerly supplied.” And therefore on law 31 they call him sacrilegious “who causes any injury to the priests and ministers of the Church;” and they make that crime equivalent to injury inflicted on a sacred place or cult.

15. There is a confirmation too, that by actions or dispositions of this sort by laymen the clerical state becomes very mean and is irreverently treated; and consequently clerics are made more fearful and others are turned away from taking up that state, since they see that what is by the right of nations common to other citizens is denied to themselves; therefore all those things are contrary to ecclesiastical immunity. Finally there is the confirmation that these sorts of burdens on clerics ordinarily proceed from some hatred of the clerical state itself, not indeed because of their orders or ministries (for these only heretics or other infidels abominate), but because of the exemptions or liberties that they enjoy in that state; and especially because they are exempted from common burdens, which thing is wont to redound to some burden for laymen, and therefore they sometimes desire to exclude clerics from their own common advantages; therefore by this very fact the privileges of clerics are injured, for these both become odious and are made by some recompense to be unproductive, because by occasion thereof clerics are deprived of equal or greater goods. And thus such burdens are said to be imposed on clerics as clerics; because although formally they do not consist in the privation of something due to a cleric as cleric, nevertheless they are done to the hatred of or with injury or contempt for the clergy, which is enough for them to contain the proper violation of immunity. And in this way sufficient answer is made to the foundation for the contrary opinion.

Chapter 23. Whether the ecclesiastical revenues of clerics are exempt from taxes.

Summary. 1. *Twofold goods of clerics.* 2. *First conclusion.* 3. *Reason for the conclusion and confirmation.* 4. *The reason for the conclusion is weighed.* 5. *Whether ecclesiastical revenues transferred to clerics are subject to taxes.* 6. *What holds if clerics do not have ownership of these revenues.* 7. *True resolution.* 8. *What holds of the patrimonial goods, so to say, of clerics.*

1. Although much has been said above about ecclesiastical goods, yet because it is not certain that the goods of clerics are counted in the same right as the goods of churches, therefore it is necessary to speak about them in particular. Now two kinds of such goods are distinguished by St. Thomas *Quodlibet* 6 a.12: some are what clerics earn from the goods of the Church, as from tithes or ecclesiastical estates, or from their benefices which are given for their office; others are what they have inherited from their parents or have acquired by their industry or art. The first are called by St. Thomas ecclesiastical, that is, in a broad way; but we, to avoid equivocation, will call them clerical; the others however are called patrimonial or secular. To these is added a third member by Navarrus *Tractat. De Redditib. Ecclesiasticis* q.1 monit.19, namely of those goods that are acquired through spiritual actions by clerics as the stipends thereof, not by the right or title of any benefice but solely by title of an actual and as it were mercantile work, such as are stipends for masses and the like. However the same Navarrus rightly adds that these are reduced to patrimonial goods, because they both earn them

immediately from the temporal goods of laymen and not from the goods of their benefices, and they secure temporal lordship, without tacit or express condition, of such goods after they fulfill their ministry, and lastly because they acquire them by their own labor and industry or action; and it is very much extrinsic and accidental to the quality of such goods that the action is spiritual or altogether material. Now although thus it is in order to other effects or obligations of clerics, which we are not now treating of, nevertheless in order to exemption from taxes some greater reason in the case of these last goods can be taken note of, as we will see.

2. First, then, it is certain that goods of the first kind, or the ecclesiastical goods of clerics, are exempt from all taxes whether real or mixed. The conclusion is certain and common to all Catholics; for it is contained expressly in canon right in ch. 'Non Minus' at the place: 'De bonis ecclesiarum et clericorum et pauperum Christi usibus deputatis.' And more clearly in ch. 'Adversus' at the place: 'Qui ecclesias et ecclesiasticos viros taliis seu collectis etc.' where the talk is about taxes that are imposed by reason of goods, and not only are churches distinctly exempted but also ecclesiastical persons. And in ch. 'Clericis' *De Immunit. Ecclesiar.* on 6 such taxes are expressly and extensively prohibited, and although that chapter was by the single article of Clementina *De Immunit. Ecclesiar.* revoked as to the penalties, it was not as to the exemption itself, but was rather confirmed, and extensively in the Lateran Council under Leo X session 9 on the reformations of the curia § 'Et cum a iure', in addition to the more ancient ones that have been mentioned above; all of these things were renewed by the Council of Trent session 25 ch.20 *De Reformat.*

Next this privilege is expressly contained in civil right in the constitution of the emperor Frederick or in *Authentica* 'Item Nulla' *Code. De Episcop. et Cleric.*, where he prohibits collections or exactions to be imposed on churches or ecclesiastical persons. And this privilege can be gathered from the more ancient laws, from law 10 *De Episcop. et Clericis* in the *Theodosian Code*, where Constantius and Constans say about clerics: "Let there be imposed on the expenses of traders no obligation," that is, let them not be compelled to pay the taxes that are imposed on traders; and they add the reason: "Since it is certain that the profits which they gather from stores and workshops will be to the advantage of the poor;" and on law 14 Justinian says: "Let all injury of undue compact and dishonesty of unjust exaction be thrust away from clerics;" and on law 1 *De Lustrali Collat.* in the same code clerics are excepted from a certain tax that was called the lustral, or five yearly, collection.

3. Now the reason for this part can be given either as general for all goods of clerics, and of this we will speak in the following chapter, or as special, because the goods that we are dealing with are numbered among things sacred by St. Thomas *Sentences* 2 q.99 a.3, and therefore are either by nature exempt from taxes, or they are at any rate understood to be exempt along with the rest of ecclesiastical goods. There is also a confirmation for this reason, that to seize or steal these sorts of goods of clerics is sacrilege; which some people have said not only about these goods but also about certain others, as I will report below; but about these goods it is much more likely for the reason stated, that these goods are reckoned sacred; therefore for the same reason they should be exempt from taxes.

4. But this reason does not seem to be valid. For these goods can be considered either before they are brought into connection with actual clerics and have become their

property, or after they have already passed into their ownership. In the first way the said reason does rightly indeed prove that those goods are sacred and exempt from taxes; but it does not prove anything about the goods of clerics, because the former goods, when considered in that sort of status, do not belong to clerics but to the Church or to God. In another way the goods can be considered as they are acquired by clerics. And this consideration itself can be subdivided; for we can speak either about the acquisition itself of such goods, or about the goods themselves already fully acquired and without diminution by tax. And in the first of these two ways indeed it also rightly proves that such goods are not capable of secular taxes, that is, a cleric cannot have imposed on him the payment of tax from the revenues of his benefice or from any whatever ecclesiastical goods. Both because if such tax is imposed on the person, it is contrary to the exemption which such a person has from the power of a secular judge. But if it be imposed on the thing or its fruits, it is thus imposed on ecclesiastical goods, because the imposition precedes the accruing of such goods to a cleric, and in that case they are still ecclesiastical, and so the imposition is done against the immunity of such goods.

But if such tax be understood to be imposed on the very action of earning such revenues or stipends, it is also against immunity; because the action is spiritual and altogether outside the forum of secular power, and therefore it is not capable of tax. Again, because the earning is not by way of trade or a civil contract, but is by way of stipend annexed to a spiritual ministry, and therefore it follows the nature and forum of its principal and can only be reduced by spiritual power; and therefore by canon right it is established that benefices are to be conferred without diminution. As to this part, then, and as to the aforesaid status of such goods, that reason rightly proves that taxes from such goods cannot be imposed on clerics. And in this way the statute of the Council of Worms seems to be understood that is reported in ch. 'Sancitum' 23 q.8 and in ch. 1 'Extra' *De Censibus*, where it is said: "Presbyters established in churches are not to perform from the tithes and offerings of the faithful any service beside ecclesiastical."

5. However if such goods are understood as they have now become the property of clerics, that reason does not seem to prove that they are incapable of secular taxes. The proof is that those goods are not now in fact sacred, nor are they numbered in any species of such goods by St. Thomas, if he be carefully read; for in the final species he places goods that are deputed to the support of ministers, "whether they be movable goods or immovable." But it is one thing to be deputed and another to have been already made to be of ministers; for they possess the first status as long as they are common and under the power of the Church and the special dominion of God; but after they are divided and applied to the persons of clerics, they change their status and cease to be sacred, because they lose that special respect to God and annexation to a spiritual title. The sign whereof is that they can be turned to any use whatever, and can be given to laymen by the proper authority of the private cleric, whose they are, and for a temporal cause or reason. Next because those goods considered in themselves are temporal, and the dominion that the cleric acquires over them is temporal; and the fact that the acquisition was made by way of a spiritual action or right does not matter, because that respect passes and does not remain. Just as, when from the goods of the Church alms are given to the poor, that part, by the fact the alms are acquired by the poor, begins to be merely temporal, so therefore does it seem to be in the case of these goods of clerics. Therefore, in their order to taxes, the same reason will hold of them as of the other patrimonial goods of clerics.

6. I note, however, that this point depends on another celebrated controversy about ecclesiastical revenues, whether clerics, after they receive them by the title of their benefice, obtain true and proper dominion over them, such that they can, as far as concerns the obligation of justice, freely dispose of them; or whether they always remain stewards of the goods, so that they may in the first place be suitably nourished by them and should then distribute the rest in pious works. For those who think this latter, as Navarrus and others, can and should say as a result, that those goods are always sacred, because they always remain under the dominion of God and are at once on a par with ecclesiastical goods, because in fact they always remain ecclesiastical. Hence, according to this opinion, by the application of such goods to this or that clerical person their status is not changed as to the proper lordship of God or as to the general end to which ecclesiastical goods are directed, but only the proximate faculty of dispensing them is changed. For before the cleric acquires them by special title, the faculty of dispensing them rests with the pastors of the Church, or with the community, or with its ministers; but after the beneficiary acquires them, to him is committed the proper faculty of dispensing them by his own authority, always however as they are ecclesiastical and as he is a faithful and prudent steward. And consequently on this opinion too it is sufficiently probable that he who seizes such goods even from the power of the cleric is guilty of sacrilege, not by reason of the person from whom he steals, nor by reason of the place from which he steals, but by reason of the goods themselves, because they are sacred. And finally according to the same opinion, it is sufficiently aptly said that such goods of clerics are exempt from taxes, not only by reason of the person, but also by reason of themselves, because they are sacred and always directed to pious uses, and whatever is taken from them in tax diminishes not so much the cleric as the pious uses. And about these goods of clerics above all, and on the same foundation, the opinion of those can proceed who say that the goods of clerics are on a par with ecclesiastical goods in every exemption, particularly from taxes, as one may see in Gloss 2 on ch. 'Ecclesia Sanctae Mariae' *De Constitut.*, and Decius n.18 on the place, and in others whom Covarrubias reports bk.1 *Variar.* ch.4 nn.2 & 3.

7. On the other hand, however, if we suppose the contrary opinion, that beneficed clerics acquire proper dominion of the portion or part of the revenues of their benefices which is given to them as stipend, the same judgment must certainly as a result be pronounced about these goods with respect to exemption from taxes as about the other patrimonial goods of clerics. For this is sufficiently proved by the reasons given, on the supposition of that foundation, because by that acquisition of particular ownership the goods are transferred from a superior order to an inferior, just as when they are given to lay ministers of the Church as a stipend for their labor or their temporal ministry, or when they are given to clerics for actions that are common to the laity, as teaching, singing, etc. For the ownership, and consequently the status, of such goods is changed equally. But that it is done as stipend for a spiritual or for a corporal action is accidental, and does not change the condition of the goods which they have acquired in their lower status. Now this opinion about the dominion of clerics as to these goods is today the more received one, and is considered more probable, and it was without doubt the opinion of St. Thomas in the said *Quodlibet* 6 a.12 ad 3, and therefore we also suppose it in the present case, that as regard taxes and exemptions the reason about these goods is the same as about the patrimonial goods of clerics.

8. Hence it is *a fortiori* clear that the same must be said of goods that Navarrus calls as it were patrimonial. For these partly coincide with and partly diverge from the preceding. They coincide indeed as to manner of acquiring or earning them by a spiritual action or ministry, and therefore I judge that they coincide in this respect too, that the acquisition of such goods is of itself immune from taxes, and therefore also the goods, as they are the stipends of such ministries, are by their nature exempt from taxes. For the same reason given above prevails, namely that the action is spiritual, and therefore it is by divine right exempt from civil jurisdiction; therefore the stipend too, which is given by reason of it and is as it were accessory to it, ought in the same way to be exempt, so that it cannot be diminished by the imposition of secular tax. Again these earnings are by their nature subject to the spiritual power, to which it pertains to tax, regulate, or increase them; nay the Pontiff could also impose on them, if they were abundant, some tax for the poor or the expenses of the Church; therefore reason demands that they be exempt from the impositions of laymen, because they ought not to be burdened with a double burden. These goods differ, however, from the prior ecclesiastical revenues, because they do not flow from ecclesiastical goods proper, nor from the spiritual title of any ecclesiastical benefice, but from certain temporal goods by way of earned stipend when a human agreement intervenes, excluding the imperfection of giving one thing for another and considering only the reason of due support. But from this difference, which in the fact itself is rather familiar, there follows another, namely that about these latter earnings it is in all probable opinion certain that clerics acquire proper and temporal dominion over such goods, and they can dispose of them as they wish, provided justice is kept, as even Navarrus admits in the place cited above. And therefore it is also similarly certain as regard taxes that there is the same reason about these goods when already acquired in fact, so to say, as about patrimonial goods, about which it remains to speak.

Chapter 24. Whether the patrimonial and, in general, the temporal goods of clerics are included under the common laws of secular taxes.

Summary. 1. Triple reason for doubt. 2. All goods of clerics enjoy exemption. 3. Proof from civil right. 4. Proof also by reason. Objection. 5. Response. 6. First response to Ambrose. 7. Second response. 8. To the second and third objection from civil right.

1. Reason for doubt can be taken from ch. ‘Magnum’ 11 q.1, which is from Ambrose bk.4 on *Luke* at the words, 5.3: “and he sat down and taught the people out of the ship,” where, touching on the place in *Matthew* 17 in which Christ told Peter alone to cast a hook and take the piece of money found in the fish’s mouth and pay the tax, Ambrose says that therein is signified “a great and spiritual teaching by which Christian men are taught they should be subject to the higher powers, lest anyone think that the ordinance of the earthly king is to be dissolved.” And he seems to be dealing with clerics, for he subjoins: “For if the Son of God paid the assessment, who are mighty you to think it should not be paid?”

There is doubt, second, from the civil laws, which frequently lay down that these taxes are to be paid by clerics. For although there are some ancient laws exempting clerics from some of these taxes, as is clear in law 2 *Code. De Episcop. et Cleric.* and in others that we reported above from the *Theodosian Code*, nevertheless they are as it were particular exceptions, for the general rule of the civil laws seems to be that clerics are not

exempt from paying the taxes of their temporal goods when these are imposed on the like goods generally, as is taken from law ‘De iis’ *Code. De Episcop. et Cleric.*, and from law ‘Ad Instructionem’ and law ‘Neminem’ *Code. De Sacrosanct. Eccles.*, and from the epistle of Valentinian in Theodoret bk.4 *Hist.* ch.7 who says: “Let not the bishops refuse to pay the taxes as the laws demand.”

Third, this seems to be in agreement with reason, because, although the persons of clerics are sacred and therefore also exempt, yet their goods are temporal and merely civil and are therefore subject to temporal princes; so princes can rightly exact tax from them. For it is not an obstacle either that the goods have respect to a person who is sacred and exempt as it were in respect of his proper lord, because that lordship is merely temporal and ordered of itself to a temporal end. And in this way the respect is not to such a person as sacred or exempt, but precisely as citizen. Nor is it even an obstacle that the prince has no jurisdiction over the person of a cleric, for he might be able to compel the cleric to pay tax because it is enough that he might be able to ask it as a debt, so that clerics are in conscience bound to pay it. But if they refuse and coercion is necessary, they can be summoned before their own judge to pay the debt. But if this not be enough, or it cannot conveniently be done, the prince, or his minister who collects the tax, can seize a temporal thing, not so much by title of jurisdiction as of defense, lest he be deprived of his right. And all these points receive confirmation especially from the fact we see that in many kingdoms it is thus done and is by custom received, while Catholic princes and the princes of the Church know of the fact and keep silent.

2. Nevertheless one must say that all goods of clerics are exempt from the burdens of civil taxes, whether these be adjudged real or mixed, save for cases excepted by canon right. Thus do the learned canonists think in ch. ‘Ecclesiae’ and ch. ‘Quae in Ecclesiam’ *De Constitut.* and in ch. ‘Si Clericus’ *De Foro Compet.*, on which places Panormitanus, Decius, and Felinus can most be looked at, and in the last chapter *De Vita et Honestate Clericorum* and in ch. ‘Adversus’, and ch. ‘Non Minus’ *De Immunit. Eccles.* and on ch.1 *De Immun. Ecclesiar.* on 6, and Bartolus on law ‘Placet’ *Code. De Sacrosanct. Eccles.* n.25 and following, and Baldus on law 2 *Code. De Episcop. et Cleric.*, and on those places other expounders of civil right, Paulus de Castro on law ‘Ad Instructiones’ *Code. De Sacrosanct. Eccles.* and Gregory Lopez on law ‘Si et’ 54 title 6 part 1, and the summarists generally on the word ‘Immunitas’, and Navarrus in *Manual* ch.17 n.200 and ch.27 n.87, and Medina *Code. De Restit.* q.15. The proof is first from canon right, for in all the chapters just cited clerics are exempted from these sorts of taxes. For on ch. ‘Non Minus’ there is express talk of “the goods of churches and of clerics”, while in ch. ‘Quanquam’ *De Censibus* on 6 it is more openly said: “More strictly, let not such things be exacted from churches and ecclesiastical persons.” And later: “Ecclesiastical persons and their possessions are by divine and human right immune from the exactions of secular persons.” A certain marginal Gloss there adds to the term ‘possessions’ the limitation of ‘non-patrimonial’, but it corrupts the text, for where the text does not distinguish we should not distinguish either, especially without a text or a compelling reason. Therefore that indefinite locution is equivalent to a universal one; for it is the same to say that the possessions of clerics are exempt as to say that no goods of clerics are subject to secular taxes, especially because the negation contained in the word ‘exemption’ falls on the exempted things and so it distributes the term.

And this is made more clear in the single *Clementina* at the same title, which bids

to be observed “whatever against those who demand from churches and ecclesiastical persons any dues, collections, or exactions at all” has been established by prior Pontiffs or Councils, where the distribution “any...at all” excludes the said limitation. Nor does it matter that it is speaking not about things but about persons, because tax cannot be exacted for a thing without being exacted from the person to whom such thing belongs. In addition this fact is further made clear from the last *Clementina, De Censibus*, where taxes are forbidden to be extorted as well from ecclesiastical persons as for their proper possessions, etc. Things and persons are distinctly put there and also, when the addition is made ‘for their proper possessions’, sufficiently indication is given that the discussion is about all goods, including proper ones; for such are patrimonial possessions above all, for what clerics acquire from their benefices is either not proper in this way or at least it is not wont to be called such in canon right. And besides there is added there an exception, namely that the understanding be about things “which they do not export or make to be exported or transfer for purposes of business.” Which exception strengthens the rule to the contrary; for things that are got for purposes of business are included under patrimonial goods; therefore if these are excepted from the rule, all the remaining patrimonial goods are included under it. In this way too the same is confirmed from the last chapter *De Vita et Honestate Clericorum*, where the Pontiff permits taxes wont to be paid by traders to be exacted from clerics when clerics are themselves involved in the same trading activities. We will speak below about this exception, for now we are only concluding from it that, outside the case of business, no goods of clerics, *per se* speaking, are, according to canon right, liable to secular taxes.

3. Further, with this canon right the civil right in the constitution of Frederick above cited agrees, and it is contained in *Authentica ‘Item Nulla’ Code. De Episcop. et Cleric.*, where there is a prohibition against imposing collections or exactions on ecclesiastical persons. Nor does it matter that it does not expressly speak about goods; both because, as I said, such an exaction from the goods of persons cannot be made without being made from the persons whose goods they are; and conversely tax of this sort cannot be exacted from persons otherwise than by requiring it of their goods and in accord with the quantity or proportion of them. For the discussion there is not about assessment alone or the poll tax, but about exactions, dues, services, duties in general, under which words it is certain that are included also taxes imposed on persons by reason of their goods. Hence by that constitution the law ‘De iis’ is abrogated, or any other law perhaps found in the books of the *Code* or in the *Authentica* of Justinian that derogates in this respect from the liberty of clerics. Or rather, the ancient laws of the pious emperors are renewed, wherein this exemption is so conceded to clerics that those taxes are forbidden to be exacted of them even from any honest and moderate business adapted to acquiring provisions, as is taken from laws 10, 14, & 36 *De Episcop. et Cleric.* in the *Theodosian Code*.

4. This assertion can be absolutely proved by reason, because this immunity, even as regard goods, is very much in conformity with natural reason and priestly dignity; for if the nobility is wont to be exempt in the human republic from taxes of this sort, why may not sacred persons dedicated to God be more exempt? Second, the same can be concluded from the other exemption of clerics from secular jurisdiction; for taxes are paid as it were in sign of subjection, and as stipend for the labor incumbent on administering supreme jurisdiction, as Paul indicated in *Romans* 13. Therefore just as

clerics are altogether exempt from secular jurisdiction, so they are also as a result exempt from paying any taxes. You will say that, although they are exempt from the jurisdiction of princes, yet not from the advantage and utility of their government and solicitude; for by their providence they are preserved in peace, defended, and, at least according to the common idea of citizen, governed. And next they are simply vassals and ought to show due honor to the prince as to a lord; therefore it would also be just for them to help support the prince by some contribution.

5. I reply from the words of Paul *1 Corinthians* 9.11: "If we have sown unto you spiritual things, is it a great thing if we shall reap your carnal things?" Thus we say, therefore, that just as the clerical state is aided by kings in temporal things, so kings are aided by clerics in spiritual things; for they intercede with God on their behalf and on behalf of the whole republic, and they pray specially for kings, as Paul advises *1 Timothy* 2. Therefore they make sufficient compensation thereby for the benefit they receive from kings; for the reason above all that there is almost no increase of labor or expense to secular princes from the fact that political governance and the protection of kings redounds to the advantage of clerics. Add further the reason given above, that the Supreme Pontiff, to whom clerics are directly subject, can exact taxes from them when reasonable cause arises; and consequently he can also forbid them to pay tax to another, at least without his faculty, which, as I will say below, is morally necessary, so that clerics are kept immune from the importunities and injuries of laymen. Next there is not, because of this immunity of clerics even as regard their own goods, any lack to kings and princes of sufficient stipends and revenues whereby to be able to sustain the burdens of their office. But if sometimes they do need ecclesiastical support, it is not by their power but by his who is steward of the patrimony of Christ and has the special care of the ecclesiastical state, that they can require it, so that scandals and excesses may be avoided and all may be done in order.

6. A response, then, to the foundations to the contrary is easy from what has been said. And, to begin with, some reply to Ambrose that he is speaking of the fact, not of the right; for clerics, especially at that time when tax was being demanded of them, were paying it peacefully, not by debt of justice, but by affection of charity to avoid scandal, and so that they not seem to be refusing to be subject to princes from affection for temporal goods. And they collect this mind of Ambrose from the deed of Christ when he bade Peter pay tax, which Ambrose adduces as example; now it is clear from the words of Christ that he commanded Peter to pay tax, not from debt, but to avoid scandal. So as to make the example fit, then, it seems necessary that the opinion of Ambrose be understood in the same sense. The exposition is therefore probable, although the words of Ambrose "Christian men are taught they should be subject to the higher powers" and the like words seem to signify something further.

7. So there can be response in another way, that Ambrose did not speak of clerics but simply said "Christian men". Which word indicates that the great teaching which he there delivers was particularly given against the ancient error which asserts that Christians are exempt from the taxes of princes by the very fact they are Christians. For that error was refuted by Paul in *Romans* 13 where he propounds the opinion that Ambrose alleges, v.1: "Let every soul be subject unto the higher powers." But when Ambrose asks: "who are mighty you to think it should not be paid?" he need not be including clerics; for he immediately adds: "You who pursue secular gain, why do you

not recognize secular obedience? Why do you, by a certain arrogance of spirit, hold yourself above the secular when you are, by wretched greed, subject to the secular?" He is speaking, then, of seculars or laymen. Next, although we grant that in the first question he is including clerics, the not unfitting sense may be that they ought not to refuse tax by their own authority and, as it were, their own presumption, but either in accord with the concessions of princes or in accord with the decrees of their own prelates.

8. To the civil laws we admit that some laws of Justinian do not favor this exemption, but it has already been replied that they have been revoked; and about the laws of the more ancient Christian emperors it is more true that they conceded to clerics full immunity from taxes. Although it cannot be denied that there was variability among the emperors themselves which the Church was then tolerating, because thus was it then expedient, to which fact perhaps Ambrose also made allusion, as we noted above. As to the reason, it has been there rightly responded that goods adhere to the person, and therefore the person cannot be fully and perfectly exempt unless the goods too are exempt. And therefore it matters not that the goods are temporal, nor that they have regard to the cleric not as he is a cleric but as he is a temporal owner or a citizen; because he is not only exempt as a cleric but also as a citizen, both his person simply and consequently too the things that are as it were accessory to him. But as to what concerns jurisdiction, it has already been shown that exemption from taxes is very much conjoined with and consequent upon exemption from jurisdiction, since the very imposition and exaction of tax is an act of jurisdiction. Nor can license be given in any way to laymen to seize by force or violently take away the goods of clerics, over whom they do not have jurisdiction, because this is against all natural right, and may only be permitted in case of extreme necessity, as I will say directly. Lastly to the objection made about the custom, we reply that it is not pertinent now for us to examine the manner and quality of the custom, which pertains to the fact, not to the right; and therefore we only say now that such a custom is unjust in its kind, and that it is rejected in right as contrary to ecclesiastical liberty, unless either it be expressly approved by the Pontiff or be founded on some exception of right in accord with what we will say in what follows.

Chapter 25. Whether clerics are held to pay the real burdens that attach to immovable things.

Summary. 1. Double exception from the rule of paying taxes. 2. Whether the goods of churches and clerics enjoy an equal exemption. Opinion to the negative and its foundation. 3. Conclusion: the goods of churches and clerics are equal in exemption from royal taxes. 4. Confirmation. 5. Solution to the contrary opinion. He who steals the goods of the Church commits sacrilege. One who seizes the goods of a cleric does not commit sacrilege unless he uses force against him.

1. Two exceptions to the rule posited in the preceding chapter can be thought of which need considering. The first is about the real taxes that attach to immovable things before they come into the power of clerics; for about later taxes, which supervene after such goods have come to belong to clerics, it is certain that they are included under the general rule; because all rights without distinction speak, and the reasons adduced above proceed, about immovables and movables equally; because the burdens too on immovable goods redound on the owner and are ultimately paid from the profits, which

are movables. Next, when there are preceding burdens or taxes on the goods themselves, if they are from rents that arise from the personal and private ownership of him who first imposed the rent by the medium of some agreement, thus is it certain that the thing is transferred with its burden, and thereupon it must be paid by the cleric; for what we said in this respect about churches holds place in the case of clerics.

2. The doubt then is about properly royal taxes that have been imposed by force of his jurisdiction alone. The resolution of this doubt in fact seems to depend on another doubt, namely whether the goods of clerics are on a par with ecclesiastical goods in this exemption; for if they do not enjoy an equal privilege there is no reason that in this special case of a royal tax previously attached to the goods themselves an equivalence should be made, since the privilege of churches is very special. Now that there is not equal immunity for the goods of ecclesiastical persons and for those of churches, or for ecclesiastical goods, is taken from Gloss 2 on *Clementina* 1 'De in Integrum Restitut.', and from the Gloss on ch. 'Possessiones' 16 q.4, and from Abbas, Felinus, and others referred to by Covarrubias law 1 *Variar.* ch. 4 n.3, where he himself concludes that the patrimonial goods of clerics are not equal in exemption, save in cases where the fact is express in the law. And this seems in agreement with reason, because ecclesiastical goods are simply sacred and are destined only to sacred and pious uses, which does not hold of the property of clerics. Since therefore this case of which we are treating is not express in the law, it seems it should not be extended to the goods of clerics. Hence in the laws of Spain, book one of the new compilation title 2 laws 11 and 12, the warning is expressly made that clerics are bound to pay such tributes as attach to estates "after clerics have bought or otherwise acquired such estates." And so is it simply taught by Gregory Lopez *Partit.* 1 title 6 law 51 n.4, and by Valasco *De Iure Emphyteut.* q.17 n.10, who refers to several others, and they are followed by Molina tract.2 *De Iustitia* disp.456. The truth is that in this matter they speak indistinctly about the goods of churches and of clerics, hence all authors who think in this way about ecclesiastical goods will say the same *a fortiori* about the goods of clerics.

3. Nevertheless I consider the contrary opinion to be true (when speaking of taxes proper, as we distinguished above); it is expressly held by Cardinal Albanus in the tractate above cited, and by Gutierrez in *Practicae Quaestiones* bk.1 q.3 num.15 where he deals with the cited law 'Recopilationis', and he expounds it according to the opinion we delivered above, saying that it must be understood "when the goods are subjected to the burden of taxes expressly and by agreement of the parties, but it is otherwise if they are only subjected to taxes by general law" whereby the estates of private persons are obligated to the king for taxes; "for if," he says, "such goods have passed over to a cleric, they are not transferred with the burden." And he confirms it with the example of a second law of Spain bk.4 'Ordinamenti' law 12, which lays down that when a nobleman (in Spanish 'hidalgo') has bought from another goods liable to the payment of taxes, they are not transferred with the burden. This is how it happens, then, if a cleric buys similar goods or acquires them by hereditary right. For the reason is common to them all, because by change of person the quality attaching to the thing by reason of the person changes, argument 1 'Locatio' § 'Fiscus' and following *De Publican. et Vectigal.* and law 'Per Procuratorem' 89 and following *De Acquirend. Haeredit.* Hence, for this same reason, goods possessed before priesthood enjoy after priesthood the privilege of exemption. And on behalf of this opinion Gutierrez refers to several moderns, among

whom can be seen Matienzo in book 5 *Nova Recopilat.* title 10 bk.11 Gloss 4, and Alfonsus Guerrero in *Thesaurus Christianae Religionis* ch.36 nn.9 & 33.

Now those authors insinuate that royal taxes proper, which are said to be real and attach to immovable things, do not attach to them considered as it were *per se* and absolutely, but by reason of the persons under whose dominion they are, and accordingly they are as it were only pledges or mortgages obligatory by virtue of law 1 *Code* 'In quibus causis hypotheca contrahatur,' which is very probable. And hence there is a very good confirmation (which we said above about churches and are now saying about clerics) that such goods are not transferred to them with such a burden of paying taxes, namely for the future. For if the prior owner did not pay the due taxes for some of the time he possessed such goods, the goods would pass with that burden, because they always retain their respect to the prior owner and by reason of him and because of his subjection it is always owed; which reason ceases in the case of paying taxes from the time when such goods were transferred to an exempt person.

4. This reason can also be confirmed from what was said above in the like doubt about ecclesiastical goods; for let it be that in other things, or in special prerogatives and privileges, these goods are not equal, nevertheless they are rightly on a par in exemption from taxes. Both because, just as churches are altogether exempt from secular jurisdiction, so also are the persons of clerics; and also because the rights, wherein this exemption from taxes is prescribed, speak equally of churches and ecclesiastical persons and of the goods of each. And in this way is the equivalence approved of by Gloss 2 on ch. 'Ecclesia Sanctae Mariae' *De Constitut.* where Felinus nn.7 & 8 speaks at length; again the last Gloss *De Vita et Honest. Clericor.* which weighs up the text for this purpose. There Panormitanus n.11 seems to limit it, but in fact the limitation does not proceed of the matter of taxes but of other privileges, and it is not a limitation to the Gloss, because it does not speak generally but of three among them, just as does the text which he adduces. And the same opinion is held by the penultimate Gloss on ch. 'Ex literis' *De Pignioribus*, and very well by Gloss 1 on ch. 'Ecclesiarum' 12 q.2, and it is also taken from the text which is from the 3rd Council of Toledo ch.21 and from the other ancient Councils that the Gloss mentions. And it is better confirmed by ch.1 *De Immunit. Ecclesiar.* on 6 which (as I noted above) speaks distinctly about goods acquired and to be acquired, and I now note that it also speaks expressly of churches and ecclesiastical persons and of their goods. And in the same way speaks the last *Clementina, De Censibus*.

5. From which things the response is clear to the reason for doubting put at the beginning: for we deny that this privilege is in this respect special to churches, or that it is not sufficiently express in the law; for it is clear from the Glosses, and from the rights alleged to the contrary. Now the doctors there mentioned who deny this equivalence are, as I said, to be understood as to other privileges but not as to this privilege of exemption from taxes. Nor is there on this an obstacle from the reason there adduced, that ecclesiastical goods are more sacred than are the goods of clerics; for the expedience of this is in respect of other effects, as for example that there is greater guilt in turning ecclesiastical goods aside to profane uses than the goods proper to clerics, even those acquired in view of the Church. Again, that there is greater guilt in stealing the goods of the Church than those proper to clerics; for it is sacrilege according to the doctrine of St. Thomas q.99 aa.3 & 4, which everyone follows, and it is taken from many decrees, 12 q.2

and 16 q.1 ch. 'In Canonibus'; but theft from a cleric is not truly sacrilege unless force is applied to the person, according to ch. 'Quisquis' 17 q.4, and it was noted by Panormitanus on ch. 'Ceterum' *De Iudiciis* n.17, although Sylvester, on the word 'Sacrilege', thought otherwise. But in the case of taxes an equivalence is made in right because the exemption is not founded on the sanctity of the goods themselves but on the absolute exemption of the person. As to the law of Spain it has already been replied that it must be understood of special taxes founded on the agreement of the parties. And in the same way must be expounded the authors there alleged, or their opinion is not to be allowed. And according to this doctrine, it seems, must be understood the dispositions that in book 2 of the Ordinamenti of this kingdom title 33 are made about a certain tax which they call 'Iugadas'. For it arose without doubt from the direct lordship of the kings and by agreement with the subjects on whom they bestowed those goods, as is clear from the beginning of that title, and therefore it is not strictly contained in the general privilege of clerics or churches. Yet nevertheless the special privileges are to be kept that also in the same place are in this matter conceded to them.

Chapter 26. Whether clerics are held to contribute to the common expenditures of citizens.

Summary. 1. Reason for doubt on behalf of the affirmative side. 2. Resolution to the affirmative, and foundation for this resolution. 3. Second opinion and its foundation. 4. True solution. When necessity arises a bishop is bound to consent to contribution by clerics. Proof. Laymen can never compel clerics to contribute. 5. Whether in this contribution the form prescribed by canon right is to be kept. Opinion to the negative. 6. It is rejected. 7. A second way of defending this opinion. 8. It is refuted. 9. Response to the reason adduced for the foundation. 10. Objection. Solution. 11. Conclusion: in requiring contributions from the clergy the mode and form prescribed by canon right is to be kept. 12. What conditions the form prescribed by canon right requires: first condition. 13. Second. 14. Third. 15. Evasion. Limitation to be admitted in the third condition.

1. A second exception pertaining to movable goods can be about certain taxes that are not imposed as royal stipends but are parceled out as necessary expenses for the common utility of citizens among themselves. Of this sort are taxes that are imposed for repairing roads, bridges, or water supply, or city walls, and like things necessary for the common use of citizens, including clerics. Now the reason for doubt can be that civil rights do not permit clerics to be exempted from these contributions, as is clear from the law 'Ad Instructiones' *Code. De Sacrosanct. Eccles.* where even venerable churches and houses of divinity are listed for payment of this tax, but there is only mention there of "the building of bridges and roads." But in the last law of *Code. Quibus Muneribus etc.* bk.11 the addition is made of "the construction of walls and the supply and common provision of grain and other species." Hence the right will be in place as regards all things of like nature. And this common right is imitated by the laws of Spain on law 20 title 32 part 3, and law 5 title 6 part 1, and finally on bk.1 of the *Nova Recopilatio* title 3 law 11, where first is put a general rule about taxes imposed for the common good, and then are put the examples stated above with the addition of others, and the same is laid down along with other examples in law 12.

Now it does not seem that canon right can in this respect set civil right aside, because this arrangement seems to be very much in conformity with justice and equity, nay with piety too. For impositions of this sort are in reality not taxes, which are indicative of subjection and have a foundation in proper jurisdiction, because they are not imposed for giving payment to kings as lords and princes but they are only distributions made among citizens for the proper uses of the citizens themselves. Now reason and justice require that everyone who needs and uses common things of this sort should agree in a just distribution as to the expenses that arise with respect to them; therefore, since clerics enjoy these common advantages, they should also share this sort of burden along with the rest of the citizens. For the same reason of obligation and debt arises in their case, and paying these taxes is no more against the dignity of the priestly state than buying with their own money the things they need for food and clothing. Nay, because the former goods have regard to the common good and suchlike contribution is in this respect consonant with piety, therefore in the said law ‘Ad Instructiones’ is it said: “we gladly describe venerable churches with so laudable a title because it is not reckoned among mean functions.” And in the said law 11 of the *Nova Recopilatio* of Spain it is said: “In these sorts of things, when the council is lacking in means of its own, the said clerics should make a contribution and give aid, insofar as it is for the common good of all and a work of piety,” as though saying that, when for these sorts of expenses the common goods of the whole people or their revenues are not sufficient, then reason of piety and common utility demands that clerics make contribution. And the limitation is very much to be noted, for it much confirms the equity of this contribution. Because where the common goods are not sufficient, supply must be made from the private and particular goods of individual citizens; why then should individual lay citizens be compelled to make another payment for clerics from their own goods, or provide them with things necessary, though common, from expenditures of their own? Which reason seems to show that neither the Pontiff nor the king himself can concede this exemption to clerics if the communities of laymen are themselves unwilling.

But canon rights seem to urge the contrary, especially ch. ‘Non Minus’ and ch. ‘Adversus’ *De Immunit. Ecclesiar.* For in the first it is laid down under anathema, universally and without limitation, that these burdens may not be imposed on churches and clerics: “Unless the bishop and the clergy have seen so great a necessity or utility that, without any compulsion to relieve common utilities or necessities where the supplies of the laity are insufficient, they judge that subsidies should be conferred by the churches.” But in the second chapter there is indicated, to begin with, that this contribution of clerics is even in that case not a matter of debt but of grace, for the addition is there made: “Let the aforesaid laity humbly and devoutly receive with thanksgiving.” And, what is more important, the following limitation is adjoined: “Because, however, of the imprudence of some, let the Roman Pontiff be first consulted, whose concern it is to provide for the common utilities.” There can also be added ch. ‘Quaquam’ *De Censibus* on 6 and chs. 1 & 3 *De Immunit. Eccles.* on 6, insofar as in them is it generally said that churches and ecclesiastical persons are exempt from all compulsion from seculars.

2. On this point the doctors seem to agree in this that when the common goods of cities are not sufficient for these sorts of expenditures and it is therefore necessary for the citizens to make a contribution, clerics too should come together and with due proportion

and moderation make a contribution. For this is also permitted and approved by canon right, and it involves natural equity, as we have made plain. But there is a difficulty both in the kind of obligation and especially in the manner of the imposition and exaction. For about the kind of obligation it can be doubted whether clerics should in these sorts of cases only make contribution through a certain sense of honor and as it were by counsel, or whether they are bound by necessity and an obligation in conscience. For some think they are only bound in the first way, as is indicated by Panormitanus bk.1 consil.3 n.1 near the end where he says: "Also, when the common utility of clerics and laity is under threat, clerics are not bound to contribute anything unless they wish to of their own accord." For when he says "of their own accord" he indicates that the contribution is voluntary, not necessary. And for this purpose he adduces the words of ch. 'Non Minus' which we will at once relate. And this opinion can be proved by reason, because clerics are not obliged by force of the civil laws, or by the force of official regulations that are made by laymen under some color of precept, since they are not subject to them; nor is there found a canon law that imposes such obligation on them, nor finally does natural law alone oblige them, because this obligation depends on many circumstances that are not of natural right but result from compacts and conventions among the citizens themselves.

3. Nevertheless the contrary opinion on this matter is held by Gregory Lopez on law 54 title 6 partit.1 gloss 2, and it is followed by Gutierrez in *Practic. Quaestionibus* bk.1 ch.2 n.8, and Guerrero has the same opinion in *Thesaurus Christianae Relig.* ch.36 n.32. Their foundation is on the words of ch. 'Non Minus' at the place: "Unless the bishop and the clergy have seen so great a necessity or utility that...they judge that subsidies should be conferred by the churches;" for where a thing is given to judgment it is not held to be given to free will but to just judgment and decision, as Ulpian declares on law 'Fideicommissa' § 'Si fideicommissum,' vers. 'Quanquam' ff. *De Legat.* 3, where he says that by this condition "if you have judged" a thing is not given to complete will but to prudent choice and as it were to the good man; therefore in this sense the Pontiff said that the clergy, "if it judge" by prudent choice that the common utility or necessity is urgent, should make a contribution; therefore, on the supposition of such judgment, this debt belongs to moral necessity and not to will. In addition also this point seems to be efficaciously proved by the reasons given for the first point. And to the second of them, which we just gave to the contrary, the response will be easy, that this obligation arises from natural equity, whose matter is not changed on this point by positive right, because civil right rather confirms it, to which canon right is not opposed but gives the practical judgment, and in particular about such equity, to the pastors of the Church.

4. Wherefore on this point it must be said that clerics individually or taken one by one are not bound to a contribution of this sort until a prudent judgment has been made by the bishop along with the clergy, and it has been decreed that a common necessity or utility is in the case occurring to which the clergy ought to contribute. This is proved by what is said in ch. 'Non Minus' where it is laid down that the approval of the prelate should come first, as we will make clearer a little below; therefore in advance of it individual clerics are not bound to pay the contribution; nay, they cannot do so, as we will see below. Next it must be said that, if there is in very truth occurring a common necessity or utility along with due circumstances, the bishop is bound to approve a contribution, and he would be acting against reason and justice if he opposes it. This is in

fact what Gregory Lopez and others chiefly intend. And the proof is that this is not given to his free will but to his prudent choice; therefore he is held by his office and justice to allow the tax if he judges in truth that a case of necessity exists, or if he ought so to judge, in such wise that he is not excused by invincible ignorance. But it must further be added that clerics cannot be compelled by laymen to pay tax, even if it has already been approved by the bishop, because laymen never have jurisdiction to compel clerics. They could therefore beg, ask, and request clerics to pay of their own accord, but not impose force. And perhaps it was in this sense that Panormitanus said clerics ought to pay of their own accord. And for this same reason I judge that in the said chapter ‘Adversus’ the words are added: “Let the aforesaid laity humbly and devoutly receive with thanksgiving.” Wherefore if clerics in that case refuse to pay, they are to be compelled by their prelate, as Gutierrez rightly said along with the others whom he mentions. But if the bishop refuses to compel the clergy when they sin in this respect, or if he acts unjustly by refusing to allow the contribution when he is bound to, it will be necessary to have recourse to a superior prelate, and thus the immunity of clerics will be preserved and the subsidy necessary for the common good will not be lacking.

5. It remains to treat of the other part of the doubt concerning the manner to be kept in this contribution, namely whether, in imposing a contribution on clerics for these sorts of works of common utility, or in demanding it of them, the form prescribed in the said decrees is to be kept, or whether lay princes, when taking no account of it, may put their laws into execution. For many jurists were not lacking who said that nothing in this respect has by canon right been abrogated from civil right, and hence that for exacting these taxes of clerics there is no need for recourse to the Supreme Pontiff, as is demanded in the said ch. ‘Adversus’, nor for the approval of the bishop or the clergy, as is prescribed in the same place and in the said ch. ‘Non Minus’, but that the edict of the king is enough when he puts forward a cause as common and necessary and a contribution as moderate and in just proportion parceled out. This opinion is stated by the Gloss and by Hostiensis on the said ch. ‘Non Minus’, and it is extensively defended by Lucas de Penna on law ‘Cum ad Felicissimam’ *Code* ‘Quibus Muneribus’ bk.10, who along with others is referred to for this opinion by Gutierrez above, and it is specially defended by Rebuffus in his commentary on the *Constitutio Galliae* vol.1 tract. *De Sentent. Provis.* a.3 gloss 6, where others are referred to. And, when he objects to himself that the emperor could not bind clerics by his law, he replies: “It is true, yet this opinion is in fact held in France.” Wherein he opines that there has through custom been a modification in this respect from canon right. But that this foundation is altogether false we will show below.

So that therefore the foundation for this opinion may in some way be acceptable, it must be established on this, that canon rights, when prescribing the form to be kept in requesting these sorts of taxes from clerics, are not extended to these taxes when they are imposed by royal authority. This can be made clear in two ways. First because ch. ‘Non Minus’ only speaks of consuls and governors of cities and of others that seem to have a like authority, and forbids them to impose taxes on clerics except with the approval of the bishop, etc. Hence in the following chapter ‘Adversus’, which is from the Lateran Council under Innocent III, the decision of the prior Lateran Council under Alexander III is referred to in these words: “Against consuls and governors of cities, or others, etc.” Therefore by force of such words supreme kings are not prevented from imposing these

burdens on clerics. And this opinion is openly held by Lucas de Penna in the place cited, and is insinuated by Hostiensis in his *Summa* title ‘De Immunitate Ecclesiarum’ § ‘A quibus’ verse ‘Verum ad extraordinaria’; for although he says that the law ‘Ad Constitutiones’ and similar ones are to be corrected and modified by canon right, nevertheless he adds the limitation “unless the king prescribes.” It is true, however, that there is in the context an ambiguity whether he wished to say that these exactions are illicit with respect to clerics simply, or that they are illicit with respect to all subjects unless they are made by the authority of the prince; and this latter seems more to be his sense if the whole context is considered.

6. However of whatever sort the limitation is in ch. ‘Non Minus’ and the like, it is not to be admitted, because, to begin with, it is repugnant to the pontifical declaration in the bull ‘Coena Domini’ where the prohibition is expressly extended to anyone “of any preeminence and dignity, even imperial and royal:” and the addition is made: “Renovating the decrees on these matters delivered by the sacred canons both in the most recent Lateran Council and in other General Councils,” where it chiefly understands the ch. ‘Adversus’ and ch. ‘Non Minus’, by expounding (as I think) rather than by adding that the disposition made by the canons is extended to all temporal princes. Next, in those decrees, although perhaps because of occasion of the fact that is there referred to, consuls and governors are named, yet at the end general words are added that comprehend everyone who has power to impose taxes, as in ch. ‘Non Minus’: “And others too who seem to possess power.” And in ch. ‘Adversus’ at the place: “Consuls and governors of cities and others.” Where it did not say ‘others similar’ but simply ‘others’, clearly comprehending everyone who tries to impose these exactions on ecclesiastical men, and ch. ‘Clericis’ § ‘Nos igitur’ *De Immunit. Ecclesiar.* on 6 expressly names “emperors, kings, etc.” And there is for this part confirmation in the sole *Clementina* at the same title, although it is in general words, namely “against any layman whatever, etc.” And thus too does Clement V interpret and confirm the decisions of the Lateran Councils under Alexander and Innocent. Finally in ch. ‘Quamquam’ *De Censibus* there is expressly said: “Neither college nor university nor also any individual person, of whatever dignity they may be, etc.” It is therefore most certain that there can be no limitation to those decrees on the part of lay persons, whatever the power or dignity they excel with, and accordingly the opinion of the jurists based on this declaration cannot be approved.

7. In another way, then, may the opinion be defended, by saying that the rights are not speaking of those impositions that are made by way of just distribution among the citizens for things necessary or very useful for all, but they are speaking of taxes proper that are imposed for the support of princes or kings. A reason can be given too, that the prior exactions or contributions, as I was saying above, are not taxes proper imposed by the superior power and will of the prince, but are as it were certain due expenses, because they arise by the nature of the thing from work of that sort necessary for the community. Because neither are clerics justly able to resist or forbid the doing of such work, nor can they prevent the natural obligation that results to themselves, as to the other citizens, of paying what amount of the expenses, in accord with just proportion, falls on individuals; and therefore such obligation does not arise from secular jurisdiction, nor from civil law, but from natural reason, on the supposition of such a just and morally necessary deed for the community. Hence it turns out that such contribution is not repugnant to ecclesiastical liberty, and accordingly it is not contrary to the canon rights that prohibit any temporal

exactions being made from clerics, because these only prohibit exactions contrary to ecclesiastical liberty, which are the sort that are founded on the jurisdiction of laymen and on positive civil law.

8. But although this foundation may have a certain appearance of probability, nevertheless it is not sound nor consonant with the decrees. First because, as Abbas noted on the said Council, the said chapter ‘Non Minus’ first says: “either ditches, or expeditions,” and then adds: “or anything else at all.” For ditches are wont to be made for the protection of the city and so they pertain to utilities common to clerics and laymen, and more or less the same is wont to hold of expeditions; therefore when the distributed phrase ‘anything else at all’ is added, everything similar is at least included. Hence in ch. ‘Adversus’ the aforesaid decision about expeditions, which are ordered to the relief of common utilities and necessities, is distinctly explained. Besides, in other rights exactions and collections are absolutely and without limitation forbidden, by which names these common contributions are wont to be signified, and the sole *Clementina* adds the distributed phrase “any exactions at all” and adjoins in addition: “also concerning subventions provided to laymen by prelates or other ecclesiastical persons;” but, by the name of subventions, these sorts of contributions are most wont to be signified. And in the said *Authentica* ‘Item Nulla’ postal services and other imperial services are indicated, which are also wont to be exacted for common utility; therefore that limitation is repugnant to the words of the rights themselves.

9. Next, the reason or conjecture adduced in that foundation is not enough for interpreting the rights against the words in them, because it does not prove that the limitation is necessary for making the decision of those canons just and reasonable. First indeed because ecclesiastical goods, by which clerics are maintained, are assigned to higher ends that redound to the good and advantage of laymen themselves; for subvention to the poor is a great advantage to laymen, temples too and all their expenditures serve the uses of laymen, and therefore it is not alien to reason for laymen to make from their own temporal goods alone contributions to civil public works, even if these redound to the common utility of clerics. Especially because goods assigned to sacred uses should not be turned to profane and common uses, and therefore rightly are they exempted from these temporal contributions also. This reason is pursued extensively by Panormitanus on the said Council.

10. You will say that these reasons proceed at most about goods of the Church, but not about the goods of clerics, because these can also be patrimonial; and even if they be from the revenues of the Church, they are now, after they have been made proper to clerics, not sacred but are comparable to patrimonial goods, as was said above. The response is that the reason proceeds in sufficiently appropriate manner of the goods of clerics; especially of those that come from ecclesiastical revenues, because by force of their exemption and dignity they require to be conferred without diminution and without temporal burden. Next, the reason is rightly extended to patrimonial goods, both because these are as it were incidentals and accessories, and it is expedient that they participate in the exemption of the person and of the other goods, lest occasion be given for laymen, under the color of them, to impose burdens on clerics; and also because clerics themselves serve the common utility of laymen, and therefore it is in some way due to clerics that they be able to enjoy the temporal utilities common to the rest of the citizens, even if they do not come to the temporal support of them. For soldiers and magistrates

are by this reason wont to be exempted; therefore by right priests too are exempted, who belong to right or to the common good no less than civil magistrates, according to the opinion of Isidore bk. 5 *Etymologiae* ch.8 ch. 'Ius Publicum' distinct.1; and the same is contained in law 1 and following *De Iustit. et Iure*. Finally, although we may grant that in some cases it is just and reasonable for clerics to contribute to these works, it does not thence follow that the said canon rights are not speaking about these exactions or contributions, because they do not altogether forbid them but lay down the mode and form to be kept in them. But this is most consonant to reason, because the prelates of the Church are concerned with taking special care of clerics and with adjudicating whether such burdens are justly imposed on them, not only in general but also in special cases and events when excesses and violence are wont to be committed. Which reason the said rights have touched upon.

11. One must say, therefore, without any doubt that in requiring from the clergy these sorts of contributions, ordered by lay princes and magistrates, the mode and form is to be kept that is determined in canon right, especially in the said chapters 'Non Minus' and 'Adversus'. Thus does Panormitanus teach extensively in the said cons.3, and on the said ch. 'Non Minus' n.18, where he refers to other ancient doctors who agree in this truth, particularly the Gloss on ch. 'Generaliter' at the word 'Collationibus', which says the law 'Ad Instructiones' has been modified or limited by canon right. And Hostiensis is of the same opinion in his *Summa* title *De Immunitat.* § 'A Quibus' near the end, and the canonists generally on the said decrees, Paulus Castrensis, Iason, and others on the said law 'Ad Instructiones', and Gregory Lopez on the said title 6 partit.1 law 51, and better on law 54 nn.1 & 2, and that law is very favorable. For although it says that clerics ought to pay these contributions, yet at the same time it makes clear that this is by consent of the Church when it says: "the holy Church has held it to be good." And later it subjoins that laymen cannot compel clerics to this payment but can only make a simple request of them; and if clerics refuse to give they are to be compelled by the bishops; but of the bishops it says that they are held to prescribe it; which is to be understood according to the prior declaration, namely according to the approval of the Church and the mode prescribed thereby. And there is much in favor of this opinion, and, as regards the assertions of the doctors in particular, these can be seen in Gutierrez on the said question 3 bk.1 *Particular. Quaest.*

12. Now the form or mode to be kept in the case of these taxes, so that they may be exacted of clerics, consists in three conditions that are taken from the said chapters 'Non Minus' and 'Adversus'. The first is put in these words: "Where the resources of laymen are not sufficient." About these words there can be doubt as to what resources are to be understood, whether only the resources common to the republic or also the resources of the individual citizens. On this point I find nothing explicit in the Gloss or in the doctors thereon nor in the other canon rights, nor even in the laws of common civil right; nay, the law 'Ad Instructiones' altogether omits the condition; and only in the said law of Spain in the *Nova Recopilatio* is the condition made explicit, and it is limited to common goods by the words: "when the council is lacking in means of its own." Which law it seems possible to stand by, as long as something else is not established by canon right, both because it is sufficiently consonant with reason, as is clear from what has been said above, and also because another restriction would be too much; for scarcely can a moral case arise where the proper goods of the citizens, all and individually, are not

sufficient for carrying out works of this sort, and to test or prov this will be rather difficult. In order, then, for the clergy to be able to consent, it is enough that it be morally certain that common goods are not enough and that individual citizens cannot without grave inconvenience carry out such work at their own expense alone.

13. A second condition is that the contribution not be made unless the bishop and the clergy, after the matter has been inspected and considered, judge that it should be granted. Thus is it held in ch. 'Non Minus', and more expressly in ch. 'Adversus' is it said: "the bishop together with the clerics." Hence it is clear that the bishop alone cannot approve or command the contribution, even according to the disposition in the chapter 'Non Minus', because the agreement of the clergy is required at the same time. But it can be asked what is understood by the name of clergy or clerics, for strictly there seems to be signified that a diocesan synod is necessary; for this seems to be understood by the name of clergy; also because what touches all should be ratified by all; therefore it is necessary that all agree, at least per capita and in a synod. But there is to the contrary the fact that this does not seem to be observed in use, and morally it is too difficult to be able to be kept in practice on all occasions that occur. Wherefore it is sufficiently probable that the consent of the bishop along with the chapter of his own cathedral church is enough; for that is what is wont to be understood in right by the name of clerics, according to chapter 1, along with others, about things that are done by prelates without the consent of the chapter. Custom can also be of much force in this matter; for where the bishop has from prescribed custom the proper advice of his officials, or of clerics appointed to this office, and he is wont to expedite along with them the more serious business of the diocese, this can seem sufficient for fulfilling the condition required in those rights.

14. The third condition in the said ch. 'Non Minus' is that the contribution be made without any exaction. But this pertains rather to the mode of requesting a tax already imposed than to the mode to be kept in imposing a tax. Now it is to be understood of coercive exaction, as has already been explained above, and about that condition can be seen Gigas *De Pension*. q.90 at the end, where he refers to others. There is also insinuated in the same title another condition, namely that the contribution be "for the relief of common utilities or necessities;" but this is not a new condition but the end and as it were the foundation of justice for such imposition, which we have made our principal supposition in this whole chapter. When these conditions are omitted, therefore, Innocent III added his own third condition in the said ch. 'Adversus' in these words: "Because, however, of the imprudence of some, let the Roman Pontiff be first consulted, whose concern it is to provide for the common utilities." On this condition are founded most of all, because of its difficulty and the delay which it necessarily brings with it, the authors of the contrary opinion, so that they think it is not to be extended to those actions that are frequently necessary and that possess as it were an innate natural equity and piety. Yet it is nevertheless evident that Innocent III spoke about the same exactions or taxes as Alexander III, and accordingly this condition is extended to all the taxes on which the prior conditions fall. And so, although it seem difficult, it must yet be kept, because thus was it written by him who had the power of imposing it, and it could be expedient for avoiding the disadvantages that often occur. I judge, however, that if the bishop and the clergy, without consulting the Supreme Pontiff, agree, although they are acting badly and may be punished, the fact nevertheless holds, because there is no word

there that voids their agreement, and they do have in other respects by ordinary right the power to furnish that consent.

15. Some may however say that this condition is founded on presumption, as is indicated by the words: "Because of the imprudence of some," and therefore, when the justice and the reason for the contribution are evident and there is due consent according to prudence, the law as to this condition does not oblige. Because the presumption yields to truth and consequently the law that is founded on the presumption also ceases. I reply by denying the assumption, because the law does not in truth suppose the act of presumption on which it is founded, but only the moral danger and occasion of frequent evil and harm. But this is enough for the law to be passed in universal terms, and to oblige even in the particular case although therein the end or reason for the law ceases by way of negation. So the condition can only be limited in case of urgent necessity, when there is danger in delay, by the argument of ch. 'Pervenit.' *De Immunit. Ecclesiar.*, and because necessity possesses no law. And this limitation is added by Panormitanus and Gregory Lopez above, and by Sylvester at the word 'Immunitas' n.20, Gutierrez above, who refers to others. Now this necessity can happen most of all in an exaction that is made for one act or for a brief time; for if it is going to last for a longer time, although it can, in a case of necessity, begin without the consultation of the Supreme Pontiff, he will have to be consulted if it is protracted for a longer time, because the law can in this respect be fulfilled despite the necessity, because there is for it in this way sufficient help.

Chapter 27. Whether all clerics, those ordained as well in sacred orders as in minor orders, and who continue in the clerical state, have full enjoyment of ecclesiastical liberty.

Summary. 1. Double order of ecclesiastical persons, one of clerics and one of regulars. 2. What the difference is between these ecclesiastical persons. 3. First conclusion. Proof first from canon right and second from civil right. 4. Proof also by reason. 5. Assertion of the limitation: 'who continue in the clerical state.' Sacred orders introduce by themselves alone the privilege of exemption, but not so minor orders. 6. A triple condition is required in minor clerics for enjoying this privilege. 7. Objection. 8. Whether remuneration along with minor orders suffices for this privilege. 9. For this same privilege the age of 14 years is not required. 10. A cleric in minor orders, when any of the conditions is lacking, by that very fact loses the privilege. 11. Whether a minor cleric, if he is not serving in any church nor is engaged in study, is exempt from taxes. Affirmative opinion. True opinion. 12. Consideration of a certain law of Spain. 13. Whether clerics, when they have once been deprived of this privilege by defect of conditions, may further enjoy it. First opinion. 14. Opinion of the author. 15. A cleric can sometimes because of crimes lose this privilege. 16. In what ways the punishment of being deprived of this privilege may be imposed on clerics. 17. The privileges of the canon and of the forum of clerics are distinguished in canon right.

1. We have explained the causes and effects of this exemption; it remains only to discuss the persons or subjects to whom this privilege is conceded. And, since from what has been said it is sufficiently clear in general that this privilege is conceded to ecclesiastical persons, two things under this general point remain to be explained. One is who the ecclesiastical persons are who share in this privilege. The other is whether this

whole privilege is totally and as to all its matters to be communicated to them individually. First then a double order of ecclesiastical persons is to be distinguished according to the division given by Jerome in ch. 'Duo Sunt' 12 q.1. One is of clerics, the other is of those who there are called converted or devoted to God, who are indicated under the name of 'monks' in ch. 'Si Quis Suadente' 17 q.4, and are now commonly comprehended under the name of religious or regulars.

2. Now these two kinds of ecclesiastical persons differ in that the clerical state properly taken requires some sacramental ordination, or requires at least its first disposition and as it were its beginning through the first tonsure (for it is now taken in this amplitude according to ch. 'Cum non ab Homine' *De Sentent. Excom.* and ch. 'Cum non ab Homine' *De Iudiciis*). But the monastic state does not require orders but only a certain sacred state whereby a person is specially dedicated to God and with purpose he may be accepted as such by the Church. Next, in the clerical state there are diverse grades, for some are clerics in sacred orders, as are all those who, having been through ordination attached by reason of a vow, are made unfitted for marriage, according to ch. 'Miramur' *De Servis non Ordinandis*. But others are clerics in minor orders who do not pronounce a vow, and these are therefore to be further distinguished, for some are clerics who are continent and others are married. And thus there result four grades of ecclesiastical persons about whom we shall speak in turn; but in this chapter we will deal with all unmarried clerics together, because they are at one in the general rule; and, once this rule has been set down, the exceptions or differences that there are between them will easily be understood.

3. We must say, therefore, that all clerics, whether in sacred or in minor orders, including those established with the first tonsure and continuing in the clerical state, enjoy clerical privilege fully and completely, speaking *per se* that is, unless they have been deprived of it because of crimes. This assertion is beyond controversy among Catholics, for it is manifestly proved from canon right. Above all in ch.2 *De Foro Competenti* at the place: "Neither priest, nor deacon, nor any cleric or minors in the Church;" by which last member seem to be understood youths or juniors (as another reading has it) who have the first tonsure only, although others extend the term further, as we will see below. The same is proved in the said ch. 'Cum non ab Homine' *De Iudiciis* at the place: "Clerics or any order whatever." But other rights speak of clerics indefinitely; under which term all are included, especially in things favorable, unless a limitation is added, and an explanation specifically on this matter is given in ch. 'De Persona' 11 q.1, where many other rights speak of clerics in the same way; but they are dealing specifically with the privilege of forum in both criminal and civil matter. And in the same general way speak the canon rights about clerics as to exemption from taxes, as can be seen in all the titles of *De Immunitate Ecclesiarum*, as is clear from *Authentica 'Cassa' Code. De Sacrosanct. Eccles.* and from *Authentica 'Item Nulla' Code. De Episcopis et Clericis*, where Frederick speaks indefinitely of "ecclesiastical persons", which name is the more general one. In the *Theodosian Code* too there are many laws, already often pointed out, wherein this privilege is conceded either absolutely to clerics or sometimes also to minors in particular. Hence it is *a fortiori* clear that it belongs to adults.

4. The reason for the assertion is no other than what is taken from the right. For if this privilege is considered as it exists by divine right, it has thus no limitation on the part

of clerics, because all belong by a special title to the family of Christ and are consecrated and assigned to the divine cult; for although there is among clerics themselves a difference in major and minor consecration, or in greater or lesser sacred ministry, this is not enough for us to say that some have been more exempted by force of divine right than others, as was made clear above in chapter ten. But if this privilege is considered as it can by ecclesiastical right be determined or limited as to the persons, thus too there is no distinction found to have been made between clerics in sacred or clerics in minor orders, provided they continue in the clerical state, in the way to be explained below. Now the reason can be collected from ch. ‘Si Diligenti’ *De Foro Competent.*, that this privilege, as it is not personal, that is, not conceded in view of the person, so it is not given in view of this or that order but in view of the clerical state, and therefore is it said there: “an indulgence given to the whole ecclesiastical college,” to which college all clerics belong whatever, as is said there. Nor is it to be doubted that clerics with the first tonsure alone are also included under this general term; and therefore authors are sometimes wont to speak about them in particular, either so as to take away all doubt or so that all higher clerics may *a fortiori* be understood to be included, as one may see in Joannes Lupus *Tractate. De Libertate Ecclesiastica* ch.2, and in Covarrubias in his *Practic.* chs. 31, 32, & 33 *De Foro Competenti*, and more clearly in the Council of Trent session 23 ch.6 *De Reformat.*, which decree we will at once expound.

Now that this decree is to be understood about full and complete exemption, as I said in the second part of the assertion, is equally certain, and it is to be proved in more or less the same way; for canon and civil rights, both those that concede exemption of forum in criminal and civil cases and those that concede immunity from taxes, speak of ecclesiastical persons equally, or indefinitely, or in distributed terms. Hence everything that we have hitherto said about the generality of the exemption, as well in criminal and civil courts as in civil laws too and taxes, must be applied equally to all clerics of any order who continue in the clerical state, because the rights make no discrimination among them in this respect; hence neither should we make discrimination, except perhaps in some particular case express in the right of which we are now treating.

5. But I said “who continue in the clerical state” first to make clear that the conclusion is understood of unmarried clerics, for they alone enjoy complete exemption, as will be clear from what is to be said in the following chapter. Next, the clause was introduced to explain the decree of the Council of Trent, mentioned above, and the difference that is found therein between clerics of greater and lesser orders. Now this difference supposes another discrimination between the states of the clerics of each order. For although it is a thing common to all clerics that they receive an indelible character (which is to be accepted about the first tonsure with a certain proportion and imitation), nevertheless, as to continuance in the clerical state and office, sacred orders bring with them a greater stability and obligation. For clerics in sacred orders are bound to persevere in the clerical state, ch. ‘Decernimus’ dist.28; nor can they abandon it without apostasy, hence they can be compelled to retain the clerical habit and insignia, ch. ‘Tuae’ *De Apostatis*, with the addition of the commonly approved Gloss. Clerics in minor orders, however, as the same Gloss notes, can without apostasy put off the clerical state and live as laymen and be engaged in secular business, according to ch. ‘Ioannes’ *De Clericis Conjugatis*, and the sole chapter at the same title on 6. From this difference, then, it results that clerics in sacred orders are absolutely and without any other condition said to

enjoy by force of their ordination the clerical privilege, because such ordination brings with it continuance in that state, and consequently it brings also the clerical privilege, speaking *per se*, which clause or limitation I will explain below. But the lower orders, because they do not *per se* oblige to continuance in that state, are not *per se* enough to enjoy the clerical privilege but require some other conditions which indicate that such a person is continuing in a state in which he is dedicated to divine cult and ecclesiastical ministry, which is the most powerful reason for which this privilege is conceded.

6. Hence, therefore, the Tridentine Synod session 23 ch.6 *De Reformat.* made a decree in this manner: “No one initiated in the first tonsure or placed in minor orders before his fourteenth year may obtain a benefice. Let him also not enjoy the privilege of forum unless he has an ecclesiastical benefice or, when wearing the clerical habit and tonsure, is in the service of some church by order of his bishop, or is busy in a seminary of clerics, or in a school or university of Episcopal license, being as it were on the way to receiving major orders.” From which decision it is clear that the mind of the Council was that clerics placed in minor orders may not enjoy clerical privilege unless they are actually dedicated to ecclesiastical ministries; which we have explained by the phrase of “continuing in the clerical state.” But the Council wanted something else to be added to the minor orders whereby that continuance or dedication to divine cult might be indicated. Now the Council distinguished two modes. One is if a minor cleric has an ecclesiastical benefice. The other is if he bears the clerical tonsure and habit and has been placed or appointed by the bishop to serve in some church or to be in some fashion on the way to ecclesiastical obedience. These two individual modes are *per se* sufficient; for they are put by the Council under the disjunction of an exclusive ‘or’. A minor cleric, therefore, who has a clerical benefice, enjoys by that very fact the privilege of forum, even if he does not hold to the other conditions required of clerics in minor orders who are without benefices, because the Council in that member of the disjunction requires only a benefice along with minor orders, because by force of the benefice he is judged to be actually dedicated to ecclesiastical ministry and is obliged to have a mind to continue in the clerical state, or at any rate a mind not to have the opposite, otherwise he can neither retain the benefice nor make the fruits of it his own.

7. You will say that therefore a cleric, although he not go about in the clerical habit or bear the tonsure and live in other respects as a layman, will enjoy the clerical privilege, which seems absurd, since he would be sinning gravely and would be giving sufficient appearance of having abandoned the clerical state. I concede and reply that he does not, by that very fact, lose the privilege, because he is not deprived of it by any right; nor does the Council require of such a cleric a further condition as being simply necessary for enjoying the privilege. However, such a cleric could be admonished and, if he is incorrigible, could be deprived of the privilege, according to ch. ‘In Audientia’ and ch. ‘Contingit’ 2 *De Sentent. Excommunic.* For the same thing happens in the case of clerics in sacred orders, as we will state below and as is noted by the Gloss on ch. ‘Tuae’ *De Apostatis* and by Innocent on ch.1 at the same title.

8. It may, however, be asked whether it is enough to have, along with such order, a regular income. I reply that, if such regular income is what could be had by a layman, it is clearly not sufficient, because such regular income neither is a mark of the clerical state nor binds one to a clerical state and function, nor is it in any way equivalent to an ecclesiastical benefice. But if the regular income is clerical, it may seem to be sufficient

on account of the contrary reasons; for it is equivalent to an ecclesiastical benefice and so is wont to be included under that term, especially in matters of favorable advantage. We also have to hand an example in the same decree of the Council of Trent; for at the beginning it laid down that no one may obtain a benefice before the fourteenth year; but the congregation of cardinals there judged that under benefice regular income is included; therefore, by the same or greater reason, when it says later that a minor cleric, if he has a benefice, enjoys the privilege, the name of benefice should be extended to regular income as well.

Nevertheless I find another response of the same congregation wherein the opposite seems to be declared in these words: "He for whom a regular income has been reserved, if he does not go about in the habit and tonsure, does not enjoy the privilege of forum." And a reason is given, that the Council of Trent corrects common right and excepts three cases by the word 'unless'. For this decision cannot subsist unless we suppose that regular income falls there under the name of 'benefice'. For although it is true that the Council corrects common right in that it does not require the triple warning demanded by the last chapter *De Vita et Honestat. Clericorum* and by chapter 'Contingit' *De Sentent. Excommunic.*, nevertheless, in the first member of the exceptions that it makes, it only requires a benefice along with some ordination; therefore, if regular income falls under the name of benefice, he who has it when it is reserved to someone as a cleric will enjoy the privilege even if he does not wear the habit and tonsure. Or, contrariwise, if he does not enjoy the privilege (as the response of the cardinals has it), the regular income alone does not suffice without other requisite things, and therefore it is not included under benefice.

9. Thus by holding this opinion one can reply that here the name of benefice is restricted, because this works in favor of religion so as to prevent him, to whom as to a cleric a regular income is reserved, from readily abandoning the habit and tonsure if he can enjoy the privilege without them. However, to confess the truth, this does not satisfy me, and therefore this latter decision appears difficult; nor do I sufficiently understand the reason for it, and so I doubt whether it has been faithfully described, and for that reason I leave judgment on this point to others. Finally I note about this prior member that, although the Council requires for a benefice the age of fourteen years, for enjoying the privilege it is not necessary, because in no member is it required by the Council. Only in the case of the first does it seem as a result to be required, or rather supposed, by reason of the benefice. If, however, it happens by dispensation that a cleric younger than fourteen years has a benefice, he will enjoy clerical privilege because he does in fact have the conditions required by the Council, and it matters not that he could have them by common right or by dispensation, because on this point the Council makes no distinction.

10. About the other member it is necessary only to note that in a minor cleric who does not have a benefice the Council demands the three conditions jointly. Therefore too, when any of them is lacking, such a cleric will by that very fact and without any preceding declaration or warning, not enjoy the privilege, as also the congregation of the cardinals expressly declared, citing Innocent on ch.1 *De Apostatis* and Geminianus on ch. 'Si Iudex' *De Sentent. Excommunic.* on 6. And the reason is that it is not a penal law but a law constitutive of the necessary form for such privilege, and therefore, when the form is lacking, the privilege is lost by that very fact. Besides, the aforesaid Council makes clear that the habit should be appropriate and extend down to the ankles. And, for the

same reason, it will be necessary that the tonsure be in accord with the common custom of the country. Other things about these two conditions can be looked at in Covarrubias in *Pract.* ch.31 n.7 and in Julius Clarus bk.5 last § q.36 n.17, and, among the laws of Spain, law 1 title 4 book 1 of the *Nova Recopilatio*, where a certain declaration of Pius IV for these kingdoms is reported. Therefore whichever of these two conditions is lacking, the privilege will, according to the usual custom, be lost; but, for clerics to be judged lacking in them, it is not enough that they lack them once or twice but that they be going about without them by habit, as it were, and permanently, as the same congregation thought in the argument of ch. ‘In Audientia’ *De Sentent. Excommunic.* In a doubtful case, however, an ecclesiastical judge makes discernment whether a cleric has sufficiently abandoned the habit or tonsure, according to ch. ‘Si Iudex’ *De Sentent. Excomm.* on 6. See Covarrubias in *Practic.* ch.33 at the beginning, Julius Clarus last § q.36 n.21, Salzedus in *Practic.* ch.62 nn.14 & 19.

Also these two conditions of habit and tonsure seemed sufficient by common right even after threefold admonition; the Council, however, added a third, namely that such a cleric be by the mandate of the bishop in the service of or attached to some church, which is sufficiently *per se* clear and is without doubt necessary, not however absolutely but in case it is not supplied by another condition approved by the same Council. For the Council places the two members under disjunction, namely: “or is busy in a seminary of clerics, or in a school or university of Episcopal license,” about which one can doubt whether each one of them contains individual conditions *per se* sufficient for this privilege, or whether they are only as it were parts of the third condition placed in the second principal member and need only to be put together with it under disjunction. But without doubt this latter is the sense of the Council. Otherwise there would have to be four members established for that principal decision, and a cleric existing in minor orders in a house of studies of Episcopal license would enjoy the privilege even if he did not wear the clerical habit and tonsure and lacked a benefice; the consequent is against reason and against custom, which is the best interpreter of laws. Those principal members, then, are not four but two; but because in the second member there are put there conditions, the third of them is put disjunctively under the triple less principle member. Therefore in all clerics of minor orders there is required in the first place the habit and tonsure but, in place of the third condition about ministry in the Church, being in a seminary or in a house of studies of Episcopal license is sufficient.

11. Further, however, there can about this part be a question whether a minor cleric wearing the habit and tonsure, not in possession of a benefice or serving a church or otherwise observing this third condition, is immune from taxes, allowing that he does not enjoy the privilege of forum. For some affirm that the conditions set down by the Council are not necessary for enjoying immunity from taxes, because the Council only required them for the privilege of forum; but the two privileges are diverse and so it is not licit either to argue from one privilege to the other or to extend it against the other, since rather favors are to be made greater. Yet I judge the contrary opinion to be true. And, to begin with, it is certain that by custom it is accepted that those clerics who do not have a benefice, nor serve a church, nor wear the habit or tonsure are not excused from taxes, as is testified by Covarrubias in *Practic.* ch.31 at the end; which custom, if it were against ecclesiastical immunity, could not so prevail that the exaction of tax would be just, as will be said below; but this cannot be said of this custom, for there is no one who

condemns this custom.

Next, it was shown above that no one can be subject to taxes unless he is subject to jurisdiction and forum, because the imposition of taxes is a certain act of jurisdiction; therefore, conversely, there is no reason that he who is not exempt from the jurisdiction of princes should be reckoned exempt from their taxes, unless the princes wish to exempt him; therefore minor clerics who, from defect of the said conditions, do not enjoy the privilege of forum, do not, as a result, enjoy immunity from taxes. And therefore I said above that the privilege of forum, as it is distinguished from the privilege of the canon, also includes all immunity from laws of taxation; it is also taken from ch. ‘*Quanquam*’ *De Censibus* on 6 along with similar ones. The Council therefore, when speaking absolutely about the privilege of forum, must be taken in this sense. There is a confirmation too: for if those clerics do not enjoy the privilege of forum, they are therefore subject to the civil laws not only as to directive but also as to coercive force; therefore they are subject also to laws of taxation, for the reason is the same. There is as well a considerable congruity, because if, for example, by the first tonsure alone, without any other profession of clerical state, men might become immune from taxes, many would have themselves tonsured merely so as to be exempt from taxes without any intention for the ecclesiastical state.

12. A greater difficulty for me, indeed, is in a certain law of Spain bk.1 of *Nova Recopilatio* title 4 law 2, which declares that clerics not in possession of an ecclesiastical benefice, although they may be observing the rest of what is required by the Council for enjoying clerical privilege, only enjoy the privilege as to criminal causes, but not as to taxes, contributions, and all the rest. For that law could not limit a decree of the Council; but the Council speaks absolutely that these clerics enjoy the privilege of forum, which is not of itself limited to criminal causes but embraces all that we have explained above. That law seems to suppose, therefore, that those minor clerics who lack a benefice enjoy, by force of common right, no exemption from taxes and civil causes. But if things were so, it might rightly be said that they do not enjoy it even by force of the Council, because the Council of Trent did not add a privilege to these clerics beyond common right, but only refrained from taking away what they had before. But in truth the supposition is not really founded on right, because nowhere is such a distinction made; nay the said ch. ‘*Quanquam*’ speaks absolutely and generally, and the other rights that were cited above about courts and the competent forum speak similarly. But perhaps the supposition is that in Spain this common right has, in this respect, been abrogated, as Covarrubias above indicates. But so as to admit this, it must be clear that such a custom and abrogation were approved by the Pontiff, otherwise I do not judge that that law can in conscience be observed with these clerics, who enjoy, according to the Council, the privilege of forum.

13. Finally it can be doubted about these clerics whether those who once lack the privilege from defect of the said conditions may begin to enjoy it whenever they start to keep the Council’s form; for there were not lacking those who denied this, because a privilege once taken away by a superior is not recovered by one’s own authority, but it must be again be conceded by the superior; but in fact the Council takes away the privilege and does not restore it; therefore it is not recovered by the mere will of the cleric when he returns to the clerical state. But others have added that this most of all has place when the cleric has been punished by a judge and deprived of the privilege, because he was going about without the clerical habit, for it is then that the reason given seems

properly to have place. Or also because it is then that someone seems most to renounce the privilege and that the renunciation is at the same time accepted; but after someone renounces the privilege, he cannot by his own will return to it. And on behalf of this opinion Innocent on ch.1 *De Apostatis* is cited.

14. Nevertheless I judge the contrary to be certain, for whenever a cleric begins to wear the habit and tonsure and to serve in a church in one of the ways prescribed by the Council, he will begin to enjoy the privilege, even if before, because of some defect, he was not enjoying it. Thus did Abbas teach on a like point on ch. 'Ioannes' *De Clericis Coniugatis* n.4. Angelus, at the word 'Excommunicatio' 5 n.23, follows him and refers to Joannes Monachus, Archidiaconus, and Joannes de Lignano on this opinion. The same is found in Sylvester *Excommunicat.* 6 n.4, and in Antoninus part 3 title 24 ch.2; and the same is taken openly from a certain response of the congregation of cardinals. For when it was asked whether a cleric who possessed an ecclesiastical benefice which, with a mind to take a wife, he renounced along with the clerical state, but who afterwards, changing his wish, assumed the clerical habit and obtained another benefice – whether he would recover the clerical privilege, the congregation replied in the affirmative, because a cleric cannot renounce the privilege, according to ch. 'Si Diligenti' *De Foro Compet.* And the response is consonant with right, as is taken from a like case in the sole ch. *De Cleric. Coniugat.* On 6, and from those that Panormitanus and others note on ch. 'Clericus' 2 *De Vit. et Honest. Clericor.* But this decision has the same reason in the present case. For the Council of Trent put the two conditions under a disjunction, as we saw; but in the former case, although a cleric, giving up a benefice with a mind too of renouncing the clerical state, ceases to enjoy the privilege, if he again obtains a benefice he starts to enjoy the privilege; therefore in the latter case too, although a cleric without a benefice, if he gives up the habit, does not for that time enjoy the privilege, when afterwards he returns to the form of clerical state prescribed by the Council, he will enjoy it. The consequence is proved by parity of reasoning, and because from the former case the foundation of the contrary opinion is shown to be of no moment.

Hence I argue in this way, that such a cleric would not recover the privilege, either because he was altogether and radically (so to explain the thing) deprived of it, or because he voluntarily renounced it; but neither is true nor probable. The first is clear, because neither the Council nor other canonical decree puts such privation into effect. For the Council only says: "He will also not enjoy the privilege of forum unless etc." And under these words it puts each member; but those words do not contain perpetual privation but only the condition requisite for enjoying the privilege. Now this is the force and nature of a conditional, that it is disposed to either side if it is true, namely that when the condition is not in place the effect does not follow, and when it is in place the effect does follow, even if before, because of lack of the condition, it was not in place; for this is of no importance, because that the condition is more slowly or more quickly fulfilled is irrelevant. Especially because the delay is not *per se* sinful, nor is a cleric for that time deprived of the privilege as a punishment but by defect of form or status, wherein he is conducting himself as a layman, and so, just as a layman begins to enjoy it if he is ordained etc., so too does that cleric if he resume the habit and the other things requisite.

The other member about renunciation has already been proved. For as a rule it is not necessary for such a cleric to have the intention of renouncing but at most of not

enjoying for that period of time. And next, although he may wish, he cannot renounce the privilege except by also renouncing the clerical state or the benefice etc. But by continuing in the due state, or by resuming it, he cannot not enjoy the privilege, even if he wish, because he cannot renounce a privilege introduced in favor of the clerical state. Hence it is irrelevant that such a cleric has by sentence been deprived of the exemption, both because the sentence does not introduce a new effect but declares the effect of the right, and also because, although it impose the privation by way of punishment, it is not absolute nor perpetual but has a condition or a limit included, namely “until he assume the habit etc.,” or “as long as he has not assumed it.” Hence it is a sort of suspension which, having been passed under those limits, ceases when the limit comes or when the condition ceases, as we have said elsewhere, and as is very well proved as to the present matter by the *Clementina* 1 *De Vita et Honest. Clericor.* at the place: “*Quamdiu praemissis institerint,*” where the Gloss notes the fact and confirms it with other rights.

15. And from these things can easily be made clear why we added at the end of the conclusion that it must be understood *per se*; because sometimes on account of crimes even clerics in sacred orders are deprived of the privilege of forum, and for no other cause are they wont to be deprived of it, nor perhaps can they be. Because they have it either by divine right or by ecclesiastical right so founded on divine right that it comes next to it; therefore, unless clerics themselves become unworthy of such privilege, they cannot be deprived of it. But they do not become unworthy of it except through crimes; therefore they cannot be deprived of it except as punishment for crimes, as long, that is, as they retain the clerical state. Which point I add because of clerics in minor orders; for those who are in sacred orders are by force of the character alone reckoned to be always in the clerical state, as long as they are not degraded by the Church, which does not happen except in punishment for some crimes. But in the case of minor clerics the character is not enough without other conditions required by the Church for that state, and therefore by defect of such conditions they lack the privilege without guilt or punishment; but while the conditions are in place, they are never deprived of it except as a punishment.

There is also a confirmation of this, that this privilege is not in favor of the person but of the whole clerical state; therefore no cleric can be deprived of it unless he becomes unworthy of it, because it would redound to the great disadvantage or detriment of the whole clerical state. But that it is taken away because of crimes redounds to the common good of the whole clerical state, and therefore it can be done in this way but not otherwise. And for the same cause, as I touched on above, even if this privilege were given to clerics immediately by Christ himself, they could be deprived of it as a punishment, just as men are deprived of liberty or life as a punishment, even if they have it by gift of the author of nature, because it is understood to have been given as it were under this condition or in subordination to the common good of the republic and of the power that bears the care of it; thus must it be understood proportionally of this privilege, namely that it has been given with subordination to the ecclesiastical power, which point has much more place if perhaps the privilege was given immediately by it.

16. But at once there arose the need to ask in what ways this privation of privilege may happen as a punishment. But this pertains more to the Tractate about ecclesiastical censures, where we touched on it in disp.30 sect.2. But, in brief, the resolution is that as a rule a cleric is not deprived of this privilege except by a real degradation according to ch.

'Novimus' *De Verborum Significat.* and ch.2 *De Poenis* on 6; and it is taught by the canonists on ch. 'At si Clerici' § *De Adulteriis, De Iudiciis*, and by others whom Covarrubias refers to and follows in *Practic.* ch.32, and Joannes Lupus tractate *De Libert. Ecclesiast.* part 2 ch.5 n.5. But sometimes this privation can happen merely by a sentence given by an ecclesiastical judge, even if a real degradation has not subsequently followed, which however never happens except on the supposition of incorrigibility in enormous offenses and when the form is kept that is prescribed in ch. 'Cum non ab Homine' *De Iudiciis*, on which can be seen the doctors there, especially Panormitanus n.24, Decius n.8, Felinus n.9, and Covarrubias above n.2. And the sufficient reason is that in the infliction of punishments, just as the power given by the right is enough, so must the form of concession be kept, nay and even tightened, because the matter is hateful. In a third way finally can this punishment be imposed immediately by canon law itself. But to understand when and how such punishment is imposed by the canon, the propriety of words must in the first place be strictly observed according to the general principles of penal law.

17. Next one must in this matter specially note that the privileges of the canon and of the forum of clerics are in canon right distinct, as Panormitanus noted ch.1 *De Apostatis*; and therefore one must carefully consider about what privilege it is speaking so that one not extend it from one privilege to the other. Hence, although in ch. 'Perpendimus', ch. 'In Audientia', ch. 'Ut Famae', ch. 'Contingit' 2 *De Sentent. Excommunicat.* clerics thrice warned and yet obdurate all the same in certain crimes are deprived by that very fact of the privilege of the canon, nevertheless those rights are not to be extended to the privilege of forum, as I noted in disputat.12 *De Censur.* sect.1; both because punishments are to be restricted, and also because, as is rightly said by Angelus at the word 'Excommunicatio' 5 n.23 and by Sylvester 'Excommunicatio' 6 n.4, the privilege of forum is with more difficulty taken away than that of the canon. For the privilege of the canon is purely human; for it only consists in a particular way of guarding and defending the inviolability of ecclesiastical persons by passing a very grave censure against those who strike them; and therefore the same canon right, by which the censure is passed, correctly wishes it not to have place in the aforesaid cases, where it judges that clerics living as laymen and pertinacious therein after so many warnings are made unworthy of such defense, although they are not at once deprived, or deserve to be deprived, of every other greater privilege and privilege flowing from divine right.

Hence, if one rightly considers the canons that speak about this privilege, there are few that in such wise impose this punishment by the fact itself without further sentence by an ecclesiastical judge that the person of the cleric stays by that fact subject to the secular power. For, as to clerics in sacred orders, there is scarcely found a definite right besides ch.1 *De Homicid.* on 6, about which there was discussion in the above cited place *De Censuris*, and one can look at Sylvester at the word 'Assasyni' qq.3 & 4, Iulius Clarus bk.5 last § n.30, and Covarrubias bk.2 *Variar.* ch.20 n.10. But other rights, which in certain cases deprive clerics by the fact itself of this privilege under certain conditions in ch. 'Ex Parte' 3 *De Privileg.* and in the sole chapter *De Vita et Honest. Clericor* on 6, and Clementina 1 at the same title – these rights (I say) and similar ones are wont to be expounded about minor clerics; but to examine this now and to treat of it directly is not our set purpose, nor is there leisure for it, but one can see the glosses and the doctors there and on ch.1 *De Apostatis*, and Panormitanus on ch. 'Perpendimus' *De Sentent.*

Excommunic., and Joannes Lupus in the said tractate *De Libert. Ecclesiast.* part 2 q.5.

Chapter 28. Whether married clerics enjoy the privilege of ecclesiastical exemption. *Summary.* 1. *Four conditions are required for the exemption of married clerics.* 2. *Married clerics never completely enjoy clerical privilege.* 3. *What privilege a cleric enjoys who after sacred orders takes a wife.* 4. *What habit these married clerics should wear to enjoy exemption.* 5. *Whether clerics enjoy this privilege if they go about with weapons.* 6. *Bigamous clerics do not enjoy the privilege of exemption. Whether a cleric contracting with a virgin who has already been corrupted by him enjoys this exemption. Whether a cleric who has contracted with two women and has consummated with one of them enjoys exemption.* 7. *By what sort of bigamy a married cleric is deprived of exemption.* 8. *A married cleric at leisure in advanced studies at a University does not stay exempt.* 9. *Whether someone engaged in business enjoys this privilege.* 10. *Which sort of married clerics are altogether deprived of exemption.*

1. This question can be dealt with either about the ancient or about the new right. The former sense is of very little use and so we pass over it. However, it is very likely that, before the Church established a distinction on this point between married clerics and the rest, the privilege conceded to clerics pertained to married clerics no less than to the rest, because we cannot exclude those whom the law does not exclude, and because a privilege of a prince is to be interpreted liberally. Rather in the laws of the emperors there are some contained in which this privilege was at least in part extended to wives and sons of clerics, as one can see in the title *De Episcop. et Cleric.* in the *Codes* of Justinian and Theodosius. Therefore, with the ancient period left behind, the question is treated according to the new right of the sole chapter *De Cleric. Coniugat.* on 6, which is confirmed and in some way restricted by the Council of Trent session 23 ch.6 *De Reformat.* But Boniface laid down in the said chapter that married clergy can enjoy, beside the privilege of the canon, only the privilege of forum as to criminal causes, whether these are dealt with criminally or civilly. But in order to enjoy this immunity he requires three conditions. First that they wear the tonsure, second that they go about in the clerical habit, third that they be contracted with one woman and she a virgin; but the Council of Trent added a fourth when it says: "Provided these clerics, having been assigned by a bishop to the service or ministry of some church, are serving and ministering in the same church."

2. From which right we collect on this point three propositions and, as it were, general rules. The first is that no married cleric enjoys the complete clerical privilege. The proof is that, even if they fulfill all the said conditions, they are not exempt from the secular court in merely civil causes, and consequently neither from the obligation of the civil laws, at least as to directive force, nor from taxes, or from other duties or public burdens, unless they are expressly and specifically exempted by the civil laws. The proof is that in the said chapter, after exemption in criminal matters has been conceded, the addition is made: "But as to the rest we do not wish that they enjoy the clerical privilege;" where it plainly excludes everything and the lone exception confirms the rule to the contrary. This rule is also commonly accepted by Joannes Andreas and other expositors on the said sole chapter, by Panormitanus and others on ch. 'Ioannes' *De Clericis Coniugatis* and on ch.2 *De Foro Compet.* and others who are referred to and

followed by Covarruvias in *Practicar*. ch.31 n.7, by Gutierrez *De Iuram. Confirmatorio* p.1 ch.17 n.12, by Sylvester at the word 'Clericus' 1 q.6. But there have not been lacking some who taught the opposite, as the said authors report; but the matter is not deserving of dispute when the right is so clear and evident. Nor are their reasons of any moment, as can be seen in the said authors. Wherefore, law 2 title 4 bk.1 of *Nova Recopilatio* touched on above would be proceeding very well in accord with this decree if it were speaking only of married clerics.

3. I note only about this right that, by the restriction of the Pontiff, the discussion therein is only about clerics established in minor orders, for clerics in sacred orders cannot take wives. But in two ways can it happen that a cleric in major orders is married. First because, although he before had a wife, he was ordained in a legitimate way and separated from his wife. And in that case he is not reckoned by the Church as married but as a continent widower, because in a certain civil way and as to the use and society of marriage his wife is as it were dead; and so he can accordingly enjoy clerical privilege like other clerics in sacred orders, and perhaps for this reason no special mention or distinction in right is made about clerics of this sort. In another way a cleric established in major orders can take a wife through dispensation from the Pontiff, and in that case he is altogether removed and as it were deposed from the clerical state, and so he is reckoned as a layman and cannot enjoy clerical privilege, except perhaps as to the criminal forum when the conditions required of other married clerics concur, because we find nothing else laid down in right about him, unless it be by special dispensation conceded to him.

4. The second proposition or rule is that a married cleric, by observing the clerical state in the way required by the right, enjoys at least exemption from the secular court in criminal causes. Thus is it established and made clear in the said decrees, and that they could make herein this disposition is sufficiently clear from the above. Hence there only remain to be explained the conditions requisite for the aforesaid state. The first was the tonsure, about which nothing occurs to be added, because it ought to be worn by these clerics in the same way as by unmarried minors. The second was the clerical habit, about which the doctors note that there is no need that in the case of this condition equality or equivalence in every respect be observed among these married clerics as with the unmarried ones, because although there is required in both of them a habit more honorable in quality, figure, color, and length than in laymen, nevertheless in the case of these circumstances, particularly figure, length, and material of clothing, something else can be permitted in married clergy than in unmarried. It will be sufficient, then, that the habit be honorable and adapted enough, according to common custom, to discriminate cleric from layman. But it can thereby be understood that it is not enough for a cleric of this sort to wear clerical habit at those hours and times when he is actually serving in a church, but it is necessary that in his common mode of life he go about in clerical habit, because in this point he is equivalent to an unmarried cleric.

5. Hence too Julius Clarus infers in the said last § q.36 n.12 that it is necessary for a cleric of this sort not to carry arms, which he says, along with Bertrand cons.13 n.5, is the common opinion, because arms are forbidden to clerics. But some think that this prohibition is not extended to married clerics, whose state is not dishonored by arms. And therefore Azor vol.1 bk.3 last chapter last question thinks that carrying arms is not repugnant to this privilege if otherwise the clerical habit is retained. Yet, nevertheless, it is safer not to carry them in a way which is particularly in custom among laymen, so that

they cannot be seen from the outside, because they do not well agree with the clerical habit. But in the case of these circumstances the custom is of most weight that is not disapproved by the prelates, as is noted generally by Covarruvias in *Practicar.* ch.31 n.7.

6. The third condition was that they be contracted with only one woman and she a virgin, for the Church has not wished to concede even this part of its privilege to a bigamist. But suppose a cleric contracts with her whom before marriage he had known a virgin and corrupted, for he does not then in fact contract with a virgin; so he does not enjoy this exemption. But I say nevertheless that he does enjoy it, because, as I said, the decree only intends to exclude bigamists; and by that marriage bigamy is not contracted, as I said in the matter of irregularity. The reason indeed is that his use of it is, as it were, drawn backwards in favor of marriage by a fiction of right. Hence, just as by a subsequent marriage a child conceived beforehand is rendered legitimate, so the preceding use is, as it were, reputed matrimonial, and consequently the marriage is reckoned to have been contracted with a virgin. Next one can ask what is to be said if a cleric has contracted with two virgins but has not consummated with both, because one of them either died or professed religion first. I reply that there is no obstacle, because such a cleric enjoys this immunity, because by that double marriage he did not contract bigamy, as I said in the cited place. Hence, when it is said in the said decree: "Clerics who have contracted with one woman and she a virgin," it must be understood of a marriage fully contracted and consummated; for before then it does not have its perfect meaning, and the law in this respect must be restricted to an act altogether complete. Such too is the opinion on each of these points of the Gloss there more commonly approved, although some have said the contrary.

7. Next there can be asked about this condition whether it is only through bigamy contracted by a doubly consummated marriage, or through marriage with a widow that a cleric becomes incapable of this privilege. And the reason for doubt is that the reason in the case of all bigamies is the same, and so it seems the law should be extended for identity of reason, although the words do not entirely agree, because, that is, the bigamy is contracted otherwise than is explained by the words of the text. Nevertheless I judge that one should stand by the words of the law, and therefore only a cleric who is a bigamist in one of those two ways is unsuitable for this privilege. So too he who has contracted with one woman and she a virgin who has later committed adultery and yet the husband has thereafter had knowledge of her, although he becomes as regard other effects and by interpretation a bigamist, nevertheless he does not lose the privilege because he has kept the condition required by right; for he has contracted with one woman and she a virgin, and the right demands nothing more as regard this condition. Nor is the extension by identity of reason to be admitted, both because we are concerned with a matter, such as is diminution and limitation of ecclesiastical immunity, that is odious and strictly drawn, and in this sort of matter such an extension is to be admitted rarely and with difficulty, unless the force of reason is so great that the contrary appears unjust and irrational; which cannot here be said. And also because neither is there here found identity of reason, for a much greater defect and impropriety is found in bigamy proper than in bigamy in a transferred sense. And finally because the Pontiff himself, in not speaking generally of bigamy but explaining its types and modes, gave sufficient indication that he wished only to exclude the types in question. Thus too did Julius Clarus think, in the said question 36 nn.9 & 10, referring to Aufrerius who says that so do all

commonly think, and that so was it decided as a matter of fact.

8. The fourth condition added by the Council was made clear more or less above in the case of unmarried clerics; I only note two things. One is that the Council here definitely requires that such a cleric be assigned by the bishop to the ministry of a church, and it does not add the other two members that it set down in the case of unmarried clergy. And rightly of course; for one of them, namely to be educated in a seminary of clerics, cannot morally have place in the case of a married cleric, as is *per se* clear. But the other member about study in some university of studies of Episcopal license, although it could in some way be observed by a married cleric, yet not in the way required by the Council; for it adds “is busy...as it were on the way to receiving major orders;” this way cannot be considered in a married cleric, since by marriage he has been made unfitted for major orders. Therefore ministry of a church is precisely and definitely necessary. Wherein I note second that the Council not only said that he must be assigned to the service or ministry of a church but added “that he minister or serve in it,” by which words it clearly wished to signify that it is not enough that he have a title or office if he serves only through someone else, but it is necessary that he minister directly of himself. But about the mode of ministry the Council determines nothing in particular; and therefore anything at all will suffice, whether it is spiritual in some way, as is ministering at mass or in choir, or whether it is temporal, as is guarding or cleaning the things of the church and suchlike that pertain to the office of a sacristan or treasurer.

9. To these conditions some add a fifth, namely that a married cleric not be involved in business or trade. Julius Clarus posits this in the same q.36 n.12, and he refers to Alexander de Nevo cons.60 who says that so the doctors commonly think, along with Innocent on the last chapter *De Vita et Honest. Cleric.*, on which text this opinion could be founded; also because business is prohibited to clerics. But this opinion is not to be approved. First because when in the said last chapter the form is set up, as it were, that one is to be kept for being able to enjoy this privilege, nothing beyond it can be required except it be added by some right, hence nothing else was required before the Council of Trent, but after it the fourth condition is required because the Council added it, but the fifth condition is added by no right; therefore it is not necessary. And thus does Covarruvias expressly hold in the said ch.31 n.8 citing Francus, Alexander, and Immola, and the same is held by the summarists Sylvester ‘Clericus’ 3 q.3 and Tabien at the same place q.1, Angelus ‘Clericus’ 9 n.3, and other moderns.

Nor is anything other collected from the last chapter *De Vita et Honest. Cleric.* For beside the fact that there the discussion is about unmarried clerics, as is clear from the whole context, there is only said there that clerics engaged in business are not immune from the taxes to which the goods of businessmen are wont to be subject. This decision was not necessary for married clerics because, as we have already said, they enjoy no immunity from taxes. Nor too is it true that all business is prohibited to these married clerics; for the contrary is supposed in ch. ‘Joannes’ *De Clerics Coniugatis*. In addition other clerics too, to whom business is prohibited, although they sin by engaging in it and do not enjoy immunity as to those goods, they do not at once lose the whole clerical privilege as to crime and all the rest until by an ecclesiastical court, if they become incorrigible, they are deprived. And in like way I would believe that although a married cleric, serving a church and carrying the insignia of a cleric, could engage in moderate and honorable business for supporting the burdens of marriage while enjoying

his immunity in criminal matters, yet he cannot engage in business of such kind and so great that it does not fit the clerical habit and ministry, and he can be compelled by the prelate either to abstain from such business or to put off the insignia of a cleric, by the argument in the said ch. 'Joannes'. And so it will happen that he is deprived of the privilege whether as punishment imposed by man or by defect of other conditions, but not because a new condition is *per se* necessary.

10. The third and last rule that is collected from what has been said is that there are many married clerics who do not wholly enjoy the privilege of forum. The proof is that all those who lack one of the said conditions can, by the said rights and in the opinion of all, be hauled into the secular courts, even in criminal matters. Nor is sentence or clarification by man required, because, by defect of condition and form, the privation at once follows, as is clear *a fortiori* from what has been said about unmarried clerics; hence the rest that is there said can be applied here. There is only to be observed the difference between the condition of a single marriage with a virgin and the other conditions, for if that is once lacking the defect is perpetual; and thus it renders the person simply unfitted for such privilege, but in the other conditions there can be changes; and therefore although by defect of them the privilege is lost, they can again be assumed and the privilege can return provided that foundation of one marriage with a virgin is not lacking, because then the things proceed that have been said about the rest of the clerics, as is *per se* manifest.

Chapter 29. Whether other ecclesiastical persons who do not have orders enjoy completely the exemption of forum.

Summary. 1. Doubt. 2. Assertion: ecclesiastical persons without orders enjoy the privilege of exemption. The assertion is proved and the doubt solved. 3. The same assertion is proved from civil right. 4. Proof again by reason. 5. Which non-ordained persons are to be reckoned ecclesiastical. Profession with simple vows suffices for enjoying this privilege. Novices too among religious enjoy the same exemption. 6. Other ecclesiastical states that without a vow introduce this exemption. 7. Those who enjoy the privilege of the canon also enjoy the privilege of forum. 8. A professed religious wearing lay dress retains the exemption. He who abandons religion before profession loses the privilege. 9. Whether the servants of churches or of clerics enjoy this privilege. 10. Resolution to the negative. Question about members of a bishop's family.

1. A possible reason for doubt is that the canon rights which speak about the privilege of forum attribute it to clerics alone; but only those are said to be clerics who have received some ordination or at least the first tonsure. Not even monks are wont to be comprehended by the name of clerics, but are instead wont to be distinguished alongside them, as is taken from Jerome's epistles 2 & 3. There can be confirmation too from ch. 'Si Quis Suadente' 17 q.4, where the privilege of the canon is set up and, because the Pontiff wanted to concede it not only to clerics but also to monks, it distinctly said: "On a cleric or a monk;" therefore, contrariwise, the privilege of forum is conceded only to ordained clerics since about them alone do the canons speak. But if someone replies that thence rather is the contrary argument taken, because the received principle is that all those enjoy the privilege of forum who enjoy the privilege of the canon, from the common opinion of the doctors on ch.2 *De Foro Competent.*, and from Sylvester at the

word 'Ecclesia' 1 n.6; yet this is not enough, because, as we said above, the privilege of forum is greater than the privilege of the canon; therefore the argument from a lesser to a greater privilege is not valid as regard concession, just as we also said above that, as regard taking it away, the argument that if the privilege of the canon is taken away the privilege of forum is also taken away is not valid.

2. Nevertheless it must without any doubt be said that ecclesiastical persons enjoy this privilege completely even if many of them do not have orders, as are monks before they are ordained, and nuns who are incapable of orders. The assertion is received by all doctors and is first proved from canon right by destruction at the same time of the reason for doubt, which proceeds from a false principle. For although some rights speak about this immunity under the name of clerics, as ch. 'Non Minus' and ch. 'Adversus' *De Immunit. Eccles.*, nevertheless others speak of it under the name of ecclesiastical persons, which is more general and in strictness includes monks. Thus is it clear from ch. 'Quaquam' *De Censibus* on 6, and from ch. 'Clericis' *De Immun. Eccles.* on 6, where is also distinctly added "for ecclesiastical persons, whether regular or secular." And in the more ancient decrees in ch. 'Experientiae' 11 q.1 it is made clear that this privilege of forum agrees with "every person of ecclesiastical office," which term also properly agrees with monks. Next in ch. 'De Persona' 11 q.1 again Gregory speaks expressly of bishops, clerics, and monks, alleging an *Authentica* of Justinian which in this respect he approves and receives. Add that St. Jerome, as cited in ch. 'Duo Sunt' 12 q.1, when distinguishing two kinds of Christians, includes under the first all persons given over to divine office, contemplation, and prayer, and he first numbers among them clerics and monks, whom he calls devoted and converted to God; but afterwards he attributes the name of clerics to all of them, because all are chosen by lot and specially called. In this way, then, must the name of clerics be taken in this privilege, even when the explanation happens to be given by that term alone.

3. Second, the assertion can be proved also from the civil laws. For, in the first place, in law 36 *De Episcopis et Clericis* in the *Theodosian Code*, when exemption from taxes is bestowed on clerics, there is added: "Who are protected by their clerical rank and, what is not less, by their more holy life." In addition, the Emperor Justinian in his *Authentica* 'De Sanctissimis Episcopis, etc.' collat.9 novel.123 ch.2 'Si quis contra' 21, when conceding the privilege of forum, expressly enumerates clerics and monks and also women dedicated to God, as is noted by Gregory bk.11 epist.54. Next Frederick in his constitution speaks simply of ecclesiastical persons, of churches, of pious places. Hence there is no doubt but that, besides clerics, he also includes monks, and thus, after he had said: "We establish that no one is to presume to bring a clerical person before a secular court in a criminal or civil question," he later subjoins: "We establish that if anyone has presumed to deny justice to clerics or ecclesiastical persons, etc." Where I weigh the disjunction so that, lest perhaps by saying only 'if anyone...to clerics' he generate ambiguity about the restriction of the word, he also added the phrase 'or ecclesiastical persons', thereupon making clear that the privilege given to ecclesiastical persons is not granted only to clerics properly speaking, but to all those specifically committed to divine service, who are signified by the name of ecclesiastical persons.

4. Also from the same rights and words it is clear that this whole privilege is in its totality conceded to non-ordained ecclesiastical persons as much as to unmarried clerics or to those persisting in the clerical state in its totality. The proof is that Frederick

conceded this exemption to all of them under this same general name and with the same tenor of words. And it is in the same way confirmed and approved by Pope Honorius at the end of the same constitution. Ancient decrees too make no distinction in this respect between the two kinds of ecclesiastical persons, and about them they assert simply that they enjoy ecclesiastical immunity. Next, each is in agreement with reason and thereupon with divine right, from which this privilege flows. For the privilege is for this reason conceded to ordained clerics, that they are in a special way devoted to divine service, and therefore they belong specifically to the family of Christ and should be removed from secular cares and worries; but this reason militates no less in favor of monks and the like persons, even if they have not been made sacred by a proper ordination, because this particular mode of consecration is not why the privilege is to be exacted when the principal and as it were proximate reason and foundation for the privilege is acquired in another way. This foundation, as I said, is a particular dedication to divine service, as is noted by Innocent on ch.2 *De Maiorit. et Obedientia*. Also, just as among clerics themselves those who have received only the first tonsure are not in fact ordained with the sacramental order instituted by Christ, and yet because, by the ceremony instituted by the Church, they are dedicated and consecrated in a particular way to the divine cult, that fact is on its part sufficient for the privilege of exemption; therefore, by the same or greater reason, religious profession or any other manner approved by the Church whereby a person is especially consecrated to the divine cult is sufficient for exemption; but all persons who are simply called ecclesiastical are by some similar manner or ecclesiastical rite dedicated and consecrated to God; therefore they too pertain in a special way to the family of Christ and should be partakers of the same exemption. And hence St. Thomas in *Sentences* bk.2 dist.44 q.2 a.2 ad 1 and St. Bonaventure on that place and Richard and others say that in the words of Christ, "then are the children free," are included not only ordained clerics but also all who are following the apostolic life, having left all for Christ.

5. But now there occurs to ask which non-ordained persons are reckoned to come or to be included under this class of ecclesiastical persons. On which point it is certain to begin with that all professed male and female religious are included under this division, whether they are signified by the name of monks or regulars or religious; and on this all the doctors agree, because it is manifest in right. Hence rightly did Panormitanus say, on ch.2 *De Foro Compet.*, that two things above all exempt a person from secular power, ordination and profession. But now must be added that by profession is to be understood not only that which happens by solemn vows but also that which happens by simple vows approved and accepted by the Church for constituting the true and proper religious state; for just as such persons are true religious, so do they enjoy primarily as well as *per se* the same ecclesiastical immunity. But, next, the same privilege is extended by a certain participation and extension to novices in religion, because, just as in the order of clerics those who have been initiated with the first tonsure and are wearing the clerical habit and serve in a church begin to be reckoned among persons dedicated to God, so too a novice in religion, insofar as he begins to be on the way to the state of religion and bears the insignia of it and serves it, is reckoned among religious persons as to enjoyment of the privilege.

6. Beyond these, however, there are other states or modes of ecclesiastical living which, although they are not constituted by the three vows of perfection but by one or other of them or by some mode of tradition or of offering or of congregation approved by

the Church, are judged sufficient for enjoying this privilege, whether by special concession or because general custom has thus interpreted the decrees that concede this privilege to ecclesiastical persons. And under this division are contained those who in certain religions are called “converted laity” according to ch. ‘Non Dubium’ *De Sentent. Excommuic.* Again some hermits and others who are enumerated at length by Sylvester at the word ‘Ecclesiae’ 1 q.5, throughout the whole, and by Panormitanus in the said chapter *De Foro Compet.*, and by Archidiaconus in ch. ‘Duo Sunt’ 12 q.1.

7. But in order to set up a general rule I judge that rule true which we touched on when arguing at the beginning, namely that all persons who enjoy the privilege of the canon also enjoy the privilege of forum. Which rule is to be understood *per se* and by force of common right, for one can as a punishment be deprived of one privilege though not of the other, and by a special right one privilege can be bestowed on some persons without the other; but, speaking *per se*, all persons who are judged to have an ecclesiastical state sufficient for one privilege also have it as sufficient for the other, because, if a person is defended by the Church by the special privilege of the canon, the reason is that he is supposed sufficiently sacred and dedicated to God and is in short ecclesiastical; therefore as a result they enjoy the common right of immunity as regards forum. Nay rather, although the privilege of forum be judged more and more to be from divine right, nevertheless it belongs by priority and more intimately, so to say, to ecclesiastical persons, by the very fact they are sacred and dedicated to God, than the privilege of the canon does; for the former is as it were *per se* conjoined with such state and is very agreeable to it, but the latter is only as it were *per accidens* for coercing the audacity and malice of men, because, as I said, it only consists in a special censure passed against those who strike clerics. And therefore the privilege of forum is also more ancient than that of the canon; and thereupon, so that all who enjoy the privilege of the canon may enjoy also the privilege of forum, it is more necessary than vice versa. In fact, however, both privileges are conceded to the same persons, and therefore sufficient here is what I said about these persons in vol.5 disp.22 sect.1 n.19 and following, when treating of the privilege of the canon.

8. Now we can note a certain distinction among these persons by analogy and proportion with the persons of clerics; for some of them have an altogether unchangeable ecclesiastical state, as are solemnly professed religious; but others have a changeable state or mode of life, because in certain cases they can return to the state of laymen. The first we compare to clerics in sacred orders, because they absolutely and by force of their profession enjoy this privilege always without other condition or limitation, as long as they are not deprived of it. Hence, although a professed religious put off the habit and walk about apostate as a layman, he always enjoys this privilege, because he is always a sacred and religious person to whom the privilege has simply been conceded. But if objection be made of ch.1 *De Apostatis*, we reply, to begin with, that the discussion there is not about religious but about clerics who “having abandoned the clerical habit, in apostasy conduct themselves as laymen.” Next, apostates there do not seem to be deprived simply of the privilege, for it is only said: “If, taken in crimes, they are arrested, we do not bid them by ecclesiastical censure to be set free,” where the Gloss notes that the command is only that secular judges not be compelled by censures not to exercise their jurisdiction over apostates, but the faculty to exercise it is not given to them; for these are two distinct things and, in matter of punishment, extension should not be made

from one to the other. Hence Panormitanus on that place and on ch. 'Perpendimus' *De Sentent. Excomm.* said with sufficient probability that the privilege of forum is not in that case lost but only the privilege of the canon; which opinion is supported by Paul IV constitut.²⁹ 'Contra Apostatas', and Pius IV constitut.⁸ at the like title, which can be seen in the Roman Bullarium. Next, although the privation of the privilege is done there by the right itself, it would be a sort of punishment that is only after sufficient warning and incorrigibility incurred, as was noted by the same Gloss. *Per se*, therefore, and by force of common right, professed religious always enjoy this privilege. But other ecclesiastical persons placed below this rank have a state in some way changeable; and so although they enjoy the privilege as long as they persist in the state, as soon as they abandon the state they lose the privilege, not as punishment but because the foundation for the privilege is not now found in them, and for this reason we have put these sorts of persons together with minor clerics. Thus too a novice, as soon as he puts off the habit, does not enjoy the privilege; nay also a religious who has only pronounced simple vows, if he is let go absolved from the vows, at once loses the privilege. And the same holds *a fortiori* of all others.

9. Lastly indeed can there be doubted in this place whether under these ecclesiastical persons who enjoy this privilege are included all who serve the Church in any function whatever, even if they are not ordained. And the same doubt is wont to be raised about the family members of bishops, nay about those too who serve other clerics. On which point the Gloss on ch.2 *De Foro Compet.* at the word 'Minores' understands servants of the Church by that word, whom it says enjoy the same privilege. And it seems so to understand it even if they are not ordained; both because in that text 'Minores' or 'Iuniores' (as is said in ch.2 11 q.1) are distinguished from every cleric, for the words are: "Neither priest, nor deacon, nor any cleric or minor of the Church;" and also because that Gloss cites ch. 'Ecclesiarum' 12 q.2, wherein without doubt the discussion is about common servants, not only of churches, but also of bishops and of any cleric.

10. One must nevertheless say that no attendants or servants of the Church enjoy the privilege of forum, as far as it is by force of common right. Thus do Panormitanus and Felinus and others teach on the said ch.2 *De Foro Compet.*, and Archidiaconus on the said ch. 'Ecclesiarum' and on ch. 'Clericum' q.1, and Julius Clarus in the said section of the last question 35 nn.18 & 19. There is sufficient proof too, because it is stipulated by no right. Again, it is evident after the Council of Trent, because even in minor clerics the Council requires the habit and the tonsure for this privilege; therefore much less could a layman serving the Church enjoy such privilege, since he is not able even to possess the tonsure. Hence the same is far more certain of servants or attendants of clerics. But about the family of a bishop the aforesaid authors say that it is received by custom that they be exempt from secular courts, and all of them allege for this purpose the last chapter *De Offic. Archidiac.*, which is for me no certain proof. I judge therefore that one should abide by the custom, and, where the opposite has not been established by use, one must not depart from common opinion; for such a custom is very reasonable in favor of Episcopal jurisdiction and authority. And for the same reason the same custom and with greater fullness is to be kept as regard the family members of cardinals, as can be understood from Julius Clarus above and from other authors who have written about cardinals.

Nor is an obstacle to the contrary posed by the said ch.2 *De Foro Compet.* at the

word ‘Minores’ or ‘Iuniores’. For, to begin with, Hostiensis understands by minors there monks and converts, which exposition cannot be accommodated to the reading that has ‘Iuniores’. But because it was permitted, not without cause, by Gregory IX, we can understand that the term ‘Minores’ was taken by him not to signify minors in age but minors in rank. And thus under that term are included all ecclesiastical persons who do not have any orders, because they are in hierarchical order of an inferior rank, according to the chapter ‘A Subdiacono’ 93 dist. along with others. Second, we can say that by minors are understood scholars, as the Gloss says and as Panormitanus expounds at large, or young men destined for attendance on or service to the Church, not however wholly layfolk but having at least the first tonsure. And thus by the name of cleric in that text will only be understood he who is marked by some true order, so that the disjunction “nor any cleric or minor” may have place. Nor is this use of that term new, for once only those up to doorkeepers were numbered among clerics, as is clear in ch.1 dist.77 and in the said ch. ‘A Subidacono’.

Nor is an obstacle posed either by the said ch. ‘Ecclesiarum servos’, because there the question is not about any hired servants or free servants whatever, but about permanent servants, as the Gloss and others there expound, and Panormitanus and Felinus on the said ch.2 *De Foro Compet.* But these sorts of servants are said there by the 3rd Council of Toledo to be immune from the burdens and offices, both public and private, of laymen, because they cannot be compelled against the will of their masters. Which point indeed, as far as concerns the private services of laymen, pertains to the nature of justice, for no private person can justly compel another’s servant to be servant to himself. But the second part about public burdens and offices is reduced to exemption from taxes, according to what has been declared above. For the possessions of churches, nay of clerics too, are exempt from taxes in law 1 *Code. De Episcop. et Clericis*. And the reason is that servants or possessions are counted among the goods of the master; and therefore, just as other goods of clerics are exempt from taxes, or just as the house, horses, or cattle of clerics are exempt from public burdens, so also are their servants. Hence this exemption is not conceded *per se* and directly to the persons of slaves, but redounds from the privilege conceded to clerics, because a burden imposed on a slave redounds to the master, and thus it would be contrary to his immunity.

Chapter 30. Whether the privilege of immunity for clerics can be revoked by any human being.

Summary. 1. *Properties of the privilege of immunity.* 2. *Which property is treated of in this chapter.* 3. *Threefold way of losing the privilege. It can be lost neither by lapse of time nor by the death of him who concedes it.* 4. *First conclusion. Proof.* 5. *Whether this privilege can be revoked by kings. Reason for doubt.* 6. *The conclusion is proved also as to kings.* 7. *Evasion. It is refuted.* 8. *No privilege of the Church once conceded can be revoked by the secular power.* 9. *This privilege of immunity cannot even be limited by the civil power.* 10. *Objection. Solution. Privileges conceded by kings to ecclesiastical persons have no effect prior to their acceptance by prelates.* 11. *Four reasons for doubt against this sort of concession are solved.* 12. *Evasion. It is resolved.* 13. *Neither can the Supreme Pontiff simply revoke this privilege.* 14. *This assertion is demonstrated on the part of clerics. An evasion is rejected.* 15. *The Pontiff cannot abrogate all the rights that concede immunity.* 16. *Solution.*

1. Hitherto we have explained all the causes and effects of this ecclesiastical immunity of which we are treating; now it would seem we must speak accordingly about its properties. If, however, someone considers diligently what has been said in the explanation of the causes and effects of this privilege, he will find almost all the properties made clear that can be seen in it. For, in the first place, from what has been said there is collected that this privilege is divine, that is, conceded by God himself, which is the great dignity of such a privilege, from which it has as a result the property that it is universally or simply unchangeable and that it cannot, without great and just cause, be taken away even in part, as we touched on in chapter 28 and as we will make more fully clear a little later. Next we have, from what has been said, that this privilege is not of private but of public right, not only because it has been passed for the public utility of the universal Church, but also because it has been inserted into both canon and civil right, and therefore it has in a more eminent way all the prerogatives that are wont to be had by rights inserted into the body of right, as I assume from the general doctrine *De Privilegiis*. Third, from what has been said can be had that this privilege is extremely favorable, because, in the first place, it favors religion, whose right is deserving of the greatest favor, as even the Jurist thinks on law ‘*Sunt Personae*’ and following *De Religios. et Sumptib. Funer.* And next it has been established not in favor of one place or province or race but for the increase and decency of the divine cult and the honor of the whole ecclesiastical state. Hence too it happens that all the rules, which have been passed about expanding favors in right, must be extended to this privilege. Finally, fourth, there can be concluded from what has been said that this privilege is not merely personal but real, because it has been conceded in consideration not of any person but of the pontifical dignity and of the whole clergy, as is said in ch. ‘*Si Diligenti*’ *De Foro Compet.*, and as is manifest from what has been said about the final cause and reason for this privilege. Hence finally it happens that this privilege does not end with the person but is of itself perpetual, for this property is wont to accompany real privileges.

2. About these properties, then, the last excepted, nothing remains for us to say, but they are to be explained and extended according to the general principles and doctrines about privileges. There only remains to make clear about the perpetuity how great it is and whether it excludes every mode of loss, or removal, or reversal of such privilege. For that is said to be perpetual which is incorruptible, or if we speak more broadly, what is at any rate not corrupted nor has an end. If then this privilege is perpetual, it will not be able to be lost or taken away. But there is to the contrary the fact that there are many other rights that are said to be perpetual and can cease to exist. For a privilege is wont to be called perpetual as often as either it adheres to a thing of itself perpetual, as an estate, or, if it adheres to a person, it is not extinguished with his life but can be perpetually succeeded to; and yet such privileges can be taken away or lost through a superior power or some effective will or action to the contrary. There remains to be seen, therefore, whether there is a greater perpetuity to this privilege; which thing cannot more agreeably be done than by explaining whether any of the ways whereby privileges are wont to end has place in the case of this privilege of immunity.

3. We must, then, have before our eyes the ways in which privileges are destroyed, which we now reduce to three; these are revocation of the privilege, renunciation of the same, and usage contrary to it; and these ways we will briefly run

through. For two other ways of corruption that are wont to occur in the case of other human privileges, namely either by the lapse of time or by the death of the one conceding them, cannot happen in this privilege. But as to the other way, which is wont to be called that of abuse, the explanation of how it may sometimes happen in the case of this privilege was explained above with the declaration of how the privation of clerical privilege may be sometimes by way of punishment. To this too is reduced the fact that it is sometimes even lost or diminished by change of clerical status in the ways made clear above; although this is not so much properly called abuse as change of subject, whereby sometimes an accidental property is wont to be corrupted. And thus might the privation also be reduced to cessation of the intrinsic cause on which this privilege depends; which is another way by which privileges are wont to be lost, and by this consideration alone can it have place in the case of this privilege. With these things laid down as preface, then,

4. I say first: This privilege is perpetual in such way that it is also irrevocable. The assertion is common and certain, and it is shown briefly in this way: because this privilege could most of all be revoked by God, or by a temporal king or emperor, or by the Supreme Pontiff, for in no one else can such power, with any appearance of foundation, be imagined. The assertion then is proved about each singly. And about God, first of all, there is no controversy; for if he wills he can change everything; but if willing is repugnant to his promise, he does not will, nor can he will in the composite sense, as they say, because he cannot be unfaithful nor can he deny himself. In this way in the present case, then, this privilege can be said to be, insofar as it has been conceded by God, simply irrevocable by him. Because if it was given by the positive divine right of the law of grace, just as the law of grace itself has been given simply and with an absolute promise of perpetuity, at least as long as the world shall endure, so too this right of ecclesiastical immunity has by the absolute will of God, and without any implied condition, been perpetually made firm, as long as the priesthood of the New Law shall, along with the world, endure; therefore in the same way this privilege is perpetual and irrevocable. For at the end of the world it will not be revoked but, with the cessation of its foundation and of its end or necessity, it will cease as a result. But if this privilege is from God only by reason of natural right, thus is it irrevocable more from intrinsic nature as long as the foundation and matter of the right remains the same, as is clear of itself, and as has been made clear at length in book two of *De Legibus*.

5. About the second point, namely about temporal kings, there is greater difficulty. First, because, under this reckoning, it is human and civil and thereupon changeable. Second, because each thing is dissolved by the same causes as those through which it comes to be; therefore, insofar as this privilege has been established by the will of the king, it can be retracted, because the will of an earthly king is changeable. For this is the reason on account of which other human privileges can be revoked. Third, because emperors have often revoked such privileges, as is taken from Gratian in ch. 'Omnes' § 'Haec si quis' 11 q.1, and from law 'Si Quis Curialis' *Code. De Episcop. et Clericis*, and from law 'Neminem', and from *Authentica 'Quas Actiones' Code. De Sacrosanct. Eccles.*, and from law 19 *De Episcop. et Cleric.* in the *Theodosian Code*. Also in the laws of particular kingdoms similar laws are found whereby the exemption of clerics is at least in part revoked. Fourth, because the kings who are now alive can say that they have not conceded such a privilege and that their own right could not be prejudged by their

predecessors.

6. Nevertheless one must say that this privilege cannot be revoked by the will of temporal princes. Which assertion can be understood in two ways. First, that it absolutely and simply cannot be revoked, insofar even as it has been established by the will of God and of the Pontiffs; in the other way it can be understood also as to the respect in which it could have been donated by temporal princes of their own will. In the former sense the assertion as to God is known *per se*; and as to the Pontiffs it follows from the principles laid down above, and does not need any other proof. For the Pontiff can exempt clerics from the secular power even against the will of temporal princes, as has been shown above; therefore kings cannot revoke the privilege of forum or of exemption as conceded by the Pontiffs; because, just as such privilege does not depend on the wills of princes in coming to be, so neither in its duration or conservation. There is confirmation too, that an inferior cannot take away a right conceded by a superior; but the Pontiffs established this right of immunity insofar as they are superior to temporal kings, at any rate indirectly, by their spiritual power, as was made clear above; therefore it cannot be changed by temporal princes. Nor do the reasons for doubt proceed against this part, nor is there controversy about it among Catholic authors, except perhaps among those who deny that a Pontiff can by his own power and without the consent of princes concede an exemption. But that opinion is both held by few and is certainly improbable and, as to what most concerns the matter, the authors themselves who defend it teach nevertheless that an exemption once introduced with the consent of kings cannot by the same kings be revoked; but in this they speak according to the latter sense we have proposed of the assertion.

The assertion also, therefore, proceeds in the second sense above explained; which sense is made clear through this conditional proposition; for although this privilege have its own first origin from the free donation of princes, it may not be revoked by them. Or it can otherwise be explained if the Pontiff be understood now to have a threefold mode of jurisdiction over clerics in criminal and civil causes. One mode is that of temporal jurisdiction given directly by God over such persons. Another is that of indirect jurisdiction by force of spiritual power, and these modes he without doubt does not have from kings, and so they cannot be taken away by them either. The third mode is that of direct jurisdiction in such matter over such persons, which the Pontiffs would have had from the donation of the emperors; because, as we were saying above, the emperors did not, by exempting clerics from their direct temporal jurisdiction, leave them lawless or without direct superior in temporal matters, but handed over their direct jurisdiction to the Pontiffs. We say, therefore, that, once this too is posited, princes cannot any more remove that jurisdiction from the Pontiffs and take it up again for themselves, especially when the Pontiffs themselves do not agree. Which opinion thus expounded is a common one. Innocent on ch. 'Novit' *De Iudiciis*, and Panormitanus on that place n.23, and Felinus ch.1 *De Constitutione*. n.19 at the verse 'Alius Casus' and on ch.1 *De Prob.*, and these two refer to many ancient others. The same is in Hostiensis on the said ch. 'Novit' n.2, and in his *Summa* at the title 'De Immunit. Ecclesiar.' § 'Sed Nec Illa', and Alvarus Pelagius bk.1 *De Planctu Ecclesiarum*. ch.44, and Driedo bk.1 *De Libertate Christianorum*. ch.9, Covarruvias in *Pract.* ch.31, Soto in *Sentences* bk.4 dist.25 q.2 a.2 conclus.6, Molina vol.1 *De Iustitia Disputationum*. 31. The same is also defended by Medina and Pelagius, even if they elsewhere judged that this exemption did not otherwise begin than from the donation of

princes.

Now this truth is founded first on a certain accepted principle in the matter of privileges; that a privilege conceded to a superior or an equal cannot any more be revoked by the one who concedes it. And the reason is that such a privilege passes over into a pact, as the jurists say; but pacts are to be kept, even with subjects, not to mention with non-subjects, and much more so with superiors. Or, explaining the reason more in another way, although it comes back to the same, because such a concession is rather a donation than a privilege, as Driedo rightly said; for it is, as I explained a little before, a certain conferring of proper jurisdiction by taking it away from oneself and transferring it to another; but this is a sort of donation. Again because an inferior cannot give a privilege to a superior as if by exercising jurisdiction over him, since he does not have it; therefore he can only do it by agreement or donation. But such donation when completed and accepted cannot be revoked by the donor against the will of the recipient, because, after the donation, he who gave it is no longer lord of the thing but he is to whom it was given; but no one can take a thing from another against the will of the owner. There is confirmation too, and the declaration is that, if a prince could revoke such donation, either it would be by ownership or power of ownership or it would be by power of jurisdiction, for no other just title can be thought of. Not by ownership, for this was lost by the donation or the concession of such privilege; but a preceding ownership, that exists no longer, leaves no power or moral faculty behind. For we are supposing that the privilege was simply and absolutely conceded without any condition; for, if it included a condition, the prior owner, because of the non-completion of it, could sometimes revoke the donation, because he has then not altogether renounced his prior ownership; but here it is not so, but the exemption was made purely and absolutely; therefore it cannot be revoked on account of preceding ownership. Nor by the power of jurisdiction either, because a prince does not have it over his superior, since he does not have it over an equal who is not subject to him, as is clear from the terms themselves; therefore etc.

7. Now this principle, which is without doubt evident, is rightly applied to the present point; because this privilege, as it is understood to flow from secular princes, was not given to subjects but to a superior, namely to clerics, churches, the Pontiff. You will say that, on the contrary, it was given to subjects if we suppose that, before this concession, clerics were subject in temporal matters to lay princes. I reply that this privilege is understood partly to have been conceded to all inferior ecclesiastics, partly to the Supreme Pontiff himself; to the former by exempting them from their jurisdiction; to the latter by transferring to him supreme direct temporal jurisdiction over such persons. In accord, therefore, with the prior consideration I admit that the privilege was conceded to subjects. But by that very same concession they were made non-subjects, and consequently the privilege was made irrevocable by the conceder, because it exists no longer in subjects; and therefore neither by the power of jurisdiction can a layman deprive them of the received benefit, because neither does he have lordship over free men, nor jurisdiction over non-subjects, nor a just title of again usurping it. But in accord with the latter consideration this privilege was given to a non-subject, even antecedently, because the Pontiff is exempt by divine right, and accordingly he is not subject to the emperor; nay it was even given to a superior, because the Pontiff is superior to the emperor, even in temporal matters, at any rate indirectly, and to him as to Supreme Pastor was given even direct temporal jurisdiction over the clergy, so that he might more

agreeably and freely, so to say, rule and judge them in temporal matters. And thus that general principle has place in every way with respect to the Pontiff.

8. I add next that not only in this privilege but also in all the others conceded to the Church, not only by emperors or kings, but also by any princes whatever, or lords, that principle, proposed under more universal terms, has place, because no privilege conceded to the Church by any temporal power, even one not supreme, and accepted by it can be revoked by the civil power, even a supreme one. The reason is founded on another divine right whereby all ecclesiastical goods are exempt from the jurisdiction and from all the power of secular princes, as was shown above. From which principle we thus collect that a privilege conceded to the Church, by the very fact that it begins to be in the possession and use of the Church, is to be reckoned among ecclesiastical goods, as is *per se* clear; but a secular prince, however supreme, has no power over ecclesiastical goods; therefore neither can he make any disposition about ecclesiastical privileges; therefore much less can he revoke them or take them away.

It is also made clear by comparison with other goods more sensible and corporeal; for if the emperor has given an estate, a castle, or a city to the Church, he cannot any more take it away, just as Constantine could not revoke the donation of the City of Rome and of other goods that he gave to the Roman Church, or make any disposition about those goods, because they were now made ecclesiastical; therefore in like manner he could not revoke or again usurp the jurisdiction which he once transferred to the Church. And this example is used by Hostiensis on this matter, and he declares the thing very well; for although jurisdiction, even temporal, is more incorporeal than, for example, an estate, nevertheless it is reckoned among human and temporal goods just as are also other actions or rights that are called incorporeal goods by jurists; therefore, after these are transferred to the ownership of the Church, they all become ecclesiastical goods and are accordingly by divine right clothed with the same immunity. Hence the same example and argument can be taken up from goods given to the Church by any inferior or private lord; for, after the donation has had its effect, neither the donor nor a temporal king can touch them, except insofar as is disposed by canon rights, or if something in the donation was excepted through some just pact; therefore the same holds of any privilege whatever in temporal matters given to the Church by civil power; for of whatever rank or order it be, it cannot be revoked by any civil power at all, though the power be superior or even supreme.

9. In addition, the posited rule may as to this respect be amplified; because not only can this privilege of forum not be completely revoked by the civil power, but also it cannot be in part diminished or limited or restricted by it; nay, neither can it, with authority of law, be narrowly explained by virtue of civil power alone. All this follows evidently from the reasons and discussions given, because no power in respect of ecclesiastical goods and rights has been bestowed on laymen; therefore likewise, in respect of ecclesiastical privilege or jurisdiction once transferred to the Church, secular power can do nothing; therefore neither can it diminish or restrict it or pass any law that is prejudicial to it. And likewise can be applied here the principle that no one, even if he be a supreme king, can diminish or make any disposition about the privileges or rights of another king, or of any non-subject person, from whomever and by whatever just title he had them and holds them; therefore by greater reason temporal princes cannot make any disposition about the privilege of forum that may be prejudicial to it. But such is the

publishing of any law whatever, the concession of a privilege, the delegation or committing of jurisdiction, or the ordering of execution, whereby ecclesiastical liberty is diminished or restricted; and therefore all actions or dispositions of this sort are not only illicit but also null and void, because they are done without legitimate power. And therefore are they declared as such in the *Authentica* 'Cassa', *Code. De Sacrosanct. Eccles.*, and ch. 'Noverit', and ch. 'Gravem' *De Sent. Excommunicat.*, and in many others under the titles *De Immunit. Ecclesiar.*, *De Foro Comp.*, and *De Iudiciis*.

10. You will say that a temporal king could increase ecclesiastical liberty in his kingdom by conceding, for example, that clerics not only as defendants but also as plaintiffs might summon laymen to an ecclesiastical tribunal; or even by conceding that temporal causes among laymen can be transferred to an ecclesiastical tribunal if the defendants wish, as we read was conceded by Constantine in ch. 'Omnes' 11 q.1. Therefore he could also, when it seems expedient to him, restrict immunity in order that equity may be preserved. The response is, first, by denial of the consequence, for no equity demands this. Also because a temporal king can concede a favorable privilege to churches but cannot concede a law onerous and hurtful to churches or ecclesiastical persons that is binding on them; and also because anyone can increase a donation he has made but not diminish it, because the former is a matter of liberality and does not take away another's right but confers it, while the latter is repugnant to an acquired right and consequently is against justice. And thus, in the present case, to increase ecclesiastical immunity is of itself a work of liberality and is not repugnant to justice or religion, because it is not a disposition about rights that are already ecclesiastical but about one's own right to make it ecclesiastical, but this is of itself more a work of religion. To restrict or limit immunity, however, is not a matter of liberality and detracts from religion and involves injustice, because it is to put one's scythe to another's cornfield. Next, about the antecedent, we note that although temporal princes could by new privileges to clerics increase the exemption or jurisdiction of bishops in temporal affairs, nevertheless these privileges do not compel prelates of the Church to observe them, but their free consent is necessary for them to have effect, because in such matter they cannot have coercive or directive force, as was shown above. And besides, for such privileges to be accepted by clerics it is necessary that they not be contrary to canon laws, because against them no civil disposition can be valid.

11. Nor are the reasons for doubt that were put at the beginning of this point obstacles to the assertion. For we say to the first of them that although this privilege, as it flowed from the emperor, can be called a civil right, nevertheless, after it was approved by the Church, it is, as the canonists, say canonified, that is, made a canon right and its matter raised to the higher order of ecclesiastical things, and therefore it cannot be revoked without the consent of the Pontiff. Which thing is taught about every canonified civil law by the Glosses, by Innocent, Dominicus, and by others, in Felinus ch.1 *De Constitut.* n.19 and Panormitanus on ch. 'Novit.' *De Iudiciis* n.27. To the second the reply is that the principle that a thing can be dissolved by the causes which gave it birth has place only in things that depend on their cause in coming to be and in being preserved; but in the present case, although the exemption, as it is now being considered, depends on the will of the conceder in coming to be, yet after it has been given it is no longer dependent, because, as I said, it is carried up to a higher level of things. Add that that effect has been confirmed by a more powerful will, and therefore it cannot be

retracted by the mere will of the secular prince. And therefore there is not the same reason about this privilege as about others that are conferred on subjects.

To the third we say, to begin with, that there is report of things done but no showing that they were by right done. And thus Felinus in ch. 'Ecclesia' *De Constitut.* replies to the said law 'Si Quis Curialis' that, although it revoked a certain privilege in fact, yet it could not do so by right. And the same can be replied to other laws, especially the ancient ones, because emperors in the beginning did not have a sufficient view of the force of ecclesiastical immunity. But it can be said, next, that perhaps there were some privileges that were never indeed accepted by the Pontiffs but were at most permitted, as perhaps was the privilege given by Constantine that laymen could appeal to ecclesiastical judges. And if there were any such privileges they could have been revoked by the contrary will or use, because they neither properly pertained to immunity nor were reckoned among ecclesiastical rights or goods, and so the reasons given fail in their case. Privileges accepted and approved by the Pontiff, however, cannot be revoked without the consent of the Pontiff, and therefore laws to the contrary either had no effect or could have had it only with the assent, tacit or express, of the Pontiff. Which fact seems to have been recognized by King Alphonsus of Spain in law 54 title 6 part 1, where he says that, although clerics were because of their clerical status exempt in many things, yet there were some wherein it pleased the Church (in Spanish: 'the Church found it for the best') that they not be exempt, as though to say that he could not take away or diminish an exemption but only make clear what in that class of things the Church had admitted.

To the fourth the response is that the kings who are now alive can be compared either with their predecessors, to whom they succeeded by hereditary right, or to the emperors, whose kingdoms they have in part occupied and by just title possess along with supreme civil power. About the first I say that each of them has succeeded in the kingdom in the way that their predecessors held it; if therefore this privilege was validly conceded by one of their predecessors, by that very fact that jurisdiction has been removed from that royal throne; and therefore a successor cannot inherit it with a fuller jurisdiction nor revoke a removal done before, because he acquires no power with respect to non-subjects. And more or less the same reason holds of the supreme kings who now exist in the lands that once belonged to the empire; for they too obtained those kingdoms in the state in which they before existed under the emperor, and thus they were not able to detract from the right of the Church.

12. But if someone say that this exemption, in the way it exists from the emperors, began in the times of Frederick II, at which time there were already many supreme Christian princes and kings who were not bound to accept the constitution of Frederick, the response is, in the first place (whatever may be true of the antiquity of the right and of the excellence of each king, which it is not now necessary for us to examine), that Frederick did not give but renewed ecclesiastical exemption, and brought it back to its pristine and due state in the way it had already been conceded by the ancient emperors, as was seen above. Next, it cannot be denied but that all the kingdoms of the Roman world accepted that law and observed it in use and in morals, nay even confirmed it by their own laws in their own kingdoms, which is enough for this right of the Church to have been acquired by a special title. A sufficient sign also of it is that, in order to be able to act against the exemption in certain cases, they obtained privileges from the Apostolic See, as in his response to Barclay and in turning his argument back against him

Bellarmino noted from Julius Clarus bk.5 § last q.36 n.26 at the end, and from Aufrelius in the *Clementina* 'Ut Clericorum' *De Offic. Iudicis Ordinarii Limitation*. 13. And similar privileges from the Republic of Venice are reported by Gigas in his tractate *De Crimine Laesae Maiestatis* under the rubric 'Quis de Illo Cognoscat' n.20. Therefore it is a sign that this right of exemption was accepted in the whole Christian world and is in the same world a sort of Right of Peoples, and therefore temporal kings cannot revoke it by their own authority. But about supreme kings, who have perhaps newly converted to the faith, it was said above that they can be compelled by the Church to admit this exemption, and the Church can make as it were a contract with them and not otherwise bestow ecclesiastical ministers on them unless they allow these ministers to be exempt from their temporal jurisdiction. Which condition, although it not be expressly proposed, is included in the very profession of obedience to the Roman Pontiff, and therefore by this title too such kings cannot revoke, or infringe on, this privilege.

13. Third, we must speak about the Supreme Pontiff, whether he can revoke this privilege, wherein can be proposed more or less the same reasons for doubt. But, those notwithstanding, I say briefly that the Supreme Pontiff too cannot simply and absolutely revoke this privilege. Thus commonly say the canonists on ch. 'Ecclesiae' *De Constitut.* where in particular speak Panormitanus, Decius, and Felinus, and on ch.2 *De Maiorit. et Obedientia*, Cardinal in *Repetit.* ch. 'Perpendimus' *De Sentent. Excommunicat.* opposit.7, Rebuffe in *Concordat.* last tractate, where he refers to others, and Iacobatius bk.1 *De Concil.* a.6. Now this assertion is proved by running briefly through the three rights from which this exemption could take its origin. And in the first place, since we have said that it is immediately of divine natural and positive right, it is clear that it could not be revoked by the Pontiff, and on this principle the said authors found themselves. The consequence, on this supposition, is evident, because the Pontiff cannot abrogate divine right; therefore he cannot revoke a privilege immediately conferred and instituted by divine right, because he would through this right abrogate something divine. And for this reason we said above that the Pontiff cannot deprive himself of this privilege, because it is by divine right attached to his dignity, and he cannot be divested of it without a lessening of the same dignity; so, for the same reason, he cannot revoke the universal privilege of the clergy insofar as it is by divine right.

However, even on the hypothesis that this privilege was not conferred immediately by Christ on all the other clerics below the Supreme Pontiff, the assertion would be true about the same privilege as it exists from men. And first about civil right, because the thing is easier. For the Pontiff cannot renounce this privilege in the way in which it could have been, and in fact was, conferred by emperors and kings, except by removing from his See all direct temporal jurisdiction conferred on him by secular princes and by returning it to them; but the Pontiff cannot do this; therefore on this head indeed the Pontiff cannot revoke this privilege. The major has been made sufficiently clear above. The proof of the minor is that the Pontiff is not absolute lord of the goods and rights of his See, even in the case of those that have been given to him by men, because they have been given principally to Christ and to the Pontiff only as his Vicar, and therefore they have been given not to the person but to the See; therefore he is only the faithful and prudent steward of them; therefore he cannot by his own choice donate them or alienate them or disperse them. And for this cause he cannot now return the City of Rome or the rest of the patrimony of Peter to the emperor, or give it freely to another.

But there is the same or greater reason about the aforesaid jurisdiction, after it has once been transferred to the power and lordship of the Church; for it is a thing of great value among temporal goods and more necessary to the Church for its adornment and good governance than a temporal kingdom or the like temporal goods; therefore much less can he relinquish that jurisdiction and power and deprive his See of it.

14. Next, on the part of clerics it is no less evidently shown; for by this privilege a right is also acquired by them, whereby they have obtained special freedom from the temporal yoke and have been made lords of that freedom; therefore the Pontiff cannot by his own choice deprive them of this acquired right or liberty, of which they are lords; therefore he cannot revoke that privilege as given by the emperors, because by such revocation clerics would be deprived of the said right and liberty and would again be subject to the secular power. You will say that by this argument is rightly proved that the Pontiff cannot without cause deprive clerics of that acquired right and that he can however with just cause. The response is that this exemption is so necessary to the clerical state that no cause can be thought of on account of which the whole ecclesiastical state could justly or validly be deprived of so great a benefit. Therefore, in order that some cleric in particular might sometimes be deprived of this liberty, a sufficient cause on his part can sometimes have intervened, as can be understood from what was said above, since clerics are sometimes deprived of this privilege in whole or in part as punishment for crimes or because they are not maintaining the status of clerics. But, with respect to the whole Church and the clerical state, no reason or cause can be sufficient for justly bringing about such a change or revocation, and therefore neither can it in such matter validly be done.

15. Finally from here too the same is easily proved about the same privilege, that it has been by canon right made firm, because the Pontiff could not now abrogate the whole of canon right that concedes or confirms this privilege. Because power has been given him not for destruction but for edification; but such an abrogation could bring no advantage to the Church but rather disturbance and many harms. Because by that very fact Christian princes would want to usurp power over clerics. For even while canon right stands they can scarcely be kept within their function; what therefore would happen if canon right in this respect were abrogated? You will say that, although a prince or a Pontiff would be acting badly in abrogating without cause or reason a law established by himself or his predecessors, nevertheless if he were to do it, the fact would hold, because the validity of such a law depends absolutely on the will of the legislator; therefore, likewise in the present case, that abrogation or revocation would be valid even if unjust.

16. I reply, to begin with, that such a revocation would not only be unjust for the general reason that it is against legal justice, but also for a special reason, namely, that, notwithstanding the said supposition, it would still be against divine right, at least the prescriptive right to the effect that such an exemption be in the Church as far as it can agreeably be done; and in this respect such a revocation would perhaps be not only unjust but also invalid, because contrary to divine right. Secondly, it is said that, when a law once in place has conferred a right and made a change in things themselves, it cannot without reason of the common good be so abrogated that subjects be deprived of things or rights already acquired; because therefore the clerical state has acquired the perpetual right of immunity by this canon law, it cannot, by a revocation made without cause and rashly, be validly deprived of that right. Lastly I say that, whatever may be true of the

hypothetical question whether, if such a revocation were to be done, it would be valid, there is no need to fear that such a revocation might sometimes happen, because since it could not happen without great loss and disturbance to the universal Church, the Holy Spirit, by whose special providence the Church is ruled, would not permit the Pontiff to err so gravely in the use of his power. And by considering that power in this way, not as it is purely subject to human will but especially as it is ruled by the Holy Spirit, the Pontiff cannot make such a revocation, because it would be an intolerable moral error against the universal good of the Church, as I have made clear in vol.1 *De Religione* tract.1 bk.1 ch.13 q.10 on the precept of tithes.

Chapter 31. Whether the privilege of clerics can be lost or lessened by renunciation.

Summary. 1. *This privilege cannot be lost by voluntary renunciation. The privilege of forum introduces a precept with respect to those who have the privilege.* 2. *Whether a cleric can renounce this privilege by license of the bishop. Reason for doubt.* 3. *True resolution and reason for this resolution.* 4. *Second and third reason.* 5. *The rights objected to the contrary are solved. The response of the Gloss. Another Gloss. True response.* 6. *Another on ch.2 De Foro Competenti. A bishop cannot commit to a layman who lacks any mark of orders jurisdiction over a cleric.* 7. *A cleric can renounce this privilege by license of the Pontiff.* 8. *Reason for doubt.* 9. *A General Council even along with the Pontiff cannot renounce this privilege.*

1. The solution is that this ecclesiastical immunity cannot be lost through a renunciation made by the proper will and authority of those to whom it has been conceded, because it cannot be validly and with effect renounced by anyone. This assertion, to the extent it can by a particular reason pertain to the Supreme Pontiff, has been treated of in chapter seven of this book. But as to the others it can be understood either of individual persons or of the whole clergy or clerical state. Individual persons, then, are treated of expressly by Innocent III in ch. ‘Si Diligenti’ *De Foro Competenti*. and he gives the reason in these words: “Since this is not a personal benefit which may be renounced but has rather been publicly bestowed on the whole ecclesiastical college and it cannot be set aside by a pact between private persons...” Hence he concludes that such a renunciation, even when confirmed with an oath, is not valid, nor is such an oath binding, because it is contrary to good morals. For such a renunciation is unjust and sacrilegious, because it is injurious to the clerical state. And this right was handed down before Innocent, as he himself notes, in the 3rd Council of Carthage ch.9, ch. ‘Placuit’ 2, 11 q.1, where a special punishment is inflicted on clerics who renounce this privilege as well in a criminal as in a civil cause. The same has also been established about the privilege of the canon in ch. ‘Contingit’ 1 *De Sentent. Excommunic.* From which rights is collected a notable difference between this privilege and others that are conceded in favor of private persons; for the latter, which are called rights, do not have the force of law and precept with respect to those to whom they are conceded, but are rather permissions, as it were, or dispensations or favors, which they may use if they wish. But this privilege, because it contains public right, has the force of precept, not only with respect to others, but also with respect to those who have the privilege; because it not only bestows a favor on them but also bids them use it or forbids them from renouncing it; but it commands others not to violate it, even if clerics give consent.

Hence, as to each of its parts, this canon right has revoked or also emended the civil right of Justinian on law ‘Si Quis in Conscribendo’ *Code. De Episc. et Cleric.*, wherein was established that “if a cleric has promised not to use his privilege of forum, it is not possible to go against his promise;” and likewise on law ‘Si Quis’ *Code. De Pactis*, where is prescribed to lay judges that they make the law to be observed. And a reason is given in each place, “because it is a rule of ancient right that all have license to renounce things that have been introduced on their behalf.” However, that law was always null and, in passing it, the emperor went too far in a serious way (perhaps through ignorance); both because he made disposition in matter not his own and about persons not subject to him, and because too he relies on a false foundation, because either he did not understand the force and nature of this privilege, which was principally established not for private personal advantage but for the common good of religion, or if he did understand this he applied badly the general rule of the ancient right, for that rule is to be understood about rights that were introduced for the private advantage of each, as was rightly understood by the Pontiff, to whom and not to the emperor it pertains to make clear of what sort clerical privilege is and how it is by clerics to be kept.

2. But it can not unjustly be asked whether any cleric might renounce this privilege by license from the bishop. And the reason for doubt is that many of the ancient rights that prohibit clerics from appearing in a secular court add this limitation “without the license or without the permission of the bishop,” as is clear from epist.2 of Pope Marcellinus, and from the Council of Agde ch.32, from the 3rd of Orléans canon 31, and it is contained in ch. ‘Clericum’ 1.2 & 3.11 q.1, from the Council of Venetico under Leo I ch.9, from that of Epaon canon 11. Next, the same is taken from ch.2 *De Foro Competenti* where it is said: “Let no judge...without the permission of the Pontiff presume of himself to censure or condemn a cleric;” therefore all these rights indicate that by license of the bishop a cleric can renounce his right and also that a layman can judge him.

3. Nevertheless one must say that, as to the proper renunciation of forum, a bishop cannot concede such a license. Thus does the Gloss teach on ch. ‘Qualiter et Quando’ *De Iudiciis* at the word ‘Prohibemus’. Again, the Gloss on ch. ‘Significasti’ *De Foro Compet.* at the word ‘Clerici’ at the end, and it is collected from the text there: “Clerics cannot consent to a judge not their own (unless perhaps he be an ecclesiastical person and the will of the diocesan bishop concurs).” So two conditions are there required by Gregory IX for such consent or renunciation; therefore if the first condition is lacking and the judge is a layman, the license of the bishop is not sufficient. And thus too think Panormitanus and other expositors on these places; again the Gloss and the doctors on ch.2 *De Foro Compet.* The reason indeed is, first, that not only an inferior cleric but also any particular bishop is a private person with respect to the whole ecclesiastical state, and a very bishop himself cannot renounce his right with respect to his own person and commit himself to a secular court; therefore neither can he give his clerics license to do it; for the reason is the same, for in each case it is done against a privilege conceded in favor of the whole state.

4. Second, a further declaration is that this right, as I said, is not only a privilege that confers something but also one that prohibits or prescribes, and it is a general and very grave right of a superior; therefore an inferior, such as is any private bishop, cannot make dispensation in it. Third, in the case of the privilege of the canon a bishop cannot

concede license to a cleric to permit himself to be beaten by another, nor can he so act that a layman who, even with his license, does the beating not incur excommunication, as the Gloss rightly said on the said ch. ‘Significasti’, and as is collected from the article ‘Universitatis’ *De Sententia Excommunic.*; therefore neither can he give license to a cleric to renounce the privilege of forum, nor can he permit a secular judge to use such renunciation. Now I said that this is understood as to proper renunciation of forum so as to take note that in the paying of taxes some mode of exception can be admitted. Although, if the thing be attentively considered, it is not properly an exception; both because, according to the new right ch. ‘Adversus’ *De Immunit. Ecclesiar.*, even in the paying of taxes the license of the bishop is not enough but the Pope must be consulted; and also because, although in a case of present necessity an exception would seem to need by equity to be admitted, nevertheless, when the mode and nature of the contribution is considered, it is not properly an exception because the contribution is not done nor is permitted as if it were due by way of tax, that is, as a sign of subjection, or by force of civil law, but because the prelates of the Church themselves judge from charity, or legal justice, or in some other way from force of reason, that it is expedient for clerics to pay it, as was made clear above. Hence it is not renunciation but as it were prudent interpretation of natural right.

5. But to the ancient rights alleged to the contrary the Glosses respond in a variety of ways. For one Gloss on the said chapter ‘Significasti’ says that in those texts the word ‘most of all’ must be supplied, so that the sense is that it is always illicit for a cleric to renounce this privilege, but most of all, that is with greater guilt, without license from the bishop, because it does him a special injury. But, as the jurists say, an interpretation is wretched that is done by adding to the law words not contained in it. Especially because sometimes those canons speak in such way that only by violence or by destroying the sense does that word seem capable of being added, as are the words in the Council of Epaon: “Let not clerics presume without the arrangement of the bishop to enter into a public court, etc.,” certainly, from the force of these words, he who does it by the arrangement of the bishop does not violate that law, and the words of the Council of Venetico are clearer: “Clerics except by permission of the bishop, etc.,” for there the word ‘most of all’ cannot be made to fit. Therefore another Gloss on the said ch.2 *De Foro Compet.* replies in one word: “Here the argument from the contrary sense is open,” that is, those canons specifically prohibit such renunciation to be done without license from the bishop, but yet they do not for that reason concede that it can be done with it; for this is the argument from the contrary sense, which argument is not efficacious when it is repugnant to other rights. The response is in fact probable though hard enough and, as it were, violent if the words of so many canons are simply weighed. The other solutions are also similar that Panormitanus multiplies on the said chapter n.12. So truer and simpler seems to me the response of the Gloss on the said ch. ‘Clericus’ 1 which says: “Today neither can it with the consent of the bishop be done,” by which words it indicates that it was once licit according to ancient right but that now it is not licit. And the same opinion is held by the Gloss on the said ch. ‘Qualiter, et Quando’ *De Iudiciis*, which says that this is not licit “although the ancient rights seem to allow the contrary.”

6. But that response does not seem able to be fitted to ch.2 *De Foro Comp.* which is more recent; and therefore I consider that the canon is not speaking to clerics by prohibiting them from renouncing the forum, but it is speaking to secular judges by

prohibiting them under censure from that very deed, “let them not presume to censure or condemn a cleric.” And rightly with respect to them is added the phrase ‘without permission of the bishop’, because sometimes they can with permission of the bishop censure clerics, because the word ‘censure’ does not strictly mean to judge, or to exercise jurisdiction, but to carry out a certain coercion or punishment, by seizing, imprisoning, or torturing them; but these and the like things secular judges can sometimes do by order of the bishop, according to ch. ‘Ut Famae’ *De Sentent. Excommun.*, because, as is there said, a secular judge does not then carry it out by his own but by the bishop’s authority, and because often prelates lack the power and authority of such ministers. Another reason can also be added, that if a bishop commits an act of jurisdiction over a cleric to a secular judge it seems that he delegates to him his own jurisdiction, and a secular judge can presume that the bishop can make such a delegation. Now this latter reason can be tolerated if the secular judge is otherwise a cleric, at least in minor orders, and the cause is committed to him to be dealt with by canon and ecclesiastical right in a way fitted to clerics, otherwise it cannot have place, because a bishop cannot commit jurisdiction over a cleric to a pure layman, nor even permit a cleric to be judged in the manner of laymen and by the civil laws, according to ch.2 *De Iudiciis*. And therefore only in respect of the Supreme Pontiff could this understanding of that text as to this part of it have place. Nor is the exposition to be despised that restricts the text to the Supreme Pontiff; for it does not say ‘without the permission of the bishop’ but ‘without the permission of the Pontiff’, which word is wont by antonomasia to be taken for the Supreme Pontiff, especially when ‘Pontiff’ is written in capital letters, as it is there contained in collect.1 of Antonius Augustus ch.3 of that title.

7. Hence it is manifest that any cleric can by license of the Supreme Pontiff renounce this privilege, as on that text is handed down by Panormitanus there n.11, who brings in that text in the same sense, and by the Gloss on the said chapter ‘Clericum’, the second, 11 q.3 at the word ‘Saecularem’. And therefrom it takes the argument that the Pope can delegate a spiritual cause to a layman according to ch. ‘Illud’ 10 q.3, and about the purgation of a bishop in a criminal cause; the same is taken from ch. ‘Mennam’ 2 q.5. And the reason is that the Supreme Pontiff has the power to make dispensation from any canon right, even a prescriptive one, and to determine or in part change a privilege conceded by divine right, because it does not, with respect to the Pontiff, include the precept that it never be changed. Again, because the Pontiff can commit his jurisdiction to a layman, especially in temporal causes, even if they pertain to the persons of clerics. However the Pontiff rarely does this, because it does not *per se* become the clerical state. Hence also it is clear that there must be a cause and a sufficiently serious one for the Pope rightly and legitimately to concede this faculty; for as to every dispensation from common right, so that it may be done rightly, a cause is necessary; therefore much more in this right which is a very serious one and has regard to the clerical state universally itself, and pertains to divine right, or is very close to it.

But one must note that in two ways can this faculty be conceded by the Pontiff. First *per se* and directly to the cleric himself with regard to his person and in his favor, and then is the faculty for renouncing the privilege properly given, and so power is not given to the secular judge to coerce a cleric but license to judge his cause, if he himself wishes to submit himself thereto. And in this respect a lesser derogation of the privilege is made, and thereupon too a lesser cause suffices on this head for a licit concession of

this faculty; but, in another respect, making it honorable can be more difficult, especially in criminal causes, because it can be ordained only for private and personal advantage, and therefore a sufficient cause can with difficulty be had, and therefore rarely, as I think, is such faculty conceded. In another way this concession is made directly to a secular judge or prince by giving him power and jurisdiction with regard to the other and in his favor. And then there is indeed a greater derogation from the privilege, because then the judge can compel and judge not only a willing but also an unwilling cleric, and therefore a more serious cause is required. And therefore more frequently does it happen either on the occurrence of singular occasions or in certain privileges concerning more serious crimes, as *lèse majesté*; because such concessions are ordered for the common good and peace of the republic, and for the defense and fitting favor of certain princes; which causes do more frequently occur. But this latter mode of concession does not pertain to renunciation of the privilege, since in that case the will of the one with the privilege does not concur, but it pertains to taking away the privilege in some case or cause, which taking away, as I said in an earlier chapter, can be done by the Pontiff in punishment or hatred of some guilt, and it is not, according to ordinary power, otherwise done, because scarcely can another necessary or sufficient cause occur.

8. Finally one can ask with respect to this assertion whether some ecclesiastical community, or at any rate the whole ecclesiastical state, can renounce this privilege. And the reason for doubt can be that then the reason in the text of the said ch. ‘*Si Diligenti*’ ceases, and the general rule, that each can renounce a right conceded to him, proceeds. For this rule proceeds generally and without limitation in the case of any true or fictive person to whom the privilege has *per se* and first and, as it were, adequately been conceded, as I assume from the material of *De Legibus*. But this privilege has been conceded to the clerical state, as is said in the said ch. ‘*Si Diligenti*’; therefore the whole body of the clergy can, after the manner of one person, renounce this privilege. But, in the first place, this reason does not proceed of any private ecclesiastical community at all, whether it be the community of one church, or of one diocese, or of one metropolis, or of one province or kingdom; because none of these communities is, so to say, the adequate subject of this privilege, but is compared to the whole body of the clergy as a part, and accordingly as a particular person in its own order. Therefore about any community of this sort it is certain that it cannot renounce this privilege, because in its case proceeds the reason of ch. ‘*Si Diligenti*’, and consequently the decision as well.

But about the whole body of the clerical state the difficulty posited does proceed, and it seems it must be reduced to this question, whether a General Council could renounce this privilege, because in a moral sense there seems to be no other way capable of being thought of whereby the whole clergy of the Church could gather together or convene in agreeing to this sort of renunciation. About a General Council, then, I say briefly two things. One is that a General Council without the Pontiff, that is, without his faculties and approbation, cannot renounce this privilege. This is certain for many causes. First because a General Council can do nothing without the approbation of the Pontiff, by whose authority it must be brought together and kept in session. But if it happen that when the Apostolic See is vacant a Council gather together (which ought not to happen except when, by reason of schism, the election of a true and certain Pontiff cannot otherwise be done), such a Council cannot change anything in the status of the Universal Church; and therefore much less could it renounce this privilege, and therefore not only

could such renunciation be easily revoked by a future Pontiff but also it would from the beginning be invalid as having being done without power.

Second because such renunciation is contrary to the right of the Pontiff in a double way. For both is it against canon right passed or approved by Pontiffs, which no Council without the Pope can repeal, and besides it is against the jurisdiction of the Pope, for he would by such renunciation be deprived of that singular and supreme direct jurisdiction which he has over the whole clergy even in temporal matters. The third and best consideration, which solves the reason for doubt, is that this privilege was conceded to the clerical state by Christ himself, not by reason absolutely of such community, but insofar as it is the special family of Christ, the natural Son of God, as was seen above. And it is true in every way, whether this exemption be said to be immediately of divine right or by mediation of canon right; for each right, nay civil right too, has taken consideration of this fact in the whole ecclesiastical college so as to concede this privilege to it, and in this way has this right been introduced more in honor of the God Christ than for the advantage of men themselves. For that is why the emperor said in the law ‘Sancimus’ *Code. De Sacrosanct. Eccles.*: “Why make we not a distinction between divine things and human things? And wherefore may a privilege in agreement with celestial favor not be preserved?” And in law ‘Generaliter’ *Code. De Episcop. et Clericis*: “For this reason we indulge them with this benefit so that, all other things left behind, they may hold fast to the ministries of the almighty God.” Because, then, the whole ecclesiastical college or a General Council cannot detract from the rights of Christ himself, nor take away those that have been introduced for the cult and honor of God, therefore it cannot renounce this privilege, just as also among men the family of a prince or a cardinal or a bishop cannot without his consent renounce a privilege conceded to the family itself for the special honor or decency of the Lord.

9. And hence we add further that even a Council along with the Pontiff, that is, with his consent and approbation, cannot renounce this privilege. This is sufficiently proved for me by the reason just made, that a privilege of Christ’s family, insofar as it is such, cannot be renounced by anyone without the consent of Christ himself. Nor will he be saying enough who says that, with the Pope consenting, Christ through his Vicar consents, because it is not likely that the power of the Pope is extended to giving this sort of consent in the place of Christ, because power was not given to him for destruction but for edification; but such a renunciation would be altogether for destruction. Hence here is a confirmation; for we were saying above that the Pope cannot revoke this privilege, because he cannot have a just cause or reason, and because it would be against the divine precept, at least in general, and therefore it would always be for destruction; therefore neither can he along with a Council make such a renunciation valid, nor interpret Christ as consenting to it; for the reason is the same and as to effect returns to the same point, and because the consent of the clergy itself can do very little in this respect, since the clergy is chiefly intended for the honor of Christ and the cult of God. Lastly too because what the Pope can do in the Church along with a General Council he can also do himself alone, because he is not of lesser power; therefore if he cannot by himself remove this privilege out of the way by means of abrogation, neither too can he along with a Council remove it by means of renunciation. But this is to be understood of complete or total renunciation; for in some particular cause or matter, with the consent of the Pontiff, it could be done, because a sufficient reason and cause could sometimes intervene for the

purpose. Therefore, insomuch as we also said that this privilege can be restricted or lessened in some particular through the power of the Pontiff alone, therefore it could more easily be done by way of renunciation when the part itself which seems to be hurting yields its right; nay for this reason it is likely that then a lesser cause suffices.

Chapter 32. Whether the privilege of clerics can be lost or lessened by custom.

Summary. 1. *The assertion is proved first of disuse.* 2. *It is proved second of custom proper.* 3. *First reason.* 4. *Second reason.* *Whether custom can prevail against canon right. Reason for doubt, and a confirmation.* 5. *Two ways are put forward by which some law can be abrogated by custom.* 6. *Unraveling of the doubt.* 7. *This immunity cannot be abrogated even partially by custom.* 8. *Objection.* 9. *Response.* 10. *Reason for the negative side.* 11. *Opinion of the author.* 12. *Response to the reason for the opposite opinion.* 13. *Objection. Response. It is rejected.* 14. *Custom cannot give prescription against immunity. Twofold reason.* 15. *Third reason.*

1. I reply that the exemption of clerics can be lost or lessened by no custom. In order to get at the difficulty of this assertion, a distinction must be drawn between a custom proper against the privilege and disuse of the privilege; for each is wont to be included under custom broadly taken. Now, in the present case, it is certain that this privilege is not lost or lessened by a pure disuse that does not include the contrary use. The proof is that a privilege is not lost through disuse except by force of tacit renunciation or by reason of another prescription against the privilege; but neither of these ways has place here. The former is proved from what has been said, because in this privilege express renunciation has no place; therefore much less tacit renunciation; therefore disuse cannot work by force of tacit renunciation against this privilege. The proof of the second part is that if the disuse, to which the privilege seems to be prejudicial, is merely negative without any use contrary to the right of the second part, no prescription can be introduced, as I proved in the tractate *De Legibus* bk.8 ch.34, because it is contrary to the reason and definition of prescription; therefore neither in this way can disuse suffice in this case without a contrary use. Most of all, indeed, for the reason, which we are steadily proving in general, that no human prescription can prevail against this privilege.

The assertion, then, must be understood of a custom proper contrary to this privilege. And thus is it commonly received by the canonists on ch. 'Clerici' *De Iudiciis*, where Abbas n.5, Decius n.14, Riga on ch. 'Decernimus' *De Iudiciis* n.15, Probus on ch.2 *De Probat*. Where he extends the assertion to immemorial custom. The Rota also hands it down at title 'De Consuetudine' in *Antiquit.* decis.3 & 10, elsewhere 123 & 840. The same in Bartolus on law 'De Quibus' and following *De Legibus* n.5, Rochus Curtius on the last chapter *De Consuet.*, and Gregory Lopez on law 2 title 2 part 1 n.6, Navarrus on ch. 'Cum Contingat' *De Rescript.* *Remed* first point, and Stephanus Aufrerus in tractate *De Potest. Civil.* on the ecclesiastical rules 1 & 2. But he adds there many limitations or exceptions which I omit, because I think that no exception proper is to be admitted, as will be clear from the discourse of this and of the final chapter.

2. Now the assertion is proved from the said ch. 'Clerici' *De Iudiciis* where it is said, although the canons hand it down generally: "So that in the case of any crime a cleric ought to be summoned before an ecclesiastical judge, no prejudice to the canons on

this part ought to be generated by custom.” Where although the discussion seems to be only of the privilege of forum in criminal matters, nevertheless it is by everyone understood of the whole of ecclesiastical immunity; both because the reason in the text proceeds equally of any matter of this exemption, as Panormitanus and Decius have noted; and also because other canons speak of ecclesiastical liberty absolutely, as ch. ‘Cum Terra’ *De Elect.* where a certain custom is condemned “because it was redounding to the disturbance and ruin of ecclesiastical liberty.” The same can also be taken from ch. ‘Ad Nostram’ and ch. ‘Cum Inter’ *De Consuetud.*, and it is noted by the last Gloss on the said ch. ‘Clerici’. Finally the assertion is proved plainly from the *Authentica* ‘Cassa’ *Code. De Sacrosanct. Eccles.*, where any custom against ecclesiastical liberty is denounced as void and of no effect; which *Authentica* is taken from the constitution of Frederick, which Honorius III confirmed as “going to be for ever valid.” Hence the same Honorius in ch. ‘Noverit’ *De Sentent. Excommunicat.* excommunicates everyone who has acted to preserve customs introduced contrary to ecclesiastical liberty.

3. Now a reason for this assertion can in the first place be given from the foundation that this exemption is of divine right, against which no human custom can prevail. Because either that divine right is natural, and thus the custom contrary to it is unjust as being contrary to reason, and therefore it cannot introduce or take away right, according to the last chapter *De Consuetud.* But if that right is divine positive right, human wills or their actions, however much they are increased by time or number, cannot prevail against the will of Christ, or against what it itself has set up to remain. But although this reason be true, one must not insist on it alone, both so that the proof may on various heads be made certain and indubitable, and also because the cited canons point to another reason, which in the said ch. ‘Ad Nostram’ is explained in these words: “Paying attention to the fact that a custom which stands in the way of established canons ought to be of no moment, etc.” And the same is insinuated in the said ch. ‘Clerici’, when at its beginning is prefaced, “to be generally handed down in the canons etc.”

4. A second principal reason, then, is that such a custom is very much contrary to canon right, and therefore it cannot prevail against it, because an inferior cannot abrogate the right of a superior. But at once arises a difficulty, because custom is able to derogate from human right, as is a constant in the material of *De Legibus*; but the canons only establish a human right; therefore the fact that this custom is against the canons is not enough for it not to be able to prevail against the canons and to take away a right introduced by them. For if in other matters prohibited by canon right custom can do that, why not in this one? There is a confirmation too, that custom is sufficient for obtaining jurisdiction and so also for losing it, or even for introducing subjection, because these cohere with each other; therefore in this way could this custom also in the present case take away or lessen the exemption of clerics.

5. To explain the force of this reason, then, one must assume from the material *De Legibus* that there are two ways in which a derogation can be made from a human law or privilege through a contrary custom, namely either by way of abrogation or retraction of the law, or by way of prescription against the law or against the right conceded by it. Between these two ways various differences are wont to be established; but there are two that are of service for the present purpose. One is that derogation by way of revocation of the law can begin and happen little by little through acts that are bad and done in bad faith against the law; but prescription requires good faith, as has been noted, especially

according to canon right. A second difference is that the derogation of a law, when it happens through custom in the first way, rests on the will of the legislator, which he changes either tacitly or expressly by consenting to the custom, and revokes his own law; but when derogation happens by way of prescription, it is not based on the special will of the legislator, whether express or tacit, but on some other positive right whereby such prescription has been conceded, as is declared extensively in bk.8 *De Legibus*.

6. First, then, the assertion is proved in various ways of the first kind of derogation. First, from this second difference or condition that is required for a custom to derogate from the law. For in the case of the present matter the consent of the Pontiff is necessary; but the Pontiff himself cannot without cause by his own will derogate from this privilege, as was shown above; therefore much less could custom do it by taking its force and efficacy from the will of the Pontiff, because such will cannot be presumed nor, if it were given, would it be enough. At least this reason does indeed have force as to the abrogation of the whole privilege, even if it not be done for the whole Church but in some province or diocese wherein such custom may be supposed; because in truth even a like abrogation of the whole of immunity in some place of the Church would be very injurious to the whole clerical state and scandalous to the Church, and it could not be for edification but for destruction; and therefore it is very likely that it cannot be done by the Pontiff even in this way, and we more certainly believe that God would not permit the Pontiff to do it.

But we add that although a case be imagined wherein, to avoid greater evils, the Pontiff could in some province permit this, nevertheless it can never happen by custom alone, because such custom is of itself very irrational and derogates much from divine right, and one can never presume that the tacit will of the Pontiff attends it; because in a matter so difficult and that can scarcely or not even scarcely be made honorable, the consent of the Pontiff cannot be presumed except with preceding knowledge of the cause and great deliberation; and therefore express consent will always be necessary, and then the abrogation for such a place will happen by that reason, not by reason of custom. However, this reason is not so compelling in the case of a derogation of immunity that is partial or is in some part of the matter, as in some act of jurisdiction, or in some tax etc., because this derogation can sometimes be done by privilege of the Pontiff, which is private law; but whatever can be done by human law can be introduced by custom and, where express will can be honorable and effective, even tacit will can be so.

7. Yet all the same the posited assertion proceeds also of derogation proper in a particular matter; for in this sense the rights and doctors are without doubt speaking, and therefore other reasons must be given on this point. One is that canon right, because of the gravity of the matter and for the greater security of immunity, not only prohibits any act at all that is contrary to it but also annuls every custom contrary to ecclesiastical liberty, as is clear from the cited decrees and from many others under the titles about the immunity of churches. But whenever a law not only prohibits an act but also annuls custom, it cannot be by custom detracted from, because the law itself precedes it, so to say, and removes from custom the force to detract from itself, otherwise the clause would be useless; which is something not to be said when very often, in laws both civil and canon, addition is made not only about past but also about future custom. For this reason the principle seems to be commonly received in the material *De Legibus*.

8. But a common reply can be made, that the very law which abrogates a future

contrary custom is a human one; therefore it can be abrogated by a contrary custom, just as it can be taken away by a later written law; for the will of a prince is changeable, and therefore just as it can change by an express will so also by a later tacit one. Nor will the clause for that reason be superfluous, because it will at least be operative to make custom unable to prevail against such a law without the certain knowledge and sufferance of the prince; yet it will nevertheless prevail when that intervenes, because that knowledge and sufferance of the prince indicates a change of his will. Therefore in the present matter too custom will be able to prevail against the canons, that clause notwithstanding.

9. We reply to begin with that, on the admission of that general doctrine, the objection only proceeds of the possible; but of the fact the application is not right, because it is most certain that there never intervenes in this matter a tacit consent of the Apostolic See, by whose authority such a custom is prohibited by common right. The proof of the assumption is that the Apostolic See by its opinions or express edicts always resists these customs against ecclesiastical liberty, and in the Bull *Coenae* each year it revokes them or rather declares them of no effect; therefore the tacit consent of the Pontiff cannot be presumed. For although perhaps he is sometimes not ignorant that many things happen by custom against ecclesiastical liberty in some places that he does not punish but in some way tolerates, it is not for the reason that he consents but because he cannot more effectively resist them without danger of greater evil, and therefore he does not consent but permits.

Besides there is added another reason, that canon right not only prohibits customs against ecclesiastical liberty but also condemns them; which is a greater thing. For a law can prohibit a custom, not because the custom is in itself irrational, but because for other reasons it is expedient not to permit it, and then the custom can be said to be irrational because prohibited, and not prohibited because irrational; but sometimes the law prohibits a custom because it supposes it to be irrational; which it is reckoned to do whenever in prohibiting a custom it makes clear that it is irrational by adding that “it is a corruption” or that it is “against the bond of discipline” or that it is “an abuse” or something similar, as is clear from the whole title *De Consuetudine*. So canon right prohibits in this latter way customs against ecclesiastical liberty, as all take from ch. 1 *De Consuetudine* where Gregory says: “Customs that are discerned to be a burden for churches it becomes us to dismiss from our consideration,” that is, not to permit, or to dissolve and render of no effect, namely as irrational; for this is signified by the word ‘becomes’, because to tolerate them would be unbecoming. And in ch. ‘Ad Nostram’ at the same title such custom is said to be “little rational and opposed to established canons,” and that it accordingly has no solidity. Again, all laws contrary to ecclesiastical immunity are condemned as irrational, as is clear from the many decrees in *De Immunit. Ecclesiar.*; but the reason is the same about custom, for custom is on a par with law. At least indeed, according to doctrine, a received custom condemned by law can never prevail against law. Because, as custom derogates from law, it should be rational, according to the last chapter *De Consuet.*, but every custom that law, especially canon law, condemns as irrational is to be held as really irrational, because the declaration of a law is authentic; therefore etc.

10. But in this reason, which in this matter is chief, there occurs a difficulty, because although with respect to a custom abrogating the whole exemption it would be very effective, because such a custom carries immediately on its face an absurdity and

impropriety on account of which we said that such abrogation cannot be done even by written law, nevertheless it does not seem to proceed universally of every particular custom in one matter or cause, for this is not always irrational. The proof is that such derogation can often be justly and prudently done by written law; therefore it is a sign that the derogation itself is not irrational; therefore neither will a custom introducing it be irrational, because the custom possesses from the matter itself and from individual acts that it is rational or irrational. Hence such a custom will not be opposed by a positive right that declares or condemns as irrational a custom contrary to ecclesiastical liberty, because that right does not make the custom to be irrational but supposes it to be such, and therefore does it condemn it, as we said; therefore the right only falls on a custom that is in truth destitute of all reason. Hence it can happen that some custom, which at one time is irrational, can at another time, when things have changed, be by a sufficient reason made honorable. And likewise a custom that, with respect to the Church is as a rule irrational, can in some province have a special and sufficient reason; so for such time or such place such custom will not be reckoned condemned by a law speaking absolutely and generally; therefore the same can happen in this matter of exemption. And thus do many authors seem to think who approve and defend some customs contrary to immunity, especially Covarruvias in *Practicis* q.31, and Julius Clarus bk.5 last § q.36 n.3, Joannes Garcia *De Nobilit.* in gloss 9 n.44 and following, and many others who incline very strongly to this side, in order to protect certain particular customs of diverse kingdoms.

11. Nevertheless I think it must be said that every custom, whether general or particular, contrary to ecclesiastical liberty is irrational and in right condemned, and thereupon cannot in any respect derogate from the privilege of immunity. This opinion is commonly received by the theologians and jurists on the mentioned places, and it is plainly collected from the cited decrees. For they do not speak of a custom abrogating the whole immunity of clerics, or in the whole matter of it, or in all crimes, or in all civil causes, or any other like large part of the exemption; because never for many years have such customs been introduced or aimed at in Catholic kingdoms, nor were the authors of the canons ignorant of this fact. They are speaking, then, of particular cases, as will be clear to someone who attentively reads the texts themselves. And especially can be noted the complete reading of ch. ‘Clerici’, for it thus contains: “Clerics, in criminal causes most of all, can in no case be condemned by anyone other than by an ecclesiastical judge, even if the royal custom has it that thieves be judged by secular judges.” Where it is clear that the particular custom could not partially derogate from the universal privilege; but the reason is the same about other similar instances, because even in that particular custom some reason of decency could be considered. And this is very much confirmed by the various prohibitions that in the Bull *Coenae* are every year made against almost all the acts by which particular customs of this sort can be introduced, and the rights are renewed that condemn such acts and customs. Now the reason for this truth and for the said rights we will give by replying to the posited difficulty.

12. To the objection, then, the reply might in the first place be according to the opinion of some that a custom once condemned by a law cannot further prevail or be reputed rational because of some change of matter, or because of a new circumstance that has arisen by succession of time or in a diverse place. However this opinion taken generally is too rigorous and not necessary. But nevertheless in the present matter it is

very probable, both because scarcely can a change be so great that it be fitting for the Church that there be such a lessening of or derogation from the exemption, and also because, although perhaps it be expedient in some place, it does not thence immediately follow that the custom there is rational; for since this privilege has been conceded to the whole college of clerics, it can come about that it is not expedient and that, in accord with right reason, a part be held, for the good of the whole, to suffer some disadvantage. And in addition because this matter is odious to laymen and so there is a moral danger that changes of this sort, or new reasons for making such custom honorable, may be thought up or exaggerated without sufficient cause. Nay, as experience teaches, in all the customs that jurists try to defend there is no real discovery of new reasons besides those that are either intrinsic to such matter or could easily be considered by the Pontiffs, which notwithstanding, they have, for graver reasons relating to the good of religion and pertinent to the avoidance of greater disadvantages for the clergy, judged such customs irrational; therefore never can any such custom be reckoned rational in a particular case.

This can also be further made plain by distinguishing between a derogation from, or lessening of, the exemption and the manner of introducing it by custom. For it can happen that some lessening of the exemption is expedient, and nevertheless the mode of introducing it by custom alone is not expedient, because of the moral dangers that we were just talking about. Just as sometimes it is expedient for clerics to contribute to certain common expenses of the citizens and yet, for avoiding excesses, Pontiffs have established that it not be done without consulting them; hence if it happen otherwise, it is not rationally done, even if the contribution itself seem to be rational. Thus therefore, although the lessening of exemption in some case or place will be rational, the custom will nevertheless be irrational, because the mode of introducing the derogation from the privilege is exposed to dangers and is, so to say, reckless, and it is as such deservedly condemned. Hence is easily solved a certain objection made above from an equivalence between law or privilege and custom; for it can happen that a superior could, by common right through a privilege or special law, make a derogation in some matter by common right and a derogation that could not agreeably be done by custom alone, namely because, in order for a derogation to be agreeably done, greater consideration and deliberation is necessary than is wont to exist in mere custom. And therefore in the Bull *Coenae* there is required in this matter the express and special consent of the Pontiff, because this is regularly given with greater deliberation or knowledge of the cause than is tacit consent.

A final reason for this part can be added, that every custom that is wont to be introduced against immunity is a custom of laymen, namely of princes or judges exercising acts of jurisdiction over clerics. But the custom of laymen, although it could derogate from civil right, cannot however do so from canon right, nor can it even inflict any damage on clerics; therefore neither can it derogate from this privilege. The minor is certain, because a custom cannot do more than a law, other things being equal; but the civil law cannot derogate from canon right, nor can it impose a burden on clerics or be prejudicial to them; therefore neither can a custom of laymen do these things. The proof of the consequence is that the custom of laymen is purely civil and rests on civil and temporal authority alone. Hence it is a common doctrine of the jurists that a custom of laymen cannot oblige clerics, and one may see it in Innocent in *Rubric. De Consuetudin.* n.6, and Panormitanus ch. 'Quod Clerici' *De Foro Competent.* n.2, in Felinus on ch. 'Ecclesia Sanctae Mariae' *De Constitut.* n.100, Hostiensis in his *Summa* at the title *De*

Consuetud. § ‘Et de Virtute’ at the verse ‘Sed Pone’, and in others referred to by Azor vol.1 bk.5 ch.18 q.12, who allege various rights that speak more about civil law or statute but are introduced by equivalence, as ch.1 dist.10 and the said ch. ‘Ecclesia’ *De Constit.*

They add besides that this proceeds especially when such a custom of laymen derogates from the liberty of the Church. Which fact is also noted by Bartolus on law 1 *Code. De Summa Trinit.*, and law 2 *Code. De Legibus*, and law ‘De Quibus’ and following *De Legibus*, and it can, by argument from a special case, be proved from the last chapter *De Vita et Honest. Cleric.* where, in the special case in which clerics abuse the privilege of exemption and involve themselves in secular business for profit, the Pontiff permits them “to be of their resources subject to the statutes and customs of their fatherland, since in fact,” he says, “they are throwing away the clerical privilege;” therefore a custom cannot, outside this sort of case, be a burden on clerics. Nay I note that even in that case a Pontifical declaration and prohibition was necessary. I consider too as regard this effect that custom and civil law or statute are made equivalent.

13. You will say that it can sometimes happen that the custom may not only be that of laymen but also of clerics, as when they observe, not by coercion but voluntarily, a custom of laymen, by going to their courts or paying taxes or cooperating in other like things, for then the custom will be mixed or common to laymen and clerics, which has force also over ecclesiastics. To this Covarruvias on the said ch.31 concedes that the custom in that case, as far as it is from this chapter, can, if it is otherwise rational, make derogation from ecclesiastical liberty. But I judge, in the first place, that morally such a custom can scarcely be found, because although one or another cleric may sometimes voluntarily consent to these sorts of violence by laymen, it happens very rarely and can never be said to happen by way of custom. I add indeed that even if such a custom be imagined, the opinion of Covarruvias is in this respect false. First, because the consent of clerics can there do nothing; for it is a sort of private renunciation of the privilege which, as we said, is null and of no effect, and therefore it cannot have power to introduce a custom, as is rightly noted by Felinus above along with Paul de Castro cons.59. Second, because such a consent of clerics could never be attended by the express or tacit will of the Pontiff, without which the will of clerics, for however long a time it is in operation, cannot derogate from pontifical right; therefore neither can that mixed custom have this effect. The antecedent as to each part was made clear above. The consequence, however, is evident, because that which is added on the part of the clerics to that mixed custom cannot add to it any strength or efficacy. Wherefore when a mixed custom is said to be able to operate in the case of ecclesiastical persons or things, it must be understood of a custom that is not prejudicial to the sacred canons, or, if it is prejudicial, the Pontiff consents to it, at least tacitly; but in the present matter express consent would be necessary, as I said above. Both because the Pontiffs themselves have so wished and declared, and also because in this matter tacit consent cannot be presumed, because it is both very odious to Pontiffs and such tacit consent could scarcely be prudently and licitly given without greater knowledge of the cause, but whenever consent would not be prudent and honorable it is not in a prince presumed.

14. But because this consent is not necessary in the abrogation of a law when it happens by way of prescription, therefore the other member which we proposed above remains to be proved, namely that even by way of prescription a custom cannot work prejudicially against ecclesiastical liberty. Now the proof is first that a prescription will

be made by no custom unless good faith intervenes, as I now assume; but here good faith cannot intervene; therefore neither can there be a prescription. The proof of the minor is that such a custom is irrational and condemned by canon law; which fact is so evident that secular princes or judges cannot under pretext of probable ignorance be excused; therefore the acts of such a custom are always illicit and accordingly done in bad faith; therefore they cannot introduce a prescription. Second, because no exemption can be lessened in part unless some jurisdiction over a cleric accrues to a lay judge, and consequently unless there is a lessening of jurisdiction in someone else; so, conversely, exemption cannot be diminished on the part of a cleric without jurisdiction being increased on the part of a secular magistrate. But laymen cannot by mere prescription acquire jurisdiction over clerics; therefore neither can clerics lose anything of their privilege on account of prescription by laymen. The proof of the major is first from the common opinion of jurists, who say that laymen cannot give prescriptions in spiritual things, or what concerns spiritual things insofar as these are connected with them, as that a layman cannot prescribe the right of conferring a benefice or the like things that are noted by Panormitanus on ch. 'Novit.' *De Iudiciis* n.22, and Decius on that place n.12, and Joannes Andreas on ch.2 *De Praebend.* on 6, and others on ch.2 *De Poenitent. et Remiss.* on 6. Which text is wont for this purpose to be introduced insofar as it says that the faculty of choosing a confessor cannot be acquired by prescription; for the reason seems to be the same about other spiritual things and, in the present case, about jurisdiction over a cleric, which, although it seem in itself to be temporal, concerns, insofar as it falls on a cleric, spiritual things.

Now the reason that can be given is either the same as was touched on, that acts precedent to such prescription can never be done in good faith, or it is that prescription requires a person capable of the thing that he ought to prescribe, but a layman is not capable of administering spiritual things or persons, and therefore he cannot by prescription acquire a right over them; which reason is touched on by Panormitanus above. But the right should not be understood of capacity absolutely but according to ordinary right; for a layman is not altogether and absolutely incapable of any ecclesiastical administration or power over a cleric. But by common right and ordinary power a layman is reckoned incapable, because he has of himself no proportionality and all the rights exclude him, and therefore mere prescription does not suffice without the express will and concession of the Supreme Pontiff. And in these cases rightly do the jurists say that many things can be conceded by privilege that cannot be prescribed by custom, by the argument of ch. 'Quanto' *De Consuetudine*.

15. Hence too a third reason can be added, that any prescription requires the support of a right, whereby in some way a prince concedes either dominion over the thing to be prescribed or jurisdiction over it, if it is in need of being prescribed, because the change or acquisition that happens in a prescription cannot be done without the authority or will of some superior. But in the present case there is no right that provides support for such prescription; for civil right can do nothing here and canon right altogether resists it and the will of the Pontiff is in every way opposed to it; therefore prescription has no place in the present matter. From what has been said, therefore, it is sufficiently clear that no custom, even if it be immemorial, can in any way prevail against ecclesiastical immunity. For thus do the authors cited interpret the conclusion, and the reasons and rights adduced confirm it in the same sense, and the difficulties that can occur against it

are, by proof of the assertion, dispensed with. There are only objected certain special customs of some kingdoms which, although they be against ecclesiastical immunity, are observed without scruple by lay magistrates. But to them we might respond in one word, that those customs pertain not to right but to deeds of men, which cannot make us deny the truth, nor are we bound to give reason or excuse for them, but this concerns those who observe those customs; however perhaps in the last chapter we will add a few things about them.

Chapter 33. In what ways ecclesiastical immunity can be violated.

Summary. 1. The violation of ecclesiastical immunity is per se evil, and accordingly is a grave sin; it is against justice; it includes the guilt of sacrilege. 2. Twofold way of violating immunity. 3. When striking a cleric is contrary to the privilege of forum. 4. Ways common to the laws as well as to men's deeds of violating this privilege. 5. When ecclesiastical liberty is indirectly violated. 6. First opinion. 7. The contrary opinion is chosen by the author. 8. Satisfaction is made to the foundations for the opposite opinion.

1. Hitherto we have tried, according to our powers, to explain all the things that seemed useful for explaining and guarding ecclesiastical immunity and the exemption of clerics; now only two things remain to be treated of. The one which we have proposed is what ways this immunity is wont to be violated; the other is in what ways this crime is wont to be excused. About the first we suppose that this sort of violation is of itself evil and is of its kind a grave sin, because it is either immediately against divine right or at any rate against canon right prohibiting this violation under very grave censures and penalties. And it is also, once that right is in place, against justice, because it is both a usurpation of a jurisdiction not possessed and a sort of coercion or exaction under title of legitimate power without any jurisdiction or power having been produced. Next it also includes the guilt of sacrilege, because the injury concerns sacred persons or matter, and because the prohibition has been made in view of religion and of the divine cult. About this guilt, therefore, nothing remains to be said as to its species and seriousness; for on the supposition of the things that have been said hitherto about the right of this immunity, the seriousness and species of the guilt are plain, provided it is clearly about the violation of immunity. But because this violation can be done in various ways, and in some of them the transgression or the reason of the violation can be obscure, therefore we must say a few things about this variety that can exist in the ways of violating liberty. And because sometimes an action which seems to be against ecclesiastical liberty is wont to have some true or pretended excuse, therefore we will consider some things about these excuses in the following chapter. Now the consequence would appear to be that we should explain the penalties and censures that are incurred by this transgression; but because we spoke sufficiently about them in our book *De Censuris*, we will abstain from treating of them in the present work.

2. First, then, we can distinguish two ways in which the immunity of clerics is wont to be violated, namely either by laws or by actions; for many rights mark out these two ways and punish them with diverse penalties. The first is when princes or magistrates make civil laws or statutes contrary to ecclesiastical liberty. Which also can happen in two ways. First because a law is specifically directed at ecclesiastical persons or things or, although the law be made generally, it is extended to them in particular. For such a

law is by that very fact repugnant to ecclesiastical liberty, even if what it disposes is not contrary to the advantages of the Church; nay even if such disposition of law would be otherwise rational and agreeable to the Church, provided it were passed with due power. Thus is it taken from ch.2 *De Iudiciis* and ch. 'Ecclesia Sanctae Mariae' and ch. 'Quae in Ecclesiarum' *De Const.* and ch. 'Bene Quidem' along with others dist.96, and it is the common resolution, as was touched on above, and is rather extensive in the material *De Legibus*. And the reason is that a lay prince, when passing such a law, is through it showing himself to be a superior and a legislator in ecclesiastical things; therefore by that very fact he is through such deed acting contrary to exemption. And because this contrariety consists not so much in the object of the law as in the very act of prescribing it, therefore can this way be called contrary in its form to ecclesiastical liberty. For that reason too this way of injuring has no place when a layman concedes a privilege to clerics, because such privilege does not include a precept with respect to the privilege, nor is it *per se* an act of jurisdiction, as we said above.

But other laws there are which can be called contrary to ecclesiastical liberty in their object, because they prescribe something to be done which is contrary to the ecclesiastical state or its exemption, whether the precept be directed to laymen with respect to clerics as, for example, by commanding them to exact tax from clerics or something similar; or whether the laws are directed to clerics themselves, by bidding them to pay a tax or to appear before a lay judge, and then the law can be said to have each repugnance, both of form and of object. And these sorts of laws, which are in their object contrary to ecclesiastical liberty, are chiefly prohibited and punished in right, especially in ch. 'Noverit' *De Sentent. Excommunicat.* and in *Authentica* 'Cassa et Irrita' *Code. De Sacrosanct. Eccles.*, although that and similar rights, because their words are general, can rightly be extended to all laws that are contrary to liberty in any way at all.

3. But about the other member of violation against immunity, through men's deeds, there only occurs to be noted that under it are not now included beatings or manual violence against a cleric; for although those actions are contrary to immunity taken generally, they are not against the privilege of forum, of which we are now treating, but against the privilege of the canon. Which however must be understood of those actions insofar as they consist in mere violence or private injury; for if they are done under the title of jurisdiction and public power, they will be against the privilege of forum and will have both kinds of malice, as when a secular judge or his minister detain a cleric by force and put him in chains or in prison. And the judgment is the same, saving proportion, about actions against the immunity of churches insofar as they are places of refuge, or insofar as they are sacred places, which ought not by injury or unfitting actions to be violated; for if such actions are done, not under title of jurisdiction, but by private injury or malice, although in an extended sense they are contrary to immunity, nevertheless they are sacrileges of another nature, as we said at the beginning of this matter. Therefore all deeds whereby ecclesiastical liberty is properly harmed are reduced to two heads, namely to legal proceedings and court actions, both civil and criminal, that are exercised in respect of clerics as defendants, and to exactions of taxes or coercive acts that are done to the same persons by imposing on them certain public burdens. And in this way these two types of actions are with special penalties and censures wont to be punished in right, at the titles *De Immunitate Ecclesiarum*, but especially in the Bull *Coenae* clauses 15, 18, & 18.

4. Second must be distinguished two other ways of violating ecclesiastical liberty that can happen both in laws and in deeds, but they are especially wont to be observed in the passing of civil laws contrary to ecclesiastical liberty. The first mode is when something directly and manifestly is done or disposed against the exemption of clerics, and in this way nothing needs to be added because it can both be easily cognized and is especially condemned in right. For it is committed as it were by express contradiction or opposition to the law that bids such exemption to be preserved. As when a civil law gives direct prescription to clerics or commands them to be included in taxes, or if a lay judge commands a cleric to be cited to appear before him, and thus in other cases. The other way is by indirect violation, which is both more difficult to cognize and its malice is more obscure. It does, however, have a foundation in the right at the last chapter *De Immunit. Ecclesiar.* on 6, where it is said that those secular magistrates incur excommunication who command their lay subjects not to sell to clerics or to buy from them, or not to grind corn for them or furnish them any similar services; and the reason is given “that such things are presumed in derogation of ecclesiastical liberty.” Through which words is made clear that it is an indirect violation of ecclesiastical liberty, because although such statutes or precepts were not as to their words directly ordered against clerics, yet as to their intent and effect they were fraudulently, as the Gloss there says, making a transition from person to person, speaking to a layman and oppressing a cleric. A like decision is in ch. ‘Quanto’ *De Privileg.* where it is said about certain people who, although they could not excommunicate monks, were excommunicating those who communicated with monks: “Keeping not the force and power of privileges but the words, they in some way excommunicate monks when they prohibit others from communicating with them.” And thus are similar things there said to be a fraud against privileges, where the discussion is not only about the privilege proper of ecclesiastical immunity, but more broadly about any privilege at all, but the definition has place *a fortiori* in the present case.

5. Therefore this fraudulent and hidden injury against ecclesiastical liberty we call indirect, and it can be described as that which is done by words or actions that, although they deal directly with lay persons, are nevertheless ordered toward oppressing clerics; or it can more universally be said that a violation is done indirectly when it does not appear in the words but is done in the thing itself. Just as someone is said to violate a law indirectly who while embracing the words of the law strives against the will of the law, as is said in the last rule *De Regulis Iuris* on 6, and in law ‘Contra Legem’ and following *De Legibus*, and in law ‘Non Dubium’ *Code. De Legibus*, because the force and power of a law is placed more in the will of he who command than in the words. Now this fraud or indirect oppression can be done in many ways that do not seem able to be comprehended in a definite number, because they can easily be multiplied by human sagacity and malice, and therefore a prudent court, taking the circumstances into account, must discern whether they are morally equivalent to direct oppressions. And as to the forum of conscience, this can depend much on the intention of the one who is acting or giving the command; for if he do it so that what he is directly forbidden to do with respect to the person of a cleric he achieves, even against the will of the cleric, by that circuitous route, the sign of an indirect violation is considerable.

6. But in order to explain further this indirect violation and its malice, one can ask whether this is a true and really subsistent violation of ecclesiastical liberty participating

in a malice of the same reason and kind; or whether indeed it is merely presumed, because it appears such from the external circumstances although, if a wicked mind or intent be lacking, it is not such in fact. For this latter part seems to be taught by Cajetan in his *Summa* at the word 'Excommunicatio' ch.31; for he says that then a civil law is against ecclesiastical liberty when it aims *per se* and by intent against it, because will and intent distinguish evil deeds, and what is accidental does not fall under art. Now to explain when a civil law is such he adjoins that it is not difficult for those who know that "to be *per se* is the same as to be of its own nature and intent;" which he makes clear with examples when he says: "Like slander against reputation, insult against honor, homicide against human life, making statutes such that tithes or alms are not given to clerics, that they cannot be judge in ecclesiastical causes, that they pay taxes from what is, apart from business, their own, and the like, are against ecclesiastical liberty." All which examples, if one rightly considers them, pertain to direct opposition and violation against ecclesiastical liberty, and thus Cajetan indicates that only that law is *per se* and of its own nature against ecclesiastical liberty which makes a disposition directly against it. Hence at the same word ch.37 he says that actions prohibited in the same last chapter *De Immun. Ecclesiar.* on 6 are not properly against ecclesiastical liberty, but against human society; because, however, they are done in hatred of the Church, they are presumed to be done against ecclesiastical liberty.

This opinion is also followed by Navarrus in his *Summa* ch.27 nn.119 & 120. Their basis is, first, that the said last chapter uses the word 'presume' when it says: "Since such things are presumed in derogation of ecclesiastical liberty." Second, that since the action itself or the words of the law do not directly injure liberty, the transgression and derogation depend on the intent of the doer; for if he do it with a mind to oppress clerics, it will be a violation of liberty; but if he do it for his own advantage, permitting others to be oppressed, it will not be against liberty, although sometimes it could be against charity or against human society. Since therefore one cannot be certain about intent, neither too can a violation of ecclesiastical liberty be judged with certainty but at most presumed, insofar as such intent could be presumed from the external circumstances. Hence according to this opinion, if it happen that the truth is not subject to presumption, there will in conscience be no violation of liberty.

7. Nevertheless I judge the opposite opinion true which is openly held by the Gloss, there commonly approved, on that last chapter and on the said ch. 'Quanto', where Panormitanus speaks well. It is also taken from the common opinion of Bartolus in *Authentica* 'Cassa' *Code. De Sacrosanct. Eccles.* and of others who say that every disposition of civil law whereby clerics are made more fearful is against ecclesiastical liberty, not merely by presumption, but truly and properly, as we have explained above. Now the proof is first from the said ch. 'Quanto' *De Privileg.* where it is not said that the like opinions or dispositions of laws are presumed but are frauds against privilege, and that the words of privilege are by them preserved but not the force and power; therefore, if it is not preserved, the force and power of privilege is violated; but this is a true and not a presumed violation. Hence I argue, second, from the general principle of the law 'Non Dubium', where the Pontiff bases himself on that text. "There is no doubt that he engages against the law who, having embraced the words of the law, strives against the will of the law," where is not said that he is presumed to engage against the law but that it is certain he engages against it, as is also said in the last rule of right, on 6; but to engage against

the law is to sin or act against the law, as is clear from the propriety of the Latin word and from the glosses, and from the common exposition of the cited jurists, especially from Bartolus on the said law 'Non Dubium'. Nay the Gloss adds on ch 'Si Postquam' *De Elect.* on 6 at the word 'Mente', that he who engages against the law by fraud or under the cover of the words is punished with the same penalty as he who openly and directly acts against the law; therefore, in the same way, he truly and properly violates the law or privilege of immunity who indirectly violates it because he acts to defraud the privilege, as is said in the said ch. 'Quanto.' Third, there is the proper reason that in morals an indirect will is reduced to a direct one and shares in the same kind of malice, as is the first principle in moral matter; for direct and indirect voluntariness are reduced to the same, as that not to prevent harm when you can and should is the same as directly harming; and so in other cases. Thus therefore it matters little in the present case that the violation is indirect if in fact it has the same effect. There is a confirmation too, that otherwise the privilege would either be useless, or at least greatly diminished, if that were licit in an oblique way (so to say) which directly and simply is prohibited by the privilege.

8. To the foundation for the contrary opinion about the word 'are presumed', which is used by the said last chapter, one can reply first that sometimes that is called presumption which is done under some fraud or pretense, even if it is truly done and not merely presumed to be done. But second and better is said that the word 'presume' there does not signify a judgment or suspicion that is made about such deed from conjectures about it, but signifies a way of acting with sure knowledge and deliberation, or with a certain arrogance and rashness of mind. For the use of this word in this meaning is very common in canon right, and so is it taken in that text; nay twice is it there taken in the same signification, first in narrating the fact, at the place: "Or they presume to take away other services," and again in giving the reason for the right or for an already declared excommunication, at the place: "Since such things are presumed in derogation of ecclesiastical liberty," that is, not presumed by the right but by those who presume to do or prescribe such things, just as was said before. Hence that text thus expounded confirms rather what we said; for such things are punished as done truly and from presumption against the liberty of the Church. There can also be added that, although it not be of itself a true violation of ecclesiastical liberty, it was, by the force of the text prohibiting it, a true violation of liberty. But although this be *ex hypothesi* truly said, I do not simply judge that the like actions are against ecclesiastical liberty because they are there prohibited on account of their danger and presumption, but rather, on the contrary, I judge that they are there prohibited under special censure because in truth they are of themselves violations of ecclesiastical liberty; for this reason is given there, and it is assumed to have subsisted in fact before that law.

To the second I reply that just as Cajetan in the cited place rightly said about direct violation that it does not depend on the intent of the actor but of the act, so too must it be said of indirect violation. For if a civil legislator pass a law that is in truth against ecclesiastical liberty, at least indirectly, although he not intend the harm of clerics but his own or his citizen's advantage, he sins against ecclesiastical liberty because, as I said, in moral matter the reason about the direct and indirect is the same. But if a civil legislator imposed directly such a burden, he would act against ecclesiastical liberty; therefore it is the same though he indirectly do it. Wherefore it cannot be said to be merely a permitting, because a civil magistrate is simply bound to avoid such oppression

of clerics. Otherwise if, in the case of the said last chapter, laymen were to prohibit those actions not with the intention of oppressing clerics but for their own advantage, they would not act against liberty nor incur the censure, which is absurd.

But to understand better this indirect violation of immunity one must note that it does not differ from direct in its matter; nay that it is necessary that it deal with the same matter, namely matter prohibited by immunity; so that the difference is only in the manner, for in one violation the action or the law aims right at the person of the cleric, but in the other, namely the indirect, only circuitously. But if however one takes careful consideration, it always reaches the person, at least obliquely, as when a law prohibits a layman from selling necessities to a cleric, etc. Nay, although as to the obligation of the law the cleric is not directly imposed upon, as to the effect it so redounds on him that either it directly effects such an effect, if it is burdensome, or it unduly impedes him, if it is due and favorable. Just as someone who impedes another not to communicate with me directly deprives me of communication with him, or at least unjustly impedes it; and just as someone who prohibits or detains a notary not to be present at the making of a cleric's will impedes a cleric sufficiently directly that he cannot make a will; and many like things in the Glosses and the laws can be seen treated of that are comprehended under the general rule: "Whom the law speaks to does not matter, but toward whom the intent of the law is directed," law 'Cum Pater,' § 'Donationis' and following *De Legat.* 2.

Chapter 34. In what ways actions against ecclesiastical liberty are wont to be excused, and what judgment should be made about them.

Summary. 1. Six ways in which the violation of immunity is excused. 2. Ignorance the first excuse for violation. Twofold ignorance: of right and of fact. 3. Whence comes ignorance of right. 4. A second excuse for violation, necessity. 5. What should be thought about this excuse. 6. Conclusion: a cleric cannot be judged by a layman if he cannot be prosecuted by someone his superior. 7. Third excuse for violation, custom. 8. Custom does not excuse an act done against immunity. 9. How those who take forbidden weapons from clerics are excused. 10. In what way is excused the custom of apprehending clerics discovered in committing transgression. 11. Another way of defending this custom. 12. Whether immemorial custom is a sufficient sign of a privilege conceded by the Pontiff. 13. A custom founded on privilege can be revoked by the Pontiff. 14. Fourth excuse for violation, mutual agreement. 15. Agreement between ecclesiastics and seculars may not derogate from immunity in any way without the Pontiff's authority. 16. An agreement confirmed by the Pontiff is valid and sufficient. 17. Objection. It is solved. 18. The agreement of an inferior prelate with a layman, when done without concession of jurisdiction, is valid. 19. Fifth excuse for violation, privilege. 20. Whether any unrevoked privileges against immunity stand. Reason for doubt. 21. Opinion for the negative. 22. The last excuse for violation is just defense. 23. A twofold condition is absolutely required for this excuse. 24. This defense is almost always exercised through use of jurisdiction by laymen. Two evasions are refuted. 25. A defense of the spiritual power which includes usurpation is not to be admitted. 26. Whether this defense is licit by canon right. First opinion. 27. It does not have foundation in canon right. Satisfaction is made to the rights adduced for the opposite. 28. Canon right does not approve this mode of defense. 29. The evasion of others. 30. Sum of the whole of the fourth book.

1. Since lay magistrates and judges are frequently wont to invade ecclesiastical immunity, they have thought out various reasons whereby they may be able to make their actions honorable and to excuse them from the crime of sacrilege and injustice, which I have thought necessary to put forward and examine at the end of this book. Now I find six such excuses, which are ignorance, necessity, custom, pact or agreement, privilege, and just defense; which must be discussed one by one.

IGNORANCE

2. About the first excuse of ignorance it is necessary to say little because properly speaking it is not among the things that we are now inquiring into. For in two ways can excuse be thought of in these sorts of actions which seem to injure ecclesiastical liberty. First, so that it be such excuse as renders the action in itself licit and valid, and that it be as it were a sort of exception to the general privilege of exemption; in another way an excuse can be such as to suffice to excuse a person from guilt, although the action itself, considered in itself, is evil insofar as it is contrary to privilege. Here, then, we are particularly inquiring into the first kind of excuse, and in this way ignorance is ruled out, because although sometimes perhaps it could free the doer from guilt, nevertheless it does not give jurisdiction and thus it does not render the act in itself either licit or valid. Now in the way that ignorance can prevent guilt, the excuse is general to all offenses and almost nothing special is left to be said about it in the present case. For a twofold ignorance can here intervene, one of fact, the other of right. The first can happen in two ways, first from ignorance of the person whom the act concerns, as when a layman seizes or judges a cleric thinking him to be a layman. And this kind of ignorance can sometimes excuse from guilt, because it can be invincible; but whether it be so in a particular case will have to rest on the confession of the party or the penitent, and judgment will have to be made from the circumstances that are proposed by him. But in a case of doubt whether such and such person is to be considered ecclesiastical or not, whether he is to enjoy clerical privilege or whether cognizance of such and such case pertains to a lay or to an ecclesiastical judge, is treated of by the jurists, to whom this matter pertains. However the true resolution is that it pertains to an ecclesiastical judge, because the matter of that court is ecclesiastical, as is defined in ch. 'Si Iudex' *De Sentent. Excomm.* on 6, where almost everything that should be done in a like case of doubt is laid down; and one can look at the things that Covarruvias extensively treats of in bk. *Practicar. Quaestion.* ch.33.

Another mode of ignorance can be about the matter itself that the action or the court concerns, because it is not judged to be ecclesiastical or spiritual, or is not believed to pertain to exemption. This ignorance, however, can sometimes be generated by mere lack of knowledge about the very matter that is being treated of, and then it is properly ignorance of fact and the same judgment must be made of it as of ignorance of the person, for the reason is the same. But sometimes the ignorance or doubt arises from the variety of opinions about the right itself, how there is often controversy among the doctors whether this or that action is against ecclesiastical liberty, or whether the taking cognizance of the guilt of perjury committed by a cleric giving testimony in a secular court belongs to the same secular forum or to an ecclesiastical one, and the like, doubt about which is reduced to ignorance of right.

3. About ignorance of right, then, one must note that sometimes it arises only

from a defect in the person, as when it is clear that in the thing itself there is something included under the right of exemption but he who is acting contrary to it does not know that right, and so he violates exemption ignorantly. But sometimes the ignorance or uncertainty arises from the thing itself, because, that is, the right itself is in such wise hidden that even among experts and after diligent inquiry the right is doubtful and has been made a matter of opinion. When ignorance, then, is of right in the first way it can scarcely be accounted invincible, at rate in princes themselves and lay judges; both because from the force of their office they are required to know the right, or to abstain from these actions; and also because the supposition is that such right is sufficiently public and manifest; and therefore scarcely can it be believed that this sort of persons are ignorant of it invincibly but either from a very lazy negligence or, which perhaps happens more often, from affected ignorance, so that they may exercise the jurisdiction that they very much aspire to. Now I say ‘scarcely’ on account of the forum of conscience, for in the external and ecclesiastical forum such an excuse, as I think, will never be reckoned sufficient, although in the forum of conscience it can sometimes, according to the conscience of the actor and the occurrent circumstances, be admitted. I said also that this has chiefly place in princes themselves, or their counselors and judges, who can and should know the right, because inferior ministers can easily be excused by ignorance, according to the common rule ch. ‘Qui Culpatur’ 23 q.1. However, when the ignorance or doubt about right comes from the difficulty of the thing itself and from the variety of opinions, then, if there is nothing certain, the general rules about choice of opinion are to be observed; and in this matter it is very much to be observed that ecclesiastical immunity is more to be amplified in favor of religion, and consequently in favor of exemption, than restricted. And judgment must according to these things be made about the individual cases that are collected by Azor in vol.1 bk.5 chs.13 & 14.

NECESSITY

4. The second excuse, on the ground of *necessity*, is very ordinary in this matter and is founded on the principle that necessity knows no law. For it can happen that it be necessary for the common good of the republic to do something contrary to the immunity of the clergy; therefore in that case the right of immunity will not oblige. There is also a confirmation, because this right, at any rate as applied and determined to such matter and action, is not divine but human; but every human right, even if it be a canon right, can in a particular case through equity cease to hold because of a necessity that occurs, because of which it can happen that to keep human right in such case is contrary to natural right; therefore also in the present case. The best example is in ch. ‘Pervenit’ *De Immunit. Ecclesiar.* where it is said that in a time of great necessity clerics are not excused from taking watch on the city walls. And it is similar in the matter of taxes, when for the support of the common necessity laymen are not sufficient unless the clerics contribute. In the matter, too, of judicial forum a common example is wont to be when an ecclesiastical judge is deficient in his office and laymen and clerics are suffering great loss; for then because of necessity a lay judge can expedite causes even if clerics are defendants in them, as many interpreters of canon right have affirmed along with the Gloss on ch. ‘Filiis, vel Nepotibus’ 16 q.7, as it is wont to be treated of there and on ch. ‘Qualiter et Quando’ *De Iudiciis*. And this necessity can be particularly urgent if a

legitimate ecclesiastical judge is altogether not to be found, as can often happen in the lands of heretics and schismatics.

5. Nevertheless, however, I judge that this excuse, morally speaking, is not necessary, at least within the Catholic Church. The proof of this assertion is first by a sort of induction, as it were, by running through the presented cases to which all others that can be thought up are reduced. For the necessity is either in the matter of taxes or in the matter or causes of the judicial forum. In the former matter it was shown above that clerics can never on account of necessity be compelled by laymen to pay taxes. For if sometimes they are bound to contribute or to undertake some work of common burden, it is not by force of the law imposing the taxes but by some obligation of charity or of common justice and according to the disposition of the canons. Hence in these sorts of cases clerics cannot be compelled to satisfy this obligation by secular judges but by their prelates, and in accord with canon right. But if the prelates themselves refuse to satisfy their function, one must, in order to compel them, have recourse to the Pontiff. But if there is peril in delay, because an extreme or grave necessity of the common good requires the help of clerics immediately, then it can be licit, not by way of jurisdiction, but by way of defense, which right reason has declared to be necessary for the aid of the common good and to prevent an imminent loss. And thus is the excuse in that case reduced to another, which is placed under the name of just defense, and it will be dealt with below and will be declared not to contain an excuse or exception proper in the general privilege, but to be another species of action not pertaining to privilege.

There is more or less the same reason about cases that occur in judicial matter; for in the first case it was shown in chapter 13 that a lay judge cannot, because of the negligence of an ecclesiastical judge, introduce himself into the causes of clerics, because it is manifestly repugnant to canon right. Nor does sufficient necessity arise from that negligence, for if an ecclesiastical judge was negligent, he has a superior by whom he can and should be corrected. But if the proximate superior is also negligent, one will have to have recourse to someone of the same order who is further away, and thus right up to the Roman Pontiff, in whom as in the supreme head one must come to a stop; for if he himself is negligent he must not be compelled by the king but requested, or warned with due submission, as was said at the beginning of the preceding book. Just as in a republic that is merely temporal and heathen, or as now in England, if the judges of the kingdom in one province are negligent in administering justice, the magistrates of another province cannot take over the courts in their territories so as to supply their negligence; and much less can inferior judges of the same province declare right about their own superiors or usurp their tribunals in the name of necessity, because it would be the height of confusion and an occasion for injury. Therefore it is necessary in that case to approach some superior magistrate or senate or, if it is not enough, to proceed to the king. But if the king himself is negligent, kings would surely not want inferiors subject to them to emend or usurp their courts. Why then do they wish secular judges to usurp to themselves ecclesiastical causes under the pretext of the negligence of ecclesiastical judges? Or why is negligence or iniquity in ecclesiastical judges more feared than in secular ones? Rather indeed, because the contrary is more to presumed and because in a Christian and Catholic republic ecclesiastical prelates are superior to lay judges or magistrates, therefore can prelates, according to the canons, supply the negligence of laymen, but not conversely, as was made clear in the same chapter 13.

6. But hence can we universally collect that a secular judge can never usurp jurisdiction over a cleric under pretext of necessity, as long as some ecclesiastical prelate, whether nearby or far off, can be approached. The reason is general because only necessity gives jurisdiction; but without jurisdiction a court cannot be taken over; therefore neither under pretext of necessity can anything be done against the privilege of forum of clerics. The consequence is plain, because exemption does not cease on the part of the cleric in any case unless the jurisdiction of a layman in the same case is increased. But the antecedent as to the first part is evident of itself, and the proof of the second part is that jurisdiction requires the superior power and will from which it proceeds; for although a man may need rebuke or punishment and a superior is lacking who could coerce him, not for that reason can any private person usurp jurisdiction over him, but at most are those things then licit which were necessary for just and moderate defense, otherwise there could not be peace and justice in human society. Therefore mere necessity as such never gives jurisdiction, and therefore neither does it suffice to excuse violation of immunity. But how it may suffice for just defense we will see below.

There remains only the case put forward in last place, when a cleric is living among pagans or heretics where there are no prelates or judges exercising true ecclesiastical jurisdiction. And in that case one must say, to begin with, that if that state is lasting and very general in some province, there must be consultation with the Pontiff, if it can be done, so as to provide a remedy, because he himself is supreme judge and another who is nearer is there lacking. But if either the case is particular and extraordinary or no place for consulting the Pontiff or for executing his mandates is given, then the case is reduced to terms of natural right or of the right of nations, and therefore it will be licit to use any honorable remedy at all in accord with right reason. Or it can also be said that then a cleric can be summoned before a lay judge by right of defense, because that is then a more pleasing way of defending oneself or of preserving one's right or of recovering or also of consulting the common good.

CUSTOM

7. The third excuse was custom, about which we said many things above, notwithstanding which, the doctors frequently try by this name alone to excuse diverse actions repugnant to exemption that are in use in various places, such as are to punish a cleric for the crime of *lèse majesté*; about which custom Julius Clarus gives witness, and he says that it can excuse through the ch. 'Perpendimus' *De Sentent. Excommunicat.* alleged above. Hence it seems that that custom is reduced to just defense because, since that crime aims at the death of the prince, it seems that by the right of defense a prince can through his ministers or judges kill the traitor. Another custom is wont to be referred to about a cleric who, when giving evidence before a secular judge, is convicted of perjury, so that he can be punished by the same lay judge when he himself is beforehand in knowledge of such crime; which custom is referred to as kept in Gaul by Covarruvias in *Practica* ch.18. n.8.

Another custom is said to exist in Gaul, namely that clerics are summoned in actions of real estate before a secular judge, which is defended by Joannes Garcia *De Nobilit.* gloss 9 n.49, along with Fabrus and others whom he refers to. And similar there is the custom that lay judges take cognizance of certain grave offenses against clerics.

Again, that clerics carrying forbidden arms, or at a forbidden time, may be deprived of them by a civil magistrate, has been received and is defended by custom, as one may see in Covarruvias in the said book *Practicar.* ch.33 near the end and bk.2 *Var.* last chapter at the end, in Julius Clarus above n.26, Salcedo in *Practicar.* ch.55. In Spain too clerical ministers of the king, who are of his council, are wont to be visited, inquired into, and punished for offenses and failings. And in many doubts and controversies between ecclesiastical and lay judges, or in causes in which subjects or vassals complain of being oppressed by prelates or ecclesiastical judges, the royal tribunals give indictments. Now these and many like things that the authors refer to are defended by custom alone, as one may see in Covarruvias above from ch.31 to ch.35, and Navarrus in ch 'Novit' *De Iudiciis Notab.* 3 n.31, and Azor vol.1 bk.5 chs.13 & 14.

8. Nevertheless one must say that this excuse of custom can never be sufficient, if the act is really against ecclesiastical liberty and the custom has been introduced by similar acts. This evidently follows from what was said in chapter 32, and it is thus commonly handed down by all the authors above mentioned. For custom can never derogate from or diminish the privilege of immunity, nor can it give jurisdiction to a layman over a cleric; therefore every act of jurisdiction that a layman exercises over a cleric by mere title of custom is an act done without jurisdiction; therefore it is a violation against ecclesiastical immunity; therefore mere custom never suffices to excuse guilt, or a violation of ecclesiastical liberty. Which reason, on the supposition of the said principle, is a moral demonstration, but the principle, as I think, has been sufficiently demonstrated. Hence all the canon rights, which say that this custom is a corruption and reject it as damnable, openly confirm this assertion as well. For a corruption and a damnable custom is nothing other than a frequency of sinning; but a subsequent sin is not excused because of the frequency of preceding sins, but is somehow increased by them. Wherefore the customs that are alleged are either to be excused by other titles distinct from custom or are simply to be rejected; for, on account of the deeds of men, divine or canon rights are not to be denied or corrupted with false interpretations. And thus the Rota, in decision 804, which is 10 *De Consuetud.*, condemns among the ancients a certain custom which also flourished before the schism in England, namely that a king or his minister were judges of clerics in civil actions, even personal ones, and in criminal actions when the action was being handled in civil court. And the same is certainly also to be said about the Gallican custom that clerics are judged by laymen in actions about real estate, unless it is excused in some other way. And the same must be said about the like things, as is pursued extensively by Azor in the place cited.

Now there are two titles by which similar customs are wont to be excused. One is that the deeds or actions by which they are introduced and afterwards defended are not acts against ecclesiastical liberty, because they are not acts of lay jurisdiction over a cleric, but are acts of just defense either of the republic or of innocents; which defense is not against ecclesiastical liberty. According to which doctrine the action is not really excused because of custom, but rather the custom is excused because of the manner and title of the action, but the custom itself, after it has been introduced and is believed to have been kept by prudent and reverent men, at most indicates, and is an argument, that the actions were not those of usurped jurisdiction, and that accordingly they have become accustomed to be done by way of defense. And in this way this excuse is reduced to the last to be treated of below; and therefore now, on the supposition of that general doctrine,

we only take note that it must be truly and appropriately applied to such matter or action, otherwise, if the matter is not capable of the defense that no violence is being done there, nor any moral danger thereof, it will be a fictive excuse and one only in name not really or in fact; it is necessary, therefore, that a cause and necessity of defense be supposed, and that in the defense itself due moderation be preserved, as will be explained below.

9. And by this title can in some way be excused that custom of taking away forbidden arms from clerics. For certainly if it is to be done by the use of jurisdiction, or some suit of punishment, I do not see how it could be excused, whatever Covarruvias and others may think. Which is in part the opinion of Navarrus *Consil.* 27, otherwise 44 *De Excommunicat.* n.5, insofar as he excuses this sort of deed by the fact that it is ordered toward preventing some offense, and he adds that sometimes it is done by way of agreement and convention between a cleric and the ministers of justice; for clerics are wont to hand over arms lest they be delated or denounced to their superiors and prelates. But if this is how it is, the violation of ecclesiastical liberty ceases, whatever may be true of the injustice or foulness of the agreement. But when arms are taken away only by way of defense, so as to take away occasion for strife or the danger of civil disturbance, then they are not taken away as a punishment; and therefore it does not seem licit, by force of such deed, altogether to despoil a cleric of arms by depriving him of ownership of them, because there appears no just title by which it could be done; therefore they ought only to be taken away on that occasion so as afterwards to be returned, unless the clerics voluntarily consent to giving them up, as has been said.

10. In this way too is a custom wont to be made honorable whereby ministers of secular justice are wont to detain and arrest clerics found in transgression, or whom they with probability presume are going to transgress, so as to present them to their prelates; for in no way can they do it by title of jurisdiction, as is clear from ch. 'Cum non ab Homine' *De Iudiciis*, and ch. 'Si Vero' *De Sentent. Excommun.*, and ch. 'Si Clericus' *De Foro Comp.*, and ch 'Si Clericus' *De Sentent. Excommun.* on 6. Hence by no custom can it be introduced so as in that way to make such a deed licit. But it is wont to be justified by way of defense, because it is very expedient to the republic that offenses be prevented, and this office seems especially committed to ministers of secular justice. And such is the teaching of Panormitanus on ch. 'Ut Famae' *De Sentent. Excommunic.* n.6, and on ch. 'Cum non ab Homine' *De Iudiciis*, where also Decius no.10 and Felinus there and on ch. 'Si Vero' *De Sentent. Excom.* n.2, and Navarrus in the said *Cons.* and in *Sum.* ch.27 n.83 and Julius Clarus, at the said last § q.28 n.6. The tacit will of prelates is also thought there to intervene, which custom can also interpret, and it can there suffice, because a commission of jurisdiction does not there intervene, but only a certain use of a deed whereby a prelate uses a minister of justice for arresting his delinquent subject, which can very well be done by the secular arm. Next, in this way under this species of defense other customs are excused, as excluding a cleric from the court of the king, or even from the kingdom, or other like ones, which it is not our purpose now to examine but the doctors mentioned can be looked at, especially Azor above and Enriquez bk14 *De Irregul.* ch.12 n.6 at letter *P* and following.

11. Another mode of defending this custom is by founding it on pontifical privilege. For there is no doubt but that the Pontiff can concede to some king or kingdom a special privilege derogating in part from the privilege of exemption, about which we will speak below. Therefore on the supposition of this privilege, the acts which are done

from it are honorable, and so also the custom of them is honorable. But in that case the custom does not derogate from immunity but supposes it has been derogated from, and therefore it is not the custom that excuses but the privilege, about which I will immediately speak. Hence I do not approve what Navarrus says in the said *Cons. 27 De Sentent. Excommunic.* n.1, that the immemorial custom of Gaul, that a secular judge can punish a cleric, has the force of privilege, citing Aufredus in *Clementina 1 De Offic. Ordinar.* rule 1 deceit 10. For he insinuates that such custom can introduce a privilege, which in this matter I do not judge to be true, because if the custom is foul and condemned, even if it is immemorial, it cannot introduce a privilege, and therefore since in this matter the custom is condemned, as we said, even though it is immemorial, it cannot by its own force introduce a privilege, as is rightly said by Probus on ch.2 *De Probat.* and as think the other authors above cited. Therefore, in order for the custom to be honorable, the privilege must precede.

12. But one can ask whether immemorial custom is a sufficient sign or witness that it began from a legitimate privilege; for it seems very probable that thus must it be presumed, because an immemorial custom is presumed honorable, as many jurists have handed down, because since it cannot be proved evil it is presumed good. Nevertheless I think that a mere and naked custom, even an immemorial one, does not suffice in this matter to prove a privilege. Both because that rule does not proceed of a custom condemned by law, as Rochus Curtius and others have handed on when treating of custom; and also because this privilege is very hateful and difficult and is rarely conceded, and therefore, unless it be legitimately proved, it is not presumed; therefore mere use, however ancient, since it consists in a fact, does not sufficiently prove a right or privilege. But I am speaking about a naked and pure privilege, because if there be conjoined with it a constant reputation and a tradition equally ancient or immemorial that a privilege has preceded, and such tradition is completely proved, it seems sufficient for such a custom to be reckoned as a privilege.

13. But in such a case one must add that, notwithstanding the tradition and proof, such a custom can be revoked by the Pontiff. Both because the custom does not receive strength from prescription but from privilege, but a privilege given by a superior can always be revoked, especially for a just cause. And also because, although some prescription be admitted there, it cannot stand in the way of the Pontiff being able to revoke a jurisdiction received through the privilege and as it were prescribed by that custom, because the jurisdiction is always as it were delegated by the Pontiff, and consequently it depends on his will. Again, because no one can prescribe against the Pope in things that pertain to his supreme power. For as Innocent rightly said on ch.2 'De Postulatione Praelator' n.2: "because the Pope can do everything in his spiritual power and has the fullness of power, no one can ask for a possession that may be prejudicial to him, since he has it from the Lord alone." And the same is taught by the Gloss on ch. 'Cum Nobis' *De Praescript.* where Panormitanus nn.1 & 12 very much commends it, and on ch. 'Si Diligenti' at the same title n.11. But the Pontiff by force of his spiritual power, which he has received from Christ, can either preserve the exemption of clerics or restore it if it has been in any part diminished, and therefore he can always revoke any custom contrary to it at all, however it was introduced, because that power, which was conceded by the Lord, can be diminished by no custom, nor can the Pontiff himself remove it from himself.

MUTUAL AGREEMENT

14. The fourth excuse was mutual agreement or pact. For lay judges are wont to defend some of their actions against immunity by title of some ancient agreement transacted between kings and prelates or clergy, whereby it was conceded to secular judges to be able in such causes or occasions to exercise their jurisdiction about ecclesiastical matter. And I see this title often mentioned in this kingdom [of England], and we know that in the kingdom of Gaul similar concordats were made at the time of Leo X and Francis I, which are outlined by Rebuffe; and in the kingdom of Spain and in others we know that they are desired for avoiding the disturbances that are wont to arise between secular and ecclesiastical judges.

15. Now about this excuse one must note in the first place that whenever this sort of agreement is made between bishops, even gathered together in a provincial or national council, and kings or senates, it can do nothing against the privilege of immunity unless it has been made or confirmed by the authority of the Pontiff. Thus did Rebuffe note in *Concordat*. title 'De Approbat. Conventor.' at the word 'firmitatem'. But the reason is manifest from what was said above, that the consent of bishops is not sufficient for dispensing or conceding a privilege whereby the exemption of clerics is lessened; because an inferior cannot dispense nor concede a privilege in the right of a superior, especially when it is so serious and so difficult and rarely has dispensation, as we showed above about this privilege; therefore the consent of prelates can only operate by way of a renunciation whereby they cede their right in some respect; but yet such a renunciation made by their own authority is not valid, as was also above proved; therefore neither can that agreement be valid which has even with an inferior cleric been made by the sole authority of prelates.

Nor does it matter that it does not seem to be a simple renunciation but is as it were an exchange made by way of transaction. Both because by that transaction is never supplied in the exemption itself a diminution that happens in some part of its matter, nor is some new right conceded to the ecclesiastical state, but it is ordinarily wont to be made by ecclesiastics to escape vexation or avoid greater evil, so that seculars, being content with that part, may not usurp a greater. Which certainly ought not to be done against the common good; but if it is done, whether with guilt out of human fear or without guilt because of need to avoid greater evil, it will rather be a sort of toleration or permission than an agreement, even if perhaps it be called by this name; and therefore it does not render secular judges safe in conscience until the consent of the Pontiff, legitimately informed, accedes to it. And also because, although we imagine that some right or advantage is bestowed on the clergy by secular princes, so that they might cede their right in some part of the exemption, even in this way a private prelate or a particular clergy cannot in anything renounce the exemption, as if by alienating a part of it by way of exchange; and because this too is against the common good of the clerical state, in whose favor exemption was introduced; and also because it is a certain alienation of ecclesiastical jurisdiction, which is rightly counted among ecclesiastical goods, and therefore it is rightly included under the prohibition of alienating ecclesiastical goods.

16. But when the consent of the Supreme Pontiff accedes, there is no doubt but that such an agreement is valid and that consequently it introduces a sufficient excuse.

But one must consider that this approval of the Pope has the force of a certain privilege, as was noted in a similar case by Rebuffe in *Concordatis* title 'De Approbatione Conventor.' at the word 'privilegiis'; and it is *per se* manifest that, even if it be done by way of contract, it is a special favor, permanent and stable, along with a certain derogation from common right. Wherefore this excuse is reduced to the following one about privilege; hence, just as we shall say there that a privilege can be revoked by the Pontiff, so must it be said about any similar agreement confirmed by the same. For although, after the confirmation, prelates cannot withdraw from the agreement by their own authority, at any rate against the will of the secular princes, nevertheless the Pontiff can always revoke the agreement, because, as I said, that confirmation was as it were the concession of a certain privilege, which I will show below can always be revoked.

17. But against this can Rebuffe be alleged in *Concordatis* title 'De Collationibus', who in the preface proposes a question, in § 'Insuper': "I ask whether the second party is able to derogate from these concordats." And he replies that it cannot, and he is speaking about concordats between a king and the Pope. And although he multiplies many arguments, one however is the foundation, namely that the agreement passes over into a contract, but a contract obliges the parties, even if they be supreme princes. But, to begin with, the case that we are concerned with seems to be diverse, because when an agreement is made between bishops or the clergy of a kingdom and the king, they alone are the contracting parties, but the Pontiff, by confirming the pact, only conducts himself as a supreme steward, conceding a favor and grace to each contracting party as to those subject to himself and inferior, and therefore he can revoke it. But because one can instance that the Pope in that case is conjoined with the clergy as its head in completing the consent, and that therefore he too can be considered as a contracting party, for that reason we add that the solution of Rebuffe needs some clarification or limitation. For on the part of the king it is simply true that he cannot withdraw from concordats with the Pope, both because of the said reason of the contract, and also because if some privilege or favor on the part of the king there intercedes, it is conceded by a subject to his superior, and therefore it is irrevocable.

However, on the part of the Pontiff there is need for a distinction, because by no contract can the Pontiff remove from himself the supreme spiritual power which he has as steward of the things that pertain to the fitting governance of the Church; and therefore although he cannot without cause withdraw from concordats, if however, when things have later changed or are better seen, he has understood that the concordat is harmful and not fitting to the Church, he can, by revoking it, withdraw from it, compensating the other party for the loss if that party have perhaps suffered any by reason of the preceding pact. For thus can a temporal king revoke a privilege conceded to his subject, even if it has passed over into the force of a pact, provided it is expedient for the common good of the kingdom, and he restores or recompenses to the subject what the latter had from his side brought along to the preceding pact, as is more fully handed on in the matter *De Privilegiis*. Which general doctrine, by a special reason, has place in this matter of exemption, both because, as I was saying, whatever is remitted in it on the part of the Church is ordinarily conceded freely without compensation; and especially because in this exemption the good of the clerical state is more to be attended to than any convention made with a temporal prince; because it must always have the condition tacitly included, "provided it not cede to the prejudice or annoyance or contempt of the clerical state, or at

any time follow from the agreement.” Therefore, when a like cause intervenes, it can be revoked, but without that it cannot be, at least licitly; if however it is done, I think that the fact holds because of the supreme spiritual power of the Pope, which cannot be diminished in him, as I will immediately say about privilege.

18. Now it is necessary to note that all these things have been said when by the agreement some jurisdiction over clerics is conceded to laymen contrary to clerical privilege. For if jurisdiction is not conceded but only some execution or ministry of fact, there is nothing repugnant in an agreement being made between a prelate and a secular judge that the latter can, as an instrument or minister of the bishop, carry out certain acts with respect to clerics which are judged fitting to impede sins or public disturbances, and which can be done without impropriety to the clerical state, as are to seize arms from clerics carrying them about at night, or to arrest a cleric found in a grave transgression, and the like. This is supposed by all the authors above mentioned when they approve customs of this sort, which are by this pact, at least implicitly, made very honorable. It is also taken from the rights that declare that there is a power in bishops to use in this way the aid of the secular arm, ch. ‘Si Vero’ *De Sentent. Excom.*, with the others above mentioned. For it is not necessary that bishops always do it by special mandate. For why will they not be able also to do it by some general commission or agreement, insofar as the necessity of their diocese will demand according to their prudent judgment? But it must be understood that this sort of license or agreement always ought to depend on the judgment of the prelates of the Church; for they cannot bestow any right in this respect on secular judges but can only use them as instruments, but an instrument always depends on the motion of the principal agent. And therefore it is always sound for prelates to prohibit secular judges from carrying out such actions, notwithstanding any license or pretended agreement whatever, even one confirmed by custom; for thus is it expedient for the good governance of the clerical state, and the opposite would derogate much from the exemption of clerics.

Lastly can be reduced to this head some acts of jurisdiction that secular princes sometimes carry out in respect of ecclesiastics, not as they are ecclesiastics, but as they are feudatory or civil ministers of such princes. Thus did we say above that feudal causes ought to be dealt with before the lord of the fief, even if they are moved about ecclesiastical goods and against clerics. Thus too did Cardinal Bellarmine against Barclay ch.35 defend the deed of the Emperor Charles V, who summoned Herman, the bishop of Cologne, to his tribunal. Which deed Barclay was bringing in as objection; but the Cardinal replies that it was indeed true, but he summoned him as a prince of the empire. Thus too are kings wont to visit their ministers and advisers, even if they are clerics, and to punish them with temporal pecuniary penalties or with deposition from secular office and other like things not unfitting to clerics. Which custom is defended by Aufrelius in *Clementina* ‘Pastoralis’ *De Officio Ordinarii* rule 1 de c. 27 & 28, and by Chasseneus in *Consuetudines Burgundiae* at the word ‘iustitiae’. But it seems to be principally founded on this, that clerics are not then being considered except in a merely civil respect, and above all because under that condition and pact they are accepted into those royal ministries and offices, which pact seems to be neither against ecclesiastical exemption nor against the propriety of the ecclesiastical state or good morals, and thus is it in common use received and approved.

PRIVILEGE

19. The fifth excuse was privilege, about which there is in the right, so to say, no difficulty, but in the fact a very great one. For two things that pertain to right are certain; one is that this privilege can be conceded at least by the Supreme Pontiff, as was proved above and is sufficiently clear from use. The second is that this privilege can be revoked by the Pontiff; and that accordingly, in order for a privilege to favor legitimate excuse, it is not enough that it be once conceded and obtained, but it is necessary that it continue unrevoked. And this too is clear from the use of the Pontiffs; for frequently they revoke these sorts of privileges with the words: "Notwithstanding privileges of any kind," as is clear from ch. 'Clericis' last § *De Immunitat. Ecclesiar.* on 6, where it is noted by the Gloss, and from ch. 'Quia Saepe' *De Election.* on 6, along with similar ones, and each year such a revocation is made in the Bull *Coenae Domini*. The reason indeed is that a conceded privilege can be revoked at short notice by the same superior or his successor, as was proved in bk.8 *De Legibus* along with common opinion. But this privilege is of that sort, even if it be conceded to an emperor or kings, because it is given by the Pope who is superior to them, and therefore he can always revoke it.

In which fact one must consider that the Pope, when he concedes this privilege, for example, to the emperor, not only remits something from the privilege which he had perhaps received from the emperor himself, or commits to him some part of the direct temporal jurisdiction which the emperor himself had previously given to the Church, but also takes away in part the privilege conceded to himself by Christ, and derogates from canon right and makes a dispensation in it by his spiritual power. Because, therefore, this power always remains intact in the Pontiff (because he cannot by any privilege remove supreme jurisdiction from himself, as with Aretinus, Baldus, and others is rightly noted by Felinus on ch. 'Novit.' *De Iudiciis* n.8); therefore the Pope can always revoke his own privilege, by prohibiting to a secular prince the use of temporal power in respect of a cleric, or by returning divine and canon right to its intact state, removing the dispensation. Nay the direct temporal jurisdiction, which he had by his own privilege committed to a secular prince, he can take away from him and recall to himself or retain in himself alone. Because it is very likely that he did not remove it from himself but, as it were, delegated and committed it always dependently on his own will, because more is not necessary for the end of a privilege, nor can more be collected from his words. Now this privilege, because it lessens immunity, is odious and therefore it is to be restricted, so that it be understood to have been conceded in a way that it may least prejudice immunity, and therefore it is always revocable, both through the spiritual power by which the Pontiff can exempt clerics, and through the supreme civil power that the Pontiff now has over the persons and goods of clerics, which he never removes from himself even if he concede such privileges.

20. The difficulty, however, is whether in fact any privileges of this sort are intact, or whether rather all that were of any kind conceded have now been revoked, and so such excuse, although it could be just as a possibility, has no place in fact. The reason for doubt is taken from the Bull *Coenae Domini* (for in other ancient rights or bulls no general revocation is found), for in clause 19, after the prohibited actions against immunity, there are added in the Bull of Gregory XIII these words: "Even by pretext of any privileges whatever conceded by the Apostolic See for any causes whatever, and

under any tenor or forms whatever, in general or in particular, to any kings whatever,...which we do not wish to be of favor to them in anything, by declaring all of these privileges from now on invalid.” By which words all privileges are plainly revoked, and the revocation is increased with so many added phrases that it seems to embrace all privileges, and all modes or kinds of them, and every matter, and every form, and any persons whatever. And although in later bulls up to the most recent one those words have been changed, nevertheless they seem to report the same sense; for after the prohibition there is added under censure this sole limitation: “Without the special, specific, and express license of this holy Apostolic See.” Which exception extends the prohibition to all other cases, notwithstanding any other privileges whatever, for a present and particular license in a specific case is not properly a privilege, but rather a certain dispensation, which differs from a privilege, as I said in the book *De Privilegiis*. Hence Navarrus in *Summa* ch.27 n.72, reporting the words of each bull, frankly confesses that all privileges have there been revoked; but he is in doubt whether there could be exception for privileges that are remunerative, or that have been established by immemorial custom, and he is followed by Salzedo in his scholia on the *Practica Criminalis* of Bernard Diaz ch.55 § ‘Apud Gallos’, about which exception I will immediately speak.

21. Nevertheless many others, not only ancient but also modern, use this excuse of privilege to defend the customs of certain kingdoms. As is affirmed of Spain by Bañez 2.2 q.67 a.1 dub.2 concl.6, and by Menochius *De Retinend. Possess.* remed.3 n.354, and of Gaul by Aufrerius in *Clementina* 1 *De Offic. Ordinarii* limitat.13, and by Julius Clarus bk.5 last § q.6 n.16, and of the Republic of Venice by Gigas, in his tractate on the crime of *lèse majesté*, about that crime in particular. But it is difficult to bring forward a solid foundation for this opinion, or to explain the words of revocation in a probable way so that the aforesaid effect not follow in all privileges about that matter. But perhaps those authors judged such privileges to be remunerative or established by immemorial custom, which even Navarrus excepts. But in truth by those words (especially as they are contained in the Bull of Gregory XIII) exception is wrongly made of privileges that are in ancient use, even immemorial use, because, as I said above, custom in this matter does not add firmness to a privilege, since in force of custom it introduces no right, and therefore immemorial privilege has nothing special and proper by reason of which it not be included under the general revocation and appellation of privileges. But what is said also of remunerative privilege is not sufficient, both because it is said without proof that all such privileges are remunerative, and also because they can be revoked, as I said above, and they seem to be sufficiently included under the words: “conceded...for any causes whatever, and under any tenor or forms whatever.”

Wherefore it seems very probable to me that by the force of those words privileges in regard to criminal causes have been revoked; for only about them is there discussion in that clause, and therefore in other matter pertaining to the immunity of clerics the excuse of privilege could have a place, when there will be sufficient evidence about it. But in criminal causes, and especially in capital ones (for thus does Gregory XIII expressly speak in his bull), the privileges seem, as I said, to have been revoked. But because Sixtus V and later Pontiffs did not expressly lay down that revocation, and because it is likely that not without cause did they change the words, therefore I do not dare to condemn the use of such privileges but I remit this to the Apostolic See. For Cardinal Bellarmine too, in ch.35 against Barclay, when the latter says that there are in

Gaul certain grave offenses that are called privileges, he himself replies that they are called privileged for this reason, that they were by privilege of the Apostolic See granted to the kings of the French so that they might take cognizance of these offenses. By which words it seem that he does not reject the excuse, just as it is not rejected by Julius Clarus and Aufrerius and those whom he alleges.

JUST DEFENSE

22. The sixth and last excuse is just defense of the kingdom or of the innocent, or defense proper, and this is very much in use in royal tribunals; because, considered *per se* and in general, it has a certain considerable appearance of that natural equity whereby “it is licit to repel force with force.” For defense is of its kind licit for everyone if it be necessary and is done in due manner; hence even against the Pope it is licit for kings or the Church, as was noted in the third book with Cajetan in his opusculum *De Potest. Papae* ch.27. And the same is noted in this matter of exemption by Vittoria *Reject.1* ‘De Potest. Ecclesiae’ n.8 or prop.8, by Covarruvias and many other modern writers, particularly Spanish and French, among whom can be seen Didacus Perez on law 5 tit.1 bk.2 *Ordinamenti*, and Didacus Castillo on law 49 *Taur.* n.3, and Matthew *De Afflict. In Decisionib. Neapolitan.* decisions 2, 24, 85, & 363. And from among the ancients Decius on law ‘Vim’ and following *De Iustit. et Iur.* n.25, and Platea on law ‘Prohibitum’ *Code. De Iure Fisci* bk.10. Now the foundation is that the principle, “it is licit to repel force with force,” is of primeval natural right, on the evidence of Isidore in bk.5 *Etymologiar.* ch.4, and it is referred to in ch. ‘Ius Naturae’ dist.1, and is confirmed by St. Thomas *ST* IIa IIae q.96 a.4. And thus is it used by other canon rights in ch. ‘Significasti’ 2 ‘De Homicid.’, in ch. ‘Si Vero’ 1 *De Sent. Ecomm.*; so it is also licit for laymen to use that defense against clerics.

Now in this matter this use seems to be especially necessary; because unless this defense is sometimes used, innocent people may rather often be very gravely oppressed by their immediate judges or ecclesiastical prelates; because either they cannot at all, or not without great cost, have recourse to superior prelates, and in particular to the far distant Roman Curia. Covarruvias also adds that a sign of this necessity is that almost all Catholic kingdoms use this defense, because they see that without it they cannot defend their own innocent people, although however this does pertain to their preservation and consequently to their office. For just as each man has the right of repelling force with force, not only when it is done against his own body but also if it be done against any member, so the republic too has power to repulse force against any of its members. But the republic has transferred its power and care to the king; and therefore this defense is especially commended to kings, on the witness of Jerome on *Jeremiah* 22, and of Isidore bk.3 *Sententiar.* Ch.53, and they are contained in ch. ‘Regum’ and ch. ‘Principes’ 23 q.5, and of Augustine epist.50, and it is contained in ch. ‘Maximianus’ 23 q.3. The same is also handed on by the 1st Council of Paris under Louis p.2 chs.2 & 3. But a king uses that power through royal tribunals and other ministers. Therefore this excuse is just, because the action is both done by legitimate power and it is not against exemption, because it is not an act of jurisdiction or of a superior, but of a defender; now no one is exempt from defense.

But although this defense has, as I said, this appearance of natural equity, nevertheless to apply it in practice and to excuse most of what is done by secular judges is certainly very difficult. Now, to explain the point of difficulty, I suppose that the discussion is about a defense which is done, not by title or power of jurisdiction in respect of the aggressor, but which is done by one's own authority or strength or power, on the supposition of a just title of dominion or administration over the thing that is being defended lest it be by violence taken away. Because since a secular judge does not have jurisdiction over a cleric, he cannot, on account of defense, use jurisdiction over him; therefore only in the fact can he defend himself or others against a cleric. Wherein can be noted a difference between an ecclesiastical prelate and a civil magistrate; for if a magistrate brings force to bear on a prelate, the prelate can defend himself through the power of spiritual jurisdiction, wherein he is always the superior in giving command, in prohibiting, and in excommunicating; nay, this mode of defense is to him more proper, because he does not *per se* use the material sword, although he can sometimes though laymen have the help of it, as far as is necessary or opportune. But a lay judge cannot defend himself from force directed by a cleric by exercising jurisdiction over him, because he does not have it; the defense then must be one of fact, such as can be done by a private person if he is attacked, even as far as killing the aggressor if it be necessary.

23. Next, for this excuse to be in place, there is need for those two common conditions required for licit use of the principle: "it is licit to repel force with force." One is that actual force be being brought to bear by the other party, for this very thing is, to begin with, supposed in those words. Hence in the present case it is necessary that the force be clear and manifest, because the quarrel is between a subject and a superior about whom the subject is wont to complain that he is inflicting force on him, and so it is necessary that it be clear and manifest; for if the thing is doubtful, the presumption must always be in favor of the superior; and therefore in that case no lay power can use force against an ecclesiastical judge or prelate to defend its own subject, because it would inflict unjust force on the prelate, depriving him of his right which he has in a case of doubt. Nor will it be enough that the secular power is being led by probable judgment or suspicion, unless it know certainly that there is no contrary probable opinion in accord with which an ecclesiastical prelate could in practice be justly giving command or bringing some compulsion to bear on his subject; because if he is in truth so proceeding, he is in practice not using force, for the thing is only speculatively doubtful. The other condition is that the defense be with a moderated protection, as the rights and all the doctors declare, as I have elsewhere declared more extensively. Therefore it concerns this condition that defense by a lay power be necessary; for if he who is complaining about his prelate, or about some other ecclesiastical person before a law power, could without grave disadvantage or danger of equal or greater harm demand defense from a superior ecclesiastical prelate, assuredly he is not guiltlessly defending himself from a cleric through a layman, nor is the layman himself justly introducing himself, nor is he guiltlessly using his defensive power, because he is without reason and just title usurping the right and office of another. And thus do the canons not permit aid to be asked of the secular power against the insolent behavior of clerics, except where a remedy cannot be applied by superior clerics or is being neglected by them. So does Pope Gelasius clearly teach in ch. 'Quo Ausu', and the Council of Antioch in ch. 'Si Quis Episcopus' 23 q.3, and the 9th Council of Toledo in ch. 'Filiis' 16 q.7. But, with necessity presupposed, there

also pertains to this condition that the actions themselves, by which the defense is done, not exceed the manner that is due and moderated by prudent judgment.

24, From these principles, then, there arises, as I was saying, not a small difficulty in the just application of this excuse to the cases that occur in this matter. First, indeed, because this power, which laymen usurp over ecclesiastical persons or causes, is almost always by use of jurisdiction, because they say it is by exercising the actions of jurisdiction that they are defending him who is suffering the violence. For this defense is more frequently done by transferring the causes of clerics or ecclesiastical causes to the royal tribunals, and there examination and judgment are made whether the ecclesiastical judge is using violence or not. But secular judges do this by summoning the cause to themselves, and by prescribing that the acts of the cause along with the process formed in the ecclesiastical tribunal be brought to themselves, and by afterwards judicially examining the cause and ultimately by pronouncing sentence about an appeal unjustly denied, or a censure badly imposed, or some other similar force unjustly inflicted; but all these are acts of jurisdiction. The authors who defend this custom reply that then the secular judge is not proceeding judicially but extra-judicially. But they certainly seem to be playing with words. For what is it to proceed judicially except, having summoned the cause, to examine it publicly and pass sentence about it with authority? But this the secular judge is doing in the article in which he says he is providing defense. Others reply that it is not unfitting that he use jurisdiction only in the article which he assumes for judgment, provided he not judge about the principal cause that is the basis of the controversy. But this too contributes nothing to the excuse; for it is enough that that article too pertain to ecclesiastical matter, and that an ecclesiastical person is in that article brought to a secular court as defendant. Therefore in all cases of this sort the first condition necessary for defense is not being kept.

Hence the other is lacking too, because certain and manifest violence is not there first. And hence it happens that, under the name of defense, actions are without sufficient cause or occasion being usurped that truly do not pertain to defense, so to say, of fact, but to juridical defense, which a legitimate judge can provide by using his jurisdiction. Hence further is brought about that the defense cannot be said to be with a moderated protection, nor can it be founded on that natural principle alone "it is licit to repel force with force;" both because it is not done by a licit action but by usurped jurisdiction, as has been shown; and also because it is done before it is certainly clear that force is being inflicted on an innocent person. Which is manifest from the fact itself, because the secular judge applies his effort to this very thing and interposes himself to examine juridically whether force is happening or not; therefore it does not suppose certain and evident violence; therefore there is supposed no such state of cause or injury wherein force could justly be repelled by force through sole defense of fact. Which reason has place whenever juridical cognizance is taken of the justice or injustice of some deed of an ecclesiastical judge or of some cleric or other. There is also a declaration from the contrary; for if a layman complains of his own secular judge, that he is using force against him by denying an appeal or something similar, the secular judge will not patiently put up with an ecclesiastical judge introducing himself and interposing his own authority by demanding under precept or censure the acts of the cause so as to examine and judge whether the secular judge is using force or not. Nor will secular judges call it defense in the ecclesiastical court but usurpation of their jurisdiction; therefore by the same right secular

judges themselves ought in respect of ecclesiastics to be censured, or indeed more censured. Because an ecclesiastical judge has a greater power above a lay judge than vice versa, as has often been said, because an ecclesiastical prelate can judge of the sins of all his sheep according to ch. 'Novit.' *De Iudiciis* and ch. 'Ex Tenore' *De Foro Compet.* and ch. 'Si Quis de Potentibus' 24 q.3. And likewise a greater duty of defending the innocent is incumbent on ecclesiastical prelates than on secular magistrates, as is noted by the Gloss on ch. 'Regum' 23 q.5, and it can be taken from many decrees, 87 dist.

23. Wherefore it seems difficult to admit this mode of defense, or to approve it as just by force of the natural law alone whereby it is licit to repel force with force, whenever there is not supposed an evident and manifest violence needing by that very fact, not by examining or vindicating right, to be prevented. For these two in this matter are very much to be distinguished lest jurisdiction be usurped in place of defense. These too will also easily be able to be distinguished by this example; for if the king of Gaul see manifest force and injury done to an innocent person by the subject of another king, for example of England, who is engaging in aggression against his innocent subject to kill him, he can by that fact resist and defend the innocent person by repelling force with force. But if the force is not manifest and evident, nor is being done by a violent external action, but the subject of the other king is complaining that it is being done to him in court, and there is need of a judicial examination to take cognizance of the violence, the king of Gaul certainly cannot, under the show of defense and by force of the principle "it is licit to repel force with force" demand the acts of the cause so that he may be able to take cognizance of the quarrel and judge it; as is *per se* manifest both from the use and common right of nations, and also because, if the contrary were permitted, it would be a seed bed of many disturbances and disagreements. It is sign, therefore, that this latter is not defense, nor is it licit by force of natural right to him who does not have jurisdiction.

26. Hence, therefore, some authors, seeing perhaps that it is not a legitimate excuse for all the like causes or actions, have added that secular judges are excused when they do the like things because this is conceded to them by canon right, and therefore they are not proceeding without due jurisdiction. Hence in the Bull *Coenae*, when judges doing similar actions are condemned, it is added: "Except in cases conceded in right." So thinks Covarruvias in *Pract.* ch.35 n.4 § 'Caeterum in hac Regia,' where he refers to other authors. The same does Navarrus in ch. 'Cum Contingat' *De Rescrip. Remed.* 1 § 'Secundo Infertur,' Rebuffe in his *Commentaria ad Constitution. Gallic.* vol.3 tit. 'De Appellationibus tamquam de Abusu' n.14 and in *Concordat.* last title 'De Protectione Concordator,' Azebedo in bk.1 *Nova Recopilat. Legum Hispaniae* tit.6, 1, 2. But that canon right has bestowed this power on secular princes or their magistrates is collected by the said authors from ch. 'Filiis et Nepotibus' 16 q.7, because therein is said: "If the metropolitan do such things, let him not delay to make them known to the ears of the king." And in like manner they allege ch. 'Principes' and ch. 'Regum', ch. 'Administratores' 23 q.5, and ch. 'Christianis', and ch. 'Petimus' 11 q.1. Again ch. 'Quidam Monachi', and ch. 'Probinum' 16 q.1, and ch. 'Non Licuit' dist.17, and ch. 'Maximinianus' 23 q.3, and ch. 'Boni Principis' 96 dist.

27. Now about this opinion there seem to me two things needing to be said, one is that the opinion has no foundation in canon right. For all the rights that are adduced are of ancient right, and therefore although something of the like was conceded in them, it has been revoked by the newer rights of decretals and bulls of the Pontiffs. For thus to ch.

‘Filiis et Nepotibus’ does Panormitanus reply on ch. ‘Qualiter et Quando’ *De Iudiciis*, where the Gloss too thinks the same, and the same is contained in Stephanus Aufrerius in tractate *De Potest. Saecularium in Ecclesiastic.* and in Azor vol.1 bk.5 ch.4 q.2 at the end. However I do not think it necessary to recur to the revocation of the ancient canons, because in none of those that are alleged is there discussion about a power of jurisdiction over ecclesiastical things or persons that is being bestowed on laymen. And especially in ch. ‘Filiis’ it is only said that the patron of a church, if he see the goods of the Church being defrauded by inferior clerics, he is to warn the bishop; if by the bishop himself he is to warn the metropolitan; if by the metropolitan, “let him not delay to make them known to the ears of the king,” which should not be understood as that the king is to use jurisdiction over the metropolitan, but that he is to warn him by his own authority, or if it is not enough, he is, after having implored the Pontiff, to restrain him by the latter’s authority; meanwhile, however, in fact and by power he is to prevent the Church from suffering any injury or loss in its goods. Which sense is also in conformity with the intention of the 9th Council of Toledo, from which that chapter comes, as is indicated by the words: “Or let them curb with honorable assembly of admonition,” which although they be said about the patrons themselves, nevertheless they can be accommodated to the king insofar as they indicate that the mind of the Council was that each person there named is to apply a remedy according to the mode fitted to his status and condition. For if the Council had wished to bestow on the king a new jurisdiction over the metropolitan, it should certainly have done it with clearer words. Again, otherwise the king could in that case summon the metropolitan to court, put him in prison and punish him, which is incredible. Nay, I judge that it could not be done by the authority of a provincial Council alone without the approval of the Pontiff. Next the Council, although it did not make anything else clear, is to be understood to have spoken according to the rules of right; but the rule of right, even the more ancient right, for that Council is that he who has sought judgment from the emperor, “is to be deprived of his proper honor; but if he has required an Episcopal court from the emperor, let nothing stand in its way.” From the Council of Milevis ch.19, ch. ‘Placuit’ 11 first question. And this sense also did not displease Panormitanus, and it is insinuated too in a marginal note that is contained in the *Gregorian Code*, and it is taken from Archidiaconus.

According also to this sense the other alleged rights are very easily and altogether truly understood; for in none of them is the discussion about jurisdiction, nor about an act that requires it, but about defense, protection, or aid, which even secular princes owe to the Church, and ecclesiastical prelates can exact it of them. Thus Isidore on the said ch. ‘Principes’ said that they themselves will give account to God for the Church which they are receiving from Christ “to protect;” Jerome indeed in the said ch. ‘Regum’ says two things about kings, namely, that their office is to do judgment and justice and free those oppressed by force from the hand of calumniators, and to provide help to the poor, who are more easily oppressed by the powerful, where he says nothing in particular about clerics. Hence the first part is to be understood as in his own forum and with respect to his subjects, but under the second clerics can in a legitimate sense be included. Now Pope John in the said ch. ‘Administratores’ only admonishes secular magistrates to obey ecclesiastical prelates who admonish them to watch over the “guarding” of churches, the “protection” of orphans and widows, and the restraint of the rapacious. But Pope Gelasius in ch. ‘Christianis’ says rather that “the heavenly soldier,” that is, the cleric, “ought not to

follow a forum save his own,” on the occasion of certain clerics who were being oppressed by royal power and being reduced to servitude. And therefore at once in the following chapter he delegates the cause to two ecclesiastical persons, but commends to a certain Count, “that if their adversaries despise to come to the delegates’ court, let them be surrounded by the protection of your sublimity lest either deceit or the violence of necessity, the enemy of law, impose anything on them.” Where the secular arm is implored for resisting another layman, not for judging a cleric.

And this very thing is confirmed by the 3rd Council of Carthage in the said ch. ‘Petimus’, and it extends it to seeking aid from the secular arm for resisting an intruded prelate and tyrant, which it moderates with these words and declares: “With the form of discipline preserved, he will not be reckoned attacked if, cited modestly by your charity, he refuse to withdraw, since he was, at the doing of his own stubbornness, cited even by judicial authority,” that is, secular authority. Likewise the Council of Chalcedon in the said ch. ‘Quidam Monachi’ says that monks are to be compelled by the secular arm (that is when implored by an ecclesiastic) to leave the curia. And the same is done by Pope Gelasius in the said ch. ‘Probinum’, and in the said ch. ‘Non Licuit,’ and likewise Augustine, in the said ch. ‘Maximianus’, only says that it is laudable in a bishop to seek help from the emperor against the enemies of the Church. Lastly Pope Marcellus in the said ch. ‘Boni Principis’, which does pertain to the matter, only says that “it is the part of a good prince to honor and guard the priest of God;” but to guard is not to judge, and much less to honor is, nay rather it is against the honor of priests that they be judged by laymen. It is evident, therefore that in those rights nothing of jurisdiction is attributed to laymen over ecclesiastics.

28. Hence I further conclude that the aforesaid excuse is not likely, namely that these things are done by laymen with license or jurisdiction conceded to them by common right. The proof is that the ancient rights do not concede it, as I have proved, for no others are referred to; but the newer rights not only do not concede it but altogether prohibit it, as ch. ‘Qualiter et Quando’ *De Iudiciis* with similar ones; but most convincing about this are the words of the Lateran Council under Leo X sess.9 on the reformation of the Curia: “Since by right both divine and human no power over ecclesiastical person has been attributed to laymen, we renew all the constitutions, etc.” Hence the Council of Trent sess.25 ch.3 says it is “impious for any secular magistrate to prohibit an ecclesiastical judge from excommunicating someone, or to command that he revoke an excommunication already passed etc.” And it gives this reason: “Since this cognizance pertains not to seculars but to ecclesiastics.” But of this sort are all the actions of which we are treating, over which the Council plainly hands down that secular judges have no jurisdiction.

Next there is the manifest reason that secular judges wish through the same actions to remove this force (as they themselves say) even in matters spiritual, but in those matters spiritual jurisdiction is necessary, which by no divine or natural right agrees with laymen, and by canon right such jurisdiction was always from the beginning denied to laymen, as was proved above, and as is clear from the decrees dist.96. And although the Pope could of his absolute power delegate it to them, he does not ordinarily do it; therefore it is not likely that by common right has been given to seculars the whole ecclesiastical jurisdiction that is necessary for making honorable all the actions that they themselves usurp. Nay thence also is concluded that no jurisdiction at all is

communicated, both because there is the same reason for the whole as for the individual parts, and also because, if one rightly considers, the cause that those judges summon to themselves, and about which they wish to take cognizance, is always ecclesiastical, namely a sentence passed by an ecclesiastical judge, or something similar.

29. Wherefore other authors, who think with the preceding ones that jurisdiction flowing from an ecclesiastical prelate is necessary for such actions to be justly done, have recourse to apostolic privilege, and they affirm that in Catholic kingdoms, wherein these actions are in practice tolerated, a privilege has been by the Pontiffs conceded for just reason, especially for repressing the vicars of bishops from acts of insolence (as Bañez, immediately to be cited, says), and so that the poor and the less powerful, who more often suffer this violence, can more easily or without great expense have some remedy. And thus about the kingdom of Gaul does Menochius testify about *Retinend. Possess. remed.* 3 n.354, and it is often pointed to by Rebuffe in the places mentioned, and the same is affirmed about the kingdom of Spain by Dominicus Bañez 2.2 q.67 a.1 dub.2 conclus.6 And in this kingdom, we know, many like things are done and under pretext of similar privilege defended, whether by reason of some agreement approved by the Pontiff or of one conceded by him, until by the Apostolic See something else is ordained, which is the same. And in truth I do not find any other way whereby similar actions could be excused from the violation of exemption. But because this excuse depends on fact – that is, whether such privileges have been in truth conceded to these kingdoms or to their princes, and, whether they continue in force, they were truly perpetual, about which circumstances there is for me no certainty – therefore neither can I approve nor condemn deeds of this sort, but I remit the thing to the Apostolic See. And I only assert that in order for civil princes or magistrates to be able in all conscience to exercise this kind of jurisdiction, it is necessary that they have about the privilege, which is the foundation of it, sufficient and sufficiently probable notice, and that the privilege not have been revoked by the Pontiffs; but with this notice supposed, I judge that the rest of what pertains to this matter can be defined sufficiently from the principles laid down.

Sum of the whole of the preceding book.

30. Although in this work I have assumed rather the cause and defense of the Catholic faith than the function of instructing morals, nevertheless in this fourth book I have thought it necessary to fulfill, according to my strength, each office. Both so that our labor can be more of use to Catholics, to whom we are most of all debtors; and also so that not only by refuting the errors of heretics and by solving arguments, but also by explaining the honor of morals and the equity that is discerned in the distinction and separation of each of the ecclesiastical and civil forums, we might more fully to the King of England and to his protestants, and to other enemies of ecclesiastical liberty, as far as is in us, make satisfaction. Since therefore in the tract about the exemption of clerics or about ecclesiastical immunity I espied two controversies, one having regard to the faith, the other to morals, I have taken care so to treat each that I might both give reason for that faithful doctrine which is in us, and might teach how it is in use and practice to be kept. For which cause I studied first to make the exemption itself sure from the principles and foundations of the faith, that is, from the written word of God and from that not written but made firm by the ancient tradition of the Fathers and of the Church; next I

have demonstrated that this ecclesiastical immunity has been not only by pontifical and imperial right introduced but is also very much in conformity with divine right itself, both old and new, nay even with natural right. Because, in truth, neither can in the divine cult due reverence and fittingness subsist, nor in ecclesiastical morals honor, nor in the ecclesiastical hierarchy adornment, order, or beauty, without this right and privilege of immunity. Which so as to make more evidently certain, I have more brightly declared the reason and mode whereby such exemption may in use and morals be kept.

All which things, if the most serene King of England attentively and sincerely, and laying aside too great affection for domination and command, wish to consider, I hope he will not bear so grudgingly, as he indicates in his *Preface*, that so great a part of men and of estates has been removed from the power and jurisdiction of kings; because neither is royal majesty thence obscured but made more illustrious, nor is its power diminished but increased. For nothing so makes a Christian and Catholic king illustrious, and renders him bright and celebrated, as intact piety toward God and the cult of religion; for, as was very well said by Cyril when writing to Theodosius: “Glorious piety toward God is the immovable foundation for royal honors,” hence he subjoins: “Princes cultivators of piety conquer without labor and prevail over adversaries.” And therefore (as Nicephorus reports) the same Theodosius gave to his sons, Arcadius and Honorius, when dying no other mandate than to preserve true piety intact, whereby he hoped they would have peace and obtain victory from God. Now his sons, showing faith and obedience to their parent, on the evidence of the same Nicephorus, “Whatever their predecessors, the pious emperors, had established for the churches, they themselves both confirmed and firmly kept, and other things beyond added pleasing to God.” The religious princes, of course, understood that the prerogatives and immunities conceded to divine things were not given to men but to God, on whom the felicity and preservation of all kingdoms depend, and accordingly that “then is the empire defended by the right arm of Christ, when the state of the Church is preserved unshaken,” as Pope Leo said. From which St. Thomas inferred, bk.2 *De Regim. Princip.* near the end, that a king and prince is bound to devote themselves with all his effort and care to the divine cult; not only because he is a man, but also because he is a lord and a king and bears the vicariate of God, on whom he most of all depends. Hence he adds later: “all kings who have been solicitous for divine reverence have completed their course with happiness: but those who did the contrary have obtained an unhappy end.” Let it therefore be far from a Christian king that ecclesiastical liberty, introduced for the divine cult, and sanctioned by both divine and human law, and established by the lasting custom of the Catholic Church, and approved by the authority of the ancient Fathers and of later faithful writers, he should strive, by the suasion of a few Innovators or by study and desire for expanding temporal domination, to overturn. For that brings him not glory but ignominy, and will not increase an earthly kingdom but take away the eternal one. That this thing not befall King James, we with our whole heart desire and earnestly beg from him in whose hand is the heart of the king, and who is able to turn it to the better part, and so to enlighten it with the rays of truth that it should no more depart from him.

BOOK FIVE

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Chapter 8: Satisfaction is made to the third objection of the King of England taken from various words of the New Testament.

Summary: 1. The King of England first contends that a definite time has been put for an indefinite. 2. Second, that the time assigned by John signifies half a spiritual week. 3. Third, he argues from the uncertainty of the Day of Judgment. 4. He amasses many testimonies from Scripture. 5. The king's arguments are dissolved. 6. In Scripture a perfect number is often put for an indefinite one. By an imperfect number a definite duration is signified. 7. The place from the Revelation of John is incapable of accepting a metaphorical sense. The first foundation of the king is overthrown. 8. A perfect number is very often in Scripture put for a determinate time. 9. The second foundation of the king is destroyed. Daniel speaks one way about weeks but another way about the three years. The enumeration of months and of days cannot be accommodated to a week. 10. The doubt of Lyranus is rejected. A day in that place of John cannot be taken for a year. 11. A day in that prophecy is taken in the same sense. Confirmation from Ezekiel. 12. The third foundation of the king does not impugn the true opinion. It is not de fide that the judgment will be immediately after the forty five days. 13. The Day of Judgment can be known through conjectures taken from Scripture. 14. There will be very few who will be enlightened by conjectures. 15. Uncertainty about the Day of Judgment can be considered in a threefold way. 16. An objection of the king is dissolved. 17. The death of Antichrist will not be known to all men. Many of those who will have seen the death of Antichrist will not understand the Scriptures. 18. The Day of Judgment will be known in the last time to the faithful, not to infidels. 19. The parable of the ten virgins is explained of the particular judgment. The announcement of judgment will be more sudden than its arrival. 20. The same parable can be understood of the universal judgment. 21. A place in ch.1 of Acts is explained. 22. An objection is solved. The words of Christ are not to be restricted to the apostles alone. Augustine contends that the time before the manifestation of Antichrist is uncertain. 23. The place from 1 Peter 5 is explained. We must be vigilant

because of the traps of the demon and the uncertainty of death. 24. Other places of Scripture are also explained. When death comes as a thief, then also comes judgment. 25. Death itself does not altogether come as a thief. 26. Death comes as a thief to the unprepared. 27. Although there be from the death of Antichrist a definite time, the Day of Judgment can rightly be said to be unknown.

Chapter 9: By confronting another difficulty, the time and beginning of the reign of Antichrist is made more fully clear.

Summary: 1. Antichrist has not yet come. 2. A difficulty about the beginning of the reign of Antichrist. 3. First response: the reign of Antichrist will last only three years and a half. 4. Disproof of this response. 5. The time of the reign of Antichrist is not determinately known. The time of the kingdom will be longer than of the persecution. 6. Proof from Daniel and Revelation. 7. Again from Daniel. 8. The time of the persecution is certain, of the monarchy uncertain. 9. The time of the reign of Antichrist does not exceed the life of a man. 10. An instance from heretics. 11. Response. Scripture speaks of Antichrist as of only one man. Heretics falsely think that the throne of Antichrist has already begun. 12. The future reign of Antichrist will be shorter than his life. Antichrist will obtain the kingdom by fraud, not by inheritance. 13. Antichrist, as he is first on his throne, thus will he be the last. 14. The signs of the coming of Antichrist have not yet been fulfilled. The Roman Empire must at that time be overthrown. The manner of its overthrow is uncertain. 15. Confirmation from the Fathers.

Chapter 10: Satisfaction is made to two other arguments, and some opinions of Catholics about the time of Antichrist are by the by refuted.

Summary: 1. Protestants oppose two other arguments about the time of Antichrist. 2. Some said that Antichrist already existed in the time of the Apostles, and will come again. 3. It was the opinion of some that Nero will come again. 4. This opinion has no foundation in Paul. 5. That Nero is still living as a mortal is a fable. 6. Paul speaks of Antichrist and of Nero as distinct. 7. Certain think that some of the heresiarchs were Antichrist. The same is by some affirmed of Mahomet. 8. Mahomet was not the true Antichrist. 9. Nor is Antichrist on his throne successively. 10. Response to the places adduced already at the beginning. 11. The place of John ch. 4 is explained. 12. Heretics object that the deeds of Antichrist could not be finished in a short time. What Paul signified by the name of 'falling away'. 13. This sort of falling away can signify, first, the overthrow of the Roman Empire. 14. Second, Antichrist himself is called a falling away. 15. Falling away does not necessarily signify a general apostasy. Apostates do not pollute the Church because they are outside it. 16. Third, by the name of falling away is understood apostasy. 17. This apostasy will not be general. Many will then recover the faith. 18. This apostasy will be completed in a short time. 19. Instance; it is solved. Whether this apostasy will take over the whole world is uncertain. 20. The demon will be the most potent minister of this apostasy.

Chapter 11: That at the time of Antichrist two true men are to be sent to bear witness against him is shown from Revelation ch. 11 against two false expositions of Protestants.

Summary: 1. The two witnesses from Revelation ch. 11 are said by the King of England to be the two Testaments. 2. Some favor this exposition. 3. Those two witnesses will be true men. 4. Proof from the Scriptures. 5. Other words of John are harshly and falsely accommodated to the two Testaments. 6. The Latin language is not unknown in the way the king imagines. 7. It is shown from the time determined by John that they are not the two Testaments. 8. The metaphors fabricated by heretics are turned back against them. 9. Interpretation of another metaphor of Protestants. 10. Heresiarchs have not been killed by that imaginary Antichrist. Heretics are more to be said to rise from themselves than to rise again. 11. The falsity of that metaphor is shown from the time and place. The prophets of heretics pervert kingdoms, not convert them. 12. The Catholic truth is made firm. 13. That great city, in whose streets will lie after death the bodies of the two prophets, signifies the world, but more properly and truly it signifies Jerusalem. The spirit of life cannot be understood of the glory of the souls but of the resurrection of the two witnesses. 14. Although those two witnesses not be Enoch and Elijah, yet are they true men. 15. The same place of Revelation shows that Antichrist has not yet come. Nor have the two prophets or others like them yet been.

Chapter 12: That Elijah and Enoch are the witnesses to be sent against Antichrist is shown.

Summary: 1. King James contends that the witnesses to be sent against Antichrist will not be Enoch and Elijah. 2. Enoch and Elijah still exist in mortal life. 3. Proof from the Scriptures. No mortal man attains

immortal life unless he first die. 4. Elijah and Enoch have not yet attained glory. 5. Evasion. Response. 6. No one before Christ achieved glory. 7. Evasion. Response. Enoch and Elijah are by the Apostle taught not to be enjoying immortal glory. 8. The Fathers uphold the same opinion. King James accuses Bellarmine wrongly. 9. The opinion of St. Irenaeus is considered. 10. Of Tertullian. 11. Of St. Jerome. 12. Of St. Augustine. 13. Of St. Ambrose.

Chapter 13: That John understood by the two witnesses Elijah and Enoch is shown by conjecture and the authority of the Fathers.

Summary: 1. Enoch and Elijah, because they are not dead, are signified to be going to come to face Antichrist. 2. This conjecture is proved from the tradition of the Fathers. 3. Response of the king. 4. The words of the king are weighed one by one. 5. The king supposes without foundation that this prophecy of John has been fulfilled. 6. Satisfaction is made to the foundation of the king. 7. It is a thing more curious than useful to want to know where Enoch and Elijah are. 8. It is more probable that they are leading a life in the terrestrial paradise. 9. Again, it is more probable that the terrestrial paradise has not been overthrown.

Chapter 14: Whether from other places of Scripture it can be shown that Elijah and Enoch will be the precursors of the second coming of Christ and the witnesses against Antichrist.

Summary: 1. By many other testimonies of Scripture it is proved that the two witnesses will be Enoch and Elijah. 2. It is shown first of Elijah. 3. King James interprets Malachi of the first coming of Christ and of John the Baptist. 4. Malachi speaks in proper sense of the second coming of Christ. 5. In literal sense, indeed, he speaks of Elijah as precursor of the second coming of Christ. 6. The same is more clearly proved from Ecclesiasticus ch.48. This place Protestants destroy with insults because they cannot do it with reason. Other words from the same ch.48 are by the writer of Ecclesiasticus foretold about the same Elijah. 7. The exposition of the king is refuted. 8. Christ speaks of a double Elijah, one true, one mystical. 9. Christ did not reject the common opinion about the coming of Elijah. 10. The Baptist did not restore all things, since he converted few. Elijah by his first coming will convert few, by this second many. 11. John is metaphorically called Elijah by likeness to the true Elijah. 12. The Catholic opinion is confirmed by the authority of the Fathers. 13. The sayings of the Greek Fathers are put forward. 14. Bellarmine is defended. 15. The king's opinion about Enoch. 16. Some appropriate reasons are adduced why another associate should be joined with Elijah. 17. Which associate is to be joined with Elijah. 18. It is very probable that Enoch will be the associate of Elijah. 19. The words of Ecclesiasticus are very much in favor. Elijah will be sent chiefly to convert the Jews and Enoch chiefly the Gentiles.

Chapter 15: The seat of Antichrist in place and rank is very far distant from the See of the Pontiff.

Summary: 1. King James tries to prove that Rome is the seat of Antichrist. 2. He is speaking of Rome itself, not of the pontifical throne. 3. Although Rome were the future seat of Antichrist, it was not thence rightly concluded that he will sit on the See of Peter. 4. The King of England's proofs. 5. Whether by the name of temple Paul understood the Church. 6. By temple can be understood the congregation of the faithful. Also can be understood churches, excluding the temple in Jerusalem; finally, any place dedicated to the divine cult. 7. Augustine thinks Antichrist himself is the said temple of God. 8. To the King of England is given the option of choosing whichever he likes of the said expositions. 9. From the king's own exposition the conclusion is no more drawn that Antichrist will sit in the Roman temple than in any other. Response to the instance. 10. The bosom of the Church is very ample, and does not include Rome only. The Pontiff does not advertise himself as God, but shows himself Vicar of Christ. 11. A second proof of the king from Revelation. 12. The woman should not be confounded with the beast. 13. If that woman is Rome, she is certainly pagan Rome, not Christian. The beast on which she rides signifies not Antichrist but the series of Gentile tyrants. 14. Confirmation from consideration of the words of ch.17 of Revelation. 15. From this place cannot be collected that Antichrist will fix his seat at Rome; rather is collected that Rome must be overthrown by him. 16. The same is proved by a dilemma. 17. Conclusion.

Chapter 16: Where the seat of Antichrist will be.

Summary: 1. It is more certain that the seat of Antichrist will not be at Rome than elsewhere. 2. It is commonly believed that the seat of Antichrist will be at Jerusalem. 3. This opinion is favored by the testimony in 2 Thessalonians 2 of St. Paul. 3. It is however more probable that the Apostle is speaking of

the temple in Jerusalem than of the Church. 4. Confirmation from Matthew. 5. In confirmation of the common opinion is added another testimony from Revelation. Enoch and Elijah are to be killed in Jerusalem. 6. King James contends that by the name of the great city Rome is signified. He confirms it with a threefold reason. 7. He contends also that it can be said Christ was killed at Rome. 8. Response to the first proof of the king. How the term 'spiritually' is to be understood in the testimony of John. It is applied to Sodom and Egypt. 9. The king's second proof is confronted. 10. Again, the third proof. 11. The blood of the martyrs who were killed by Roman authority or approval is said to be found in Rome. 12. Although Christ was killed by Roman authority, he is violently to the words of John said to have been killed at Rome. The blood of the martyrs who were not killed at Rome is at Rome. 13. Jerome is expounded. In Revelation the holy city is diverse from the great city. Jerome declared his mind elsewhere more clearly.

Chapter 17: From the description of the person of Antichrist that Paul delivers in 2 *Thessalonians* 2, it is shown that, rather than being the Pope, he will be the greatest adversary of the Pontiff.

Summary: 1. King James contends that the Supreme Pontiff is Antichrist. From the place of Paul above cited the fabrication of the king is plainly refuted. 2. Antichrist will be a man of sin, or covered over with all sins. Scriptures uses the genitive case in the place of adjectives for emphasis and antonomasia. 3. The notes of Antichrist do not in any way fit the Supreme Pontiffs. Boniface III is vindicated from calumny. 4. Phocas did not confer the primacy on the Roman See, but at most made the fact clear. 5. Henry VIII should really be called a man of sin. 6. The king suppresses some of the words of Paul in the text above adduced. Some assert that by the name of God Paul understands idols. 7. And that Paul himself even understands the true as well as false God. 8. The supreme pride of Antichrist is his wish to surpass God, not men. A temporal king who usurps spiritual primacy is more truly called Antichrist. 9. Antichrist will raise himself above God. 10. An argument ad hominem. The Pontiff does not make himself God but worships God. 11. He who justly guards his right does not properly extol himself. If Boniface III is to be called Antichrist, as the king contends, his predecessors too should be so called. 12. Protestants falsely accuse the Pontiffs of mocking Catholics with deceptive signs. No Roman Pontiff has used delusions to demand the empire of Antichrist. 13. Not Boniface III, not Deusdedit, nor other Pontiffs. 14. Protestants glory of the word of God. But vainly.

Chapter 18: The things that the king introduces from *Revelation* chs.6 & 9 are refuted.

Summary: 1. Him who sits on the pale horse in Revelation ch.6 the king interprets to be Antichrist. 2. Response to the king's conjectures. 3. The place of Revelation can also be accommodated to Antichrist. However it is in no way damaging to the Roman Pontiff. 4. In another place of Revelation ch.9 the king strives to show that the Pontiff is the star falling from heaven. 5. Many calumnies are objected falsely against the Pontiffs. Idolatry, cult of demons, homicide, sorcery, fornication, theft. 6. Other testimonies accumulated by the king against the Roman Pontiff. 7. The fancies of Protestants rest not on truth but on calumnies. 8. By the star falling from heaven in Revelation ch.9 some understand the good angel. That fall in location is not a moral fall. There is confirmation in Revelation ch.20 from something else similar. 9. Some say that the star is Lucifer. They interpret of the same the rest of that vision. 10. Some accommodate the falling star to evil men. 11. Others transfer the vision to some signal enemy of the Church. 12. None of the ancients understood Antichrist by this star. 13. The star falling from heaven cannot be said of Antichrist. 14. On the assumption Antichrist is the falling star, it does not square with any of the Pontiffs. Objection of the king. It is refuted. 15. The smoke ascending out of the mouth of the pit cannot be accommodated to Boniface. 16. After Boniface no crafty locusts, but many very holy men, flourished in the Church. 17. Protestants foolishly sound the trumpet against Catholics. 18. The disciples of Antichrist will not, as the king wishes, be idolaters. 19. St. John is speaking of the sins, not the disciples, of Antichrist. 20. Response to the first of the calumnies of Protestants. Defense of Gabriel Vasquez from the crime imputed to him. Response to the second and third calumnies. 21. To the fourth. 22. To the fifth. 23. To the sixth. In the lavishing of indulgences no improper gain is got. 24. Response to what the king asserts last against the Roman Pontiff. 25. Ch.9 of Revelation has regard more to the wicked than to the state of the Church. If indeed the talk in John is of Antichrist, it thence follows that he has not yet come.

Chapter 19: The same is shown from ch.13, and everything that the king there picks up is refuted.

Summary: 1. Outline of Revelation ch.13 as to the first part of it. 2. The four properties of the beast that John narrates he saw are shaped by the King of England to fit the Roman Pontiff. 3. Response to the first

point. Antichrist will not only be full of corruptions but rather everywhere the fullest and most corrupt; and his empire will first and chiefly be temporal, then he will arrogate divinity to himself. The leopard comparison is because of speed. 4. Response to the second and third point. The properties of the leopard and the feet of the bear fit Antichrist, not the Roman Pontiffs. The cult shown to the Pontiff is veneration, not divine worship. 5. The king badly compares empires with pagan and Christian Rome. 6. Outline of the second part of ch.13 of Revelation. 7. The next beast that John narrates he saw signifies Antichrist and his emissaries. 8. John also speaks of some primary helper of Antichrist. By the second beast is signified the singular prophet of Antichrist, to whom is assigned a double note: hypocrisy and counterfeit power. 9. This false prophet will perform cures, so that Antichrist may be worshipped as God. He will work false wonders. He will in appearance bring fire down from heaven. He will give voice to the statue of Antichrist, and make it to be worshipped. 10. The mark of the beast will be a sign whereby the supporters of Antichrist will be openly acknowledged. The name of Antichrist will recall the number 666 according to the Greek letters. That name is still unknown. 11. The aforesaid exposition is strengthened by the consent of the Fathers. Edibles for sale will by the mark of Antichrist be polluted. 12. So that there may be no place for the cross, the mark of Antichrist will be imprinted by the false prophet on people's foreheads. 13. The metaphorical expositions of the king are by the letter proved to be wrong. He does not want antiquity and solidity to be attributed to the Roman Church. 14. The beast properly signifies an individual man. But mystically it refers to the apostate congregation of heretics. 15. The Roman Church does not have the horns of a lamb, that is, hypocrisy. Nor does it teach or has ever taught errors like the dragon. 16. The darts of the heretics are turned back against themselves. Henry VIII and his like are the true images of the beast. The Anglican Church is of the same form. 17. The signs that King James says are made for strengthening the authority of the Pontiffs. Signs always were and always will be in the Catholic Church. 18. Miracles were done formerly by many saints. 19. Miracles are not done primarily for the authority of the Pontiff, but for the glory of Christ and the confirmation of the faith. They indirectly establish pontifical authority. 20. Excommunications discharged by the Pontiffs King James makes up to be the fire from heaven. 21. The fire in John does not signify excommunication. Excommunication is not a new thunderbolt, but was wielded before the times of Boniface. 22. Instance. Solution. 23. When the Pontiff is venerated, the image of the beast is not worshipped. In John it is one thing to make an image, another to worship it. 24. The words of Revelation are weighed. Excommunication has the force of compulsion, not seduction. 25. The mark of the beast is fabricated by the king to be obedience to the Pontiff. It can be better said of the Anglican oath of fidelity. John is speaking of a permanent sign, not of mere profession. 26. No one without the mark of Antichrist will be admitted into human contracts. 27. King James' opinion about the number of the name of Antichrist. 29. The number is not of the time of the coming of Antichrist. The year in which Boniface assumed the See does not allow of that number. Evasion. It is a thing unaccustomed to count years from Pompey. A second evasion. It is parried. 30. Boniface vindicated from a usurper the name already given to the Pontiff Leo. 31. The king contends that the word 'Latin' contains the number of Antichrist. Heretics are on this interpretation antichrists, since they are also themselves Latins.

Chapter 20: The things the king notes about chapters 14, 15, & 16 are shattered.

Summary: 1. The King of England tries to prove that Antichrist must be killed in Rome. Antiquity is opposed to his invention. The king would more truly say that Rome is to be destroyed by Antichrist. 2. In Revelation, as in other prophecies, the order of things is sometimes not kept to. The plagues of Revelation will be true, not allegorical. King James on this place of Revelation pours out curses and abuse against the Pontiff. 3. The darkness in the plague of the fifth vial is sensible, not intelligible. 4. Protestants unskillfully confound the vial poured out into the Euphrates. 5. The kings, about whom the discussion is in ch.16, will not fight against Antichrist but for him. Proof from the words of John. 6. Heretics are like those kings and are against God and his Christ by conspiracy alone. 7. King James compares the alumni of the Society of Jesus to little frogs. Such office is glorious for the Society. 8. The interpretation is not coherent. The unclean spirits are posited by the king now as the enemies of Antichrist, now as his friends. 9. The workers of the Society of Jesus sow peace not discord.

Chapter 21: From the vision of Revelation chs.17 and following the new error about Antichrist is refuted rather than confirmed.

Summary: 1. King James teaches that the harlot woman is Antichrist and accordingly the Pontiff. He proves this with calumnies. 2. That woman signifies a city, not a man. Some understand it of the city of the

impious, others of the Roman City. 3. Other calumnies are shown to be false. 4. Christian Rome is in no way drunken with the blood of the martyrs. 5. The king confounds the notes of the woman and of the beast. 6. He asserts too that Christian Rome has committed fornication with kings. He is refuted by his own words. 7. If Rome is to be restored to its prior state near the end of the world, the words of Revelation do not square therewith. 8. The Roman Church can never be antichristian. 9. That the Pontiffs give indulgence to lusts is sheer calumny. 10. The Church never approves invalid marriages. Legitimate dispensation does not make marriages illegitimate but honorable. 11. The king carps at the adorning of the Blessed Virgin and of temples. The adorning of temples is not new in the Church. 12. Images in the Church are decently clothed. There is greater religion in the adorning of the Blessed Virgin, especially at Rome. 13. The king tears with insults at the liberality of Catholics towards religious. 14. Concession of power for slaughtering kings with impunity is falsely attributed to the Pontiff. The Pontiffs have lavished indulgences on those who are fighting against pagans. 15. Various concessions are reported from Anglican history. 16. The falsity of the things said is proved from the form of the concessions. 17. The question whether it is licit to kill a tyrant with impunity does not here have place. 18. After other insults, the king carps at the pride of the Roman Church. Old Rome believed herself a queen because of the empire. Not pride but faithful charity exalts the Church. 19. Notes of the true Church. 20. Prosperity bends both ways. Tribulations are more frequent in the Church. 21. God provides moderately, even with miracles, for the prosperity of his Church. 22. King James weighs the Pontiff and the Turk in the same scales. However, there is no agreement between light and darkness. 23. The greatness of the Pontiff was from the time of Christ already established. It became, at the time of Constantine, known to the world. The Turks got the possession of things a long time later. Nothing of greatness was added to the pontificate when Mahomet was on the march.

Chapter 22: From the description of Antichrist in the prophet Daniel, the fable handed on about Roman antichristianism is refuted.

Summary: 1. The prophecies of Daniel are very little brought forward by King James. 2. In Daniel empires are shadowed forth by animals. Description of Antichrist. 3. By the ten horns of the fourth beast an equal number of kings in the Roman Empire are represented. 4. Whether this number is definite, or put for an indefinite one. 5. The Fathers think the number is definite. 6. The King of England explains the number. In this matter anyone is permitted to have an opinion. Ten and seven often indicate an indefinite number. 7. It is more certain that ten is put for a definite number. 8. The foundations of the King of England are overturned. 9. The number seven is here more distinctly handled. Antichrist is an instrument of the demon. 10. Two places in Revelation about the number seven are expounded. 11. The ten horns of the beast the King of England interprets of all the Christian kings from Boniface III. 12. About the little horn King James is altogether silent. What others have thought about it. 13. The opinions of the King of England are overturned by the words of the prophecy themselves. 14. The little horn will rise up after the Roman Empire has been divided. 15. Boniface III did not, as Daniel prophesied, erect a new empire. 16. King James inflicts a signal injury, not only on foreign kings, but also on English ones. 17. False interpretation given by the king to the words of Revelation. In the text of John, to be conquered is not to be converted but to be overthrown. 18. The ten kings are never going to wage war against Antichrist. To give in one's heart is to permit. Rome will not be the seat of Antichrist. 19. Description of Antichrist. He will arise from ignoble and indigent parents. 20. He will obtain the kingdom by cunning, not by heredity. He will get hold of power tyrannically. 21. He will misuse the sharpness of his mind for pride and ill speaking. 22. He will trample on religion, and will try to turn things sacred upside down. He will arrive near the Day of Judgment, not before. 23. The same notes of Antichrist are inculcated in other places by Daniel. What Daniel said of Antiochus rightly falls on Antichrist. 24. Antichrist will place himself in the temple as God. 25. Also belonging to him are the things foretold by Daniel of Seleucus and Epiphanes. 26. The individual words about them and about Antichrist are considered. Some seem to belong to Antichrist alone. The persecution of Antiochus against the Jews is an advance display of the persecution of Antichrist against the faithful. 27. Contempt of God in Antichrist. Antichrist will not worship the gods of the nations, but he will perhaps in secret worship the demon. 28. Other prophecies of Daniel in chs. 11 & 12 about Antichrist. 29. From what has been said, it is clear that antichristianism in the Pontiffs is sheer imposture. The falsehood is from the comparison made more apparent. The expositions of Protestants are not only willful but also violent.

Sum of the things treated of in this book with an appeal to the King of England

Summary. 30. Sum of the whole book in more or less each chapter. 31. Heretics a type of Antichrist. 32.

Appeal to the King of England.

BOOK 5: ON ANTICHRIST, WHOSE NAME AND PERSON, THROUGH CALUMNY AND INJURY, ARE FALSELY ATTRIBUTED TO THE PONTIFF BY PROTESTANTS.

Preface:

Since the most learned and Catholic writers of our time (to pass over the more ancient ones) have accurately disputed the whole matter of Antichrist, and since we, in our meager way, have already prosecuted it elsewhere, this book can seem to someone too little necessary, especially because it is not so connected with the previous ones that the order of doctrine should seem to require it. However, the King of England, to whom we proposed at the beginning of this book to make response, compels us even unwillingly to undertake again this labor. For he in his *Preface*, after profession of his faith, suddenly digresses to discussion of Antichrist, and demands a particular response to the things that he proffers for his opinion, saying: "This is most of all in my desires, that if it please anyone to refute this my conjecture about Antichrist, let him respond in order to the individual parts of my disputation;" and therefore we think it necessary both to digress with him and to grant a particular response to his individual conjectures. For we have also not judged it should be omitted for the reason that the king professes to support himself on conjectures alone; because in a thing so absurd and plainly incredible and exceedingly odious to the Church and pernicious, conjectures are not even to be permitted but altogether rooted out. For which cause I have not been afraid to weave together again a disputation of Antichrist, nay also, if it be necessary, to repeat again the same things, provided that, insofar as in me is, I make satisfaction to all both the wise and the unwise, for to both, on the witness of the Apostle in Romans 1.14, are we debtors. Lest however we be irksome to the reader, we will not touch on all things that are wont about Antichrist to be dealt with, but those only that can be of service to the cause and to the particular response that the king demands. And the individual members that the king distinguishes we will also individually examine, not however in the same order, but we will always put forward first things which either are more evident, and in the Scriptures clearer, or knowledge of which we judge can contribute something to what is less known or depends on things prior.

Chapter 1: On the name of Antichrist and its diverse signification.

Summary: 1. Etymology of the name. 2. False etymology of this name by heretics. Antichrist signifies an adversary of Christ; proof from Scripture. 3. Proof again from the Fathers. 4. Twofold signification of the name of Antichrist.

1. Before we speak about the matter itself we have thought to put first a few things about the name of Antichrist, so that we might uncover all the artifices of the Protestants, or rather their outrages, against the Vicar of Christ. That the name *Antichrist*, then, is Greek, or taken from the Greeks, there is no one who does not know. Now it is composed from 'anti' and 'Christos' in which compound it is certain that the name of Christ, which is proper to Jesus our Savior, is being used. For although this name, as derived from 'anointing', is more general and is wont to signify any man who has, by some sacred anointing, been assumed in dignity, according to the verse, *Psalms* 104

[105].15: "Touch not mine anointed [Christs]," nevertheless it signifies by antonomasia, especially after his advent, the Messiah or Christ the Lord, as he had also in the Old Law been before signified, as *John* 4 indicated, v.25: "I know that Messias cometh, which is called Christ," and as is expounded by Augustine *Tractat.* 15 and 33 on *John*, and very well by Cyril *Cateches.* 4 'Mystag.', Eusebius bk.1 *Histor.* ch.3, and bk.4 *De Demonstrat.* ch.10, and Lactantius bk.4 ch.7, and others whom I referred to extensively vol.3 part.3 disput.18 sect.2

2. The heretics, however, contend that the word 'anti' in that compound signifies, not opposition, but vicariate or substitution in place of another, and thus that he is Antichrist who calls himself the Vicar of Christ. But they are assuredly being led by a spirit to deceive the simple, at least by the inept adaption of the name. And therefore, passing over that question of the double signification of the term 'anti' considered in itself and in the general usage of the Greeks, we must only consider it as far as it is taken in that compound name according to the use of Scripture, the Church, and the Fathers. In this way, therefore, it is certain that it signifies contrariety and opposition, and that the name Antichrist designates a signal enemy of Christ. For the Church has taken this term from Scripture, wherein it has no other signification. For nowhere is this word itself found in Scripture except in the epistles *1* and *2 John*, and there it clearly signifies an enemy of Christ. For after John had said, 2.18: "Ye have heard that Antichrist shall come," he subjoins later, v.22: "Who is a liar but he that denieth that Jesus is the Christ? He is Antichrist, that denieth the Father and the Son." From which words it is clearly certain that Antichrist is opposed to Christ in denying that Jesus is Christ, namely him especially promised, composed of a twofold nature in one divine person, and especially anointed by the very divinity itself and the Holy Spirit, and accordingly by antonomasia Christ. Hence in chapter 4 he repeats, v.3: "Every spirit that confesseth not that Jesus Christ is come in the flesh is not of God; and this is that spirit of Antichrist." But not to confess Christ is nothing other than to deny that Jesus is anointed with divinity, namely by the singular union of humanity to the Word; and this is the height of opposition to Christ, as the same Apostle again explained in epistle 2 when he says, v.7: "For many deceivers are entered into the world, who confess not that Jesus Christ is come in the flesh. This is a deceiver and Antichrist." Therefore in Scripture that term has no other use. But in other places of Scripture, wherein Antichrist is not named but described, a supreme adversary of Christ is depicted. For in *Daniel* 9 and *Matthew* 24, by the "abomination of desolation" it is believed that Antichrist is foretold, and of him is it said that he will usurp the seat and name of Christ and will stir up a very great persecution against Christ in his Church. And about the same are understood the words of Christ *John* 5.43: "I am come in my Father's name, and ye receive me not; if another shall come in his own name, him ye will receive." Of the same also speaks Paul *2 Thessalonians* 2, where he loads him down with these names, v.3-4: "that man of sin...the son of perdition, who opposeth and exalteth himself above all that is called God, or that is worshipped; so that he as God sitteth in the temple of God, showing himself that he is God." And finally, so that Paul might show the supreme opposition of Antichrist to Christ, he adjoins, v.8: "And then shall that Wicked be revealed, whom the Lord shall consume with the spirit of his mouth, and shall destroy with the brightness of his coming." In *Daniel*, again, and in *Revelation* Antichrist is described as a signal adversary of Christ, as we shall see below.

3. And in this way did the holy Fathers think about Antichrist and his name when

expounding these places. Chrysostom *Homil.* 4 on *John*, Cyril bk. 3 on *John* 6, and on that place Theophylact, Euthymius, and Bede, and Irenaeus extensively bk. 5 *Contra Haeres.* ch. 25, Ambrose on *Psalms* 43 and bk. 1 *De Spirit. Sanct.* ch. 14, Nazianzen *Oration.* 47 which is entitled 'Significatio in Ezech.' and in the iambic inscription 'Definitionis minus Exactae' at the end, Ruffinus in *Exposit. Symbol.*, Hilary bk. *De Unit. Pat. et Fil.* somewhat from the beginning, if it is his book. Better and more certain is the book *Contra Auxent.* at the beginning: "The property of the name of Antichrist," he says, "is to be contrary to Christ." And Jerome epist. 151 to Algas. q. 11: "For he himself is the perdition of all things who opposes Christ and is therefore called Antichrist." And for this reason bk. 2 *Contra Jovinian.* at the beginning he says: "As day and night cannot be mixed, so neither justice and iniquity, sin and good works, Christ and Antichrist." Augustine tract. 3 on the epistle *1 John* says: "In Latin 'Antichrist' is 'contrary to Christ';" and later he blames those who were interpreting the name of Antichrist, that is ante-Christ, and he says: "It is not said thus, it is not written thus, but Antichrist, that is contrary to Christ." And very well speaks Damasius bk. 4 ch. 27: "Not to us but to the Jews will he come, not for Christ but against Christ, for which cause too is he called Antichrist." And in vol. 9 of the works of Augustine, the author of the tractate *De Antichristo* thus begins: "Those who wish to know about Antichrist will note first wherefore he is thus called, namely for this reason, that he will be contrary to Christ in all things, and will do things contrary to Christ." And although that tractate not be deemed Augustine's, it possesses authority and is believed to be of Rabanus. And Hugo Eterianus bk. *De Regres. Animar.* ch. 23 says: "A man will he be, not an angel, who is adversary to Christ and his members, hence he is to be called Antichrist." And we will refer to many others in the following chapter.

Since heretics, therefore, cannot deny this etymology or signification, what does it profit them to have changed the etymology of the word, to have attributed to it out of their own brain a new signification, even to call the Antichrist by the name Vicar of Christ? For if they study in this to strive about the name alone, they are to be contemned and sent back to the grammar schools. But if under the appearance and shadow of a name they strive to give persuasion that he under this proper verbal signification is true Antichrist and as if adversary of Christ, because he calls himself Vicar of Christ and precisely Antichrist in the other signification they have thought up, such that they understand to be Antichrist, not any enemy of Christ, but him who, under the name of his Vicar, is opposed to him, we reply, to begin with, that he who names himself Vicar of Christ by no robbery or usurpation, but because he has been established by Christ, is no enemy of Christ and in this respect cannot be Antichrist. Next we say that that sign of Antichrist is not found in the Scriptures, nor is it handed down in them or by the Fathers, namely that Antichrist will oppose Christ under the form of his Vicar, but by openly usurping the very name and dignity of Christ. And therefore, omitting this vain thought and novelty, we must run through the signs of Christ founded on Scripture.

4. But I cannot omit from noting first that, from this etymology of the name and from the said testimonies, a double acceptance of this term must be distinguished. One we can call proper, the other common or transferred. For because the name of Antichrist signifies a man opposed to Christ, it is taken by antonomasia as the proper name of a certain individual man, the greatest adversary of Christ and the Church; but it is also in a general way said of other enemies of Christ. Thus double acceptance of the name is used

by John in the said first epistle when he says, 2.18: "As ye have heard that Antichrist shall come, even now are there many antichrists." And later insinuating the reason for this latter signification he says, v.22: "...but he that denieth that Jesus is the Christ? He is Antichrist..." And he repeats more or less the same in ch.4 and in the second epistle. And thus, from this place, this double acceptation of this name has been noted there by the Fathers, and on *Matthew* 24 and *2 Thessalonians* 2, where Jerome, Chrysostom, Oecumenius, and others. And Cyprian epist.76 at the beginning very well says that John "calls all those who went out from the Church and who were acting against the Church Antichrists." And later: "Hence it appears that the adversaries of the Lord are all Antichrists;" and more or less the like things are contained in epist.7. Augustine too bk.2 *Contra Adversarium Legis et Prophetarum* last chapter says about him: "God is true, in whose temple that false man (that is, Antichrist) will sit, to whom will he too belong (that is, the adversary of the law), who under the name of Christ, which is the name of God, that is, wishing to be seen a Christian, always exalts himself against Christ and shows himself Antichrist, not that one who is greater than the rest, but one of those of whom John the Evangelist says that now are there many Antichrists. For he meant them, the heretics, who had already begun to exist in the times of the apostles." The same in bk.20 *De Civitate Dei* ch.19. Hence Jerome too *Naum.* 2, treating of the verse *1 Peter* 5.8: "Your adversary the devil as a lion, etc." subjoins: "the whelp of the lion Antichrist, and all perverse doctrines, etc." And later: "Ye have heard, says John, that there are many antichrists, for there are as many antichrists as there are false dogmas." And on *Matthew* 7 at the end he calls all those antichrists "who think against Christ." All which things confirm what we have said, that Antichrist is called thus from supreme opposition to Christ, and hence is the name derivatively used to denote the other more signal adversaries of Christ. Just as we too in common usage say that a man very cruel is a Nero, and that a like tyrant is a Diocletian, and that a great philosopher is an Aristotle, and thus in other cases. About this transferred signification, then, there is no doubt; but there remains a controversy with heretics about the second signification, which we will pursue in the next chapter.

Chapter 2: Whether Antichrist is properly said to be some individual man, or some seat or empire.

Summary: 1. Opinion of heretics. 2. Catholic truth holds that Antichrist will be an individual man. Proof from the Scriptures. 3. Consideration of the individual words of the Apostle Paul adduced for the proof. 4. Proof from the Fathers. Antichrist will not be a demon. 5. Another reason from Theodoret. 6. Consideration of the words of St. John. 7. Consideration of the other words of the same Apostle. Proof also from the Greek article. 8. Confirmation from Daniel. 9. In Daniel the last king was not Mahomet or another tyrant. 10. Confirmation again of the truth from the authority of the Fathers.

1. Heretics contend that he is not an individual man but a series or kind of persons succeeding to some seat or empire; which error they have thought up so as to prove that the Pope is Antichrist. Wycliffe art.30 and John Hus art.19, condemned in the Council of Constance sessions 8 & 15, insinuated this error. Luther more clearly on ch.49 *Genesis*, where he by this reason rejects the common opinion asserting that Antichrist will be of the tribe of Dan, which he says was an invention of the devil. And a certain Rodolphus

Gualterius in his homilies on Antichrist ridicules those who assert that Antichrist will be a definite individual man. Thus too Beza on *2 Thessalonians 2* says that Paul, although he speaks of Antichrist as of a certain man, nevertheless understands the whole body of ecclesiastical tyranny, but in such way that he is indicating a particular tyranny, namely the Roman. Hence he concludes that they were all manifestly hallucinating who understood Paul to have spoken of some one man, unless they grant that there is someone who survives from Paul's age up to the Day of Judgment. Lastly Calvin too in the same place, and bk.4 *De Iustit.* ch.7, makes the same supposition when he says that the Pope is Antichrist. And this opinion has pleased King James, who admits he is led only by conjectures; but of what sort they are we will later see.

2. The Catholic truth and by faith certain is that Antichrist properly or antonomastically taken will be some individual man, a signal and particular adversary of Christ. Thus teach wise and Catholic men who have in this age disputed against heretics and have treated this point with great care and erudition. It is also proved in brief from Sacred Scripture and the Fathers. And I consider, to begin with, the place in *2 Thessalonians 2* where, although Antichrist is not by this name expressed, nevertheless that Paul is speaking about him is taught by all saints and Catholics, nor do heretics deny it; nay they introduce the same place for the contrary, as we will see later. In that place, then, Paul is instructing the Thessalonians not to be perturbed by thinking that the day of the Lord, that is of the Last Judgment, is already near at hand, because the advent and persecution of Antichrist must come first. Hence he says, v.3-4: "Let no man deceive you by any means; for that day shall not come except there come a falling away first, and that man of sin be revealed, the son of perdition, who opposeth and exalteth himself above all that is called God or that is worshipped, so that he as God sitteth in the temple of God, showing himself that he is God." And later, v.8: "And then shall that Wicked be revealed, whom the Lord shall consume, etc."

3. Assuredly, if the individual words are carefully weighed, they cannot be properly and sincerely understood except about an individual and definite person. For who is wont to call some throne or seat of a kingdom "man of sin" or "son of perdition"? For the like words do not in strictness signify a collection or succession but a determinate person, and they are not by violence or without cause to be removed from their proper signification. Especially because that man is clothed and described by Paul and the Prophets with so many circumstances, manners, and conditions that they must necessarily fit only one person. As when Paul says in *2 Thessalonians 2.9*: "Whose coming is after the working of Satan with all power and signs and lying wonders," and the like, because it is not plausible that in all the successors or kings of some kingdom all those properties and qualities of morals will exist. Add that Paul did not say 'man' absolutely but along with the Greek article, 'that man of sin', as also Ambrose reads in the Latin and as Vatablus translates; but the Greek article has the force of pointing to an individual person, as I will show below from the Fathers. Nay, it is deserving of note that Paul repeats the article four times, saying: "that man of sin, the son of perdition, he who opposeth etc." and later: "And then shall that Wicked be revealed, etc."

4. Moreover, thus have the Fathers understood this place. St. John Chrysostom *orat.3 & 4* on that place, who makes clear the individuality of the person of Antichrist through comparison with Christ. For just as Christ had been foretold as an individual man, and definite indications were given about him, that is, through the signs and

portents that he was going to do, so Antichrist is opposed to him, and his advent is foretold as of a certain particular man, and he is indicated through the signs and false portents that he will work. Therefore in this way Antichrist will be a determinate person, just as Christ was. Thus too Theophylact, when expounding those words, asks: "But who is he? Is he Satan? In no way, but some man who receives all the working of Satan." And the same more or less is contained in Theodoret who gives more consideration to the antithesis between Christ and Antichrist, saying that the demon imitates the counsels of God. "For just as God, having taken up human nature, secured our salvation, so the demon, when he chooses a man who might take up all his working, will try through him to deceive all men, calling himself Christ and God and man." Where we note only the equivalence in this, that each is a definite and particular person, for in the manner there is diversity. For not in the way that Christ is the word in assumed humanity will Antichrist be the person of the demon by hypostasis in assumed nature, as some have falsely imagined, whom we have attacked elsewhere; therefore comparison is only made in this respect, that as Christ was an individual man, so also will Antichrist be. Hence too Theodoret himself wisely changed the manner of his speech, for of Christ he said: "just as God, having taken up human nature, etc." but of the demon he says: "so the demon, when he chooses a man who might take up all his working", thinking that there will not only be a specific nature but also a particular person among others chosen by the demon as fit for all his own corrupt working.

5. Nest, in the same words of Theodoret another reason can be weighed. For the chief and greatest intent of Antichrist will be opposition to Christ, because he will try to prove that he is Christ and true Messiah and to show himself "that he is God," as Paul says in the same place. But this cannot be thought about any throne, or in the succession of those sitting on it. For as Christ was not foretold save as a particular man, so no one will imagine himself Christ except in his particular person. And although many have imagined themselves Christ, yet none save in his own person and for his person; and among them he who excels in signs, portents, lies, and power will by antonomasia be Antichrist. Hence Ambrose in the same place says that Antichrist will be "first and supreme of the corrupt men who have wanted themselves to be worshipped as God." Rightly too does Tertullian say, bk.5 *Contra Marc.* ch.16: "He who is man of sin, son of perdition, must first be revealed before the advent of the Lord, etc. Antichrist, indeed, according to us, as the ancient and the new prophets teach."

6. Moreover, thence do Ambrose, Chrysostom, and all the Fathers join with the cited words of Paul the other words of Christ in *John* 5.43: "I am come in my Father's name, and ye receive me not; if another shall come in his own name, him ye will receive." In which words it is manifestly certain that Christ is speaking of some determinate person whom the Jews will receive as Messiah. And in this way do the said Fathers and all those mentioned in the previous chapter interpret of Antichrist those words of Christ. And Augustine tract.29 on *John*, when expounding the words of ch.7.18: "He that speaketh of himself seeketh his own glory," says that such will be Antichrist, "the Lord, obviously announcing that he will seek his own glory, not the glory of the Father, says to the Jews, 'I am come, etc.'"; and Ambrose on *Psalms* 43 says that Christ signified by those words that "the Jews will believe in Antichrist, who did not wish to believe him." And the same is contained in bk.1 *De Spirit. Sanct.* ch.14. For although there were going to be many false Christs and false prophets, as he himself foretold in

Matthew 24, whom other Jews were going to receive as Messiah, as we read in *Acts* 5 was in part fulfilled, and afterwards in Eusebius bk.8 *Historiar.* ch.6; nevertheless the Jews will receive no one as Messiah in the way they will Antichrist, and therefore him singularly we understand Christ to have designated by his words. And thus too Cyril of Jerusalem *Cateches.* 12 said: "The children of the Jews rejected him when he came, but await him who will come in evil; the true Christ they have denied, but will themselves in their error receive the false one. About which thing also our Savior truly said, 'I am come, etc.'" But that the false Christ will be a certain individual man and Antichrist is made clear by the same Cyril extensively in *Catech.* 15.

7. Besides, this is plainly confirmed by the way of speaking in *1 John* 2.18: "As ye have heard that Antichrist shall come, even now are there many antichrists." For in these words he distinguishes a certain Antichrist individually named and foretold from the many called so by a certain participation in him and transference. Therefore he plainly supposes that the former is a particular person. Especially because those many antichrists, whom John said that there already were, were not many kingdoms or tyrannical empires, but either the many who were already rising up from the Jews against Christ, or the many heretics, as Ebion, Cerinthus, Simon Magus, or also the Roman Emperors who were persecutors of Christians, like Nero, Domitian, as the Fathers everywhere expound; therefore too that individual Antichrist is one certain and definite person. Add that in the said words, and a littler later, and in ch.4 and epist.2, wherever the name 'Antichrist' is put in the singular, it is put with the Greek article '*ho*', that is, 'the'; which article has the force of designating a definite person and with a certain individuality, according to the general rule of the Fathers which is handed on by Eiphanius bk.1 *Contra Haeres.* sect.9, and bk.2 'haeres.' 56, and by Chrysostom *Enarrat.* on ch.7 *Isaiah* where he ponders that the Prophet did not say, v.14: "Behold *a* virgin will conceive," but added the article to designate an individual and excellent virgin; and Cyril bk.1 on *John* ch.4 near the end ponders that John added the article when he said: "In the beginning was *the* word;" and Origen vol.7 on John [the Baptist] about the words: "Are you *the* prophet?"

8. For confirmation also of this truth many arguments can be taken from places in *Daniel* and *Revelation* wherein that Antichrist is predicted is both taught by the Fathers and not denied by heretics. Therefore *Daniel* ch.7, after he has explained that the fourth beast is a fourth kingdom, namely that of the Romans, afterwards to be divided among ten kings, he subjoins, v.24: "and another shall rise after them," by whom all the Fathers understand Antichrist, as Jerome testifies on that place, and he is followed by Augustine bk.20 *De Civit. Dei* ch.23, and by St. Gregory bk.32 *Moral.* ch.12, where the particle 'another' sufficiently points to an individual person, whose actions the Prophet at once describes in a way sufficiently consonant with Paul. And certainly it cannot at least be denied that on the throne and in the empire of him who will fight against ten kings, and who will destroy three and subject the other seven to himself, there will be some first king who will rise up against the others; he must, then, be a certain and determinate person; now he will be Antichrist. Both because on him in particular converge all the things that are thereon added, v.25: "He shall speak great words against the most High, and shall wear out the saints of the most High, etc." And most because the time of that king will be so short that there will be to him no successor, but in him and with him the throne is to be extinguished, as we will show below from the same place of *Daniel*, and

from chs.11 & 12, and from *Revelation* ch.11 and following, and from the words of Paul, *2 Thessalonians* 2.8: “whom the Lord shall consume with the spirit of his mouth,” and from other places.

9. This argument also proves that the last king signified by the little horn was not Mahomet as some have wished, nor any like tyrant. Hence too this truth is confirmed from the circumstances of time, place, origin, wars, and from others similar with which the Antichrist to come is described in the places of Scripture mentioned, which we will treat of later; for an individual person cannot be more evidently designated than by circumstances of this sort, or (to speak with the dialecticians) through a collection of properties that cannot come together save in a single and particular individual; but thus is Antichrist described in Scripture; therefore it cannot be denied but that he will be a particular person.

10. Next, of the Antichrist individually foretold by Daniel, by Paul, and by the evangelist John, all the most ancient Fathers who wrote about him everywhere suppose that he will be an individual man, whose race, morals, and other proper circumstances they describe. As is clear from the things that are handed on by Irenaeus bk.5 *Contra Haeres.* from ch.25, by Hippolytus *orat. De Consummat. Mundi*, Ephrem tract. *De Antichrist.* in vol.1, Cyril of Jerusalem *Cateches.* 15, Ambrose bk.10 on ch.21 of *Luke*, where he numbers three Antichrists, the Devil, Arius and all similar heretics, and the individual and famous Antichrist who will persecute the Church at the end of the world. Thus too is Antichrist depicted by Lactantius bk.7 *Divin. Inst.* chs.16, 17, & 18, and he concludes: “Now this is he who is called Antichrist, but he will lie that he is himself Christ and he will do battle against the true Christ,” and he repeats like things in *Epitom. Institution.* ch.11. And in the same way does Hugo Eterianus speak bk. *De Regress. Animar.* ch.23, Prosper in *Dimidio Temporis* from ch.6 up to 16, but in particular Jerome on *Daniel* 7 when he says: “We think Antichrist to be some individual among men, in whom Satan will wholly dwell.” He supposes the same in epist.151 to Algas. q.1, where he expounds extensively the place of Paul to the *Thessalonians*. The same is contained in Theodoret on the same places of *Daniel* and Paul. And likewise Chrysostom *orat.* 3 on *2 Thessalonians* says that Antichrist will not be Satan himself, “but some man taking up all his working.” Where Theophylact has the same words when he says: “He will not be Satan but some man.” Cyprian too bk.3 *Ad Quirin.* ch.118 expounds of Antichrist the verse of *Isaiah* 14.16: “the man that made the earth to tremble,” assuredly supposing that he will be a particular man.

Augustine bk.20 *De Civit. Dei* ch.19 says: “There is no doubt that he spoke thus about Antichrist and about the Day of Judgment. For thus does he call the day of the Lord and says that it will not come except he will first have come whom he calls a fugitive, that is, from the Lord God. But if it is rightly said of all the impious, how much more of him.” And later treating of the place in John he says: “Just as before the end many heretics have come forth from the middle of the Church, whom he says are many Antichrists, so all then will from there leave who will not belong to Christ but to the last Antichrist.” And ch.23 expounding Daniel in this way too he says: “Antichrist’s future most savage kingdom against the Church, although it is to be sustained for a small period of time, until by the final judgment of God the saints will receive an eternal kingdom; he who reads these things without drowsiness is not allowed to doubt.” In addition the same is taught by Gregory bk.14 *Moralia* ch.11 where he says that Antichrist will be the head

of the all the wicked, and that the things said in *Job* ch.9, are in such wise understood of each of the wicked “that they should also be referred specially to the head itself of the wicked.” And in bk.13 ch.12: “The ancient enemy,” he says, “will enter into that man of perdition who is specially titled Antichrist.” And lastly Damascene bk.4 *De Fide Orthodoxa* ch.27 says: “Everyone who does not confess Christ is Antichrist. But yet he is said in a peculiar and chief way to be Antichrist who will come before the destruction of the world.”

Chapter 3: Satisfaction is made to two objections by Protestants taken from Daniel and Paul against the doctrine of the previous chapter.

Summary: 1. Improper interpretation of Beza on Daniel. 2. Response. 3. What Daniel understood by the name of the beasts. 4. By the name of the beasts are indicated the first kings. 5. The ten horns represent the same number of kings. 6. Another interpretation of Beza on St. Paul. 7. The heretics pretend a double meaning to the name of Antichrist. Antichrist is in type multiple, in person singular. Heresiarchs are called Antichrists. 8. The interpretation of Beza is attacked from the same words of Paul. 9. Opinion of the King of England.

1. Since, if Antichrist is going to be one individual person, the fantasy of the heretics, that Antichrist is to sit on the throne of the Apostolic See, vanishes, they attempt to attack the truth demonstrated from the Scriptures with the same Scriptures. And first Beza objects the place of *Daniel* 7 where by the four beasts four kingdoms are signified; but each one of those kingdoms lasted for much time and had several kings, who were signified by the individual beasts; and in the same way in the same place the ten horns of the fourth beast are said to be ten kings, who need not be individual persons but a series of several persons on the seat of one kingdom; therefore one must, for the same reason, say about the kingdom of Antichrist that it is signified by the little horn, not however that it is one man, but that it is one throne, on which many will by succession sit; of whom the collectivity is called by Paul ‘man of sin’, because it will be as it were one body of tyrants succeeding each other.

2. I reply, to begin with, that there is a dissimilarity in reasoning about the signification of words and reasoning about the representation of things appearing in figures or images, as of beasts or animals. For words have their own signification, as it were permanent and common, from which they are not to be dragged away except where necessity or sufficient authority compels, and most of all is an improper or metaphorical sense to be avoided when, from other words and circumstances, joined together in the very context and discussion, the propriety of the discussion can be made clear. But apparent things or images do not have *per se* a stable signification but only the one for which they are then assumed or imposed when they appear; which signification is metaphorical or as it were analogical, and depends on the will or intention of God revealing, and therefore it is very obscure and cannot be understood unless it be made clear in words by the same Prophet, or the meaning be gathered from other places of Scripture, or at least afterwards it finally be recognized from what happens. Paul, then, did not speak about Antichrist in visions of images but in words, and by such words does he point him that he is plainly speaking about him as about one individual person, and his morals and circumstances he so describes that they are wont to come together only in

one, and not in all, of those who succeed on some throne.

3. But Daniel in truth narrates the future things revealed to him, not in words, but in the images of beasts. Hence he indeed uses words that immediately signify beasts, and in order to point out that they are not true but imaginary, he does not say absolutely, the first was a lion, but *like a lion*, the second *like a bear*, the third *like a leopard*; but the beasts themselves were signifying what, by a certain analogy, they were imposed and shown for representing, and did not have another improper or transferred signification. And therefore they could easily represent kingdoms and not certain persons, or conversely, according to the choice of the revealer. Hence therefore it happens that by the beasts are sometimes signified kingdoms, sometimes certain persons. For in *Daniel* 7 by the lion having wings of an eagle is signified the kingdom of the Chaldaeans, by the bear the kingdom of the Persians and Medes, by the leopard the kingdom of the Greeks, and by the fourth beast the kingdom of the Romans. But in chapter 8, however, by the ram is signified King Darius, by the goat Alexander, as is expounded by Daniel himself. Therefore from representation by a vision of beasts no argument can be made for the signification of the words, for it varies, or it is imposed at the choice of the revealer; but the words are of themselves fixed and certain, unless it be clear from elsewhere that they are being transferred to a metaphorical sense.

4. Besides I add that though by beasts be signified kingdoms in *Daniel* ch.7, nevertheless by them singly is principally signified the first founders and extenders of each kingdom, in whom are found principally the properties that are represented by such images and visions. And thus the winged lion chiefly represented Nebuchadnezzar, the founder of the kingdom of the Chaldaeans, a very fierce man and given to lust, as Jerome notes, who says also that the bear, because of its hardness and fierceness represented Cyrus, the greater founder of the empire of the Persians. But the winged leopard represented Alexander, the head of the empire of the Greeks, who subdued the world with great force and speed. Thus therefore by the fourth beast is signified rather Julius Caesar or Augustus Caesar, although it seem more probable that a particular man was not signified, because that empire was at the beginning not a monarchy but an aristocracy.

5. Now by the ten horns of that beast are said expressly to be signified ten kings, namely, those who are going to subdue ten kingdoms, into which they will divide the Roman empire. Thus therefore by the little horn is represented a king indeed, the beginner of a new empire, who is none other than Antichrist, as Jerome, Theodoret, and all the Fathers have understood. But there is a difference, because about the other empires, of the ten kings, it is not said how much their thrones were or are going to endure; and therefore both the founders themselves and their successors could be represented by those very images of beasts for the ten horns; but about the empire of Antichrist it is signified sufficiently, both there and in the other places to be dealt with below, that it will last a short time, and therefore by that little horn the empire of Antichrist is so signified that it is also represented by one only and individual person.

6. Second the Protestants object the place of Paul *2 Thessalonians* 2, and they say (as I reported above from Beza) that unless there be given one man who remains surviving from Paul's times up to the Day of Judgment, Antichrist cannot be some definite individual man; for Paul in the cited place when he taught the Thessalonians, v.2, that "the day of the Lord" (namely for judging) is not yet at hand, because, v.3, "except there come a falling away first, and that man of sin be revealed," that day will not come,

he subjoins, vv.6-8: "Now ye know what withholdeth that he might be revealed in his time. For the mystery of iniquity doth already work [or: he doth already work the mystery of iniquity]; only he who now letteth will let, until he be taken out of the way. And then shall that Wicked be revealed, whom the Lord shall consume with the spirit of his mouth." Paul, then, teaches two things, namely that Antichrist had already then begun to work his iniquity and apostasy from Christ that is to be consummated by Antichrist at the end of the world, and that he himself must be killed and then the day of the Lord will come. But these things cannot be understood of the same person, because one and the same man cannot work iniquity in the time of Paul and continue persecuting the Church up to the end of the age, and then be revealed and killed by Christ.

7. Because of this testimony some have said that Nero was Antichrist, whose opinion we will treat of below in chapter 4, because they did not deny that Antichrist was a particular person. That opinion set aside then, Protestants either do not know or pretend not to know the double signification of the name of Antichrist set down in the second chapter, for the objection made proceeds from ignorance thereof. For just as John said: "Antichrist shall come, and even now are there many antichrists," because there is one who is individually foretold and many who, by participating in his iniquity, prefigure him as it were, so also Paul said that Antichrist had already in his time begun to work iniquity, although it is to be consummated at the end of the world. The heretics err, therefore, in not distinguishing between Antichrist commonly and properly said, or (which is the same) between Antichrist in type and in person. For Antichrist in type is not one person, but a body or succession of many tyrants persecuting the name of Christ. But the proper Antichrist in person, and who has been by antonomasia foretold, is a unique and singular person. But Paul spoke about both in the place cited. For when he says: "the mystery of iniquity doth already work," he is speaking of Antichrist in type. Whom at that time many Fathers understood to have been Nero, especially Chrysostom on that place, and Theophylact. And the same Chrysostom serm. *De Eleemosyna* and collat. and homil. *De Praemiss Sanctor.* and Ambrose there and Jerome epist. 151 to *Algas.* q.9. Tertullian touched on it in bk. *De Resurrect. Carn.* ch.24, and Augustine bk.20 *De Civitat.* ch.19, where indeed he says the interpretation is uncertain because of the ambiguity of the place, but he does not condemn it. He adds however another, which is followed by Theodorus and Sedulius on Paul, namely, that any heresiarch and enemy of Christ is included under him who works "the mystery of iniquity." But this matters little for the present; for all agree in this that he who was then working the mystery of iniquity was not Antichrist but a type, an image, a precursor, or a signal member of Antichrist. To signify which Paul did not say simply 'he works iniquity' but 'works the mystery of iniquity', either calling Nero the mystery of iniquity, if the word 'mystery' is the subject of the proposition and is put in the nominative case and he is called mystery because he was a figure of Antichrist; or certainly calling the persecution itself by Nero the mystery of iniquity in the accusative case, because Nero by persecuting Christians was working the mystery of iniquity, that is, tyranny, which was the image of the future persecution of Antichrist.

8. Hence so far is it from being proved by that place that Antichrist proper is not one definite person that rather the opposite is proved by it. For Paul evidently distinguishes the mystery of iniquity, or him who was then working the mystery of iniquity, from "that Wicked..., whom the Lord shall consume with the spirit of his mouth." Nay, he thence teaches the Thessalonians that the Day of Judgment is not yet at

hand, because “that man of sin” had not yet been revealed, that is, the true and proper Antichrist. About whom he also subjoins: “Now ye know what withholdeth, etc.” namely, lest that Antichrist come. But Paul does not plainly declare what it was that was detaining the advent of Antichrist, but he signifies that the Thessalonians already knew it, because when he was with them he had instructed them (as he at once subjoins) that Antichrist would not come until the Roman Empire were taken out of the way, or were to come to that state wherein it could by Antichrist be altogether destroyed, as the Fathers expound. Therefore Paul always supposed that Antichrist proper is someone else distinct from him who was then working the mystery of iniquity, and about him he always speaks as of an individual man, as I considered in the preceding chapter.

9. Hence too the King of England in his *Preface* p.67 admits that from that place is rather proved that “the time at which the Antichrist will come, and there will be a universal falling away, was not going to arrive except a long time after when Paul wrote that epistle.” For this very thing is what Paul handed on to the Thessalonians, and he studies to prove from that principle that not only had Antichrist not yet come but neither was he to come soon, otherwise he would not rightly have concluded that the day of the Lord was not yet at hand. Nevertheless, the same king yet does not deny that Antichrist is a particular person, although he tries to prove it, not from that place, but from another, as we will see in the next chapter.

Chapter 4: Satisfaction is made to another objection, taken from *Revelation* ch.17, against the solution of the second chapter.

Summary: 1. Objection of the King of England from Revelation. 2 Response. 3. By the name of whore is understood pagan Rome or the world. 4. The beast on whom the whore was borne was not Antichrist but his figure. The emperors too, the persecutors of Christians, are signified in the scarlet beast. 5. Nero was in figure the beast and the mystery of iniquity. 6. By the seven kings some understand the persecutors of the good in the seven ages of the world. 7. Others understand by the beast Antichrist and his precursors. The seven heads do not signify an indeterminate number. The persecutions of the Church are nine according to some, more according to others. 8. Nero the first persecutor of the Christians. Other persecutors after Nero. 9. Reason for doubt to the contrary. Response. 10. The persecution of Julian the heaviest. 11. The King of England by the seven heads understands the seven forms of the governance of Rome. 12. This is shown to be fashioned without foundation. 13. The same must be said about the decemvirs. 14. The governance of the Pontiffs is not signified by John through the king who is said to be the seventh. The contrary is repugnant to the words of Revelation. 15. From the time of Boniface nothing of the ancient faith was changed.

1. Third, the King of England objects in his *Preface* p.98 where he thus speaks: “That by the whore of Babylon, who rides on the beast, is designated the seat of some empire and a continued series of certain men in succession presiding over it, and not some one man, is clear from the form whereby Antichrist himself is described in diverse places in the book,” that is, in *Revelation*; and he introduces ch.17 of the same book wherein John reports that there was shown to him, v.3 “a woman sitting upon a scarlet coloured beast, full of names of blasphemy, having seven heads and ten horns.” About which woman he concludes at the end of the chapter, v.18: “And the woman which thou

sawest is that great city, which reigneth over the kings of the earth.” From which the king concludes that “the woman cannot signify the definite person of one man, but several men continually succeeding to each other, whose seat is that great city.”

2. I reply that though we grant the king that the city signified by the woman is Rome, as he himself intends, and that the seven kings signified by the seven horns are the seven forms of governance of that city, and that the eighth will be Antichrist, as the same king on his own judgment outlines; although, I say, we freely grant all these things, I do not see whence he might infer, with foundation in the text, that Antichrist is not one definite person. For although the woman signifies a city, wherein there is, represented by the beast, some empire with succession of several kings or several forms of governance, nevertheless the beast, which is also said to signify Antichrist, could signify one tyrant and one man. Neither can from the text anything be inferred that even apparently signifies something else. For if perhaps the argument from similars be made, that if the woman signifies a city and the beast an empire with succession of people presiding over it, the beast too, in order to represent Antichrist, will in a similar way signify a series of tyrants, etc., assuredly the consequence is of no moment. For these imaginary representations, or enigmatic figures are not always shown or proposed to signify the same thing, or in the same way, as is evident of itself.

3. I add that, in the exposition of the king, whereon he founds his objection, there are indeed things, in which he agrees with some Catholics, that are probable but unsure; but there are other things proper to the king that can hardly or in no way subsist. For, in the first place, although it be probable that the whore represented Rome, as Jerome expounds epist. 151 to *Algas* q. 11, and Tertullian bk. 3 *Contra Marcion* and *Contra Iudaeos*, who do not understand Christian Rome but pagan Rome, yet it is also very probable that she represented, not some particular city, but the city of the devil or of the world, in the way Augustine distinguished it, that is, the whole troop of the impious, from the city of God. In the way too that Jerome said, on *Psalms* 54, that there were two cities in the world, Babylon and Jerusalem. “By Babylon,” he says, “the evil are understood.” And these are wont by Scripture to be called the world. For thereto all the things agree that are said about the woman; for with her all the kings of the earth committed fornication, and by her were all made drunk who inhabited the earth, that is, men, as it were, earthly and animal. And the rest in like manner. But with this interpretation of the woman laid down, it is not necessary that the beast on which she is seen to sit is Antichrist, but Satan, as many writers have taught; for the devil sustains, as it were, the whole body of the impious, and therefore is she said to sit on him; and the rest that is there said is easily accommodated to the devil. Since therefore the devil or Satan is not a collection of persons succeeding to each other in some kingdom, but a certain individual person, it is not necessary that the beast, as the king wishes, represented a continued series of persons, but the one prince of demons, who, to attack Christ and his Church, uses, through succession of times, his own satellites, as well the bad angels as wicked men and many tyrants.

4. Besides, although we grant that “the whore of Babylon” (as the king says) is Rome, and the beast on which Rome sits is Antichrist, it is not necessary that the beast is the sole or the true and proper Antichrist, but rather one should say that the beast was first Antichrist in figure or mystery, but eventually, in the proper and true Antichrist, is to fail. And accordingly, although we grant that the Antichrist represented by the beast demands

not one man only but a succession of many, nevertheless we say that the succession is fulfilled in the emperors who by their own malice and tyranny prefigured Antichrist; but when the succession will be completed in the true Antichrist, he is to be only one individual person. But how conformable this response is to the Evangelist will easily be understood by him who has carefully considered how appositely the Roman emperors who exercised tyranny over Christians are signified by the “scarlet coloured beast, full of names of blasphemy;” for that these epithets are not attributed to the woman but to the beast is both taught by all interpreters and is manifest from the Greek text. For it is called “scarlet” because, v.4, it “was arrayed in purple and scarlet,” as is said later; but by purple is empire wont to be signified, because it was as it were the proper mark of that dignity, and, in order to explain it further, the beast is said to be “decked with gold and precious stones and pearls.” It can also be said to be ‘scarlet’ because of the blood of the martyrs, about which it is said later, v.6: “And I saw the woman drunken with the blood of the saints, and with the blood of the martyrs.” For although the beast shed blood, and therefore can be called scarlet, yet the woman, that is, the city, was drinking it, by the fact she was drunken, persecuting the Christians with hatred and by worshipping idols, because of which she is in the same place called, v.5: “mother of harlots and abominations of the earth.”

5. But that the beast in its representation not only includes Antichrist in person but also in figure, is sufficiently indicated by the word ‘mystery’ that is interposed by John, and it is very well explained by the words of Paul *2 Thessalonians* 2.7: “the mystery of iniquity doth already work,” namely Nero, who in the persecution of Christians began to foreshadow Antichrist, as all the Fathers expound. The same is also very well declared by the other words there subjoined, and thus are they understood, *Revelation* 17.8: “The beast that thou sawest was, and is not, and shall ascend out of the bottomless pit.” “Was” namely in mystery and figure, because before John began to describe it Nero was already working the mystery of iniquity, whom many emperors afterwards imitated. “Is not,” however, in person, but “shall ascend out of the bottomless pit and go into perdition,” as had been foretold of the person of Antichrist in chs.11 & 13. Next, thus too can the other words subjoined later be not incongruously understood, vv.8, 11, and “the beast that was” (namely in figure), “and is not,” that is, has not yet come, “even he is the eighth,” because he is a distinct person from the seven emperors who, by their tyranny, more signally represented him, and therefore he is “of the seven,” because he will usurp their empire and will increase and consummate their cruelty; yet he “goeth into perdition,” because he will reign a short time and will be at once condemned. So from this interpretation, which is very probable, is rather collected that, just as the seven emperors, who worked the mystery of iniquity of Antichrist, were definite and individual persons, so too Antichrist proper, who will come after them, will be a definite and individual person. Nay, although the first seven heads can be so understood or expounded that in them singly are understood not only unique persons but some succession of persons, nevertheless the eighth, who “was and is not,” will be a unique individual person, because he will last a very short time, and will at once without succession go “into perdition”, as is signified in the same place.

6. Wherefore, to solve the objection, it matters little to expound who the seven kings are, who the Angel said in interpretation were signified by the seven heads of the beast. For in whatever way those kings be understood, Antichrist, who will be after them,

will be a unique and individual person, which I briefly declare according to the two more received expositions. One is that of the many who, for explaining those seven kings, distinguish seven ages of the world: the first from Adam up to the Deluge, the second from the Deluge up to Abraham, the third from Abraham up to David, the fourth from David up to the Babylonian Captivity and the end thereof, the fifth from the end or the return of the people from captivity up to Christ, the sixth from Christ up to Antichrist, and the seventh they attribute to the times of Antichrist. Hence in the first six ages they say that by individual kings are understood all the cruel kings and tyrants who in individual ages persecuted the saints. Of which kings “five are fallen,” as John says, v.10, “and one is,” that is, the sixth, “and the other is not yet come,” namely Antichrist. About whom the same John adds: “and when he cometh, he must continue a short space,” so as to signify that although the first kings continued, not in one person, but in a succession of many, because their ages were lasting, yet the last age will be very brief, and therefore the king who will rule in it will be one only and individual person. However, according to this exposition, the beast, which is immediately said to be the eighth, is not understood to be Antichrist, but the devil, of whom it is said that he “was” in the former ages, because he was loosed, but now in the sixth age it is said that he “is not,” because he has been bound by Christ, and afterwards it is said that “he shall ascend out of the bottomless pit,” because he will be loosed in the time of Antichrist, and in him will he come and with him will he reign.

7. The other exposition supposes that by the beast is understood not the demon but Antichrist, or rather the Roman Empire, not absolutely and in all its fullness, but as working the mystery of iniquity, that is, of the persecution of Christians in the precursors of Antichrist up to the true Antichrist, who will pour out all iniquity. And thus is the beast well and in conformity with Paul understood to have begun in Nero. But it is said that he has seven heads because of the emperors his successors; under whom some think are included all who in that empire persecuted Christians, whether they were few or many, a definite number being taken as indefinite, or as universal. But this is difficult of belief, since John distinctly numbers five who have gone before, one who is, and another who will be; for this very distinct computation is not done in an indefinite number. And therefore others properly understand the words of the seven emperors only who were from Nero up to Nerva. For John lived and prophesied at that time; and therefore he mentioned only the mystery of iniquity that in the time when he was writing had partly preceded, partly was being worked, partly was to endure next, but from there he made a transition to Antichrist. Which also seems difficult. For why are others not there numbered, especially Trajan, who at more or less the same time, and while John was living, very bitterly vexed the Christians? Hence it can be added that by the seven kings can be understood some more signal of the persecutors of Christ who were among the pagan Roman emperors and were types of Antichrist. For although the persecutions of the Church are numbered in various ways, nevertheless they can, by a consideration not to be despised, be reduced to the number that can be accommodated to the vision. For Severus Sulpicius bk.1 *Sacr. Hist.* numbers only nine persecutions of the Church, beginning them from Nero. But others from the same beginning number ten, on the evidence of Augustine bk.18 *De Civit. Dei* ch.52. Thence Sulpicius posits one that is omitted in Augustine’s narration, and conversely; wherefore we might easily reduce them to seven or eight. But Augustine does not think one should begin from Nero, nor stop at

Diocletian, as others do, and therefore he thinks they are in some greater number, and that indefinite and to be multiplied with the variety of times.

8. But whatever be true of the thing itself seen pure and in itself, in its order to the place of John that we are now treating of, not without cause is Nero said to be the first persecutor of Christ, because John is not speaking of all the enemies of Christ but of Antichrist and his precursors; and perhaps he was not speaking absolutely and simply about all of them, but about those on whom the Roman empire or the Roman city was seated. Now among these Nero was the first who after Christ launched, by public edict, a war against Christ, because of which Paul said of him individually: “the mystery of iniquity doth already work;” about which mystery John too seems to be speaking, as I said, and therefore rightly is he reckoned the beginning and as it were the foundation of mystical antichristianism in the Roman empire. But after him John numbers another seven, in whom it is probable that he numbers and understands those who were the heads of new persecutions of Christians. For as Optatus said bk.3 *Contra Parmenianum*: “A new persecution of Christians in the Roman empire is thought then to have been made when by a public edict of the Emperors Christians were for some new reason vexed;” and therefore not all who continued a persecution begun by one are numbered distinctly among persecutors and mystical antichrists, but those only who either renewed persecution in new ways and with new edicts or who restored one that had already ceased. Thus after Nero are numbered among persecutors Domitian, and after him Trajan, although others intervened between them, and thus can the others be counted, as Marcus Aurelius, Decius, Diocletian, Julian the Apostate, or someone else similar.

9. But in the way of this exposition stand above all the words of John, where he says about the seven kings: “five are fallen, and one is, and the other is not yet come;” for John signifies by these words that when he was writing five of the seven had gone by and the sixth was actually ruling; but if so it is, there could not be counted in that number the emperors who were after John, as Decius, Diocletian, and others. However someone could say that John spoke in prophetic manner of the future, partly as past or present, partly as future, in diverse respects in their order to the Christian empire. Such that John says that the five chief enemies of Christ who persecuted the Church before the Christian emperors, that is, before Constantine, are fallen, of which sort can probably be reckoned the first five who ruled next after Nero, namely Galba, Vespasian, Titus, Domitian, and Nerva, passing over Otho and Vitellius about whom, because of the brevity of time, no account is taken, and not counting Nero, because it is not necessary that he be included in that number. But the sixth, who is added as present, can be understood not badly to be Licinius, who right at the beginning of the Christian empire at the time of Constantine persecuted the Christians very gravely, on the evidence of Eusebius in *Vita Constantini* bk.1 ch.4, and bk.2 ch.1, and in *Histor.* bk.10 ch.9.

10. But the other, who is said will come after, can be understood not undeservedly to be Julian the Apostate, with whom rightly agrees that which John subjoins: “he must continue a short space,” and he was the last Roman emperor who persecuted Christ himself and the Christian name. For although many other heretical emperors assailed the Catholic Church, as Constans, and Valens, and Constantine Copronymus, and the like, they did not, however, launch open war against Christ but, under the Christian name, pursued true Christians. But of the other persecutors of the Church (although there have in various kings and sects been very many) account is not here taken, because, as I said,

John is only speaking of the Roman empire. However, we admit that all these things are uncertain, because they rest, not on a sure exposition of the words, but only on conjecture and human accommodation; yet we only propose them so as to show that, in however probable a way that place is expounded, there is not therefrom collected that the eighth king, by whom Antichrist is designated, is some body of tyrants, or a series of kings succeeding to each other, but a definite and individual future man, as Nero was, or Diocletian, and the other emperors there designated.

11. But the King of England, indeed, not content with these expositions, has found a new one, or has learnt it from his Protestants, invented for this purpose alone, that they might accommodate the revelation of John to the Apostolic See. For he says that the seven kings are not definite persons, nor Roman emperors, but various forms of governance that in the City of Rome will from its beginning up to its destruction exist, which he says are seven, that they are understood by the seven heads of the beast, or by the seven kings, whom, he declares, the Evangelist declared by the seven heads. "For at Rome," he says, "there were first kings, then, when the kings had been driven out, consuls, dictators, decemvirs, tribunes of the soldiers. The sixth, at the time when John wrote *Revelation*, was of the imperial Caesars; the seventh, which had not yet come and was to last for a little time, is the ecclesiastical one of the bishops, which followed the translation of the empire from Rome to Constantinople. Although their governance," he says, "was in some way subordinated to the emperors." And later he adds that the eighth is Antichrist, which he declares in many words, saying that it is the governance of the same Roman bishops which followed after 276 years in the same see, namely from the time of Boniface III, as he later expressly says. All which things he brings forth, without any proof, by the mere authority of his word.

12. Before I proffer a judgment about this interpretation, I have judged I should preface an observation of Tertullian, in bk. *De Preascription*. ch.17 when he says: "An adulterating sense roars as much against truth as does also a corrupting pen. Diverse presumptions necessarily refuse to acknowledge the things that they are conquered by, and rest for support on things which they have falsely put together and which began from ambiguity." That this, then, has in this whole cause about Antichrist befallen the Protestants is manifest indeed from this very interpretation that we are treating of. For, to begin with, we require in the whole of it some authority or proof worthy of belief; for if all these things are justified as dictated by a prophetic spirit, such prophetic spirit must be shown to us in some sufficient sign or way; but if it is only human conjecture, or rather invented by accommodation, they are contemned as easily as they are said. Not only because human conjecture is for the most part mistaken, but also because it has no foundation in the text, nor in the words. Nay, the king twists them to a foreign and uncommon signification. Such as is that by the five kings who went before, or are fallen, may be understood kings, consuls, dictators, decemvirs, and tribunes of the Roman City; and therefore did no one before the Innovators understand those kings so. Next, wrongly are those five members numbered as five kinds of governance of that city distinct among themselves and succeeding to each other. For the consuls persisted always from the time they began, and they held ordinary governance up to the emperors. For never before Julius Caesar was there in that republic ordinary governance by a dictator, but he was only sometimes by occasion created for a brief time. And therefore consuls and dictators cannot be said to have multiplied the kings or ordinary forms of governance in that city.

For the consuls always persisted, even if, when a grave occasion arose, a dictator was created, who ceased after six months, or when the occasion ceased. Hence it was only a sort of extraordinary support, not a change of governance.

13. The same or greater reason also militates against the decemvirs, because the decemvirs were created, not for change of governance of the republic, but only for the sake of passing laws, and they sometimes received the power of ruling the republic. But they ceased within three years, and part of that time they obtained not so much by authority of the republic as by force. But this is not enough for judging it a special change of kingdom or of governance, otherwise a change of kingdom would have to be numbered during the interregnum, when a hundred were governing but one presided over the rest, whose command lasted only five days, and in this way in turn they took lots during the circuit of the year. For this nature of governing was no less distant from the kingdom than the decemvirate from the consulate, nor did the interregnum last for less time than the decemvirate. Finally, the same reason is more or less urgent in the case of the tribunes of the soldiers. Because there was, on account of adding the tribunes of the soldiers, no change at all in the governance or in the consuls, but the tribunes of the soldiers were added on from the people, being distinct more or less in name alone from the consuls. That distinction, therefore, and enumeration is not only willful but also strictly false and made up against the truth of history. For all histories distinguish only three times in Roman governance up to Constantine, of kings, of consuls, and of emperors; for the other dignities were only as it were concomitants to the times of the consuls, and were assistants on diverse occasions and in diverse ministries.

14. Besides it is incredible and intolerable that the seventh king be said to be the governance of the holy Pontiffs from Sylvester up to Boniface III. For at that time Rome was a whore committing fornication by the worship of idols, nor did she have in her hand a people full of abomination but of the doctrine of the faith and holiness. For although perhaps many worshippers of idols were found in her, the city itself believed Christ and adored the true God, and as such was seated on the shoulders of the Pontiffs. And therefore the governance of the Pontiffs, which was at that time, cannot be said to be one of the seven heads. Especially since John says that the scarlet beast was full of the names of blasphemy, on whom was seated a great whore. It is impious, therefore, to think that the beast, as the foundation or support of fornications, was represented in that head in any respect, or that it was, as to one head, the governance of the holy Pontiffs, or (which is the same) that this kingdom of the Pontiffs was one of the seven heads of the beast. Besides, it would be said of that seventh king wrongly that "he must continue a short space" if he has lasted for two hundred and seventy years; for although by comparison with the years following that governance was little lasting, absolutely and in itself it cannot be said to be short. And especially because in comparison with the preceding years it was more lasting than the governance of the first Roman kings, who were only seven and according to received opinion lasted at most two hundred and forty years, and from the beginning of the consuls up to the beginning of the empire of Augustus only four hundred and seventy eight years passed by, according to the more common calculation. Hence if that number of years be divided into three kingdoms, as the king wishes, each one of them lasted a far shorter time than did the kingdom of the holy Pontiffs, which the king makes the seventh; why then was it more said about it than about all the preceding that it must continue a short space? Nor do I omit to notice that

altogether false is what the king interposes by the by and as if treating something else, that the governance of those Pontiffs was subordinate to the emperors, for the contrary was shown earlier.

15. What is supposed last, that the governance of the Pontiffs or the Roman bishops from the time of Boniface III was so diverse from the governance of the later Pontiffs that it was from Christian made antichristian, is an heretical dogma and an impious and mere imposture of the Protestants against all history, nay against experience up to the present day. For the same faith which existed in previous bishops persisted in Boniface III and his successors; and the primacy which then Boniface wished and professed to have, he did not usurp through rapine but inherited, so to say, from his predecessors; for they exercised and guarded the same primacy, as was demonstrated earlier, nor can there be shown in any other respect a substantial distinction of ecclesiastical governance. That distinction, therefore, of kinds of governance in the Roman See is vain, and consequently the whole exposition of the king, and the whole calumny of antichristianism imposed on the Roman bishops vanishes. And finally it is evidently proved that from the said place of John cannot be collected that Antichrist is a series of several men in the same kingdom, but rather the contrary is indicated, namely that he is going to be some individual man, although it may from other places of Scripture be more evidently proved.

Chapter 5: On the time of the persecution and death of Antichrist.

Summary: 1. About Antichrist four things are foretold: his rise, his kingdom, his persecution, his death. Various opinions of Protestants about the time of the advent of Antichrist. The King of England puts the advent round the year six hundred. 2. The persecution of Antichrist is proved from Matthew to happen not much before the Day of Judgment. Objection and its response. Antichrist is rightly said to be abomination, and his persecution tribulation. 3 The tribulation of Antichrist will cease after his death. In what the tribulation consists. 4. The persecution of Antichrist is to cease with his death. 5. The persecution of Antichrist will last three years and a half. 6. Proof from Daniel. 7. Proof again from Daniel and from Revelation. 8. A difficulty; it is solved. 9. Double opinion about the end of the persecution of Antichrist. 10. Third opinion of the King of England asserting that it cannot be known for certain. 11. Our assertion is proved once the authority of the Fathers is set down. 12. Opinion of more recent persons. It is disproved. 13. Opinion of others. 14. The place of Ezekiel poses no problem. 15. Though they signified a definite time, they make nothing against the true opinion. 16. The days from the death of Antichrist to the Judgment cannot be many.

1. Although from the mere propriety of the name of Antichrist, and from the certitude and individuality of his person, it is very evident that what is foretold of Antichrist is very ineptly applied to the throne of the Roman See, nevertheless, because the King of England strives to show the contrary, at least by conjectures, we think it worth the effort, by running through the three chapters to which he reduces the revelations made about Antichrist, namely the time of his advent, his seat, and the description of his person, to weigh them individually and to show in the case of all of them that not only is there thence taken no probable opinion for what is intended, but rather that the opposite is proved from them one by one. But we begin with the

circumstance of time, because it is more known and more evident.

Now about Antichrist four things are foretold us, namely that he will come into the world, that he will rule in it, that he will persecute the Church, and finally that he must be killed by Christ. All these things are plain; for of his advent it is said in *Daniel* 7.8: “and behold, there came up among them another little horn.” About his kingdom it is added, v.24: “And the ten horns out of this kingdom are ten kings that shall arise; and another shall rise after them; and he shall be diverse from the first, and he shall subdue three kings.” But of his persecution it is said in the same place, v.25: “And he shall speak great words against the most High, and shall wear out the saints of the most High.” Finally about his end it is added, v.26: “But judgment shall sit, and they shall take away his dominion, to consume and to destroy it unto the end.” Also more clearly in Paul 2 *Thessalonians* 2.8: “And then shall that Wicked be revealed, whom the Lord shall consume with the spirit of his mouth, and shall destroy with the brightness of his coming.” According, then, to all these four things, as many points can be asked about the time of his advent: first, at what time he will arise in this world; second, when he will begin to reign and for how long he will reign before he begins to fight an open war against the Church; third, when he will begin to persecute Christians, or for how much time he will continue in this persecution; fourth, when he will be killed, that is, how long before the Day of Judgment. And although in the order of time his rise and reign will be first, to us, however, can be more known the time of his persecution and death, because they are more clearly revealed in Scripture, and therefore we will speak first about them in the present chapter, but about the other two times in the following ones.

Protestants, then, speak variously about the persecution and end of Antichrist; for of his beginning some say that it was from the beginning of the Church, as was seen in the two preceding chapters. Others report the beginning in the 400th year of Christ, others in the 660th year, or thereabouts; others around the 1200th, as is extensively treated of by Bellarmine bk.3 *De Romano Pontifice* ch.3. But the King of England seems to choose the opinion that puts the beginning of Antichrist around the 600th year. For he says in his *Preface* p.98 that the kingdom of Antichrist began 276 years after the transference Constantine made of the empire from Rome to Constantinople, which, as is probably believed, was done in the 330th year of Christ; from which, with the addition of 276, are made 606, at the time at which Boniface III was on the See, from when the King affirms Antichrist began. Nor does he seem to distinguish between the persecution and the kingdom, because he asserts that both began under the same Boniface. Nay, he thinks that the kingdom of Antichrist began in no other way than by beginning persecution, by forging new dogmas, and by usurping the power of Christ himself in the earth. But about the time of duration of the same persecution he thinks that it is not definite, but is the whole future time from the beginning of the same persecution up to the end of the world, or near the end. For of the time of the death of Antichrist himself, or the end of his persecution and of his reign, the king has also defined nothing, but says he does not know how long before the Day of Judgment it will be, as will be clear from the foundations he has which we will consider in the next chapter.

2. Now we lay down, to begin with, that, as perhaps neither the King nor other Protestants will deny, the persecution of Antichrist is to finish near the Day of Judgment, or (which is the same) the judgment will be not much after the completed and finished persecution of Antichrist, but proximately or as it were immediately after it. Thus does

Christ the Lord seem plainly to foretell in *Matthew* 24.29-30: "Immediately after the tribulation of those days shall the sun be darkened, and the moon shall not give her light, and the stars shall fall from heaven, and the powers of the heavens shall be shaken; and then shall appear the sign of the Son of man in heaven; and then shall all the tribes of the earth mourn, and they shall see the Son of man coming in the clouds of heaven and with power and great glory." Which words evidently describe the second coming of Christ for judgment, nor was there ever, nor can there be, controversy about this. But the tribulation of those days, about which mention is made in the same words, is plainly the future tribulation under Antichrist, about which the Lord had said a little before, v.21: "For then shall be great tribulation, such as was not since the beginning of the world to this time, no, nor ever shall be." You will say that many Fathers and expositors understand these words of the tribulation of the Jews in the destruction of Jerusalem by Titus and Vespasian. For this was foretold by *Daniel* ch.9, where he foretells the future abomination of desolation in the temple, of which Christ in the same place makes mention, when he says, vv.15-16: "When ye therefore shall see the abomination of desolation, spoken of by Daniel the prophet, stand in the holy place (whoso readeth, let him understand), then let them which be in Judea flee into the mountains." I reply that although it is probable that Christ wished to include this tribulation too, yet it cannot be denied but that he is speaking at the same time and chiefly of the future tribulation under Antichrist. Both because this is consonant with the preceding and subsequent words; for the disciples asked simultaneously about the time of the destruction of the temple and of the end of the age and of the advent of the Lord for judgment, because perhaps they thought they would be simultaneous; and so Christ replies with words that can be applied to each tribulation, and afterwards finally he starts to speak openly of the judgment. And also because strictly only the tribulation of Antichrist will be great, so that none similar was before or will be thereafter. And therefore Christ spoke most about it, and the same can rightly be called 'the desolation of abomination,' that is, of Antichrist. For as Irenaeus, bk.5 ch.25, rightly expounded, Antichrist himself is deservedly called the 'abomination of desolation.' 'Abomination' indeed because he will be a man supremely abominable, and surnamed 'of desolation' because he will bring about incredible desolation for the saints and Christians. Therefore from the words of Christ is sufficiently collected that immediately after the end and consummation of the tribulation done by Antichrist against the Church of Christ, the signs of the Day of Judgment will begin, and a little later Christ will come for judgment. Which thing will from the following be more confirmed.

3. We add second, therefore, that the tribulation is to end with the death and through the death of the same Antichrist, not before; for although Christ did not there express this, it is evidently declared in other places of Scripture; for Paul 2 *Thessalonians* 2.8-10: "And then shall that Wicked be revealed, whom the Lord shall consume with the spirit of his mouth, and shall destroy with the brightness of his coming; even him, whose coming is after the working of Satan with all power and signs and lying wonders, and with all deceivableness of unrighteousness." From which words is plainly collected that Antichrist does not leave off his persecution until by Christ himself and by his order and command he is killed. For that tribulation will most consist in coercion by torments, in inducement by temporal promises, and in seduction by portents and false prodigies; but from these that Wicked will not desist until he is killed by Christ and his power is

destroyed; therefore, on the evidence of Paul, the tribulation finishes through Antichrist's death, and not before. And this same thing is signified by *Daniel* 7 when he says that by that tribulation, v.25: "the saints...are to be given into his (Antichrist's) hand until a time and times and the dividing of time." And immediately he adds, v.26: "But the judgment shall sit, and they shall take away his dominion, to consume it and to destroy it unto the end." In which place it is manifest he is speaking literally about Antichrist, and all the Fathers and Catholic expositors teach it with unanimous consent. Hence the same Daniel in ch.8 speaking of Antiochus says, v.25: "he shall also stand up against the Prince of princes; but he shall be broken without hand;" which words are also said of Antichrist in the person of Antiochus, on the authorship of St. Gregory bk.30 *Moralia* ch.12.

4. Next in *Revelation* 19 about Antichrist and a certain false prophet of his who, v.20: "wrought miracles before him, with which he deceived them that had received the mark of the beast," it is said that "these both were cast alive into a lake burning with brimstone," and it is added about their associates, v.21: "and the remnant were slain with the sword of him that sat upon the horse," namely Christ, whom John had narrated that he saw first. It is clear then that the end of the future tribulation under Antichrist is also the future end of his kingdom and of his life. For although there be disagreement among Catholics whether he is to be killed in this world because of the words of Paul, or to be delivered into hell alive, as John signifies, or is to be swallowed up alive by the earth in a chasm of it so that, shut up there, he should die and be buried and his soul descend into hell, so that in this way the places may more easily be reconciled; this question is of no importance for the present matter, for in whatever way he is to finish the present life in this world among mortals, it is sufficient for us that he will not lose his kingdom or cease from persecution until he ceases to live in this world.

5. Third, one must say that the persecution is going to last for a brief time, namely for three years and a half, and thus it is to begin as many years before the death of Antichrist. So do all the Fathers teach. Irenaeus bk.5 ch.30. Hippolytus *De Consummat. Mundi*, Lactantius bk.7 ch.17 says: "It will be given to Antichrist to make the world desolate for forty two months. The same in Cyril *Cateches.* 14, Chrysostom homil.19 on *Matthew*, 'On the Imperfect One,' Ephrem tract. *De Antichristo*, Jerome on *Daniel* 7 & 12, who says: "the saints are to be granted into the power of Antichrist for three years and a half." Again Augustine bk.20 *De Civitate Dei* chs.18 & 23, who says: "That the very fierce reign of Antichrist against the Church will last a small space he even who reads this dozing cannot doubt." And at once he declares the same time. The same is contained in Prosper in *Dimidio Tempor.* ch.17 and Rabanus in tractate *De Antichristo*, which passes under the name of Augustine. And the same is the common opinion of the interpreters on *Daniel* 7 & 12, where see especially Theodoret on *Revelation* ch.8 and following, Victorinus, Primasius, Bede, Anselm, Rupert, Aretus, and those more recent.

6. This opinion is also founded first on the words of *Daniel* 7.25: "the saints...are to be given into his hand until a time and times and the dividing of time." In which words by the name of 'time' is signified a year, as is noted by Jerome, Theodoret, and all on that place, and Augustine bk.20 *De Civitate Dei* ch.23, as is clear from *Daniel* 4.16: "Let seven times pass over him." And again, v.25: "and seven times shall pass over thee." And the same is repeated later. That usage of Scripture, therefore, exists most in that prophet, whom John in *Revelation* imitated. Again it is necessary that 'time' there signify some definite measure of time, because otherwise it could not be counted; but it cannot signify

an hour, a day, a week, or a month, because the time would be too little; nor does it signify some multitude of years, because the duration would, against other places of Scripture, be too great. Lastly, time is observed chiefly in the motion of the sun, whose complete revolution takes up a year, and therefore rightly is it by the name of time or of one time signified; for when another turning of the sun begins, a new time as it were begins, but in no multitude of years can a reasoning in metaphor so definite occur that it should be signified by the name of time in the singular. Hence too is it understood that when it is said 'for a time' it is set down exactly as if it were said 'for one year', especially when at once 'and times' is added. But this plural is to be understood of two and not of more, both because that suffices for the force of the word, whose extent is to be limited, lest it could grow immense and increase without limit; which is repugnant to the intention of the prophet and to the addition of half a time that is immediately made, and plainly indicates that the time is taken strictly; and also because, as Jerome and Augustine above note, in the Hebrew the number there is dual, which is not in use among the Latins, and so the plural is put for the dual. Therefore the word 'times' there signifies two years; therefore they are three years and a half.

7. Add that (as Augustine above notes) this time is explained by the same prophet by a number of days; for thus he says in 12.11: "And from the time that the daily sacrifice shall be taken away, and the abomination that maketh desolate set up, there shall be a thousand and two hundred and ninety days," which make three years and a half, and there are twelve days left over, which do not matter, because it is not necessary that the half year be precise, for in common speech a year is said to be half even if some days beyond six months remain. Besides, in *Revelation* 12 it is similarly said, vv.13-14: "And when the dragon saw that he was cast unto the earth, he persecuted the woman which brought forth the man child. And to the woman (that is, to the Church) were given two wings of a great eagle, that she might fly into the wilderness, into her place, where she is nourished for a time, and times, and half a time, from the face of the serpent." Which place is understood by all of the time of the persecution of Antichrist with the same signification of those words. Hence a little earlier in the same chapter the same time is declared by days, when it is said, v.6: "And the woman fled into the wilderness, where she hath a place prepared of God, that they should feed her there a thousand two hundred and threescore days." And likewise in ch.11 by days and months the same time is explained, when it is said, v.2: "and the holy city shall they tread under foot forty and two months," and about the preaching of Elijah and Enoch it is added, v.3: "And I will give power unto my two witnesses, and they shall prophesy a thousand two hundred and threescore days, clothed in sackcloth." Which do not make a complete three years and a half, for eighteen days are lacking.

8. Hence arises a difficulty, because it was said above that this time of months or years is not precise as to days, because it exceeds by some several days, but here days are lacking; yet it can happen that in the same number of months there be an excess or defect of days. But one must say that it is being thus narrated in order to the same effect, or to the same matter, but it could be otherwise in order to diverse things. Wherefore whenever there is enumeration by days, the number of days is without doubt precise, because it is required by the truth of the narration, although it not be necessary that the days at the extremes be complete, but it is enough that they have begun. Likewise too a narration by months requires a precise number as to months; however the last month can be

incomplete, and therefore in the number of days there is not required so great precision. But if to a certain number of months a half is added, then it is necessary that the other months be complete, because the addition of half a month requires this for the truth of the number of the months, and nevertheless, as to the number of days, there is not required so great an equality, for a half month is said to be an incomplete month, whether it be precisely half, or more or fewer days than fifteen.

It is the same, therefore, when so many years are numbered, three for example, and a half is added; for the first years are required to be complete, but in the half there can be variety, because it is not always required to be either complete or precise as to the number of days and the completeness of the months. So, in the present case, the persecution of Antichrist will without doubt be three years and a half. And because in the other enumeration by days some days are added above the precise time of three years and a half, therefore those years must necessarily be understood as to the precise number of days, even if it is not necessary, as I said, that the last day is complete. But it is not necessary that the preaching of Elijah and Enoch lasts the whole time and all the days of the persecution of Antichrist; for they could be sent some days after the persecution has begun, or, which is more likely, be killed some days before the death of Antichrist, and consequently before the end of his persecution; and therefore, although Elijah and Enoch are said to be going to preach for three years and a half, or for forty two months, nevertheless these can be incomplete as to number of days, although in the persecution they are not only complete but even in excess by some days. And in like manner the Church is in that persecution said to flee into the wilderness, and there to remain for the same time of years and months, because the saints at that time will flee into the mountains, and hide themselves in solitude and will there remain. However it can happen that they do not at once from the beginning take themselves to solitude, but after some days from the beginning of the persecution, and therefore as to the number of days that very time of years or months will be reckoned less.

9. Fourth, one must say that the end of the persecution of Antichrist and his death will only by forty four days precede the Day of Judgment, or the Day of Judgment will be after a month and a half from the death of Antichrist. Against this assertion there opinions can be reported. The first is the ancient one of the Chiliasts, who said that after Antichrist's defeat Christ will reign with the saints in this lower world in complete peace and earthly glory for a thousand years. But this opinion I pass over, because it has already been rejected by the Church as manifest heresy, and because it is of no importance to the present cause, and has in other places been expressly dealt with by theologians, on *Sentences* 4 d.43, and by the expositors on *Revelation* ch.20, where can be seen Ribera and Perera bk.8 on *Daniel* at the end. With this opinion omitted, then, the second is that of those who say that the delay will be for a time of seven years. Because Ezekiel chs.38 & 39, describing the persecution of Antichrist under the names of Gog and Magog (as is the more probable exposition), says that when Gog has been conquered, that is Antichrist, and Magog destroyed, that is his army, there will be so great slaughter of enemies and so great peace among the people of God, that after the earth has been cleansed and purged for seven months in burying the dead, the inhabitants thereof will for seven years not need fuel from the woodland for lighting fires because the spoils from the arms of their enemies will suffice for that purpose.

10. But the third opinion denies that it can be known with certainty how great an

interval of time will intervene between the death of Antichrist and the Day of Judgment. Which opinion is with so great exaggeration handed on by the King of England in his *Preface* p.74 that he says “the opinion which the Pontiffs follow, by understanding the time of three years and a half and so many days properly and strictly, is repugnant to the whole *New Testament*.” Namely because therein the Day of Judgment is announced not to be know by anyone and to come suddenly. And besides, what prophecies there are about this matter are so obscure, because of the various and often metaphorical signification of the words, that nothing certain can be collected from them. Hence he concludes, in the place cited, that a day is taken for a year and a definite number for an indefinite, or for a lasting duration.

11. Nevertheless the assertion set down is the common one of the Fathers. It is taught by Jerome on *Daniel* 14, by Theodoret *orat.* 10 on *Daniel*, by Bede on *Revelation* 8, by Anselm on *2 Thessalonians* 2, and rather frequently by the moderns, Bellarmine bk.3 *De Rom. Pontif.* ch.17, Ribera and Perera above. The proof is from the cited place of *Daniel* 12, where, after it has been said that the persecution of Antichrist will last 1290 days, it is at once added, v.12: “Blessed is he that waiteth and cometh to the thousand three hundred and five and thirty days.” In which number forty five days are added to the first number, which is understood to have been done for no other reason than that for so many days and no more after the end of the persecution is the judgment to be deferred. For because in those days even he can sin and be damned who remained firm in the temptation of Antichrist, he cannot be proclaimed blessed within that number of days; but he who will have come to the end of those days constant in the same living faith is pronounced blessed, because the journey will now be finished, after which there cannot be sin. And thus have the alleged authors understood that place.

12. But certain others more recent say that from that place is indeed collected that there will be forty five days before the judgment after the killing of Antichrist, but that the judgment will not be immediately thereafter, because that is not there said. However, if the force be carefully considered of that beatification: “Blessed is he that waiteth and cometh to the thousand three hundred and five and thirty days,” as we consider it, both points are very probably collected therefrom. Because, unless after the 1335 days the end of the world and the judgment were immediately going to be, there would be no reason for those to be absolutely blessed who persevere up to that number of days, because they would still be living in danger. And for the same reason could they be called blessed who had persevered up to 1290 days, because they have already overcome the tribulation of Antichrist; and conversely could they be said to be more blessed who persevered up to 4000 days. Not therefore without mystery is that precise number of days posited, but because in it the wars and dangers of the saints on earth are to be finished. And this argument, as I will immediately say, has great force when a future time is so accurately counted in days, and in numbers great and small, complete and incomplete; for there is then denoted a great precision of narration, and that some mystery in that point is to be fulfilled, but here nothing else can be thought of except that it will be the future end of the world or (which is the same) the Day of Judgment.

13. Some say that the signification could be that not all the enemies of Christ and all the ministers of Antichrist are to be killed together with him, and therefore the persecution is not in every respect to be ended within the limit of those 1900 [error for 1290] days, but for another forty five days are the enemies of the saints to be killed; and

therefore are they from that point to be called blessed because, with their enemies extinct, they could in greater tranquility serve Christ, even if the judgment is not going to be so quick. But this is a willful conjecture and not very probable. Both because the time of the persecution is sufficiently precisely counted in *Daniel* 7 & 12; and also because it is not likely that, when Antichrist has been miraculously destroyed, and his false prophet, there will be fear of enemies among the saints of the Church, or that there will be some minister of Antichrist who may dare to persecute them. Besides also because in *Ezekiel* ch.39 under the names of Gog and Magog victory against Antichrist and all his supporters, Gog and Magog, is described in such way that he himself and all his ministers are to be killed together; for thus is it said, v.4: "Thou shalt fall upon the mountains of Israel, thou, and all thy bands, and the people that is with thee." And later, vv.5-6: "Thou shalt fall upon the open field... And I will send a fire on Magog, and among them that dwell carelessly in the isles." This narration, then, does not admit of those delays, nor will they be necessary, since he is to be killed not by a human arm but divine virtue and by prodigies, not only Antichrist but all his army, and all his supporters. Therefore, by reason of victory and quiet from the persecution of Antichrist, all can be said to be blessed who have persevered up to the 1390th [error for 1290th] day; therefore by a higher and truer reason are they called blessed who have been constant up to the 1335th day, namely since they have come to the end of all dangers, and "they will stand in their lot at the end of the days," just as is at once said in the same place by *Daniel* 12.13. This exposition, then, is simpler, and more consonant with the words themselves.

14. Nor is there an obstacle in the words of Ezekiel 39 about the seven months for burying the dead, and the seven years for consuming in fire the arms of enemies, because they are not set down for predicting the future but for exaggerating the present slaughter. Therefore the sense is not assertive of future actions but is potential, that is, there will be so many corpses that for burying them seven months are necessary, and so many spoils of arms for maintaining a fire that they could suffice for seven years. Where also the seven months and seven years are not a certain but an indefinite time, that is, they could signify a long and a longer interval, as Bellarmine noted. And the same sense is seen by Ribera n.71 and he confirms it with other testimonies; but I know not why a little later it displeased him.

15. I note too that, if one understands that place according to the outer form and propriety of the letter, there is at most inferred that there will be seven years from the death of Antichrist up to the judgment, as in the same place n.23 Ribera hands down. Which indeed is no obstacle to our intention, because that time is sufficiently short for concluding that Antichrist has not yet come. However, with that sense supposed, there is no foundation left for the exclusion of it, namely that only for seven years is the judgment to be put off, at any rate from the force of that prophecy. Because Ezekiel only says that fire is to be maintained for seven years from the spoils of arms, but he does not say afterwards that this lower world will not exist for the human use of fire and fuel, just as it is. Nor is this latter to be collected from the former, but that only after the seven years, the arms now having been consumed, will it be necessary to collect fuel, or to cut trees from the woodland; therefore nothing certain is thence collected, although the brevity of the time be from elsewhere kept in confusion, as I will at once say.

16. Hence I add finally that, although the obscurity of prophecies and the variety of expositions be enough for this opinion about the forty five days not to be certain before

a definition by the Church, nevertheless this does not prevent it being thought more probable or even simply true. In which too I note that, although it not be *de fide* certain that so many days or so much time precisely taken is to be interposed between the end of Antichrist and the Day of Judgment, nevertheless it is very certain that that time is sufficiently brief and cannot be put off for many years. For Christ the Lord said in *Matthew* 24.29: “Immediately after the tribulation of those days shall the sun be darkened;” but it could not with propriety be said that a thing happens immediately after such a time which happens many years after the end of that time; nay, it is made very credible by those words that the signs which precede the Day of Judgment and follow the death of Antichrist will begin before those forty five days are finished, because this is indicated by the word ‘immediately’ put in place by Christ; and it is *per se* necessary that the Day of Judgment could be at the end of them and after the aforesaid signs, or a little later.

Chapter 6: Satisfaction is made to the first objection of the King of England against the doctrine of the previous chapter.

Summary: 1. The King of England contends that the kingdom of Antichrist will be of longer duration. 2. However he lacks foundation. 3 The seven beasts and the seven head are kings in league with Antichrist. 4. Other expositions of the same place. 5. Some Catholic writers understand by the name of the beast the Roman Empire. 6. This exposition is favored in part by King James. 7. The wound inflicted on the beast in one of its seven heads cannot be taken for the first siege by the Goths under Alaric. 8. The exposition of King James does not stand with other words in the same chapter. 9. Rome received no wound in its head from the siege of the Vandals. 10. King Odoacer seized but did not ravage Rome. 11. Totila gravely afflicted Rome but did not inflict any lethal wound on it. 12. The assertion of the King of England is refuted by an argument ad hominem. 13. Badly are certain words by the King added to the text of John.

1. Three arguments in particular I collect from the *Preface* of the King whereby he strives to prove that Antichrist will last for a longer time; but he himself does not distinguish between the persecution and the reign of Antichrist, because he either makes it of equal duration or at any rate judges that both will last a long time; and therefore we too in this chapter will speak about them as one, for we will later distinguish them more accurately.

2. The first argument then he takes from *Revelation* ch.13 joined to ch.17. For in the former John says, v.1, that he saw the beast rising from the sea having seven heads. And about the same he subjoins later, v.3: “And I saw one of his heads as it were wounded to death; and his deadly wound was healed.” The King thinks, therefore, that the beast is Rome and the lethal wound that it received is the ravaging and as it were destruction done to it by the Goths and Vandals, and this wound he says: “will be cured in the head, or in King Antichrist, who will then arise and take possession of the kingdom for a long time.” Which he seems no otherwise to confirm than from consonance with the other ch.17. Therein too John narrates that he saw a beast having seven heads, which heads he declares to be kings, to which he afterwards adds an eighth, who, v.11, “is also of the seven,” and who “was, and is not.” And he (as the King expounds) “is Antichrist, who will begin to reign at Rome, after that Christian Rome, by the working of iniquity,

has been plainly corrupted, and has lost the integrity of religion.” Hence, because he himself reckons that this has already been completed, and that “the lethal wound inflicted on Rome by the Goths has long ago been cured, and still the same throne continues at Rome,” he himself infers that Antichrist and his reign will last a much longer time than for three years and a half.

In all this way of arguing I find no force of reason or authority, because it is asserted capriciously and assumed without proof, because it serves his own opinion, yet nevertheless we are putting it forward lest we seem to omit anything, and so that we may, when we have for the occasion explained this vision of John, further confirm Catholic truth. About the vision of ch.13, then, we reply briefly that it is very probable that the beast represented Antichrist. For all the things immediately said about the beast are the proper works and signs of Antichrist, and because there is at once introduced another beast which proclaims the first and foreshadows his name, which all understand of the name of Antichrist. And thus did the ancient Fathers expound this place. Irenaeus bk.5 chs.28 & 30, Hippolytus orat. *De Consummat. Mundi*, Methodius in a like oration, Ephrem in tract. *De Antichristo*, Gregory bk.33 *Moralia* ch.26, Ambrose, Rupert, Andreas, Aretinus, Anselm, and other expositors of *Revelation*.

3. Now although there is diverse exposition of his seven heads, yet the simpler and more received is that they signify seven of the ten kings who will exist at the time of Antichrist and that are signified by the ten horns in Daniel and in John. For because three of them will be killed and destroyed by Antichrist, but the other seven will be subjected and allied to him and will reign at the same time with him, submitting to him their fasces, therefore is Antichrist said to have seven heads. Hence the addition that “one of the heads was as it were wounded to death” need not be understood of the proper person of Antichrist; for this is not said there, but that he will in one of his heads be gravely wounded and will be cured. Therefore, not the beast, but one of his heads will receive the blow, but the beast himself will cure the blow, in external appearance to be sure, in some marvelous way, such that, v.3, “all the world wondered after the beast, etc.” Therefore the sense is that one of those seven kings who serve Antichrist will be lethally wounded, perhaps in some war, or by receiving properly and literally a lethal wound in his own body, and he is afterwards to be suddenly cured by Antichrist in so marvelous a way by the art of the demon that all will be seized with admiration and will worship Antichrist. Or at least the understanding is more metaphorical about a wound in the state and the kingdom, because one of those kings will be conquered by enemies such that he seem to be altogether destroyed and deprived of his kingdom, and suddenly he will by Antichrist with supreme power be cured, that is, will be restored to his original state and kingdom, the enemies overcome, so that all should say, v.4: “Who is like unto the beast? Who is able to make war with him?” Or perhaps both will happen and are signified together.

4. Hence, according to this exposition, when later in the same chapter Antichrist is called, v.12: “the first beast, whose deadly wound was healed,” the wound must be understood not to be in him but in one of his heads. And, in the same way, what is said later, v.14: “which had the wound by the sword, and did live,” must be understood that he had it in one of his allies, who will be as it were his members. Unless perhaps Antichrist will himself have seven kingdoms and in one of them he will receive that blow, which he will suddenly restore and cure. But in whichever of these it be understood, a long duration in the kingdom of Antichrist is not thence collected, both because all this could

be done in one month, and also because it could happen in the course of his reign before the persecution of Antichrist begins, according to what must be said in chapter 9. And according to this exposition it is clear that wrongly is the vision of ch.17 conjoined with this one of ch.13, both because perhaps the beasts seen in each may signify diverse things, as is clear from what was said above; and also because, although they signify the same Antichrist, yet they do not signify the same kings; for in ch.17 seven kings are signified who existed in succession, for there it is expressly said, v.10, that five have preceded, and one is, and another is going to be. But in ch.13 seven kings seem to be signified who will exist together with Antichrist, and so they are not rightly joined together with each other. Then, finally, because, although from ch.17 there be collected a duration necessary for the succession, it is not, however, in Antichrist proper and his kingdom, but in a succession of tyrants who will precede him and foreshadow him and be as it were his precursors, as I have made clear in chapter 5.

5. But I add that there are not lacking Catholic writers who interpret the beast in ch.13 to be the Roman Empire, and the seven kings to be perhaps the same seven who in ch.17 are also represented by the seven heads of the beast. Which is certainly not an improbable opinion, since in the said ch.17 it is very probably that the beast is the Roman Empire, as I said in chapter 4, and it is likely that the same beast is signified in both places; but I think this must be understood of the pagan and tyrannical Roman Empire represented in those seven heads. Nor is the common opinion for that reason excluded, that the beast is Antichrist; for the understanding is not that he is so adequately, so to say, but because he will be the chief head of that beast. For he will seize the Roman Empire (its name destroyed), and will increase and complete the tyranny of his predecessors. With this exposition in place, the head receiving the mortal blow will be Antichrist himself, who will suddenly cure himself to the admiration of all, whether the blow was only a true lethal wound, properly cured before death was completed, or whether the blow was death itself, not genuine but feigned, and the cure was also a feigned resurrection, as Primasius on that place wishes, and Bede, Anselm, and some others, and it is the opinion of Gregory bk.11 epist.3 when he says that the coming Antichrist will pretend to die and rise again. For this too is likely, so that he may pose as Christ, and it is not alien to the words. From which sense too the King of England has nothing whereby to show that the duration of Antichrist's empire will be lasting, because the thing done could happen in a short time; nor does St. John say in that chapter that the beast will reign for much time after he has been cured from the blow.

6. To this exposition, indeed, King James seems in large part to accede, as to what concerns the signification of the beast. For as he judged that the beast in ch.17 is the governance or the empire of the Roman city, so he seems to think that the beast of ch.13 signifies the same empire or governance. Hence, as a result, he says that the beast wounded in one of its heads is Rome, "which received a lethal wound from the Goths and was afterward cured," and again, "therein Antichrist reigns for much time." About which interpretation, or adaptation, insofar as he expounds the beast to be the City or its empire or governance, we have no controversy; for although it is less probable, it does not contain error against the faith, and therefore we permit it. But what the king then adds, that the wound inflicted on the beast in one of its heads is what Rome received from the Goths and Vandals, is confusedly said, because Rome was rather often wounded by those enemies; and no explanation is given of when it received that wound, and by whom it

was through Antichrist cured, or in the time of Antichrist. Which if we run through each point briefly, it will be manifest that, in whatever way the king understands it, it cannot be applied to the exposition.

7. For the first Roman siege of the Goths was made by Alaric, in the year of the Lord 410, and at that time indeed we do not deny that, by a fitting metaphor, the City of Rome could be said to have received a mortal wound. Yet nevertheless it is wrongly said that John spoke about that, because the wound was not inflicted on the beast in one of its heads, as John said, but in the very body of the beast, namely in the city itself; for the head, which the beast then had (as the king himself wishes) was the Roman See or the Roman Pontiff. But the Roman See suffered no evil from Alaric. For, in the first place, Innocent, who was presiding at Rome, when Alaric almost destroyed it, had left to compose peace between Alaric and the emperor, and had stopped at Ravenna, “God thus providing that he should not see the destruction of the City,” as Orosius says bk.7 ch.39, and it is touched on by Sozomen bk.9 ch.7, and by Nicephorus bk.13 ch.35; where he subjoins that he had permitted his soldiers to plunder the houses and pillage the wealth, but he ordered them to spare the one temple in which is the tomb of the Apostle Peter. “Which thing,” he says, “was the cause that all Rome did not utterly perish. For since very many had flocked together there from fear, they, having been saved because of reverence for the Apostle, restored the City with buildings anew.” Therefore, neither the See of Peter, nor the person of the Pontiff who was then sitting, received a wound, but the city itself, which because of the multitude of vices, and especially because of the remains of idolatry, is believed to have received that scourge, as the same authors and many others hand down. Therefore not rightly are the words of John applied to that destruction when he says, v.3: “I saw one of his heads as it were wounded to death.”

8. Hence much less can the other part of that prophecy be adapted to this interpretation, for John says, v.3: “and the deadly wound (which one head of the beast had received) was healed; and all the world wondered after the beast,” namely after Antichrist, about whom is subjoined, v.4: “And they worshipped the dragon which gave power unto the beast, and they worshipped the beast, saying, Who is like unto the beast?” Namely because in some extraordinary and marvelous way he cured the deadly wound, as all expound. With which interpretation the King does not disagree when he adds: “And thus that lethal wound, which it had received from the Goths and Vandals will be cured in that head, or in King Antichrist, who will thence arise.” But this cannot subsist if what the histories deliver is compared with that the king himself elsewhere supposes. For the wound inflicted on Rome by the Goths under the leadership of Alaric was at once cured, not in an extraordinary way or by the virtue of the demon, but by the special providence of God, men cooperating in a common and ordinary way. For Augustine says in his tract or sermon *De Excidio Urbis* that God by a special providence did not wish then to destroy Rome but to castigate it; and therefore he kept many citizens safe, by whom the city was afterwards restored. Which is further made plain by Nicephorus in the place and the words above cited when he says: “since very many had flocked together to the temple of St. Peter because of reverence for the Apostle, they restored the City with buildings anew.” Which restoration could have been brought almost to perfection in a few years.

9. But forty five years later Genseric, king of the Goths, besieged the city and began to burn and demolish it, and so he inflicted a new wound on Rome when it was

already cured of the first one. But not only did that wound not touch the head of the City, but an act by intervention of the same head was so done that the City itself was not so much cured of a lethal wound as by divine providence preserved. Hence Pope St. Leo in his sermon *De Octav. Apostol.* says: “Who has reformed this city for salvation? Who has plucked it from captivity? Who has defended it from slaughter? The games in the Circus or the care of the Saints? Namely by whose prayers the sentence of divine punishment was turned aside so that we who deserved wrath were saved for pardon.” And later: “We, not assigning our liberty, as the impious think, to the effect of the stars, but to that of the ineffable mercy of the Almighty God, who has deigned to soften the hearts of the raging barbarians...” Now that God did this by the intercession of the same St. Leo is reported by Paul the Deacon bk.15 when he says: “By his meeting with Pope Leo, Genseric was softened, and he preserved the city immune from fire, slaughter, and punishments.” But he adds that, carrying off all their wealth, he led away many Christians to Africa. But that cannot be said to be a lethal wound, and it could easily be repaired, as is evident of itself.

10. But further, almost twenty years later, when the City had already been restored, Odoacer, king of the Eduli, besieged it again and seized it in the year 476, as Evagrius reports in bk.2 *Histor.* ch.16, and Nicephorus bk.16 ch.11, and Cassiodorus in *Chron.*; who, however, say that he did not burn or destroy the City but only seized it. Nay, Cassiodorus says of him, “although, with all his adversaries extinct, he had free dominion over Italy, he enjoyed very great felicity with temperance and modesty.” Therefore no lethal wound was then inflicted on the Roman City, or on the empire proper that was then reigning there, that is the pontificate. For Simplicius, who was then presiding, was neither deprived nor diminished either in his dignity or in his city, but the city, in the same state as it was before, continued in Simplicius and in his successors, Felix III and Gelasius, during the whole time that Odoacer lived.

11. Next, in the year of our Lord 547 and 550 Totila, king of the Goths, vexed Rome and seized it, and in part plundered and destroyed it, but did not inflict a lethal wound on it; and that wound, whatever it was, was at once repaired or cured. For in his first invasion, by the intervention of Pelagius, then deacon and afterwards the first Pope of the same name, and of the general Belisarius, he dealt kindly both with the Romans and with the city itself; and although he overthrew part of the walls, they were by the same Belisarius a little later rebuilt. But in the second invasion, although Totila at the beginning tried to demolish and destroy the City, yet ultimately he both called back its inhabitants and fortified it with new buildings. Therefore much less did Rome at that time receive a lethal wound, or had need to wait for Antichrist to cure it of its wound.

12. Add that, after all these wounds or persecutions, the beast, or the Roman City continued for fifty six years healthy and whole in peace under the same pontifical empire and in the same faith (even by the opinion of the King and Protestants), before the Antichrist, whom they themselves fabricate, began. For the king says that the Roman Church began to be antichristian in the year 660, but the last Roman irruption happened earlier in the year 550, as I said; therefore when that time came, the beast no longer had a wound which might under Antichrist be cured. And much less can be accommodated what John adds, “all the world wondered after the beast,” namely posterior to the cure of the lethal wound. Also, neither from that time, nor because of that fact, did the power of the Roman City or of the Roman Pontiff seem greater to the world such that all should, for that reason, worship the beast saying: “Who is like unto the beast? Who is able to

make war with him?” Nor, lastly, from the fact that the Roman ruins, in whichever of the said sieges they were made, were afterwards restored, or from the way in which that wound was cured, can be collected what John says, that the dragon “gave power to the beast.” For no one has ever thought that the restoration was done by virtue of the demon, but by divine virtue and providence, which wanted to chastise his people, not to ruin them, as Augustine rightly said in the said tract. *De Excidio Urbis* and in bk.1 *De Civit. Dei* ch.1, hence no one but a madman or a pagan could be stirred up then to worship the dragon, but rather to praise and glorify God; therefore none of the things that John foretold in that place can, according to that vainly thought up exposition, be accommodated.

13. From which finally is manifest that the final words which the king adds to his interpretation when he says: “The mortal wound will be cured in the head, or in King Antichrist, who will then arise and take possession of the kingdom for a long time.” These final words, I say (which alone pertain to the present cause) are added without foundation by the king to that vision or prophecy of John. For John teaches nothing there about the lasting duration of the reign of Antichrist; nay about the beast that received a wound in one of its heads, and was healed, he says, v.5: “and power was given unto him to continue forty and two months,” to do, I say, all the things that are there declared, vv.6-7, namely to speak “blasphemy against God” and against “them that dwell in heaven” and “to make war with the saints, etc.” wherein the persecution and impiety of Antichrist is described. Therefore that lasting duration of Antichrist is not only without foundation in the text, but is also thought up in opposition to its words.

Chapter 7: Satisfaction is made to the second objection of the King of England taken from *Revelation* ch.18.

Summary: 1. The second objection of the king from Revelation. 2. Babylon is one true, one mystical. 3. Babylon is said to be the whole world. 4. This Babylon, which is not composed of stones but of corrupt men will be destroyed when the impious have perished. 5. An objection is solved. 6. By the name of Babylon Rome too is signified. But pagan Rome not religious Rome. 7. It is probable that Rome is to be destroyed before the Day of Judgment. 8. The time of this overthrow is very uncertain. 9. Attack on the first part [of the king's objection]. 10. On the second part. 11. On the third part. 12. It is uncertain whether the destruction is to be done by Antichrist or by one of his ministers. 13. It is probable that the ravaging of Rome is to be completed by Antichrist. 14. From ch.18 of Revelation is not collected that the persecution of Antichrist will last beyond three years and a half.

1. Secondly and chiefly the King of England collects this long duration of the reign of Antichrist from another place of *Revelation*, ch.18, where is first described the mighty fall and destruction of the great city of Babylon, which the king supposes to be the Roman City, and next is predicted a very great wailing of kings and merchants of the earth over her, and fear from wonderment at her desolation. Hence the King of England thus concludes: “From that very heavy wailing it is most plainly clear that the reign of Antichrist will last longer than the space of three years and a half, or the age of one man.” Now this he proves because “the kings who have committed fornication with her and lived in delights, must have had a longer time for contracting that great bond of affinity.

But the merchants of the earth boast thus at length of her wealth and felicity while she stood, as if she had been the emporium of their riches, which they could not pile up in so short a time, and not even within a century.” From these two conjectures the king concludes that it is necessary for the reign of Antichrist to have a future not of three years, nor only of the life of one man, nay not of one century either, but of many; but how from those conjectures this follows he does not declare, since they do not seem to have any connection with each other, as will be by me briefly explained.

2. But it is first necessary to expound what that Babylon is of which John both in this ch.18 and in earlier ones is speaking. For a twofold Babylon is by men distinguished, one is material and proper situated in Chaldea, which was the beginning of the kingdom of the Chaldeans, the other is mystical. And although Andreas, ch.53, thinks that John can be understood about both, all the rest, however, suppose it for certain that John is not speaking of Babylon proper, which even he himself indicates sufficiently, ch.17, when he says that there was written on the forehead of the city, v.5: “Mystery, Babylon the great,” and he attributes to it many things that do not rightly fit the true Babylon. John therefore is speaking of the mystical Babylon; but what she is I am inquiring. Wherein I only find Areta, who in ch.53 has interpreted the Babylon of which John speaks in ch.17 at the end as Constantinople, but without foundation in Scripture or in reason.

3. There are then two probable expositions, one is that this Babylon is the whole world as to the congregation of the corrupt, which Augustine called the city of the devil in his books of *De Civitate Dei*, especially in bk.18 at the beginning. Hence in *Enarrat.* 2 on *Psalms* 26 he speaks thus: “There is a certain city which is called Babylon. That city is the society of all the impious from the East unto the West, the earthly kingdom possesses her, etc.” And *Enarrat.* on *Psalms* 61 he says: “All who have taste for earthly things, all who prefer earthly happiness to God, all who seek their own things, not those which be of Christ, belong to that city, which is mystically called Babylon, and has the devil for king.” And he repeats the same *Enarrat.* on *Psalms* 86 [87] about the verse, v.4: “I will make mention of Rahab and Babylon to them that know me.” “Babylon,” he says, “is called a city in accord with the secular age, one wicked city Babylon, all the wicked belong to Babylon, etc.” About this Babylon, then, is that place of *Revelation* expounded by grave and ancient expositors, Bede, Victorius, Tyconus, homil.16 on *Revelation*, Anselm, Primas. And Ambrose and Augustine as well in the commentaries which are under their name conveyed among their works, in addition to other modern expositors on that place. And the same is taught by Aretas, chs.41, 42, 53, 55, although in other places he seems to interpret otherwise. Nor does Andreas dissent although he adapts the words to other Babylons as well. Prosper is express and very good in *Dimidio Temporis* ch.7, where he thus expounds that verse of *Psalms* 137.8: “O daughter of Babylon, etc.”

For this exposition reference can also be made to Peter Damian epist.3 to *Blanca* ch.12, insofar as he says that every wicked soul is included in the name of Babylon. And he expounds about the punishments of hell the words, *Revelation* 18.7: “How much hath she glorified herself, and lived deliciously, so much torment and sorrow give her.” And the same is also contained in Pacianus *Paraenes. de Poenitentia* at the end. St. Augustine too, on *Psalms* 149, similarly expounds the words of *Revelation* 18.6: “double unto her double according to her works; in the cup which she hath filled fill to her double;” and he understands them to be said of the world which is signified by the name of Babylon, although the aforesaid words are not literal references, but: “Thus,” he says, “is it written,

give to her double for what she has done.” And from these very words or places is this exposition made probable; and in addition from these, v.2: “and is become the habitation of devils, and the hold of every foul spirit.” For these are very properly said of the city of the impious, and can scarcely fit any particular city. Again those words, v.4: “Come out of her, my people, that ye be not partakers of her sins,” which are thus expounded by Cyprian bk. *De Lapsis*. Just as those words too, v.19: “Alas, alas, that great city, wherein were made rich all that had ships...” Again those, vv.23-24: “for by her sorceries were all nations deceived. And in her was found the blood of the prophets, and of saints, and of all that were slain on the earth.” For these do not seem able to be adapted save to a city occupying the whole world; but this is the city of the impious; well therefore is it by Babylon understood. And the same is confirmed by Aretas in his ch.41, from the adjective whereby that city is often called ‘great’; for he thinks it cannot be put for distinction of a small city (for thus it would have too little emphasis and would signify nothing great), but for denoting the absolute magnitude, that is, the universality of that city; for it has occupied all places and all times, which seems also to be signified by Jerome epist.17 to *Marcel.*, when explaining, not this chapter of *Revelation*, but ch.13.

Nor is it difficult to accommodate to this signification of Babylon all the other things that in ch.17 are said about it; for Babylon taken in this signification is not other than the world taken as to its bad part, in the way that is frequent in Sacred Scripture, as *1 John* 5.19, 4: “the whole world lieth in wickedness...; and this is the victory that overcometh the world, even our faith;” and Christ in *John* 15.18: “If the world hate you, know that it hated me before it hated you.” Hence the world is numbered among the three chief enemies of the salvation of souls, and it is believed to be meant by *1 John* 2.16: “the pride of life,” about which he immediately subjoins: “...is of the world.” For this reason, then, will it rightly be said of this Babylon of the world that she “sitteth upon many waters...peoples, and nations, and tongues,” as the same John later declares (*Revelation* 17.1, 15). She is also called, v.1, “the great whore,” because in truth, 18.3: “all nations have drunk of the wine of her fornication, and the kings of the earth have committed fornication with her, and the merchants of the earth are waxed rich through the abundance of her delicacies,” and the like, whereby the vanity and malice of the world is very well described. And finally is it rightly said of her that she is, 17.6, “drunken with the blood of the saints, and with the blood of the martyrs of Jesus,” because all the impious have persecuted the saints, and the martyrs have in all the provinces of the world shed their blood for Jesus Christ.

4. Now just as this Babylon is not made of stones but is put together from corrupt men, as Tyconius says homil.16, so its destruction does not consist in the demolition or burning of walls and buildings, but in the final perdition of all the impious. And so this Babylon will not be destroyed by Antichrist nor before the Day of Judgment, but on the Day of Judgment itself and by Christ and the angel ministers of his justice. Hence it is said in *Revelation* 18.8: “Therefore shall her plagues come in one day, death, and mourning, and famine; and she shall be utterly burned with fire; for strong is the Lord God who judgeth her.”

5. You will say: how therefore will “the kings of the earth...and the merchants...weep over her...standing afar off for the fear of her torment,” 18.9-11, 15, since they themselves are members of her and cannot avoid her torments? I reply that, nay, for this reason will they rightly cry over, because “they lament for her”, as is said in

the same place; and because they will be in great horror of the torments they will stand afar off, namely not in body, but in affection, such that they desire as much as in them is to flee, but they cannot. Next, according to this exposition, what the King of England assumes is indeed true, that the kings and merchants of the earth did not have friendship and bond with that city save over a long time; but it does not thence follow that Antichrist will rule a long time, but that the city of evil will endure for many centuries, before it is judged and punished by God.

6. The second exposition is that by the name there of Babylon Rome is signified, such that it is there foretold that the destruction and stupefying vengeance of God on the city will be before the end of the world. For the fact that Rome is sometimes signified by the name of Babylon is clearly handed on by Augustine bk.18 *De Civitate Dei* ch.2 when he says: “the true Babylon was the first Rome, and the true Rome was the second Babylon.” And Jerome *De Scriptor. Eccles. in Marco* says that Peter, when he says, *I Peter* 5.13: “The church that is at Babylon elected together with you saluteth you,” figuratively signified Rome; and he has the same on *Isaiah* 47 at the beginning, explaining in this way too the places of *Revelation*. And in epist.17 to *Marcella* he expounds of Rome this place of *Revelation* 17 & 18. The same on *Isaiah* 24 thinks that Rome is the spiritual Babylon of which John speaks. Orosius bk.7 *Contra Paganos* ch.2 has the same. And Tertullian bk.3 *Contra Marcionem* ch.13, where Pamelius notes that this is to be understood of pagan or wordly Rome, not of the holy Church there gathered. For Peter sufficiently clearly distinguished them when he said: “The church that is at Babylon elected together with you saluteth you.” Next, the fact that Babylon is taken in this signification in *Revelation* is a sufficiently common interpretation among ancient and modern expositors of *Revelation*, both in this ch.18 and in others, as Victorinus, Andreas, Aretas, Riberus, Viegas, also Bellarmine bk.3 *De Summo Pontif.* ch.13, Sander bk.8 *De Visib. Monarch.* ch.8, and many others. The exposition is also probable, because John in ch.17, if the propriety of the words is held to, is speaking of a special city, and in ch.18 he is speaking, not only of a people, but also of a material city, as consisting of houses and other buildings, and situated in a particular part of the earth, which can be distant from or near to other places of the earth, as is indicated by the words: “standing afar off for the fear of her torment,” and by the words, 18.17-18: “And every shipmaster, and all the company in ships, and sailors, and as many as trade by sea, stood afar off, and cried when they saw the smoke or her burning.” But if that Babylon is some particular city, certainly it cannot be but Rome, as is sufficiently clear from what has been said, and as is manifest from earlier chapters of the same *Revelation*.

7. On the acceptance of this exposition, then, there can at most be collected from it that the Roman City is to be destroyed before the end of the world, and to be utterly overthrown, even as to its material buildings, and given over to fire. Which thing many Catholics, not only without shame, but even with constancy teach and defend; they are referred to and their opinions extensively described by Thomas Malvenda bk.4 *De Antichristo* chs.4 & 5. And although he himself fears to descend to their opinion, and therefore tries to interpret *Revelation* in other ways (which it is not necessary now to examine or approve or disapprove), nevertheless it cannot be denied that the opinion is very probable and is very consonant both with the places of *Revelation* and with the ancient Fathers, especially Jerome, whose words are thus on *Isaiah* 24: “The city of vanity will be ground down, or every city or spiritual Babylon which sits purpled on the

seven mountains, whose punishments we read in the *Revelation* of John.” Nor does he disagree with that opinion in bk.2 *Contra Jovinian*, although he indicates that the prophecy is not absolute but a threat, when he says: “I speak to you who have destroyed by confession of Christ the blasphemy written on the forehead...the curse with which the Savior threatened you in *Revelation* you can escape by penance, holding the example of the Ninivites.” Add Lactantius bk.7 ch.25, who, on the testimony of the Sibyl, confirms that “the City, the head of the world” will burn and must fall; “and then,” she says, “who will doubt that the end has already come for human affairs, for the whole earth?” And certainly, on the supposition of the future devastation especially of the Christian globe at the end of the world before the judgment, partly by the ten kings who will precede Antichrist, partly by Antichrist himself, who will persecute Christ and his Church with greater power and bitterness and hate, it is *per se* very probable that one or several of them will rush upon the City and will utterly overthrow it, so that the Roman name, nay, and the Christian if they can, they should, with Rome destroyed, entirely extinguish.

8. But the manner, order, and time of this overthrow, although we assume that it will be, are far more uncertain than the overthrow itself; for about the overthrow itself we have a foundation in Scripture, according to its probable sense, but about the rest of the circumstances almost nothing. Hence the manner in which the learned man Thomas Malvenda describes the final Roman destruction according to the opinion of those who understand the prophecies of *Revelation* to be about the Roman City, is not even asserted by all who approve that sense; nor does it seem to me necessary, or supported on compelling foundation. For he says that Rome, near the end of the world, will return to more and greater crimes and outrages than it before committed when it was pagan; for it will deny the faith, and cast the Pontiff from itself, and will massacre the religious orders, and return to idolatry. For it will again recover its ancient temporal power with greater fullness and majesty of empire than it had before, and it will have the ten most powerful kings subject to it, by whose labor it will persecute the saints more bitterly and afflict them with crueller martyrdoms than they suffered under the pagan emperors. But afterwards within a brief time, he says, those kings will defect from Rome and rise up against her and utterly destroy her, God permitting it, in vengeance for her crimes both in the past and in the time of those present. For this seems to be indicated by the Evangelist John when in the same ch.18 he said, v.5: “For her sins have reached unto heaven, and God hath remembered her iniquities.” For it is to be believed that God will not permit so severe a punishment of Rome unless she herself first adds new sins to old, and so excites the wrath of God against her. And to this manner are accommodated the other things that John foretells in this and the preceding chapter. And finally after the destruction of Rome done by the ten kings, he says that Antichrist will come according to the other prophecies treated of above.

9. All these things indeed, although they are not impossible, nor repugnant with any prophecy or promise made to Rome that I know of, do not seem to me necessary nor sufficiently founded. For, supposing the exposition about Babylon that we are pursuing, we only have from this place of John that it is to be overthrown and altogether destroyed, so that “it shall be found no more at all,” as John says, v.21, that is, it will no more be restored or inhabited, and therefore “no voice...of pipers, and no craftsman, nor the sound of the millstone, nor the light of a candle, nor the voice of the bridegroom and the bride, will any more be heard or found in her,” as is said there, vv.22-23. The desolation,

then, will be eternal, and therefore it seems certain and tested that that oracle, when understood of Rome, has been fulfilled in none of the preceding destructions of the Roman City, as the reader will easily conclude if he carefully compares what we have said about those destructions in the preceding chapter with the words noted from the present prophecy. Nay, thence is it made very probable that such Roman destruction, if it is going to be, will not be except at the end of the world, although this is not in the said ch.18 asserted, nor is it elsewhere prophesied, and therefore it is less certain. Yet hence, in another way, is there proof that it is likely that so marvelous a destruction of the city and so monstrous a persecution of the Apostolic See will not happen except in the times of Antichrist or very near them, and therein will be fulfilled what Daniel foretold, that the daily sacrifice will cease, and the like.

10. But that before the destruction Rome is to return to her pristine power and temporal empire, I do not see whence it can be proved; because not everything that is said of Rome in this chapter must be found in it in that last time in which it will be destroyed, but in the whole course of time from when it was built up to the end. "Because," as is there said v.5, "her sins have reached unto heaven, and God hath remembered her iniquities," namely all of them that were done in her at any time. Wherefore too I do not see whence it will be sufficiently proved that Rome will return to idolatry or to the like crimes which proceed from ignorance of the true God; both because, in order for sins to be said to reach unto heaven, it is enough that to the previous outrages of the impious there should be added new and very grave sins of Christians, by which God will be moved more to anger than by the offenses of the rest of mankind ignorant of the true God. And it could happen that in that time sins and outrages will be multiplied in that city with greater luxury and corruption than in the past times of Christianity. And also because, although that destruction will be in punishment of the corrupt multitude, it is credible that it will also be for the proving of the good, and for the purgation and merit of the predestined, as Christ signifies about the persecution of Antichrist and as the Fathers teach. It will not therefore be necessary for Rome to return to idolatry for God to permit her destruction.

11. Next, as to what is added, that the ten kings will be subject to the temporal empire of the City and will afterwards rise up against her, I do not see on what foundation it is asserted. For what John says here, vv.3, 9, that "the kings of the earth have committed fornication with her, and will lament for her," indicates at most that they will be friends of the Roman City, or perhaps that they first imitated her crimes but afterwards, by natural affection, grieved for her loss. I also add that it does not seem necessary for those kings, who will first commit fornication with Babylon and will afterwards lament for her, should be those very ten who will reign very soon before the advent of Antichrist, but other kings of the earth, who will not be lacking outside the Roman Empire, as in Persia, in Africa, in India, and other regions, who will perhaps remain up to the end of the world. Next, it is not necessary to understand by the kings of the earth only supreme and principal kings of the earth, but also great princes, and as it were petty kings, as are now many dukes, and potentates in Italy and Germany, and the like who, beyond those more famous ten, could exist at the time of the destruction of the City of Rome and first fornicate with her, not only through idolatry, but through other vices, by following the vanities of the world, and afterwards grieve and lament for her destruction.

Wherefore, from that place, on the supposition that by Babylon Rome is understood, there can only be certainly collected that Rome must ultimately at some time be altogether and irreparably overthrown; hence it is made more likely that it will be near the Day of Judgment and at the time of Antichrist, or thereabouts. But in what state Rome will be just before she is destroyed, in both temporal and spiritual empire and in faith, I do not see has been revealed, nor can it with foundation be defined. But there is nothing unfitting that by persevering in faith, religion, and in governance both temporal and spiritual through the Apostolic See, as she now is, she should at the end of the world be destroyed by some tyrant infidel or pagan or apostate. For just as this in large part happened in the time of Alaric, so it could be completed more bitterly and in every part at the end of the world. Nor is this contrary to the sanctity of that city, both because, notwithstanding faith and the presence of the Vicar of Christ, sins could be multiplied in it such that, joined with the preceding ones, they may excite the judgment of God against it in accord with the hidden counsel of his providence. And also because, although the city and its heads persist in the faith, it could happen that the multitude of the people, both by the example of the chief citizens and by the threats or promises of tyrant infidels, is corrupted and falls away. Next also because, as I was saying, that destruction will not only be because of vengeance but also for the proving and more perfect completion of many martyrs. And therefore it is not even against the promises made to the Church and to the Apostolic See about perseverance in the faith and in the chair of Peter that Rome be destroyed in that way, because the chair will never fail, nor its faith, whether it be established in this place or in that; for the Church will everywhere be the same and will always endure visible, even if by force of persecution it be forced to flee to the mountains, or hide itself in great part in hidden places.

12. Next, neither from that place nor from any other (as to what I know) can it be sufficiently collected whether this ultimate destruction of Rome is to be completed and consummated by Antichrist himself, or before him by one or several of those ten kings who will then rule in the Roman world. For that it will be in one of those ways is, on the basis of the said exposition, made very probable; because, as I said, so general a destruction of the City, the head of the world, and so great a calamity and persecution of the Church cannot be far distant from the times of Antichrist, and therefore will be either by him or by those who will immediately precede him. And again, from that principle it is made very credible that either Antichrist will not come before the Roman Empire is utterly destroyed or that by him the destruction of the Roman Empire will be consummated; but the Roman Empire will then most be destroyed when Rome is altogether extinct, and, contrariwise, while Rome perseveres in its state there will still be remains of the Roman Empire enduring. Therefore just like the Roman Empire so too the City will at the same time and under the same tyrants be destroyed. But because it could in one or other of the said ways come about, and neither of them has either been revealed or is repugnant to what has been revealed, it is clear that nowhere is it revealed that the Roman City will endure up to the times of Antichrist inclusively or intrinsically, so to explain the thing; therefore it could be destroyed beforehand by the ten kings. Again it is not only probable, but some contend even certain, that before the advent of Antichrist the Roman Empire is to be altogether destroyed by the ten kings; therefore it is probable that Rome is by the same to be overthrown. Which is also intimated in *Revelation* ch.17.

13. On the other hand, however, nowhere either is it revealed that Antichrist will

not come until the Roman City has been destroyed; therefore if it be destroyed by him, the prophecy of this chapter, which we are treating of about the destruction of Babylon, will be sufficiently fulfilled. Again we said above that it is very probable and in conformity with the Fathers that although the Roman Empire is by the ten kings, the proximate precursors of Antichrist, to be so divided and diminished that it be almost destroyed, nevertheless its destruction is to be consummated by Antichrist himself; therefore by him also could Rome be destroyed and extinguished. But when I say 'by him' I do not understand it to be necessary that Antichrist himself be present in such war; for it is enough that he do it through himself or through his generals or the kings subject to him. Therefore can be understood in either way what is said of the fornicating woman in *Revelation* 17 and of the ten horns of the beast, that, v.16: "these shall hate the whore, and shall make her desolate, etc.", if we understand Rome by the whore and Antichrist by the beast, as is probable but uncertain, as I said above, and in vol.2 part 3 disput.56 sect.2. Where I taught nothing else about the ultimate destruction of Rome; nay about it I spoke as of a thing uncertain. Nor did Bellarmine speak otherwise, who thinks rather that Rome is to be destroyed by Antichrist himself. For in bk.3 ch.13 he thus speaks: "Antichrist will have hatred for Rome and will fight with it and will desolate and burn it." And he thinks the same in bk.4 ch.4 at the end. The same way of speaking is also followed by Bozsius bk.24 ch.6, and he cites Tertullian, Lactantius, Cyril, Chrysostom, Ambrose, Jerome, and Augustine.

14. Last, finally, we say (so as to respond to King James) that from this whole ch.18 of *Revelation*, whether from the destruction of the City therein foretold, or from the circumstances with which it is described, it cannot be collected that the persecution of Antichrist will last a longer time than three years and a half. For if the ten kings are to destroy the City, although that war may last many years, or Rome may after it lie destroyed for many years, nevertheless Antichrist, after he comes, will be able to last for a brief time. But if Antichrist himself is to war against Rome, he could do it before he begins his spiritual (so to say) persecution of the Church, while he is acquiring temporal empire, which could last for several years, as far as it precedes the persecution, as I will say in chapter 9. And then the persecution could last only for the said brief time, as is *per se* manifest. Or certainly, although we grant that the destruction itself of the City will be part of the antichristian persecution, it could still, whatever John pre-indicates about that destruction, be completed in three, nay in two, years. Because it could not merely within a year, but even within a few months, be surrounded and stormed and committed to the flames and suffer the other things there described. And a little later there could follow that great weeping of the kings and merchants that John mentions; for if that weeping will be in the provinces and in the islands near Rome, notice of the fire could reach them within a few days, and to remoter parts in several days, or within a year, but the weeping itself could be completed in a briefer time.

But as to what the king objects, that a longer time will be needed both by the kings for contracting a great bond of affinity with that Babylon, and by the merchants for gathering riches, this, I say, proves indeed that the kings and merchants and Babylon itself are things that will endure for a long and lasting time before Antichrist comes or Babylon is destroyed, yet it does not prove that the destruction of the City itself, or the weeping following afterwards, will be lasting. Both because these things are different, and also because frequently things that have endured a long time are wont to be

extinguished in a moment. Especially for the reason that in the whole of that chapter there is no word about Antichrist; hence although the things there being narrated would demand a more lasting time, we would easily respond that they are to be completed before Antichrist arises, as I declared could happen, but Antichrist will come after and must in a brief time be completed.

Chapter 8: Satisfaction is made to the third objection of the King of England taken from various words of the *New Testament*.

Summary: 1. The King of England first contends that a definite time has been put for an indefinite. 2. Second, that the time assigned by John signifies half a spiritual week. 3. Third, he argues from the uncertainty of the Day of Judgment. 4. He amasses many testimonies from Scripture. 5. The king's arguments are dissolved. 6. In Scripture a perfect number is often put for an indefinite one. By an imperfect number a definite duration is signified. 7. The place from the Revelation of John is incapable of accepting a metaphorical sense. The first foundation of the king is overthrown. 8. A perfect number is very often in Scripture put for a determinate time. 9. The second foundation of the king is destroyed. Daniel speaks one way about weeks but another way about the three years. The enumeration of months and of days cannot be accommodated to a week. 10. The doubt of Lyranus is rejected. A day in that place of John cannot be taken for a year. 11. A day in that prophecy is taken in the same sense. Confirmation from Ezekiel. 12. The third foundation of the king does not impugn the true opinion. It is not de fide that the judgment will be immediately after the forty five days. 13. The Day of Judgment can be known through conjectures taken from Scripture. 14. There will be very few who will be enlightened by conjectures. 15. Uncertainty about the Day of Judgment can be considered in a threefold way. 16. An objection of the king is dissolved. 17. The death of Antichrist will not be known to all men. Many of those who will have seen the death of Antichrist will not understand the Scriptures. 18. The Day of Judgment will be known in the last time to the faithful, not to infidels. 19. The parable of the ten virgins is explained of the particular judgment. The announcement of judgment will be more sudden than its arrival. 20. The same parable can be understood of the universal judgment. 21. A place in ch.1 of Acts is explained. 22. An objection is solved. The words of Christ are not to be restricted to the apostles alone. Augustine contends that the time before the manifestation of Antichrist is uncertain. 23. The place from 1 Peter 5 is explained. We must be vigilant because of the traps of the demon and the uncertainty of death. 24. Other places of Scripture are also explained. When death comes as a thief, then also comes judgment. 25. Death itself does not altogether come as a thief. 26. Death comes as a thief to the unprepared. 27. Although there be from the death of Antichrist a definite time, the Day of Judgment can rightly be said to be unknown.

1. Third, the King of England attacks the foundation on which we rest to assert that the persecution of Antichrist will last a very brief time. Against which he objects two things. One is that it is not necessary to interpret the words of John speaking of that time in their proper sense; because, when one looks at the manner of speaking of prophets, they can, with sufficient suitability, be understood metaphorically. Now he himself has in those words thought out a double allegory. One is that a definite number has been put for an indefinite. Because it is certain that John was accustomed to do that, as in ch.7 when

he numbers 12,000 of those who must be saved from the individual tribes, and in ch.9 when he says, v.16: "And the number of the army of the horsemen were two hundred thousand thousand, etc." And the same is contained in other places, especially ch.14 where he numbers, vv3-4: "forty four thousand virgins," and ch.20 when he rather often says that Christ will reign with his saints a thousand years, and ch.21 when he describes diverse numbers of measures. Add that John is in his numberings imitating the ancient prophets, especially Daniel, Ezekiel, and Zachariah, with whom a definite number is often taken for an indefinite, as *Daniel* 7.10: "ten thousand times ten thousand stood before him," and often elsewhere.

2. The second allegory of the king is that those three times and half a time signify neither years nor a definite time, but half a spiritual week. "For those," he says, "who call to mind that John is in his visions imitating the manner of prophets will find it very probable that in those three days and a half he is imitating the weeks of Daniel, taking one week for the whole time that will intervene between the first and second coming of Christ, in half of which time or spiritual week he introduces Antichrist triumphing." This interpretation can also be assisted by the opinion of Lyranus, who thinks that in *Daniel* 12 it is uncertain whether a day there is taken properly for a natural day or metaphorically for a year, just as a week is taken by the same Daniel. The same therefore could be said of the places of John in *Revelation*, and so this exposition will be probable.

3. The second principal objection is that the words of John cannot be understood in their proper sense, because such sense is repugnant to other places of Scripture and to a certain dogma of the faith. He argues, then, that if Antichrist is to reign for a certain number of days and after his death the Day of Judgment will be within forty five days, as soon as Antichrist has begun to reign and persecute the Church faithful men will know for certain on which day the judgment will be. But this is contrary to Christ's words in many places. For, to begin with, in *Matthew* 24 he said, v.36: "But of that day and hour knoweth no man, no not the angels of heaven, but my Father only." Next he makes clear, by similarity with the flood, how suddenly that day will come, when he says, vv.37-42: "But as the days of Noe were, so shall also the coming of the Son of man be. For as in the days that were before the flood they were eating and drinking, marrying and giving in marriage, until the day that Noe entered into the ark, and knew not until the flood came, and took them all away; so shall also the coming of the Son of man be. Then shall two be in the field; the one shall be taken, and the other left. Two women shall be grinding at the mill; the one shall be taken, and the other left. Watch therefore, for ye know not what hour your Lord doth come." "By all which things," says the king, "the supreme security of those times is signified, that men will be involved in diverse business and human cares when the last hour will suddenly and unsuspecting seize them." Just as Christ concludes in the said place, vv.43-44: "But know this, that if the goodman of the house had known in what watch the thief would come, he would have watched, and would not have suffered his house to be broken up. Therefore be ye also ready; for in such an hour as ye think not the Son of man cometh."

4. Second, *Matthew* 25, to make clear the uncertainty of that day, Christ adduces the parable of the ten virgins, and concludes, v.13: "Watch therefore, for ye know neither the day nor the hour." Third, we can add the words of Christ in *Acts*.1.7: "It is not for you to know the times or the seasons, which the Father hath put in his own power." Fourth, the king adds the words of *1 Peter* 5.8: "Be sober, be vigilant." "Peter," he says, "bids us

to be vigilant and sober, always intent on catching that day.” Fifth he says: “John in *Revelation* twice warns us that like a thief in the night thus will Christ come.” “I will,” says the Holy Spirit in *Revelation* 3.3, “come on thee as a thief, and thou shalt not know what hour I will come upon thee;” and ch.16.15: “Behold I come as a thief.” Sixth we can add that Paul said this in *1 Thessalonians* 5.1-3: “But of the times and the seasons, brethren, ye have no need that I write unto you. For yourselves know perfectly that the day of the Lord so cometh as a thief in the night. For when they shall say, Peace and safety, then sudden destruction cometh upon them.” Finally that was also said in *2 Peter* 3.10.

5. To the first part I reply that the literal exposition of the words of John which the Pontificalists, that is, the Catholics, follow, is founded, in the first place, on the propriety of the words of Scripture, which is to be preferred. For one must altogether beware of the danger of deserting the true sense of the Holy Spirit. “Which,” as Tertullian said in bk. *De Pudicitia* ch.9, “we must altogether observe, and the precept equally;” because “transgression in interpretation is not lighter than transgression in conversation.” But there is great danger of erring from the true sense when the propriety of the words is, without authority or necessity, abandoned; but neither of these reasons is here found for abandoning the proper sense of the words, as we will later show. Nay, on the contrary, the said proper sense has foundation in the consonance and concord of diverse places in Scripture, and in diverse ways of explaining the same thing by times, months, and days, both in the *Old* and in the *New Testament*, so that it is not credible that everything was said metaphorically and improperly. It is founded, in addition, on the common consent of the Fathers, through whom God teaches the Church the true sense of the Scriptures; but which of the Fathers so think is sufficiently clear from those whom we adduced in chapter 6. Finally it can also have a foundation in that no metaphor can square with the place, nor has it a probable foundation, as will easily be clear by running through the things that the king adduces.

6. To the first part, then, of the metaphorical sense, whereby it is said that a definite number is taken for an indefinite, and a great or small indefinite number for indicating a long or short time, we reply that the rule taken generally is true, and it is in this way rightly proved from the testimonies there reported, and from many others that could be brought forward, but it is badly applied to the present exposition. For, to begin with, as is learnedly noted by Bellarmine bk.3 *De Romanis Pontif.* ch.8, a definite number is then taken in Scripture for an indefinite time when it is perfect and complete in some order, as are ten, a hundred, a thousand. But when the number includes not only a great but also a small number, then it is a sign of a proper and precise numeration. And the reason is ready to hand, that the simple and absolute expression of one complete number can easily be capable of such metaphor, whether on account of some perfection of number, or for some mystery, as is wont to be considered in the number seven because of the creation of the world, or in the number one thousand because of its suitable perfection for signifying some fullness of time, as Augustine said bk.20 *De Civitate Dei* ch.7, where he thus expounds the ‘hundredfold’, of which the Lord speaks in *Matthew* 19.29, to signify an abundant reward. And he proffers other examples in bk.2 *De Doctrina Christiana* ch.16. However, when there is minutely and distinctly added a lesser number to a greater, and a half number to a whole, it is a sign of a definite and proper enumeration, because otherwise we would never have any definite number in Scripture.

Again, because neither can there be in that imperfection of numbers any perfection or length of duration thought of, nor is a probable reason given that such addition and multiplication of numbers should be made. And there is a very good example to confirm this in *Daniel* 8.14, where it is said about the ravaging of Jerusalem done by Antiochus that it will last for 2,300 days. Which number all understand must be understood precisely and properly because of the special way it is prescribed. And thus does St. Jerome there study to prove and declare it from the books of the Maccabees and from Josephus. The same is handed on by Theodoret *orat.* 8 and the Gloss, and Lyranus, and accurately by Benedict Pereira.

7. Wherefore I judge this part to be in such wise true that therein no clarification or limitation I believe to be necessary, both because it is founded *per se* on a very true rule of expounding Scripture, namely retaining the proper sense when there is nothing that points to metaphor or that requires it to be thought out; and also because no particular exception to this part is forthcoming. For if someone object the example of the 144,000 sealed for salvation in *Revelation* 7.4, and the other example of 144,000 virgins standing with the lamb in *Revelation* 14.1, Ribera there responds that by those numbers a definite and precise multitude is there signified. But because this is difficult of belief, I reply that that number thus multiplied contains a mystery, and therefore it is put for an indefinite number; for the number twelve is a universal number and, when multiplied by itself according to the number of the twelve tribes, it makes that number, as Bede, Rupert, and others interpret.

8. In the other part of the metaphorical sense, however, because it is not to be gratuitously and everywhere constructed, a limitation must necessarily be added. Because very often a perfect number in Scripture signifies a definite time and a sure duration, as when the world is said to have been created in six days, or when it is said in *Daniel* 4.25: “seven times will pass over thee,” where although in the word ‘times’ there is some metaphor, which we have explained above, in the number seven none is understood. Again, in the prophecy of Daniel about the seventy weeks, *Daniel* 9 and often elsewhere. And therefore that part is to be understood only permissively or potentially, that is, such numbers can be taken in that sense, and the metaphor is common in Scripture. Yet, nevertheless, in the use and application of it to this or that place, it is necessary to consider the circumstances such that the metaphor square with them and be in no way contrary to them. Again too must be observed the common interpretations of the Church and the Fathers. Which two things, as I said, prove that also in the said places of *Revelation* metaphor has no place, because it can be accommodated neither to the words nor to the circumstances of the places, nor have the Fathers found it there, but have understood a certain and definite time to be there foretold.

9. But the other part of the metaphor that the king has thought out is plainly impossible. First because neither John in *Revelation* nor *Daniel* ch.12 named a week but times, months, and days; and much less did they speak of half a week, but made clear the propriety of their speech by other numbers of months and days. And there can be this confirmation, that when Daniel wanted to signify three years and a half by half a week, he did it openly in ch.9 when he says, v.27: “and in the midst of the week he shall cause the sacrifice and the oblation to cease,” that is, when three years and half of the seventieth week have been gone through. Second, never by a week is signified in Scripture a wholly indefinite time, but whenever the term is taken metaphorically there is at least kept a

proportion to the number seven, but the metaphor is put there because it extends to the number of years, as in the said place of *Daniel* and in *Genesis* 29.27: “fulfill her week,” that is, seven years. However in the whole time that runs between the first and the second coming of Christ, no reason for the number seven can be thought of, nor a probable cause adduced for such metaphor, nor authority, nor example; what then is this license for interpreting at will or rather corrupting Scripture? Third, although the metaphor of a half a week could be accommodated to the words, “for times, a time, and half a time,” yet in no way can it be accommodated to the enumeration of forty two months, or 1290 days; for what reason or proportion or analogy for constructing such a metaphor can be thought of? Nay rather, as I have often said, that way of explaining times by months, and the number of months by the number of days, excludes all metaphor of this sort and shows that the sense is proper.

Fourth, if those three years and a half, which are foretold about the advent and duration of Antichrist, signified that half a spiritual week was in that way understood, they would at any rate not exceed half the time that intercedes between the first and second coming of Christ; but according to the opinion of the king, antichristianism began in the year of Christ 606, and so it has already lasted 1007 years and is still going on and will last for God knows how long; therefore it is incredible that that whole time, because of the allegory of half a week, is signified through a space of three years and a half. Next, according to this interpretation all that numbering of times, days, and months, which is done so accurately by John, is useless; because from them nothing certain or probable about the beginning or duration of the time of Antichrist can be conjectured, but each one can make up what beginning and space of time he wishes, and assert that it is half a spiritual week. However, the words of Scripture, although they are sometimes metaphorical, are yet not useless nor pronounced vainly; therefore, when the metaphor is such that it perverts the use, intention, and fruit of a prophecy, it is to be altogether rejected and avoided.

10. Wherefore also is to be put aside or rejected the doubt of Lyranus whether in those places a day is metaphorically taken for a year. And it is to be established for certain that it is there taken properly and signifies a natural day. But one must note that this can be understood of those places where there is discussion of the 1290 days of the persecution of Antichrist, or where there is discussion of the forty five days after his death. For Lyranus is not speaking of the former but of these latter days. Now about the former he does not deny that they will be natural days, which is of very great service for what we intend, etc. And therefore that it is certain is briefly shown. For if the days there signified a year, then, when the persecution of Antichrist is said to be going to last for 1290 days, it will be understood of so many years. How then will the word of Christ be true, *Matthew* 24.22: “And except those days should be shortened, there should no flesh be saved; but for the elect’s sake those days shall be shortened”? For how will they be shortened if they are going to be almost as many as hitherto the time of grace has lasted? And for a like reason, that could not stand which John says in *Revelation* 12.12: “Woe to the inhabitants of the earth and of the sea! For the devil is come down unto you, having great wrath, because he knoweth that he hath but a short time.” And in ch.20 he says that Satan will be bound for a thousand years and must afterwards be loosed for a little time; but yet a time of 1200 and more years cannot be said to be little absolutely, nor in comparison with the time that Satan is bound. Therefore it is impossible that there a day

is taken for a year but for a true day.

There is confirmation, first, because that number of days is later explained by a number of months, but who would say that a month there signifies thirty years? For never in Scripture is such a metaphor found of months as it is of weeks. There is confirmation, second, because if there be license to explain a day as a year, someone else may take the same to mean a thousand years, because it is written, *Psalms* 90.4: "A thousand years in thy sight are but as yesterday when it is past." And it follows as a result that Antichrist will last for more than a thousand thousand years, which is ridiculous. There is confirmation, finally, from Justin *Contra Trypho* who for this reason mocks Trypho's interpretation. For he thought that by time there was to be understood a hundred years. "But if it is so, that wicked man must rule for at least three hundred and fifty years." Which he sets aside as absurd and ridiculous; in addition to the fact that no probable reason or foundation in Scripture for such signification or metaphor can be brought forward.

11. From which it is with the same certitude further concluded that also in the case of the last forty five days the discussion is about natural days. First indeed because it cannot be imagined that in the same computation a day is, with respect to the time of the persecution of Antichrist, taken properly but, with respect to the future time thereafter, it is taken metaphorically for a year, because it is said with one and the same word about each time, or about the whole of it, that it will last 2035 days; but it would be ridiculous to say that the same noun, put once in the same speech, signifies part of the time properly and part of it metaphorically. Second because the reasons given proceed also of the days, and especially because Christ said *Matthew* 24.29: "Immediately after the tribulation of those days shall the sun be darkened;" therefore between the time of Antichrist and the beginning of the signs of the judgment there will not intervene 45,000 years, nay nor forty five, because what happens after forty five years does not happen immediately. Finally the metaphor of Lyranus does not, as he himself thinks, have a foundation in Scripture. For he cannot show from the Scriptures that a day sometimes metaphorically signifies a year. For in the place that he adduces, *Ezekiel* 4, where it is said, v.6: "I have appointed thee each day for a year," day does not metaphorically signify a year, but each word is taken in its proper sense; and a year is said to be computed for a day because for as many days as Ezekiel was going to sleep bound and restrained on his left or right side, for that many years Israel and Judah were going to be captives. As Jerome and all expound, just as when it is said, "A thousand years in thy sight" are as days, a day is taken properly for a natural day, but a thousand years are compared with a natural day, nay with a moment, in respect of divine eternity.

12. To the second part of the objection, I say in the first place generally that the whole of that objection does not proceed against the chief dogma that we are teaching, namely that the persecution of Antichrist will last a brief time, and that the testimonies of Daniel and John, that speak about that time, are to be understood properly and to the letter. For at most the objection proceeds against the last part about the forty five days interposed from the death of Antichrist to the Day of Judgment. For if we said that those forty five days are not precisely defined such that, when they are consumed, the Day of Judgment would be certain, the objection will altogether cease, even if the rest about the three years and a half, within which alone the persecution of Antichrist will last, are most certain and persistently maintained. Because if after the day of Antichrist it is not certain

that the judgment will happen when the forty five days are finished, it will never be foreknown from the death of Antichrist when the day or hour of judgment will be; therefore the objection ceases. But the part about the forty five days, after which will be the judgment, is not a dogma of faith, nor is it necessary to contend stubbornly about it, and therefore the whole objection does not matter much for the cause. Provided it not be denied that those forty five days too are to be understood properly, both as to the number and as to natural days; for this is necessarily conjoined with the other definite opinion about the brief time of Antichrist, as has been made clear. Because, this notwithstanding, many Catholics think that from Scripture can indeed be collected that after the death of Antichrist the Day of Judgment will not come for forty five days, but that nevertheless it cannot thence be collected that, when those days are finished, it will immediately be; and this is enough for it to be uncertain, and consequently for the objection to cease.

13. But we can add that it is indeed true that Scripture does not say plainly that immediately after those forty five days the judgment will be, yet it insinuates it and it is sufficiently collected therefrom, as I showed above. But this is not enough for the Day of Judgment to be certainly foreknown, but only that it be with great probability conjectured, which is no inconvenience, because it is not repugnant to the testimonies adduced, since in them the discussion is about certain advance cognizance and foreknowledge. Next, we add that even if the conjecture about the forty five days be uncertain, nevertheless once the death of Antichrist has, after sufficient knowledge of his person, been seen, it can be certain for those who know the Scriptures that the Day of Judgment is near and not long distant, even if the day and hour are not certainly known. But that not only is not repugnant to the words of Christ but rather is contained in them, since he himself said, *Matthew* 24.29: "Immediately after the tribulation of those days shall the sun be darkened, etc." But that 'immediately' will be directly after the death of Antichrist, as has been shown from the Scriptures; therefore those who know the Scriptures will evidently understand that the Day of Judgment is very near, for that 'immediately' clearly indicates this nearness. Hence the same Lord subjoins, vv.32-33: "Now learn a parable of the fig tree; when his branch is yet tender and putteth forth leaves, ye know that summer is nigh; so likewise ye, when ye shall see all these things, know that it is near, even at the doors." Therefore such pre-cognizance of the Day of Judgment, or certain cognizance as to its nearness and not as a definite day, or a probable and conjectural cognizance as to the day itself, is not repugnant to, but rather very much consonant with, the Scriptures. Nor do the testimonies adduced prove anything against this, as will be readily clear by running through them one by one.

To the place of *Matthew* 24, I reply that Christ's first words, v.36: "But of that day and hour knoweth no man," are understood of certain and infallible foreknowledge, not of probable conjecture. I say, in addition, that conjecture cannot be had save from what is revealed, because the determination of that day depends on the will of God, which cannot be known except from the effects or signs revealed. But on the basis of revelation of the signs preceding the Day of Judgment, from them can the time of that day be conjectured, with indeed greater or lesser probability, according to the mode of the revelation and the signs. And these conjectures were often used by the holy Fathers for making some judgment about the approach of the Day of Judgment; nay, that for this end were those signs revealed by God is clearly collected from the mentioned words of Christ. But as to the rest of the words, wherewith the Lord teaches that the last hour of the

Day of Judgment will suddenly seize upon men, I reply that the same objection can be made against Christ's words, "know that it is near, even at the doors;" for this foreknowledge can be enough that the Day of Judgment not suddenly seize on those who have believed the words of Christ, and have observed, and have wished to observe, the event of them.

14. I say, therefore, to begin with, that those will be very rare who have the aforesaid prophecies in close examination and understand and recognize them. And therefore although some few who understand and are wise in faith could from that anticipation be ready for the advent of the Lord, this does not prevent almost the whole world from thinking of nothing less than of its end, and thus the advent of Christ will suddenly seize almost the whole world. Which is rightly made clear by the example of the flood that Christ uses; for there were some men then who the rains did not suddenly seize upon, namely Noe and his family; and nevertheless Christ said absolutely that the flood came and found men unprepared and overwhelmed them all; thus therefore will it be in the case of his coming to judgment. Another simile can be taken from the time of the first coming of Christ, for it simply came suddenly with respect to the world, although a few wise could understand that his advent was near at hand.

15. Next I note that the uncertainty of the Day of Judgment can be considered either with respect to us and everyone who will be before Antichrist is revealed and his persecution begun, or with respect to those who will be at the time at which the persecution of Antichrist will already be advancing but who have not yet seen its end, or with respect to those who will be alive after the death of Antichrist and before the proximate signs of judgment will begin, namely 'the sun will be darkened' and the like, or with respect to those who have already seen such signs afar off. In the first times, then, the Day of Judgment is altogether uncertain, nay scarcely by conjecture can anything be judged about its delay or nearness, as Augustine epist.80 shows extensively, and as is sufficiently known by experience in the case of the Fathers, who reckoned a thousand years ago that the Day of Judgment was near. Neither is there controversy on this point. About the second time we say that the wise indeed who are then considering things with great faith and understanding and attention can conjecture that the Day of Judgment is not far absent, because they will certainly believe that the tribulation will be short, and that, when it is finished, the signs of judgment will immediately begin, for both have been foretold by Christ. Hence Gregory bk.34 *Moralia* ch.10 at the end, elsewhere 15, says: "When the Day of Judgment is approaching, by voices preceding or certain signs bursting forth, the virtue itself of the coming Lord will already be shining in some way upon them." Yet the conjecture will be confused as to the definite time, and rare with respect to the whole world, and uncertain with respect to many, because since there will, on the evidence of Christ himself, be many tribulations and many antichrists, it will be very difficult to understand whether the tribulation is the last and greatest and whether he is the Antichrist proper.

16. But the king says: "But the Pontificalists say that the world will not be ignorant that he is Antichrist, by the teaching of the two witnesses." I reply that the two witnesses will preach for a short time, and perhaps in few places and provinces of the world; and so it will not be enough for the whole world to know that he is Antichrist. Nay, even where they will be preaching many will be incredulous, just as they were in the days of Noe, or just as the Jews were when John gave testimony to Christ; and therefore

although some believe and can make a certain conjecture about the approaching judgment, it will not be unfitting, because everyone else, and the world simply speaking, will think no such thing. Hence Ambrose on *1 Thessalonians* 5 at the beginning seems to have understood about that day many things from the said testimonies: “The day of the Lord so cometh as a thief;” and “Watch therefore, for ye know not what hour your Lord doth come.” And this, “If they shall say unto you, Behold, here is Christ, or behold there, believe it not. For suddenly,” he says, “and unexpectedly he will appear, as the lightning will appear from the east to the west, having with him the soldiers of the army of God the Father for the destruction of Antichrist and of his followers. For as the faithless were secure about the reign of the devil after the saints were killed, that is, Enoch and Elijah, and rejoiced in victory, sending gifts one to another, as *Revelation* 11.10 said, then upon them will suddenly come swift destruction.” In which words he says that the sudden advent of Christ begins before the death of Antichrist and for the killing of him, and then will it be very sudden for the unbelieving; for a few believers could now be expecting him, although even they would be uncertain even about the day and the hour.

17. However, in the third time after the death of Antichrist and before the signs of judgment, there could be some greater conjecture of the approaching judgment, yet that too will be among few. For, to begin with, the time will be very brief between the death of Antichrist and the signs of judgment, as is often proved from the words of Christ the Lord saying, *Matthew* 24.29: “Immediately after the tribulation of those days shall the sun be darkened, etc.” Next, in so brief a time the death of Antichrist could not be made know to the whole world, nor to a great part of it, because Christ when descending to kill Antichrist will not be revealed to the whole world, but will appear only in that part where Antichrist will be present, and from there his death must be disseminated by report or letters through a course of time, insofar as it can in a human manner be done. Therefore in the meantime the world will be no more worried about the Day of Judgment than if Antichrist was not dead. Next, among those too who know Antichrist and have seen or believed his death, there will be very few who will have read or understood the prophecies about the time of the coming of Christ to judgment after the killing of Antichrist. Nay even those who have understood them will never be sufficiently certain about the sense of them until they see them fulfilled; and therefore, although they could probably believe that the judgment will be after so many days, yet they will not know that day for certain. And thus nothing follows against the testimonies of Scripture about the uncertainty of the Day of Judgment, even if it be understood strictly about all time and all persons. And for the reason most of all that it is even not certain whether those forty five days will come to an end on the very Day of Judgment or on the day when the death of all men will be completed; after which day it is not revealed whether at once or after some days will be the universal resurrection and judgment. And thus the day and hour of judgment will always remain uncertain.

18. However, about the last time after the signs of judgment have begun, of which Christ says, “Immediately after the tribulation of those days shall the sun be darkened, etc.,” it is from the same Gospel clear that it will be known to all the faithful that the end of the world and the Day of Judgment are very near, since Christ says, “when ye shall see all these things, know that it is near, even at the doors.” But infidels, since they are altogether ignorant or do not believe such signs and the end or signification of them, will indeed be afraid and tremble, but will understand or think nothing about the future event.

Yet, nevertheless, with respect to all of them will always be true what Christ next subjoins: “But of that day and hour knoweth no man,” because infidels will be thoroughly ignorant of it, while the faithful, even the wise, although they may know it is near, yet do not foreknow definitely that it will be on such day at such hour; because they will not know that day destined for the universal death of all men, and the other determined for the resurrection, and the other foreordained for judgment; nay, they will even be ignorant whether they will be distinct days and how far they will be from each other. In addition too they will not know for how long a time those signs will last that precede the judgment after the death of Antichrist, because the wiser faithful, although they might conjecture that they will not last beyond forty five days, nevertheless do not know whether they will or will not occupy all those days; and as a result they will not know on which day the world will be consumed in flames, and so about the other things that will be up to the Day of Judgment. And in this way all the words of Christ are true to the letter and in all strictness and propriety, even if the words of John are understood in their proper and strict sense as well, which point will be made clearer in the following testimonies.

19. To the second testimony taken from the parable about the virgins in *Matthew* 25, the response is that everything indeed that is said therein could be accommodated to the private judgment of each person; the day and hour of that too is uncertain for men, and with that judgment the conclusion of the whole parable squares very well, “Watch therefore, for ye know neither the day nor the hour.” But this ignorance of the day and hour of death does not take away the possibility of there being, before its happening, and consequently before the moment of particular judgment, a presentiment of death, and a conjecture that the judgment is near, although about the day and the hour a certain and definite knowledge does not appear nor is conceived. And thus in the same parable two things that will happen unexpectedly before this judgment must be distinguished. One is that the arrival of the bridegroom is first announced; the other is the bridegroom himself coming after. The first is contained in the words, v.6: “And at midnight there was a cry made, Behold the bridegroom cometh; go ye out to meet him;” the other is there subjoined, v.10: “And while they went to buy, the bridegroom came; and they that were ready went in with him, etc.” From which we understand that the announcement of the coming of judgment is more sudden than will be the coming of it; for the first finds all the virgins slumbering or sleeping, that is, thinking nothing of the approaching judgment; but the coming of the bridegroom finds the prudent prepared and waiting for him with lamps lit, and so, although they did not know the day or hour of each, namely of the announcement and of the coming, yet the coming of the bridegroom was not for them as unexpected as the announcement of it proper. Hence, in the particular judgment, those two can be in such wise distinguished that the moment of death is the same as the advent of judgment, but the dispositions proximately preceding death will announce the advent of judgment, as illnesses and other frequent dangers of death. And thus Gregory said in homil.13 on the Gospels: “The Lord comes when he hastens to judgment; but he knocks when he indicates death is now near by the troubles of illness.” And this interpretation is followed by Origen in homil.22 on *Matthew*, and St. Thomas takes it there very literally, nor does it displease Augustine epist.80. Hence if we follow it, nothing from that parable can contribute to the present matter, because the reign of Antichrist will not be before the private judgment but the universal. But if we wish to speak about the particular judgment of the men who will be after the death of Antichrist, they too will not know the day and

hour of their death, and consequently also of their own particular judgment; but they could have a presentiment through the signs and announcements of the approaching end of the world that it is not far distant.

20. Hence we say further that, although this sense is probable, it is not to be so taken that we deny that the parable can also be understood of the universal judgment, without prejudice to the things that we have said about the time of Antichrist. For in two ways can those words be expounded: "And at midnight there was a cry made." First, that by that cry we understand the trumpet and great voice wherewith the angels will call for gathering the elect, as Christ said in *Matthew* 24.31, as is expounded by Jerome, Chrysostom, and others on *Matthew* 25, and Augustine epist.120 ch.34. But the exposition and the equivalence are difficult; for the trumpet and the voice of the angels precede the judge who is coming now after the death of all men, and will call them to rise again to life and to come to judgment, according to the verse of Paul *1 Corinthians* 15.52: "For the trumpet shall sound, and the dead shall be raised incorruptible." However, the cry that is said to go before in the parable of the virgins will be before the death of men, when they could still be made ready and disposed for receiving the bridegroom, as the prudent virgins did; therefore by this cry can the voice of the angels not be signified.

Now Augustine replies that the cry too, which is talked of in the parable of the virgins, will be after the death of all men, which is there signified by sleep in the words, v.5: "They all slumbered and slept," and as a result he says that the cry is not so that men may be made ready for receiving the light of justice anew, but for being resurrected. But then will the prudent virgins trim their lamps, preparing themselves through recognition of their good works for giving account. And according to this exposition too nothing from that parable can be taken for the present controversy; for after the universal death of all men it will be certain that the day and hour of resurrection and of the coming of judgment is near at hand, yet always will what is future be unknown until the voice of the trumpet is heard, unless perhaps blessed souls may see it now in the Word, which is not repugnant to the words of Christ, though it be uncertain.

There can, however, be another exposition, that the cry is not the voice of the trumpet but is the preaching of Enoch and Elijah and of other servants of God who will live at that time; or they may even be the signs of judgment that will precede, as 'the sun will be darkened' etc., for they will cry in their own way that the day of the Lord is approaching. And in this way too in that coming will the two things said above have to be distinguished; one is the previous announcement of the coming of judgment, which will not only be before unknown but even unexpected and sudden, because before it there will not be any other public urging or premonition besides the general ones that have already been sufficiently made in Scripture. The other is the coming of the judge, and this will not be so sudden that the preparation and expectation of it could not precede, yet always the day and hour of it will be definitely unknown until it come. And in this way is this uncertainty explained by Oecumenius ch.6 on *1 Thessalonians* 5, when he says that the signs of the approaching advent can be certainly known, but not so the advent itself.

21. To the third testimony from *Acts* 1, first I reply that by the words, v.7, "It is not for you to know the times and seasons," is at most excluded a certain foreknowledge of the definite day and hour of the second coming of the Lord, as is noted by Cyprian bk.3 *Ad Quirin.* ch.89. Next I say that Christ wanted to reprehend curious investigation and useless desire to know the future, especially things that depend on divine power and

predetermination, as is noted by Justin q.112 *Ad Gentes*. But Augustine in epist.78 adds that by those words is also excluded some number of years within which or after which the second coming of the Lord will immediately be, because this too is properly signified by the word 'times', and therefore it can fall into no man's knowledge how many years later the judgment will be. Which he so confirms that he says that, although from the words of Christ in *Matthew* 24 it be collected that the judgment will not be until the gospel is first preached in all the world, when the Lord says, v.14: "And this gospel of the kingdom shall be preached in all the world for a witness unto all nations; and then shall the end come;" nevertheless, even when that sign is completed, never can the times be known (that is, the number of years) which remain to the Day of Judgment. Wherein he signifies two things: one is that the words of Christ, "it is not for you to know, etc." exclude not only knowledge through the stars or other human signs, but also signs revealed through the prophets. The other is that they were said by Christ not only for those disciples alone who then were and were questioning him, but also for all men who will be in any time whatever. Which he hands on more at large in epist.80.

22. Hence, indeed, can be taken an objection against what has been said. For it hence seems to be that it can never be certain how many years will be left until the Day of Judgment; but this seems repugnant to what we said about the three years and a half of the persecution of Antichrist. I reply, to begin with, that it is indeed true that the words of Christ not only pertain to the disciples who heard Christ but also to all of us; for the inordinate desire of everyone to foreknow future things that depend on the disposition of God is restrained by Christ, and he taught that it does not pertain to men to investigate them, nor to want to know them, except insofar as God has wished to reveal them. From which also is rightly inferred that the times of the coming of the Lord are uncertain for us, because nothing of the number of years of the duration of the world has been revealed to us. And this is what Augustine is principally handling and intending in those places. But under the coming of the Lord he also includes the signs proximate to his coming, and among them he sometimes puts the persecution of Antichrist, as in bk.18 *De Civitate Dei* ch.53, after he has said: "To be sure that very last persecution, which will be by Antichrist, Jesus himself will extinguish with his presence, etc." he subjoins, "Here it is wont to be asked, when will that be? Very inopportunistly." And at once he adduces the words of Christ: "It is not for you to know the times, etc." And in the said epist.80 he says that Paul handed on to us that, "Antichrist will be manifest and is to be killed by the mouth of the Lord Jesus Christ. But after how much time this will be," he says, "is not as much as obscurely said." Therefore Augustine contends that the times up to Antichrist are unknown, but that after Antichrist is made manifest Augustine does not deny that by those who have recognized him and have understood and considered the Scriptures it can be known for how short a time then the world will still endure.

Hence, what in the same epist.80 he a little later subjoins: "But that from the signs in the Gospels and the Prophets that we see happening daily we ought to hope that the coming of the Lord is near, who may doubt? Indeed daily it comes closer and closer. But by how great an interval it is close this it is said is not for you to know," this, I say, is I think to be understood of the remote signs of the second coming of the Lord, not of the proximate ones, of which he says later: "I think that they will not be, when they will be, such as those signs foretold in the Gospel in the sun, and the moon, and the stars, and the oppressions in the lands of the nations," which he himself interprets allegorically of the

persecution of the Church in the time of Antichrist. Therefore at that time the wise among the faithful could foreknow the shortness of the time remaining up to the judgment. Nor will they be acting against the word of Christ, “it is not for you to know the times,” because they will not inquire after that knowledge by human conjectures or natural signs or singular revelation or inordinate curiosity, but they will through revelation given in Scripture see fulfilled what was foretold. For just as in his first coming God gave certain signs whereby it could by the wise be known that it was already being done, or was a short time distant, before it happened, and after a definite number of years, at any rate through the weeks of Daniel, although always the day and hour were unknown, so should it, with proportion, be understood in the second.

23. To the fourth from the words of Peter, “Be sober,” I reply, to begin with, that Peter is not there dealing with the uncertainty of death or of judgment, but of the sure and daily persecution of the demon whereby he tries to draw men to sin, *1 Peter* 5.8: “he walketh about, seeking whom he may devour;” for this cause Peter adduced for warning us to be sober and be vigilant. And for this purpose are those words everywhere alleged by the Fathers, and the thing is so clear that proof is superfluous. Hence although there might to someone be revealed the hour of death and judgment, nevertheless the advice of Peter would be necessary for him, nay, if he were wise, the more certainly he would know the day of judgment was approaching, the more vigilant and sober would he be, lest he be overcome by the demon. But I add further that, although that advice was given by Peter because of the uncertainty of death and judgment, it is for us no obstacle; for although Christ the Lord sometimes warns us to watch lest we enter into temptation, *Matthew* 26.41, elsewhere he often advises a like vigilance because of the uncertainty of death, as in the parable of the virgins, and frequently elsewhere. Hence, just as we said about the said parable, that that uncertainty is not only not removed from us but not either from the men who will be at the time of the antichristian persecution, so should it be said of these words of Peter, even if they had been said in that sense, because men were always uncertain about the day of their own death and judgment.

24. To the other testimonies that contain the opinion and the comparison that “the day of the Lord will come as a thief,” I say in the first place that it is to be referred, not only to the universal judgment, but also to the day of death and private judgment of each one, as is wisely taught by Augustine in the said epist.80. Where also he thus expounds the words of *Mark* 13 where, after a long sermon about the day of universal judgment, Christ concludes, v.35-36: “Watch ye therefore, for ye know not when the master of the house cometh, at even, or at midnight, or at the cockcrowing, or in the morning; lest coming suddenly he find you sleeping.” And he proves very well that those words are said to all of us, as Christ subjoins, v.37: “And what I say unto you I say unto all, Watch.” Now the Day of Universal Judgment will not find us and all men in this life, so that because of its uncertainty we should all watch; therefore is this said to each one because of his own private judgment, lest it come to him as a thief. “Because each one,” says Augustine, “ought also to fear about the very last day of this life of his.” But why Christ gave this warning, when he had given a sermon about the Universal Judgment, is with this reason and words expounded by Augustine: “For where his own very last day will find each one, there the very last day of the world will overtake him, since of what sort each one is on the day he dies, of that sort will he be judged on that day.” And later: “At that time, then, will that day come to each one,” namely the day of Universal

Judgment, “when the day comes to him on which he must depart hence such as he must be judged to be on that day.” Hence is it rightly collected that to such extent does the Day of Judgment come as a thief to each one as the day of death comes as a thief to him; for as Augustine also says: “That day will find him unprepared whom the last day of his life will find unprepared.” And in the same way is that comparison about the private judgment explained by Oecumenius on *1 Thessalonians* 5.

25. Now death is not said to come as a thief because it is sudden for everyone; for although the day and hour of it is uncertain, ordinarily it is foreknown to be at hand; and signs precede, not only general ones, but also special ones, which can stir us up to watch, lest death come at night as a thief, that is, when we are asleep and unprepared; yet, because even the special signs of death themselves are wont to happen suddenly, and then scarcely can a man prepare himself for death, therefore death, as conjoined to its own previous precursors, is said to come as a thief. Hence, therefore, even the Day of Universal Judgment is said to be going to come as a thief, to us indeed by the medium of our own particular judgment, as Augustine expounded, but to them who live in those last times because that day will with its proximate signs begin suddenly, as with Ambrose we said above. Yet, nevertheless, that day will not be so sudden but that the men who then live are by antecedent signs to be stirred up to watch and prepare themselves so that it not find them unprepared. Hence Paul in the same place of *1 Thessalonians* 5, as Oecumenius on the same place notes, made this clear by the example of a pregnant woman, when he says, v.3: “then sudden destruction cometh upon them, as travail upon a woman with child; and they shall not escape.” For childbirth considered in itself is not altogether sudden, for pains precede that are signs of its approach, yet those pains themselves come suddenly, and therefore one must be prepared beforehand, otherwise great danger impends; and thus childbirth conjoined with its pains can be said to come as a thief, because the day and hour of it are always uncertain, and its pains begin suddenly; thus therefore must it be understood of the Day of Judgment.

26. Finally Augustine adds epist.80 that the day of the Lord will not come as a thief “to all” but “to the unprepared and sleeping.” Which he excellently collects from the words of Paul, vv.4-6: “But ye, brethren, are not in darkness, that that day should overtake you as a thief. Ye are all the children of light, and the children of the day; we are not of the night, nor of darkness. Therefore let us not sleep, as do others; but let us watch and be sober.” Therefore to the sleeping and to those who use the things of this world intemperately will that day come as a thief, but not to the watching and those who are preparing themselves. Because although they are ignorant of the time, day, and hour of that judgment, yet they are not ignorant that it is near at hand, either in itself or in the particular judgment of each one, and therefore do they watch lest that day overtake them as a thief. Hence what in the same place Paul says, v.3: “When they shall say, Peace and safety, then sudden destruction cometh upon them,” is understood by Augustine also of the time when the persecution of Antichrist will be advancing, and the proximate signs of the Universal Judgment will begin, and he says that those who will be troubling the saints will say “Peace and safety,” and to them will sudden destruction come as a thief; but those who are suffering persecution, that is, the sons of the Church, are to be in part afflicted with great fear (according to that verse, *Luke* 21.26: “Men’s hearts failing them for fear, and for looking after those things which are coming on the earth;” which will most happen to the faithful who are sinners, who will find that they are at that time less

prepared), in part to be raised by hope, according to the verse, v.28: “look up, and lift up your heads; for your redemption draweth nigh,” which will happen to those who have lived in a holy way, and have been found sober and vigilant.

27. Now all these things so understood can be very well fulfilled even if the time at which Antichrist is going to persecute the Church, and which will intervene between his death and the coming of the Lord, be certain and definite and revealed in the Scriptures. For, this notwithstanding, bad men and persecutors of the Church will say Peace and safety, at least in the whole time before the death of Antichrist, at which time sudden destruction will come upon them, and the day of the Lord like a thief, and still after the day of the killing of Antichrist a multitude of infidels will remain in their ignorance and thoughtlessness, and many too of the believers will be ignorant of the mystery and will, living badly beforehand, continue in the same custom until the signs of judgment will begin, and then they will greatly fear; and although they will not realize the certain day of their own death or coming judgment, they will against their will understand that the day of the Lord is at hand, when they can scarcely prepare themselves for him, and therefore will the day of the Lord come also upon them as a thief. But to the elect and just it will not so come, because, understanding the words of Christ and the prophets, and having them before their eyes, and stirred up and aided by divine grace, they will, rejoicing in hope, expect their judge.

Chapter 9: By confronting another difficulty, the time and beginning of the reign of Antichrist is made more fully clear.

Summary: 1. Antichrist has not yet come. 2. A difficulty about the beginning of the reign of Antichrist. 3. First response: the reign of Antichrist will last only three years and a half. 4. Disproof of this response. 5. The time of the reign of Antichrist is not determinately known. The time of the kingdom will be longer than of the persecution. 6. Proof from Daniel and Revelation. 7. Again from Daniel. 8. The time of the persecution is certain, of the monarchy uncertain. 9. The time of the reign of Antichrist does not exceed the life of a man. 10. An instance from heretics. 11. Response. Scripture speaks of Antichrist as of only one man. Heretics falsely think that the throne of Antichrist has already begun. 12. The future reign of Antichrist will be shorter than his life. Antichrist will obtain the kingdom by fraud, not by inheritance. 13. Antichrist, as he is first on his throne, thus will he be the last. 14. The signs of the coming of Antichrist have not yet been fulfilled. The Roman Empire must at that time be overthrown. The manner of its overthrow is uncertain. 15. Confirmation from the Fathers.

1. From things we have disputed of in the preceding chapters is only concluded that the persecution of Antichrist has neither passed nor been begun; for if it had passed the world would already have been judged; and if it had begun, the world must be ended within a brief time; which is incredible, because neither is any persecution now more bitter than it was in past times, nor has the daily sacrifice ceased to be publicly celebrated in the Church; and the other signs going to precede the Day of Judgment that have been predicted are partly not complete and have partly not yet begun to appear, and they require a longer time for their fulfillment, as the completion of the preaching of the Gospel in the whole world, the division of the Roman Empire into ten kingdoms and its total destruction, and other like things, which cannot be expected within the time of four

years. Hence all the wars, heresies, and other ills of the world that we are hitherto suffering and that our forebears experienced, pertain to those things of which Christ said in *Matthew* 24.5-11: “ye shall hear of wars and rumours of wars; many shall come in my name; and shall deceive many; many false prophets shall arise; many shall be offended; they shall deliver you up to be afflicted, and shall kill you, etc.” And nevertheless he subjoins: “see that ye be not troubled; for all these things must come to pass, but the end is not yet.” For we see all these things and they are now and were once in the Church, and for a long time with the same vicissitude of things. Therefore the state itself of human things and of the Church conjoined with the prophecies shows evidently that the end of the world is not so near that it is, within the fixed and shortened time of the last tribulation, to be consummated; therefore it is manifest that the time of the persecution of Antichrist has not yet begun.

2. But there remains the difficulty that it has not, from this principle, been shown that Antichrist has not yet come and begun to reign; because his kingdom is going to last longer, and it is not clear how long it will last nor how long before the Day of Judgment it will begin. For the reason most of all that it is not even revealed whether the antichristian kingdom will be only of one man and king or of several succeeding each other on the same throne. For although it has been shown that Antichrist proper will be only one individual man, it is yet not thence necessarily concluded that there will be a single king in his kingdom or on his throne; for he could be one of many succeeding each other and reigning on the same throne, and from him will it be named the kingdom of Antichrist; and thus it could happen that the throne of Antichrist or the kingdom of Antichrist has begun and is prevailing in the world, although there is not yet seated in it the one and proper Antichrist. However, if all this is conceded, the argument against the heretics will be weakened, at least as to the part where they contend that the kingdom and throne of Antichrist has already begun.

3. This difficulty can be confronted in two ways; one is by asserting that, not only the persecution, but also absolutely and simply the kingdom and empire of Antichrist will last only for the said time of three years and a half. There can also be a foundation for the response, because many of the Fathers mentioned seem thus to speak and think. For Irenaeus and Hippolytus say absolutely that Antichrist will reign for three years and a half. Augustine also says that Antichrist’s most savage reign will last for a little time. In almost the same way does Victorinus also speak and many others, especially of the moderns, as Bellarmine bk.3 *De Romano Pontifice* ch.3, and Ribera on ch.8 of *Revelation*. It can also be deduced from Scripture, that it speaks indifferently of Antichrist and attributes to him only three years and some months for ruling, nor does it distinguish between his kingdom and his persecution; therefore neither can we distinguish them, nor do we have a foundation for attributing more time to his ruling than to his warring against Christ. Especially because Scripture says that the demon will communicate all his virtue and power to him; but the demon does not need many intervals of time for warring down the kingdoms of men, if he is permitted by God, but he will at that time be permitted to act freely, because of which he is said “to be loosed a little season,” *Revelation* 20.3, and in 12.12 it is said: “Woe to the inhabitants of the earth and of the sea! For the devil is come down unto you, having great wrath, because he knoweth that he hath but a short time.” Therefore there is no reason that the reign of Antichrist, which will be as it were the kingdom of the devil, should be thought to last

longer.

4. Nevertheless this response cannot satisfy for, as I touched on in vol.2 p.3 disp.54 sect.5, although it can rightly of the monarchy of Antichrist be truly declared that it will last only for the time of forty two months, namely from the time when, with the three kings extinct and the other seven or the remaining kings of the whole Roman world or even Christian kings overcome, he begins to dominate alone, nevertheless it is necessary that the time of his life and of his kingdom will last longer. And about the time indeed of his life, it is *per se* manifest that he will be born an infant in the manner of other men, and will grow little by little, and will over many years come to adult age before he is going to reign. Most of all because, as I will say below, he will not have the kingdom by hereditary right but will usurp it by tyranny and fraud, which he could not do except in adult age.

5. Now the time of the kingdom is more expressly than by others touched on by Benedict Pereira bk.15 on *Daniel*, not far from the middle, § ‘Ceterum’ etc., and he says that, although the time during which the persecution of Antichrist is to last is clear from Scripture, nevertheless he says, “how long Antichrist simply will rule is delivered by no one to the extent I know, and I think it has been ascertained by no one among mortals.” And at once he tacitly explains the Fathers just mentioned, that they are speaking about the duration of Antichrist from the time at which “he will violently and cruelly pursue the saints and will prevail over them.” And this seems to have been the opinion of Lyranus on *Daniel* 12, for about the words, v.11: “And from the time that the daily sacrifice shall be taken away, and the abomination that maketh desolate set up, etc.” he says: “Here the angel instructs Daniel about the limit from which the three years and a half are to be counted.” And later: “From then are to be counted the 1290 days.” Hence he later concludes that, “the three years of the persecution of Antichrist are not to be computed from the time when he begins to show himself and to draw some to himself, but from the time when he will already be of such great power that he will display himself to men for worship, and when the faithful will not dare publicly to celebrate the sacrifice.” And to be sure, if the words of some Fathers are carefully weighed, they do not signify more. For Lactantius says: “It will be given to him to ravage the world for forty two months.” Ephrem indeed says: “After three times and a half have been fulfilled of the power and wicked working of Antichrist, etc.” And likewise Jerome on *Daniel* 7: “For three years and six months are the saints to be permitted to the power of Antichrist.” Again Augustine bk.2 *De Civitate Dei* ch.8 only said: “The time for which Satan is to be loosed will be three years and a half,” and ch.23 he says that, not the kingdom absolutely, but the “very savage kingdom” of Antichrist will last “a little time.”

6. Next, from the Scripture itself this opinion seems sufficiently proved, first because *Daniel* ch.12 expressly designates the beginning of that time of 1290 days, namely “from the time that the daily sacrifice shall be taken away, and the abomination that maketh desolate set up.” But it is not likely that that very time will be the beginning of the kingdom and of the battles of Antichrist; because a bitterness of persecution so great that it compels Christians to abstain from public sacrifice, and the enormous audacity of setting in the temple as though God, which is the abomination of desolation, supposes great power and a kingdom sufficiently proud and full; therefore the duration of the kingdom of Antichrist cannot be enclosed within that brief duration. The order of the narration is also in concordance with John in *Revelation* 13, where he first says, v.1: “I

saw a beast rise up out of the sea,” which almost all understand to be Antichrist, and he subjoins, v.2: “and the dragon gave him his power, and his seat, and great authority.” And later, v.3: “and all the world wondered after the beast,” namely because of his victories and marvelous signs; all which things will precede the persecution. For afterwards is added, v.5: “and power was given unto him to continue forty and two months.”

7. Next, the same is confirmed by the narration in *Daniel* ch.7, where, after the vision of the fourth beast having ten horns, he thus describes the beginning of the reign of Antichrist, v.8: “and behold there came up among them another little horn, before whom there were three of the first horns plucked up by the roots; and behold in this horn were eyes like the eyes of a man, and a mouth speaking great things.” And later he adds, v.20: “whose look was more stout than the others.” And then he subjoins, v.21: “I beheld, and the same horn made war with the saints, etc.” From which discourse it appears that the horn, before it begins war against the saints, will have a small beginning, and later it will war against three kings and will subjugate them, and thus must it increase so that it become greater than the others, but these things cannot be done in a short time; and yet thereafter will follow the beginning of persecution; therefore it is necessary that the beginning of the reign of Antichrist precede by much time the beginning of his persecution. And accordingly it happens that the time of the whole reign of Antichrist is longer than three years and a half, during which (as Daniel says in the same place, v.25) the saints “shall be given into his hand,” that is, the hand of Antichrist. Clearly signifying that the brief time will be of persecution only, but the time of ruling will be greater.

8. Now how much time there will be of the reign of Antichrist simply we find nowhere revealed; and therefore nothing can with certitude be affirmed, except that it will be greater than forty two months. For neither will the help of the demon be enough for him to effect without delay of time and some years so many battles and war down so many kingdoms, because he will do these things in a human way, although it is credible that through the help of the demon he will achieve it more quickly and more easily. Hence also it happens that the reign of Antichrist must by some years precede his consummate and perfect monarchy, because not in a moment but in course of time will he attain it, and therefore it will be coming to be before it is perfect. Now the reign will begin at the same time as he will by tyranny have seized some dominion, and will begin to obtain supreme force and jurisdiction over other provinces. And in this way it is probable that the consummate monarchy will last only for that brief time of forty two months, because he will get possession of all kingdoms at the same time as he begins the persecution. But this is not as certain, because even after perfect possession of monarchy it could be that he does not begin the persecution at once, and therefore only about the persecution is it certain that it will last for only those months. Now about the monarchy it is probable but uncertain, while about the kingdom simply it is certain, that it will last longer.

9. But to confront the difficulty touched on at the beginning, we think it must be added that, although we cannot define the definite length of the duration of that kingdom, nevertheless one must believe that the time will not be more lasting or longer than could be, and than is regularly wont to be, the live of one man, namely seventy or eighty years. And in Antichrist it is credible that the time of his duration will be much shorter, because he is not to be permitted to live the whole time that he naturally could, but he will be divinely killed, or sent alive into hell, perhaps in the middle of his days, because,

Matthew 24.22, “for the elect’s sake those days shall be shortened.” Therefore we can rightly conjecture that the beginning of the whole life of Antichrist will precede the beginning of the persecution scarcely by fifty years, and the beginning of his reign scarcely by thirty, and perhaps it will be briefer. For Alexander the Great subjugated the world in a shorter time, as is taken from bk.1 *Maccabees* ch.1; but it is likely that Antichrist will seize all things more quickly because of the help of the demon and of the full license and permission of God, as I already said. But that the whole time of the duration of Antichrist will not be greater than could be the time of one human life is proved from the other principle set down in chapter 2, namely, that Antichrist will be one individual man only, as we will at once more fully explain.

10. For there remains the instance given above, namely, that this is rightly said and concluded about Antichrist proper that he will be one individual person; and consequently also about this future reign under his personal empire, so to say, there is still not enough proof from what has been said that the empire of Antichrist must be begun by Antichrist himself. For why could it not be begun by his progenitors and ultimately reach him? But if this can so happen, whence will it be clear that his throne and kingdom have not yet come or not yet begun, wherein Antichrist will sit and will thence advance to seize other temporal kingdoms and finally to the persecution of the Church of Christ? It can, therefore, happen that the kingdom has already begun, and that it will last for many hundreds of years; because there is for that kingdom no time predefined in Scripture, nor are there signs given for recognizing its beginning, but only its end. But if this be conceded, the difficulty touched on at the beginning arises, that nothing will have been achieved against the heretics; for they only contend that the throne and kingdom of Antichrist has already come, not some individual person who is Antichrist.

11. I reply, to begin with, that this escape does not aid the heretics of this time; for they contend that Antichrist proper has already come, and that the particular persecution predicted under him has already begun, and that it has endured for many years up to a thousand or more, and perhaps is going to endure for many years yet. But that this is false is plainly proved from the alleged prophecies, and it will be made more fully so by other circumstances. Besides too, these heretics err because on that lasting antichristian throne, which they fabricate, they do not think that some sole person seated thereon is Antichrist proper; but they say that all who are seated on that throne, for the whole time since, according to their imagination, antichristianism began, are truly and properly Antichrist. On which posit they are unable to explain who among them it is who will for three years and a half persecute the Church with that “great tribulation such as there never was” (*Matthew* 24.21); or who it is whom Christ “shall consume with the spirit of his mouth” (*1 Thessalonians* 2.8), for he will not kill all those sitting on that throne, nor many of them, for of one only is it foretold; finally who it is to whom the demon, by God specially loosed and permitted, will communicate his whole virtue and on whom he will confer his power, so that he may do lying signs and prodigies, for these and the like things are not yet happening and they are foretold of one man only. But if they say that he will be the one who will sit last on that throne, who must on it be destroyed and altogether extinguished, certainly Scripture only calls him by antonomasia Antichrist, and only him does it give to us among the sure signs of future judgment; in vain then do the heretics fabricate many others who equally deserve this name, since they cannot in others point to

that property of Antichrist. Besides too, willfully and from mere malice do they imagine that already some royal throne exists the last king whereon will be that most proper Antichrist. For what are the signs of such throne? Or where has it been indicated in Scripture? Or why cannot someone willfully say that it is the throne of the kingdom of England? Just as they themselves say that it is the throne of the Apostolic See, and someone else feigns that it is the throne of the Turk, or some other similar one. That thought then is vain.

12. Nay I add rather that, although it not be so evident from the Scriptures that the whole time of the kingdom and throne that Antichrist will possess will not last longer than the duration of the life of Antichrist, nevertheless it can with great probability be collected from Scripture that the kingdom will last a less time than the person of the king in the royal state. Which I thus declare because, to begin with, the person of Antichrist will not be born of kings, nor will he be the legitimate heir of some kingdom. Both of these I collect from *Daniel* 11 where it is thus said, v.21: "And in his estate shall stand up a vile person, to whom they shall not give the honour of the kingdom; but he shall come in peaceably [alt. secretly], and obtain the kingdom by flatteries [alt. fraud]." Which words cannot be adapted to some series of men succeeding each other on some throne, but they are foretold of some one individual person; for in a long succession of kings on the same throne, although perhaps the first was vile and entered secretly by fraud, these things could not be asserted of all his successors. Therefore they are all said at once of some one tyrant founder (so to say) or beginner of some kingdom. Besides that that very person will be Antichrist is testified by Jerome thereon against Porphyry (who interpreted the place about Antiochus), when he says: "But ours interpret better and more correctly that at the end of the world this person will become Antichrist, who has to rise up from a little nation, that is, from the people of the Jews, and he will be so low and vile that to him no royal honor will be given, and he will by ambush and fraud obtain the principality." Now when he says "but ours" he plainly signifies that this was then the agreed opinion of ecclesiastics, which is also followed by Theodoret thereon. It can also be confirmed from *Daniel* 7 where is said, v.8: "and behold there came up among them another little horn," which all ecclesiastical writers have understood of Antichrist, as Jerome there says. But the horn is called little because he will be vile and of the lowest origin and hence not the heir of any kingdom, nay nor of royal stock, and therefore is he said to be born from "among them", that is, from among kings, not of kings. Therefore Antichrist will not succeed to any kingdom or throne, but will be the first king on his throne, which he himself will begin, erect, or usurp.

13. To these I add that Antichrist will not have in his kingdom a successor, because he himself, who will obtain the kingdom by fraud, will grow to greatness through the power of the devil, and will afterwards persecute the saints, and will at length be killed by Christ, and his kingdom will be destroyed. Therefore he will not have a successor in his kingdom, and consequently the kingdom will not last more, nay it will last less, than the king, because they will finish together and Antichrist will begin later to reign than to exist. All which things are collected from the same places of Scripture. For John in the said ch.13 is, under the name of the beast, speaking of one and the same man, who will rise from the earth, to whom the devil will give his virtue and his power, through whom he will subjugate the whole earth, and afterwards he will make war on the saints for forty two months. The same is taken from *Daniel* 7, where under the image of

the little horn is the same Antichrist described, with the same progress in erection of the throne, and in increase of temporal power, and in transition to persecution of the saints and to blasphemies against God and Christ, v.25, “until a time and times and the dividing of time,” at which time both he and his kingdom will be destroyed; and with this are consonant, at least in a mystical sense, the words of *Job* 18.19: “He shall neither have son nor nephew among his people, nor any remaining in his dwellings.” Which words Gregory bk.14 *Moralia* ch.11 interpreted by those of *2 Thessalonians* 2, and he adds: “Whom the Lord Jesus shall slay with the spirit of his mouth. When therefore his iniquity will, with the state of the world, come to an end, his offspring will not be left among his people, etc. But none of his offspring remains in the world, because the strict judge will end his iniquities with the end of this world, etc. But that these things must be understood of Antichrist is shown when it is added, *Job* 18.20: ‘They that come after him shall be astonished at his day, as they that went before were affrighted, etc.’” We conclude, therefore, that the duration of the reign of Antichrist will not be longer than could be the life of one man. Hence it becomes evident that Antichrist has not up to our times yet come, or that his kingdom has begun, not only in his person, which is more evident, but neither in some other or others to whom he could legitimately succeed.

14. And to confirm this truth can be added two other signs of the time of the coming of Antichrist. One is the preaching of the Gospel through the whole world, which must precede the coming of Antichrist and has not yet been done; the other is the total destruction of the Roman Empire, which must also either precede the coming of Antichrist or is to be completed by his power and victories. But something of these signs I touched on briefly in vol.2 p.3 disp.34 sect.2, and I treated the same things in disp.56 sects.1 & 2 at length and carefully, and therefore have I in the present thought nothing should about them be added. Only concerning the latter, about the destruction of the Roman Empire, do I note that some learned man rebuked me because I said there that this sign about the overthrow of the Roman Empire is uncertain, and cannot be with sufficient consistency be collected from Paul’s and other prophecies of Scripture. But if what I said be carefully read, we did not bring the sign itself into doubt, which we said was certain, and clear from the common tradition of the Fathers, which has seemed to us to be also apostolic tradition. About the manner, however, in which it is to be expounded and understood we denied that there was so much evidence, because neither do the tradition and consent of the Fathers equally converge on the manner itself, nor can it be sufficiently defined from prophecies. Which now too we think to be true, and we adjoin a brief exposition.

For it can in various manners be understood that the Roman Empire is to be extinguished before the advent of Antichrist, first because it is to be divided into ten or more kingdoms of the Roman Empire under kings who will take it divided among themselves until Antichrist comes and usurps them all. And this, if nothing is added, is most certain and is clearly collected from the prophecies, especially of Daniel, and it is the unanimous opinion of the Fathers, as we said there. The second manner adds to the preceding that before the coming of Antichrist the name and dignity of the empire or of the emperor or of the king of Romans will, through those ten kingdoms, be altogether extinguished; and this manner we said is not certain, nor is it sufficiently collected from prophecies, nor is it affirmed by all the Fathers. Because although in one or more of those kings the name and dignity of the Roman king may continue, it could be that they will

through Antichrist overcome it and despoil it. And thus the total destruction of the Roman Empire will not precede Antichrist but be by him completed.

15. From which opinion and explanation Jerome is certainly not far distant when on *Daniel* 7 he says: "Let us say that all scholastic 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, and an eleventh little king will rise up, who will overcome three of those ten." And later: "When these have been killed, the other seven too will bend their necks to the victor." Which words can be drawn to the aforesaid sense, although in them he does not make clear whether in those ten kings, or in some one of them, the Roman name will remain until it is by Antichrist extinguished. But Cyril *Catechesis* 15, although he first says Antichrist will come "when the times of the Roman Empire are fulfilled," he does not explain whether they must be fulfilled in such wise that it is now altogether extinct, or in such wise that now the time is fulfilled in which it must be made extinct. Hence he later subjoins: "Ten kings of the Romans will together rise up, after whom Antichrist will carry off the power of the Romans." But Tertullian in *Apolog.* ch.32 says: "The very great force hanging over the world will be held back by the provision of the Roman Empire." Where the scholiast says: "Just as the Babylonians did away with the domination of the Medes, and of the Babylonians the Persians, of the Persians again the Macedonians, of the Macedonians thereafter the Romans, so the empire of the Romans Antichrist, and of Antichrist finally our Lord." And the same Tertullian bk. *Ad Scapulam* ch.2 says of the Roman Empire: "As long as it lasts, so long will the age stand," because it will stand up to the persecution of Antichrist. Nay, Andreas Caesar on *Revelation* ch.16 says that Antichrist will assume the name and title of the king of the Romans, and that whole principality, now divided into ten kingdoms, he will utterly overthrow. Besides, Lactantius, bk.7 ch.15, says that the Roman Empire is to be destroyed, but he does not make clear whether altogether before Antichrist or by him, but ch.25 he adds "as long as Rome is safe, the judgment will not be." And Chrysostom homil.4 on 2 *Thessalonians* says that the Roman Empire is to be extinguished by Antichrist; and we have adduced many other things from Augustine, Theodoret, and others on the said place, wherewith we have shown that this part is probable, nor do I see that anything has anew been mentioned whereby this latter mode is shown to be improbable but the former altogether certain.

Nay rather I add that it seems at least likely that the temporal kingdom of the Roman Pontiff will last inclusive up to the times of Antichrist, until it is by him destroyed and usurped, as we will see below; and that by this can it be judged sufficiently that it not be thought that the Roman Empire must be altogether extinguished before the coming of Antichrist, but that the tyranny is by him to be brought to completion. Lastly, there can, for greater explanation, be two times of Antichrist distinguished: one of temporal battles wherein he will conquer the ten kings and usurp all things, the other of persecution of the saints and of apostasy from Christ. But that, therefore, before this latter time the Roman Empire is to be altogether taken away, is certain from everything that has been said, and from the other things that I adduced in the said place, and the said author pursues it more copiously. But about the former time I think it very probable that in that very time, and by the battles of Antichrist, the destruction of the Roman Empire will be completed, as the other things prove that I have mentioned; and so are the words of Paul very well understood, 2 *Thessalonians* 2.7-8: "Only he who now letteth will let, until he be taken

out of the way, and then shall that Wicked be revealed.” Namely by exalting himself, v.4, “above all that is called God, etc.” And easily too are all the sayings of the Fathers made to agree. In this sense, then, we said that it is not certain whether the Roman Empire is altogether to be destroyed before the beginning of the reign and battles of Antichrist, or is to be altogether extinguished by them, which now also we think to be true.

Chapter 10: Satisfaction is made to two other arguments, and some opinions of Catholics about the time of Antichrist are by the by refuted.

Summary: 1. Protestants oppose two other arguments about the time of Antichrist. 2. Some said that Antichrist already existed in the time of the Apostles, and will come again. 3. It was the opinion of some that Nero will come again. 4. This opinion has no foundation in Paul. 5. That Nero is still living as a mortal is a fable. 6. Paul speaks of Antichrist and of Nero as distinct. 7. Certain think that some of the heresiarchs were Antichrist. The same is by some affirmed of Mahomet. 8. Mahomet was not the true Antichrist. 9. Nor is Antichrist on his throne successively. 10. Response to the places adduced already at the beginning. 11. The place of John ch.4 is explained. 12. Heretics object that the deeds of Antichrist could not be finished in a short time. What Paul signified by the name of ‘falling away’. 13. This sort of falling away can signify, first, the overthrow of the Roman Empire. 14. Second, Antichrist himself is called a falling away. 15. Falling away does not necessarily signify a general apostasy. Apostates do not pollute the Church because they are outside it. 16. Third, by the name of falling away is understood apostasy. 17. This apostasy will not be general. Many will then recover the faith. 18. This apostasy will be completed in a short time. 19. Instance; it is solved. Whether this apostasy will take over the whole world is uncertain. 20. The demon will be the most potent minister of this apostasy.

1. Besides the things that the King of England objects, two others are from Sacred Scripture wont to be opposed by Protestants to what we have said about the times of Antichrist, which, for completion of this point, it has seemed necessary to satisfy. The first is that, although the end of Antichrist will be at the end of the world, it is not necessary that its beginning be put off for so long a time; and consequently it cannot be that its duration be as short as has been by us described. Now for proof of this they introduce three places. The first is that of Paul in *2 Thessalonians* 2 touched on above, v.7: “The mystery of iniquity doth already work, etc.” The second is *1 John* 2.18: “Antichrist will come [alt. cometh],” where he is speaking of Antichrist proper, as is indicated by the article added in the Greek according to what was said above, and yet he says in the present tense, “he cometh.” Third is the place of *1 John* 4 where, speaking in the same way about Antichrist, he says, v.3: “whereof ye have heard that it [alt. he] should come; and even now already it [alt. he] is in the world.”

2. But these things have from what was said above an easy solution, but because not only heretics but also some Catholics make trouble for us on this point, we propose them again, so that we may touch on some opinions of Catholics and make satisfaction to them all. Therefore, because of these testimonies, especially of Paul, some of the ancient writers said that the person of Antichrist came in the time of the Apostles; but that he did not then exercise and complete his whole iniquity, but will come again at the end of the world in order to complete his course and fulfill everything that has been written about

him. That this was the opinion of the old writers is reported by Jerome and Augustine, the former on *Daniel* 11, the latter in bk.20 *De Civitate Dei* ch.29; it is also followed by Victorinus in his commentary on *Revelation* about the middle where, expounding ch.13, he writes thus of Antichrist: "Now that he existed already in the kingdom of the Romans and was among the Caesars is testified by Paul when he says, 'he who now holds will hold until he be made out of the way.'" Hence he thinks that he who then held the empire, namely Nero, was Antichrist. But he thinks that the same is that Wicked who is afterwards to be revealed. He did not, however, think that he was alive or was going to live until the end of the world, but that he was dead and was going to be resurrected: "not by his own power (he says), nor of his father (that is, carnal father, or by human generation) but raised up by command of God" because of the sins of men, as he later pursues.

3. Sulpicius Severus too, bk.2 *Sacr. Histor.* near the middle, reports that in his time "it was received in the opinion of many that Nero was the coming Antichrist," which he himself neither affirms nor denies, but he only says: "He was deservedly the first who began persecution against Christians; I do not know whether he will also be the last to complete it." However he says later: "Hence it is believed that, even if he transfixed himself with a sword, he has been preserved, his wound cured, to be sent at the end of the age." To which opinion he seems to adhere, and according to it he understands of Nero the verse of *Revelation* ch.13 about the beast that received a mortal wound which was afterward cured. Hence he thinks that Nero now is not dead but kept in reserve so that he may at the end of the world come to complete the mystery of iniquity. But the same author, in *Dialog.2 De Vita S. Martini* at the end, although he affirms that Nero will return at the end of the world and will fight down ten kings and will again rule in the West and renew a bitter persecution against Christians to induce them to worship idols, yet he does not say that he will be Antichrist but rather that at the same time Antichrist is to be raised up in the East, who will advertise himself as Christ and try to turn Christians from Christ, though not to worship idols but himself, and draw them to observe Judaism; and he says that he will fight against Nero and overcome him and subjugate the world, until he is killed by Christ.

4. This opinion, indeed, although it contains an old wives' tale, yet does not proceed from heresy, nor does it strictly contain heresy, nor does it deny received tradition or the proper sense of Scripture whereby we have it that Antichrist is one definite person and will come at the end of the world and will last for a short time. But it adds on other things, not indeed contrary to Scripture, but badly founded thereon, and in themselves vain and incredible. For Paul, although he said (according to the more probable and more received exposition) that Nero did in his time work antichristian iniquity (so to say), yet not the same as Antichrist will afterwards work, but in imitation or, as it were, image of him. Hence although he said that Nero was Antichrist, he adds "in mystery" or that he is "the minister of iniquity," that is, the type of Antichrist, as we explained above. Without foundation, therefore, is it imagined that the person of Nero will be the same as the person of Antichrist; and vainly and contrary to divine custom, nay contrary also to divine goodness, is it thought that Nero now dead is to be raised up by God so that the iniquity, that he had begun in a prior life, he might afterwards bring to completion. For the work of resurrection, which is proper to God, is not done for working iniquity, but for other and more honorable ends worthy of God and in conformity with his

divine wisdom and providence. Besides, Scripture never signifies that Antichrist will in a supernatural way be procreated or called back to the world by God, but that he is to be generated in the manner of other men.

5. Hence no less vain was the thinking of those who said that Nero is now kept in mortal life until he appears again. For this too could not happen without a miracle; but it is foolish to attribute such miracles to God for such ends or causes. Nor is it less frivolous to expound in this way the place of *Revelation* about the cured wound of the beast, both because it is expounded far otherwise by the Fathers, as was seen above, and also because from the words of ch.13 it is clearly collected that both the wound and its cure will be at the time of Antichrist, when the world, wondering after the beast, worships the dragon; and also because it is clear from the histories that Nero cut his own throat and was really killed. For as Gregory of Tours says, bk.1 *Histor. Francor.* ch.25, “trying to escape the sedition that had been stirred up against him, he killed himself at the fourth milestone from the City with his own hand.” And the same is contained in Paulus Orosius bk.7 *Histor.* for the year AUC 88, and he adds that in him the whole family of the Caesars came to an end. The same is also reported by Eusebius in *Chron.* for the year of our Lord 70; in the same way too does Nicephorus speak about the death of Nero, bk.2 ch.27 and bk.4 ch.1, and in profane histories the thing is very well known. Next if (as Sulpicius said in the latter place) Nero will not be Antichrist, why or on what foundation is he imagined to be coming again at the end of the world? These things, therefore, although they are not heretical, must be disdained as fables.

6. Now the place of Paul has been made sufficiently clear from what was said, that, as I said above, Nero or the whole pagan Roman Empire Paul calls the mystery or type of Antichrist, but he evidently distinguished it from the true Antichrist when he said, *2 Thessalonians* 2.6-8: “ye know what withholdeth...until he be taken out of the way. And then shall that Wicked be revealed.” But to the first words from John we reply first that Augustine bk.20 *De Civitate Dei* ch.29 allegorizes those words about the future: “Of whom you have heard, since he is going to come,” whether because he reads thus from the Greek or because thus did he tacitly interpret them. For it is not a new thing in Scripture that the present is taken for the future, as in *John* 4 the Samaritan woman said, v.25: “I know that Messiah cometh,” speaking of the present, and yet she immediately declares it by the future, “when he is [will have] come, he will tell us all things.”

7. However, other Catholics here confront us, that let it be true that Antichrist did not come in the time of the Apostles, yet he is not to be waited for at the end of the world; for that way of speaking indicates a greater nearness; and therefore it is not incredible that Antichrist has already come in Luther or some like heretic. But chiefly can be noted, by the by, the opinion of John Annius who, about *Revelation*, persuades himself that Mahomet is Antichrist, and some have followed him whom he refers to, and he is followed by Fevardus bk.5 on Irenaeus bk.30. But they rest for support, not on the words of John or Paul, nor on any testimony of Scripture, but on mere conjectures wherewith they accommodate to Mahomet the things foretold about Antichrist.

8. However I do not judge it necessary either to report or to refute those things, both because Benedict Pereira has diligently presented it in his little book against Annius, which he adjoined to his disputations on *Revelation*. And also because, although they could find one or the other sign of Antichrist in Mahomet, that is not remarkable, because there is no enemy of Christ who does not participate in some property of Antichrist; for

that is why they are by a general appellation all called antichrists, as we saw above. Therefore it is necessary to point to a collection of all the signs of Antichrist in someone for him to be concluded to be the proper and true Antichrist. But this is impossible to point to in Mahomet except by denying many predictions about Antichrist, especially those about the time of his persecution and death, in the proper sense in which they were understood by the Fathers, and by twisting them to metaphorical senses alien to the propriety of the words and to the many circumstances that we have considered in the prophecies themselves; and also those about the brief time during which the persecution of Antichrist will last, and about the prodigy of his death whereby the persecution will end and be followed a little later by the judgment. Add too the things about the defection of the Roman Empire handed on by the Fathers in interpreting the words of Paul 2 *Thessalonians* 2.6-8: “ye know what withholdeth..., only he who now letteth will let, until he be taken out of the way. And then shall that Wicked be revealed.” For in the year 630, when Mahomet appeared, the Roman Empire was still vigorous under Heraclius, and flourished afterwards too, and endures up to our own times, although it has always been getting smaller.

9. In addition, all the things we will in the following chapters say about the witnesses to be sent against Antichrist, and about the seat and errors and various descriptions of Antichrist, clearly confound that opinion. And so the authors of it are compelled to refer some things to the person of Mahomet, others to his throne, or his empire, that will endure to the end of the world and will then rage more bitterly against Christians, and so those who think thus agree in many things with Protestants, whether by taking refuge in willful metaphors, or even by not interpreting the things foretold of Antichrist about one and the same person, contrary to the context and certainty of Scripture. And therefore, although this opinion does not contain the impiety of Protestants, it is to be avoided lest they be given a greater occasion for error, and lest by perverse interpretations a thing in itself difficult and obscure be made more involved. Hence rightly does Damascene in bk. *De Haeresib.* at the end call Mahomet a type and precursor of Antichrist, but not the true Antichrist himself. And the same must be understood of Luther and the other heresiarchs that there have hitherto been; for judgment must be made about them from the same principles, so that it is not necessary to delay over them one by one.

10. To the objection, then, made about the words of John, I deny that the word ‘cometh’ in the present is taken because of the nearness of the fact for the future, but often because of the certainty of the prophecy. Which is very well proved by *Ezekiel* 39 where to the present is added the past when it is said, v.8: “Behold it comes and it is done;” and yet the discussion is about the Day of Judgment, as Jerome expounds, which day, both because of the certainty of the prophecy and for exaggeration, so that it may always be thought of as present and already done, is signified by words of the present and of the past. In this way, then, did John speak. Which is made sufficiently clear when he adjoins, *1 John* 2.18: “even now are there [have there come to be] many antichrists;” for it was the same as to say that, although one individual Antichrist, both head and exemplar of the rest, is most certainly coming, that is, will come, yet already now in the present time there have come to be many antichrists, that is many ministers and precursors of him, who as they participate his deeds so also his name. When, therefore, John says that they have now come, he makes it sufficiently clear that the other has not yet come but is

said to come, because he most certainly will come, because while others are as it were preparing his ways he is already said somehow to come.

11. And thus too are easily understood the other words of ch.4. For, to begin with, when, v.3, “every spirit that confesseth not [alt. removeth] Christ” is said to be “Antichrist”, either it ought to be understood of Antichrist taken generally, because there have been many heretics who remove Jesus, and all the Jews remove him and deny that he is true Messiah and true God, or it must be understood that he is Antichrist, not in person, but in spirit, just as John the Baptist is said to be Elijah, *Matthew* 12 and *Luke* 1. Hence in the Greek it reads, “And this is of Antichrist,” namely the spirit of Antichrist, as is read by Cyprian bk.2 *Ad Quirinum* ch.8, or “is of the spirit of Antichrist.” And thus is Antichrist rightly put there with the article, because all who remove Jesus, nay all heretics, have the spirit of Antichrist, although they are not he himself in person. And thus agreeably too are expounded the following words, “whereof ye have heard, that he come,” that is, will come, and is already beginning to come through his precursors, through whom he is already in the world according to his spirit and participation in his office and name, and therefore are they called precursors of the spirit of Antichrist rightly by Tertullian, bk.5 *Contra Marcion*. ch.16.

12. The second principal objection of heretics is that the things that Antichrist will do and that are foretold of him will, in the brief time prescribed by us, not be able to be completed. And they chiefly stress the words of Paul, *1 Thessalonians* 2.3: “except there come a falling away first, and that man of sin be revealed, etc.” Which falling away (as Calvin said) signifies so universal an apostasy of the whole world from Christ that it needs a succession of years, nay of many tyrants, heretics, or enemies of Christ, because one man’s life or diligence is not sufficient to complete it. Yet that such will the apostasy be, and that it is signified through ‘falling away’ by Paul, is supposed to be certainly, as it were, the opinion of all Pontificalists by the King of England in his *Preface*, and he proves it by a certain noteworthy reason when he says: “otherwise their Church would be every day liable to errors; which is altogether repugnant to their doctrine.” Next, that the beginning and author of the same apostasy will be Antichrist, and that it must be completed by him, is sufficiently indicated by Christ when he said, *Matthew* 24.21-22: “then shall be great tribulation, such as never was...for the elects’ sake it must be quickly finished,” namely when Antichrist himself has been killed, as Paul made clear.

13. We reply, to begin with, that it is not necessary to understand by ‘falling away’ in the place of Paul a universal apostasy from the faith but a complete destruction of the Roman Empire, or a division of it into ten kingdoms, as is interpreted by Tertullian bk. *De Resurrectione Carnis* ch.24, and by Jerome, the said q.11 to *Algas.*, and by Ambrose and Primas on that text. But destruction of the Roman Empire we admit is not to be carried through in a short time, but little by little over many years and kings. For first the Roman Empire will be divided into ten or more kings, but afterwards Antichrist will come, and he will contend with them for some years and eventually will overcome them, as we said. So, for the total falling away or defection of the Roman Empire the life of one man will not be sufficient; but for the final completion that is to be done by Antichrist the life of one man will suffice, as has been sufficiently explained.

14. Second, we say that by the name of ‘falling away’ is there signified Antichrist himself, for thus does Augustine, bk.20 *De Civitate Dei* ch.19, read ‘fugitive’ and he says: “He calls him fugitive, namely from the Lord God; because if it can rightly be said

of all the impious, much more of him.” But in the Greek in that place is put the word ‘apostasy’, by which name Antichrist is understood by the Greeks there to be signified; it is indicated by Chrysostom in homil.3, ‘Ut Illum Intellexit’, and he is followed by Theophylact. Theodoret too and Oecumenius hand it on, and Hugo Eterianus in bk. *De Regress. Animar.* ch.23. Now Antichrist can be thus called, either to declare that he will be the supreme apostate, for in this way are abstracts wont to be put for concretes so as to signify excellence or excess in such property, or certainly the name of the effect is, by metonymy, attributed to the author or cause; for because Antichrist will be cause of the greatest future apostasy in the Church, the name of apostasy is attributed to him.

15. From which it is clear that what the King of England says in his *Preface* p.64 does not stand nor is true, that all Pontificalists regularly affirm that by the name of ‘falling away’ a general apostasy is there signified. For although some, in a better and sounder sense than Protestants, thus interpret that word, not all, however, regularly affirm it, as has been seen. Nor do I sufficiently understand the reason with which the king tries to prove that all Pontificalists must necessarily so think, “because,” he says, “otherwise their Church would be every day liable to errors.” For what is this inference? That if by falling away is signified the destruction of the Roman Empire or Antichrist himself, therefore the Roman Church will be every day liable to errors? There is surely no connection, no likelihood of inference. But perhaps by that argument he only wished to prove that the apostasy, which he means to be signified by the word ‘falling away’, will be general and not particular. However neither is this too thence proved, nor does the inference have even in this sense any likelihood. Because although there are every day, or frequently, particular apostasies from the Roman and Catholic Church, it does not therefore become every day liable to errors; because it both always condemns the errors of them who depart from itself, and apostates themselves immediately exit from it, and it itself, although it is sometimes diminished in persons, always remains unspotted, according to that verse of *1 John* 2.18: “even now are there many antichrists.” And later, v.19: “They went out from us, but if they had been of us, they would no doubt have continued with us.” And later, v.20: “But ye have an unction from the Holy Spirit, and ye know all things.” The Church therefore always retains the Holy Spirit and truth (as he adds in ch.4.6), although every day many depart from it. Hence too in the final apostasy, which will be under Antichrist, although it can in a sound way be called general, the Catholic and Roman Church will always be immune from error, as will immediately be said.

16. Third, then, we add and concede that ‘falling away’ does there signify that an apostasy from the Roman Church and from the faith of Christ will be in the world at its end, namely if we retain the Greek word in its genuine propriety. Which exposition seems to me the one more indicated by Chrysostom. Anselm again, although he puts in first place the exposition about defection from the Roman Empire, at once adds: “Whether as a multitude of churches departing from the Roman Pontiff, or a multitude of men departing from the faith.” But St. Thomas, understanding that falling away to be the future defection from the Roman Empire, adds that it must be understood not only of the temporal Roman Empire but also of the spiritual, “into which, on the witness of Pope Leo, the temporal has been changed.” But the falling away from the spiritual Roman Empire he says is a falling away from the Catholic faith of the Roman Church. And this was the ancient exposition, as Augustine above reports, which he himself does not reject.

17. But this apostasy from the faith will not, as the heretics imagine, be so general that the true faith will perish from the whole Church of Christ, for this both has no foundation and is repugnant to the promise of Christ, *Matthew* 16.18: “and the gates of hell will not prevail against it,” and to his other words, *Matthew* 24.22: “but for the elect’s sake those days shall be shortened,” namely so that they do not fall away from charity, let alone from faith. And *Daniel* ch.12 said, v.1: “at that time thy people shall be delivered, every one that shall be found written in the book;” and at the end he concludes, v.12: “Blessed is he that waiteth, and cometh to the thousand and three hundred and five and thirty days,” which Christ said in other words, *Matthew* 24.13: “But he that shall endure unto the end, the same shall be saved.” There will, then, not be lacking those who will endure. Nay rather, so far from being the case that all who are believers beforehand will then lose the faith, instead many, and most of all from the Jews, must then be converted to the faith, as is testified on that place by Theodoret and Gregory in homil.12 on *Ezekiel*. And Augustine bk.20 *De Civitate Dei* says: “That through Elijah the Tishbite, at the last time before the judgment, the Jews will believe in the true Christ, that is, in our Christ, is a thing most frequent in the words and hearts of the faithful.”

Hence the same Augustine in the same book, ch.8, says that the Church, elect and predestined by God, is never to be led astray, not even in the persecution of Antichrist, but, he says, “the Church will be here at that time, even when the devil is to be loosed, just as, since it was here instituted, it has been and will be here for all time.” And later he says that then Satan is to be loosed, “so that the most faithful patience of the elect might be proved,” not so that it might be conquered, “for,” he says, “those with whom he must make war will be such that they cannot be conquered by his so great power and snares.” But, later in the same chapter, he questions further whether in that time of apostasy not only will some believers remain but also whether some, who were not in the faith, will be added to it; and he replies to begin with, that many children must in those three and a half years be baptized by faithful parents, and thus they at least will be added anew to the faith. Then he says in general: “Neither those who fall from the faith, nor those who are joined to the Church, will be lacking at that time,” which he confirms extensively. That time, then, is called a time of falling away or of apostasy, not because the whole Church and all the faithful will deny Christ, but because there will be great devastation, and temptation will overcome more than will remain victorious, or than were ever conquered in any other persecution. But how great will be the multitude of the apostates is uncertain; for although some say that two parts of the faithful will fall and a third remain, I do not find it anywhere revealed or sufficiently founded.

18. This apostasy, therefore, will not be so universal that it could not happen within that brief time, namely three years and a half, both because in those last times, before even Antichrist comes, the Church will be troubled with many persecutions and contradictions. For as Christ foretold, *Matthew* 24.10-12: “And then shall many be offended, and shall betray one another, and hate one another. And many false prophets shall rise, and shall deceive many. And because iniquity shall abound, the love of many shall wax cold.” And thus when Antichrist comes, he will find men well disposed, so that he might in a brief time make of them a great loss. Hence Augustine bk.20 *De Civitate Dei* ch.19 reports that many of the ancient commentators understood the words of Paul, 2 *Thessalonians* 2.6-7: “And now ye know what withholdeth that he might be revealed in his time, for the mystery of iniquity doth yet work,” not of the Roman Empire, but of the bad

and the counterfeit who are in the Church, until they come to so great a number that it makes a great people for Antichrist, and this is the mystery of iniquity, which seems hidden.” And later he says that then all the bad or the hidden heretics will go forth and be joined to Antichrist so as to adhere to him, and he will help them to overthrow the rest. Add that he says later from Paul and *Revelation*, that, “his future presence will be after the working of Satan with all power and signs and lying wonders, and will all deceivableness of unrighteousness, for then will Satan be loosed and through him will Antichrist wonderfully but deceitfully work.” Hence, then, is it easily understood that there is no need for a succession of many centuries (as Calvin said) for that general apostasy which will happen in the time of Antichrist; or certainly if the world will be disposed through many centuries for that general falling away, the disposition will not be under Antichrist or be made by Antichrist but by the many heretics and precursors of Antichrist. For both are signified in *Matthew* 24 by Christ, in *1 John* 2 and 4, and in Paul *2 Thessalonians* 2.

19. But if someone urges that this proceeds correctly if the antichristian apostasy should seize on some one province alone, or at most one part of the world; but so will it not be, but it will seize on the whole world, and it does not seem possible for it to be in so brief an interval of time so broadly extended. We reply, to begin with, that it is not clear that the persecution of Antichrist will roam in so many regions of the world; and that it is likely that the error of Antichrist is not be as spread about throughout the whole world as the Gospel is before the Day of Judgment to be preached in the whole world, because the former is not so foretold in Scripture as is the latter. Nor either do the prophecies say that Antichrist will reign in the whole world taken properly and in its whole universality, but they say that Antichrist will seize the Roman world previously divided into ten kingdoms, and that afterwards he will move war against the saints, hence it is likely that in the same Roman world will be that spiritual slaughter and apostasy of many faithful. But for this there will not be necessary a succession of many kings or times. For one Antichrist could have very many ministers of his iniquity, who will together disseminate his errors through various parts of the same world; and at the same time (God permitting) the demon will exercise all his strength and, partly by signs and lying wonders, partly by temporal promises, partly by coercion and exquisite torments, he will in a brief time bring it about that the greater part of the faithful will renounce Christ and receive the mark of the beast. And so not only the time of many centuries but also not the time of the life of one man either will be necessary for bringing about the aforesaid apostasy.

20. I add next that it is not necessary for such persecution and falling away to invade the whole Roman world; because this has not been revealed, but only that it will be greater than it ever has been, which could be both intensively, so to say, wherever it happens to be, and extensively with respect to other persecutions that it could possess, even if it not reach all the provinces and places of the whole monarchy, not to mention all the parts of the world. Especially because, just as Christ said those days are to be shortened for the sake of the elect, so it could happen for the sake of the same end that it be confined within certain boundaries of the world, God not permitting, because of the same end and other counsels of his secret providence, that it be more fully extended. Or certainly, if perhaps the tribulation as to places or regions or provinces of the world is going to be more general, and will bring about that great apostasy in all of them, still a more lasting duration of time will not be necessary for that effect, because it is not

necessary that it happen in diverse places by succession of time; for it could be done at the same time by various ministers in diverse places. For Satan is to be loosed, who has everywhere invisible ministers very well prepared, and Antichrist will not lack visible ones, and he could in a short time send them out everywhere with great force and human power, aided by the industry and power of the demon, and he will urge them on to supreme diligence and speed, *Revelation* 12.12, “knowing that he hath but a short time.” Therefore that apostasy could, for whatever reason, be completed within the time shortened by God.

Chapter 11: That at the time of Antichrist two true men are to be sent to bear witness against him is shown from *Revelation* ch.11 against two false expositions of Protestants. *Summary: 1. The two witnesses from Revelation ch.11 are said by the King of England to be the two Testaments. 2. Some favor this exposition. 3. Those two witnesses will be true men. 4. Proof from the Scriptures. 5. Other words of John are harshly and falsely accommodated to the two Testaments. 6. The Latin language is not unknown in the way the king imagines. 7. It is shown from the time determined by John that they are not the two Testaments. 8. The metaphors fabricated by heretics are turned back against them. 9. Interpretation of another metaphor of Protestants. 10. Heresiarchs have not been killed by that imaginary Antichrist. Heretics are more to be said to rise from themselves than to rise again. 11. The falsity of that metaphor is shown from the time and place. The prophets of heretics pervert kingdoms, not convert them. 12. The Catholic truth is made firm. 13. That great city, in whose streets will lie after death the bodies of the two prophets, signifies the world, but more properly and truly it signifies Jerusalem. The spirit of life cannot be understood of the glory of the souls but of the resurrection of the two witnesses. 14. Although those two witnesses not be Enoch and Elijah, yet are they true men. 15. The same place of Revelation shows that Antichrist has not yet come. Nor have the two prophets or others like them yet been.*

1. Since we have started speaking about the time of Antichrist, it is necessary, before we pass on to the other heads proposed by the king, to digress with him and dispute of the witnesses to be sent against Antichrist, especially because this disputation is closely conjoined with the one we have pursued about the time of Antichrist. For one of the chief signs whereby we can show that Antichrist has not yet come is taken from this, that the witnesses to be sent against him have not come. Now this foundation about the sending of the two witnesses is taken from *Revelation* ch.11. And therefore the true sense of that prophecy must be looked into and explained. When, therefore, John has foretold the persecution of Antichrist in the words, v.2: “the holy city shall they tread under foot forty and two months,” he subjoins, v.3: “And I will give power unto my two witnesses, and they shall prophesy a thousand two hundred and threescore days, clothed in sackcloth.” Which days make almost the same number of months, namely forty two.

About this prophecy, then, we first inquire whether those two witnesses, whom God promises he will give at the time of the persecution of Antichrist, will be true men, or what they will be. For the King of England interprets this whole place metaphorically, and he has two expositions which we will consider in this and the following chapter. According to the former exposition, he denies that those two witnesses will be men, but he says that they are the two Testaments, the Old and the New, which against Antichrist

and “the Babylonian monarchy,” as he himself speaks, “bear a constant and manifest witness; and therefore Antichrist will very much attack them with hatred, and leave nothing untouched whereby to dishonor, corrupt, and suppress them.” So far more or less the king, who takes this occasion to inveigh against the Supreme Pontiffs and the Roman Church, imagining that many things against the divine Scripture have by them been said and done “full of insult and shame. Of such sort are,” he says, “to call it a waxen nose, a dead letter, and a Lesbian rule, to have mixed with it the apocryphal books, and to have tried to put them on a par with it;” nay, “to prefer to it the traditions of men, and under foreign tongues to suppress it and, by prohibiting it from being read in the common speech, to keep it hidden,” and finally, “to have destroyed and killed it,” when other Latin translations besides the Vulgate, corrected and emended by the authority of the Pontiffs, have by the same Pontiffs been prohibited under censure. But these witnesses, slain by Antichrist, God has at last, through the King of England and his ministers, raised up or returned to pristine light and completeness, as he himself wishes. And thus does he conclude that the prophecy has been fulfilled.

2. To this metaphorical interpretation occasion has, as to the part about the two witnesses being the two Testaments, been given by some ancient writers. For in the book on *Revelation*, placed among the works of Augustine under his name, in homil.8 there is thus contained: “I will give to my two witnesses, that is, to the two Testaments.” Now that work is without doubt not Augustine’s, and has rightly been relegated to the appendix by the scholars of Louvain. But it is believed to be of Ticonius, whose work on *Revelation* the same Augustine mentions in bk.13 *De Trinitate* ch.3, where he also says that that Ticonius was a Donatist heretic. And therefore one should not care much about his interpretation, although he does not altogether deny that those witnesses are men, for he says later that they are the Church which, because of the two Testaments, is set down in the number two. Which exposition is imitated by Bede bk.2 on *Revelation* ch.11, where he also understands by the two witnesses, “the Church united from two peoples and radiated with the light of two Testaments.” However Bede both seems to have spoken mystically and does not insist on that exposition, for he at once reports the other about Elijah and Enoch, and he does not reject it but tacitly approves it. And if any later Catholic author has seemed to approve or insinuate that mystical exposition, he has not dared to depart from the literal sense. And therefore the metaphor, as it is handed on by the king, is proper to Protestants, and is said to have been invented by a certain Robert Abbatus, a Calvinist and, insofar as it excludes the other proper and literal sense, it is altogether improbable but, insofar as it is applied against the Roman Church, it abounds in errors and heresies.

3. I say, therefore, that those witnesses of whom John speaks will be true men, specifically to be sent to give testimony for Christ against Antichrist. This assertion I judge to be so certain that it cannot without rashness be denied. The proof is first from the propriety of the words, which to abandon without foundation is great rashness and corruption of the Scriptures. But this has no foundation, whether in Scripture itself, as is clear from the words, wherein that metaphor has no foundation, or in the Fathers, because they all contradict it, as we will see below, or in any reason or conjecture; for the king adduces none, but only a willful adaptation, accommodated to his own opinions and errors, and overflowing with insults against the Catholic Church. It is not, then, an interpretation of Scripture but a corruption.

4. In addition, if we ponder each point little by little, we will easily understand how inept the accommodation is. For, to begin with, we collect from those words that God promised to give two witnesses at the time of the coming and persecution of Antichrist, as is clear from the context in John, for therefore does he join the two things, v.2: “the holy city shall they tread under foot, etc.” and immediately, v.3: “And I will give power unto my two witnesses, and they shall prophesy,” that is, I will give to them the spirit of prophesying, or I will in the time of that calamity send them for prophesying. Therefore those two promised witnesses cannot be literally the two Testaments, for these were given to the Church from the beginning; nor is anything in the time of Antichrist to be added to them, nor will they be given in a new way, save insofar as those prophets will be sent to propose and interpret sacred doctrine in a greater spirit. Nay rather if Antichrist, according to the opinion of the king, has from the 606th year of Christ arrived, and if from the same time (as Protestants also fabricate) the Scriptures began to be corrupted by the tradition of men, then in no way were two witnesses then given for prophesying, but those already long before given began then to be killed or corrupted.

Next, in the same place of *Revelation* it is said that those two witnesses will prophesy for 1260 days, that is, for almost the whole time that Antichrist will tread the holy city, that is, the Church, under foot; which time, according to the exposition of the king, includes all the times of the Roman Pontificate from the 606th year of Christ up to, for example, Luther. Therefore in this whole time both Testaments are being preserved in their virtue and wholeness in the Church, and their doctrine is become very greatly known and is fighting against Antichrist, nor will anyone dare to corrupt it, because it is there said of the two witnesses that for that time, v.5: “if any man will hurt them, fire proceedeth out of their mouth...and if any man will hurt them, he must in this manner be killed.” And at once their great virtue and power is described, and finally it is added, v.7: “And when they shall have finished their testimony, the beast that ascendeth out of the bottomless pit shall make war against them.” Therefore Antichrist will not corrupt the Scriptures until the end of his time and his persecution. But yet, according to the opinion of the king, the Scriptures are suffering war from the Pope from the time when antichristianism began in the Papacy, and for the whole of this time the Scriptures are not prophesying in the Church but human traditions, whereby the Scriptures are obscured and corrupted; what adjustment of fit is there, then, between such a metaphor or harmony of the prophecy of John and this made up interpretation?

5. In addition, John says that after the two witnesses have been killed by the beast or Antichrist, vv.8-9: “their dead bodies shall lie in the street of the great city...where also our Lord was crucified...three days and a half,” which the king declares was said, “because for half the spiritual week, which intervenes between the first and second coming of Christ, the corpses as it were of the Scriptures will, to the contempt of all, lie exposed, dishonored, corrupted, suppressed, etc.” In which words are two things to be noted. The first is that, in order to accommodate, according to his metaphorical sense, these two corpses to the two Testaments, he makes up and exaggerates many things that neither can he prove nor do they have any likelihood; and so it is established that he has through error from his Protestants accepted them, and that thereupon they serve in no way to explain the metaphor. For he says that the books of Scripture for many centuries back “have been condemned to silence, because the reading of them was forbidden to laymen, such that he who dared take them in his hand or to look into them was burned as

a heretic.” But each of these is plainly false, both because neither law nor example can be shown for these things, and also because the opposite is manifestly clear from the use and practice of the Catholic Church.

6. The king indeed adds that the books of Scripture lay hidden in an unknown tongue. But Latin is not an unknown tongue in the Church, except to the unlettered and uneducated, for whom it is not useful to wish by themselves to understand or interpret the Scriptures, but it is more expedient that what is fitting for them to know or understand of the Scriptures they learn from their pastors and preachers of the Gospel. Nor has Sacred Scripture been otherwise preserved and handled in the Catholic Church. Next, in order to fabricate that metaphorical killing of both Testaments, the king says that Scripture has been deformed, although however it has, in the completeness both of all the canonical books and of all their parts, been preserved in the Church and put forward by legitimate authority. Again he says it has been corrupted; which is plainly false, because by the Church, when necessary, a reading that had been corrupted was emended; but where no change had been made, it was preserved in its antiquity. But finally he says that it was killed in the year 1562 because, besides the emended Vulgate edition proposed by the Church, others made and corrupted by heretics are not permitted. All which things are both *per se* frivolous and altogether foreign to explaining the said place of Scripture.

7. Another thing to be noted in the said words of the king is that in them he again inculcates his exposition, namely that John did not by those days and months understand a definite time but half the course of the whole time from the first up to the second coming of Christ; which exposition we have above sufficiently refuted. But now I ask, when he says that “for half that time” the Testaments of Scripture “will lie as corpses, exposed to contempt, neglected by almost everybody, and not by many understood” – I ask what he intends when he says “for half the time”? For either he means that for the whole half time, which intervenes between the first and second coming of Christ, the bodies of the Scriptures like corpses will lie in that state, or he means that they are only in the half time to be killed without designation of the time during which they will lie dead. This latter is repugnant to the prophecy of John when he says, v.8: “their dead bodies shall lie in the streets of the city.” And later, v.9: “and they of...the tongues and nations shall see their dead bodies three days and a half.” Those corpses, then, will lie for the whole half week, which, if it is a spiritual week as the king wishes, includes the whole half part of the time that runs between the first and second coming of Christ.

But if this be conceded and the king chooses the former sense for his words, let him declare to us, I ask, how it could happen that for that same spiritual week those two witnesses will give their testimony, or how they will prophesy for 1260 days, as John says; by which days, too, the king teaches that half a spiritual week is signified. Especially because John says that those witnesses are to be killed after they have finished giving their testimony; which cannot be understood of the first half part of that spiritual week, that is, of the six hundred years from the first coming of Christ when (as the king wishes) Scripture was alive; for John is plainly speaking of the same time when Antichrist will be persecuting the Church; therefore at the end of that time the witnesses will be killed. How then will the same bodies afterwards lie for a whole half week in the street? Add that, after the witnesses have been killed, they will no longer bear witness against Antichrist, because they have now finished their testimony, and because, as soon as they are made alive again, they will be called to heaven, and because at once will

Antichrist be killed. But yet, from the opinion of the king, the two Testaments, after they were made alive again by the spirit of Luther or the like, are still persevering in giving testimony against Antichrist and are dwelling among men, and him whom the king himself calls Antichrist, he himself is still alive and will live to the end of the age. Therefore that accommodation or rather fiction can in no way stand.

8. Besides, if it were licit to use such vain interpretations or accommodations, what would be easier than to show that those metaphors about the two Testaments, as about the two witnesses killed by the enemies of Christ etc., are much more truly accommodated to the heretics of this time, or to the king himself, than to the Catholic Church? For then is a man killed when of the spirit by which he lives and speaks he is deprived; therefore, most of all could Scripture then be said to be killed when of the spirit by which it was made and should be interpreted it is deprived. For the body as it were of Scripture is the written letter, but its spirit and its life are the sense of it; therefore it is then truly killed when by each one's own human or perhaps diabolic spirit it is explained and induced to testify. Now it is clear that in no other way is Scripture by the king and by Protestants treated of and expounded, as the king shows in this very exposition of the present place, and as he testified above in establishing the rule of his faith. So it is necessary that among men of this sort Scripture should lie as it were dead, and its body be borne in their hands as it were a corpse. To which things does the verse too very well agree that, v.10: "they that dwell upon the earth shall rejoice over them, and make merry," "because (says the king) their carnal lusts will no longer be held back, nor be reduced to order by the sword of the word of God," because among them it is not "living and efficacious, but dead and without the divine spirit." For, in whatever way they live, they promise themselves justice and glory by the mere faith that sins are not imputed to them, and they preach that neither observance of the commandments nor penance for sins is according to the Scriptures necessary. Next, while these fellows are boasting that they alone understand the New and Old Testaments, it is very certain that they possess them without life and spirit, and that among them these lie precisely like dead bodies.

Next, in this way can that metaphorical interpretation from almost the whole said ch.11. be refuted and confounded. For if those two witnesses will not be true men, but are only the word of God in the two Testaments, it is either impossible to hold to the order of the whole chapter and interpret it suitably, or infinite metaphors must be willfully and without foundation invented, which is repugnant to the soundness of Scripture and to an agreeable way of explaining it. For if those witnesses will not be true men and prophets, what is it that is said of them, v.6: "These have power to shut heaven, that it rain not in the days of their prophecy"? For how do the Scriptures have this power in the whole time of their prophecy; or what is the time of the two Testaments save either the whole time that the Church lasts, or certainly that especially in which the Protestants want Scripture itself to have been preserved more complete, incorrupt, and living? Again, as to the remark, v.6: "they have power over waters to turn them to blood, and to smite the earth with all plagues, as often as they will," in what probable way can it be accommodated to the two Testaments or to anything else besides two men? And the same argument can be made about the remaining part of the chapter, as has been sufficiently made clear; therefore must those words be understood in a proper sense about men. Which opinion, as to this part, that the two witnesses will be true men, we judge to be the Catholic one; both because it is in Scripture sufficiently express and cannot, except with great violence, be

twisted to a metaphorical sense; and also because the Fathers and expositors have thus commonly understood those words, as we will see in the following chapter.

9. But now there follows for examination another interpretation that the king rather frequently says is received, namely among his Protestants. Who, in order to accommodate the prophecy to their preachers of the new Gospel, posit a metaphor in the number two, whom the king says are called *two* witnesses because they were few and appeared in goat's hair and sackcloth, "because they preached penance;" but they are said to have been killed because many were cruelly killed and burned in fire, but to have been resurrected in their successors because there were not lacking those who, by preaching of the word of God, possessed their virtue and their place, but to have done miracles because in a short time, by virtue of their spirit, they brought back many and great nations to the true way, that is, of faith. These things the king takes more or less from his own private spirit, not however from sure science, but, as he himself says, from his own conjecture, which he can neither find in the holy Fathers, for he admits that they erred in explaining *Revelation*, nor in the words themselves of Scripture, since he twists them at will to self-serving metaphors, which can indeed be sufficient for pouring scorn on that exposition. However, for greater display of the error of it, I note that certain things in that accommodation are false, others accommodated perversely, and others omitted, perhaps because they can receive no place or agreeable sense in the metaphor.

For, first, it is false that these pseudo-prophets were so few that they might rightly be believed to be signified by the name of two. For the sects of heretics of this time are so many that they can scarce be counted; and there are as many opinions as heads; nay in each one can many heads and many masters be found. For the reason most of all that in that number two the king wants not only the inventors of each heresy but also their successors, who up to this day are preaching new faith, to be included; but they assuredly are more than may be aptly signified by the noun two. Next, more evident is the falsehood that these new preachers appeared in preaching penance, since it is clear that one of their chief false articles is that penance is not necessary, but a new life, which they establish in a new and unheard of faith in their own justice alone. Besides, prophets are not said to appear in sackcloth because they preach penance, but because they profess a harsh and penitent life, or because they do penance; but these preachers of a new Gospel, what asperity of life, I ask, do they profess, or what penance have they done? Certainly not even the king himself has dared to say it, lest he affirm a manifest falsehood. Those fellows, then, are not the witnesses clothed in sackcloth whom God will send against Antichrist.

10. Moreover, if by the two witnesses are understood all those preachers, John, when he says that those two have been killed by Antichrist, must as a result be understood to be affirming that all those preachers have been killed by the same beast; for he says that two were killed in the same way as that two preached. But this is false, for there are few of these heresiarchs who have been killed by men, or punished by the Church with a worthy penalty of death, but many of them died not without prodigies and signs of divine justice; therefore, either that interpretation supposes something false, or the metaphor does not stand. Much more incongruous, indeed, is that they are said to have been resurrected in their successors, for this is not resurrection but new generation of offspring; but John speaks of the raising up and resurrection of the same men who had fallen. For he says, v. 11: "And after three days and a half the Spirit of life from God

entered into them,” namely into those same who were lying killed, “and they stood upon their feet.” In addition, that perverse preachers have imitators and successors is not a new thing, and therefore neither does it effect admiration and astonishment; but at the resurrection of those slain witnesses, “great fear fell upon them which saw them.” That resurrection, then, is not the succession of another like person, but the miraculous and prodigious raising up of the same person. Next is added that the enemies of those preachers saw them ascending into heaven, whither they had, immediately after their resurrection, been called; but when did the Church see or hear anything the like in the successors of Luther, Calvin, or Henry VIII? The accommodation therefore is frivolous.

11. And hence finally is proved that it is also insufficient. For, to begin with, they cannot explain why those prophets of theirs are said to prophesy for 1260 days, although in Scripture a time definite in so many numbers and parts is not wont to be put for an indefinite one, nor can a reason for such metaphor or a like example be adduced. And much less can they explain why it is said that the bodies of those their prophets will lie, v.8, “in the street of the great city...where also our Lord was crucified.” For since on this point they affirm that the discussion is properly about the death of their prophets, these words too should be properly understood of their dead bodies; how, then, will they lie in the street of the city for three days and a half when almost all that died by punishment of death were at once burned? Next, neither can they accommodate the place, for by the great city in which their Lord was crucified they understand Rome, as we will see below; but neither Luther nor Calvin or their successors were killed in Rome. And the same argument proceeds even if that city, as the truth is, be understood as Jerusalem, for we read about none of the Protestants that he was, because of his new Gospel, killed there. Nor also can they expound what are those three days and a half, except by having recourse to a spiritual week, which, according to their sense, can embrace more than a thousand years. Besides, where is there found in these pseudo-prophets, v.6, “power to shut heaven, that it rain not in the days of their prophecy,” or have power “over waters to turn them to blood, and to smite the earth with all plagues, as often as they will,” or of doing some other marvelous works that have metaphorically been signified by those words? Certainly we read that these false prophets did no marvelous work. And the perversion rather than the conversion of provinces and kingdoms, which was done by their false doctrine, is no sign of the virtue of their word or spirit, since they did not draw men to penance or observance of the precepts or perfection of life, but to license of living without ecclesiastical obedience, nay, by promising salvation through faith alone without the yoke of the divine law, they have with ease deceived men prone to the things of sense.

12. The true and Catholic opinion, then, is that those prophets foretold by John will be two mortal men only, to be sent into the world by divine virtue and providence at the time of the coming of Antichrist, with the grace and virtue of the Holy Spirit for preaching the true Christ our Lord against Antichrist, and for confirming his faith with true and new miracles, for a true and exact 1260 days, that is, for almost the whole time of the persecution of Antichrist, as is asserted by the words of John understood in their propriety, and as was explained above in chapter 3. And it possesses the most agreeable reason of divine providence, lest in a time of so bitter persecution God should seem to leave his Church without sufficient and proportionate external help. For it is appropriate that God should through men come to the help of men, which we see to have been

observed by him at all times and occasions; therefore in those days too he will provide men a like help through those witnesses.

13. At the end of those days, indeed, the two prophets will be truly and properly killed by Antichrist, that is, either by himself or his ministers; for this the Scripture does not declare, and the truth of the words is preserved in either way. Again, after death their bodies will truly lie in the street of the great city for three whole days and part of another; by which city some understand the world, insofar as it abounds with corrupt men, for the city is there spiritually called, v.8, “Sodom and Egypt,” by which names is this world wont to be called in Scripture; but it is better understood as Jerusalem, for it is added there: “where also our Lord was crucified.” About these words we will say more later. Now, in those days the wicked and the followers of Antichrist will truly and properly rejoice over the death of the prophets, and will in dishonor of them not allow their corpses to be buried. Which also God purposely permits so that their resurrection may be more miraculous, which will after three and a half days truly and properly happen, according to the words, v.11: “And after three days and an half the Spirit of life from God entered into them;” which things cannot be understood of the glorification of the souls of those prophets, as some heretics have imagined, both because the glorification of the souls of those martyrs will not be put off for three days, not even for a moment, and because it is at once added: “and they stood upon their feet,” where the discussion is evidently about the resurrection of the bodies. Which, for those two prophets, will not be reserved for the time of the general resurrection, but will be done at once, in the sight and to the wonder of other men still living in this mortal life, and they will hear the voice from heaven calling them, v.12: “Come up hither;” which voice they will obey by ascending into the heavens to the wonder of their enemies. Of whom at once a great part were, when a great earthquake toppled the city, overwhelmed and killed; the others, however, who remained, struck by terror, gave glory to God, as John concludes, v.13.

14. Nor is it necessary to confirm all these things otherwise than by the context itself and the words of Scripture, for this in their propriety is what they signify, and no reason arises or necessity, nay nor suitability, to drag them to metaphorical senses and to accommodate them by one’s proper choice and feeling alone to one’s own opinions, as in truth is done by the King of England and other Protestants. Add that all the Fathers and interpreters understand those words of prophecy in their proper sense; for although they differ either in designating the persons of those witnesses or in other lesser circumstances, as we will soon see, yet in this dogma, that the prophecy is to be understood properly and literally, they all agree, as we will report in the following chapter. Here only I refer to Lactantius bk.7 ch.17, where, passing over the name, he says that a great Prophet will come at the time of Antichrist, about whom he interprets the place of *Revelation* literally. However, I do not see why he speaks of the great Prophet in the singular and not of two prophets, as John expressly speaks. The thing, then, should be understood in this way. Nor against this proper sense of that context does the king adduce anything besides the things that he disputes about Enoch and Elijah, about which we will see in the following chapter. For now we plainly say that, although those two prophets not be Enoch and Elijah, it does not thereby happen that they will not be men and true prophets and preachers, properly to be killed by Antichrist and to be raised up by Christ. For God could from holy men then living call two by his grace to that ministry, and impart to them the spirit of prophecy and miracles, and in them could all the things there

foretold properly and very truly be fulfilled. This sense and truth, then, demonstrated in this chapter can *per se* stand, whatever be thought, in the case of the other question, about Enoch and Elijah.

15. Hence I at length conclude that this place explained in this propriety and generality suffices for demonstrating that Antichrist has not yet come, in abstraction even from the special disputation about Enoch and Elijah. Because not only is it evident that Elijah and Enoch have not come, but also that neither have any two prophets hitherto appeared preaching in such wise against some enemy of Christ that in them everything has been fulfilled that John there foretells about those two witnesses and prophets, as is evident when one considers with propriety and truth all the circumstances we have noted. For no preachers have hitherto been who preached for 1260 days with power of performing miracles in the sky, the waters, and the earth, and who after those days were publicly killed, and their bodies for three days and a half lain in the street of some city so that afterwards they should be publicly resurrected. Therefore, with that proper and true sense standing, it is evident that those two witnesses have not yet been sent, and accordingly that neither has Antichrist come. Much more evident is it, then, that this prophecy cannot be made to fit the Pope.

Chapter 12: That Elijah and Enoch are the witnesses to be sent against Antichrist is shown.

Summary: 1. King James contends that the witnesses to be sent against Antichrist will not be Enoch and Elijah. 2. Enoch and Elijah still exist in mortal life. 3. Proof from the Scriptures. No mortal man attains immortal life unless he first die. 4. Elijah and Enoch have not yet attained glory. 5. Evasion. Response. 6. No one before Christ achieved glory. 7. Evasion. Response. Enoch and Elijah are by the Apostle taught not to be enjoying immortal glory. 8. The Fathers uphold the same opinion. King James accuses Bellarmine wrongly. 9. The opinion of St. Irenaeus is considered. 10. Of Tertullian. 11. Of St. Jerome. 12. Of St. Augustine. 13. Of St. Ambrose.

1. Although, as I said, it is not necessary, for showing what we intend, to know or define who those two individual men will be whom God will give as witnesses and preachers against Antichrist, because, provided it is clear that they will be true men, the demonstration proceeds, as I have shown, whoever they will be; nevertheless, since on this point the Protestants inveigh vehemently against the Fathers, against Catholics, and against the continual tradition and common sense of the Church, and make mockery of the Scriptures by their own decision and spirit, we cannot therefore pass over this question. On which point we will only add what will seem necessary for replying to the king and refuting his new opinion, for the rest that could here be said has been dealt with by us in another place. King James, then, contends that the opinion is false which asserts that Elijah and Enoch will come at the end of the world in their own mortal flesh to preach against Antichrist; and he calls it, with the accustomed license and liberty of Protestants, “an empty and old wives’ tale,” nay, “the vanity of a Jewish fable, and an idle dream.” For thus are Protestants with insults and exaggerations wont to persuade the unlettered and ignorant of what they cannot with reasons or testimonies confirm. So the king adduces no testimonies or reasons wherewith to prove his opinion but only tries to establish that the testimonies Bellarmine adduced to confirm the old dogma are not

efficacious; and this he has thought to be sufficient for confirming his own opinion, because he supposes it to exceed our human grasp, as I will immediately report. We however will first uncover and refute the errors of all those among whom he himself dwells; then we will confirm the ecclesiastical and true opinion; while finally we will make satisfaction to his objections or rather evasions.

2. We lay down at the beginning, then, that Elijah and Enoch are living up to now, not with a celestial and glorious, but with a mortal life, that is, a life in which they neither see God face to face nor have attained in their bodies immortality or the clarity of glory. The first part, that Elijah and Enoch are alive, the king admits as certain, but for the rest he supposes the contrary dogma, and posits the foundation of his opinion when he says: "How could this stand with theology and reason, that these two glorified bodies should from paradise or heaven descend, should preach, should fight against Antichrist, and should be killed by him?" Now this foundation he seems to collect, in the first place, from *Genesis* 5, where of Enoch it is said, v.24: "And Enoch walked with God; and he was not, for God took him." "Or called him," he says, "to himself." And from *4 Kings* [2 *Kings*] 2 where Elijah is said to have been seen carried into heaven. Next, he uses this dilemma: "Now they must be either in heaven or in paradise; if in heaven (which is without doubt true), their bodies must have been glorified, since nothing corruptible can penetrate thither, *Revelation* 20. But if they are in earthly paradise, first we desire to know where that paradise is, etc." And later he subjoins: "it is blasphemy to believe that from when Adam was ejected from paradise any of Adam's posterity has reached there." He also afterwards adds that the earthly paradise was destroyed by the flood, if not before.

3. However, that foundation is not only new and unheard of, but is also repugnant to Scripture's universal ways of speaking, from which it is repugnant to remove anything without the authority either of the same Scripture or of the unwritten word of God manifested by the tradition of the Church and the Fathers, which here cannot be shown but rather the contrary can be. The assumption is proved in two ways. The first is taken from the universal rule of the Scriptures, that no mortal man is transferred to immortal and blessed life except by intervention of bodily death, and that consequently no one achieves the glory of the body save by means of the resurrection which is to life. Both are taught with sufficient plainness by Paul *1 Corinthians* 15 when he says, vv.21-22: "For since by man came death, by man came also the resurrection of the dead; for as in Adam all die, even so in Christ shall all be made alive." And later, v.36: "Thou fool, that which thou sowest is not quickened, except it die." And later, vv.42-43: "It is sown in corruption; it is raised in incorruption. It is sown in dishonor; it is raised in glory, etc." And the rest whereby he plainly teaches that this is the general rule from which not even Christ wished to be excepted; for it was necessary also for him to die and so to enter into his glory, and therefore is he called "the first begotten of the dead, the first fruits of them that rise." For no one is carried to glory unless he have first tasted death. Hence in *Hebrews* 9 the same Paul says, vv.27-28: "And as it is appointed unto men once to die, but after this the judgment; so Christ was once offered, etc." And in *Romans* 5.12: "as by one man sin entered into the world, and death by sin; and so death passed unto all men."

4. But Elijah indeed and Enoch have hitherto not died, as Paul teaches about Enoch in *Hebrews* 11 when he says, v.5: "By faith Enoch was translated that he should not see death;" and about Elijah it is collected from *4 Kings* 2, where is narrated, v.11,

that he was carried into heaven as he talked with Elisha. And the king thus admits it about each with so great exaggeration that he says all the Fathers agree on this, that “both Enoch and Elijah are still alive, which,” he says, “no Christian has ever I think denied.” And explaining later how they are alive, he says: “For God is the God of the living, not of the dead; by how much more among the living are Enoch and Elijah, who have never in the manner of others tasted death.” Therefore, since they have not yet tasted death, they do not yet possess a dwelling in heaven and perfect beatitude of soul and body, according to the aforesaid rule of Scripture.

5. The reply could, however, be made that no rule is so general that it not suffer exception, or admit of privilege; therefore, although the said rule is general, Enoch and Elijah could easily be by privilege excepted. Nor should this seem marvelous, since it was the opinion of many Fathers that the men who are found alive near the judgment will not die but must be changed and taken up into the state of glory, if they were just; why then could not Enoch and Elijah along with them be excepted? Especially because the general law is that men should complete the present course of life within a few years, and that it is certain Enoch and Elijah, who have not died for so many thousands of years, were exempted from this law. However, although we admit that it is not so certain that no exception is to be admitted in this latter law as in the former, nevertheless the true opinion, and the one received by theologians and more approved by the Fathers and altogether in conformity with the Scriptures, is that this rule too does not admit of any exception. For absolutely all men, even those who will be at the end of the world, will die before the Lord comes for judgment, according to the order set down by St. Paul in the words just mentioned, “it is appointed unto men once to die, but after this the judgment.” Of which matter we have elsewhere more largely disputed. Yet we add that, although the exception about the men who will be at the end of the world is excused from error and rashness, because an occasion for it is taken from Scripture and it has some foundation in the Fathers, nevertheless this exception in the case of Elijah and Enoch cannot, because of its novelty and lack of foundation in the Fathers, be by force of this second rule excused of rashness; since besides the places cited, David in *Psalms* 88 [89] with great weight says, v.48: “What man is he that liveth and shall not see death?” supposing it as certain that there is no one of whom it could be affirmed. Since, therefore, Enoch and Elijah have not yet seen death, they have assuredly not yet been made immortal, according to this rule of Scripture.

6. But so as to make it more certainly clear that that opinion cannot without error be defended, we add a second general rule of Scripture, namely that no man descending from Adam obtained celestial glory, whether in his soul alone or, which is more weighty, in body and soul, before the coming and death of Christ the Lord. This rule is handed on to us by Paul in *Hebrews* 9 when he says that into the second tabernacle, or the holy of holies, only the High Priest was wont with blood to enter, v.8: “The Holy Ghost this signifying, that the way into the holiest of all was not yet made manifest, while as the first tabernacle was yet standing.” Which condition, namely, it still had up to the point of Christ’s death, when the veil of the temple was rent and the gates of the heavenly kingdom were opened. Hence in the hymn ‘Te Deum Laudamus’ the Church sings: “Thou, the sting of death o’ercome, hast oped for believers the realm of heaven.” And Innocent III, in ch. ‘Maiores’ *De Baptismo*. said that, “the kingdom of heaven up to the death of Christ was barred to everyone.”

7. It will perhaps be said that the way at that time indeed was not so made manifest that all the just might pass along it, nor the door so open that all might enter it; nevertheless it could to one or another on whom God wished to confer this benefit be extraordinarily made open. But to the contrary, for this is an exception to a rule given by the Holy Spirit, which it is not licit to fashion from one's own brain. Next, there stand in the way against it the words of Christ in *John* 3.13: "No man hath ascended up to heaven, but he that came down from heaven, even the Son of man which is in heaven." Certainly, he who says "no man" excludes all save himself, and the exception confirms the rule to the contrary. Again, Paul in *Hebrews* 11, after he had numbered Enoch among the ancient Fathers, subjoins, vv.39-40: "And these all, having obtained a good report through faith, received not the promise; God having provided some better thing for us, that they without us should not be made perfect." Therefore neither Enoch nor Elijah received the promise, nor have been made perfect, that is, not yet received beatitude of body and soul. For Paul had introduced Enoch in his own name and person, but Elijah he had without doubt included under the prophets, and he designates him in particular when he says later, v.37: "they wandered about in sheepskins and goatskins;" for of Elijah we read that he was, *4 Kings* [2 *Kings*] 1.8: "girt with a girdle of leather about his loins," and that *3 Kings* [*1 Kings*] 19 he "wandered about" in flight from the persecution of Jezebel, "being destitute, afflicted, tormented, wandering in the mountains, and hiding in a cave" (*Hebrews* 11.37-38). Therefore, just as Enoch and Elijah are included under all who obtained a good report through faith, so are they also under those who did not receive the promise nor were made perfect.

Besides, Paul speaks thus in ch.10 of the same epistle, v.19: "Having therefore, brethren, boldness to enter into the holiest by the blood of Jesus, by a new and living way that he hath consecrated for us," that is, to which he gave beginning, or upon which he himself first of all entered or, as Theophylact says, "he made a new way, along which he first went." The same more extensively in Theodoret, and it is understood in the same way by Chrysostom and Oecumenius. Hence, if even one man before Christ himself walked along that way and entered the gate of beatitude, Christ did not consecrate that good way. And there are like words in ch.6.18-20: "we...have fled for refuge to lay hold upon the hope set before us...which entereth into that within the veil, whither the forerunner is for us entered, even Jesus." Certainly, if Enoch and Elijah have entered, they entered as forerunners rather than Christ. Hence, because no one could have entered thither before him, thus did the Lord speak to the Apostles, *John* 14.2-3: "I go to prepare a place for you. And if I go and prepare a place for you, I will come again, and receive you unto myself." Which testimonies I have considered more extensively in another place, and have confirmed with the expositions of the Fathers, and have profusely proved and defended this truth, and therefore I abstain now from a longer confirmation.

8. To these documents of Scripture are added the testimonies of the Fathers who, with unanimous consent, teach that Enoch and Elijah have not tasted death but are still alive in body and soul; but none of them says that they live in an immortal and glorious body, and many either indicate or openly teach that they still live in mortal bodies, although they are conserved by divine virtue, and are preserved from all corruptive alteration up to a predefined time. But the King of England says that Bellarmine adduced, for confirming his opinion, the testimonies of five Fathers, Irenaeus, Tertullian, Epiphanius, Jerome, and Augustine, but that they only say that Enoch and Elijah are alive

and do not affirm that their bodies are mortal. Nay, he adds that the contrary is handed on by Irenaeus and Tertullian. For the former said, "Enoch and Elijah will remain in Paradise gazing on eternity until the consummation." But the latter says that "Enoch has not tasted death, as candidate for eternity." But we must more diligently consider their testimonies one by one.

9. Irenaeus indeed says bk.5 that "Enoch and Elijah remain there gazing on incorruptibility." But where, I ask, does he say they remain? To be sure, "in paradise," he says, "where the first man was put," that is in earthly paradise; but that is not the place of blest bodies; therefore Irenaeus contradicts the king when the king says that "Enoch for many ages back is in heaven in a glorious body." Nay rather, Irenaeus adds "there," that is in the same terrestrial paradise, "they remain until the consummation," that is, until the end of the world. But how this is to be understood we receive from the same Irenaeus bk.4 ch.30 where he says of Enoch: "he has been translated and is conserved until now." For these words do not signify, certainly, that he was translated into immortality, but that he is by God conserved in an extraordinary way "until now" and up to the end of the world, which he signified in another place by the noun "consummation." Hence what he says, "gazing on incorruptibility," does not signify that he has already put on immortality, or incorruptibility, but the present incorruption that they experience in themselves and see; for "gazing on" is the same as "observing" and looking at their incorruption. By which too they can be said, as it were, in some sign and participation to gaze on their incorruption, and to give hope thereof in that, if God so conserves mortal men, he can easily be believed also to be able to raise the dead to immortal life, for this is what Irenaeus there is intending to prove.

10. In addition, Tertullian in his book *Contra Iudaeos* ch.2 writes thus of Enoch: "He has translated most just Enoch, uncircumcised, from this world, who has not yet tasted death, as candidate for eternity." Where the fact he is a candidate does not signify that he is already in eternity, but that he is close to it and is aspiring to it, having as it were a certain sign of it, for this does the word 'candidate' properly signify. Hence the same Tertullian in bk. *De Anima* ch.50 says: "Enoch and Elijah have been translated, nor has their death been found, namely it has been put off. Moreover, they are preserved as going to die, so that they may extinguish Antichrist with their blood." By entreating God, surely, for their martyrdom, so that he might kill Antichrist with the spirit of his mouth. What is it, then, that the King of England says, that Tertullian plainly denies Enoch will die, when he admits it in such express words in this place? Nor is Tertullian contrary to himself because he called Enoch "candidate for eternity" because, as I said, to be a candidate for eternity is not to have been translated into eternity but to be aspiring to eternity. Hence the king's argument is frivolous when he says: "Badly now does he have the right of eternity confirmed for him if he is going to die again." For he can have a confirmed right of obtaining eternity in his time, although he is going to die, just as Christ had while he lived in mortal life; and the just confirmed in grace can have the right of eternity, that is, to eternity confirmed, although they are first going to die. Thus, therefore, can Enoch have a confirmed right of eternity, although he is going to die, because he is without doubt confirmed and preordained in grace, so that through martyrdom he should pass to eternity, as in this latter place Tertullian said. And thus he joined both together in his book *De Resurrectione Carnis* ch.58, where of Enoch and Elijah he says: "Not yet checked off for resurrection, because neither having discharged

death, but because translated from the world and by this very fact already candidates for eternity, they are getting to know the immunity of the flesh from all vice and from all injury and insult.” Of which opinion the sense is clear, that they are not yet checked off for resurrection, because they have not yet reached to that perfection of glory of their bodies that they will after death and resurrection obtain; but by translation they have attained another kind of immunity from the effects and injuries of mortality, by reason of which are they said to be candidates for eternity. Hence he subjoins: “By what faith then do they give testimony, except that by which these teachings of future integrity must be believed?”

11. Over Epiphanius I do not delay, but I frankly admit that, wherever he touches on talk about Enoch and Elijah, he only says that they are not dead and that they are still alive giving testimony to eternity and the future perpetual duration of bodies; but whether they are afterwards going to come or to die he does not treat of, nor does he define either of them, as can be seen *Contra Haereses* 9 and *Contra Haereses* 64, immediately after the fragment from Methodius, and in Anchoratus towards the end. I come to Jerome, whose opinion is clearer on this matter, for in epist.148 to Marcella, treating of the place of Paul *1 Thessalonians* 4 about those, v.17, “who shall be caught up...to meet the Lord in the air,” he says: “You wish to know whether they run to meet him in their bodies, so that they do not die first, although even our Lord died and Enoch and Elijah are, according to the *Revelation* of John, said to be going to die, lest, that is, there be anyone who has not tasted death.” And epist.61 to Pammachus, against the errors of John Jerome towards the end, he says that “Elijah and Enoch are not yet dead, and they possess, inhabitants of paradise, the limbs with which they were taken up and translated, etc.” And although he does not make clear what will later happen to them, he indicates sufficiently that they have not been translated to celestial glory but are divinely conserved in paradise, with the same bodies and of the same quality. Which he makes more clear later when he says: “For so great a time they remain at the same age at which they were taken up, and they have teeth and a stomach and yet they do not need food.”

12. Next, Augustine too eloquently uncovered his opinion on this point and delivered the true doctrine of the faith in bk.1 *De Peccat. Merit. et Remiss.* ch.3 where, when he had said that Adam was mortal in paradise, although he was not going to die had he not sinned, he adjoins: “I think that such condition, yet in animal and mortal body, has been conceded also to those who were translated hence without death. For neither are Enoch and Elijah withered by old age for such long life, nor yet do I believe that they have already been changed into that spiritual quality of body such as is promised in the resurrection, which went first before in our Lord.” The same Augustine treats of it more extensively in bk.9 *De Genes. ad Litteram* ch.6 where he says: “Nor must it be thought that Elijah is already such as the saints will be when, their day of labor finished, they will receive their denarius, or that he is such as are men who have not yet departed this life, from which life however he departed, not by death, but by translation.” And later he says that the same must be thought of Enoch, and about both he concludes: “Enoch and Elijah, dead in Adam, and bearing in the flesh the offspring of death, which debt, in order to pay, they are believed to be yet going to return to this life and, which has long been put off, going to die.” And other places we will refer to below that assuredly, if the king had seen, he would not have asserted that Jerome and Augustine denied only that Enoch and Elijah were dead but did not affirm that they were going to die, for they eloquently affirm both,

and confirm it from the general rules of faith.

13. To these Fathers can Ambrose be added who in bk. *De Paradis.* ch.3 says, to begin with, that Enoch did not see death, and he says the same of Elijah in bk.1 *De Abele* ch.2. However, on *1 Corinthians* 4, when expounding the words, v.9: "For I think that God hath set forth us apostles last," he says: "Therefore does he attribute this to his person, because he was always in necessity, having suffered persecutions and oppressions beyond the rest, just as Enoch and Elijah will suffer, who at the last time will be apostles. For they have to be sent before Christ to prepare the people of God and to fortify all the churches to resist Antichrist, and they, the reading of *Revelation* testifies, suffer persecution and are killed. And he had said almost the same on *1 Thessalonians* 5. But if anyone perhaps does not acquiesce in this testimonies, because it is not certain the work is of Ambrose, we say, to begin with, that it cannot be denied but that it is of some grave and sufficiently ancient expositor. Next, we add an indubitable work of Ambrose, tractat. *De Symbolo*, where he says, ch.23: "Elijah and Enoch are the witnesses of the resurrection, who for so many circles of years, and up to the second coming of our Lord Christ, will remain perpetually in the flesh." And then in bk.4 *De Fide* ch.1 he expressly says: "Enoch was translated, Elijah taken up, but the servant is not above the Master; for no one has ascended to heaven except he who descended from heaven. For Moses too, although his body did not appear on earth, we yet nowhere read is in celestial glory, except after our Lord, by the pledge of his resurrection, broke the chains of hell and raised up the souls of the pious. Enoch then was translated, Elijah taken up, both servants, both with the body, but not with resurrection, not with the booty of death, etc." that is, not with the glory of those who are resurrected, nor with the dowries of glory, which are as it were the spoils of the death and the cross of Christ.

Again, Gregory the Great in bk.9 *Moralia* ch.3, elsewhere ch.4, speaks thus of Enoch and Elijah: "Hence it is that those two outstanding preachers have, with death delayed, been removed, so that they may at the end be called back for the use of preaching. These are the two olive trees, and the two candlesticks. One of whom Truth promises through himself in the Gospel, 'Elijah will come and will restore all things,'" *Matthew* 17.11; and bk.14 ch.11 at the end, elsewhere 12 at the beginning, he says: "They who went before in the former parts of the world, Enoch and Elijah, will be called back to the center, and the fierceness of his cruelty (that is, of Antichrist) they will suffer in their still mortal flesh:" where I note the phrase "in their still mortal flesh," because by it he signifies that they are now living in that mortal flesh; and bk.29 ch.25: "And if Enoch was taken up into heaven, he has delayed death, not avoided it." And homil.29 on the Gospels he says that "Elijah was taken into the airy heaven, so that he might be led into some secret region of the earth, where in great quiet of flesh and spirit he might live, until what time he returns at the end of the world and pays the debt of the flesh. For he has delayed death, not avoided it." Lastly Cyprian in bk. *De Montibus Syna et Sion contra Iudaeos*, not far from the beginning, says that Enoch was translated living to a place that God knows, and that at the end of the world he will come from that place to confound Antichrist, whence he evidently supposes that he is not in glory but lives rather in mortal flesh.

Chapter 13: That John understood by the two witnesses Elijah and Enoch is shown by conjecture and the authority of the Fathers.

Summary: 1. Enoch and Elijah, because they are not dead, are signified to be going to come to face Antichrist. 2. This conjecture is proved from the tradition of the Fathers. 3. Response of the king. 4. The words of the king are weighed one by one. 5. The king supposes without foundation that this prophecy of John has been fulfilled. 6. Satisfaction is made to the foundation of the king. 7. It is a thing more curious than useful to want to know where Enoch and Elijah are. 8. It is more probable that they are leading a life in the terrestrial paradise. 9. Again, it is more probable that the terrestrial paradise has not been overthrown.

1. From the attack, then, on this error a very compelling reason is collected to prove that those two witnesses will be Enoch and Elijah even if, for confirming it, we had to hand no other testimony from Scripture. For if Elijah and Enoch are not living in glory, nor have immortal bodies, but are being divinely maintained for so many years preserved from death and corruption, why, I ask, has so signal a miracle been done and so extraordinary a kind of providence except because the life of those men has not yet been completed, and some signal work is left for them to do in this life, on account of which they are being kept by God, and so that they may in their mortal bodies suffer something for his glory? Therefore, when other testimonies are lacking, a great argument is thence taken that they are being kept to resist Christ's greatest enemy, Antichrist, and to come to the aid of Jews and Gentiles in their greatest peril and at a time of the greatest necessity, and to undergo a signal death for Christ. Therefore, although the Evangelist John does not name them, he sufficiently points to them when he says, *Revelation* 11.3, "I will give to my witnesses," supply spirit or virtue, and "they shall prophesy." In which way of speaking he gestures that those witnesses do not need to be created or produced anew but already exist, and that they are then to be sent with the spirit of prophecy, etc. Rightly then do we understand that those witnesses will be Enoch and Elijah.

2. With which conjecture agrees the common tradition of the Fathers. For Tertullian, Cyprian, Ambrose, Jerome, Augustine, Gregory expressly hand this on in the places mentioned. And again Gregory homil.12 on *Ezekiel*, and Ambrose when expounding Revelation, Augustine tractat.4 on *John* specifically about Elijah, and bk.20 *De Civitate Dei* ch.29, in treating of the same, has these notable words when he says that "it is a thing most frequent in the hearts and mouths of the faithful" that Elijah will come before the judgment and that through him the Jews will believe in the true Christ. The same is handed on about Elijah by Justin Martyr in his *Dialogus contra Tryphon* when he says that Elijah will in person be the precursor of the second coming of Christ just as the spiritual Elijah was precursor of the first coming. The same is said of Elijah by Dorotheus in his *Synopsis*: "Against Antichrist is kept a leader of war, who will oppose himself to him and refute his seduction and pride, who has received from God that he should be the precursor of the second and illustrious coming of the Lord." The same is extensively taught about Elijah by Julianus Pomerianus bk.1 *De Judaeis* before the middle, and by Chrysostom homil.4 on 2 *Thessalonians*. "Elijah," he says, "will come, confirming the faithful," and other things he pursues which we will consider in the following chapter. St. Prosper in *Dimid. Temporis* ch.13 expounds of Enoch and Elijah that place of *Revelation*. Damascene says very well in bk.4 *De Fide* ch.27: "Enoch and Elijah the Tishbite will be sent and shall turn the hearts of the fathers to the children [*Malachi* 4.6], that is, the synagogue to our Lord Jesus Christ and to the preaching of the apostles; and they will be

slaughtered by him [sc. Antichrist].” The same is handed on by Theodoret on *Daniel* 12 and *Malachi* 4. The same, next, is commonly handed on by expositors of *Revelation* 11, especially Andreas of Caesarea sup.ch.30, who says that most of the doctors took Elijah and Enoch for those witnesses, whom he himself is following; and he says that it is from a tradition of the heralds of Christ unwaveringly received in the Church. Bede, next, agrees, and Anselm and Thomas of England, who is wont to be known by the name of St. Thomas. We will also add more Fathers in the following chapter.

3. But to all of them the King of England in a single word, sufficiently alien to a Catholic mind, replies saying: “Since we have happened into this discussion about the ancient Fathers, allow me by this occasion, I beg, to admonish you by the by that it is no wonder if the Fathers here rather often err and understand less correctly many mysteries of *Revelation*, for the reason that the book was in their times still sealed; and although the mystery of iniquity was already then working, that man of sin, however, had not yet been revealed. For in the case of all obscure prophecies the most certain rule is that they can never be sufficiently understood until the time they are completed.” And he later subjoins words very harsh: “So far am I from believing this futile and old wives’ tale that, on the contrary, in this so learned age, I hold him who believes this (I call God to witness), not just for a theologian of great name, but not even for a Christian, that rather I associate him with the Scribes and Pharisees who were so mad that, although Christ taught the contrary, they dreamt that Elijah nevertheless was always going to come. But I am more level, for the reason I mentioned above, than the old theologians who erred on this point.” These are the words of the king, with whom we can justly remonstrate, so that we may ponder the weight, reason, consistency, and truth of such words.

4. For, to begin with, that he dares to reprehend so many and so signal Fathers is little consonant with the promise he first made. Next, although a prophecy not yet fulfilled is wont to be obscure with respect to diverse circumstances and to what is foretold only through enigmas and metaphors, nevertheless in the things that have regard to the substance of the prophecy and that are revealed through its proper words, it is not wont to be so obscure but that it should at least be known to the whole Church and to the wise doctors therein. For who would say that the prophecies about the future coming of Christ, before they were fulfilled, were not understood by the wise in the people of God, at least as to the substance of the article about the future coming of the Messiah and the signal future Prophet? Also as to other circumstances expressly foretold and in proper words, as that he would be born in Bethlehem of a Virgin and the like? So therefore we say in the present case, let it be that the book of *Revelation* is sealed and obscure as to many things therein revealed as long as they are not fulfilled; nevertheless some things have with sufficient clearness been foretold in proper words, in expounding which the common consent of the Fathers does not err. Others indeed, although they are obscure, are illustrated by consonance and comparison with other clearer prophecies, and also in expounding these the Fathers do not err, when by common consent they hand on, as a certain ecclesiastical dogma, the same sense. For when a prophecy is so obscure and unique that it can be said to be sealed, even the Fathers themselves do not hand on their expositions as certain, but use conjectures, and so they do not in their case as a rule agree. But in the present case the prophecy of *Revelation* is sufficiently clear about the two witnesses, at least in general, that they will be men and prophets, as was shown in the preceding chapter; but from other Scriptures and the agreement of them all, the Fathers

conclude, with almost unanimous consent and great earnestness and certitude, that those witnesses will be Enoch and Elijah; therefore it cannot, without great audacity (not to say anything more serious), be said that they have in this respect erred.

5. Besides, the reason or excuse of the king presupposes a worse error, for he says that the understanding of that prophecy was hid from the Fathers because it had not yet been fulfilled, but he supposes it fulfilled that the Pope is Antichrist, and that either the two Testaments, corrupted by the Roman Church, or Luther, Calvin, or the like apostates are those two promised witnesses. Which supposition the king neither does prove nor can prove, because it has neither vestige nor shadow of truth but the calumny and imposture of the Protestants, as is clear from what has hitherto been said and as will be further illustrated and confirmed in what follows.

In addition, if that book has already been unsealed to the king, how is it he always moves about in conjectures when he tries to expound it, and hands down that the whole disputation about Antichrist is so obscure and involved that it can compel no one to belief, nay and also calls his own opinion merely conjecture? Assuredly, after there is certainty about the prophecy from the event and because it has been fulfilled, it is no longer ambiguous or conjectural, because what was foretold by it is to be believed, not only with opinion, but with certain faith. But if perhaps he says that he does not believe with certain faith that the prophecy of John about Antichrist has been fulfilled, but that he only thinks this thing itself by some sort of conjecture, and thereupon that his whole exposition is merely conjectural; assuredly, if he so responds, he is convicted, to begin with, of wrongly affirming that the book has now in these times been unsealed, or that the man of sin has been revealed, and that the prophecy about him has been so fulfilled that it can now be sufficiently understood. For that which human conjecture affirms has been neither revealed nor sufficiently understood. Hence with surely greater reason we can conjecture, nay even gaze upon and say, that the king errs when he says that he understands the mysteries of this book, the which, as he himself says, the Fathers could not attain to.

Next I ask why he does not hold him for a Christian who believes the aforesaid opinion about Enoch and Elijah? For if he himself is in this whole disputation led only by conjectures, can it be that he who does not believe the conjectures and dreams of the Protestants, who are seducing the King of England, is not a Christian? He will say that for this reason is he not to be held a Christian, that he does not believe Christ saying that Elijah has already come, and that therefore he hopes along with the Jews that he will still come; for this the king signifies in his words. But assuredly Christ had already from the beginning of the Church given his testimony about Elijah, and yet the Fathers constantly taught that opinion about Enoch and Elijah; therefore, if he is speaking consistently he must not hold any of those Fathers for Christians because, although (as he wishes) they do not understand *Revelation*, they ought at any rate to have faith in the words of Christ. But if it was licit for them, without loss of Christianity, to understand the words of Christ otherwise than the king interprets them, why will it not also be licit for us to think with the Fathers rather than with the king about the sense of Christ's words and to have faith in them? We conclude, therefore, that not only with preservation of Christianity, but also according to the sound faith of a Christian man and according to true and serious theology, one must believe and must hope that Elijah will come; but to make the thing plainer, we will more diligently consider the words of Christ and of the prophets in the

following chapter.

6. First, however, it is necessary to make satisfaction to the king's foundation, which supposes Enoch and Elijah already to have glorified bodies, and for that reason he frankly admits that "it exceeds his grasp how it could be consistent with theology or reason that they should descend from heaven, should preach, and should fight against Antichrist; that they should be killed by him after they were for many thousands of years exempt from the curse of death." He confirms this with the dilemma given above, that they are either in heaven or in paradise, and he attacks both. Then he adds: "Since their bodies have been so long free of sin, they have no need of harsh treatment, and there is, thereupon, no reason they should appear clothed in sackcloth." But, to begin with, it matters very little to us that he affirm the Catholic opinion exceeds his grasp; for that, to be sure, is not so much born from the depth of the mystery or the difficulty of the thing as from preconceived error or from defect of theology. For he apprehends that the bodies of Elijah and Enoch are already glorified, and for that reason he does not grasp that they might come again to preach, to fight, and to die. Let him put aside his error, then, and he will easily grasp the rest. But I add that God could recall even glorified bodies to the state of mortality and commit all the aforesaid things for them to do and suffer; just as he could catch up Paul to the third heaven or, as grave doctors affirm, raise him up to the vision of the divine essence, and afterwards take him back to the common condition of wayfarers. However, that miracle is not now necessary for us, because for us it is certain that those bodies are not glorified. For why does the king not believe this? From this perhaps, "because for many thousands of years Enoch and Elijah were exempt from the curse of death under which all by nature lie." But this is of no moment; for it is easy for God to preserve, for however long he wishes, a mortal body from death, without the dowries of glory, just as would have been given, did Adam not sin, to everyone in the state of innocence. With whom Augustine, in the places above cited, compares Enoch and Elijah, rightly distinguishing between the immortal body that cannot die and the mortal body that, although it could die, does, by the special providence or operation of God, not die for a long time. But of Enoch and Elijah Scripture never said that they could not die, but that they have hitherto not yet died; why then does the king not grasp that it can be and will be that they should sometime return among men and die?

7. Now when he asks wherever it is they are, we first reply with the Fathers that the question is more curious than necessary for grasping and defending the other things of the faith or the dogmas of theology. For God could conserve them where he wished and, wherever they are, he could thence restore them to this lower world. Thus Augustine, bk.2 *De Peccat. Origin.* ch.23, among the questions that are dealt with on condition of saving the faith, and wherein we either use conjectures or suspend judgment because of ignorance, he puts this one about "Where now are Enoch and Elijah whom yet we do not doubt live in the bodies in which they were born." Chrysostom too homil.21 on *Genesis* says of Enoch: "If someone in curiosity ask and say, 'whither has he translated him?', let him learn that it fits not human minds to explore more curiously the things done by God, etc." And like things are contained in his homil.22 on *Hebrews* at the end of the letter. Next we say that perhaps they have been translated to some heavenly place where they are immune from the alterations and impressions of the elements, even if they have not been drawn up to the empyrean heaven, which is held to be the proper seat of glorified bodies. For the words of Scripture are not discordant with this way of speaking, nor does

the thing itself have much difficulty or wonder. For what the king infers as it were in mockery and as absurd, that they are to be “running about hither and thither between heaven and earth in the manner of tree gardens” is frivolous and worthy of derision. For if the angels daily ascend to heaven and descend for the salvation of men, if Christ himself, after he once ascended, will descend again to judgment and rise again to reign, what marvel that two men, elected by God for an extraordinary work and ministry, should have been once translated and should return again to fulfill their course and ministry, and should finally return to heaven in consummation?

8. Next, we judge it more probable that they are in the earthly paradise where Adam was placed, as Athanasius said in his epistle for the Synod of Nicaea near the beginning, and about Enoch it is signified in the book of *Wisdom*, as we will see in the following chapter, where we will also confirm this further. Nor is there any repugnancy in what is written about Elijah, that he was seen borne into heaven, for as Gregory rightly said, homil.29 on the Gospels about the airy heaven, it must not be understood of the ethereal heaven. But as to what the king says, “it is blasphemous to believe that since the time Adam was expelled from that paradise anyone of Adam’s posterity has arrived thither,” if it be understood about him who should say that anyone by his own virtue or industry or labor can reach or enter thither, it would rightly be said. But if it be understood of him who attributes this to divine virtue and gift or dispensation, it is not only said without foundation but is also worthy, along with that censure, of a not dissimilar censure, that it is against the opinion of the holy Fathers, which Scripture greatly favors, as I will immediately say. But as to what the king asks, so as to impugn this further, where that paradise is?, it pertains to questions indifferent, as above Augustine also said, and whatever be thought about it matters little to the present cause.

9. Next, as to what he adjoins that “the terrestrial paradise has without doubt been destroyed,” had he taken away that ‘without doubt’, it would be tolerable, because grave authors are not lacking who so think, and because it is not a damnable opinion, since it is not plainly contrary to the Scriptures, or common tradition, or the sense of the Church. But that it be so ‘without doubt’ is said without foundation, because the king can show no place of Scripture by which he may take away all doubt from the assertion. Nay rather, it is far more probable that paradise was not destroyed by the water of the flood, but has up to now been preserved in its delight and beauty, and that there Elijah and Enoch live in a certain felicity of life, as Bernard rightly described it in serm.3 & 6 *De Ascens. Domini*. And Augustine in the said ch.23 *De Peccat. Origin.* said that with curiosity is the question asked “of what sort or where paradise is, where God established man, whom he formed from the dust, although however Christian faith does not doubt that that paradise exists.” Where he not only says that it did but that it *does* exist. However, about this question I have, to my ability, disputed elsewhere, and therefore I omit it; also because the present controversy does not depend on it. For although that paradise had been destroyed in the flood, God could have prepared a fitting place elsewhere for the state of those two prophets, or restored that very place or part of it to its pristine state, or at any rate to a delightfulness fitting those men. And finally, although now those witnesses live there happily and without sin, yet they will come clothed in sackcloth, not to make satisfaction for past sins, nor perhaps because they need harsh treatment of the flesh to avoid other sins, but for the example of the men then living, that they should show grief and sorrow (as Athanasius says).

Chapter 14: Whether from other places of Scripture it can be shown that Elijah and Enoch will be the precursors of the second coming of Christ and the witnesses against Antichrist.

Summary: 1. By many other testimonies of Scripture it is proved that the two witnesses will be Enoch and Elijah. 2. It is shown first of Elijah. 3. King James interprets Malachi of the first coming of Christ and of John the Baptist. 4. Malachi speaks in proper sense of the second coming of Christ. 5. In literal sense, indeed, he speaks of Elijah as precursor of the second coming of Christ. 6. The same is more clearly proved from Ecclesiasticus ch.48. This place Protestants destroy with insults because they cannot do it with reason. Other words from the same ch.48 are by the writer of Ecclesiasticus foretold about the same Elijah. 7. The exposition of the king is refuted. 8. Christ speaks of a double Elijah, one true, one mystical. 9. Christ did not reject the common opinion about the coming of Elijah. 10. The Baptist did not restore all things, since he converted few. Elijah by his first coming will convert few, by this second many. 11. John is metaphorically called Elijah by likeness to the true Elijah. 12. The Catholic opinion is confirmed by the authority of the Fathers. 13. The sayings of the Greek Fathers are put forward. 14. Bellarmine is defended. 15. The king's opinion about Enoch. 16. Some appropriate reasons are adduced why another associate should be joined with Elijah. 17. Which associate is to be joined with Elijah. 18. It is very probable that Enoch will be the associate of Elijah. 19. The words of Ecclesiasticus are very much in favor. Elijah will be sent chiefly to convert the Jews and Enoch chiefly the Gentiles.

1. King James in his *Preface* confidently affirms that “no word is found in Scripture to support either that Enoch and Elijah will return and will fight with Antichrist and must be killed in the same conflict, or that they will suffer anything the like.” Now to show this, he runs through the places of Scripture wherewith not only Bellarmine, whom he himself accuses, but also the most ancient Fathers and all Catholics are wont to confirm that dogma; and he advances to respond to them all, nay and tries to prove that they who interpret the said places in this way “are acting in bad faith.” We, however, following the opinion of Catholics, assert that there are many testimonies in Scripture wherewith that true dogma is in such wise confirmed that, although they do not make it *per se* sure divine faith, nevertheless they do prove the aforesaid truth such that it can without fear be prudently believed, especially when is added the consent of the ancient Fathers and the interpretation of almost all expositors. And since we have already said enough of the place in *Revelation*, we will now run through the rest. And because those that speak of Elijah are clearer we will speak first of Elijah and after of Enoch.

2. We say first, then, that Elijah will come to be the precursor of the second coming of Christ, and to convert the remnants of Israel to Christ and turn them away from Antichrist, and in this way he will fight against Antichrist. This assertion is proved in the first place from the words of *Malachi* 4.5-6: “Behold I will send you Elijah the prophet before the coming of the great and dreadful day of the Lord; and he shall turn the hearts of the fathers to the children and the heart of the children to their fathers, lest I come and smite the earth with a curse.” Which words were understood about the true Elijah in person, and about his mission before, and close to, the day of final judgment, by the more or less common consent of the ancient Fathers. Chrysostom homil.58 on

Matthew, and homil.4 on *2 Thessalonians*, Theodoret orat.90 on *Daniel* at the end about ch.12, Ambrose on *1 Corinthians* 4 on that verse 9: "For I think that God, etc.", Augustine bk.20 *De Civitate Dei* ch.29, Gregory *Moralia* ch.4, Prosper *In Dimid. Temporis* ch.13, Damascene bk.4 *De Fide* ch.28, Isidore bk. *De Vita et Morib. Sanctorum* ch.35, and Julian Pomerius bk.1 *Contra Iudaeos* before the middle. Again the expositors on the same place, especially Cyril, Theodoret, and on the places of *Matthew* 11 & 17 especially Jerome, Euthymius, Theophylact, Anselm, and St. Thomas, and on *Revelation* ch.11 especially Aretas when he says: "And, certainly, that Elijah will come is manifest, since Scripture has predicted it, which is prophesied by *Malachi*: 'Behold I will send you Elijah.'"

3. These things notwithstanding, however, the King of England judges this interpretation not only to be false but also a Jewish fable and hence heresy; and anyone who believes it he does not think to be a Christian because he contradicts the words of Christ. He says, therefore, that *Malachi* is not speaking of Elijah in person but in spirit; nor about the second coming of Christ but about the first, whose day he calls "great and dreadful" because of the day of the passion and death of the Lord, and accordingly that the prophecy has been fulfilled in John the Baptist. All of which he proves by the testimony of Christ in *Matthew* 11, where, having said many things about John, he adjoins, vv.13-14: "For all the prophets and the law prophesied until John. And if ye will receive it, this is Elias, which was for to come." What is clearer? And he adds ch.17 when the disciples asked him, v.10: "Why then say the scribes that Elias must first come?" he says in reply, v.11-12: "Elias truly shall first come, and restore all things. But I say unto you, That Elias is come already, and they knew him not." And the Evangelist subjoins, v.13: "Then the disciples understood that he spake unto them of John the Baptist." *Mark* too has almost the like things in ch.9, which we will consider later. And for this his opinion he only mentions a certain Bibliander, a heretic. But he could also adduce Jerome, who understands to be signified there by the name of Elijah, not only John the Baptist, but the whole chorus of prophets bearing testimony to Christ, and he adds that Christ in the Gospel understood John in Elijah; and Rupert there seems dubious about the sense of *Malachi*, although he at the same time says that many doctors, "with whom," he says, "we almost all agree," believe that Elijah will literally come and restore all things.

4. But I note that it is one thing to speak of the primary literal and most proper sense of *Malachi*, another of the secondary or mystical and spiritual sense. I say, then, that it cannot be denied but that the Prophet literally and in the most proper sense and in the appropriate name is speaking of the second coming of Christ and of the proper person of Elijah. The proof is first that *Malachi*, from the beginning of the chapter, is clearly speaking of the Day of Judgment, for he says about it, v.1: "For, behold, the day cometh, that shall burn as an oven; and all the proud, yea, and all that do wickedly, shall be stubble; and the day that cometh shall burn them up, etc." Which words manifestly indicate that the discussion is about the day of wrath and of divine vengeance, before which will precede the fire that burns all things; which most properly agrees with the Day of Judgment, but in no way with the day, or the time, of the first coming of Christ. And in the whole of the following context, the same sense is proved. Thus too on this point neither the Hebrew nor the Catholic expositors or Fathers are in disagreement. Therefore, when he later says, v.5: "I will send Elijah before the coming of the great and dreadful day," he is speaking about the same Day of Judgment, which will be "great for the just,

and horrible for sinners,” as Jerome says; for both the literal context and sequence demand this, and the propriety of the words sufficiently indicates it; the words of *Joel* 2 also agree. For just as *Malachi* said: “I will send Elijah before the coming of the great and dreadful day,” so *Joel*, after he has extensively depicted the things that precede the Day of Judgment saying, v.3, 10, 11: “a fire devoureth before him, the sun and moon shall be dark, the Lord shall utter his voice,” and the like, he concludes, v.11: “for the day of the Lord is great and very terrible;” therefore that great and horrible day in both places is the Day of Judgment. Which is also called ‘great’ by *Zephaniah* 1.14, and he admirably describes the horror of it when he says, vv.14-15: “the voice of the day of the Lord; the mighty man shall cry there bitterly...a day of wrath, a day of trouble and distress, etc.” In like manner is the same day called ‘great’ and ‘of wrath’ by John *Revelation* 6.17. The words of *Malachi*, then, are not rightly accommodated to the day of the passion of Christ, nor will there be found an ancient expositor or a saint who has understood it thus. And it is specially noted by Chrysostom homil.59 on *Matthew* when he considers the last words of *Malachi*: “lest I come and smite the earth with a curse,” which are rightly accommodated, not to the first coming of Christ, but to the second.

5. Hence, secondly, it happens that there too *Malachi* is speaking literally of Elijah and predicting that he will be the precursor of the second coming of Christ. Which is more confirmed by the interpreters of the *Septuagint*, “Behold, I will send Elijah the Tishbite,” as it is contained in the version of Jerome and the recently corrected Latin, and it is read by Cyril and Theodoret on *Micah*, and by Tertullian in bk. *De Anima* ch.35, by Augustine, Euthymius, Aretas above; and by Chrysostom homil.38 & 58 on *Matthew*, who notes that added to the name of Elijah was the circumstance of his fatherland, so that ambiguity might be removed and it be noted that the discussion is about the proper person of Elijah.

6. Third, the same is proved from the words of *Ecclesiasticus* ch.48, where from the beginning of the chapter the Sage is speaking of the prophet Elijah, and describes his signal sanctity, great prodigies, and marvelous signs, and his singular translation; and later he subjoins, v.10: “Who art written down in the judgments of times to cool God’s anger, to reconcile the heart of the father to the son, and to restore the tribes of Jacob.” Where, I ask, is Elijah written down in this manner save in *Malachi*? Therefore *Malachi* is speaking about the same Elijah as the Sage is, and hence about the proper person of Elijah. To which words the King of England replies that, although it is clear *Ecclesiasticus* is alluding to the words of *Malachi*, Christ in interpreting *Malachi* also expounded Jesus ben Sirach. “Nor is it unbecoming,” he says, “for this mortal Jesus to be explained by the immortal and true Jesus, although to the shame and confusion of the heresy of the Jesuits.” And the like insults do the Protestants freely proffer when they can make neither probable nor likely the things they say. For who, when reading that chapter of *Ecclesiasticus*, would be persuaded that he is not from the beginning speaking of the true Elijah? For that Jesus had taken up the burden of praising glorious men, his forefathers, as he had said in ch.44, and beginning from Enoch, through Noah, Abraham, Isaac, Jacob, and the other prophets, he reached Solomon at the end of ch.47, and afterwards he begins in ch.48.1-3: “And Elijah the prophet arose like fire, and his word like a burning torch, who brought a famine upon them,...and thrice threw down fire from heaven,” and other things that he is openly reporting historically, up to that verse 12: “When Elijah indeed was hidden by the whirlwind, Elisha was filled with his spirit.” And

thereafter he pursues a discussion of Elisha. But in the middle of his narration he interposes those words about Elijah, “Who art written down in the judgments of times, etc.” How likely is it, therefore, that the relative pronoun ‘who’ does not refer to the proper person of that Elijah about whom, in the preceding and following words, the discussion was being weaved about Elijah? Or who would impose such an interpretation on Christ? Especially since in the same kind of locution it is said to him, vv.5-9: “who raised a dead man from the netherworld; he threw down kings; who hearest judgment in Sinai; who anointest kings; who is taken up in a whirlwind of fire,” and immediately, “who art written down.”

7. I rather suspect that under the word ‘explain’ the king understood the word ‘emend’ or ‘correct’, and that therefore he said that it was not unbecoming for the mortal Jesus “to be explained,” that is, “corrected” and “emended” by the immortal Jesus, thinking that the mortal Jesus had not rightly understood the words of *Malachi*, and therefore was that Jesus explained by the immortal Jesus otherwise than he himself thought. For since the king thinks that book is not canonical, he may easily admit in it what could be emended. But although this would not be unbecoming for a mortal man speaking from himself, it would however be unbecoming for the Holy Spirit who was speaking through him, as the true faith teaches when it proposes to us that book as canonical. Such royal interpretation, then, cannot be a shame to the Jesuits; let the king see whether it be an honor to himself. Nor is by it any heresy refuted that, by the grace of God, could hitherto with truth be noted in the Jesuits; but rather is that interpretation proved to involve heresy, because either it thinks badly of the book of *Ecclesiasticus*, or certainly it attributes, not interpretation, but corruption of its words to Christ.

8. Fourth, that *Malachi* spoke of the person of Elijah we prove from the very words of Christ in *Matthew* 17 where, when the disciples asked what it was that the scribes were saying, that Elijah must first come, that is before the coming of the Messiah, Christ replied to them by saying first, v.11: “Elias truly shall first come, and restore all things.” But then he adds a second thing, namely, v.12: “But I say unto you, That Elias is come already, and they knew him not, but have done unto him whatsoever they listed. Likewise shall the also the Son of man suffer of them.” From which context I collect, first, that Christ spoke of a double Elijah, for of one he says, “he shall come,” but of the other he says “he is come already;” about the first again he says that “he shall restore all things,” but about the other he does not say this, but rather that he was badly treated and as it were condemned by the Jews, because they did not believe him but “have done unto him whatsoever they listed.” Next, he tacitly indicates his own double advent: one in which he was to suffer of the Jews, before which the spiritual Elijah came, about whom he had in the immediate place been speaking; the other in which he will come, not to suffer, but to complete all things, before which Elijah proper will come, about whom he therefore predicted that “he shall restore all things.” According to which sense the sum or paraphrase of Christ’s response is: It is true indeed that the true and proper Elijah will come, not now however, but at the time when all things must be restored and completed. But I say to you that there is another spiritual Elijah, who has already come as precursor of this my advent, wherein I came to suffer for men, by whom he was also himself badly and faithlessly treated.

9. Now that this is the true and literal sense of Christ’s words I show, first, because it is simplest and most consonant with the context and propriety of the words,

which propriety should be kept, except where the metaphor is clear, and so let it be here. For in the first sentence both the name of Elijah and the future verb ‘shall come’ are understood properly, and we will immediately explain the same about the words ‘restore all things’. But in the second part the name of Elijah is expounded spiritually, because Christ himself made it so plainly clear that the disciples understood the sense, but all the other words are retained in their propriety. Add that in the former words Christ plainly nods assent to the Scribes’ opinion, which was in that people common and much received, and he approves it as true, namely, that Elijah the prophet will come. Nor did he ever indicate that they were deceived who understood that prophecy of the prophet Elijah. But afterwards, as if adding a new mystery that does not destroy the letter and truth of the prophecy, but raises it to a spiritual sense, he adds: “But I say unto you, That Elias is come already, and they knew him not.” Since, then, this is the plain sense, without cause does the King of England labor to overturn it, saying that Christ in the first part used the future word ‘shall come’, not by affirming, but by referring to what the prophet had said, and that later he added the past ‘is [has] come’, so as to explain the prophecy and to teach that it was already fulfilled. But assuredly he applies great violence to the words, “But he answered and said, Elias shall truly come;” for these are not the words of one referring but of one affirming and consenting. Nor were the disciples doubting whether the prophet had said it, but whether it would be, and he responded that indeed it would be; and nevertheless he adds that, in another spiritual way, Elijah has already come. For thus did Paul 2 *Thessalonians* 2 say of Antichrist, v.7: “the mystery of iniquity doth already work,” and about the same he subjoins, v.8: “and then shall that Wicked be revealed;” thus can we understand that Christ said that Elijah had already come in mystery, but was still going to come in person. And this is made more clear in *Mark* 9, where he first reports that Christ said, v.12: “Elias verily cometh first, and restoreth all things.” And later he subjoins, v.13: “But I say unto you, That Elias is indeed [also] come;” where the former words are very clearly said by way of affirming, and not of referring, and in the latter the word ‘also’ denotes a distinction of one Elijah from another, and of a double coming too.

10. Second, the said exposition is confirmed because it very well agrees with other places of Scripture, wherein the talk is about Elijah proper who will come, and of the spiritual Elijah who has already come. For where there is talk is about the Elijah proper who will come, of him it is said that “he will convert men to God,” or that “he will appease the anger of God,” and in this way too Christ attributes to him that “he shall restore all things,” by which word ‘all’ he embraced what *Malachi* and *Ecclesiasticus* had in other words said. Nor can those words be rightly accommodated to John the Baptist, since by his preaching he profited the Jews little. But as for what the Calvinists respond, that he has restored all things because he preached Christ who restored all things, is frivolous and very distorted. Both because the phrase “shall restore all things” signifies the efficacy and future effect of the preaching of Elijah himself at the same time and in itself, as is plainly clear from the propriety of the words. And also because otherwise any preacher of Christ might be said to restore all things, even if by his preaching he profit nothing; which is ridiculous. Finally also because, when *Malachi* says of Elijah “he shall turn the hearts of the fathers to the children,” it cannot be expounded that he will preach him who will do the converting; nay, neither will we rightly expound by saying that he will so preach that it be sufficient for converting; but the plain sense is that he will

effectively convert, or he will so preach that he does convert; for this is the force of the verb, and this the words of God declare that are subjoined by the same prophet, “lest I come and smite the earth with a curse.” In this way, then, did Christ say “he shall restore all things,” in that, although the Jews did not believe the first Elijah and departed from the true Christ in his first coming, they will be restored by the second Elijah, according to that verse of *Isaiah* 10 and of Paul *Romans* 9.27: “Though the number of the children of Israel be as the sand of the sea, a remnant shall be saved.” But the other part about the spiritual Elijah concords with the words of the same Christ in *Matthew* 11.14: “if ye will receive it, this is Elias, which was for to come,” that is, he will exercise with you the ministry of Elijah, which will be to convert men, especially Jews, to Christ. But because it could not be perfected without their consent, therefore did he say “if ye will receive it,” as Chrysostom and Theophylact noted. And Jerome says: “This which was said, ‘if ye will receive it, he is Elias himself,’ that it is mystical and needs understanding is shown by the following speech of the Lord, when he says, ‘He that hath ears to hear, let him hear,’” that is, let him who can understand attend and perceive the higher sense of the words. For just as the angel foretold of John, *Luke* 1, that he will come, v.17: “in the spirit and power of Elias,” thus in the present case is he said to be Elijah.

11. Third, the metaphor itself, whereby the name of Elijah is attributed to John, indicates about the proper person of that prophet, on whom that name was first imposed, that it was predicted he will have to be sent as precursor of some coming of Christ and will preach to the Jews so that they be converted to Christ; for because in this office John is likened to Elijah, there is he himself named Elijah, as going to come in the spirit and power of Elijah. Just as the same *Luke* declared in ch.1 by adding, v.17: “to turn the hearts of the fathers to the children,” alluding to the place of *Malachi*, as is clear from the words themselves, and as, in addition to the expositors there, Augustine notes tract.4 on *John*, when he says that John spoke in the spirit of Elijah, because he was in the first coming what Elijah will be in the second. The same by Gregory in homil.7 on the Gospels. The metaphor itself of Elijah attributed to John, then, indicates that the former prophecy was foretold literally of Elijah proper. Which is also thus confirmed, because when the angel said he shall come “in the spirit and power of Elias,” he plainly distinguishes Elijah from John; therefore he supposes that Elijah will come “in spirit and power, to turn the hearts of the fathers to the children, etc.,” and hence supposes that, of the Elijah distinct from John, similar words had been before predicted. Wherefore, although we grant that the words of *Malachi* are sometimes brought forward about John the Baptist, as if he was predicted in them, the thing would have to be understood in a spiritual sense, perhaps intended also by the Holy Spirit; but the proper literal sense is not to be excluded, which is in many other ways evidently proved. Just as when John adduces those words about Christ, *John* 20.36: “A bone of him shall not be broken,” the proper literal sense is not excluded whereby it is signified that in type it had been literally kept, as Augustine observed tractat.20 on *John*, and Chrysostom homil.84. In this way too, although the words of *Malachi* are accommodated in a spiritual sense to John, their propriety must be kept literally. For of John it had been literally foretold by the same *Malachi* 3.1: “Behold I will send my messenger, and he shall prepare the way before me.” Which words Christ first reported in *Matthew* 11 as having been said properly about John, hence he gives as preface, v.10: “this is he of whom it is written, etc.” but afterwards he brings in the place of *Malachi* far otherwise, or rather he alludes to him by

attribution, or accommodates the words in a spiritual sense to John.

12. Lastly, by the authority of the Fathers this exposition of the Lord's words is proved. For Jerome on *Matthew* 11 says that John is mystically called Elijah because of likeness, and he adds that just as Elijah will be, according to *Malachi*, the precursor of the second coming of Christ, so John was the precursor of the first. For although there he only refers to this opinion as the opinion of others, yet he puts it in the last place and tacitly approves it; but on *Matthew* 17 he supposes as true the tradition of the Hebrews about the true Elijah's future coming as precursor of the second advent, and he afterwards thus expounds the words of Christ: "He himself, who will come in the second advent of our Savior according to faith of body, comes now through John in truth and spirit." And Augustine, bk. 83 *Quaest.* q.58, says: "In the second coming the Lord will come in glory, of whose advent Elijah is hoped for as precursor, as John was of the first; and therefore is it said by the Lord, 'Elijah is already come, and men have done many things to him, and if you will receive it, he is John the Baptist, who is to come.' Because he is in the same spirit and in the same virtue and as it were in the office of a preceding herald; and the latter has already come, but the former will come." Where he very clearly expounds that Christ spoke of a double Elijah, a true and a mystical. And in bk.1 *Quaest. Evangelicar.* q.21, he understands about the true Elijah those words of the Lord: "Elias indeed shall come;" and as to what is added, "and shall restore all things," he expounds: "he will himself restore either those whom Antichrist's persecution has confounded, or, by dying, what he owes." The same in tractat.4 on *John*, as I reported above. And likewise Ambrose bk.1 on *Luke*, on the words, 1.17: "and he shall go before in the spirit and power of Elias." Among other reasons and likenesses he posits are: "Because the former is precursor of the first, the latter of the subsequent coming of the Lord." And bk.2 *De Virginibus* at the beginning he says that: "Elijah, who was a virgin, was for that reason caught up to heaven, and," he says, "he will be the precursor of the Lord's coming." Gregory too, bk.35 *Moralia* ch.9, elsewhere ch.6, understands it of the true Elijah, and he declares how he will restore all things when he says: "For now the Church has lost the Israelites, whom it was not able by preaching to convert, but then, at the preaching of Elijah, while he is collecting as many as he has found, the Church receives as it were more fully what it has lost." And in the same way were the words of Christ understood by the same Gregory bk.20 *Moralia* ch.25, and homil.12 on *Ezekiel*.

13. In addition, Origen tract.3 on *Matthew* after the question of the Apostles, "Why therefore do the Scribes say that Elijah must first come?" adds: "To this Jesus responds, not indeed by rejecting what had been handed on by the Scribes about Elijah, but he denotes that another coming of Elijah has happened before him, which the Scribes did not know." And thus immediately he expounds the following words of Christ about a double Elijah, in person and in spirit, of whom one will come, the other has already come. Hence very well does Chrysostom homil.38 on *Matthew* 11 say: "Christ signified John, for both have undertaken one ministry, and both have been made precursors. Wherefore he did not say, he is assuredly Elijah, but, if you wish to receive it, this is, etc." and the rest that he there elegantly pursues, and more extensively and better in homil.58, where he expounds the words of Christ, "Elijah shall come," about Elijah the Tishbite, of whom *Malachi* also had spoken. And homil.4 on *2 Thessalonians* he likewise declares that John is said to be Elijah because of the ministry of precursor, wherein indeed he was like Elijah. And Theophylact on *Matthew* 17, expounding the words of

Christ, he says: "By saying that Elijah indeed shall come, he shows that he has not yet come, and that when he comes in the second advent he is going to restore to the faith of Christ all the Hebrews whom he will find open to persuasion, etc." Finally Tertullian bk. *De Anima* ch.35 favors the same exposition, to pass over later authors, Bede, Anselm, and others, who thus understood the words of Christ.

14. What is it, then, that the King of England says, that there is nothing in the Scriptures that gestures that Elijah will come before the judgment? Surely it is not likely that so many Fathers have with so great concord come together in collecting this assertion from Scripture without a great and evident foundation in the same Scripture? Wherefore he is too extreme when he blames in Bellarmine the aforesaid interpretation of the words of Christ and calls it impudent, and says it is a paraphrase not to be borne, or that it was introduced cunningly and in very bad faith. For either he has not read the Fathers, or he blames them all cunningly and disguisedly in one Bellarmine and contrary to what he elsewhere professes; but both are intolerable and unworthy of the king. For the reason most of all that neither any reason nor any consideration of any moment about the words of Christ does he produce whereby he might impugn the received sense of the words of Christ; nor does he make satisfaction to the things that we have introduced in order to persuade him. Since, therefore, other testimonies of Scripture cannot be otherwise rightly understood, and the words of Christ in their best and plain sense are in harmony with them, and the common interpretation of the Fathers agrees, there should be no doubt but that Elijah will be the precursor of the second coming of Christ, and hence that he is one of the two witnesses foretold by John in *Revelation*.

15. But of Enoch as if in mockery the king speaks thus: "But Enoch must be yoked in this business together with Elijah, for no other purpose, if I mistake not, but to take up the yoke on the other side." However, these witticisms and words of derision are jabs not only at Bellarmine (as the king pretends) but at all the Fathers, nay at the Evangelist John himself. For if the aforesaid words must be listened to, they not only mock and exclude Enoch but altogether every associate of Elijah in his preaching and advent. For it is thus that anyone could say: what need for someone else to be yoked together with Elijah except perhaps for taking up the yoke on the other side? Why then did John foretell that two witnesses and two prophets will come? Who has known the mind of the Lord, and who has been his counselor? Or who might demand of him a reason that he will send two witnesses and not one only, or more? Or why in his first coming he sent only one precursor, but in the second two? Or why for preaching the gospel he sent twelve apostles and not more, nor fewer, and at the end of the world he will be content with two witnesses against Antichrist? Futile then are little objections of this sort; for God, *Ephesians* 1.11, "worketh all things after the counsel of his own will."

16. Although to someone who considers rightly, many reasons of this divine providence can at once occur. For in the first coming one precursor alone was sent because he was sent only to one people of the Jews and to one place of the earth, and at the time when that people was still continuing in the faith and was instructed in the teachings of the prophets, and therefore one outstanding witness, who would be, *John* 5.35, "a burning and a shining light", seemed sufficient. But Elijah is to be sent to the Church now diffused through the whole world, and consisting of Gentiles and Jews, and at the time when they will scarcely find faith on the earth because of the enormous persecution of Antichrist, and therefore he will have some associate who will help to bear

the yoke of gospel preaching and of the defense of Christ. So that there may be two candlesticks standing in the presence of the Lord, and illumining both peoples; and two olive trees from whom greater abundance of grace in a time of such great necessity might be communicated to the Church. Therefore the king greatly errs in doubting about the number of two witnesses, or by mocking it as if it lacked reason.

17. Now who that associate will be is not as tried and certain as that the other will be Elijah. Hence in what the king adds, that no place of Scripture speaks of the return of Enoch, he errs little. For Aretas too on *Revelation* 11, in his ch.39, said: "That Elijah will return is manifest; but about Enoch indeed we do not have from Scripture a testimony that has regard to his coming." Hence it has happened that about this associate of Elijah Catholic doctors have had various opinions; for Victorinus on *Revelation* 11 thought that Jeremiah would come with Elijah; but Hilary canon.20 on *Matthew*, rejecting that opinion, associated Moses with Elijah, whose opinion some of the modern expositors on *Matthew* 17 have followed. But this office of prophesying along with Elijah at the time of Antichrist is attributed to the Evangelist John by others, along with Hippolytus, bk. *De Consumm. Mundi*. Who, however, does not exclude Enoch, but adds John third. This, however, has no foundation and is repugnant to John himself, who makes mention of two witnesses only. Nor is it altogether credible that Moses, Jeremiah, or John should come with Elijah, because no trace or indication of that thing is contained in Scripture, and it is far more true that they are all dead and are now reigning with Christ; and therefore it is not likely that they will die again and need to be drawn away out of heaven from the beatific state so as to come down to fight with Antichrist, as we have more extensively treated of elsewhere.

18. It remains that we should altogether assert that Enoch will come with Elijah to be the other witness and preacher against Antichrist. For in affirming this opinion the gravest and almost all Fathers agree. Tertullian bk. *De Anima* ch.50, Augustine bk.9 *De Genesi ad Literam* ch.6, and bk.1 *De Mirabilib. Sacrae Script.* ch.3, Ambrose on *1 Corinthians* 4, Damascene bk.4 *De Fide* ch.27, Bede, Anselm, and St. Thomas on *Revelation*, where also Andreas Caesar says that most of the doctors follow this opinion, and Aretas says that it is had from the tradition of the heralds of Christ. And the argument is a strong one, because Enoch is not dead but was translated, as Scripture teaches *Genesis* 5, hence it happens that at some time he will die, "because it is appointed unto men once to die," from which rule he cannot with foundation be excepted. Therefore it is very likely that he is reserved for this end, so that he may come with Elijah and die for Christ.

19. Add the words of *Ecclesiasticus* 44.16: "Enoch pleased God and was translated to paradise, so as to give the Gentiles repentance." Which words are by the Fathers understood of the earthly paradise, as I reported above. But the King of England contends that it is sufficiently expounded in this way, how he was placed as an example for men in the future, whereby they may be incited to do penance and follow God. Which exposition seems to be handed on by Theodoret q.45 on *Genesis*. And it could be tolerated if another were not being excluded, or if many other circumstances did not force one to interpret that something further is signified in those words. For if he was translated only as example, he would certainly have had to be transferred, not to the earthly paradise, but to the heavenly, nor would he have had to be kept in his mortal body on earth, but to be immediately crowned with glory and honor. Next, there were assuredly

going to be few who would need to be moved to penance by that very distant and very hidden example; therefore some other mode of moving men to penance is there foretold. Finally, in that causal notice, “he was translated to paradise, *so as* to give the Gentiles (or the generations, as the Greek has it),” it is sufficiently indicated that he has been by a special providence preserved to excite men at some time to virtue and penance. Hence it is probable that not without mystery is “Gentiles” put there, because Elijah will be sent more to conversion of the Jews, but Enoch to recalling the lapsed among the Gentiles. This assertion, therefore, has in Scripture this sufficiently probable foundation, which, having been confirmed by the authority and conjecture of the Fathers, unless someone wishes willfully to turn his back, and to think more than he should, makes the thing sufficiently credible and morally certain.

Chapter 15: The seat of Antichrist in place and rank is very far distant from the See of the Pontiff.

Summary: 1. King James tries to prove that Rome is the seat of Antichrist. 2. He is speaking of Rome itself, not of the pontifical throne. 3. Although Rome were the future seat of Antichrist, it was not thence rightly concluded that he will sit on the See of Peter. 4. The King of England’s proofs. 5. Whether by the name of temple Paul understood the Church. 6. By temple can be understood the congregation of the faithful. Also can be understood churches, excluding the temple in Jerusalem; finally, any place dedicated to the divine cult. 7. Augustine thinks Antichrist himself is the said temple of God. 8. To the King of England is given the option of choosing whichever he likes of the said expositions. 9. From the king’s own exposition the conclusion is no more drawn that Antichrist will sit in the Roman temple than in any other. Response to the instance. 10. The bosom of the Church is very ample, and does not include Rome only. The Pontiff does not advertise himself as God, but shows himself Vicar of Christ. 11. A second proof of the king from Revelation. 12. The woman should not be confounded with the beast. 13. If that woman is Rome, she is certainly pagan Rome, not Christian. The beast on which she rides signifies not Antichrist but the series of Gentile tyrants. 14. Confirmation from consideration of the words of ch. 17 of Revelation. 15. From this place cannot be collected that Antichrist will fix his seat at Rome; rather is collected that Rome must be overthrown by him. 16. The same is proved by a dilemma. 17. Conclusion.

1. We have, as I think, sufficiently disputed of the time of the coming of Antichrist, and consequently of the witnesses who will come to preach against him; what follows is to speak of the seat of Antichrist, which is the second member of the disputation of the King of England, or the second place he rests for support to show that Antichrist is already sitting on his seat and his throne. However, neither is it thus expressly collected by the king, nor would the inference be of any moment. For in two ways can the antecedent of that argument be understood; in one way about the See itself of the Roman Pontiff, insofar as it is the pontifical throne, whereon Antichrist is said to be going to sit; in another way only about the place of the Roman City, such that Antichrist will therein place his throne and the royal curia of his empire. Now the antecedent cannot be understood in the former sense, because the argument would be useless and beg the question; for it is the conclusion that the king is trying to prove, namely that Antichrist will sit, nay is also already sitting, on the pontifical and Roman

See; if therefore the antecedent is understood in that sense as the foundation and principle of the argument, the conclusion to be proved would be being assumed, and the argument would be ridiculous.

2. It is necessary, then, that the king speak of the place itself of the Roman City and take for the foundation of his reasoning that Antichrist will locate the seat of his empire in that city, so that he may thence collect that the Roman Pontiff is Antichrist, because the pontificate has its see in the same city. And in this way the conclusion, considered in itself, is indeed frivolous, because in the same city diverse princes, very different in empire, morals, and title and mode of ruling, can place the seat of their empire, at least at diverse times. Nor can it for that reason be thence inferred that one empire is the other. Otherwise it could in the same way be inferred that Constantine was a Turk, because he placed the seat of his empire in the same city of Constantinople wherein the Turk is afterwards sitting. Nay, it could also be inferred that Peter and his successors before Boniface were Antichrist, because they had their See in the same Roman City.

3. Now although this condition of having the seat of empire in the same city is not enough for showing that he who sits is the same, nor that he has properly the same seat, that is, by the same title of ruling or the same power and dominion; nevertheless, it is a necessary condition; and therefore the king along with his Protestants strives greatly to show that this condition of fixing the seat at Rome agrees with the true Antichrist, so that therefrom, with other things added, they may infer that he who now sits in that city is Antichrist. But since, from what has hitherto been said, it is clear that the other conditions predicted about the time of Antichrist do not agree with him who now sits there, and since it must be shown in what follows that also other qualities and properties revealed about the person of Antichrist are not found in the Pontiff, there would, even if we should grant that Rome will be the place of the seat of Antichrist, be nothing of relevance for concluding that Antichrist either has come or is the Pontiff. Yet nevertheless, because that principle too, namely that Antichrist will sit at Rome, is false, we will in this chapter, so as to make more evidently clear how vain is that fiction or imposture about the antichristian seat having been or needing to be placed at Rome, consider the proofs of the king, and we will show that his assertion is false and repugnant to his own principles and expositions of *Revelation*; but later we will throw in a few things about the future seat of Antichrist.

4. That the Roman City will be the place of the antichristian seat is proved by the king first from Paul 2 *Thessalonians* 2 who says about Antichrist, v.4: “so that he as God sitteth in the temple of God, showing himself that he is God.” “That is,” says the king, “in the bosom and precisely in the innermost parts of the Church.” And he adds: “Already in what place the Apostolic See is I leave to anyone to work out; but also who is sitting in it conducting himself as God, condoning sins, defining articles of faith, censor and judge of all men, himself to be judged by no one.” In which words this argument is virtually contained. Antichrist will sit in the Church, which is the temple of God; therefore his seat will be in the bosom and innermost parts of the Church, that is, in the chief and, so to say, the more intimate part of it; therefore it will be at Rome; therefore the Apostolic See, which is there, is the seat of Antichrist. He proves virtually this final inference, “since he who sits there shows himself that he is God.” Thus far the king.

5. In this argument, to begin with, we do not stop at the antecedent, insofar as it has been by us presented and virtually contains the exposition, that Paul understood the

Church by the temple of God. For this sense does not contain error but rather is probable; for Jerome in his epist. 151 to *Algas*. q. 11, prefers that sense to others, and he is followed by Hugo Eterianus, bk. *De Regres. Anim.* ch. 23; and this sense is approved by Oecumenius on that place in such way that he excludes others when he says: "He does not mean the temple that was at Jerusalem, but the Church of God." Other Greeks indeed sometimes insinuate that Paul is not speaking only of the temple at Jerusalem but also of the churches of Christ, indicating that he does not exclude the first. For which opinion Chrysostom is cited on *2 Thessalonians* 2 when he says: "He will command that he be placed in the temple of God, not at Jerusalem only, but also in the churches." For thus Musculus translates in the Venetian edition for the year 1549, but in the new Paris editions for the years 1581 and 1588, with Germanus Hervetus as translator, the word 'only' is not read, nor 'churches' in the plural but the singular, in this manner: "He will command to worship him as God, and he will sit in the temple of God, not the one in Jerusalem, but in the temple of the Church." Theophylact, however, seems to have read or expounded Chrysostom otherwise, when he says: "Not in the temple specifically, which is in Jerusalem, but in churches simply, and in every divine temple." In Theodoret too I do not find the exposition exclusive, according to the version of the same Germanus Hervetus in the Cologne edition for the year 1573, but its words are: "he called the temple of God the churches, wherein he will seize the first seat." In which words he rather seems to be tacitly excluding the temple at Jerusalem, although, by saying 'churches' absolutely, he includes them all, and consequently even those that were at Jerusalem.

6. Wherefore, by understanding the Church too by the temple of God, there are two or three expositions of that term. One, that by the Church is understood not a material place for the worship of God, but a formal Church, so to say, that is, the congregation of the faithful. And this is what Jerome indicates above when he says: "Or, as we think more truly, he will sit in the Church, showing himself that he is as it were Christ himself and the Son of God." And he signifies the same on *Matthew* 24 when expounding verse 15 "in the holy place, that is, in the Church." And certainly the words of Chrysostom, which I reported according to Hervetus, are not alien from this sense. And the same sense is put down as probable by Andreas on *Revelation* in his ch. 62. Another exposition is that the temple of God is taken for a material place of sacrifice and worship, which we call 'Church'. And this exposition can be sub-distinguished. Hence the second exposition will be that the temple of God be taken generally for the churches of Christ, and specifically for those alone, to the exclusion of the temple in Jerusalem. And this was expressly posited by Oecumenius; and Theodoret does not disagree with him, although he did not expressly posit the exclusion. The third exposition will be that by the temple of God is understood any divine temple, whether it be in the Church of Christ or in the Synagogue. And this is handed on by Theophylact and he is followed by Cajetan when he says that: "a determinate temple is not signified, but anything dedicated to God." Such that the temple of God is put to exclude only the temples of idols, as Augustine also wished in bk. 20 *De Civitate Dei* ch. 19.

7. But Augustine adds there a fourth more metaphorical exposition. For by the temple of God he understands Antichrist himself, and weighs the fact that the Greek does not have, "so that he sitteth in the temple of God," but "into the temple of God," that is, that he shows himself as the temple of God. Which can be understood either of the person

himself of Antichrist, and thus it will have to be understood, not in that common way in which the just are called the temple of God, but in another singular way in which he wishes to be held for true God. Just as is said there to dwell in Christ the fullness of the godhead bodily, and thus the humanity of Christ, or Christ as man, can be called in a singular way the temple of God. Hence when Paul says *2 Thessalonians* 2.4: “So that he as God sitteth in the temple of God, showing himself that he is God,” he does not, according to this exposition, put those two things there as diverse, but the latter part is an explication of the former; for Antichrist will show himself into the temple of God, preaching that he himself is the true God, and showing that he is to be as such adored. Or by Antichrist can be understood, not the person of Antichrist alone, but together with a mystical body gathered together from the corrupt men who will follow him; and thus is Antichrist said to sit in the temple of God, because he will show his congregation as the true Church of God, wherein he will himself sit as God. And this latter sense is the one that Augustine more follows.

8. If it please the King of England, then, that the temple of God in the place of Paul signifies the Church, we make no contention; but let him choose himself which of the said expositions he more approves; for it is not now important for us to decide between them, but what only is of concern to the issue is to show that none of them can be of service to the assertion, or rather the vain thinking, of the Protestants. For if the Church signified by the temple of God is the congregation of the faithful, although Antichrist will sit in this Church showing himself as God, it does not follow that he will place his seat in the Roman City. For the congregation of the faithful is diffused through the whole world, and of itself abstracts from material place; hence that he is in this way sitting in the Church as God is nothing else than to be held and reputed for God in the very Church of Christ and by those who will be his members. Which could be true whether it happen at Rome, or Constantinople, or Jerusalem, nay whether it come about in Europe or Asia. But it is necessary to note that the congregation, wherein Antichrist will be worshipped as God, is called the temple of the Church of God because, before it was perverted by Antichrist, it was the temple and Church of God; but, by taking Antichrist for God, it will, in that respect, be made to be the Synagogue of Satan, or antichristian. According to this opinion, then, nothing is collected about the Roman City, that it will be the seat of Antichrist. Nay, from the blasphemy is elsewhere overthrown of those who say that the Pontiff sitting there is Antichrist; for, as Jerome says, “Antichrist will sit in the Church showing himself that he is Christ and Son of God;” the Pontiff, however, does not so sit, but as minister of God and Vicar of Christ and servant of the servants of God. And this reason proceeds more or less in the same way of the fourth exposition, as will be readily clear to one who considers, for the exposition of Augustine also returns to it, that by the Church is designated a congregation of men, not a material place, and that the same is signified by the name ‘temple of God’.

9. But if it be pleasing to understand by the Church only the churches of Christians, there can, since Paul speaks indefinitely of the temple or Church of God, no more be an inference that Antichrist will sit in some temple in Rome than he will do so in one in Constantinople or in Jerusalem or some other like place. Nor is what the king adds of any importance, that Antichrist will sit “in the bosom and the innermost parts of the Church,” both because these words are not from Paul but he has himself added them from his own head, and they are therefore contemned with equal ease, and also because

England was sufficiently in the bosom and innermost parts of the Church and yet, God permitting, it has become the seat of Antichrist; and Luther and Calvin poured out their venom in the middle precisely of the Church, and hence in its bosom and innermost parts, although they could not overturn Rome. The king will perhaps say that, although the temple of God was put indefinitely, it is taken by antonomasia for Rome, or for the Roman temple that is as it were the chief of all. He could also be helped by the words of Theodoret on *2 Thessalonians 2* who says: "He called the temple of God the churches wherein he will seize the first seat;" for we say that the first seat is Rome; therefore Antichrist will seize it. But that is also said willfully and without proof. And besides we will easily reply that Antichrist will not sit in the temple that is really chief, but in the one that he himself will wish and preach is chief; for it is more credible that it will be in Judea rather than in Italy. For since Antichrist will advertise himself for true Christ and Messiah, he will say that the head of his Church is Jerusalem, not Rome, as we will soon see. Now Theodoret by 'first seat' did not in fact understand Rome, nor any of the primary churches, but in each church or temple the primary place and seat due to God alone; or he spoke of the first seat, not the one that now is or that was in his own time, but that Antichrist will himself erect. And this discussion proceeds equally according to the third exposition which, under the name of 'temple', embraces both the Jewish temple and the churches of the Christians; for thus is the proposition of Paul more ample and indefinite, and therefore the determinate place of the Roman City can be therefrom less inferred.

10. From which also is concluded that in vain does the king propose to be worked out where the Apostolic See is; for although it is plain to all that it is at Rome, it does not follow that Antichrist will place his seat in that very place, even if he will sit in the bosom of the Church. Because the bosom of the Church is very ample and the good and bad exist in it, and one indeed sits legitimately, the other by ambition and tyranny is imagined the head of the Church. Besides the fact that (as I began to say above), although Antichrist were to expel the Pontiff from Rome and place his seat there, he would not sit in the same seat; nor thence could it be concluded that he who now legitimately sits so sits as Antichrist will sit. For he who sits now does not preach himself as Christ or Messiah, as Antichrist will preach. Wherefore what the king subjoins is vain, that the Pontiff conducts himself as God, 'by condoning sins, etc.' For it is one thing to bear the vicariate of God and, as his minister and in the way he himself instituted, to perform supernatural effects and to exercise divine jurisdiction; but it is another thing to behave oneself as God, to propose oneself as the God to be believed in and worshipped. For the former is done by the Pontiff legitimately, but the latter will be proper to Antichrist, as the Scriptures teach and the Fathers interpret, and as we will declare more extensively in the following chapters.

11. The second proof that Rome will be the seat of Antichrist is taken by the king from *Revelation*, and he supposes from ch.13 that the beast which John saw rising up and having seven heads and ten horns is Antichrist. But next he takes an argument from ch.17 where John narrates that he saw a harlot woman sitting on the same beast (as the king interprets); about which woman John thus concludes at the end of the chapter, v.18: "And the woman which thou sawest is that great city, which reigneth over the kings of the earth." And about the same he had earlier said, v.5, that its name is "Babylon the great," and he calls it the same way in ch.18. Therefore says the king, "this place clearly and

without any contradiction declares that Rome is or will be the seat of Antichrist.” He proves the inference: “First because no Papist is now denying that by the name of Babylon is Rome there very plainly understood. Next, that this woman,” he says, “is the Antichrist is proven from the time at which he will exercise his force and work, which will be for forty two months, as is contained in ch.13.”

12. But before I respond to this argument, I note that in these and other words of the king he is confounding the woman with the beast and conversely; for he says the woman is Rome and Babylon, and again he says it is Antichrist, and a little later he says it is clear that the beast of seven heads is Antichrist. And yet, on p.108, he says that the beast is the royal city. And likewise, on p.99, he confounds the woman with the beast, and says she signifies now the city, now its empire, now Antichrist. Which confusion both is repugnant to the common exposition and obfuscates the light of understanding; for if Rome is the woman and Babylon, how is it Antichrist? Or how will it sit on the beast which is said to be Antichrist? Next, in ch.13, it is not said that power was given to the woman for forty two months but to the beast; therefore it is not thence proven that the woman is Antichrist, but that the beast is. Nor ought they to be confounded; for the woman represents one thing, and the beast another, nor can the beast carry itself. Nor yet do we say this to avoid the objection, but to declare the true sense and to prepare the way for avoiding the calumnies that hide in that confusion and equivocation, as we will see below in chapter 20. But the objection can be formed in this way. The fornicating woman, which is named great Babylon, is Rome, and she is said to sit on the beast, that is, on Antichrist, as her prince and foundation; therefore Rome will be the seat of Antichrist. The proof of the consequence is that, although it would seem that the prince sits rather in the city where he has his seat than the city on him, yet the city itself too is said to sit on the shoulders of the prince, insofar as it is ruled and preserved by his power and virtue. Thus Rome is therefore seen to sit on the beast Antichrist; it will therefore be his seat.

13. About this objection many things could be said, were they not said above. We could, therefore, easily avoid the objection by saying that the fornicating woman seen by John in *Revelation* ch.17 signifies, not Rome, but the world, and that the beast on which she sits is not Antichrist but the devil. However, for responding to the king, it is not necessary to deny probable interpretations, much less the more received ones. We concede, then, that the woman signifies Rome, not however Christian Rome but pagan Rome, as I made clear in chapter 6. When therefore it is assumed that the beast on which the woman was sitting is Antichrist, we reply that this must either be denied or at least distinguished and understood in a sound way. For the beast is said to have seven heads, which are there expounded as being seven kings, none of whom is Antichrist, but another who is said to be eighth, although he be of the seven and is specifically called, v.11: “the beast that was, and is not,” as was touched on above. Therefore the beast having seven heads and ten horns is not, so to say, adequately Antichrist, but the succession of tyrants who in the Roman Empire persecute Christians, after whom Antichrist rose up as it were “among them another little horn,” as is said *Daniel* 7.8. From here, then, is not rightly inferred that Rome at some time sits on that true and proper Antichrist, but on the pagan Roman emperors, persecutors of the Church and antichrists in type and by figure or participation. Therefore of these emperors or antichrists the seat was indeed Rome, when it held empire over all the kings of the earth and was drunk with the blood of the martyrs,

that is, when it was pagan and not Christian Rome.

14. Hence if ch.17 of *Revelation* is attentively considered, never is it therein signified that the fornicating woman was seen to be sitting on the beast insofar as the beast represents Antichrist proper, but only insofar as it represents his tyrant precursors and pagan Roman emperors. And that is why perhaps, when John says that he saw the woman sitting on the beast, he adds only, v.3, “having seven heads and ten horns;” because Antichrist is neither one of the seven heads nor of the ten horns. For John himself, after he had said, v.10, that of the seven kings five are fallen and one is and the other is not yet come but was to come and to rule for a short space, he subjoins, v.11: “And the beast that was, and is not, even he is the eighth, and is of the seven, and he goeth to perdition.” And afterwards he declares, v.12: “And the ten horns which thou sawest are ten kings...which receive power...with the beast,” unto whom, v.13, “they shall give their power and strength.” But next he subjoins about these, that, v.16: “they shall hate the whore, and shall make her desolate and naked, and shall eat her flesh, and burn her with fire,” that is, serving in this the beast, with whom, v.13, “they have one mind,” and to whom, “they shall give their power,” as had before been said.

15. Hence further I collect that, so far is John from saying that the whore sat upon that beast insofar as the beast foreshadows the true and proper Antichrist, that instead he signifies that by him or by the kings his ministers she is to be destroyed. Therefore, from that vision, not only is it not proved, nor can be collected, that Antichrist will fix the seat of his empire at Rome, but the contrary rather is not obscurely proved, since it is by Antichrist himself to be destroyed. Which is much confirmed in ch.18, especially against the King of England, who understands the words of that chapter, v.2: “Babylon the great is fallen, is fallen,” about the Roman City; and thus, from that sentence, the description there is of the perpetual desolation and abolition of the Roman City, whence is inferred, by a necessary consequence, that that destruction of Rome is to be done by Antichrist and the kings subject to him; first, from the words of the preceding chapter, which we have just reported; second from the following ch.19, because that fall of Babylon, which is described in ch.18, is not the consummation and burning of the whole world but, according to that interpretation, of a certain particular city; it will therefore be before the end of the world. And yet from ch.19 is collected that the Babylonian fall will be near the end of the world; for immediately after it Christ, vv.11-21, is shown descending on a white horse, and with a sharp two-edged sword proceeding from his mouth, accompanied by the armies of heaven, to destroy the beast with the kings and their armies, who are killed with the sword of him that sat upon the horse; therefore that the Babylonian destruction will be done by Antichrist and his army is, as a result, sufficiently understood. Therefore is thence evidently concluded that Rome will not be the seat of Antichrist.

16. Third, the same is concluded in this way, that if it is to be in that way destroyed at the end of the world, it will be done either by Antichrist or by some other; if by Antichrist, it will certainly not be his seat, for these two are repugnant to each other. Nor can it be imagined that he will first fix his seat therein if he is afterwards going to destroy it; both because this neither has foundation nor is likely, and also because the monarchy of Antichrist will not last so much time that it could suffice for that change of things, and because, in addition (as is collected from ch.17), he will from hatred of the whore destroy it, either by himself or through the kings his friends; therefore he will from the beginning wage enemy war against it; therefore it cannot be thought that Rome will

first be the seat of Antichrist and must afterwards be destroyed by him. Nor can it either be said that it must be destroyed by another after Antichrist has fixed his seat in it, both because this is repugnant to the words cited from ch.17, where it is said that it is to be destroyed by the kings, friends of the beast, that is, of Antichrist, and of the executors of his counsels; and also because, from other places of *Revelation*, and from *Daniel* and Paul, it is clear that Antichrist is not to be overcome by any pure man, but is to be killed by Christ himself. Therefore, if Antichrist were once to place at Rome his seat, Rome would not need to be destroyed by any enemy of Antichrist, nor by Christ himself before the general conflagration of the world, because Christ, when he comes to kill Antichrist, will not destroy any city, nor is this read of him, but only that he will send Antichrist and his false prophet alive into hell, and will kill the rest of his associates with his own sword, *Revelation* ch.17.

17. The assertion, then, that Rome will be the seat of Antichrist is both not proved by the king and is contrary to his words and expositions and plainly false. Next, it is a very good conjecture that Antichrist will destroy the Roman Empire and will pursue it with great hatred, as is also collected from *Revelation* ch.17, and from *2 Thessalonians* 2 and from all the Fathers; therefore it is not likely that he will place his seat at Rome, because he desires, along with his empire, to destroy even the Roman name.

Chapter 16: Where the seat of Antichrist will be.

Summary: 1. It is more certain that the seat of Antichrist will not be at Rome than elsewhere. 2. It is commonly believed that the seat of Antichrist will be at Jerusalem. 3. This opinion is favored by the testimony in 2 Thessalonians 2 of St. Paul. 4. It is however more probable that the Apostle is speaking of the temple in Jerusalem than of the Church. 5. Confirmation from Matthew. 6. In confirmation of the common opinion is added another testimony from Revelation. Enoch and Elijah are to be killed in Jerusalem. 7. King James contends that by the name of the great city Rome is signified. He confirms it with a threefold reason. 8. He contends also that it can be said Christ was killed at Rome. 9. Response to the first proof of the king. How the term 'spiritually' is to be understood in the testimony of John. It is applied to Sodom and Egypt. 10. The king's second proof is confronted. 11. Again, the third proof. 12. The blood of the martyrs who were killed by Roman authority or approval is said to be found in Rome. 13. Although Christ was killed by Roman authority, he is violently to the words of John said to have been killed at Rome. The blood of the martyrs who were not killed at Rome is at Rome. 14. Jerome is expounded. In Revelation the holy city is diverse from the great city. Jerome declared his mind elsewhere more clearly.

1. It is indeed far more certain that Rome will not be the seat of Antichrist than it is certain what the place or city will be wherein he will place his throne. Nor ought that to be surprising, because in all obscure things that are very far from human cognition, what they are not is more easily recognized than what they are. But it is also not so necessary for us to know where Antichrist will sit than to know that it will not be at Rome, because this latter point conduces much to confound heretics; but the former, although it be unknown or uncertain, is not of much importance. Yet nevertheless, so as, from this assertion, to confirm with greater authority in this chapter the denial demonstrated in the previous chapter, we will in a few remarks propose what seems on

this point to be more likely.

2. Catholic doctors, then, judge it very likely that Jerusalem will be the royal seat of Antichrist, and that the temple in Jerusalem, restored by Antichrist, will be as it were the foundation and head of the false religion that Antichrist will try to introduce into the world. Which opinion descends without any doubt from ancient tradition. For Irenaeus bk.5 ch.25 openly says that Antichrist will reign in Jerusalem; Lactantius bk.7 chs.15 & 17 says that he will reign in the East, and in that part of Asia which is called Syria, that is, in Judea; Hippolytus in *orat. De Consummat. Mundi* says that he will sit in Jerusalem. The same is taught by Augustine; the same by Gregory of Tours bk.1 *Histor. Francor.* at the beginning: "Antichrist," he says, "will first introduce circumcision, asserting he is Christ, then in the temple in Jerusalem he will place his statue, etc." The same by Cyril *Catech.* 15, by Damascene bk.4 ch.27, by Sulpicius Severus *Dialog.* 2 on St. Martin, and all those who expound the Scriptures immediately to be dealt with. Now so great a consensus of Fathers could certainly not be founded in mere human suspicion or opinion, since it is about a future thing that is contingent and specially dependent on divine providence and permission; therefore one must believe it has flowed from a common understanding of the Scriptures; for there are in Scripture many testimonies that signify this point; however, because they are prophetic and obscure, the Fathers seem to have collected the true sense of them from some tradition.

3. Now there seem to be two chief testimonies whereby this truth is confirmed that we will now consider, and we will by the by touch on other testimonies and reasons or congruences. The first testimony is that of Paul which the king was using 2 *Thessalonians* 2.4: "so that he as God sitteth in the temple of God." For it is far more likely that Paul there is speaking of the temple in Jerusalem. For, first, thus do the ancient Fathers more frequently expound it. Irenaeus bk.5 ch.25 says: "He will transfer his kingdom to Jerusalem and will sit in the temple, seducing those who will worship him as if he were himself Christ." And ch.30 he says: "He will sit in the temple in Jerusalem." The same in Hippolytus in *orat. De Consummat. Mundi*, Ephrem *orat. De Antichristo* p.3 says: "He will honor the Jews above measure, and the people of the Jews will affect him very greatly with honor. Hence he himself too, as preferring them in honor, will designate for the advantage of all of them his place and temple, and his prudence in restoring it." The same in Cyril of Jerusalem *Cateches.* 15; and Damascene bk.4 ch.27, when expounding Paul, says: "Further, the temple of God he understands not to be ours but the Jews', for he will come not for us but for the Jews." Thus too is the place of Paul interpreted by Sedulius Hymo, St. Thomas, and commonly by others. And it can be thus made persuasive. For it is more likely that Paul is speaking of a material temple, which is a place of worship and sacrifice, than of the metaphorical temple of the Church or of the human spirit; both because that meaning for the word 'temple' is more proper and more in use, and could be more easily understood by the faithful whom Paul was then wanting to instruct; and also because he is without doubt alluding to the words of Christ in *Matthew* 24.15: "When ye therefore shall see the abomination of desolation...stand in the holy place." Where there is no doubt but that Christ is speaking of the material temple. Now at the time when Paul was writing only the temple in Jerusalem was through antonomasia called by the faithful the temple of God, because then either Christian temples had not yet begun, or they were not called by this word, as is clear from the ancient Fathers. Nor is the term 'temple of God' in its propriety and as it signifies a place

of sacrifice found in any other meaning in Scripture and especially in the New Testament, therefore it is more likely that Paul used the term in the same signification.

4. This testimony is confirmed from another in *Matthew* 24 when Christ says: “When ye see the abomination of desolation...stand in the holy place;” for there ‘holy place’ was understood to be the temple in Jerusalem by all the witnesses who interpret the place of the statue or image of Caesar, as Chrysostom hom.76, Theophylact there, again Hilary can.25 on *Matthew*, when he says: “These things he spoke of the times of Antichrist.” And later: “and when he is received by the Jews he will stand in the place of sanctification, so that where God used to be invoked by the prayers of the saints, there he, received by the infidels, should be venerable with the honor of God.” Ambrose too bk.10 on ch.21 *Luke*, expounds it of “the inner temple of the Jews.” And the same sense is indicated there by Jerome when he said that the words of Christ can be understood either simply of Antichrist, or of the image of Caesar that Pilate placed in the temple, or of the statue of Hadrian that was placed in the holy of holies. Jerome, then, understood that holy place to be the temple and the holy of holies, and yet right there he says that Paul is in 2 *Thessalonians* 2 speaking of the same place. Now both are very well confirmed by *Daniel* 9.27: “and there shall be in the temple the abomination of desolation [alt: and for the overspreading of abominations he shall make it desolate];” for whatever is there signified by abomination of desolation, it cannot be doubted but that Daniel understood the temple in Jerusalem; for no other temple of the true God then existed, nor is there discussion of another in the Old Testament; but Christ the Lord alleges the place of *Daniel*; therefore he understood by the holy place the same temple; now Paul alludes to both; therefore he is speaking about the same temple that *Daniel* was, as Origen rightly noted bk.6 *Contra Celsum*, about the middle.

5. The second principle testimony is *Revelation* 11, where is said that the witnesses who will speak against Antichrist are to be killed, v.8, “in the great city...where our Lord was crucified,” that is, Jerusalem; now they will be killed by Antichrist, as is there said, v.7, and in the same place Antichrist must be killed; therefore it is far more likely that Antichrist will there chiefly reign. Thus Andreas on that place in his ch.30 says: “For in this great city he will, in imitation of David, set up (as is probable) the seat of his kingdom.” The same in ch.62, with greater doubt. More clearly does Aretas say, ch.30: “He will cast out their unburied bodies in the streets of Jerusalem, for therein will he reign as king of the Jews, whom he will seduce.” And in the same way is that place understood about the city of Jerusalem by the rest of the ancient and modern expositors on that place, and many other Fathers have taught that Elijah and Enoch are to be killed in Jerusalem by Antichrist, which they did not assume save from this place. Hence it is with sufficient probability collected that that city will be the royal city of Antichrist; for that is why rather in it than in other places will the witnesses of Christ continually preach, because it will be the head of superstition, just as formerly Peter and Paul studied to teach chiefly in the City of Rome, which was the head of the pagan empire; hence, just as they themselves were there crowned with martyrdom, so Enoch and Elijah too will be killed by Antichrist in his royal city of Jerusalem. For since he will be a Jew and is to be taken up and worshipped by the Jews as Messiah, as we will say a little later, it is *per se* likely that, after he has usurped monarchy in the East, he will place his throne in the royal city of Jerusalem, which he himself will restore. Therefore that city, restored and enlarged by Antichrist, is called there by John ‘the great city’, or

certainly ‘great’, because in it great and marvelous things have happened; but because it will at that time be most corrupted in faith and morals, therefore is it called by John in the same place “spiritually Sodom and Egypt.”

6. Yet, indeed, the King of England, notwithstanding the evidence of the said words, contends that Rome is signified in those words by John. And first he notes that, when John said, v.8: “And their dead bodies shall lie in the street of the great city, which spiritually is called Sodom and Egypt,” the word ‘spiritually’ is attributed both to Jerusalem and to Sodom and Egypt, so that it may be believed the discussion is not about the material Jerusalem but the mystical, by which he understands Rome. Next he considers that John, after the aforesaid words, did not add simply “where their [alt. our] Lord was crucified,” but with interposition of the particle ‘also [*et*]’ “where *also* our Lord was crucified, etc.” and thus he expounds: “The seat of Antichrist will already be full of spiritual fornications and idolatries, just as formerly were Sodom and Egypt, nay with such cruel persecution of the saints that in it is Christ again crucified in his members,” according to the common rule that things done in the body and members may be attributed to the head. Third, he confirms this exposition from the words of John in *Revelation* ch.18 at the end, where of the mystical Babylon he says, v.24: “And in her was found the blood of the prophets, and of saints, and of all that were slain upon the earth.” For, under that distributive term ‘all’, he wishes Christ to be understood as well, because he was slain upon the earth. Hence he seems to collect that Christ too can be said to have been killed at Rome.

7. Finally also he adds that Christ can be said to have been killed at Rome because he was killed by the authority of the Roman Empire and as a criminal against the Roman Emperor, “such that he who tried to excuse him was held to be no friend of Caesar.” And this interpretation can be assisted by the fact that some Catholics do not understand those words in their proper sense. For Jerome epist.7 tries with many arguments to show that the discussion there is not about the city of Jerusalem proper. First, because at the beginning of the same ch.11 John calls Jerusalem ‘the holy city’ when he says, v.2: “and the holy city shall they tread under foot forty and two months.” Next, because no special city but the world is wont in Sacred Scripture to be spiritually named Sodom and Egypt, thus he concludes that the city is the world. But Lyranus on that place understands by that great city the congregation of infidels; therefore, if it is licit to depart from the proper sense of the words, there will be no reason for the king’s interpretation not to seem probable.

8. We reply, to begin with, that the things the king notes are slight, whether for proving his exposition or for overturning the truth. For what he first notes, that the adverb ‘spiritually’ is attributed not only to Sodom and Egypt but also to Jerusalem, is manifestly false and contrary to the letter. Because, in the first place, the name Jerusalem is not put there so that it may be noted as taken spiritually, but it is by periphrasis described by other metaphorical names, whereby its vile and fetid properties are noted, and by the death of the Lord which happened therein, and thus it does not appear how that adverb ‘spiritually’ could be attributed there to Jerusalem. Next, it is made more manifest by noting the order of the words, which is thus: “And their dead bodies shall lie in the street of the great city, which spiritually is called Sodom and Egypt, where also their Lord was crucified.” Where it is very clear that the word ‘spiritually’ is not conjoined with ‘great city’, nor is put for indicating that ‘city’ or ‘great’ is used not properly but

metaphorically, but it is conjoined with the word ‘called’ and put for explaining how that city is called ‘Sodom and Egypt’, namely mystically and not properly; therefore it draws off, so to say, from their proper signification the words put in predicate position, not the subject itself to which those metaphorical predicates are attributed. Nor even can the term ‘spiritually’ be conjoined with the following words, “where also their Lord was crucified,” because that is now as it were a new proposition, indicating that the city is great for another condition or property of it that is very different, to which the word ‘spiritually’ is not there attributed, unless someone wants his own judgment to pervert the words. Therefore the word ‘spiritually’ is in no way attributed to Jerusalem, because neither under this term itself nor under periphrasis or description is it said thereof. And thus from the force of the context is it concluded that only the names Sodom and Egypt can, because of the term ‘spiritually’, be there understood metaphorically, and on this Jerome and Lyranus above mentioned, along with all expositors, agree.

9. Now in the things that the king notes in second place, the particle ‘also’, which the king weighs, is no obstacle to the truth; for the literal and true sense is that not only is that city spiritually Sodom and Egypt, but that also in it was committed that horrible crime of killing Christ. Hence we gladly accept what the king there admits, that the discussion there is about the city wherein the royal seat of Antichrist will be. Again we admit the thing he adds, that it will be full of darkness and fornications, whether spiritual or carnal, because of which it is called Sodom and Egypt. But the interpretation he subjoins, that Christ is said to have been crucified there not in himself but in his members, we altogether reject and condemn. For although that rule of interpreting the Scriptures about the Lord and his body is well worn, yet, as Augustine says when explaining it: “What becomes the body, what the head, needs certainly to be understood.” Because although the rule taken in itself and generally is true, one can in the bad use of it, done without discrimination and understanding, very gravely err. Which without doubt often happens to the king, not only on this point, but also in this whole discourse about Antichrist, nay also in other dogmas of the faith, and in the abuse of other rules of interpreting Scripture, as we have already several times noted above. And in the present case it is manifest, first because there is no necessity there for such rule or metaphor, and it is not to be applied or attached without foundation. Second, because the words do not help but rather are opposed, for when it is said, ‘their Lord’, the head is expressly distinguished from the members who were killed for him. Third, because the words, ‘where also their Lord,’ are put for designating the great city about which the discussion is, and for distinguishing it from the rest; but if the discussion is about the head in its members, the sign is useless because not only in Jerusalem, not only in Rome, but in the whole world, and in almost all its cities, Christ has been crucified in his members. Next, none of the expositors have so understood that place, nor any of the Fathers.

10. The confirmation that the king added in third place, from *Revelation* ch.18, did very much move Bede and others who said that Babylon in that chapter did not signify any special city but the whole world; which exposition was shown above to be very probable; however, once it is posited, the objection ceases. Yet, if we suppose that Babylon is Rome, the king’s argument is of little moment; for if from those words, ‘the blood of all, etc.’, he thinks to collect that Christ too was killed at Rome, and for that reason he expounds him as having been killed in his members, then Abel, and the martyrs of the Maccabees, again Stephen, Andrew, and all the apostles were killed at Rome, for

they too were 'slain upon the earth'. But they were not killed at Rome in their persons proper, nor in their members, because Abel was not head of martyrs, or anyone like him, nor in them does the rule about head and body have place; in what way, then, were they all killed at Rome? What the king then replies about the others, we will reply about Christ; and much more easily and probably, because it is not necessary to understand that distributive term of all the saints killed from the beginning of the world, but of those who were killed by tyrants persecuting Christ's Church; and so it is not necessary to include Christ under them.

11. You will say that it seems at least necessary that all the martyrs of the New Testament are included. For this reason learned modern doctors respond that the sense is not that all the saints were killed at Rome, but it is said that therein was found the blood of all the martyrs, because they were killed by Roman power and authority, as many as were everywhere killed for Christ, especially up to the times of John. This exposition can also be sufficiently founded in the letter, for thus it has, v.24: "in her was found the blood of prophets, and of saints, and of all that were slain upon the earth." Where I weigh the phrase 'upon the earth', for in this latter place is not said 'in her', that is, in Babylon, but 'upon the earth', that is, everywhere in the world; therefore it does not say that all were killed at Rome but that the blood of all those everywhere killed is attributed to Rome. But someone will instance that even in this way not all martyrs were killed by the work of the Roman emperors or magistrates. For Stephen was killed by the Jews on popular impulse or on their own authority; many too were killed in Persia and in other places outside the Roman Empire. The response is, to begin with, that these were few and that no account is being taken of them, nor is it necessary that the universal terminology of Scripture should always be understood without any exceptions. Or it can also be said that the blood of all those killed for Christ is found at Rome, because Rome approved by its example the martyrdoms of them all, and provided all tyrants with example and minds to persecute Christians; and finally because either Rome cooperated in the deaths of them all, or consented in affection, and is thus made partaker in the killing of all.

12. And all these things fit best with the death of Christ, and thus are the things better accommodated that the king says in last place in his interpretation, that Christ is said to have been killed at Rome because he was killed by authority of the Roman emperor. For this is very violently accommodated to the words of John in ch.11. For he is not there dealing with the authority, but with the place "where their Lord was crucified," as the words themselves show, and the occasion for which they were added, namely to give a sign whereby it may be understood what city the discussion is about; for which end it serves little to know the authority or power whereby Christ was killed; for he could, even if he was killed by the authority of the emperor, be killed in the whole Roman world or any city of it. However, in ch.18 all the killed, under whom the king wishes Christ to be included, are not said to be killed at Babylon, but 'upon the earth', while the blood of them all is said to be at Babylon, or Rome, namely by participation, authority, cooperation, or consent, as has been said. Now in this way the blood of Christ too, not in his members only, but even in his own person, was found at Rome, either because of the reason of the king, because he was killed by Roman soldiers and a Roman magistrate, and as it were in defense of the authority of Caesar; or certainly because the Roman emperors, by persecuting and killing Christians, were professing very great hatred for Christ, and thus were being made partakers in his killing. The king, therefore, by his own

interpretation solves precisely his own objection that he had put in the preceding confirmation; he does not, however, expound but corrupt the words of ch. 11 that we are treating of.

13. To Jerome we reply, to begin with, that he does not favor the king, because he interprets the place, not of Rome, but of the whole world. And nevertheless we say that even that interpretation we do not approve of, because it is foreign to the words and mind of the writer, as has been explained; and learned men judge that Jerome was not there speaking in his own person but in the name of Paula and Eustochius, and that he was putting forward the things that they thought contributed to the commendation of Jerusalem and the vindication of it from shame, not considering nor rigorously examining the truth of the things they were saying. Nor are the reasons of Jerome compelling, both because the same city in different respects or times is called holy and wicked, as is frequent in Scripture; and also because it is probable that ‘the holy city’, of which John is speaking at the beginning of that chapter is not same as the ‘great city’ of which he is speaking at the end, for the former is the Church of Christ while the latter is Jerusalem. Nor is it uncommon in Scripture to compare Jerusalem with Sodom, as the expositors there extensively show; and even had it not been done elsewhere, this would not prevent John, foreseeing the future state of Jerusalem in the time of Antichrist, from making that comparison and using that metaphor. For Rome too is not in ancient Scripture found called Babylon, and yet Peter and John imposed that name by metaphor. Next, the same Jerome on *Daniel* 11 at the end expressly teaches that Antichrist will place the throne of his kingdom in Jerusalem, and that there on Mt. Zion he is to be killed by Christ. And in this sense he extensively expounds that place of *Daniel*; which sense, as he himself says, “he has pursued prolixly, to show the slander of Porphyry and the difficulty of Scripture, the understanding of which without the grace of God and the doctrine of the forefathers the most ignorant claim even most of all for themselves. Which words I report for this reason, that I may in the same words excuse my own prolixity too in this book.

Chapter 17: From the description of the person of Antichrist that Paul delivers in 2 *Thessalonians* 2, it is shown that, rather than being the Pope, he will be the greatest adversary of the Pontiff.

Summary: 1. King James contends that the Supreme Pontiff is Antichrist. From the place of Paul above cited the fabrication of the king is plainly refuted. 2. Antichrist will be a man of sin, or covered over with all sins. Scriptures uses the genitive case in the place of adjectives for emphasis and antonomasia. 3. The notes of Antichrist do not in any way fit the Supreme Pontiffs. Boniface III is vindicated from calumny. 4. Phocas did not confer the primacy on the Roman See, but at most made the fact clear. 5. Henry VIII should really be called a man of sin. 6. The king suppresses some of the words of Paul in the text above adduced. Some assert that by the name of God Paul understands idols. 7. And that Paul himself even understands the true as well as false God. 8. The supreme pride of Antichrist is his wish to surpass God, not men. A temporal king who usurps spiritual primacy is more truly called Antichrist. 9. Antichrist will raise himself above God. 10. An argument ad hominem. The Pontiff does not make himself God but worships God. 11. He who justly guards his right does not properly extol himself. If Boniface III is to be called Antichrist, as the king contends, his predecessors too should be so called. 12. Protestants falsely accuse the Pontiffs of mocking Catholics with deceptive signs. No Roman Pontiff

has used delusions to demand the empire of Antichrist. 13. Not Boniface III, not Deusdedit, nor other Pontiffs. 14. Protestants glory of the word of God. But vainly.

1. This is the third head of the disputation that the king proposed about Antichrist. Who immediately at the beginning of the same disputation introduces the description of the person of Antichrist delivered by Paul in *2 Thessalonians* 2.4: “that man of sin, the son of perdition, who exalteth himself above all that is called God.” In which, omitting the first two parts, he considers only the third, and that one he adapts to the Pontiff, so as to convict him of antichristianism. And he in this way more or less concludes: the Pope extols himself above all that is called God; therefore he is Antichrist. The antecedent is clear, for about kings, or about priests, or both, God says, *Psalms* 82.6: “I have said, Ye are gods.” But the Pope extols himself above all kings and bishops, “for he raises himself above the power of both swords.” Therefore he extols himself above everything that is called God, and accordingly he is Antichrist. Nor has the king in that place in the words of Paul wished to consider another property whereby the person of Antichrist might be described or known; but, after a long digression about the seat and time of Antichrist, he returns, on p.102, to the description of that person, and tries to elicit it, not from the clearer places of Scripture, but from the most obscure visions of *Revelation*. But before, compelled by necessity, we digress with him to these more obscure and less useful things, we must stop at this place of Paul. Since it can therefrom be evidently agreed that the person of Antichrist is described in such wise that he must be conceived as not only distinct from the Roman Pontiff, but also altogether different and opposite to him in faith and morals, and finally as the supreme enemy and adversary of the Apostolic See.

2. And in the first place I consider the former words, which the king omits: “that man of sin, the son of perdition.” For by these words is that man described as most wicked, and that he will be the most ruined. Which a little later the same Apostle has more clearly explained, when he says, vv.8-10: “that Wicked...whose coming is after the working of Satan...with all deceivableness of unrighteousness.” Hence Chrysostom on that place in *homil.*3: “He calls him man of sin, because he will do sins innumerable.” And Theodore says: “He called him man of sin, seeing that he is by nature a man who has taken up into himself all the working of the devil. But he is the son of perdition so that he may himself perish and procure perdition for others.” Hence he says that in this he will emulate Christ, that just as Christ was the cause of salvation for all, so he himself will be the author of perdition for all. Theophylact: “he calls him the man of sin himself, as he that will carry out every kind of sin and will trip up others into sin.” Like things are contained there in Oecumenius; and with the same colors does Cyril depict Antichrist, *Catech.*15, when he says: “He will deceive the Jews and circle them round with every kind of inhumanity and with evils, so that he should excel in malice all who before him were wicked and impious.” And St. Ephrem in *serm.* ‘De Antichristo’: “The dragon will vomit out into him all his bitterness along with all his malice, and will deceitfully give him to drink a lethal virus hidden within himself.” And like things are contained in Damascene bk.4 ch.27 and in others who, in interpreting thus the words of Paul, write about Antichrist, whether expressly or tacitly. For the words of Paul, “that man of sin, the son of perdition,” are said by exaggeration and antonomasia. For the genitives there have the place of adjectives, and they are wont to have that great force when they are put absolutely, as the same Paul in *Colossians* 1 called Christ, v.13: “the Son of his

dearness,” that is, most dear Son, on whom the Father has poured all the treasures of his love, as Augustine thought bk.15 *De Trinit.* ch.19 at the end. In this way, then, does Paul in this place call Antichrist man of sin, that is, supremely evil and most ruined, or as Cardinal Hugo expounded, “servant of sin,” or, as Cajetan says, “man having the fullness of all sins.” And hence too do the theologians, along with Gregory bk.15 *Moralia* ch.28, say that he is the head, under Satan, of all evils, because in him will be all the fullness of malice. And because, just as Christ is more holy than all the good, so Antichrist will be worse than all the bad, as St. Thomas along with the Gloss said on 2 *Thessalonians* 2.

3. Who, then, would be so bold and impudent as not to fear attributing this description to Boniface III or to the Pontiffs who were after him? For what evil did Boniface III do for which he will have deserved to be called ‘man of sin’ and ‘son of perdition’? Nothing assuredly of this sort do we read handed on to memory in the histories. For he lived a holy life and issued holy decrees and died a holy death, as is clear from Patina and others. And the Protestants only object to him that he repressed the ambition of the Patriarch of Constantinople in seeking the primacy of the Church, and constantly and faithfully defended the Roman See as mother and head of the churches. But this is worthy of the highest praise, for it was not usurped by him or newly invented, but conceded by God and accepted by the Fathers and his predecessors. For that all the earlier Pontiffs up to St. Gregory the Great did that was shown above.

4. They bring as instance that he usurped the name of Universal Bishop conceded to him by the emperor Phocas, as Anastasius reports. We reply, to begin with, that either they are treating of the name of Universal Bishop or of the thing signified by it, namely the primacy of the Church. The primacy indeed of the Roman Church over that of Constantinople and others could not have been conferred by Phocas; for it was before him always in the Roman Church, and the Patriarchs of Constantinople themselves long before and always acknowledged it, as was shown above. At most, therefore, could Phocas defend and make clear the primacy of the Roman Church against the insolence of Cyriac the modern archbishop of Constantinople. And that this alone he did is reported by Anastasius and Paul the Deacon, whose words Baronius recites for the year 606 n.2. But if they are treating of the name of Ecumenical or Universal Bishop and are placing in that this great sin, I do not, to begin with, find this term in the words of Anastasius or Paul, but the terms ‘primacy’, ‘first see’, and ‘head of churches’, which are very ancient. Next, even if it be true that John, the Archbishop of Constantinople, wanted to usurp the name of Universal Bishop, and that Cyriac labored with the same ambition, and that for this reason Boniface obtained from Phocas that he should restrain him, and that Phocas himself did so, and that he declared with an imperial edict that that name can be fitting only to the Roman Pontiff, nevertheless neither does Anastasius report nor can it be shown that Boniface or his successors accepted that title, explained and signified by that term. Next, let us concede, if it please, that Boniface did use that title and name; is this then a great sin such that for this reason Boniface deserves to be called a man of sin? Certainly if the thing itself and the dignity are true, as indeed they are, explaining it with this or that term does not make much difference, and perhaps wanting on that occasion to use the name to suppress and confound Cyriac could have seemed expedient. Otherwise, if Boniface sinned in accepting that title, the Synod of Chalcedon certainly was more gravely delinquent, because it offered that name to Leo the Great and his successors, as evidenced by Gregory bk.7 indict.1 epist.10.

5. But if Gregory and his predecessors, as the same says, refused to accept it, either because of humility, or because they did not judge it necessary for their times, or because they feared the term's ambiguity, thinking it could be supposed the name of Universal Bishop took every other bishopric out of the way, nevertheless Boniface already in his own time, after having sufficiently explained the term and the intention of Cyriac, Bishop of Constantinople, could, in order to resist him without prejudice to his own humility, accept the name for the guarding of that very dignity. Assuredly, it is a thing worthy of wonder that Henry, King of England, should have dared, for the excuse of his lust, to usurp the name of head of the Church, unheard of up to his times, and not be by King James reckoned a man of sin, but rather true head of the Church whose successor he himself is and whom he ought to imitate, and Boniface III, for a name received from his forefathers and for the defense of his dignity, he has dared to call Antichrist, that is, man of sin and son of perdition. I omit the fact that the rest of the Pontiffs, who were on the See after Boniface, neither ordinarily used that title nor deserved that unworthy name of man of sin. For although we do not deny that some were of corrupt morals, yet they were few, and among them none was held so wicked that he deserved to be called by antonomasia man of sin and son of perdition, and many, contrariwise, were very holy; among whom some were martyrs, many illustrious for their life and sanctity, and all the rest without any corruption or scandal preserved the Church in faith and justice. The description, then, of Antichrist insinuated in those words of Paul, will by no one who has but the judgment of reason be adapted to the Roman Pontiff.

6. I come to the other words that the king considers, although he does not completely report them, for they hold thus, v.4: "Who opposeth and exalteth himself above all that is called God, or that is worshipped." For the king omits the word 'opposeth', because it does not conform to his interpretation; for the Pontiff does not oppose Christian kings, or bishops, whom the king there wishes to be signified by the name of Gods, but professes himself the spiritual father and protector of them, and a most equitable guide. He also passes over those latter words 'or that is worshipped', because they utterly overthrow the sense he has thought out. But let us see first how the holy Fathers understood those words. For they have reckoned that Paul did not understand kings, judges, or princes of the world, or priests or prelates of the Church, but as the words indicate: "all that is called God." And the Fathers are specially wont to expound it of the idols and gods of the Gentiles, because Antichrist will throw them all out and raise himself above them all, that is, above all who are called God, though falsely. Thus Chrysostom says: "He will destroy the Gods of the Gentiles, and will command himself to be worshipped as God." Likewise Theodoret: "He will say that he himself is Christ and true God, and thus he will rise up against all that is called God." More or less the same is in Theophylact, Oecumenius, and Ambrose and other expositors. But Irenaeus, bk.3 ch.6, interprets the place of Paul about the gods of the Gentiles, "which are called gods, but are not," and over them Antichrist must he says be extolled, "not above the true God." Which one may doubt how one should understand. For the same Irenaeus, bk.5 ch.25, although he expounds the words in the same way, at the same time says of Antichrist: "Being an apostate and a brigand, he wants to be worshipped as if God." Hence he adjoins: "Putting away idols indeed so as to persuade that he himself is God, but extolling himself as one idol." Therefore Antichrist will in truth extol himself above the true God and above the false ones or idols. But Irenaeus thinks that by the words 'above all that is called God,'

Paul only understood false gods, but that he signified his exaltation above the true God in the other words, v.4: “so that he as God sitteth in the temple of God, showing himself that he is God.” Hence in ch.28 he says: “Sitting in the temple of God so that they who are seduced by him may worship him as Christ.”

7. It is, however, not foreign to the universality of the said words that they be understood to include both the true and false Gods, namely “above all that is called God,” whether truly or falsely called, and whether religiously or superstitiously worshipped. And thus Lyranus on that place and Rabanus in his tractate *De Antichristo* say: “Above all the gods of the Gentiles, and not only above them but also above all that is worshipped,” that is, above the Holy Trinity which alone is to be worshipped and adored. And same is clearly thought by Oecumenius on that place when he says: “He will oppose and be extolled in his pride not only against the God of all things but also against idols. For he will he not lead men to idolatry either, but to worship himself as God, therefore is it said that he will raise himself above all that is God or Divinity.” And on *1 John* 4, treating of the same words, he adjoins: “By this which he adds, and above all divinity, he signifies Christianity too,” where there is to be sure the worship of the true God. In addition, Chrysostom on that place, when Paul says together, “opposeth and exalteth,” expounds it thus: “For he will not lead toward the cult of idols, but he will be a sort of adversary of God,” namely, of the true God; therefore he will also be above him extolled, for he will make himself “to be worshipped as God,” as the same Chrysostom subjoins in *homil.40* on *John* when expounding the words, 5.43: “if another shall come in his own name, him ye will receive,” he says: “Antichrist will say neither that he has been sent by the Father nor that he is come by his will, but he will tyrannically claim all power, will profess that he is the God of all things, as Paul says, above all that is called God or is worshipped.” But other Fathers speak now about idols and false gods, now simply about all cult of God. For thus Tertullian, bk. *De Resurrect. Carnis* ch.24 says: “He will oppose and be high exalted above all that is called God, or religion, such that he sit in the temple of God affirming that he himself is God.” The same is also contained in bk. *De Anima* ch.57; and in bk.5 *Contra Marcion*. ch.16 he says: “Above all that is called God and above all religion.” The like words can be seen in Hippolytus, Ephrem, and in others in my tractate *De Antichristo*; in Cyril *Cateches*. 15, Lactantius bk. 7 ch.17, Jerome in the said q.11 to *Algas.*, and the same is the opinion of Augustine tract.29 on *John*. And it matters little that Paul said it in the former or the latter words, provided it is clear that, in the complete description of Antichrist which he there sets down, he spoke not only of gods metaphorical, so to say, or that are so by some participation, as are kings and prelates, nor only of the false gods of the Gentiles or idols, but also of the true God.

Very frigid, then, and empty is the exposition, or rather adaptation, of Protestants. First, because it is against the common sense of the Fathers. Second, because “all that is called God” includes more. Or if the phrase “that is called” has the emphasis “that is called, since it is not,” as Irenaeus indicated, it thus pertains, not to kings or prelates, but to idols; because kings and prelates are, in the way they are said to be gods, not falsely so called, because they are by the mouth of God himself so called according to a certain analogy or participation; or if one takes absolutely “all that is called God,” whether it is so or whether it is not, it includes everything called God. And further the name ‘God’ should most of all include what is more frequently and by all and by all the vulgar called God; now bishops or kings, although here or there in Scripture they are called gods, yet

they are not vulgarly or commonly called so; but the idols of the Gentiles were then most of all signified by the name of gods, and in addition to them the true God was then, especially by Christians, most of all said to be God; therefore about these rather than about kings is Paul speaking.

8. Add too that the conjecture is not to be contemned that Paul did not wish there to point to and describe any elation whatever of spirit, but to a supremely corrupt and inordinate one in that man of sin, as the words themselves, and more so what he later adjoins, bear on their face. Therefore he is not speaking only of exaltation above other men in temporal or human powers. For in this way have there been many very proud emperors extolling themselves above all human power; and the King of England himself wishes to be thus extolled in his own kingdom, so that he alone be recognized as head in temporal and spiritual affairs; and in this way he raises himself above both swords, so that below God he refuses to recognize a superior, even in order to the salvation of the soul, but, wishing to be judge of all, he thinks that he can be judged by no one. With much greater reason, then, can a king of this sort be called Antichrist, at least in image or imitation. For Athanasius in epist. *Ad Solitar. Vit. Agent.* near the end, speaks thus of Constantius: "Grave are those things, and more than grave, yet of that sort are what are combined in him who bears the image of Antichrist. For who, when seeing him make himself prince of bishops in giving decrees, and preside in ecclesiastical courts, would not rightly say that he is that abomination of desolation which was foretold by Daniel?" These things Athanasius said of Constantius because he wished to usurp the courts of bishops in matters ecclesiastical, especially in causes of faith; what then would he have said of a secular prince who arrogates to himself spiritual primacy?

9. However, although this type of pride recalls the image of Antichrist, still it does not yet recall the truth; for Paul wished to indicate more about Antichrist, and so he did not conclude his description there but added, v.4: "so that he as God sitteth in the temple of God, showing himself that he is God." Which words has the king in that description without cause omitted, since they very much make clear the person of Antichrist and his pride; they also expound how is to be understood the former phrase: "exalteth himself above all that is called God;" not indeed by raising himself, within the order of ministers of God, above the power of both swords, but exalting himself above God himself and commanding that he be worshipped in the temple as God. And this is made more plain by what he next adjoins, v.9: "whose coming is after the working of Satan with all power and signs and lying wonders." For all these things thereto tend, that he should make himself God, v.10, "with all deceivableness of unrighteousness."

10. From which too is clear that the argument of the king is evidently turned back against him. First *ad hominem*, because he himself says that the Roman Pontiff is an idolater in worshipping saints, divinities, and gods, and in thence subjecting himself to them and serving them; yet Antichrist will subject himself to no divinity, but will extol himself above all of that, and will not venerate either idols or images but will oppose them, as the Fathers collect from the words of Paul; therefore the king is not speaking consistently when he says that the Pope is Antichrist. Next, it is very evident that the Pope does not make himself God, nor command himself to be worshipped as God, nor is he an adversary of God or of Christ; for he procures the glory and worship of God as his minister; he is therefore not Antichrist, nor does he extol himself as Antichrist will. Again, Antichrist, as I was reporting from Chrysostom, will not say that he was sent by

the Father or by God, but he will come in his own name, as Christ even indicated in *John* 5. But the Pontiff confesses that he has not only been sent by the Father but also that power has been committed to him by Christ, and that he is his servant, nay and servant of the servants of God; what conversation, then, is there of light with darkness, of Christ with Belial, of the Vicar of Christ with the adversary of Christ?

11. Hence I add that very unjustly is the phrase ‘extolling himself’ attributed to the Pontiff on the ground he guards his dignity over the power of both swords. For he who defends his right, and a right given to him by God for the good of the Church, does not ‘extol himself’ (which verb signifies excess and arrogance, and in this sense is it without doubt taken by Paul), but defends a divine institution and procures the universal good of the Church; but the Pontiff was in truth by Christ established over the power of both swords, as was shown above; therefore he does not extol himself when he vindicates that rank of honor for his own See. And indeed if by this title he deserve the name of Antichrist, antichristianism began, not with Boniface III, but with the beginning of the Church; for the Pontiffs always recognized and defended that rank of excellence in their See, as we showed above. Next, a no less efficacious argument is taken from the final words, wherewith Antichrist is described working signs and lying wonders, for the Roman See has not used these arts and wonders to guard its dignity. Nay, the King of England himself has said that he does not know by what arts it has ascended to that height of power; and no wonder if he does not know them, because there are none besides the sincerity of the word of God and the effectiveness of the promise of Christ establishing the Church upon its rock, and confirming it with true miracles, as we will touch upon in chapter 19.

12. But the king says that these wondrous signs and lies are the miracles that Catholics glory have been and are done in the Church, which he himself mocks, bringing in even an example about the miracle done in the Eucharist, wherewith Bellarmine elsewhere confirmed its truth. Which example is defended so learnedly and piously by the same Bellarmine in his response ch.9 that it seems nothing can be added to it. There only needs to be noted that these false wonders are sometimes attributed to Antichrist, as in this place of Paul, but are sometimes foretold about a certain false prophet of his, as in *Revelation* 13.12-13. And both places the king expounds about false miracles of the Church, yet he confounds Antichrist with his prophet, and the Roman Pontiff with the Church. But in order to uncover his error and the Protestants’ calumny, we must distinctly treat those two points and places. Here, then, the Apostle is speaking about the miracles of Antichrist himself. So in order for the king to prove to us that the Roman Pontificate has passed over into antichristianism, he must point to some Roman Pontiff who has used delusions and lying wonders for erecting the empire of Antichrist. But this he cannot show; therefore he must admit that the description of Antichrist given by Paul does not fit the Pontiff.

13. The minor we can prove from the histories beginning from Boniface III and running through the others, which would be prolix; therefore let it be enough to say in sum that Boniface did no signs whereby he obtained any dignity or power or empire, as is sufficiently evident from the histories and from what was said above. But about his successors, even the most holy, few true miracles are read of in the ecclesiastical histories, far from false ones being invented. For that Leo II, who occupied the See many years after Boniface III, was a holy man is handed on by Anastasius, Platina, and others;

and the Roman Church in yearly cult venerates him among the saints. And yet no miracles or signs are read of him whereby he either usurped any power or obtained the name of sanctity. Now Martin I, who after Boniface III occupied the See before Leo II, did not only not use signs or portents to deceive the Church, but rather did he only with pontifical faith and spiritual power and constancy of mind resist the emperor Constans and Paul the bishop of Constantinople, when he said that: "Even if the whole world wishes to embrace dogmas foreign and alien to the faith, he himself could not either by anyone's threats or blandishments or by death itself be in any way wrenched away from the Apostolic and Evangelical doctrine." Therefore with this faith, not by false miracles, he commended the Apostolic See, and for that reason does he greatly praise the same faith in his letters. And because of the same faith God by a true miracle freed him from the hand of Spatharius trying, on the command of the consenting emperor and the exarch Olympius, to kill him, and afterwards honored him living and dead with true miracles. Thus too the Pontiff Deusdedit, older than Martin and younger than Boniface, is preached in the histories as holy and is venerated in yearly tradition, and he, without lying wonders, preserved his dignity by the true sanctity of life that is both related by the histories and venerated by the Church, and made manifest on one occasion by God with a simple and true miracle, cleansing a sick man of leprosy by a mere kiss. And like things are related of Gregories II, III, and VII, of Agatho, of Leo VIII, and of others in histories grave and deserving of trust, and to them are, along with sanctity of life, some miracles attributed without any fiction or suspicion or deceit.

The miracles, then, that were sometimes performed by the Roman Pontiffs after Boniface, are very far distant from Antichrist's signs; for these latter will be "with all deceivableness of unrighteousness," as Paul says, but the former are read to have always been done in defense of the faith and in honor of Christ. Next the king admits in another place that he does not know the arts by which that throne of the Rome See was carried up to so excelling a power; why then does he now make up that it was obtained by false signs and lying wonders?

Finally Paul adds another sign and as it were another small part of the description of Antichrist when he says, v.8: "whom the Lord Jesus shall consume with the spirit of his mouth, and shall destroy with the brightness of his coming." Which words Protestants, and the king following them, also traduce into metaphors, saying that the spirit of Christ's mouth is the word of God preached by Luther and his ministers, whereby God weakened the Papacy and little by little destroyed it. However, neither is that Paul's sense nor is what is said even true in that sense. For Paul understands by the spirit of Christ's mouth his efficacious command, and by the brightness of his coming his true descent and glorious appearing to kill Antichrist. For this is what the words in their propriety signify, and there is no reason for them to be twisted into metaphorical senses. And thus did the Fathers understand them. Chrysostom on that place in *oratio* 4 says: "By his sole command and presence, for it is enough for him to be present and all these things have perished." Theodoret: "When he appears from heaven, he will merely speak, and he will bring destruction altogether upon that accursed one." And he adjoins the place of *Isaiah* 11.4: "with the breath of his lips will he slay the wicked." Oecumenius: "The spirit of his mouth he calls his order and command." Ambrose on *1 Thessalonians* 5: "Suddenly and unexpectedly Christ will appear, as the lightning appears, having with him the force of the armies of God the Father, to the perdition of Antichrist and his

followers.” And he confirms it from *Revelation* 11. Jerome in the said q.11 to *Algas*. expounds: “by the spirit of his mouth,” that is, “by divine power, and by the command of his majesty, who commands and it is done.” And later: “As the darkness flees at the coming of the sun, so by the brightness of his coming the Lord will destroy and demolish him.” And Augustine bk.18 *De Civitate Dei* ch.53 says: “That very last persecution, which will be by Antichrist, Jesus will himself extinguish by his presence, just as it is written, etc.” and he introduces the words of Paul. According to this propriety, then, and true sense of the words, it is sufficiently clear that the description of Antichrist in this respect has not been fulfilled in the Roman Pontiffs.

14. But neither that which the Protestants boast of in their metaphor have they ever been able to point to. For they glory of the word of God, although however nothing do they less believe or hold in truth. For they keep the dead body of the word of God (as I was saying above) and endue it with their own spirit. And in this their spirit do they put their faith, and with it alone do they wage war against the Church of God and the Roman Pontiff, as we demonstrated evidently in book 1. Far be it, then, that with such word and spirit of their mouth they should be able to prevail against the rock on which God founded his Church, against which the gates of hell will not prevail. Nor on that account, because they have perverted many from the faith and obedience of the Roman Church, has the prediction of Paul been therefore through them fulfilled; for there have never been heretics who do not deceive many, and Arius perverted more than Luther, and not for that reason could he destroy the Vicar of Christ or the Church; that glorying then is empty, and the presumption vain. Whoever, then, has fully considered all the signs and colors wherewith Paul has described the coming Antichrist will understand with evidence that he is not only dissimilar to the Pontiff but will even fight diametrically opposite to him; for since he will be Christ’s enemy, he cannot not be the greatest adversary of Christ’s Vicar.

Chapter 18: The things that the king introduces from *Revelation* chs.6 & 9 are refuted. *Summary: 1. Him who sits on the pale horse in Revelation ch.6 the king interprets to be Antichrist. 2. Response to the king’s conjectures. 3. The place of Revelation can also be accommodated to Antichrist. However it is in no way damaging to the Roman Pontiff. 4. In another place of Revelation ch.9 the king strives to show that the Pontiff is the star falling from heaven. 5. Many calumnies are objected falsely against the Pontiffs. Idolatry, cult of demons, homicide, sorcery, fornication, theft. 6. Other testimonies accumulated by the king against the Roman Pontiff. 7. The fancies of Protestants rest not on truth but on calumnies. 8. By the star falling from heaven in Revelation ch.9 some understand the good angel. That fall in location is not a moral fall. There is confirmation in Revelation ch.20 from something else similar. 9. Some say that the star is Lucifer. They interpret of the same the rest of that vision. 10. Some accommodate the falling star to evil men. 11. Others transfer the vision to some signal enemy of the Church. 12. None of the ancients understood Antichrist by this star. 13. The star falling from heaven cannot be said of Antichrist. 14. On the assumption Antichrist is the falling star, it does not square with any of the Pontiffs. Objection of the king. It is refuted. 15. The smoke ascending out of the mouth of the pit cannot be accommodated to Boniface. 16. After Boniface no crafty locusts, but many very holy men, flourished in the Church. 17. Protestants foolishly sound the trumpet against Catholics. 18. The disciples of Antichrist will not, as the king*

wishes, be idolaters. 19. *St. John is speaking of the sins, not the disciples, of Antichrist.* 20. *Response to the first of the calumnies of Protestants. Defense of Gabriel Vasquez from the crime imputed to him. Response to the second and third calumnies.* 21. *To the fourth.* 22. *To the fifth.* 23. *To the sixth. In the lavishing of indulgences no improper gain is got.* 24. *Response to what the king asserts last against the Roman Pontiff.* 25. *Ch.9 of Revelation has regard more to the wicked than to the state of the Church. If indeed the talk in John is of Antichrist, it thence follows that he has not yet come.*

1. The king presses on in his *Preface*, p.102, and, in order to prove his conjecture about the antichristianism of the Pontiffs, he introduces four visions from *Revelation* wherein he says Antichrist is depicted. The first is in ch.6, where John tells of the opening of six seals of the book, which in ch.5 he had seen closed, and after the first vision of a white horse, on which Christ was riding, and the second of the red horse, the persecution which Christians had suffered either from tyrants or from their relations and friends, and the third of the black horse, which signified famine and other plagues, or rather the darkness and the persecutions of heretics, he adjoins a fourth vision of a pale horse, which is described in these words, v.8: "Behold a pale horse, and his name that sat on him was Death, and Hell followed with him. And power was given unto them [alt. him] over the four parts of the earth (or, as the king reads from the Greek, over the fourth part of the earth), to kill with sword and with hunger, and with death, and with the beasts of the earth." This pale horse, then, or his rider, the king wants to be Antichrist; which he hence confirms that immediately connected to him is the opening of the fifth seal, wherein the holy martyrs cry and plead for judgment and vengeance to be hastened, which is at once, in the opening of the sixth seal, conceded to them. But what this whole explanation has to do with the cause the king does not make clear.

2. In brief, then, we reply that it is either false or very uncertain that by the pale horse Antichrist is signified; for if the expositors of *Revelation* are accurately gone through, there will be found almost as many expositions as heads. For some, applying those seals to various pagan Roman emperors and signal persecutors of the Church, accommodate the pale horse to Domitian, as Peter Aureolus, whom Viegas follows. Others, understanding persecutions of diverse orders to be there signified, attribute the pale horse to Trajan, because the insignia or pale color, of death and of hell, are easily applied to him; he also persecuted the Church more or less at the time when John, while seeing the vision, learnt that mystery from the fourth animal, as Ribera there pursues. But Andreas understands Diocletian or Maximian, in whose time persecution, together with pestilence and famine, afflicted the Church. Which Aretas also reports and seems to follow. Others, interpreting the rest in other ways, have judged that by the pale horse Mahomet was signified and his own and his successors' persecution of Christians, as Joachim and Pannonius. Others say false brethren are signified, hypocrites and false prophets persecuting the Church, as Anselm, Richard, Victorius, Cardinal Hugo. Victorius, however, by the red, black, and pale horses say that the wars, famine, and pestilence announced by Christ in the Gospel are signified. And the same pleased Tyconius *homil.5*, who adds that by the pale horse are understood "evil men, who do not cease stirring up persecutions." Ambrose again, or he who goes under his name, interprets the place far differently and very mystically, and there is in others an infinite variety. However I find no one who has specifically understood that fourth seal of

Antichrist; although if we understand it generally of false prophets and hypocrites, it does rightly follow that Antichrist is by antonomasia included under it.

3. And this is probable; and that conjecture is at most able to show it, because in the opening of the fifth seal are presented the petitions of the holy martyrs imploring vengeance and judgment, and immediately in the sixth seal transition to judgment is made. Although it does not strictly show that either. For, in the same place, we read in the opening of the fifth seal that response is made to the saints, v.11: “that they should rest yet for a little season, until their fellowservants also and their brethren, that should be killed as they were, should be fulfilled.” From which response we understand that the interruptions of the saints are presented as done before the end of persecutions, and especially before the persecution of Antichrist, to which can be referred that “little season” which the saints are bidden to wait for. There is, then, nothing to compel us to understand Antichrist by the pale horse. But let us freely grant it to the king. But what argument, I ask, can be taken up to found or give persuasion to his thinking about the Roman Pontiff? Assuredly none, for although the coming Antichrist is described there, no trace of that description is found in the Pontiff. For the pale color, according to the opinion of all, indicates the very great fear that tyrants, and especially Antichrist, will very much inspire in the minds of men and the faithful; but the Pontiff holds the men subject to him away from the terrors and threat of death, but governs them, in virtue of the spirit and word of God, with love rather than fear. Hence that which follows, “death and hell,” in no way fits with the Pontiff; because he does not profess to have received power “to kill with sword, and with hunger, and with the beasts of the earth,” for these things are done by tyrant emperors and apostate kings and rebels; but the Pontiff receives the power of the sword wherewith he disperses their darkness, and destroys vices and plants virtues. Therefore, the opening of that seal, in whatever way it be understood, pertains in no way to the point we are treating of.

4. The king brings forward the second vision from *Revelation* ch.9, in which the fifth angel sounded the trumpet. For in ch.8 John had said that when the Lamb opened the seventh seal, v.1, he saw seven angels standing before God, and that to them were given seven trumpets, v.2, and in that chapter he had described the sounding of the first four trumpets, but in ch.9 he begins by saying, vv.1-3: “And the fifth angel sounded, and I saw a star fall from heaven unto the earth; and to him was given the key of the bottomless pit. And he opened the bottomless pit, and there arose a smoke out of the pit, as the smoke of a great furnace; and the sun and the air were darkened by reason of the smoke of the pit. And there came out of the smoke locusts upon the earth, and unto them was given power.” In which words, and in the whole sound of this trumpet, the king only considers two things. The first is that: “that star, which fell from heaven, signifies someone of outstanding dignity who fell from heaven; because although he should be the light of the world, as Christ commanded, he, deserting from his office, failed like Lucifer, raised up a kingdom for himself.” The second is that the locusts indicate a pestilential swarm of small animals, crafty and of monstrous savagery, which that star sent out into the earth. “And in this way,” says the king, “the seat of Antichrist began to be erected,” thinking that the star is Antichrist and that the man of outstanding dignity, who failed like Lucifer, was Boniface III, whom he makes to be the beginning of Antichrist. Now what those very savage small animals are he does not make clear; but he seems to understand either all the

Pontiffs, or all the doctors and pastors, or perhaps the Jesuits, who study to extend the empire of the Pontiff.

5. But afterwards, the king passes over to the sounding of the sixth trumpet, wherein he only considers what is said at the end of the chapter, vv.20-21: "And the rest of the men which were not killed by these plagues yet repented not of the works of their hands, that they should not worship devils, and idols of gold, and silver, and brass, and stone, and of wood; which neither can see, nor hear, nor walk; neither repented they of their murders, nor of their sorceries, nor of their fornications, nor of their thefts." All which things, in the fashion of Protestants, he interprets of Catholics or (as he wishes) of Papists. And first he attributes to them that they worship demons, from Vasquez bk.3 *De Cult. et Adorat.* disp.6 ch.3. Second, by idols etc. he understands images, "because it cannot be denied but that the head of the doctrine about the cult of them is the Romish Church." Third, by murders he expounds the slaughterings and massacres that the Roman Church carries out by persecuting heretics. Fourth, the sorceries he says are "the Agni Dei, blessed garments, relics, prayers, whereby men are thought to be preserved from various dangers." Fifth, the fornication he says is partly spiritual through idolatry, partly proper, because it is in the Church more frequent on account of the celibacy of priests and clerics in sacred orders, and because of "so many idle flocks of monks and people sanctimonial. For leisure is a great incentive for lust." Sixth, the thefts he attributes, lastly, to us both metaphorically and properly when he says: "But they become accomplices in theft most of all in that they steal from God the titles of honors and the fullness of power that is due to him alone, which they confer on Antichrist their head. Nor are they less involved in accumulating the riches of theft by jubilees, indulgences, relics, and other things of that sort, etc."

6. Third, so that he may show that in all these are described the times of Antichrist, the king passes to *Revelation* ch.10, where John sees an angel standing on the sea and the earth crying with a loud voice, vv.6-7: "that there should be time no longer; but in the days of the voice of the seventh angel, when he shall begin to sound, the mystery of God should be finished, as he hath declared to his servants the prophets." Indeed he proceeds, as a result, to ch.11 when he says that the end of Antichrist is there described, and he expressly points to that fact that he is signified by the beast rising out of the bottomless pit, and that it is the same beast that is mentioned in chs.13 & 17, "because always he is said to rise from the bottomless pit." About which we do not much contend, as is clear from what was said above, and as I will again say below. But here the king seems to inculcate this point for this reason, to persuade that John in ch.9 is treating of Antichrist, after whose destruction the judgment will follow and time shall cease.

7. Thus more or less the king; in which, if we carefully consider the matter, the things which pertain to that interpretation, that we should understand Antichrist by the star or the beast, are indifferent and do not in anything regard the display or defense of the faith; but those things which contain calumnies, false witness, and (to say what they really are) blasphemies against the Roman Church possess no proof but only the Protestants' freedom and custom of cursing, by whom miserably deceived the king imitates their talk, and for that reason we could omit a response and despise all those things. But because we are debtors to the wise and the unwise, we will speak first about the literal exposition of *Revelation* ch.9, but afterwards we will refute the vain adaptings of the king and his false calumnies.

8. First, then, the star John saw that fell from heaven and that was given the key of the bottomless pit, has among Catholics two chief expositions, one interpreting the star in good part, one in bad part. So, first, some say that the star is not the bad angel, nor any corrupt person, but some holy angel to be sent by God near the end of the word to open up the bottomless pit, namely by allowing the princes of darkness to ascend thence so as to attack men, partly with the darkness of heresies and infidelities by blinding their minds, partly by afflicting the just with very grave evils and persecutions. Which exposition cannot easily be refuted. For when the star is said to have fallen from heaven, it does not signify a moral fall from justice to iniquity, as Lucifer is said to have fallen from heaven in *Isaiah* 14; but it signifies a very swift local descent, and so is declared by that word. And when afterwards it is said that the sun is darkened etc., it is not said that the star sent the darkness or worked the subsequent evils, but only that it opened, that is, gave license or took away impediments, and then there followed what is subjoined, v.2: “and there arose a smoke out of the pit,” and the rest that follows. This interpretation is also explained from another like one of *Revelation* ch.20, where John says, vv.1-3: “an angel come down from heaven, having the key of the bottomless pit and a great chain in his hand. And he laid hold on the dragon...and Satan, and bound him...and cast him into the bottomless pit, and shut him up, etc.” For there is no doubt that he is a good angel; what wonder, then, that the same angel will also have been sent “to loose the devil a little season,” as is there subjoined? This opinion is surely very probable.

9. But the second exposition, which interprets the star in bad part, is no less probable, but it has several divisions. For the ancient expositors interpret the star as the devil, namely Lucifer, about whom in the person of the king of Babylon it is in *Isaiah* 14 said, v.12: “How art thou fallen from heaven, O Lucifer, son of the morning! How art thou cut down to the ground, etc.” up to v.15, “thou shalt be brought down to hell, to the sides of the pit.” Hence they weigh the fact that John did not say that he saw the star descending but that he saw it descended from heaven, because it did not then descend, but it descended before men were created or sinned. Or if perhaps John then saw as it were a descending star, he was indicating the bad angel which had already descended long before. Now to this star as thus expounded the key of the bottomless pit is said to have been given, because the power of hell as of a kingdom has been committed to him. Hence Christ our Lord too, in *Matthew* 12, attributed a kingdom to Satan when he said, v.26: “If Satan cast out Satan...how then shall his kingdom stand?” And in the same place, v.24, Beelzebub is said to be “the prince of devils.” Nor is it an obstacle that the key will serve to open up, as is there said; for the power of a kingdom, or city, or a house is extended also to this act. And according to this exposition can the rest be understood; for the smoke of the furnace is rightly understood to be the temptations of the devil, and the locusts his ministers, whether bad angels or ruined men, etc.

10. However, others by that star do not understand the bad angel, or some class of bad men, or some corrupt man. For Ambrose there says: “By the star are heresiarchs designated, because just as stars shine brightly in heaven, so they themselves do before they fall, and their doctrines and wisdom used to shine brightly in the Church.” And thus as a result he understands that the locusts are the ministers of heresiarchs, and in this way does he pursue the rest. But Anselm, although he understand the demon by the star, interprets by the locusts the heresiarchs themselves, ministers of the demon; because just as locusts jump and do not fly, but fall back at once to earth and bite and gnaw it, so

heretics jump in pride, but since they cannot by knowledge fly to the heights, they fall back to earth and gnaw at the good. Hence, in conformity with this exposition, we can rightly understand by the star the signal heresiarch Luther, who although he seemed before to be, or ought to be, in his way a star, was permitted by the secret judgment of God to fall into the bottomless pit of errors and to pour out darkness from which shot up a huge multitude of locusts, ministers or rather even heresiarchs.

11. Others, finally, understand by the star not some heresiarch, but someone signal who, not only by pouring out darkness, but also by pursuing tyranny and power, will pursue after Christians. And thus Lyranus by the star understands the emperor Valens who, on the persuasion of his wife, fell from the height of the Catholic faith into the Arian heresy, and sent preachers to infect the Vandals and Goths with the same heresy. Which Vandals he says are by the locusts signified, who devastated Italy and other Catholic provinces. Which exposition was followed by Peter Aureolus on the same place, and by Antonius part.1 *Histor.* title 6, ch.1 §2, as to this second part; for by the falling star they interpret Genseric, or some other like king of the Vandals, rather than Valens. What wonder, then, if someone should say by a like analogy that Henry VIII, King of England, was that star falling from heaven, who not only fell from the heights of faith into the most ugly schism and heresy, but also was altered from an illustrious defender of the Roman Church, not only in arms but also in doctrine, into a most bitter enemy. Hence at once was the very dense smoke of corrupt doctrine spread through his whole realm, and obscured the light and understanding of the faith, and thence have corrupt ministers and very bitter persecutors of Catholics in a brief time been multiplied like locusts and scorpions.

12. These and the like things, indeed, can be easily by anyone thought out. However I do not for this reason propose them, that I judge they would all be fitting to Scripture, or probable; but so that the reader may understand that they are no more likely than the things that Protestants have convinced the King of England of; for only by willful accommodation, without foundation in the text of John, and without order and observance of the things that in the sounding of trumpets are put forward, have they been thought out. Hence, although there has been so much variety among ancient authors in expounding the stars, and although many of them say that there the precursors of Antichrist, the future calamities in the Church near the times of Antichrist, are designated, yet I find none of them who, before the King of England and his ministers, said that the star was Antichrist, or the locusts his proper ministers, but at most his precursors, as Anselm calls them and others of the authors mentioned.

13. And rightly indeed did none understand Antichrist by the falling star, because the beginnings of Antichrist will be very diverse from the things signified by the falling star. For in *Revelation* Antichrist is always introduced as a beast ascending from the bottomless pit, as the king himself a little later noted, but the star seemed to be falling as from heaven, which mode or arising is far different. Nor does it matter if someone say that the demon too is represented by the beast rising from the bottomless pit, and yet can be signified too by the falling star; for the demon was first a star and, by falling to earth, was changed into the dragon and the beast of the bottomless pit. However, Antichrist will not first be a star, nor will he be as an angel in heaven, or as a signal person having in this world or in the Church some high place of kingship or priesthood from which he will have fallen, but he will be (as *Daniel* 7.8, 11.21 depicts him): “little and despised, a vile

person to whom they shall not give the honor of the kingdom;” for such will be the beginnings of Antichrist, as was touched on above, and as I will again say in what follows. Therefore the accommodation or representation of the star falling to earth does not square with him, to pass over other things that can thus scarce be coherently expounded; for in any interpretation they contain the greatest obscurity.

14. Lastly, let it be that the star is Antichrist and that by it is signified some man of outstanding dignity; assuredly, once this interpretation has been admitted, there cannot therefrom be proved that any of the Pontiffs, and significantly not Boniface III, was Antichrist. For none hitherto has so abandoned his dignity that he has deprived the Apostolic See of its majesty and excellence, but all very consistently guarded and defended it. But if some by tyranny, or by violent death, were deprived of it, there is no fall from, but a consummation of, dignity; nay, although someone had by guilt or heresy fallen from that dignity, there would be no judgment of antichristianism, because it would have been a personal fall, not one that adheres to the See, nor one that redounds to it or to its successors. However, even this fall has by the grace of God not been found in the Roman Pontiff, especially as he is Pontiff and is illumining the Church; for never have the Pontiffs taught or sown heresies, as was extensively shown above. But it is in particular not read of Boniface III in any history that he introduced corrupt doctrine into the Church, or did anything contrary to the words of Christ: “You are the light of the world.” With what face, then, or what appearance of truth is it said that he was “a star falling from heaven because, having been established in outstanding dignity to be the light of the world, he deserted his office”? The king tacitly replies that he deserted his office because he erected a kingdom for himself. But this has already been sufficiently refuted. And it is in this way again disproved; for he erected either a spiritual kingdom for himself or a temporal. Not the first, because he did not usurp the Pontificate but was legitimately elected to it; and, having been established in it, he arrogated to himself no spiritual power that had not been handed on and observed by his predecessors, as has above often been said and demonstrated, where enough was also said about the name of Universal Bishop. Nor either did Boniface erect any temporal kingdom for himself, because he waged no temporal war, nor was he by any historiographer accused of temporal tyranny. Which is a sufficient argument that he is very far distant from Antichrist, who will first wage temporal war and usurp empire, and afterwards persecute the saints.

15. And hence can easily be proved that the rest of what in that blowing of the trumpet is heard about “the smoke arising out of the pit, etc.” cannot be accommodated to the times of Boniface, because by that very thick smoke, darkening the sun and the air, all expositors understand heresies and corrupt doctrines; for nothing more apposite to that darkness and smoke can be signified, since it is certain that everything there is not properly but metaphorically taken. For although in the imaginary vision they are seen under visible form, yet they were not representing a corporeal smoke at some time rising to darken the sun, but some future tribulation in the Church, darkening the truth and light of the faith. But at the time of Boniface III no such doctrine went out from the Roman workshop, nor was there any innovation as regard the truth of the faith, nor can with any foundation any other such thing be designated, as we showed extensively in books 1 and 2; therefore this prophecy did not then begin to be fulfilled in the Roman See. Which argument can be made about the whole of the rest of the time up to our own age; because never has the smoke of infidelity risen from that See, as was proved in the same place.

16. Next, as to what the king on this point subjoins about the swarm of locusts, that is, “small animals, crafty and of monstrous savagery,” how it has followed on after Boniface he cannot show. For after Boniface there were in the Church very holy and very wise pastors and doctors, such as were, from the Greeks, Damascene, Maximus, Germanus of Constantinople, Theophylact, Photius, Euthymius, and others; while from the Latins Remigius, Bernard, St. Thomas, St. Bonaventure, Peter Damian, Laurentius Iustinianus, Hugo and Richard of St. Victor, and singularly from England Bede, Anselm, Lanfranc, and infinite others from all provinces of the Christian globe, adherents of the Roman See, lighting up its faith and doctrine, received from the ancients, and handing it on to posterity. Nor either in the ministers of that See was there done in the Church any savagery or persecution by scorpion torments. Therefore those locusts or savage little animals are very unsuitably accommodated to the doctors or ministers of the Roman Church, although those small animals may have represented heretics instead, or other precursors or ministers of Antichrist, as all the ancients and wise have understood. And although we grant they do signify the proper ministers of the true and singular Antichrist, it is thence rather proved that he is as far away as possible from Boniface and his successors.

17. But once an accommodation has been excluded of the words that sounded in the fifth trumpet, the other things are easily refuted that from the sounding of the sixth trumpet are seized upon by Protestants by mere calumny to disparage Catholics. But one must notice that there is described in that vision a huge disaster and future slaughter in the world in the very last times, whether under Antichrist or (which is more probable and more received) near his times under the kings who will destroy the Roman Empire before Antichrist comes. But three things must be distinguished in that vision, namely the huge multitude of fierce horses with their riders, a multitude of men killing and men themselves killed, who are said to be, v.18: “the third part of men,” and others, of whom it is said at the end, v.21: “neither repented they, etc.” Therefore the fierce horses without doubt represent either heretics and their ministers, as many wish, or the armies of tyrants, as others more likely think; and by these it is said a third part of men must be killed, namely of those “who have not the seal of God in their foreheads,” as is said at the beginning of the chapter, v.4, and is commonly expounded of the wicked and impious. Besides these were the rest of men who were not killed in the plagues, of whom it is said at the end of the chapter that they, v.20, “repented not of the works of their hands,” and these remaining men the King of England wants to be the disciples of Antichrist; for he says the doctrine of Antichrist is made clear in those words, and he then accommodates them all to the doctrine of the Roman Church.

18. But, to begin with, he is in conflict with other Scriptures wherein Antichrist is said to be going to destroy idols, *Daniel* 11.37: “nor shall he regard any god; for he shall magnify himself above all.” And Paul *2 Thessalonians* 2.4: “who exalteth himself above all that is called God,” as we explained extensively above. Through the words, “And the rest of the men...repented not of the works of their hands, that they should not worship devils, and idols of gold, and silver, and brass, and stone, and of wood; which neither can see, nor hear, nor walk,” the disciples of Antichrist cannot be signified nor his doctrine, because he himself will teach rather that idols are not to be worshipped, and he will persecute those who cultivate them. And hence some collect that those plagues and slaughters will not be under Antichrist but precede him and, because idolatries will not by

them be altogether ended, they are to be done away with by Antichrist. But others think that it does not matter that those fierce horses are the army of Antichrist himself, for although he will persecute idolaters, he will not be able to kill all of them in the world. Just as Mahomet also went after idolaters yet could not destroy them. Some, then, could be living even after the persecution of Antichrist, and about those that remained after the slaughterings of so many men and did not repent of their idolatries it is rightly said that they are to be condemned with Antichrist himself or with bad Christians. For in like manner Antichrist, although he will persecute Christians, will yet not be able to kill them all, nor pervert them, and still if any of the remaining were corrupt and did not repent of their fornications and murders etc., they too will be damned.

19. And in this way can the latter words of John be understood: “neither repented they of their murders, nor of their sorceries, nor of their fornications, nor of their thefts.” For these vices do not indicate the doctrine of Antichrist but the corrupt morals of men. Which was noted there by Richard of St. Victor when he says: “To be noted is that when he says: ‘neither repented they of their murders, etc.’ he has rebuked their corrupt actions.” Now these vices are wont indeed to be found in many Catholics, but much more in heretics, among whom it is very well known that sorceries in particular are practiced; but their murders and very unjust slaughterings we both read of in the histories and holy Fathers in the case of the ancient heretics, Donatists, Arians, and behold with our eyes in the case of the modern ones, who have reached a point of fierceness that often they kill themselves so that they may at the same time thwart their enemies lest they fall into their hands. Next, there can under those words be included also other infidels who do not worship idols, as Pagans who are especially wont to be given to the vices of the flesh, signified by fornications; and Jews who are more frequently involved in usury and other unjust business. And next, under those four members are included all kinds of mortal sins, of which those who did not repent, although they have some knowledge of the true God, nay although they have the true faith, will be damned. Wherein are by those words also heretical Protestant reproached who promise sinners salvation without repentance.

20. It remains for us briefly to respond to the individual calumnies of Protestants that the king has imbibed. And, to begin with, as to the worship of the demon, it is very well known that in the Roman Church it is not only condemned but those guilty of that crime are very severely punished. Nor has any Catholic doctor called it into doubt. Now Gabriel Vazquez, a man of signal doctrine and piety, does not in this dissent from Catholic doctors, but treats *de facto*, not *de iure*, the question whether one who is mocked by a demon appearing to him under some appearance or figure of Christ, and who gives worship to the sign or light that appears, could through ignorance or good intent be excused from idolatry or superstition. He also says that he can in both ways be excused, because if the ignorance is invincible, as it can be, it excuses guilt. But if the intent of the worshipper is not directed to the sign that appears but only to Christ therein represented, or called to mind, he is also excused from guilt, because in both ways he is not worshiping the demon but Christ. Which doctrine evidently supposes that the worship of a demon is *per se* damnable. To the second, we concede that the Roman Church is the head of Catholic doctrine about the cult and worship of images; but how great the separation is between images and idols was sufficiently treated of in book 2. To the third about murders, we say that they are indeed sometimes committed by bad Christians and that they will be damned for them if they do not repent; but the penalties that are by

public authority in the Catholic Church inflicted on heretics are not murders but punishments that are just.

21. In the fourth calumny two errors are included; one is to condemn the sacramentals of the Church as superstitious and sorceries, which is evidently false and blasphemous, since sorceries rest on the virtue of the demon, and sacramentals on the help of God, on prayer, and the intercession too of the saints, and the prayer of the Church, as we touched on in book 3 and have elsewhere more extensively treated of. The other error is tacitly to deny the veneration of relics and the divine miracles that are sometimes done through their means, to find fault, contrary to Scripture in *Acts* 19.12 with the handkerchiefs and aprons of St. Paul, and in 5.15 with the shadow of Peter, and *4 Kings* [*2 Kings*] 13.21 with the relics of Elisha, and against all tradition and ecclesiastical history so constant that either to deny it or not put faith in it is very insolent. But what is there added about superstitious prayers, Pontiffs, and pontificalists, is no obstacle, because they themselves condemn that superstition, and punish it using those signs or writings or words, as I said when treating of superstition.

22. The fifth accusation stirs up ancient heresies; for it seems to condemn celibacy, virginity, and monasticism; which heresies certainly, if they belong to Christian doctrine, were the faith from the beginning of the Church of Antichrist, not of Christ. For Christ himself taught virginity and poverty, and Paul counseled it; and there were from the beginning in the Church flocks of monks and monasteries of holy virgins; but these things have been extensively treated of by us in other places. Now we briefly draw the attention of the reader to making a distinction between vicious and holy leisure; for the former is an incentive to lust and to greater vices, but the latter nourishes charity and is desired by it, as Augustine says bk.10 *De Civitate Dei* ch.19: "The love of truth seeks holy leisure." For this leisure, although it is often free of exterior works, is not however free of divine studies, meditations, and prayers, by the aid of which it happens that lust is dominated and is not victorious, although it sometimes pulsates. And for that reason did Paul say, *1 Corinthians* 7.34: "The unmarried woman careth for the things of the Lord, that she may be holy both in body and in spirit." And he later adds, v.35: "And this I speak for your own profit; not that I may cast a snare upon you, but for that which is comely, and that ye may attend upon the Lord without distraction." The state, then, of the continent is not only more perfect, but is more profitable for preserving continence if a man use it rightly; nor is it to be condemned because of the particular vices of persons, which are not lacking in other states, and are sometimes for the greater common good to be tolerated, and, as far as possible, corrected; which the Roman Church observes with holiness and prudence.

23. But what is said in the sixth member about murders is the false calumny of Protestants, and deserves no other response; and scarcely are they capable of that who have conceived hatred and indignation against indulgences, and have been so blinded thereby that they are not able to distinguish pious and voluntary alms from thefts. For in conceding indulgences, there is not only no unjust gain but not even unfitting gain, nor is there gain that results to the temporal advantage of the one conceding the indulgence, but it is a paternal providence for coming to the aid of the common necessities of some of the faithful through the pious works of others, inducing them to works of satisfaction for sins, among which are the alms where other indigent persons can be helped. But on this matter we have disputed more at length in the proper place.

24. To the things, finally, that the king introduces in third place from *Revelation* chs.10 & 11 to show that in ch.6 the discussion is about Antichrist, the response is, first, that from the words of ch.10, where, vv.5-6: “the angel...sware by him that liveth for ever and ever...that there should be time no longer,” is at most proved that the tribulations and divine punishments, which in ch.9 are predicted, pertain to the last times of the world; but hence it does not necessarily follow that among the plagues announced in the said ch.9 is contained the last persecution of Antichrist, for it is enough that it be very imminent. For because men in the first plagues have neither done penance nor wished to emend, God will finally permit the last plague, after which the world will end. Hence the threat, “that time should be no longer,” does not have to be understood as needing to be fulfilled immediately after the preceding plagues, but after the last one, that will already be at hand. Which is from the following words easily understood, for it is added, vv.6-7: “that there should be no more time; but in the days of the voice of the seventh angel, when he shall begin to sound, the mystery of God should be finished.” But the seventh angel does not immediately begin to sound the trumpet, but there is first sent, in ch.11, the persecution of Antichrist, and the preaching of the witnesses against him, and at the end is added, v.14: “The second woe is past; and behold the third woe cometh quickly.” But the second woe had begun in the trumpet of the sixth angel, for the first woe had been completed in the fifth trumpet, as had been said in ch.9. Therefore the second woe, insofar as included in it is the persecution of Antichrist, was not complete, nor was wholly included, in the voices and predictions of the sixth trumpet, but will continue after all the things said in ch.10 and in the first part of ch.11 up to the said words: “The second woe is past; and behold the third woe cometh quickly,” namely the woe of the day of the Last Judgment. Hence is immediately subjoined, v.15: “And the seventh angel sounded, etc.”

25. Hence if one attentively considers the words and context of John, one will easily understand that the first plagues of ch.9 pertain to the whole world, and more to the impious and infidels and wicked than to the Church and the saints, as is indicated by the words of ch.9, v.4: “And it was commanded them that they should not hurt” and later “save only those men which have not the seal of God on their foreheads;” but the last persecution, which is announced in ch.11 and following, will be against the Church and against the saints, as is clear from the beginning of ch.11. Hence we can further distinguish two times of Antichrist, one in which he will conquer the monarchy, and this time can be included in the visions of ch.9. For without doubt he will bring calamities and plagues to the world by his wars and armies, wherewith he will trouble the whole world; and during that time he will not so show himself contrary to Christ as when after he has obtained the monarchy, nay he will proceed with falsehood and with pretence, as the most ancient saints also taught. But the other time is of persecution of the Church, and about this without doubt John begins to speak in ch.11. Finally, if we were to grant the king that all the predictions of the fifth and sixth trumpets pertain to the person of Antichrist, and that they will be at the end of the world, we would thence more evidently conclude that those plagues have not yet begun, and that Antichrist has not appeared, or begin to stir up his wars; or at least that he could not have begun a thousand years ago from the times of Boniface III, for the world would already have ended, as was demonstrated above.

Chapter 19: The same is shown from ch.13, and everything that the king there picks up is refuted.

Summary: 1. Outline of Revelation ch.13 as to the first part of it. 2. The four properties of the beast that John narrates he saw are shaped by the King of England to fit the Roman Pontiff. 3. Response to the first point. Antichrist will not only be full of corruptions but rather everywhere the fullest and most corrupt; and his empire will first and chiefly be temporal, then he will arrogate divinity to himself. The leopard comparison is because of speed. 4. Response to the second and third point. The properties of the leopard and the feet of the bear fit Antichrist, not the Roman Pontiffs. The cult shown to the Pontiff is veneration, not divine worship. 5. The king badly compares empires with pagan and Christian Rome. 6. Outline of the second part of ch.13 of Revelation. 7. The next beast that John narrates he saw signifies Antichrist and his emissaries. 8. John also speaks of some primary helper of Antichrist. By the second beast is signified the singular prophet of Antichrist, to whom is assigned a double note: hypocrisy and counterfeit power. 9. This false prophet will perform cures, so that Antichrist may be worshipped as God. He will work false wonders. He will in appearance bring fire down from heaven. He will give voice to the statue of Antichrist, and make it to be worshipped. 10. The mark of the beast will be a sign whereby the supporters of Antichrist will be openly acknowledged. The name of Antichrist will recall the number 666 according to the Greek letters. That name is still unknown. 11. The aforesaid exposition is strengthened by the consent of the Fathers. Edibles for sale will by the mark of Antichrist be polluted. 12. So that there may be no place for the cross, the mark of Antichrist will be imprinted by the false prophet on people's foreheads. 13. The metaphorical expositions of the king are by the letter proved to be wrong. He does not want antiquity and solidity to be attributed to the Roman Church. 14. The beast properly signifies an individual man. But mystically it refers to the apostate congregation of heretics. 15. The Roman Church does not have the horns of a lamb, that is, hypocrisy. Nor does it teach or has ever taught errors like the dragon. 16. The darts of the heretics are turned back against themselves. Henry VIII and his like are the true images of the beast. The Anglican Church is of the same form. 17. The signs that King James says are made for strengthening the authority of the Pontiffs. Signs always were and always will be in the Catholic Church. 18. Miracles were done formerly by many saints. 19. Miracles are not done primarily for the authority of the Pontiff, but for the glory of Christ and the confirmation of the faith. They indirectly establish pontifical authority. 20. Excommunications discharged by the Pontiffs King James makes up to be the fire from heaven. 21. The fire in John does not signify excommunication. Excommunication is not a new thunderbolt, but was wielded before the times of Boniface. 22. Instance. Solution. 23. When the Pontiff is venerated, the image of the beast is not worshipped. In John it is one thing to make an image, another to worship it. 24. The words of Revelation are weighed. Excommunication has the force of compulsion, not seduction. 25. The mark of the beast is fabricated by the king to be obedience to the Pontiff. It can be better said of the Anglican oath of fidelity. John is speaking of a permanent sign, not of mere profession. 26. No one without the mark of Antichrist will be admitted into human contracts. 27. King James' opinion about the number of the name of Antichrist. 29. The number is not of the time of the coming of Antichrist. The year in which Boniface assumed the See does not allow of that number. Evasion. It is a thing unaccustomed to count years from Pompey. A second evasion. It is parried. 30. Boniface

vindicated from a usurper the name already given to the Pontiff Leo. 31. The king contends that the word 'Latin' contains the number of Antichrist. Heretics are on this interpretation antichrists, since they are also themselves Latins.

1. A third description, as it were, of Antichrist is collected by the king from *Revelation* ch.13, and he labors much and runs far to and fro to accommodate it to the Roman Pontiff; but in truth he labors in vain, and with the more license he speaks and accommodates the words of Scripture on behalf of his own decision and feeling, the more he shows the error wherein he dwells and involuntarily impugns it. But before we consider his discourse, we propose to put before our eyes the sum of that chapter according to the proper and more received literal sense. For it has two parts. In the first John narrates that he saw a beast rising out of the sea, having seven heads and ten horns, and a blasphemous name upon its head. About which beast he says it is like a leopard, and has feet as a bear's and a mouth as a lion's mouth; and the dragon gave it all its virtue, and one of its heads was cut through to death, and the mortal blow was cured; and the whole earth in wonder worshipped the beast. And later John describes the power given to this beast for speaking great things and blasphemies, and for persecuting the saints for forty two months. And these more or less are the things that are in the first vision and part of that chapter contained.

Now about this first beast, what it is or represents, and in what sense are to be taken the things said about the mortal wound given to it and cured, and about the time of its persecution, we spoke in chapter 6, where we impugned the king's metaphors; and therefrom we proved that the vision cannot be accommodated to the Pontiff, nay that therefrom the beast had not yet appeared. Yet, nevertheless, it is necessary in this place to refute some things that are insultingly accommodated by mere abuse to the Pontiff, and that only Protestant and adulterators of Scripture have put in the mouth of the king.

2. Poking the Roman Pontiff, then, he says that the beast appeared like a leopard, "both on account of the color, because it is sprinkled with spots, that is, infected with corruptions, and because it has a certain adulterated reason for ruling, in appearance spiritual, in fact secular, since it is exalted above the kings of the earth." Second, he says that it appeared like a lion-leopard, "which is a spurious beast, a mix of lion and leopard." Third, he says that it was seen "with the feet of a bear to signify its strength, but with the mouth of a lion to make clear its rapacity and savage nature." Fourth, he expounds that it opened its mouth in blasphemies against God and waged war on the saints, because, he says, "all the earth must worship it, which was never demanded of anyone by the old pagan Rome, which did not disdain to call the kings joined in compact with it courteously allies and friends." Now, he proves that this worship is given to the Pontiff from the manner of inaugurating a Pontiff, and he calls as witness Cardinal Bellarmine himself.

3. However, on the first point, the interpretation itself or the analogy, it is, when compared with the truth and the letter, not apt or sufficient, because Antichrist will not be "infected with corruptions," but will be everywhere most corrupt, nor will he usurp temporal rule under the appearance or shadow of spiritual power, but will first and chiefly seize temporal power and will usurp it with violence, and then he will also arrogate divinity to himself, as is understood partly from *Daniel* and clearly from Paul, as was touched on in the previous chapter and as will again be said in the following. Hence Richard of St. Victor bk.4 on *Revelation* ch.4, understanding far otherwise by the beast

the pagan empire of the Gentiles persecuting the Church, says that “the comparison with the spotted leopard is because of the diverse assertion of philosophers,” that is, because of their diverse superstition. But Ambrose there says that “the hypocrisy of Antichrist” is designated in the reality of the colors, “for since he will be a most wicked man, he will decorate himself in diverse virtues so that he may more easily deceive any foolish men.” Bede, however, and Primasius, along with Tyconius *homil.* 11, say that in the spots of the leopard is represented “the diversity of Gentiles who follow Antichrist,” either because it will be a multitude gathered from diverse peoples, or because it will be spotted with diverse heresies, as St. Anselm says. Hence if the spots of the leopard represent vices, they designate, not any defects whatever, but the universal vices that will exist in Antichrist. Add that Antichrist is compared because of his speed with the leopard, because he will in a very short time obtain empire and trample everything under foot. Just as in *Daniel* 7 Alexander the Great is for this cause represented by the leopard, as St. Jerome and others expound. Again, because of his cruelty in shedding human blood. No one, however, unless he be very impudent, will dare to fabricate the like properties in the Roman Pontiff. Nay, neither the King of England, nor all the wiles of heretics could have pointed out the corruptions that they fashion in the Apostolic See; for the things that pertain to doctrine are not corruptions, although they are judged such by men corrupted by conflicting errors and heresies; but as to what has regard to morals, they are for the greatest part fashioned and exaggerated by the same enemies of the Church; and if any corruptions of this sort have sometimes been found in prelates of the Church, they pertain to personal and human defects, which do not stain the See itself.

4. Hence, the things the king said in the second and third point about the likeness of the lion-leopard and the bear’s feet, we do not take seriously; for they agree aptly with the true Antichrist. Now from the same properties and their signification it is proved that the description cannot be accommodated to the Pontiff; for why might Boniface III or some other Pontiff his successor be called spurious, since he was so neither in his origin nor in his election, but was legitimately created Pope? Or what rapacity or savage nature has been found in them, that they should be said to have bear’s feet? For Antichrist is said to be going to have bear’s feet, because “it stamped the residue with the feet of it,” as is said in *Daniel* 7.7. But what the king adds in the fourth place about the worship of the Pontiff is ridiculous; for he is not worshipped as God but as Supreme Prelate of the Church and Vicar of God. For what is it to show worship? For Paul says, *1 Timothy* 5.17: “Let the elders that rule well be counted worthy of double honor.” Why then is it a wonder that he who presides over the whole Church should be held worthy of great veneration, especially since all that veneration redounds to the honor of Christ?

5. Wrongly, then, does the king compare pagan Rome with Christian, for the empire of the former is as far from that of the latter as the earthly is different from the celestial, the corporal from the spiritual, and the temporal from the eternal, as was abundantly shown in book 3. The Roman emperors, then, were only temporal lords, and possessed a limited domain, and for that reason they treated the kings of other domains not as subjects but courteously as allies; but the Roman Pontiffs are spiritual Prelates and Kings, and have the whole world for their territory, and all the sheep of Christ for their flock, and therefore can all Christian kings be called their subjects; and yet they do not disdain to call them (unless they be heretics or schismatics), not merely courteously, but also very humanely as sons, and also sometimes as lords. Nay, sometimes they have done

it with so much submission of mind that the king and Protestants abuse their words so as to subject them to the emperors, as we noted in book 3 about Pope Gregory. And these things are enough about the first beast.

6. In the second part of the same ch.13 John narrates, v.11, that he saw “another beast coming up out of the earth; and he had two horns like a lamb, and he spake as a dragon,” about which he says much. First that he makes all the habitants in the earth to worship the first beast. Second, that was given to him to do “great wonders,” and in particular “so that he maketh fire come down from heaven on the earth in the sight of men.” Third, that by these signs “he deceiveth them that dwell on the earth...that they should make an image” of the first beast. Fourth, that was given to him “to give life unto the image of the beast, that the image of the beast should both speak, and cause that as many as would not worship the image of the beast should be killed.” Fifth, that “he causeth all, both small and great, rich and poor, free and bond, to receive a mark (of the beast) in their right hand, or in their foreheads; and that no man might buy or sell, save he that had the mark of the name of the beast, or the number of his name.” Sixth is added the mystery of the number of his name in these words: “for it is the number of a man; and his number is six hundred three score and six.” All which things are so obscure that they might scarcely be guessed at by human ingenuity, much less comprehended. And, as Cardinal Bellarmine rightly noted, an evident sign that they have not been fulfilled is that today they are as obscure and enigmatic as when they were first written; now prophecies that are made in enigmas, although they are obscure beforehand, are, at least when they are fulfilled, understood and made clear, otherwise they would be useless; since therefore these are as obscure as they were before, it is sign that they have not been fulfilled. And yet the King of England in his own manner makes many accommodations such as he thinks are adapted to his opinion or to disparaging the Roman See. But before we reply to him, we will put forward the proper and literal sense of this vision, so that by comparison with it the error of his invented interpretation may more evidently appear.

7. This latter beast, then, either represents the false prophets and preachers generally of Antichrist, whom he himself will send to give persuasion of his divinity and to persecute the saints, as is there expounded by Primas, Bede, Anselm, and others, and as Gregory thinks bk.13 *Moralia* ch.26, otherwise ch.36; or it at least signifies someone among them who is extraordinary and an excellent magician, and potent also in his strength and his army, who through seduction by signs and compulsion by force will turn men to worship Antichrist. Thus Irenaeus bk.5 ch.28, after he has related the first vision of this chapter, subjoins about this latter: “Then afterwards, and about his armor bearer, whom he calls also the false prophet, he spoke, John said, as a dragon and worked all the power of the first beast for him and in his sight.” The same opinion is approved by Andreas Caesar, alleging in his ch.37 also Irenaeus. But Aretas also in his ch.37, although at the beginning he seem to understand Antichrist also through this latter beast, afterwards when he makes the thing clearer he calls him “the precursor of Antichrist,” and distinguishes between them, comparing them with John the Baptist and Christ. Victorinus too understands in the singular the false prophet who will do wonders and lying signs before Antichrist. And this opinion is now more frequently followed by the learned writers he refers to, and he is followed by Malvenda bk.8 *De Antichristo* ch.19. But Ambrose on *Revelation* says under disjunction that this beast is either the many preachers of Antichrist or one worse than the rest.

8. But although it is true that under the prophet called false by antonomasia others are sketched, nevertheless it cannot be denied but that John is speaking about some individual man, a signal supporter of Antichrist, and a deceiver of men, both because the context itself, soundly looked at, sufficiently indicates it, and also because ch. 19 the same John clearly points it out when he says, v. 20: "And the beast was taken, and with him the false prophet that wrought miracles before him, with which he deceived them that had received the mark of the beast, and them that worshipped his image. These both were cast alive into a lake of fire burning with brimstone." Where he is evidently describing the same false prophet whom he had seen under the name of a beast rise up from the earth, and he is speaking about him as an individual man equally with Antichrist; and he numbers them as two men damned in a special way, and distinguishes them from the rest of the followers of Antichrist when he subjoins, v. 21: "And the remnant were slain with the sword of him that sat upon the horse, which sword, etc." There is no doubt, then, but that by that second beast a particular man and extraordinary preacher of Antichrist is signified, whose two chief properties are designated by the two conditions of the beast. For he is said to have horns as of a lamb because of hypocrisy; for he will show himself as mild and will be a most cruel persecutor, or he will show himself as preaching the true Christ but he will speak as a dragon, because he will preach Antichrist, moved and driven by the dragon which "gave to the first beast all his virtue and power." And thus are those two metaphorical properties expounded by Irenaeus, Andreas, Aretas, and others mentioned above, and Ticonius, otherwise Augustine *homil.* 11 on *Revelation*, although he accommodates them to all heretics. And of the same opinion is Gregory in the place cited above, when attributing the same properties, as if by participation, to all the false preachers of Antichrist.

9. The rest, indeed, of what John predicts about this false prophet, although the Fathers and Catholic expositors admit it to be obscure and difficult of understanding, yet all who examine the literal sense of it study to preserve therein, as far as possible, the propriety of the words. Therefore, when he says that that beast will make all those who dwell in the earth to worship the first beast, they understand it of divine and true worship [*latría*], for Antichrist himself desires to be worshipped with this worship, as was shown in chapter 17 from Scripture and the Fathers. Again, when he says that he will do signs, they expound the words of fictive sensible miracles and of lying wonders, according to Christ's words in *Matthew* 24.24: "For there shall arise false Christs and false prophets, and shall shew great signs and wonders." For just as these words with respect to false prophets will be fulfilled by antonomasia in Antichrist, so John thinks they must be fulfilled, with respect to false prophets, by this precursor of Antichrist; but that Christ is speaking of external signs appearing to and deceiving the senses no one has ever doubted. Hence when John further says that the second beast will make, v. 13, "fire come down from heaven," they all understand it also of true descent in place, and of true fire, or at any rate of a sensible body having the appearance as of fire. Because this is also consequent to the first interpretation of the signs generally, and is in conformity with the propriety of the words, and there is no necessity to make up other metaphors, especially since John says that the fire will descend "in the sight of men." Likewise, what John adds in the third place about the image of the first beast is understood of his proper sensible image or of a statue of Antichrist, which they will make who believe in him and will place in temples and perhaps in the temple in Jerusalem, so that it and Antichrist as true

God therein may be worshipped. And with the same propriety is it understood that this false prophet will give life to the image so that it speak; for by pact with the demon can this very easily be done, just as in the histories it is very well known that unclean spirits were wont to speak in the sculptures and idols of the Gentiles.

10. Now about the mark of Antichrist and of its being imprinted on the hands and forehead, all agree also in this, that it will be in men a sensible sign accommodated to external profession of his religion, and perhaps as a striking sign of apostasy or departure from the Christian religion into the gathering of the antichristian sect; although no one can divine in particular of what sort that mark will be. For the former is required by the truth and propriety of the words of John, but this latter is not explained by them, nor has it been revealed in other places of Scripture, nor can it be investigated by reason. Finally, about the name of the beast too all teach that it will be of such sort that it is clear from the letters that, when reduced to an account of numbers according to the manner of the Greek language, it contains the number 666. But because Greek letters can be composed in a variety of ways so as to give that number, the said expositors add that it cannot be known of what sort Antichrist's name will be until he appear, and then the sense and truth of the prophecy may be known from the fact. For although it now happen that someone's name consists of letters that, according to the Greek tongue, give that number, as some have tried to show about the name of Mahomet or of Luther, it is not a sufficient sign, if other things are lacking, of Antichrist, because it is very ambiguous and equivocal and so must be joined together with the other things.

11. Now this brief paraphrase or literal exposition of the words of John I take from the authors just mentioned. For Irenaeus in the said ch.28 says of this false prophet that he will perform signs "with the working of magic." And in the same place he adjoins the rest of the words of John, and understands them simply and properly without any interpretation. But in ch.30 he teaches extensively what we have just said about the number of the name. Victorinus too on *Revelation* says on the sign of fire: "These things magicians do also today through renegade angels." And he adds: "He will also cause a golden image to be set up to Antichrist in the temple in Jerusalem, and the renegade angel will enter into it and will give out therefrom voices and oracles." And about the name and the sign of the mark he thinks in the same way. Almost the same is contained in Aretas in his ch.27 where he plainly says of the fire that it will so come down that it is seen "by bewitchment of the eyes of those who look upon it," and of the mark he says that it will be "the carving of a pernicious name," and that it must be given "as a sign whereby men may or may not do business," supposing it to be a sensible sign. And Andreas ch.27 says: "Whatever the precursor of the false Christ will do to deceive men, all this he will do through tricks and incantations, so that Antichrist may have testimony from a man who has accomplished such great miracles." And later: "It is not wonderful or new if in the eyes of men an impostor should cause fire to come down from heaven." And he adduces the example of fire set alight by virtue of the devil or fallen down from above to consume Job's herds, *Job* 1.16. But afterwards he interprets the other words about the image proper and its speaking, and he confirms it with examples of similar illusions of demons. Again he speaks of the mark as of a sensible sign, and he understands that it will have to be imprinted properly on men as a necessary sign for buying and selling necessary things, "so that," he says, "at least on account of want of things necessary for life, he may force to a violent death" those, that is, who have refused the mark.

12. And also, finally, in ch.38 he treats of what we said about the name of Antichrist, and he confirms it with the authority of Hippolytus. “He will bestow a mark on the right hand and the forehead, lest anyone with his right hand draw the precious cross on his forehead.” Now later he thinks that the mark will be the name of Antichrist himself sensibly imprinted with a seal on the forehead and hand. But about the name he denies that of what kind it will be can be known. Ephrem speaks likewise of the mark of Antichrist in his tractate *De Antichristo* at measure or §2: “On a man’s right hand or the forehead will be impressed this his impious mark, so that a man may have no ability to sign himself with the sign of Christ.” And in the following measure he likewise expounds the signs or false wonders of external sensible illusions. And finally in the last measure he repeats the same about the mark, thinking that it will be a sensible sign “which the adversaries of Christ will assume in place of the cross of the Savior.” But he speaks indistinctly about them, as to whether they are to be done by Antichrist or his false prophet, and he seems to attribute them all to Antichrist. Next, Primasius, Bede, Rupert, and others on *Revelation*, nay all the moderns too, agree on the things we have said, although in expounding the mark and name of Antichrist they deliver opinions various and differing among themselves; which variety is no obstacle to our intention and therefore there is no need to report or consider it, and one writer can be looked at for all of them, Malvenda bk.8 *De Antichristo* chs.18 & 19.

13. It remains for us to compare to this simple sense of Scripture the king’s mystical and metaphorical expositions, or his accommodations for ill-speaking. For he understands by this second beast the Apostolic Church obedient to the Roman Pontiff, which he, in the manner of the impious Protestants, calls Apostate. And yet he subjoins about it: “Whose origin is more firm and more stable, so that it be what may visibly succeed to the true Church.” In which words, compelled by the truth of the matter, or not noticing what he was saying, he professes the Roman Church to be true and Catholic. For that is the true Church which visibly succeeds to the more ancient true Church, as was shown in book 1. Hence the comparison whereby this Church is said to be “more firm and more stable,” if it be made in contrast to the synagogues of Satan and the congregations of Protestants and apostates, is made rightly and very truly; but if it be made in contrast to the Apostolic See, it is not rightly made by saying ‘more’, but should be made by saying ‘equally’. For the true Church cannot be separated from the rock, nor vice versa; and therefore the succession of Peter is as firm and as stable as the duration of the true and visible Church is certain; but both are as firm as the word of Christ is certain: “the gates of hell will not prevail against it.”

14. But as to what concerns the interpretation of the beast, we have sufficiently shown that, in its proper sense, it signifies a certain single individual man. But we concede that it can mystically signify any congregation at all of impious heretics and apostates who follow and preach Antichrist; whether, as we reported from Tyconius, it be said generally and in type that by this beast all sects and ministers of heretics are signified, or whether it be said of those who preach the individual and proper Antichrist, as expounded by many Catholics. In this manner, then, it is true that the beast is the apostate congregation. But this apostate congregation is now multiple; for every synagogue of Satan gathered under the Christian name is an apostate congregation; and such is every congregation of Lutherans, Calvinists, Puritans, and Protestants; and that the Anglican pseudo-Church is similar has been clearly shown in book 1 from its state

and its fall.

15. But in order to show that the Roman Church is represented by the beast, the king says in the first place that it has “horns like those of a lamb because it recalls the bride of Christ and shows a defender for itself.” But the Church recalls these things, not in hypocrisy, but in true faith and worship of Christ and imitation of him, wherein it differs much from the beast. He adds: “In truth, however, it speaks like a dragon because it teaches damnable and diabolical doctrines.” But this by him is never shown; by us, on the contrary, it has been sufficiently proved in book 1 that this testimony is not only false but even heretical, because the true and visible Church of Christ can never fall from the faith, since it is the pillar and ground of the truth on account of the promise of Christ saying: “I will be with you unto the end of the world; and the gates of hell will not prevail against it.” Also in book 2 from chapter 3, not only have we vindicated this Church from all the errors that the king invents in it, but we have also proved that, because of the contrary heresies, the Anglican Church, as far as it is now militant under its king, is apostate and schismatic.

16. Wherefore, before we proceed to other things, we please to advise the reader to consider with how much greater and truer foundation the royal metaphors can be turned back against him and his pitiable kingdom. For why shall we not say that the first beast is Henry VIII and his successors who imitate him and have on their heads the name of blasphemy, namely ‘head of the Church’ supreme not only in temporal things but also in spiritual? Why again shall Henry not be said to have been spotted like a leopard since he befouled the profession and doctrine of the faith wherein he was strong with the most ugly spots of lust, schism, and at length heresy? Nay he also seemed to imitate the leopard in speed and ferocity; for in a very brief time he made almost his whole realm apostate, and killed with savagery eminent men constant in faith. Next, much more truly is the King of England said to usurp, by an adulterated reason for ruling, spiritual power under the appearance of temporal power, and to solicit an undue cult and worship when he wishes to be recognized, obeyed, and honored as head of his own Church. And in this way can the rest be easily accommodated. In like way, too, we will say that the second beast is the Anglican Church fallen from the true faith, venerating the king as its spiritual head, and speaking forth infinite words of blasphemy against the true Catholic Church of God and the Vicar of Christ; or certainly that second beast we will say is the flock of ministers and false prophets applauding the king, seducing the inhabitants there to worship the first beast by recognizing it as head of the Church. These then and the like things can be both thought up easily and said with greater foundation; both because they are true and very well known in all the world, and because, although the King of England not be Antichrist, he can justly be numbered among his types and precursors, since he persecutes Christ in his Church and in his Vicar, which, although he cannot accomplish in deeds, he tries to effect in words and insults.

17. From here the king advances further, and what John says of the signs and wonders to be done by this second beast, to seduce the nations and draw them to worship the first beast, he accommodates to the miracles of the Catholic Church, which he affirms to be “false and lying wonders” and done to win over authority and power to the Pontiff. Which things, since they are said against all divine and human authority and faith without proof, would seem rather in need of being condemned than refuted. However it is pleasing to ask briefly whether they believe that in the Church of Christ true virtues and

true miracles could have been done after the six hundred and sixth year or not? If they deny they could have been done, they mock the promises of Christ and, for their own choice, set a limit to them. For Christ said indefinitely, *Mark* 16.17: "These signs shall follow them that believe; in my name they shall cast out devils, etc." And elsewhere, *Matthew* 17.20: "if ye have faith as a grain of mustard seed, etc. nothing shall be impossible for you." And elsewhere, *John* 14.12: "He that believeth on me, the works that I do shall he do also; and greater works than these shall he do." These promises, then, cannot be limited to a definite time, otherwise anyone might say that only the Apostles could do true miracles, or something similar; which is very absurd. Therefore, not only for the first centuries of the Church, but for every age did Christ concede to his Church that such true signs would, at opportune times, be done in it.

They will say that these promises were made to faith, and therefore that power lasted in the Church as long as the true faith lasted in it; but after it was corrupted, they ceased, and false miracles began. But this is to fall into another pit of errors; for if the Church has begun to lack the true faith, the Church has perished, contrary to the words of Christ: "The gates of hell shall not prevail against it." They will say that the true Church visible has perished; but it has already been sufficiently shown that the true Church of Christ is visible and that to it Christ promised perpetuity up to the end. Besides the fact that there ought to be signs and sensible miracles, and therefore true miracles cannot be done except by the visible Church; therefore the promises of Christ were made to it, and in it will last forever the power promised by Christ.

18. If then they cannot deny the power, why do they deny the true miracles that are in these times done in the Church? For no fewer signs of truth are seen in them than in those that were done in the ancient Church. For, to begin with, they were done by very holy men, Benedict, Bernard, Francis, Anthony, and others the like. Next, they were frequently done to bring conviction of the faith and introduce it in new provinces, as is reported of England by Gregory, the almost immediate follower of Boniface III; and that like things were afterwards done in the same province in confirmation of the same faith is told by Bede bk.5 *Histor.* ch.13; and the ecclesiastical annals report that with the cooperation of like miracles the faith was after the times of Boniface introduced in Flanders, Holland, and other provinces. Besides, in the later miracles the same indications of truth are found as were found in the earlier, namely in the miracle of raising the dead, in the evidence of a dead corpse lying open to view, and true revivification by lapse of time and confirmed by many acts of life and public conversation. Next, these histories are proved to be no less worthy of faith than the miracles; therefore rashly and impiously are they all judged false.

19. But as to what the king says, that these miracles of the Church were done to confer and exalt the power of the Pontiff, it is not so; for they are ordinarily done in confirmation and propagation of the true faith, or to the glory and honor of Christ; often also they are the effects of true and firm faith, to which Christ promised: "If ye have faith as a mustard seed, etc." Sometimes are they done by the mercy of God wanting to grant miraculously such benefits to those who need and ask for them. But I say that this is *ordinarily* so, because since the article about the primacy of the Pontiff pertains to the dogmas of the faith, and since knowledge of it is most necessary for confirmation of the true faith and Church, true miracles in confirmation of that truth could also have been done whenever they were, according to the disposition of divine providence, opportune or

necessary. And finally, although true miracles are not always done for that end, nevertheless insofar as they are done by ministers of the Church obedient to the Pontiff and preaching with his authority, they do sufficiently confirm the same truth about his primacy. Who then may not see how execrable is the calumny that the miracles of the Catholic Church are comparable with the signs of the antichristian beast?

20. But because among the signs of the beast John designated a special one when he says, v.13: “so that he maketh fire come down from heaven on the earth in the sight of men,” the king affixes an assuredly egregious interpretation to these words when he says: “Namely the thunderbolt of excommunication, whose force is so great that it is able to drive princes from their thrones, so much so that all are to be killed and burned for heretics who refuse to worship the image of the beast, that is, his supreme power circumscribed by no limits.” In which things a double metaphor is indicated, which if it is adduced in allegorical sense, is of little moment for conviction; for it is contemned with the same ease as it is invented, because it has been thought up by Protestants only for ill-speaking; but if the sense is proposed as literal, it is very ridiculous and repugnant to the intention of the Holy Spirit and to what the Protestants themselves say. I will briefly show both.

21. For the first metaphor is whereby “fire comes down from heaven” is said by metaphor to be the thunderbolt of excommunication. But this metaphor, to begin with, is novel, without foundation in Scripture, or in the Fathers or expositors, or in the common way of speaking. But who would believe that John used the words only in that metaphorical signification which Protestants have recently fabricated for their pleasure and solely for making mockery? Next John sets it down as a new sign, singular, and worthy of admiration; but to discharge an excommunication is not new, nor singular, since it is done even by heretics themselves, hence it contains no admiration since it happens every day. Nay if that is the sign of Antichrist, antichristianism assuredly began before Boniface III. For Innocent I first discharged an excommunication against the emperor. Next, the beast will make fire come down from heaven with the art and power of the demon; but the thunderbolt of excommunication is done by the power conceded by Christ, and in virtue of his words, *Matthew* 18.17: “but if he neglect to hear the Church, etc.” Therefore John is not speaking of this sign, nor is the metaphor likely.

22. The king will perhaps say that these things are true of ordinary and just excommunication, but that he is speaking of the thunderbolt of that excommunication “whose force is so great that it is able to drive princes from their thrones.” But on the contrary there is, first, that even such excommunication can be just and be done by legitimate power, as was shown above. Yet in truth the excommunication itself is improperly said to drive from the throne; for although those two effects proceed as two punishments from the same power and are imposed at the same time, they are distinct. Now, however, putting on the manner of the king, we will speak of them as one. Therefore, that thunderbolt too is done by true and celestial power, and it is not a lying but a true sign, as we have proved; it is repugnant, then, with metaphor. Second, this sign, that is this excommunication, is not discharged or done in the Church by preachers or the faithful obedient to the Pontiff but by the Pontiff alone; and so according to the royal accommodation it is not done by the second beast but by the first; but the sign of making fire come down from heaven is not attributed by John to the first beast but specifically to the second; therefore such interpretation mixes up the beasts.

23. The second metaphor of the king dwells on the “image of the beast,” by which the king wishes the supreme power of the Pope to be signified. But this metaphor is easily refuted by almost the same arguments, both because it has no foundation of authority or of reason or proof, and because to recognize and venerate this supreme authority of the Pope is not new in the Church of Christ, but all the Pontiffs preceding Boniface put on that image and used that power, and all the truly faithful obeyed him, as was extensively proved in book 3. Beyond this, however, this metaphor is combated by the words, v.14: “saying to them that dwell on the earth, that they should make an image to the beast.” For who among papists, as those fellows speak, or more truly who among Catholics has ever taught the faithful to make or confer power on the Pontiff, since rather we all constantly preach that Christ alone confers it? That image, then, is not pontifical power but something that can be made by the art and hands of men. Nor can the king say that to make an image is nothing else than to recognize and confess power; for John expressly distinguishes two things, making the image and worshipping it; however, with respect to power, to recognize power is to venerate it; therefore making the image is something else; hence it is more or less evident that in the words “make an image” there is no metaphor, as I said above. Which is also very much proved by the following words, v.15: “And he had power to give life unto the image of the beast, that the image of the beast should speak.” For these things plainly show that the talk is of a material and sensible image. For how can it be imagined that the Church gives life to the power of the Pontiff so that it should be able to speak or do anything the like?

24. Finally, I consider in those words a double sign, one of making fire come down from heaven, and this sign the second beast is said to do, not for coercion, but for seduction, so as to lead those that dwell on the earth to the first beast and to worship his image, as is clear from the words, v.14: “And deceiveth them that dwell on the earth by the means of those miracles which he had power to do in the sight of the beast.” However, the thunderbolt of excommunication is not pronounced so as to lead men by seduction, but by force and coercion; which becomes greater if along with excommunication removal from the kingship is conjoined. Therefore the metaphor of excommunication does not square with such a sign. Next, the other sign, namely to give life to the image of the beast and make it speak, although it too be for seduction, nevertheless proceeds to coercion, for there is added, v.15: “and cause that as many as would not worship the image of the beast should be killed.” And here too the metaphor cannot be accommodated; for the Church does not give life or speech to the Pontiff so that his power may be extended to killing rebels, but rather he himself commits this power to his ministers; it is abuse, then, of Scripture, not interpretation.

25. The king next proceeds further to accommodate the mark of Antichrist to the Pontiff, and he says that the mark of the beast is the profession of obedience which is made to the Supreme Pontiff. But Paul, when he advises the faithful, *Hebrews* 13.17: “Obey them that have the rule over you,” did not judge that the profession of ecclesiastical and Christian obedience is the mark of Antichrist but of Christ. And we can with truer reason say that the oath of fidelity whereby the king oppresses the Catholics of his realm is the mark of Antichrist, whenever he compels them, under appearance of profession of civil obedience due to himself, to deny obedience to the Vicar of Christ. Besides, beyond the error on which the accommodation is founded, it is repugnant to the words of John. First, because by the profession of obedience either there is understood

only the mode itself of living under obedience to the Pontiff, or there is understood some special formula of professing this obedience. The first sense is not according to the mind of John, because he speaks expressly of some sign worn by the followers of Antichrist, whereby they profess his sect and obedience, as was seen above and as is very evident from the very words. But if by the profession be understood a special form of professing obedience to the Pontiff, it does not square with the words of John. First, because John says, v.16: "all both small and great, rich and poor, free and bond" will wear the mark of the beast; but a special profession of obedience to the Pontiff is not exacted of all the faithful, small and great, but from ecclesiastical pastors or doctors, or others established in a similar rank.

26. Second, the mark of Antichrist should be so common and familiar to all that without it no one is permitted to buy or sell even the necessities for life. Hence the Fathers note that it is imprinted for the end that all men are compelled to receive it even for the support of life, as now in England Catholics are compelled to go the churches of heretics, or to profess the oath of fidelity, lest they be deprived of goods necessary for life or of life itself; but in the Roman Church profession of obedience to the Pontiff is not required so that men may be able to buy and sell, not even under compulsion of losing the necessities for life, but on special occasions when it is demanded for the safety of taking up doctrine, rank, or office; there is then no comparison of this mark to that profession. Third, the mark of Antichrist will be some permanent sign worn on the hands or imprinted on the forehead, so that it can be seen for the purpose of admitting men to the said contracts, but profession of obedience is a transient sign (so to say), which is displayed on one occasion when taking up some office, but is afterwards worn neither on the hands nor the forehead. The accommodation of the mark then is frivolous.

27. He comes finally to the number of the name of Antichrist and applies two expositions. One is that the number is not of the name but of the person of Antichrist, that is, that the number need not be contained in the letters of his name, but in his very person, because within the years of that number, namely 666, Antichrist will have come. Which exposition he collects from the fact that the same number, which had first been said to be, v.17, "the number of his name," is afterwards called, v.18, "the number of the beast," at the place: "Let him that hath understanding count the number of the beast," and at once is added: "for it is the number of a man." And in these latter words the king seems to understand by the man Christ the Lord; for he says that according to this exposition it is said to be the number of a man because it is "the number of the years of the Lord." Now he says that in this way the prophecy has been fulfilled in Boniface III, "who first," he says, "named himself universal archbishop, by which title St. Gregory had predicted that Antichrist will have to be known." But that exposition indeed is not new; for John Annius and certain others used it to show that Mahomet was Antichrist. And although we were to allow it to the king, it would be of no importance, as I will immediately say.

28. But it cannot be denied that John foretold that the number 666 will be in the name of Antichrist, for he said expressly, "or the number of his name," that is, contained in the letters of the name, and thus have all interpreters understood those words. This, then, cannot be denied, though there be nothing repugnant in the same number of the name indicating mystically some property pertaining to the person. Hence, if it might stand with the truth of other prophecies or of history that signified by that number is the time of the rise of Antichrist according to the number of the years of the Lord, or the time

of duration of his throne, as others said of Mahomet, this would indeed not be repugnant to the words of John. However, that it was not so in the case of Mahomet was shown by the fact itself, as Pereira showed. But about Antichrist proper it is clear from other prophecies, according to which he could neither come so quickly nor will his throne last so long a time, as was shown above.

29. Now according to the accommodation of Protestants it is clear that the number cannot be referred to the time of the duration of Antichrist, because by their opinion he has already lasted more than 1,000 years. For that reason, therefore, the king has striven to accommodate the number to the time of his origin. However even this sense has no foundation in the text, for the same number, which John first called “the number of the name of the beast,” he immediately calls, for the sake of brevity, “the number of the beast;” but when he adds that the same is “the number of a man,” by ‘man’ he does not understand Christ; for whoever thought that? Or on what foundation can it be affirmed? Add that neither in that sense does the truth respond to the number, because Boniface was not on the See in 666. He replies first that the number must not be computed from the year of the birth of Christ but from the year in which Pompey destroyed the temple. But neither can that subsist with reason; for why from that time rather than from any other you like should the number be counted? Nor is it consistently said, because then it will not be the number of the years of the Lord, as he had said just before. And for that reason he responds in another way, that sixty years after Boniface the reign of Antichrist was confirmed and thus was that number completed. But this is no less frivolous and willful, because neither did the Pontiffs in those sixty years after Boniface more usurp the name of Universal Bishop than in the hundred or more following, nor did they more increase in power or dignity.

30. Besides which it is also false that Boniface usurped the name of Universal Bishop, because he only vindicated it from someone else who was usurping it, and showed that it could fit his own See alone, although it is not clear that he used the title. But if this be called usurpation, then not he first, but Pope Leo many years before, will have to be said to have usurped that name; because the Synod of Chalcedon both bestowed on him that title, as I reported above from Gregory, and he himself in his letters names himself Bishop of the Universal Church, which is the same. Next, it is false that Gregory said that Antichrist will have to be known by the title of Universal Bishop, but the words of Gregory are: “Whoever calls himself, or desires to be called, universal Priest, is in his exaltation a precursor of Antichrist, because he in his pride sets himself before the rest.” But in what sense Gregory condemned that name was made clear above. But whatever was the case about the word and the use thereof, it is clearly collected from the place of Gregory that Boniface was not Antichrist, but at most can it be inferred that he was exalted, or was by a certain imitation a precursor of Antichrist, from which it plainly follows that he was not Antichrist. The king certainly might better consider the fact that Gregory there puts as a note of Antichrist that “he will call himself God,” and that “he wishes to seem God above all men.” Which neither Boniface nor any Pontiff has hitherto done. And we can more truly object to him the opinion of Athanasius in epist. ‘Ad Solitar. Vit. Agent.’ mentioned above, where among the images of Antichrist he puts “a secular prince usurping ecclesiastical primacy over bishops.”

31. Finally, another exposition of the number of the name of Antichrist is allowed by the king, and he accommodates it to the Pontiff, because in the name ‘Latinus’ written

in Greek letters the number is contained. “Which,” he says, “rightly accords with the Roman Church, with the Roman faith, and with the Latin liturgy.” But how violent and frivolous all these are is patent. And to begin with, Bellarmine noted that λατίνος is written not with ει but with ι, and in this way the number is not rendered. Yet, nevertheless, Aretas in his ch.38 on *Revelation* put among the other names that can be thought up for Antichrist the name λατρίνος, but he at once added that it ought to be written with a diphthong (namely, contrary to the manner and propriety of Scripture) so as to be able to give that number. Next, John spoke of the proper name of Antichrist, but there was no Pontiff who was called by the proper name of Latinus, yet by the common name even the King of England is Latin by name, and Luther and Calvin were Latin; why then is the Pontiff more to be reckoned Antichrist because of the name Latin than any one of these? All these things, then, which are said of Antichrist and of his skirmisher in that ch.13, clearly show, when soundly understood, that Antichrist, insofar as he is there described, has not yet appeared, and is miles away from the Roman Pontiff; but the twisted and violent metaphorical interpretations of Protestants betray with no less clarity the error in which those blind fellows dwell.

Chapter 20: The things the king notes about chapters 14, 15, & 16 are shattered.

Summary: 1. The King of England tries to prove that Antichrist must be killed in Rome. Antiquity is opposed to his invention. The king would more truly say that Rome is to be destroyed by Antichrist. 2. In Revelation, as in other prophecies, the order of things is sometimes not kept to. The plagues of Revelation will be true, not allegorical. King James on this place of Revelation pours out curses and abuse against the Pontiff. 3. The darkness in the plague of the fifth vial is sensible, not intelligible. 4. Protestants unskillfully confound the vial poured out into the Euphrates. 5. The kings, about whom the discussion is in ch.16, will not fight against Antichrist but for him. Proof from the words of John. 6. Heretics are like those kings and are against God and his Christ by conspiracy alone. 7. King James compares the alumni of the Society of Jesus to little frogs. Such office is glorious for the Society. 8. The interpretation is not coherent. The unclean spirits are posited by the king now as the enemies of Antichrist, now as his friends. 9. The workers of the Society of Jesus sow peace not discord.

1. Having finished the third vision, the king, before passing on to the fourth vision, to be taken from ch.17, snatches at certain things from chs.14, 15, & 16; which, although they are rather slight, we have thought it worth the effort to take note of so that we leave untouched nothing that pertains to the cause. At the beginning, then, of ch.14, John narrates the special glory of the holy virgins there manifested to him; then he narrates the vision of the angel flying in the midst of heaven, and having the everlasting gospel, and announcing the Day of Judgment. And on these two points nothing occurs worth noting. Third, John says, v.8, “And there followed another angel saying, Babylon is fallen, is fallen, that great city, because she made all nations drink of the wine of her wrath;” where the king notes that this ruin of Babylon, which this angel announced beforehand, is the death of Antichrist. Now by Babylon he wishes Rome to be understood, as we have above rather often said. Hence he signifies that Antichrist must die at Rome and in the burning and destruction of it. However, that Antichrist is to be killed at Rome is a new fiction thought up without foundation for generating some

corrupt suspicion about the Roman See. For the ancients handed on that he is to be killed in the East, as is collected from Lactantius bk.7 chs.17 and following, and from Hippolytus, Irenaeus, and other ancients. But Jerome on *Isaiah* ch.25 said that he is to be killed on Mount Olivet. It can also be collected from *Daniel* ch.11 at the end, and from *Revelation* ch.11, as I noted above. And in ch.19 the Evangelist John said that Antichrist is to be cast alive into hell, namely at the command of Christ, as Paul in *2 Thessalonians* 2 signified, and *Daniel* ch.8 when he says, v.25: "he shall be broken without hand." If then by Babylon we understand Rome, so far is the ruin of Rome from being the death of Antichrist that rather by him, or his leaders or associates, it is to be destroyed and delivered over to fire, as can be collected from *Revelation* ch.18. For as I noted above, if Rome is to be destroyed before the time of judgment, it will only be at the time of Antichrist and by his effort, so that, with the Roman name extinct, he himself may seem to erect a new and more excellent monarchy. But if by Babylon we understand this world, the burning of Babylon supposes that the persecution of Antichrist, and his destruction and perdition, are already finished; therefore neither will the ruin of Babylon be in this way the death of Antichrist.

2. But after these voices and warnings of the two angels, a third angel follows, announcing both the punishments that will fall upon the followers of Antichrist and the blessedness of those who, patiently bearing tribulation and keeping the commandments of God, have died in the Lord. And since this discrimination is to be made in the judgment, therefore immediately the vision and representation of the judgment is subjoined. But these things, as all expositors note, were said in large part by anticipation; for before the judgment is made, seven plagues must precede, which are announced in general in ch.15, and are reviewed one by one in ch.16. Which to explain is not now our office. But because the king plays with their allegorical sense, I note briefly that the plagues are understood literally and properly of corporeal and external calamities, as were the plagues of Egypt, to which they are compared by Irenaeus bk.4 ch.50, Andreas ch. 46 on *Revelation*, where he expounds them individually, and he is imitated more or less by Aretas. And rightly; for everything that is said there can be understood truly and properly, and therefore it should be so understood. Yet, nevertheless, the king, in his own manner, converts those plagues by his allegories into curses and abuse of the Holy Church and the Pontiff; he does not however accommodate them all, but those that he can pervert and accommodate, and he always assumes the same errors, understanding the Pontiff by the beast but the Apostolic Church by the false prophet; and in this way the darkness in the fifth vial poured out on the seat of Antichrist he says is the darkness of ignorance and error of the Roman Church. For thus are heretics wont, in excuse of their own ignorance and stubbornness, to accuse the Church of ignorance and blindness; for since they are themselves blind, they cannot see the light of the Church, as Augustine often notes against the Donatists.

3. Besides which, neither is the metaphor necessary, as I said, nor can it be accommodated; for those plagues are to come upon the beast and his kingdom, that is, on Antichrist and the men deceived by him, as is there said. Hence they will already presuppose a very thick spiritual darkness; the talk then is not about that. But the darkness to be poured out afterwards through the fifth vial will be truly corporeal and at any rate temporal, because sensible and very frequent darkness will either be poured out on Jerusalem, where Antichrist's seat will be, and on all that region, or the human

splendor and fame of the antichristian kingdom will be obscured by the greatness of the calamities, from which Antichrist will by his arts not be able to free his subjects. Hence it will happen that all will be afflicted with great pain, such that, vv.10-11: “they gnawed their tongues for pain. And blasphemed the God of heaven because of their pains and their sores, and repented not of their deeds.” Which words the king never could nor ever will be able, without blushing, to accommodate to the Church; but it can easily be understood how they might with better analogy and founded more in the truth be transferred to the darkness, and tongues, and blasphemies, and impenitence of Protestants.

4. The king progresses to the sixth angel who, by drying up the Euphrates, v.12, prepared “the way of the kings of the East,” which he says has been fulfilled, “since already the man of sin has begun to be revealed, all the impediments having been taken away that can delay their journey,” that is of the Eastern kings, “to invade that monarchy.” Where by “the kings of the East” he understands himself and similar kings, rebels against the Roman Church and persecutors of it, as later in the fourth vision, on page 121, he more clearly expounds. And for these kings, he says, the way is to be prepared by the pouring out of the sixth vial, so that, with the impediments taken away, they may freely and unexpectedly invade the monarchy of the Church (which he himself makes up to be the monarchy of Antichrist). Just as Cyrus, he says, by an unexpected crossing of the Euphrates, took Babylon and its king Belshazzar, who was abusing the vessels prepared for the ministry of God, and in this way killed him as sitting in the temple of God.

5. In all which metaphor, omitting the impiety and audacity, I note the supreme ignorance of the Protestants who give this exposition; because not only are they speaking on behalf of their own opinion beyond the literal sense, but they are also accommodating the words against that sense. For the kings for whom, by the pouring out of the sixth vial and the drying up of the Euphrates, the way will be prepared, are not foretold to be coming against Antichrist, but rather to help Antichrist in the extermination of the people of God, as we will note below about the prophecy of *Daniel* in chapter 22, and it can also be taken from the words that John a little later subjoins, v.14: “the spirits of demons...which go forth into the kings of the earth and of the whole world, to gather them to the battle of that great day of God Almighty.” And thus all interpret that place about a calling together of all the kings of the earth, and especially of the Eastern kings, to be done by Antichrist for vanquishing all the Christians. Which calling together and huge gathering for battle is under the names of Gog and Magog made mention of by the same John in ch.20, after *Ezekiel* ch.28. How, then, can the metaphor square with understanding the kings to come from the East to be heretics rising up against the Pope? What more frivolous, and what more ridiculous, could be said or thought up?

6. Add that the kings will not gather together when Antichrist will begin to be revealed, but after Antichrist has been recognized by the whole world and has been publicly preached enough by his false prophet; nay, after his kingdom will have begun to be afflicted by other tribulations, as is manifest from the preceding vials and the following words; but these heretic fellows have risen and gathered together before Antichrist was known or begun to be revealed; for they themselves first made up that fable, and the throne on which they have themselves imposed that name was always very well known to the Church, and has suffered none of the things foretold in those vials.

Next, the gathering together of those kings will be “to the battle of that great day of God Almighty,” when, that is, Christ will triumph over them and will destroy Gog and Magog together. But these heresiarch fellows are not gathered together for one day, and they went forth long before the times of the great day of the God. In this alone, then, do they conform to those kings, that they have in truth risen up against Christ, and are preparing the way for Antichrist, and are starting war against the Vicar of Christ (under the title of the fictitious Antichrist).

7. The king, however, concludes his prolix allegory by introducing the words written by John of the same sixth vial, v.13: “And I saw three unclean spirits like frogs come out of the mouth of the dragon, and out of the mouth of the beast, and out of the mouth of the false prophet.” Through which he understands a new sect rising up to illumine and support the throne of Antichrist that is obscured and tottering in darkness, which he says is signified by the number three because they are directed by three masters, “of the dragon,” that is Satan, “of Antichrist,” that is the Pontiff, and “of the false prophet,” that is the Roman Church. By which sect he understands without doubt the Society of Jesus, and he compares its doctors and preachers to frogs, whom he disparages at pleasure in the manner of heretics. Now to respond on their behalf is neither fitting for me nor necessary. For their works bear witness of themselves, and there is one who sees and judges. Nor do the alumni and workers of the Society have little whereof they can glory; since they have been held worthy by the Vicar of Christ and by his Church to suffer shame and insults for the faith of Christ and for obedience to his Vicar.

8. Only as to the abuse and corruption of the words of Scripture will I note that, besides the other errors about the false interpretation of the beast and of his false prophet and the abuse of the other words of that Scripture, there is in the allegory itself, when applied to the text, neither fixity nor order. For he says in this place that three evil spirits are sent to support Antichrist and to hold up his throne; hence when John says of them, v.14: “which go forth unto the kings of the earth and of the whole world, to gather them to the battle,” it plainly follows that the kings to be gathered by these spirits will be the friends and supporters of Antichrist; but a little earlier he had said that those kings, for whom the sixth angel prepares the way, are the enemies of Antichrist, and that a way has been expedited for them so that they might without impediment invade the monarchy of Antichrist; but these two things cannot stand together at the same time. For the kings who will come without impediment and are to be gathered by those three spirits are the same; how then are they called both to invade and to support the tottering throne of Antichrist?

9. In addition, those three spirits are said to be going to gather the kings to the battle, that is, against the visible Church of Christ, which battle will be at the time of Antichrist; but the workers of the Society do not gather kings to any battle, but to peace and union with the Vicar of Christ, nor to vanquishing the visible Church but to peace and union with it. Again, those kings are to be gathered specifically for the battle of one day, which by antonomasia is called “that great day of God Almighty,” because in it he will come “as a thief,” as is immediately said, v.15, namely to destroy Antichrist and all the kings gathered with him, as in ch.20 is plainly declared under the names of Gog and Magog. But this cannot in any way be accommodated to the preachers of the faith who now are in the Catholic Church, to pass over an infinite number of other things that show clearly that John is speaking of a corporeal and material battle, designating even the place where the kings are to be gathered, and declaring openly that the three frogs are three

unclean spirits of demons performing signs wherewith to gather the kings to that battle. Therefore vain and impudent is the allegory made up by lazy and obstinate Protestants.

Chapter 21: From the vision of *Revelation* chs.17 and following the new error about Antichrist is refuted rather than confirmed.

Summary: 1. King James teaches that the harlot woman is Antichrist and accordingly the Pontiff. He proves this with calumnies. 2. That woman signifies a city, not a man. Some understand it of the city of the impious, others of the Roman City. 3. Other calumnies are shown to be false. 4. Christian Rome is in no way drunken with the blood of the martyrs. 5. The king confounds the notes of the woman and of the beast. 6. He asserts too that Christian Rome has committed fornication with kings. He is refuted by his own words. 7. If Rome is to be restored to its prior state near the end of the world, the words of Revelation do not square therewith. 8. The Roman Church can never be antichristian. 9. That the Pontiffs give indulgence to lusts is sheer calumny. 10. The Church never approves invalid marriages. Legitimate dispensation does not make marriages illegitimate but honorable. 11. The king carps at the adorning of the Blessed Virgin and of temples. The adorning of temples is not new in the Church. 12. Images in the Church are decently clothed. There is greater religion in the adorning of the Blessed Virgin, especially at Rome. 13. The king tears with insults at the liberality of Catholics towards religious. 14. Concession of power for slaughtering kings with impunity is falsely attributed to the Pontiff. The Pontiffs have lavished indulgences on those who are fighting against pagans. 15. Various concessions are reported from Anglican history. 16. The falsity of the things said is proved from the form of the concessions. 17. The question whether it is licit to kill a tyrant with impunity does not here have place. 18. After other insults, the king carps at the pride of the Roman Church. Old Rome believed herself a queen because of the empire. Not pride but faithful charity exalts the Church. 19. Notes of the true Church. 20. Prosperity bends both ways. Tribulations are more frequent in the Church. 21. God provides moderately, even with miracles, for the prosperity of his Church. 22. King James weighs the Pontiff and the Turk in the same scales. However, there is no agreement between light and darkness. 23. The greatness of the Pontiff was from the time of Christ already established. It became, at the time of Constantine, known to the world. The Turks got the possession of things a long time later. Nothing of greatness was added to the pontificate when Mahomet was on the march.

1. The Evangelist John reports in *Revelation* ch.17 that he was carried away into the wilderness, and that he saw a harlot woman sitting on a scarlet beast full of names of blasphemy, etc. From this vision, which the King of England has put in fourth place, he strives to conclude that the Roman Pontiff is Antichrist; and he proves it in this manner. The harlot woman represents Antichrist, and all the properties which are in that chapter attributed to the woman conform to the Roman Pontiff; therefore he is Antichrist. The major premise the king does not prove but presupposes the foundation of his disputation as a thing known. The minor, however, he broadly pursues at will by multiplying insults, without proof or foundation of truth, against the Roman See; but only because since infancy he has, under the doctrine of heretics, imbibed that false opinion and depraved faith, and has been confirmed in it by custom; now, moved with both ignorance of mind and indignation, he dares to set his mouth against heaven and to defile sacred things with

profane.

2. But, to begin with, the foundation on which he rests is false, for the woman does not represent Antichrist. Because John himself said that the woman has written on her forehead “Babylon the Great;” but no one has ever said that Babylon either properly or figuratively signifies Antichrist; for Antichrist will be a certain man, as was demonstrated above, but Babylon always signifies some city or congregation of men, as the same John at the end of that ch.17 concluded, v.18: “And the woman which thou sawest is that great city, which reigneth over the kings of the earth.” And thus do all the Fathers and expositors of that place agree that the woman or Babylon represents some great city, because this is not only in an enigma but expressly revealed, and is made clear by the same prophet. But which that city is, is variously expounded. However we reported above in chapter 7 that there are two probable opinions, one explaining this place of the city of the impious, the other expounding it of the Roman City, and we made both opinions clear and showed that each was probable; and we made clear in detail that all the insignia of depravity, with which John adorns her, are appropriate to both. But we noted there that, according to the Catholic and true clarification, if Rome is Babylon it must be understood to be, not Christian, but pagan Rome, as it was at the time that John was writing, and for as long as it endured in that state; and if perchance it will return, whether altogether or in large part, to that state before the end of the world (as many think), it is for that state too deservedly signified by the same name; for Christian Rome, while it continues under the true faith of Christ, cannot be said to be Babylon, since it does not give admittance to the confession of false dogmas, or of several sects or gods. And therefore rightly did Jerome, bk.2 *Contra Jovin.* near the end, say to Rome: “You have destroyed by the confession of Christ the blasphemy written on your forehead, etc.” And for this reason did Peter accurately distinguish the Church that was at Babylon from Babylon itself, saying, *1 Peter* 5.13: “The Church that is at Babylon...saluteth you.” And in the same way does Jerome speak in epist.18 to *Marcel.* saying: “There indeed is the holy Church, etc.”

3. With the foundation of the king destroyed, then, his argument collapses. Wherefore all the accommodations that he assumes under that foundation are the calumnies of Protestants, not interpretations of Scripture. Nor can the king himself escape this response, since he rather often contends in his *Preface* that the harlot is Rome, and he confirms it with the confession of those of our own. But here we must beware of the cunning of Protestants, which Sander noted in bk.8 *De Visib. Monarch.*, and the king seems to be imitating it in the present case, for he says that the same woman is Rome, and is Antichrist, and again that the beast is Antichrist, as I noted above in chapter 15, so that, by thus confounding Rome with the Roman throne and with Antichrist, he afterwards transfers the discussion to every governance of that city and, finally, to the Roman Church and See, and accommodates everything to it that is said about Antichrist as well as about the infidel City of Rome and its pagan empire. Such things, then, are all that in his whole discourse he fabricates about that chapter. For since Rome is said to have been “the mother of harlots” when “she was in service to the superstitions and idols of all the nations,” as Pope Leo says in serm.1 *De Nativit.* and in serm.1 *De Sanctis Petro et Paulo*, for that reason the king transfers that crime to the Apostolic See. And just as we, on account of that See, say that Rome is the mother and teacher of all churches, so he calls it the mother of all spiritual fornications. But what those spiritual fornications are that the

Roman See has either exercised or taught, never has he hitherto been able to show; since it has never, not even in the slightest, differed from the ancient and primitive faith, as was proved in books 1 and 2.

4. And in like manner, when pagan Rome is said to be “drunken with the blood of the martyrs” because of the persecutions of the emperors, the same king dares to attribute it to the Roman Church and See; but what assuredly I do not see is with what appearance or shadow of truth it could be said. For what “monstrous persecutions of Christians” has the Roman Church stirred up, or when did it spill the blood of martyrs, so that, for this reason, it may be said to be drunken with the blood of the martyrs? But perhaps the king is calling martyrdoms the just punishments of certain heretics and apostates, although however those punishments are so rare that neither because of them could the Roman Church be said to be drunken with the blood of heretics; for, as the Fathers and expositors note, an unnumbered multitude of martyrs is denoted by these words. Next, to pass over the rest, the things said about Rome in *Revelation* can be attributed with no greater foundation to the Roman See from the time of Boniface III than, for example, from the time of Sylvester, as has often been said and proved. Let the king, then, cease to keep turning his back, and let him either admit that Rome, by reason of that See, was always a harlot, or let him desist from transferring the crimes of pagan Rome to Boniface or other later holy Pontiffs and their legitimate successors.

5. Next, because the king confounds the woman with the beast that is carrying her, he tries to interpret about the Pope not only the properties of the woman but also the insignia of the beast. And first, he refers the interpretation of the seven heads to the seven regimes of the city, which we attacked above; next he has a remarkable exposition of the ten horns, which we will treat of better in the next chapter. And finally, he digresses to explaining the predicted destruction of Babylon in ch.18. But because we have above in chapter 7 treated of the destruction of Babylon described in that ch.18, it will not be necessary to run through all the allegories and accommodations that the king fabricates in this latter place, especially because they contain nothing new but the same curses and insults, founded on the same errors, against the Roman See, and amplified, without any proof, by new exaggerations. With these things more or less passed over, then, I have thought only that certain points, which either have some shadow of an objection or contain a more pernicious and scandalous calumny, should not be passed over.

6. First, then, on p.122, so that he may bite at the same time as objecting, he considers the words of ch.18 where, after the ruin of Rome has been described, it is said, v.9: “The kings of the earth, who have committed fornication and lived deliciously with her, shall bewail her and lament for her.” From which he intends to conclude that Babylon is not pagan Rome but Christian Rome, because what is there related, “was with pagan Rome never done, nor could be done, by any of the kings whom she by force and arms subjected.” Therefore that Babylon is Christian Rome; and the kings who were lamenting her ruin are those, he says, “whom she adorned with honorific names and titles, and indulged with pardon for their lusts and illicit marriages.” But to the objection we reply, to begin with, that the same can be turned back against the king; for the thing was never done, nor could be done, even with Christian Rome, because those kings, whom she adorned with honorific titles, she subjected, not indeed by force and arms, yet with Christian faith and peace, as Pope Leo said in serm.1 *De Sanctis Petro et Paulo*. Next I say that about both Romes, or about both states of the same Rome, the objection is

impertinent, because the prophecy has not yet been fulfilled, for Rome has not yet been made altogether extinct. For although she suffered some grave calamities and not small disasters under the Goths and Vandals, yet by them was the prophecy of John in the said ch.18 not fulfilled, because by those destructions was it not brought about that, v.21, “she should be found no more at all,” as I noted in the said chapter 7. Although about those destructions too it might very truly be said that they came upon pagan Rome rather than Christian Rome. For she was then as it were a mixture, for although in her was the Apostolic See and the Christian religion, yet there was still in her much remaining of Gentilism, and a great part continued of pagan citizens, and God, to purge her of those dregs, permitted the calamities, as is learnedly and eruditely shown by Malvenda bk.4 *De Antichristo* ch.6; and therefore although, by the capture and destruction of Rome, the faithful Church that was then in her could not fail to suffer great harms and losses, yet because the idolatries and crimes of Gentilism were causes of the ruin, therefore can it be said that they came rather upon pagan Rome than Christian.

7. Hence I add further, what I reported in the said chapter 7 from the opinion of many wise men, that it is not incredible that near the times of Antichrist Rome must actually during them be again conquered by the nations and recalled to its former pagan status, the Church having been therefrom ejected or so afflicted that it should hide as it were in a corner or in caves, and then could the prophecy of John be very well fulfilled in pagan Rome, and the pagan and idolatrous kings who had partaken in her fornications and delights could lament for her. And thus rightly too could she be called Babylon, just as she was called before, even if the Church would exist, which the name of Babylonian can never fit. Hence wisely did Sander say, bk.8 *Monarch.* ch.8, that Antichrist must be waited for, not in Rome, but among the remains and fragments of the Roman Empire. Especially because, although perhaps some infidel king might first rise up who would conquer Rome and exercise there his tyranny, that thing is not to be imputed to the Apostolic See or to the Roman Church more than the persecution of Nero or of Diocletian was ascribed formerly to the same Church.

Finally I say that it could also happen that Rome should suffer that last and eternal destruction even if it never returns to paganism, but remains under the command of the Pontiff, and that it should suffer it because of its crimes, not only past, but also those that there will be in those last days. For, as I was saying above, although the Church continue faithful therein, either it could be very depraved in its morals, or there could be multiplied in it sects, whether of heretics or of pagans, with so much power and liberty that the Pontiffs should not be able to repress them. And in such a state it could also be called Babylon because of the confusion that, in that state, could not fail to be very great. And in like manner could the kings lament over it who were partners in its delights, whether they will be pagans, or the faithful given over to corrupt morals, or heretics supporting the sects and crimes which could then exist through all Italy or all Europe, and could so prevail that they should, along with the authority and power of external kings, invade even Rome.

8. In whatever way, then, that prophecy be understood, therefrom can it not only not be collected that Rome is already now antichristian, but also neither can it with any likelihood be inferred that the Church, which is now at Rome, either is already, or will at some time be, antichristian and infidel, because although many citizens and members of it should defect from the faith, they come to be by that very fact outside the Church,

which always remains faithful. And much less does it follow that the head of the true Church is or will ever be Antichrist, because although the city is thoroughly destroyed because of apostasy, or for any other cause whatever, the head and rock of the Church could stand firm, or reside elsewhere, or go into hiding. Nay, although God should permit the person of some Pontiff in those times to fall and to yield to the tyrants by professing errors, not for that reason would the Pontiff, as he is Pontiff, fall, nor would the Church fall, but, after deposing him, the Church could for itself create a Pontiff. Which is said for exaggeration and for more explaining the thing; for it is more credible that God will not permit it, especially during so great a tribulation and oppression of the Church.

9. Now as to the calumny that the king mixes in by the by with his objection, saying that Pontiffs are wont to give pardon to the lusts of kings or to permit illicit marriages, we reply that it is false and cannot be proved by the king, but that by us, or by the miserable lapse of England itself, it is evidently refuted. For to give pardon to lusts can happen in two ways. First by giving pardon to the lustful after penance and satisfaction for their lusts; and this has very often been done by Pontiffs. From which fact are they understood to be, not Antichrists, but Vicars of Christ, who committed to them the keys of heaven, and who to Peter when he asked, *Matthew* 18.21: "How oft shall my brother sin against me, and I forgive him? Till seven times?" replied, v.22: "I say not unto thee, Until seven times, but, Until seventy times seven;" that is, if he will have listened to the Church and done penance, otherwise he is rather to be separated as a heathen and a publican. In another way can it be attributed to the Pontiffs that they provide pardon for lusts for those who persist in them, or approve similar deeds, or publicly and with scandal to the Church conceal them. And that such a crime is in this sense falsely attributed to the Apostolic See England herself is witness; for on account of no other cause did Henry VIII, and his kingdom with him, begin schism against the Roman Bishop save because he refused to give pardon to his intolerable lust. Similar examples to prove the same falsehood could also be sought from the histories of Portugal and from other histories. But in a clear matter they are not necessary, nor does it become us to recall to memory the already forgotten and wiped out offenses of kings.

10. But in the other phrase that the king adjoins, "to permit illicit marriages," he seems clearly to allude to the marriage of Henry with the most Serene Catherine, which the Pope permitted, nay not only permitted but also constantly defended, because it was not illicit but true and holy. But the King of England will approve the marriage of Henry with Anne Boleyn, which was not an illicit marriage but a most ugly adultery and an execrable incest. Permission, then, for illicit marriage can also be done in various ways. First by approving matrimonies illicitly made, even if they are invalid; and this is falsely attributed to the Catholic Church or to the Apostolic See, nor can an example be by the king produced whereby he could in any way make it credible. Nay, although a marriage was valid, if it was done illicitly (as often happens), although the Church approves the marriage, it does not approve the offence; nay, nor permits it, but forbids and punishes it if possible; for sometimes, because it cannot punish it without greater scandal, it hides it; but this is frequently wont to be the fault of powerful princes, not of the Apostolic See. Marriage is permitted in another way so that it be done with a dispensation, because it would without it be illicit, and this the Church often does, and most justly does, because when it happens because of impediments introduced by human right, these can also by the power of the Church be taken away; and it is often expedient for the common good,

or for some other just cause. Thus too was it done in the case of the marriage of Henry with Catherine, as is very well known and demonstrated by many most learned men. But on account of these dispensations, not without trickery or fraud is it said that “the Pontiff permits illicit marriages,” for these words have, so to say, a composite sense; for they signify that he permits those that remain illicit, which is false; but he permits by dispensing, so that what without dispensation would be illicit is done licitly.

11. The king goes further, and on occasion of the words of John in the said ch.18 verse 11: “for no man buyeth their merchandise any more,” he exaggerates the wealth of the Roman City, and condemns (to omit other things) “the adornment of temples, and the cult of holy images.” He adds too a horrible lie of Protestants, which they have imposed on him, namely that “they clothe and adorn daily in Rome the Blessed Virgin with novel and very exquisite kinds of dress, although these recall the habit of harlots.” However in this objection the Protestants sufficiently show that they are calumniating and pursuing with hatred, not the Rome that they imagine is novel and antichristian, but the old and Catholic Roman Church. For the adornment of temples is not new in the Church but, from the time when temples began to be publicly built, they also began to be sumptuously adorned, and most of all at Rome. Of which thing, besides the most grave histories of Eusebius and later writers, there are very evident witnesses, the most ancient monuments, and the ornaments of temples and reliquaries, which today are observed in Rome, and are in the acts of the Pontiffs themselves, Sylvester, Damasus, and others up to Gregory, most copiously found. And, in addition to the examples, the holy and Ancient Pontiffs taught it, Felix IV and Leo I, as we have dealt with more extensively elsewhere. The same is manifest about the cult of images, of which enough was said in book 2.

12. But the calumny about the indecent clothing or cult of the image of the most Blessed Virgin, it is sufficiently refuted by the decree of the ecumenical Synod of Trent, confirmed by the Roman Pontiffs, and received in use. For in sess.25, in the decree about the cult of saints and images, after it has made clear the Catholic doctrine, it subjoins about the morality to be kept in practice: “Further, let all superstition in the invocation of saints, in the veneration of relics, and in the sacred use of images, be removed, all base gain eliminated, finally all lasciviousness avoided, so that images may not be painted or adorned with frivolous charm.” And again it commends to the bishops: “Let them exercise care that nothing disordered, or fitted in topsy-turvy or haphazard fashion, nothing profane, nothing dishonorable appear, since sanctity becomes the house of God.” And this care and religious solicitude we know is observed in Roman temples with great diligence and piety, and we observed it for many years with our eyes, and we noticed it with more consideration in the images of the most holy Virgin; and therefore we confidently affirm that in those words is contained nothing but sheer calumny and the impudent mendacity of heretics.

13. Nor is the accusation dissimilar that in third place the king objects to the Pontiffs on the occasion of those words of John, vv.12-13: “The merchandise of gold, etc., and souls of men.” For he says: “Now, of all the sumptuous merchandise, those which are of great price, namely the souls of men, are named last,” and at once he interposes the words wherewith he inveighs against the religious and pious expenses that Catholics take on in building convents for religious, and especially against the Society of Jesus which he loads down with injuries and insults. Which things I gladly omit, both so that the pious ears of those reading this work may not be offended, and also because I

have in this work determined to reply, not on behalf of the Society, but on behalf of the Catholic faith and the singular prerogative of the Apostolic See. And although in those words some errors against the faith are involved, as against purgatory, against intercessions for the dead, and against the religious state, they are only touched on by the by and cannot in this brief work all be refuted. And also about the former we have, as this work gave opportunity, said enough in books 1 and 2, but about the last we hope at some point, with divine help, to bring to light a work about the religious state, a close ally to our other work about the virtue of religion, wherein we expressly refute that error. After the words, then, that we have passed over, the king subjoins: "And certainly I believe that the business with souls is not the least, since men are bewitched by the hope and promise of eternal life, so that a little brother might easily be persuaded to stab his king, etc." And finally he concludes: "and thus to throw away both spirit and soul."

14. In these words the king signifies either that Pontiffs are wont to promise indulgences or remission of sins to men if they kill their kings and temporal princes, or that Catholics teach that it is a work of piety to devise and inflict death on a prince and king who is an enemy to faith and religion, and that it is most meritorious and a kind of martyrdom to suffer death for perpetrating such a crime; and that in this way the brother who killed the king of Gaul and others like him were deceived by the promise of eternal salvation. And the first sense, indeed, seems to have been intended by the king, for it sufficiently follows upon what went before. But to it Bellarmine briefly and learnedly responds that Pontiffs are indeed wont to give indulgences to Christian soldiers fighting in just wars against infidels, or to concede them to those departing life. For Gelasius II almost five hundred years ago conceded to soldiers capturing Spain against the Saracens an indulgence in these words: "If any of you, having received penance for his sins, shall have died in this expedition, we absolve him, by the merits of the saints and the prayers of the whole Church, from the bonds of his sins." And afterwards he conceded another indulgence for other living cooperators, as is in Baronius for the year 1118 n.18. Another indulgence was conceded by John VI at the time of the emperor Louis III to all those dying in the war for the defense of the Church against the pagans, as Baronius reports for the year 878 n.34, from epist.144 of the same. Again, there is a celebrated indulgence which to those taking up the cross for the expedition to the Holy Land was conceded by Pope Urban in the Council of Claremont in the year 1095, as Baronius reports for the same year nn.25 & 50. The same indulgence was confirmed by Eugene III for the year 1145, as is reported by Otho of Frisingen *De Gestis Francorum* bk.1 ch.34, and extensively by Baronius for the same year, nn.30 and following.

15. Finally, a like indulgence was conceded by Gregory VIII in a certain epistle to all the Christian faithful, which is reported by Roger of England in his *Annales* and by William of Neuberg bk.3 *Histor. Anglican.* ch.20. The words of the concession are: "To those who with contrite heart and humble spirit have assumed the labor of this journey, and in penance for their sins and in right faith have died, we promise a full indulgence for their crimes and eternal life. But, whether they will survive or whether they will die, let them know that, for all their sins for which they have made a right confession, they will have, by the mercy of Almighty God and by the authority of the blessed Apostles Peter and Paul and of us, a relaxing of the satisfaction imposed." And the same indulgence was confirmed by his successor Clement III, as Roger and Baronius report in their *Annales*. And William of Neuberg, ch.22, adds that Count Richard of Poitiers, son of the king of

the English, was first of all the princes to take the cross of the Lord, and that afterwards the king his father together with the king of Gaul agreed on the same purpose, and promulgated throughout their kingdoms with their own letters the indulgence conceded by the Pope, and that it was afterwards approved and received in the English Council of many bishops.

16. If therefore now King James dares to condemn all indulgences of this sort, he is sufficiently confounded by the agreement of so many Pontiffs, Councils, kings, and of the whole Church, and by ancient tradition, besides the other things that on this point have been by us disputed in our own tractate vol.4 *Disp. de Indulg.* But if he makes accusation of the Pontiffs that they give the like remissions to those who dare by private authority to kill their kings, or that they stir them up to perpetrating the like crimes by the promise of indulgences, this is an accusation that is new and in the Roman Church unheard of but thought up by Protestants to bring hatred on the Pontiff. For the Roman Pontiffs, so far from promising indulgence for perpetrating crimes, have been accustomed rather, in the form of conceding an indulgence, to add the phrase “truly penitent and confessed,” or to append some equivalent one.

17. But in the other sense the king, in his condemnation, presses the celebrated question whether it is licit for any private man to kill his legitimate king who is ruling tyrannically and, in particular, is perverting religion and the Catholic faith. Which now to dispute would be prolix and foreign to our purpose. Therefore, along with Cardinal Bellarmine, we only respond, to begin with, that from the deeds of certain private persons, even if they were Catholic, is not rightly collected that such deeds are approved by the Church; for to collect doctrine from deeds, especially of a few people, is either an enormous fog of ignorance or a manifest calumny; since Christ himself said also of the Scribes and Pharisees, *Matthew 23.3*: “All therefore whatsoever they bid you observe, that observe and do; but do not ye after their works.” Next we say that, not Catholics, but heretics, parents of Lutherans and Protestants, have taught that a king, not only because of heresy or tyranny, but also because of any mortal sin whatever, loses his kingship, and can be chastised at will by fellow citizens. Which doctrine was followed by John Hus; but the Catholic Church condemns it as heretical, as is clear from the Council of Constance sess.8 & 15, and has been elsewhere shown by us. Nay, in the same Council sess.15 a certain assertion submitted to it is reported: “Any tyrant whatever can and should licitly and meritoriously be killed by any vassal or subject whatever, even by means of secret ambushes, notwithstanding any oath made, and not waiting for any opinion or command, etc.” But this assertion is declared to be heretical, and he who stubbornly defends it is denounced by the Council as a heretic. Wrongly, then, does King James accuse the Roman Church or its Catholic doctors of bewitching or persuading by that doctrine a little brother or anyone else to kill his king with hope of eternal salvation. And these things are on this point for the present sufficient, for it will again come up in book 6.

18. In fourth place, after other insults against the Catholic Church, the king adds that the Roman Church must be very harshly punished because of its pride; which pride he says is explained in these words, v.7: “She saith in her heart: I sit a queen, and am no widow, and shall see no sorrow.” And later he exaggerates this pride when he says: “For there is with them no more certain note of the true Church than success and external prosperity.” But, to begin with, as to what concerns the words of Scripture, it is certain that they are said of the city of the impious, or of pagan and proud Rome, which gloried

that she sat as a queen, that is, because she ruled over many kingdoms and provinces, and was not a widow because she was married to the emperor and supreme lord of the nations; just as, on the contrary, Jeremiah weeps for Jerusalem because, *Lamentations* 1.1: “how is she become a widow...she that was princess among the nations.” When therefore is added, “and shall see no sorrow,” the error of the nations is indicated who thought Rome and her empire would be perpetual, on the evidence of Jerome in the said q.11 to *Algas.*, where, among other things, he says that the name of blasphemy written on the forehead of the harlot in Revelation is ‘Rome Everlasting’. And in more or less this way is it expounded by the Fathers and doctors, and therefore the sport of the Protestants is ridiculous and impious. Above all since in the true Church of Christ it is not pride but faithful charity that professes she is the bride of Christ, since Paul says, *Ephesians* 5.25: “Husbands, love your wives, even as Christ also loved the Church.” And after explaining the similitude in these words, v.31: “For this cause shall a man leave his father and mother, and shall be joined unto his wife,” he adds, v.32: “This is a great mystery, but I speak concerning Christ and the Church.” Hence since Christ is King of kings, what marvel that his bride should sit, *Psalms* 45.9,14: “the queen in gold of ophir...in raiment of needlework.” For not in herself but in the Lord, by reason of marriage, does she glory in so great dignity. And for the same reason, not from pride or vain presumption, does she not fear to see widowhood or grief, because she has heard from the bridegroom: “And the gates of hell shall not prevail against it,” and “Lo I am with you always, even unto the end of the world.” Wherefore, if it be licit to use by accommodation the words of Scripture, much more justly might England fear that threat and those punishments, because she really says: “I sit a queen,” because I acknowledge no other spouse besides the temporal king, nor any other superior in spiritual or temporal things; “I am no widow,” because I have the supreme head and Vicar of Christ as my own and as spouse; “and shall see no sorrow,” because the spirit dictates that this is the true Church of Christ that will remain for ever with Christ, and will little by little overcome the Roman Church.

19. Lastly, what the king adds of himself, that there is with us no more certain note of the true Church than “success and external prosperity,” it contains two falsehoods. The first and clearest is seen in the comparison, for all Catholics with one consent hand on as the more principal and most certain notes of the Church, that it is “one, holy, Catholic, and Apostolic,” along with others that are in these, when rightly explained, tightly contained, as are to have legitimate succession from the primitive Church through a certain and indubitable connection with it in doctrine, in governance, and pastoral office, and especially in the chair of Peter. Again that it is founded on that rock through perpetual union and obedience with it. But other notes, that are multiplied by some Catholic doctors, are either reduced to these, or are not so much notes proper and certain, as very likely signs of the true Church.

20. The other false assertion is that “external prosperity” and “success” are absolutely and without any clarification or restriction numbered among the notes of the Church. For pious and wise men are not ignorant that temporal felicity is a thing indifferent; and that good success in these things is common to the bad and the good, to the faithful and infidel, to Catholics and heretics. Nor even are they ignorant that nothing is more proper to the Church of Christ than temporal afflictions and tribulations and persecutions; while, on the contrary, external peace and abundance of temporal things are wont to be granted more abundantly to the bad than to the good; either because they

receive, for any good they do, those temporal goods in place of reward, or because they deserve, on account of their sins, that there be granted to them goods that God foresees will make them daily worse; or certainly, so that the good be made better, both by lacking those temporal goods that are wont to bring occasion of spiritual ruin, and by sustaining the annoyances of the impious who, elated by prosperity, afflict them.

21. Temporal prosperity, then, considered in itself, is not by us set down as a note of the true Church, because it is not a note of the true faith, nor of true sanctity. But because the Church of Christ, while it lives on earth, has need also of these temporal goods (as St. Augustine rightly said), therefore does Christ the Lord provide for it with special care, by his singular providence in lavishing, conserving, and defending these goods. And often by help extraordinary and plainly celestial he assists it in obtaining good success and in avoiding the opposite. And thus temporal prosperity, coming in this way to the Church or to princes, is reckoned by Catholics among the signs of the true faith and hence of the Catholic Church. And thus did Cardinal Bellarmine, bk.4 *De Eccles.* last chapter, put indeed temporal felicity in fifteenth and last place as inferior to the rest, but not without prudent and sufficient clarification, for he adds: "Temporal felicity divinely conferred on those who have defended the Church." And such are the examples he adduces, and in the same way do many other authors speak whom he himself refers to, and Bozius does so copiously in vol.2 *De Signis Ecclesiae* especially chs.20 and following.

22. In the remaining part of that discourse, which the king adjoins on chapters 19, 20, & 21, I find nothing worthy of note or pertinent to the cause besides what he says by the by in passing, whether that which is said in *Revelation* ch.20 about Gog and Magog "is to be taken of the Pope and the Turk or not, I leave to the judgment of others;" and he gives as reason: "Because they grew up to their greatness at more or less the same time." In which words he errs and sins in many ways. First against piety and also human courtesy when he numbers the Pope among the enemies of Christ and among the persecutors of the Church, and equates him with the Turk; wherein he not only shows how much he is degenerating from all pious and Catholic princes who have attended the Pope with supreme reverence and honor, as was sufficiently shown above, but he also clearly shows himself to be blabbing out similar words, not by weight of reason, but only by passion and hatred. For there is no agreement or comparison between Christ's Vicar, the parent of the faithful and master and defender of his faith, with an infidel tyrant, the most bitter persecutor of Christians. But those who are wise in their own eyes and are led by their own spirit easily say that darkness is light, and light darkness.

23. Next, he errs against the truth of history when he says that the Pope and the Turk grew up at the same time to their greatness. For if we speak of the magnitude of the Pope as to spiritual dignity and power, he never increased in it; for from the beginning it was whole and (so to say) in the highest grade in Peter, and the same has been derived without increase or diminution to the successors of Peter, looking, that is, at the very power in itself; for the use of it could have grown, just as the Church grew and impediments were taken away and greater occasions came along. And in this sense too can the Pope be said to have come to his greatness from the times of Constantine, for then his dignity began to be known to the whole world, and the emperor himself and other temporal princes began to subject their necks to him. Nay, also as to temporal domination he then more or less came to his greatness. But the empire of the Turk began after much

time, for although the nation of the Turks, who were formerly called Gazari, is ancient, yet their sect and empire are much more recent; for also the impious Mahomet began after the six hundredth year of Christ, and the Turks did not begin to invade the Eastern Roman Empire until the times of Constantine called Copronymus and Iconoclast, and until the year one thousand, and they did not obtain even a hundredth part. Hence if the Turk be said then to have grown up to his greatness, as ought in truth to be said, it is altogether false that the Pope and the Turk reached their greatness at the same time. Now King James seems to have looked back to the beginning of Mahomet, because he appeared in the world a little after Boniface; however in this way too it is false either that at that time any greatness was added to the Pontificate, or that the nation of the Turks or their empire then began. Next, that accommodation about Gog and Magog has no likelihood, not only in the Pontiff, which is very evident, but even in the Turk as well; and therefore it should neither be called into doubt nor remitted to the judgment of others, as was touched on above, and as we will see in the following chapter.

Chapter 22: From the description of Antichrist in the prophet Daniel, the fable handed on about Roman antichristianism is refuted.

Summary: 1. The prophecies of Daniel are very little brought forward by King James. 2. In Daniel empires are shadowed forth by animals. Description of Antichrist. 3. By the ten horns of the fourth beast an equal number of kings in the Roman Empire are represented. 4. Whether this number is definite, or put for an indefinite one. 5. The Fathers think the number is definite. 6. The King of England explains the number. In this matter anyone is permitted to have an opinion. Ten and seven often indicate an indefinite number. 7. It is more certain that ten is put for a definite number. 8. The foundations of the King of England are overturned. 9. The number seven is here more distinctly handled. Antichrist is an instrument of the demon. 10. Two places in Revelation about the number seven are expounded. 11. The ten horns of the beast the King of England interprets of all the Christian kings from Boniface III. 12. About the little horn King James is altogether silent. What others have thought about it. 13. The opinions of the King of England are overturned by the words of the prophecy themselves. 14. The little horn will rise up after the Roman Empire has been divided. 15. Boniface III did not, as Daniel prophesied, erect a new empire. 16. King James inflicts a signal injury, not only on foreign kings, but also on English ones. 17. False interpretation given by the king to the words of Revelation. In the text of John, to be conquered is not to be converted but to be overthrown. 18. The ten kings are never going to wage war against Antichrist. To give in one's heart is to permit. Rome will not be the seat of Antichrist. 19. Description of Antichrist. He will arise from ignoble and indigent parents. 20. He will obtain the kingdom by cunning, not by heredity. He will get hold of power tyrannically. 21. He will misuse the sharpness of his mind for pride and ill speaking. 22. He will trample on religion, and will try to turn things sacred upside down. He will arrive near the Day of Judgment, not before. 23. The same notes of Antichrist are inculcated in other places by Daniel. What Daniel said of Antiochus rightly falls on Antichrist. 24. Antichrist will place himself in the temple as God. 25. Also belonging to him are the things foretold by Daniel of Seleucus and Epiphanes. 26. The individual words about them and about Antichrist are considered. Some seem to belong to Antichrist alone. The persecution of Antiochus against the Jews is an advance display of the persecution of Antichrist against the faithful. 27. Contempt of God in Antichrist.

Antichrist will not worship the gods of the nations, but he will perhaps in secret worship the demon. 28. Other prophecies of Daniel in chs. 11 & 12 about Antichrist. 29. From what has been said, it is clear that antichristianism in the Pontiffs is sheer imposture. The falsehood is from the comparison made more apparent. The expositions of Protestants are not only willful but also violent.

1. Although I read attentively the discourse of the King of England about Antichrist, and saw therein no mention about the prophet Daniel, save by a cursory and incidental assertion that John in *Revelation* imitated the modes of speaking of *Daniel*, *Ezekiel*, and the prophets, I greatly marveled and began to doubt whether the king believes that Daniel prophesied about Antichrist. The suspicion was increased by the fact he says, at the beginning of his disputation, that Paul very clearly explained what John in his visions obscurely handed on, and he passes over Daniel as if he did not pertain in any way to the cause, or as if he had foretold Antichrist neither obscurely nor clearly. But if it is thus perhaps true, and the king does not believe that Daniel prophesied about Antichrist, he must be asked why he believes it of John and denies it of Daniel? Because both spoke in enigmas and neither expressly laid down the name of Antichrist; and the visions of Daniel, by the judgment of all the Fathers and expositors, point to Antichrist less obscurely than those of John. Nay, Christ the Lord in *Matthew* 4 sufficiently indicates that Daniel spoke about Antichrist, and the same is the perpetual tradition of the Church. But if the king dare not deny this, I am amazed at why, in so prolix a disputation and so monstrous an accusation against the Pontiff, he has omitted the very grave testimony of so great a prophet! I suspect, therefore, that he passed over Daniel in silence because his descriptions about Antichrist not only could not, with any color, be twisted to confirm his own error but do rather refute them, and point not obscurely to the truth. For this cause, then, although we have used the testimonies of this prophet above to show that Antichrist will be an individual person and for how long a time he will reign, we have thought it worthwhile to collect from him a description of Antichrist, for he hands it on more copiously than others do, and through it is Antichrist more evidently distinguished, not only from the Pope, but also from all the others who have been falsely thought to be Antichrists.

2. First, then, in ch. 7, Daniel says that he saw four beasts, which signified four kingdoms of the world, as he himself declares, but that the four kingdoms, by the common consent and exposition of Catholics, were the empires of the Chaldeans, of the Persians, of the Greeks, and of the Romans, was briefly declared above in chapter 3. Now, setting aside the three first beasts or kingdoms, which quickly passed away, Daniel says about the fourth beast that, among other things, it had ten horns, and he subjoins, v. 8: "I considered the horns, and, behold, there came up among them another little horn, before whom there were three of the first horns plucked up by the roots; and behold, in this horn were eyes like the eyes of man, and a mouth speaking great things." By these, then, and the following words, that we will add later, we understand that Daniel described the person of Antichrist. Which, although it was above by the by and on occasion rather often pointed out, must here be expressly and wholly expounded, since, if all the properties that the prophet attributes to the little horn are collected together, the lie and imposture of the falsehood of Protestants about Roman antichristianism will be evidently refuted. However, we must suppose that the little horn represents Antichrist. Now it is

first necessary to interpret the ten horns, but about the fourth beast nothing needs to be added to what Daniel himself has said, namely, that the fourth beast is, v.23: “the fourth kingdom upon earth, which shall be diverse from all kingdoms, and shall devour the whole earth, and shall tread it down, and break it in pieces.” By which all Catholics understand the Roman Empire, setting aside the interpretations of Porphyry and the Hebrews, on whom can be seen St. Jerome and other expositors; for of this there is in the present work no controversy.

3. Again, about the ten horns Daniel declares that they represent ten future kings, and he indicates sufficiently that they will not be altogether distinct from that greatest kingdom signified by the fourth beast, nor in their lands and provinces outside the total sway of the Roman Empire, but they will be ten kings of the very same fourth kingdom; for thus he speaks, v.24: “And the ten horns out of this kingdom are ten kings.” Hence all collect that the very same Roman kingdom, which before was one empire, is to be divided into ten kingdoms. Which was also signified in ch.2 of the same prophet by the ten toes where the statue ended.

4. Now about this number of ten horns there is doubt whether, just as Daniel saw precisely ten horns, and neither more nor fewer, there are by them in the same way signified ten kings in the same definite and precise number, or indefinitely a multitude of kings among whom the Roman Empire was to be divided. Which question is touched on by Augustine bk.20 *De Civitate Dei* ch.23, and he thinks it uncertain whether the number ten signifies a whole multitude of future kings in the Roman Empire before Antichrist comes, or rather points to precisely ten kings. Propser too in *Dimidio Temporis* ch.8, although he does not move a question about the number, nevertheless doubts whether by those ten kings be understood “kings more ferocious who existed in the Christian religion.” Aretas also ch.36 on *Revelation* says generally that the ten horns signify that “the consummation of things that contribute to malice turns out to be antichristian,” where he indicates an indefinite number, although he reports another opinion when he says: “But about these too some have said that then the world is going to be divided into ten kingdoms.” And to this opinion Pereira seems to incline in bk.2 on *Daniel*, where by the ten toes of the statue he says is signified that “the Roman Empire is going at the end to be divided into many kingdoms and many kings, among whom some will be stronger, some weaker, and therefore the toes were partly of iron, partly of clay.” And in the same place he says that by the ten horns in ch.7 are signified “many kings.” And the same in bk.8, treating of the opinion of Augustine, speaks under disjunction saying that it cannot be denied but that when Antichrist comes there will be in the Roman world “ten kings or many kings.”

5. However the Fathers jointly, not raising any doubt or question, say simply that the ten horns signify ten kings, as far as Daniel interprets them, and that they will be in the Roman world at the time of the advent of Antichrist. Thus does Irenaeus speak bk.5 ch.25, and in ch.26 he more fully expounds in the same sense the ten toes of the statue in *Daniel* 2 and the ten horns of the beast in *Revelation* chs.13 & 17; and although he does not expressly make it clear, yet he always speaks of a definite and precise number. Hippolytus too, in *orat. De Consummat. Mundi* says only that the ten horns seen by Daniel are ten kings, and that the same are signified in the ten toes of the statue; and in the same way does Cyril of Jerusalem speak, *Catechesis* ch.15, Lactantius bk.7 ch.16, Tertullian *De Resurrect. Carnis* chs.24 & 25, and of the same opinion are Jerome and

Theodoret on *Daniel* 7 and 2, when they understand that by the ten horns of the beast, wherever in *Daniel* and *Revelation* there is mention of them, signify ten kingdoms into which the Roman Empire will be divided. Andreas too agrees, chs.36 & 53 on *Revelation*, who says, among other things, that “by the ten horns is signified the division of the earthly kingdom into ten parts.” Which is also touched on by Aretas ch.54 who, when making reference only by the name of ‘others’, thus says: “they say.” And this opinion is commonly followed by modern expositors and doctors; and one of them, sufficiently learned, affirms it with so much emphasis that he says it is so manifest those ten kings must be understood to be neither more nor fewer than he is greatly amazed St. Augustine could have been in doubt on the point. Nay he says: “When one has considered so great consent of the Fathers, he who would dare to stand opposed or gape will be putting on far too bold a face.”

6. And nevertheless the King of England in his *Preface* p.120, treating of the place in *Revelation* 17, says the number ten is there taken for an indefinite number; and he uses the argument that John is there alluding to this place of *Daniel*, as if supposing it rather certain that Daniel took the ten for an indefinite number. He adds another argument too, how the number of seven heads and ten horns of the dragon or the devil cannot otherwise be understood except as declaring an indefinite number. But I, to begin with, do not judge that this controversy pertains to the dogmas of the faith, but is a thing that lies in opinion. For the Fathers alleged for the second opinion do not hand it on as certain; nay, neither do they put much force on the precise and proper number ten, but on the division of the empire into several kingdoms, and they use that number because Scripture so speaks. Now it is clear that the number ten is one of those that is in Sacred Scripture taken for a large or whole multitude. Hence, when the authority of Augustine and the doubt of others are added, he who doubts in that place about the signification of the number ten does not seem able to be condemned or judged rash or daring. Especially because about the number of the seven heads, both in this place of *Daniel* and in that of *Revelation* ch.13, many doubt whether it signifies a definite number or some community or collection of impious kings, as we saw above in chapter 4. Hence in this place Daniel says that three horns were rooted up before the face of the little horn, although he understand it precisely of three kings, because the number three is not wont to be taken in any indefinite signification, nor is it there necessary, nevertheless by the seven other kings, who are to be subjected to or confederated with Antichrist, all the others who will exist at that time could be understood, whether they be fewer or more, because the number seven is among the mystical ones that are wont to signify universality; and not without authority or without any apparent occasion is such a signification there assumed, so that the prophecy may be more easily understood and fulfilled.

7. For these reasons, then, I do not think the certitude of the second opinion should be exaggerated too much, although I consider it should be preferred and is simply true. First, because of the testimonies of Scripture, because not in one or another place but in many, both in *Revelation* and in *Daniel*, when the division of the Roman Empire into many kingdoms is under this figure foretold, it is done under the number ten. Second, because there is no necessity for metaphor or impropriety in the term, since nothing prevents those future kingdoms from being ten and not more; and multiplication could as easily happen in that number as in any other. Especially because, although perhaps more small kingdoms, or lesser principalities, could at that time exist in the

Roman world, nevertheless all could be reduced to ten principle kingdoms and heads, as it were. Thus, therefore, can that number ten easily be taken properly and precisely, nor is it necessary to have recourse to indefinite numbers. Third, because of the more common consent of the Fathers.

8. Nor is the first conjecture of the King of England of any moment, but it should be turned into the contrary; for because John is alluding to this place of *Daniel*, and because in this place the number ten is more probably being taken properly, therefore the judgment should be the same in the places of *Revelation*. But to the other argument, which he takes from comparison with the number of seven heads and ten horns attributed to the dragon or the demon, saying that it cannot be understood otherwise than about a definite number put for an indefinite, we reply by denying the assumption. And since he himself does not designate the place of which he is speaking, we must run through the three places where John makes mention of that number, namely in chs. 12, 13, & 17.

9. And indeed we admit that in ch. 12 the number is attributed to the demon; for John plainly says, v. 3: "And there appeared another wonder in heaven; and behold a great red dragon, having seven heads and ten horns." And yet even in that place we say that the heads and the ten horns are the same as in ch. 13 and in *Daniel* ch. 7. For although the discussion is there about the demon and in other places about Antichrist, the organs and members or instruments of each are those heads and horns, that is, the ten kings, three of whom Antichrist will destroy and seven will serve him, for the demon and Antichrist will be very closely joined, not indeed by hypostatic union, as some have imagined, but by moral influence and motion. For Antichrist will, while he lives, be totally possessed, moved, and governed by the demon; and thus he will be the chief member and as it were the conjunct organ wherewith the demon will move the rest to the same end and the same effects. And therefore those ten horns and seven heads are attributed both to the demon and to Antichrist; to the demon as principal but more remote agent in that order; to Antichrist as to the more proximate but, if compared with the demon, less principal agent. Although, in respect of other men, Antichrist can also be said to be principal cause, hence he is by the saints and theologians also called the head of the wicked, of all of them indeed by excess and abundance of malice, but of those whom he will subjugate in his own time, and whom he will use as instruments, by influence and motion as well.

10. But the second place is *Revelation* ch. 13, and there the discussion is not of the dragon but of the beast to whom, v. 2, "the dragon gave his power," that is, of Antichrist, and so there too one should not explain the definite number with an indefinite. The third place is *Revelation* ch. 17, where the beast can indeed represent the demon, and then the same must be said as we said about ch. 12. Either it can signify the Roman Empire, as was also seen above, and then are those same ten kings, on whom the Roman Empire stands, represented, as the same John expounded, and thus there as well the same number is definite. And about the number of the seven heads we showed above in chapter 5 that it signifies, not an indefinite, but a definite number. Which the King of England also admits, since he says that the seven heads are seven regimes of the Roman City, and neither more nor fewer; whence one can retort with an argument *ad hominem* that the same should be said of the number ten.

11. Before passing on, however, to the eleventh little horn, we must here briefly consider the new and remarkable interpretation of those ten kings that the King of England has provided for us. For he says that those kings are all the Christian kings who,

from the time of the decline of the Roman Empire, marched under obedience to the Roman Pontiff, and about them he expounds the words of *Revelation* 17.12: "And the ten horns which thou sawest are ten kings, which have received no kingdom as yet; but receive power as kings one hour with the beast," "because," he says, "the more illustrious kingdoms of the Christian world did not lay claim to their liberty until the pagan Roman Empire was collapsing." Hence he infers that those kings began at the same time as Antichrist inaugurated his kingdom, that is, at the time of Boniface III, as he himself expounded earlier. And of these kings he says that they persevered for a long time in one mind, "worshipping the beast, kissing its feet, conceding it all power and authority, drinking down together with it the chalice of idolatry, making war with the lamb in persecution of the saints at the command of it which ruled over so many nations and peoples." But as to what John. after the words, v.14, "these shall make war with the lamb," subjoins, "and the lamb shall overcome them," he expounds by saying, "through our conversion after we shall finally at some point hate the whore," that is, Rome, "and leave her desolate and naked, etc." "Next," he says, "he (namely the angel or John) subjoins a reason for this very sudden change in us, when he says, v.17: 'For God hath put in their hearts to fulfill his will...and give their kingdom unto the beast, until the words of God shall be fulfilled.'" This is the interpretation of the king about the ten kings in *Revelation*; and since he himself says that John is alluding to the words of *Daniel*, he indicates that he thinks the same about the ten horns in *Daniel*.

12. But before we reject this interpretation, we must explain what is to be understood by the little horn. About which we cannot affirm what the King of England thinks, because he makes no mention of it in his disputation; but, as I said at the beginning of the chapter, what is deserving of wonder and generates suspicion is that he does not believe the horn represents Antichrist. But if perchance this is so, who then, I ask, is the horn? Or why is it separately and individually numbered? Especially since the king says that the number ten does not signify a definite number, but is put for an indefinite one, wherein is also included that eleventh king represented by the little horn. What, to be sure, the king could reply that would be likely or satisfy the prudent does not easily come to mind. I know, indeed, that Porphyry said that the horn represented Antiochus, nor are there lacking others who thought it signified Mahomet or the Turk. However, Jerome refutes Porphyry because Antiochus preceded the Roman Empire and drew an illustrious origin from Alexander the Great and from the empire of the Macedonians, and he was born king or prince; but the horn is foretold to be after the Roman Empire and its division, and is said to be little because of its humble beginning and rise. The other opinions, indeed, can also be easily refuted, because the properties are not in those kingdoms found which are there attributed to the horn, as I touched on above in chapter 2, and as the reader will be able easily to understand from what is to be said; for now it is not necessary to delay over them.

Let it be certain and fixed, then, that the little horn represents Antichrist; for, when all the places of Scripture have been considered, as well as the prediction of Christ about the great tribulation of the Church that will happen just before the judgment, in no one else can all the properties there predicted by Daniel and attributed to that horn be found save in Antichrist. And thus in affirming this opinion do all the Fathers and expositors agree, Jerome, Augustine, and Gregory, whom I referred to above in chapter 2, Athanasius epist. *Ad Solitar. Vitam Agentes* near the end, Justin *Against Trypho* a little

from the beginning, Origen bk.6 *Contra Celsum* near the middle, Cyril of Jerusalem *Catechesis* 15, Irenaeus bk.5 *Contra Haereses* chs.25 & 26, Theodoret orat.7 on *Daniel*, Prosper in *Dimidium Temporis* ch.8, Ruffinus in *Exposit. Symbol.* on the article about the coming to judgment, and the rest of the expositors both of *Daniel* and of *Revelation* and of Paul 2 *Thessalonians* 2, where Chrysostom is very good.

13. Hence, therefore, we collect, to begin with, that the interpretation the king hands on about the ten horns is false, namely, that they are all the kingdoms of the Christian world that from the time of the Emperor Phocas up to Luther, or up to Henry VIII King of England, gave obedience to the Roman Pontiff. For the ten kings whom Daniel mentions never gave obedience to Antichrist, or to the little horn, but rather, as soon as the horn rose up, three of the ten horns, v.8, “were plucked up by the roots,” because, as is said later, v.24, “he shall be diverse from the first, and he shall subdue three kings.” Where clearly the prophet is speaking of temporal power and of usurpation of three kingdoms by wars and other like force. Hence all the Fathers and expositors add that, when the three kings have been vanquished, the remaining seven will give their hands to Antichrist and will be, by force and fear rather than of their own accord, allied to him as inferiors and subjects. But no Pontiff, whether Boniface III or anybody else, overcame three kings in war, nor were any others subjected to him in terror against their will and by war or power or the victories of the Pope, but were drawn to him by faith and divine calling; therefore the things said about the ten horns and about the little eleventh one cannot be accommodated to Christian kings and the Roman Pontiff. For the reason most of all that the three kings whom the little horn will vanquish are the kings of Ethiopia, Egypt, and Libya or Africa, as is the common tradition of the Fathers, whom I have often referred to, taken from *Daniel* 11 as it is there expounded by Jerome, Theodoret, and others. But the Supreme Pontiffs never waged war in Egypt or Ethiopia, nor desired to dominate those kingdoms.

14. In addition, it is clear from the vision of Daniel that, before the rise of the little horn, the fourth beast, that is the Roman Empire, will be torn apart into ten kingdoms; for the angel expressly says to Daniel, v.24: “And the ten horns out of this kingdom are ten kings that shall arise; and another shall arise after them.” Those ten kings, then, will be of the same Roman kingdom; therefore a division will first be made among them before the little horn arises. And the Roman Pontificate, even as to the state which it had under Boniface III, began before so great a decline or division of the Roman Empire; for at that time the Roman Empire was still enduring under one emperor, Phocas, and it endured for a long time afterwards, at any rate up to the division of the empire into West and East. And although there were then many impious kings in the earth, they had not yet altogether thrown off the yoke of the empire or had obtained supreme power. So neither were they the ten kings of whom John is speaking, nor could the little horn be Boniface III or any like successor to him.

15. Besides, not only do the actual events not agree with the words and vision of the prophet, but the truth of the thing is opposed. Because Boniface set up no kingdom as is predicted of the little horn by Daniel, nor did he receive or usurp any new power or jurisdiction; nay neither a new name or title, as has been often said. Therefore, although his personal rise or election to dignity was after the kings, yet the Pope, or the Pontifical throne, about which heretics are most of all speaking, could not be said to have arisen after the division of the empire into ten kingdoms, nay nor after any decline in it. For in

truth it began with the empire itself, and it began to have external splendor and majesty while the empire was still flourishing under Constantine; but in external or temporal dominion it grew a little, and had various vicissitudes over time. Therefore in no way can be said of it that it came after the ten kings, or after all the kings among whom the Roman Empire was divided or must be divided. And hence neither can those ten kings be the Catholic or Christian kings who have hitherto marched under obedience to the Vicar of Christ.

16. All the other things, indeed, that the King of England, after his interpretation of the ten kings, adds to his exposition of the other words of John display so much absurdity that they do not need refutation. For, to begin with, he inflicts great injury, not only on the rest of the illustrious Christian kingdoms and on their kings, but also on his own kingdom and his own progenitors, when he calls all of them up to Henry VIII enemies of Christ for “making war with the lamb” and “persecuting the faith” and “persecuting the saints” and “cultivating idols, drinking down the chalice of idolatry along with the beast.” For what war have so many holy kings and Catholic princes raised up against Christ? Or which saints have they persecuted, or which idols have they worshipped? Certainly if to venerate the Pontiff, Vicar of Christ, was to persecute Christ, this did Constantine do, and the other pious and Catholic emperors and kings. If to repress the rashness and obstinacy of heretics is to persecute the saints, this did the ancient pastors of the Church, aided by the power of the Christian emperors, from the times of Augustine and other holy Fathers. Finally, if to venerate images or to use them with reverence is the cult of idols, this did all Christians from the beginning of the Church. Therefore, let him either make all the Catholic princes who were in the Church after Constantine, nay all the holy Pontiffs too, into antichristians, or let him cease to insult the later ones who were in it from the time of Boniface.

17. Besides, the interpretation of the words, v.14, “and the lamb shall overcome them,” that ‘to overcome’ is ‘to convert’ them so that they rise up against the Pope and the Roman City, is clearly repugnant to the propriety of the words and to the context of John when he says, about the ten kings, v.13: “These have one mind, and shall give their power and strength unto the beast.” For three of them, conquered and overcome by Antichrist, will transfer all their power to him, not voluntarily, but compelled by necessity, while the others, fearing his power, will help him and serve his counsels. And thus all will rise against Christ, as is subjoined, v.14: “These shall make war with the lamb, and the Lamb shall overcome them,” not only the ten kings but also Antichrist himself, the principal enemy and leader in the battle. He will not, then, overcome by converting, but by fighting and by killing, and by properly and truly conquering them, “for he is Lord of lords, and King of kings;” and this is made more clear by the words that follow, “and they that are with him are called, and chosen, and faithful,” that is, those who will then exist will also conquer them or be partakers in the victory. Therefore, those kings who will be conquered will not be called, or chosen, or faithful; therefore ‘to be overcome’ is not ‘to be converted’ but ‘to be destroyed’. And this is also confirmed by the same John in ch.16 where he says that three evil spirits will, v.14, “gather the kings of the earth to the battle of that great day of God Almighty,” that is, the day on which God will show his power against them, conquering and overcoming them in miraculous fashion, as the same John describes in ch.21. For without doubt this battle of the great day of God Almighty is nothing but the battle of Gog and Magog, of which he treats in

the same ch.21, as the better interpreters have understood it. Lastly, we will from the places of *Daniel* a little later confirm that this is the true sense of that prophecy and of the victory to be achieved by Christ.

18. Hence it is clear too that it is altogether false that those ten kings are to be converted by God to be against Antichrist, or that they will fight against him and will conquer him and his seat, and will pursue his royal city with so much hatred that they will deliver it to the fire and totally overthrow it. For this is repugnant to the express words of John cited a little before, v.13: "These have one mind, and shall give their power and strength unto the beast." For from the following words too, which we have expounded, is clearly collected that they will persevere in that state until they fight against Christ and are overcome by him; never, therefore, will they fight against Antichrist, nor overcome him.

Nay in those same words, which the king twists, is this clearly contained. For he says, v.17: "For God hath put it in their hearts," that is, of the kings, "to give their kingdom to the beast," that is, to Antichrist, "until the words of God shall be fulfilled," that is, are brought to completion, which were foretold about the destruction of Babylon and about the death of Antichrist himself. But God is said to have put it into the hearts of the kings, not by inspiring or suggesting, but (according to the mode of speaking of Scripture) by permitting, and by using their malice for the execution of his providence. In this way, then, will God permit those kings, perhaps previously Catholic but corrupt and wicked, to be joined to Antichrist, and to devote to him their favor and power, and thus to hand over to him their kingdoms, and make them tributary to fate, until the prophecies about Antichrist are fulfilled. The confederacy, then, will endure up to the end; never, then, will those kings rise up against Antichrist or his kingdom. Wherefore, if the "Babylon" and "whore" and "great city" which those kings will hate and "shall make desolate and naked" is Rome, assuredly is there thence rather drawn a proof that Rome will never be the royal seat of Antichrist and that the assailants against Rome will not be the enemies but the friends of Antichrist. When, therefore, the King of England numbers himself among those kings, saying "we hold the whore in hatred," he is numbering himself among the allies and supporters of Antichrist; let him see and consider, then, what the fruit is that follows from those his interpretations.

19. With the interpretation, then, of the ten horns thus exploded, and with the supposition that for certain they represent ten kings who will be at the time of Antichrist and will hand over, in the way explained, their power to him, it is more evident too that the little horn is Antichrist, as the Church has always understood. It remains, then, for us briefly to see how the prophet describes the little horn. For first must be weighed the property indicated in the word 'little', for it is set down to signify that Antichrist is to arise from the most vile beginnings and from the most abject parents and from an infamous nation, for not without mystery is that word added, as all have understood. And it is, in the other words immediately added, made more clear, since about the same little horn is said, *Daniel* 16.8: "there came up among them;" for it is signified there, as I noted above, that he will not arise from one of those kings but in their lands will appear.

20. Hence a second property can be noted, namely, that he will not have a kingdom by hereditary right; but from small beginnings, by various arts and impostures and tricks of the demon, he is in a short time so to grow in strength that "before him there were three of the first horns plucked up," that is, that in a brief time "he shall subdue

three kings” and his look “was more stout than this fellows,” as is said in the same place, vv.24, 20, and as Theodoret rightly expounded when he said: “Because he saw the horn being born, he called it small as having proceeded from the little nation of the Jews, and as obtaining in the meantime an obscure kingdom, but, after he has plucked up three kings, he rightly calls him greater than the rest.” Again, the third property I collect from the same words, namely that he will be first and chiefly a tyrant, who will begin his kingdom first with industry and corrupt arts, afterwards he will increase through power and wars, overcoming three kings and depriving them of their kingdoms, and subjecting the rest to himself, or joining them to himself as inferiors and weaker, as is made more clear by John in *Revelation*.

21. The fourth property can be taken from the words, v.8: “and, behold, in this horn were eyes like the eyes of man, and a mouth speaking great things.” Where, by eyes of man, Theodoret understands to be signified interior mind and judgment, and that the eyes of man are attributed to Antichrist because he will be very astute and will govern with human prudence. Others expound it more simply in this way. Although he is going to have the face of a man, because he will be a true man, he will not speak as a man but as a most proud demon; because John elsewhere said, *Revelation* 13.11: “he spake as a dragon.” For he is said to speak “great things,” or grand things, both because he will bear himself in great pride, and also because he will speak forth blasphemies against God; for as is immediately subjoined, *Daniel* 7.25: “he shall speak great words against the most High,” for both are properly signified in those words, and one is the consequent of the other. For he will with incredible arrogance proclaim himself to be God (as we noted from Paul), and so he will direct himself against the most high God and speak against him.

22. The fifth property is taken from the words, v.25: “he shall wear out the saints of the most High, and think to change times and laws; and they shall be given into his hand until a time and times and the dividing of time.” Which words are about the persecution of Antichrist and the time of its duration, which were expounded above as occasion demanded. Now to be noted are only the words: “he shall...think to change times and laws.” Wherein is declared that the persecution will not only be temporal and political because of temporal domination, but at the same time, and most of all, spiritual, for he will try “to change times,” that is (as Jerome says), ceremonies, feast days, or certainly the whole Religion that has for a long time been established in the world and been rooted in the hearts of men, “and laws,” that is, both divine and human. Nor will he himself profess any of the ancient religions or laws, but will introduce a new one, believing that he can change laws and times. And the same notes of Antichrist does Athanasius in the said epist. *Ad Solitar. Vitam Agent.* collect when he says: “Does not Daniel’s vision in these notes surely signify Antichrist? Namely, because he will make war with the saints, and shall prevail against them, because in malice he will surpass all who were before him, and because he will subdue three kings, and will speak words against the most High, and because he will plan to change the articles of both times and laws.” The sixth property can be collected from the following words, vv.26-27: “But judgment shall sit, and they shall take away his dominion, to consume and to destroy it unto the end. And the kingdom and dominion, and the greatness of the kingdom under the whole heaven, shall be given to the people of the saints of the most High, etc.” For in these words is put as note of Antichrist that he will arrive near the times of judgment, and

that only by the coming of the supreme king Christ will his kingdom be consumed and he himself be killed. Which property, as pertaining to the times of Antichrist, we explained above, and it is pointed out there by Jerome, Theodoret, and other interpreters.

23. Now these properties of Antichrist the same prophet in the following chapters partly confirms and clarifies further, partly also increases them. For in ch.8, after he has reported the vision of the ram, the he goat, and has declared them of Darius the king of the Persians and of Alexander the Great king of the Greeks, he finally at the end puts forward certain things that, although they are literally understood about Antiochus, who descended from the Greek kings that succeeded Alexander and much vexed the Jews, have been by many Fathers understood to be in his person said of Antichrist. Especially Irenaeus bk.5 *Contra Haereres* ch.25, and Origen bk.6 *Contra Celsum* near the middle, and Gregory bk.32 *Moralia* ch.12, elsewhere 14. And in truth the words of the prophet so properly square with Antichrist and are so consonant with the things that are in other places said of Antichrist, that they seem to be said of Antiochus chiefly because of him. For his beginning is foretold in these words, v.9: “And out of one of them came forth a little horn,” and again, v.23: “a king of fierce countenance...shall stand up,” where his morals are also noted. But about his progress it is added, v.9: “which waxed exceeding great, toward the south, and toward the east, etc.” Of his state is said, v.10: “he waxed great, even to the host of heaven.” Now his astuteness and arts, by which he will rise, are signified in these words, v.23: “understanding dark sentences,” and again in these, v.24: “And his power shall be mighty, but not by his own power,” that is, not power of himself but of the demon, God permitting it. Now of his wars and cruelty it is said: “and he shall destroy wonderfully, and shall prosper, and practice.” Next, his pride and battle against God is thus described, v.11: “Yea, he magnified himself even to the prince of the host, and by him the daily sacrifice was taken away, and the place of his sanctuary was cast down.” And again, v.25: “he shall magnify himself in his heart...he shall also stand up against the Prince of princes.” And then about the persecution of the saints it is said, v.10: “it cast down some of the host and of the stars to the ground, and stamped upon them.” And again, vv.24-25: “he shall destroy the mighty and the holy people. And through his policy also he shall cause craft to prosper.” And lastly about his end is it said, v.25: “he shall be broken without hand,” which sufficiently accords with the words of Paul, 2 *Thessalonians* 2.8: “whom the Lord shall consume with the breath of his mouth.”

Although, therefore, these things were truly and literally fulfilled in their own way of Antiochus, yet they are believed to have been said by antonomasia of Antichrist; for in him are they all with greater fullness and excess found as if in the head of Antiochus himself and of evil men. Now from all these things are the six properties noted above chiefly made clear. And there is only added another about the mode of his being killed, which can be the seventh. For the eighth can be taken from ch.9 of the same prophet in almost its last words, v.27: “for the overspreading of abominations he shall make it desolate;” for although it is in other ways expounded both there and in *Matthew* 24, nevertheless it is very probable that it is also understood of Antichrist, as Irenaeus wished bk.5 ch.25, at least in a secondary or mystical sense. For the literal discussion is not there of Antichrist, but of the destruction of Jerusalem done by Titus, as is clear; however the words agree much more with Antichrist, according to what we said when expounding the words of Paul and of *Revelation*. The eighth property, then, is that he will make himself God and will sit in the temple so that he is worshipped, and he will place his image, and

through it too will he be worshipped as God, as is said in *Revelation*. And this will be further confirmed from the following testimony.

25. For there is another similar place in the same prophet ch.11, from the words, v.21: "And in his estate shall stand up a vile person, to whom they shall not give the honor of the kingdom; but he shall come in peaceably [alt. secretly], and obtain the kingdom by flatteries [alt. fraud]." For in the whole first part of the chapter Daniel had prophesied about the kings of the Persians and the Greeks, and more at large about the successors of Alexander, and especially about the kings of Syria and Egypt, whom he calls the kings of the south and of the north, and eventually he comes (as Jerome deduces) to Seleucus Philopator, the son of Antiochus the Great, whom he calls, v.20, "a most vile person, and unworthy of the royal honor [alt. a raiser of taxes in the glory of the kingdom]," and about him he subjoins, "within a few days he shall be destroyed." And at once he adds the words, "And in his estate shall stand up a vile person, etc." Which words, according to the context of the letter and the sequence of the prophecy and of history, are without doubt understood of Antiochus Epiphanes, a most impious king, brother of Seleucus, who vehemently harassed the people of God, as is clear from the books of the *Maccabees*; and almost all that follows in that chapter is said literally of him, as Jerome admits there, and Theodoret and others, and it is taken from Chrysostom *orat.2 Contra Iudaeos*. Yet, nevertheless, the same Jerome, Theodoret, and other expositors there, and Gregory in bk.32 *Moralia* ch.11, and Prosper in *Dimidio Temporis* ch.9 understand many of those words to be said of Antichrist, because they very much befit him, and because Antiochus in many things was a type of Antichrist.

26. By those words, then, which we have reported, is confirmed and explained what is said in other places about the beginnings of Antichrist. For he is said to be "a vile person" just as he is said to be "a little horn," because he has a vile and despised origin, and therefore at the beginning "they shall not give to him the honor of the kingdom," because he will not originate from kings, nor will he obtain the kingdom by hereditary right, but "shall come in secretly, and obtain the kingdom by fraud;" because he will be cunning and will understand "dark sentences." But in the following words Daniel does indeed describe the wars and victories of Antiochus, when he says, v.24: "he shall enter...upon the fattest places of the province, etc." But under their figure are predicted the battles and crimes of Antichrist, and therefore sometimes they are so exaggerated that only with Antichrist do they seem able to agree. Such is the remark, v.24: "he shall do that which his fathers have not done, nor his fathers' fathers;" which things Jerome notes are not properly accommodated to Antiochus, because he did not in kingdom and riches exceed all his predecessors. They are set down, then, because of Antichrist, who will obtain a much fuller power and monarchy than Antiochus obtained. But afterwards the prophet describes the persecution of Antiochus against the Jews, depicting also in figure the persecution under Antichrist of the Church, to whom do most agree the words, "he shall forecast his devices," namely his counsels, "against the strong holds," and will arm power against the strong thoughts of the holy faithful, as the Fathers expound; hence it is said later, v.28: "his heart shall be against the holy covenant, and he shall do exploits." And later, v.31: "they shall take away the daily sacrifice, and they shall place the abomination that maketh desolate." All which things Antiochus did in his way; but just as everything in figure happened to the Jews, so were they a shadow in respect of the truth that will be in Antichrist.

27. But afterwards most properly are about the pride and blasphemies of Antichrist the words, v.36: “And the king shall do according to his will; and he shall exalt himself, and magnify himself above every god, and shall speak marvelous things against the God of gods, etc.” And later, v.37: “Neither shall he regard the God of his fathers...nor regard any god; for he shall magnify himself above all.” By which words is very well explained what we treated of above, where it is said of the little horn that it had a mouth speaking great things. Again, what we said about the words of Paul, that he will show himself as God, usurping the true place and worship of God. Hence the Fathers collect from this place that Antichrist will demolish the idols of the nations and will not worship the gods of the nations. From which Jerome also notes that these words so agree with Antichrist that they cannot be understood of Antiochus, who was an idolater, and compelled the Hebrews to worship the gods of the nations, as is narrated in the books of the *Maccabees*. This, then, can be the ninth property of Antichrist, namely that he will not be a worshipper of idols, which is to be understood to mean in public or of the ancient gods of the nations. For Daniel at once adds, v.38, that he will honor the God ‘Maozim’ [“God of forces”], about which there is much controversy and various expositions as to who he will be, but these are not important for the present. And it seems more probable that Antichrist will have some secret place in which he will secretly worship the demon, his helper, under some image or idol, as I treated of in vol.2 part.3 disp.54 art.4; where I did not say, as some have imposed on me, that perhaps those words are to be understood only of Antiochus, but I reported this opinion in first place, and then I preferred the common opinion, that of Jerome and of Theodoret, and I confirmed it with the argument of Jerome, which I have also touched on in the present place, and it is a very strong one.

28. Next, in the remaining part of the chapter the prophet foretells the battles and victories of Antichrist, and in particular how he will conquer the three kings of Egypt, Africa or Libya, and Ethiopia, and will seize their kingdoms. But afterwards he will come with great power to Jerusalem, to war against it, vv.44-45: “he shall go forth with great fury to destroy, and utterly to make away many. And he shall plant the tabernacles of his palace between the seas in the glorious holy mountain,” which Jerome and others expound of Mt. Zion or Mt. Olivet. And finally about his death is subjoined: “yet shall he come to his end, and none shall help him,” because, that is, *2 Thessalonians* 2.8, “the Lord shall consume him with the spirit of his mouth,” or with his empire, and, *Daniel* 8.25, “without hand;” for the Lord will command the earth to be opened so as to devour him, and he will be cast alive into hell, as is said in *Revelation* 19.20. But a little later in ch.12 Daniel declares how long a time the persecution of Antichrist will last, how shortly after his death there will be the judgment and universal resurrection, as Augustine expounded in bk.20 *De Civitate Dei* ch.23, and as was fully expounded above. And these, more or less, are the notes and signs of Antichrist wherewith Daniel has described Antichrist for us, which are pursued more extensively by Jerome and Theodoret and, among the moderns, by Pereira bks.8 & 14 on *Daniel*, and by Malvenda here and there in his learned books on Antichrist.

29. Let all, then, who have faith in the Scriptures, compare these properties and notes of Antichrist with those that are manifest to the whole world about the Roman Pontiff, and they will be able to see clearer than light how great was the impudence, and the horrendous rashness, or rather insanity of the heretics who have dared to dishonor the venerable Apostolic See with such incredible infamy, and how great is the blindness of

those who allow themselves to be tricked by their trifling and inane thoughts. For Antichrist's beginnings will be abject and obscure, not only in race and origin (for that is not much to be concerned about), but in kingdom and power. But the origin of the Roman See cannot be conceived, as to its very dignity, to be higher, for it was founded by Christ himself and has thence flowed by legitimate succession to individual persons, even the persons of Boniface and those after him. Next, Antichrist's kingdom will be by him begun through false arts and tyranny; but the kingdom of the Pontiff had no chief beginning after Christ, but had succession, not by fraud or tyranny but by legitimate election. Add to these that Antichrist's kingdom will be temporal, will begin through fraud, and will be expanded by wars and slaughter of enemies; but the primacy of the Pontiff is spiritual and, as to its dignity considered in itself, is always the same, and although it has, as to subjection of peoples, increased, yet not by corporeal wars, but by the word of God and the faith of believers. By which faith, as it has at one time been expanded, so by the infidelity of some it has in some places been diminished, although by the grace of God it always grows elsewhere. I pass over the rest that pertains to morals, times, seats, and ends, for we have above sufficiently compared them among themselves, and shown that they are not only diverse but even altogether opposite. And now we wish only to note, and to draw attention to, how great is in all these things the consonance and concord of the Scriptures, so that it is thence too apparent how violent to the visions of *Revelation* are the accommodations of Protestants; since these are not only willful and without precedent and contrary to the propriety of the words and against the truth of things, but they are also contrary to other clearer places of the Scriptures, by which, according to the prudent rule for interpreting Scripture, the more obscure places should be understood.

Sum of the things treated of in this book with an appeal to the King of England
Summary. 30. *Sum of the whole book in more or less each chapter.* 31. *Heretics a type of Antichrist.* 32. *Appeal to the King of England.*

30. Although the matter and argument of this book seem to contain nothing but calumny, or certainly rather horrendous blasphemy, and so to many of the prudent it could seem perhaps better to omit them than, with offense to pious ears, to bring a thing so incredible to the question; nevertheless we have judged that this our labor will neither be vain nor be of much offence to pious ears. For since the most serene King of England, in his discourse on Antichrist, seems to put such confidence in his conjectures that he boldly demands, as a thing arduous for us or indeed impossible, a response through the individual parts of his disputation to them, it has seemed, not only useful, but also necessary both to respond to them individually and also to show that everything objected has been without solid foundation thought out, and does not even deserve the name of conjecture. So much so that it is certainly to be wondered at, in a thing of such great moment that the hinge of eternal salvation turns on it, that prudent men could be carried off by such slight allusions or allegories.

For this cause, therefore, did we set down first a foundation about the person of Antichrist, and we demonstrated from the words, order, and concord of the Scriptures, and also from the common consent of the Fathers, that he will be a certain individual man. Next, by running through the individual parts proposed by the king, we have from

the same principles shown that, to begin with, his time has not yet come, and that the persecution, such as was not from the beginning, which is to be launched by him, has not yet begun, and that the witnesses to be sent against him have yet to appear. But afterwards we proved that his seat neither is nor ever will be at Rome. And lastly we have, from the properties foretold at large about him by the prophets and Apostles, considered the person of Antichrist, and how he will through incredible tyranny, and deceptive arts, and lying signs, and huge battles, ascend from the lowest beginnings to the monarchy of the world, and next that he will come to it in such great arrogance and pride that he will be exalted above all that is called God; we have so described him that it is very evident that no mortal man, much less the Roman Pontiff, has hitherto been so wicked and abominable.

31. But if some image of him is in any part of the earth to be thought of, we have shown that he is not certainly to be thought of in the holy Roman See, but in the chairs of heresiarchs, or on the royal thrones of pagans and schimastics who persecute the Roman Church. Just as Jerome called Antiochus and Nero Antichrist, Damascene Mahomet, Irenaeus the Marcionites and similar heretics, Cyprian all the adversaries of Christ. For none save some among these Antichrists and enemies of Christ has transferred such a name or such a calumny to the Roman Pontiff. Nor has it been able to arise in the thinking of him who, along with Augustine and other Fathers, has considered with attentive mind the plainly divine origin of that See, and its happy progress, and admirable stability.

32. It remains, most serene king, that, setting aside all perturbation of spirit, you should think over with attentive mind the force of the reasons and the weight of the authority, and should reflect how many absurdities do from a free study of Scripture proceed; considering at the same time the very grave words of St. Jerome who, when disputing with Porphyry on *Daniel* 11, thus concluded: "This therefore have I in more prolix manner set down, that I might show the difficulty of Sacred Scripture, whose understanding none claim without the grace of God and the doctrine of our elders for themselves save even especially the most unskilled."

BOOK SIX

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Summary: 1. He who in hatred of the Roman Church ill-treats any part of it persecutes the Catholic Church. 2. State of the controversy. 3. The reasons whereby the king excuses himself. 4. Ill treatment of Christians in temporal things is not persecution of the Church. 5. What Christian persecution or persecution of the Church is. 6. What persecution proper of the Church is. 7. The first means which persecutors are wont to use. 8. From the end itself of persecution is shown that the ill treatment of the English faithful is persecution of the Church. 9. The same is shown on the part of the means. How grave the persecution was under Henry. 10. How much the persecution increased under Edward, under Elizabeth, under James. 11. The second means of persecution. How much under Elizabeth. 12. And under James. 13. The meeting of the four Irish bishops for extirpating the Catholic faith. 14. An evasion that the king uses is excluded. 15. Other evasions of the king are refuted. 16. The progress of persecutions under King James. 17. His second evasion is met. The king is not excused from persecution because of the benefits that he reports he has, for reason of political governance, conferred on Catholics.

Chapter 11: Whether those who for the Roman religion and obedience are in England punished with death are to be numbered among true martyrs.

Summary: 1. So as to escape the disreputable mark of persecutor of the Church, the king asserts that faithful and religious men have been killed for crimes and treason. 2. The truth for the affirmative is shown. The Carthusian and Franciscan martyrs; again the illustrious martyrdoms of Thomas More and Rochester. 3. The martyrdom of Thomas, Earl of Northumberland. 4. The testimony of Baronius about the martyrs of England. The martyrs of the Society of Jesus. 5. Grave testimony for Henry Garnet of the Society of Jesus. 6. An evasion of the king is refuted. 7. From his own words it is demonstrated that some of those killed by him have died for Christ. 8. They are martyrs who, when offered the pardon they deserve from death, spit it back so as not to deny the Roman faith. 9. Those inflicted with death for not keeping an unjust law are martyrs. Many Catholics who were killed for transgressing the laws of King James have died for Christ. 10. For the same cause were the martyrs of the nascent Church being killed. 11. They are martyrs who for violation of laws prohibiting acts of the Roman religion are killed. 12. He who is killed because he is performing acts of the Catholic religion will be a martyr. 13. It is no crime of treason to obey the Pontiff. Confirmation from an edict of King James for the oath of fidelity. 14. Those who are in various ways ill-treated for the faith of Christ will not lack the glory of martyrdom. 15. A twofold way of enduring the aforesaid afflictions.

Chapter 12: Response to what the king objects against the second Pontifical Brief and against the letter of Cardinal Bellarmine.

Summary: 1. The king's refutation of the brevity of Cardinal Bellarmine. 2. The chief strength of the second Brief of Paul V. 3. Since the king does not have anything to object against the second Brief of the Pontiff, he uses exaggeration of words. 4. By what spirit the form of swearing the oath was contrived. 5. Response to the final inference of the king. 6. The king's objections against the letter of Cardinal Bellarmine are refuted. 7. The illustrious martyrdoms of Thomas More and of Rochester are vindicated from calumny. 8. The final objection of the king against Bellarmine.

Conclusion of the work and peroration to the King of England.

BOOK 6: ON THE OATH OF FIDELITY OF THE KING OF ENGLAND.

Preface: Wherein the foundation and origin of the controversy is declared.

Although this book is allotted final place in this work, since so it is required both by the connection of the things themselves and by the clarity and order of doctrine that the King of England held to in his own, nevertheless its matter and argument provide the foundation and occasion for this whole controversy, as the king himself at the beginning of his *Preface* fully makes clear. Wherefore, so that the target of the disputation may be held before the eyes, I have thought it necessary to put the beginning and origin of this sort of oath, and its progress up to the present state, before the eyes. In the first place, however, I take as supposition what neither Catholics nor schismatics bring into doubt, that an oath of fidelity due to a temporal king and presented in fitting form is in itself honorable and conformable to reason, such that a king may licitly exact it from his vassals, and such that they may be able, nay and should, piously offer it when it is by fitting way and reason required, and afterwards should be bound to observe it and fulfill it. For since the subjects of each king are, on the witness of Paul, bound to obey and keep fidelity to him, and hearken unto him in all that has regard to kingly power, as was shown in book 3, it is *per se* manifest that an oath about keeping this obedience and fidelity (which we call an oath of fidelity) is *per se* and by its object honorable; and thereupon it both can be demanded by a king for his greater security and stability, and should then be furnished and kept by his subjects. Hence too is, by the by, left clear that the form of this oath, so that it may be honorable, should be such that it not exceed the limits of royal power, because neither can a king justly exact promise of an obedience not due to him, nor are his subjects bound to do it or to swear it. Nay, if such promise is prejudicial to the rights of others, they cannot in conscience do it, as we will say more fully in what follows.

Now this oath of fidelity, although it is *per se* honorable, is not reckoned to be so necessary that it be exacted from individual vassals and persons of all orders in all kingdoms. Nay, rather, in republics well established and living in quiet and peace, and especially in Catholic kingdoms, it is accepted by usage that overseers and other princes, as magistrates, in the public assemblies of cities should, in the name of the whole kingdom, supply to the prince, either as soon as he receives the power of the kingdom, or even afterwards at prescribed times according to the custom of each kingdom, this oath of obedience and fidelity. Now it is not wont to be demanded of the people, not because it could not be done, but because the princes themselves, reigning in peace and tranquility and confiding in the fidelity of their subjects, judge it neither necessary, nor opportune, nor convenient. But in the kingdom of England, from the time when schisms and heresies began to be sown in it, even the custom of demanding from subjects a special oath began to be introduced. Hence, just as Henry VIII was author of the schism, so did he first himself begin to propose to his subjects a new form of oath, whereby he demanded that, not only civil obedience, but also the obedience that is due to the Roman Pontiff alone be promised to him.

FIRST OATH PROPOSED TO THE ENGLISH

Sander reports in bk.1 *De Schismate Anglicano* near the middle that King Henry, almost at the beginning of his schism, asked from all the orders of his kingdom in the public assemblies that there be exacted from all ecclesiastics an oath whereby they would promise to him the same obedience that they had before been accustomed to promise to the Roman Pontiff; which, although it was at the beginning allowed, not simply, but with a certain limitation, as I will say below, yet the king, by this reason, ultimately obtained what he was seeking. Now Sander does not report that a special form for giving this oath was decreed by Henry, but that he simply applied to himself the form in use for swearing obedience to the Pope, namely that it was to be promised with the same tenor of words and confirmed with an oath. Nor yet does he report that everyone from the people was compelled to give the oath, but only ecclesiastical persons, nor all of them, but those that had a vote in the assemblies, as far as can from that history be collected. Nor do I even find that at the time of Edward any similar oath was again proposed or demanded of the people or ecclesiastics. But Elizabeth immediately at the beginning of her reign, or in her first assemblies, which they call Parliament, delivered a new form of oath, and commanded all, lay primates excepted, solemnly to profess it; now the form of the oath is the following, as Sander reports it bk.3 at the beginning of the reign of Elizabeth:

FORM OF OATH FIRST PROPOSED BY ELIZABETH TO HER SUBJECTS AND
UNDER JAMES AFTERWARDS EXPANDED

I, A.B., do altogether testify and declare in my conscience that the Queen is the sole supreme governess both of this kingdom of England and of all the other dominions and regions of Her Majesty, no less in all spiritual and ecclesiastical things or causes than in temporal, and that no external prince, person, prelate, State, or potentate, either in fact or in right, has any ecclesiastical or spiritual jurisdiction, power, superiority, preeminence, or authority in this kingdom. And so I completely renounce and repudiate all external jurisdictions, powers, superiorities, and authorities.

Now rightly does Sander note that the woman was afraid or ashamed of usurping the name of head of the Church that Henry had arrogated to himself, and therefore she changed the name into that of supreme governess. In fact, however, there was, he says, no difference save in name only, for what the king had said with a metaphorical name, Elizabeth said with a more proper one. Nay, afterwards many suspected that the queen intended something more by that formula of oath, namely to arrogate all spiritual power to herself, even in the administering of the sacraments; but she declared that she wished to attribute in those words nothing other to herself than what had by the Orders been conceded to her father and brother under the name of head of the Church.

This form of oath, then, was kept in the time of Elizabeth, but afterwards James expanded it by adding a special promise of keeping faith and obedience to the king, because of which it could now be called an oath of fidelity; for before it seemed to be a sort of sworn confession or profession of primacy, as of a certain article of the Anglican faith. The form, then, of the first oath presented by King James, which he himself reports in his *Apology*, besides the formula above, adds only the following promise:

I, A.B., do etc. and I promise that hereafter I will give faith and true obedience to His Royal Majesty and to his legitimate heirs and successors, and that I will, with all my strength, assist and fight for all the jurisdictions, privileges, preeminences, and

authorities conceded or due to His Royal Majesty and his heirs and successors, or united and annexed to the imperial crown of this kingdom. So help me God, etc.

Afterwards, however, as at the beginning of his *Preface* and at the beginning of his *Apology* and often in his book, the king stresses that, on the occasion of a treason or plot that was aimed, through an attack of gunpowder, at him and the public orders of his kingdom gathered together into one, he himself contrived a new form of oath, which he ratified by public law and decree, that was to be demanded of and given by all who were his, both so that any associates of that crime still left over might be apprehended, and so that he might render himself and his more secure from the like dangers and machinations. Now the form of the oath is as follows:

THIRD FORM OF OATH, WHICH WAS BY KING JAMES THOUGHT OUT AND DEFENDED

I, A.B., do truly and sincerely acknowledge, profess, testify, and declare in my conscience, before God and the world, that our supreme Lord, King James, is the supreme and true king of this kingdom and of all other dominions and lands of His Majesty, and that the Pope, neither by himself nor by any other authority of the Church or of the Roman See, or by any means in company with certain others, has any power or authority to depose the King, or to make disposition of any of the dominions or kingdoms of His Majesty, or to concede to any external prince authority to injure him, or to invade his lands, or to discharge any of his subjects from their obedience and subjection to His Majesty, or to give any of them license to bear arms against him, to sow discord, or to cause any violence or loss to the person, the State, or the governance of His Majesty, or to any of his subjects within his dominions.

Again I swear from my heart that, notwithstanding any declaration or sentence of excommunication or privation, whether done or conceded, or to be done or conceded, by the Pope, or his successors, or by any authority derived, or claimed to be derived, from him or from his See, against the said king, his heirs, or notwithstanding any absolution of the said subjects from their obedience, I will nevertheless give faith and true obedience to His Majesty and to his heirs and successors, and I will defend him and them with all my strength against all plots or attempts whatever that against his person or theirs, and against his and their crown and dignity, will by reason or color of any sentence or declaration or in any other way have been committed, and I will expend all my effort to reveal and make manifest to both His Majesty and to his heirs and successors all treasons and treacherous plots that against him or any of them may come to my notice or hearing.

In addition I swear that I do from my heart abhor, detest, and abjure, as impious and heretical, this doctrine and proposition, that princes excommunicated or deprived by the Pope can either be deposed and killed by their subjects or by anyone else whatever.

And further I believe, and in my conscience am resolved, that neither the Pope nor anyone else whatever has power to absolve me from this oath or from any part of it. Which oath I acknowledge has been with right and full authority legitimately administered to me, and I renounce all indulgences and dispensations to the contrary. And all these things I completely and sincerely acknowledge and swear according to the express words here by me pronounced, and according to the plain and common sense

and understanding of the same words, without any equivocation or mental evasion or secret reservation whatever. And this recognition and acknowledgement I make from my heart and my will and truly, in the true faith of a Christian man. So help me God.

Now, on the occasion of this oath, not only doubts, but various opinions too and dissensions rose up among the Catholics themselves of England. For many shrank from giving such an oath for the reason that, in the formula for swearing it, the obedience due to the Pope, although not expressly, is directly and implicitly denied and is promised to the king, and thereupon is virtually contained and recognized therein the article about the primacy of the king. But others said that they could without scruple of conscience give that oath, provided it was done with the mind and intention of promising only civil obedience to the king, for the other things, since they were not contained in the oath, cannot, if the intention of the swearer is correct, be attributed to the swearer; because, although others perhaps might suspect something, that is only from ignorance which, by an admonition and protestation made beforehand in the presence of Catholics, can be sufficiently removed, and thus all scandal avoided. Now with this taken out of the way, there seemed to them to be no internal malice in the oath. But since, deceived by these colors and induced, perhaps, by a certain human fear, some even of the first Catholics and ecclesiastics, not only descended into this opinion, but even took the lead in giving the oath, it was necessary, in a matter so grave and exposed to dangers, for the Supreme Pontiff to apply, by his own pastoral care, a suitable remedy. Wherefore Our Most Holy Lord, Paul V, admonished the Catholics of England, in letters given to them in the form of a Brief, what in so difficult a thing they should think and observe. The form of these letters is of such sort:

FIRST PONTIFICAL BRIEF

“Beloved sons, greetings and Apostolic benediction. With great sadness of heart have the tribulations and calamities always affected us that you undergo daily for holding the Catholic faith. But when we understand that everything is in this time more exacerbated, our affliction has been in extraordinary manner increased. For we have received that you are compelled, under proposal of most grave penalties, to enter the temples of heretics, to frequent their meetings, to be present at their public sermons. Assuredly we without doubt believe that those who have hitherto, with so much constancy, undergone the most atrocious persecutions, well-nigh complete miseries, in order that they might walk faultless in the law of the Lord, will never bring it about that they should be polluted by communion with those who have deserted the divine law. Nevertheless, impelled by the zeal of our pastoral office, and with the paternal solicitude whereby we labor unceasingly for the salvation of your souls, we are compelled to warn and to implore you that under no condition should you go to the temples of heretics, or hear their public sermons, or communicate with them in their rites, lest you incur the wrath of God. For it is not licit for you to do these things without detriment to the divine cult and to your own salvation. Just as also you cannot, without the most evident and most grave injury to the divine honor, bind yourselves with an oath, which we have in like manner with grief of our heart heard has been proposed to you to be given, having the tenor hereunder written, namely: *I, A.B., do truly and sincerely etc.* as above.

Which things being so, it should to you be clear from the very words that this sort

of oath cannot, with preservation of the Catholic faith and the salvation of your souls, be given, since it contains many things that are openly contrary to faith and salvation. Wherefore we admonish you that you should altogether guard yourselves from giving this and similar oaths; which indeed we more keenly demand of you because, having experienced the constancy of your faith, which has, as gold in the furnace, been tested by the fire of continual tribulation, we hold as a thing proved that you will with eager heart undergo any the most atrocious torments, and will with constancy meet in the end death itself, rather than injure in any respect the Majesty of God. Our confidence is also confirmed by that which is daily brought to us about your exceptional virtue and fortitude, which not otherwise than in the first beginnings of the Church shines in your martyrs in these now most recent times.

Stand therefore, having your loins girt about with truth, and having on the breastplate of righteousness, taking the shield of faith; be strong in the Lord and in the power of his might [*Ephesians* 6.14, 16, 10], nor let anything hold you back. But he himself, who will crown you, who beholds in heaven your combats, will perfect the good work that he has begun in you [*Philippians* 1.6]. You know that he promised his disciples that he would not leave them orphans [*John* 14.18]. For he is faithful that promised [*Hebrews* 10.23]. Hold therefore his discipline, that is, rooted and grounded in love [*Ephesians* 3.17]; whatever you try, do it with one mind in singleness of heart [*Colossians* 3.22] and in the unity of the spirit [*Ephesians* 4.3] without murmuring or hesitation [*Philippians* 2.14]. Since indeed by this shall all men know that we are the disciples of Christ, if we have love one to another [*John* 13.35]. Which love, indeed, although it is most to be desired by all Christ's faithful, certainly for you, most dear sons, is altogether necessary. For with this your love the power of the devil, who now so greatly rises up against you, is broken, since it rests chiefly for support on the contentions and quarrels of our sons.

We exhort you, therefore, by the bowels of Our Lord Jesus Christ, by whose love we have been snatched from the jaws of eternal death, that before all you have mutual love among yourselves. Truly were most useful precepts about exercising in turn fraternal love prescribed to you by Pope Clement VIII, of happy memory, in his letters in the form of a Brief to his beloved son Master George, Archpriest of the kingdom of England, dated the fifth day of the month of October 1603. These then diligently follow, and, lest you be held back by any difficulty or ambiguity, we instruct you to keep with exactness the words of these letters, and to receive and understand them simply as they read and lie, all opportunity taken away of interpreting them otherwise. Meanwhile we will never cease to pray God the Father of mercies that he mercifully have regard to your afflictions and labors, and guard and protect always, with his unceasing protection, you whom we endow mercifully with our apostolic benediction. Given at Rome in Saint Mark, under the signet ring of the fisherman, the tenth of the calends of October, 1606, in the second year of our Pontificate."

Because, however, some at that time, perhaps to deceive Catholics so that they might by that occasion not refuse the oath, spread about in England rumors whereby to render suspect the faith of those letters, saying that the Brief was not true, nor was written by the Pontiff, but was fabricated by someone else, therefore did the Supreme Pontiff write a second Brief, so that the truth of the first might be made more certain, whose tenor is as follows:

SECOND PONTIFICAL BRIEF

“Beloved sons, greetings and Apostolic benediction. It has been reported to us that there are found some among you who, although we by our letters, given in the form of a Brief last year on the tenth of the calends of October, made sufficiently clear that you could not with a safe conscience give the oath which was then being required of you, and although in addition we strictly prescribed that you should in no way give it, are now daring to say that letters of this sort about prohibiting the oath were not written from the opinion of our mind and by our own will, but rather by the consideration and industry of others. And for that cause do the same strive to persuade you that our mandates in the said letters are not to be listened to. Truly has this message perturbed us, and the more so because, having knowledge of your obedience (our sons uniquely beloved), who, that you might obey this Holy See, have piously and generously taken no account of wealth, resources, dignity, liberty, finally life itself, we never suspected that among you could the faith be called into doubt of our apostolic letters, so that, under this pretext, you might exempt yourselves from our mandates. But we know the cunning and the deceit of the enemy of human salvation, and to him rather than to your will do we attribute this resistance. For which reason we have decided again to write to you and once more to signify to you that our apostolic letters of the past year, given on the tenth of the calends of October, about prohibition of the oath, were written, not only on our own initiative and from our sure knowledge, but also after employment of grave and long deliberation about all the things that are in them contained; and to signify that you are on that account bound altogether to observe them, rejecting any interpretation that persuades otherwise. Now this is our simple, pure, and complete will, we who, solicitous for your salvation, think always those things that are more expedient for you. And that our thoughts and counsels might be enlightened by him, who has set our humility over guarding the Christian flock, we do unceasingly pray; whom also we daily beg that he might increase in you our sons, most greatly beloved, faith, constancy, and mutual charity and peace among yourselves. On whom all do we, with all affection of charity, most fondly bestow our blessing. Given at Rome in Saint Mark, under the signet ring of the fisherman, the tenth of the calends of October, 1607, in the third year of our Pontificate.”

Stirred up by these pontifical letters, and by the epistle from the most illustrious Cardinal Bellarmine, written to the Archpriest of England, the King of England, against each Brief and the epistle, and in defense of this last oath, wrote a little book, or had it written, keeping his own name secret. In which he chiefly tries to show that nothing other by that oath is exacted of his subjects than civil obedience and fidelity; and therefore does he vehemently complain that his subjects are being deterred from giving him civil obedience. For thus does the king himself at the beginning of his *Preface*, p.13, affirm, and in another place of his *Apology* he speaks thus: “As to what concerns the next head of the letter, wherein he forbids all pontificalists to enter our churches or to frequent our rites and ceremonies, I do not now have a mind to touch upon these things; since indeed that part alone now of the business presses, that I should to the world speak out the injuries and injustices of the Pontiff who forbids my subjects to profess their obedience toward me.” And in another place, with great weight and exaggeration of words, he thus affirms: “For I, as far as my mind can follow, do not believe the heaven is further distant

from the earth than the profession of civil obedience to the civil king is different from all the things that are in any way at all annexed to the Catholic faith or the primacy of St. Peter.”

Now these and many like things, which are in the *Apology* contained, were not left by Cardinal Bellarmine without sufficient response and attack. For as soon as the *Apology* came into his hands, he wrote an antidote for it, although keeping his name covered; wherein he proved that oath to be, not one of fidelity, but of infidelity, and not profession of only civil obedience to the king, but also of denial of pontifical power. The king, holding as it were that response in contempt, has in this second edition of his *Apology* judged that nothing should be thereto added. But almost at the beginning of his *Preface*, after he has inveighed bitterly against the author of that response and has very gravely complained of the injuries, reproaches, and other defects in its mode of writing, he finally concludes that the author “never directly responded to that on which the hinge of the cause turns.” By this occasion, indeed, he again there declares that there were two heads only which in his *Apology* he discussed: “First, to prove that in the oath of fidelity there is nothing contained other than the merely civil and secular obedience due to supreme princes from their subjects. Second, to show that this power over kings unjustly usurped by the Pontiffs is in conflict with the Scriptures, the Councils, and the Fathers.” Now, of these two heads, the latter has been extensively treated of by us in books 3 and 4, where we responded with sufficient directness to all the things that the king in that part of his *Apology* or his *Preface* adduced; but the other, which we judge to be briefer and clearer, we also briefly will pursue in this book. But lest he object to us also that we have strayed from the target, we will again a little more fully and distinctly put it forward.

Chapter 1: What is the target of the present controversy, and the state of the cause, and what method of disputation must be observed in it.

Summary: 1. Various kinds of oath of fidelity. 2. Catholic dogma is that an oath of fidelity in respect of civil obedience is licit. 3. Several Councils have taught the same dogma. 4. From the Council of Aachen the difference of ecclesiastical primacy from lay is proved. The opinion of Constantine about the jurisdiction of bishops. 5. Never formerly was it heard that a lay prince has spiritual jurisdiction. Rochester’s retraction in respect of the offered oath. 6. State and division of the controversy.

1. So as to put before our eyes the proper target of this disputation and the state of the controversy, various kinds of oath that can be exacted by a temporal king, and that are collected from what has been said, need to be distinguished. One can be said to be civil oath, because it is of only civil obedience in things merely temporal and truly pertaining to the power of a king. Another is sacred or ecclesiastical oath, that is, of only ecclesiastical or spiritual obedience to be given to a temporal king as to one having supreme ecclesiastical or spiritual power. By which oath the power of the Pontiff and the obedience due to him are as a result abjured. A third can be said to be a clearly and straightforwardly mixed oath, because by it profession is expressly made of both powers in a temporal king and obedience in both is promised to him, and consequently both are also foresworn to the Pontiff. A fourth can be said to be an extenuated mixed one, because by it civil obedience is expressly sworn; but covertly and under less clear words the obedience due to the Pontiff is denied and attributed to the king.

2. About the first kind of oath, as I said, there is no controversy between the Pontiff and the King of England. For however much the king complains that injury and injustice are done to him by the Pontiff in prohibiting his subjects not to promise to him and keep civil obedience, in truth it is not so, as Bellarmine rightly noted in his response to the royal *Preface* ch.2, and in the *Apology*, by responding to the objections against the first Brief of the Pontiff § ‘Pergit deinde auctor etc.’ Because in neither Pontifical Brief is rejection of such an oath found, nor can the king allege any Catholic author who has judged this kind of oath not to be in agreement with the Catholic faith. Wherefore without cause does the king labor in his *Apology*, p.25 and following, to prove from the Scriptures, Councils, and the Fathers that either civil obedience is in conscience due to kings or the oath whereby it is promised is licit; for that this is not only true but even a Catholic dogma is confessed by us all. But this and nothing else is proved by the testimonies alleged by the king, as we expressly showed in book 3 by running through them one by one. And certainly the testimonies of the Fathers, which he himself adduces, do eloquently so speak; for either they distinguish each obedience, or they speak with moderation and limitation. For Augustine, when he had said that Christian soldiers obeyed Julian, although he was an apostate and an infidel, at once adjoined: “When it came to the cause of Christ, they acknowledged only him who was in heaven.” But Tertullian, when saying, “We honor the emperor,” at once adds, “in this way, as it is both licit for us and expedient for him.” And there are like things in Gratian in *Decret.* 11 q.1 just before the end.

3. Nor is less superfluous what in his *Apology*, at the beginning of his response to the letter of Bellarmine, the king brings together from the 4th, 5th, 6th, and 10th Councils of Toledo to prove that an oath of fidelity made to a king by all his subjects is to be kept. For those Councils deal with a pure, licit, and honorable oath of fidelity, which was made even then in Spain to its kings and is also made now and is very faithfully kept. For it did not come into the mind of the Fathers of those Councils that there could in the Catholic Church be another sort of oath, whereby ecclesiastical obedience is promised to a temporal prince, or any spiritual power recognized in him or abjured in the Pontiff. Hence in the 10th Council of Toledo ch.2 it is expressly said: “If any of the religious, from a bishop down to a cleric of the last order or a monk, be found to have by profane will violated general oaths given for the safety of the king and of the nation or fatherland, let him be thereupon deprived of his proper dignity and excluded from place and honor.” Which words make it sufficiently clear that the discussion is about general oaths that are wont to be offered to the king in any human republic for its conservation, and for civil obedience, and for the safety of his own life and possessions. And in like manner are the other Councils clearly speaking of an oath that was accustomed to be made, not only between the faithful, but also among any Gentiles whatever. Hence the 4th Council of Toledo ch.25 thus speaks: “A sacrilege indeed it is if faith promised by nations to their kings is violated, because transgression of the pact is done, not only against them, but also against God, in whose name the promise itself was offered.” And in the same way do the others speak. Therefore they are dealing with a common pact between a king and his kingdom confirmed by an oath of fidelity, which is a purely civil and political oath, about which there is no controversy. Hence those Councils seem to have been adduced more for show and appearance than for proving the cause. Nor to the target of the cause is more pertinent canon 12 of the Council of Aachen under Louis and Gregory IV in article 2, or a

member of it, where those are in general condemned who rise up against a king and fail to keep with him their oath of fidelity. For that Council too speaks of a pure civil oath, both because no other was at that time heard of in the Church to be made to kings, and also because the Council premises as foundation: "It is clear that whoever resists a power given by God resists, according to the Apostolic teaching, the ordinance of God;" but the power of a king is only civil; of a like oath then is the Council speaking.

4. But if the King of England puts faith in that very grave Council, as is appropriate, I request first from him that he attentively consider the foundation laid down, for immediately at the beginning the Fathers thus speak: "It has seemed first that the norm of universal religion and of ecclesiastical discipline consists in two persons, namely the pontifical and the imperial." Which foundation it confirms first with the authority of Gelasius, who puts the authority of the Pope before the power of kings, next on the authority of Fulgentius, who says: "As much as pertains to the life of this age, there is found in the Church no one superior to the Pontiff, and in the secular world no one superior to the Christian emperor." And in part 3 of the same Council many things are handed on about the royal office and power, and in ch.5 of that part there is reported a saying of Constantine to the bishops: "God has given you power to pass judgment even on us, and therefore are we rightly judged by you, but you cannot by men be judged." When, therefore, Councils decree that oaths of fidelity made to kings are to be kept, they do not confound civil obedience with ecclesiastical, but lay down that to each is to be given what belongs to each, to Caesar what is Caesar's, to God what is God's. And thus is there about the first oath of merely civil fidelity and obedience no controversy.

5. But about the second kind of oath, whereby a faithful vassal of a Christian king recognizes him as supreme head or governor of the Church in ecclesiastical and spiritual things, and promises him obedience in the same spiritual things, there was formerly indeed no controversy in the Catholic Church, because never was such an oath heard of in it, because its matter was always judged sacrilegious and contrary to the doctrine of the faith. But from the times of Henry VIII that oath began to be introduced in the kingdom of England; and at the beginning that king himself did not dare to propose it in the assemblies of his kingdom, because it was a new thing and unheard of, and he knew that to Catholic men, and especially to ecclesiastics, it would be very bitter. And therefore he compelled Rochester, a man of great authority, to propose it and to persuade others of it by his own authority; now he, although he was not ignorant of the iniquity of the oath, induced at that time by fear or human reasonings, obeyed the king and proposed an oath to the rest of the bishops, not simply, but with a certain limitation added, namely, "as far as it was by the word of God permitted and licit for them." But afterwards he very heavily repented this lapse sprung from human weakness, and publicly called to witness that he should not have allowed the oath with that exception, as if it were a thing doubtful, but should have laid bear the truth by the word of God, so that others might not be induced into the fraud. Therefore, from then on schismatics and the fearful began to approve and give the oath, but Catholics to detest and avoid it. And the same disagreement among Catholics and heretics continues until now, and will continue endlessly as long as those schismatics persist in their error, since for us it is certain that the Catholic faith condemns such an oath.

Yet, nevertheless, the question now at issue is not about this oath, for the King of England knew well that the Roman faith condemns that oath and that it must not be

offered by his true and constant Catholic subjects; nay (as we will see below), for this cause does he say that he has changed the formula of the oath so that his subjects may not be led, with great danger, into those difficulties. For although he himself and other English Protestants think, in their own private error, that the oath is licit, because they think the promise is about a thing licit and due, nevertheless they do not deny, nor can they deny, if they do but use their natural reason, that it is unjust to give such an oath against one's conscience, whether with a mind not to fulfill it or believing that such obedience is only to be given to the Supreme Pontiff. Wherefore there does not remain between us on this point a controversy about the oath, but about the matter of it, which controversy coincides with the one about primacy, which was treated of in book 3.

And, for the same reason, there is no question about the third oath, which comprehends openly each obedience, civil and ecclesiastical. For since good comes from a complete cause and evil from some defect, and since one part of the matter of such oath is perverse, it is manifest that the whole oath is unjust. For just as a conjunctive proposition, one part of which is false, is simply false, so that oath, since by it is promised conjunctively, so to say, both civil and ecclesiastical obedience to the king as to supreme head, is simply unjust and detestable. Next, one who believes that a temporal king is supreme in temporal and spiritual things, although he is not in error on the first part but only on the second, is a heretic simply, because one heresy suffices to make a heretic; in like way, therefore, that oath is profession of a certain heresy and thereupon is abominable. And the same ought to be no less evident and certain about the fourth form of oath, wherein a promise of civil obedience to be made to the king, and the abjuring of pontifical obedience, is proposed, not clearly, but covertly and tacitly; because in morals those two are equivalent, and it matters little to constancy of faith that Catholic truth is denied openly or under some veil and pretense. Hence too on this point there is no principal controversy; but because it can, by the ignorant, be brought into doubt, we will below in an opportune place confirm the said truth.

6. The principal point, then, on which the king has established the controversy, is not about the right, so to say, but about the fact, that is, whether in the form of oath invented by the King of England there is exacted of subjects only civil obedience and in no way ecclesiastical obedience, neither expressly, nor tacitly, nor covertly, nor tenuously. And likewise, whether by that oath the primacy of the Pope is abjured and his supreme spiritual power denied, or whether profession is only made of supreme royal power in its order and rank, without profession of a spiritual power that it is usurping. For the King of England contends that in the oath is only contained a promise of purely civil obedience and profession of supreme royal temporal power. For thus does he say in his *Preface* p.12: "With very great study and very great concern I took care that nothing be in the oath contained beyond promise of that fidelity and temporal obedience which nature itself prescribes to all born in the kingdom." And later he says he wrote the *Apology* wherein he undertook to prove "that nothing was contained in the oath except what has regard to such merely civil and temporal obedience as is to supreme princes due from subjects." And he repeats the same in other places both of his *Preface* and of his *Apology*, some of which I have reported in the preceding preface. This, then, is what we must in the first place examine. And, to begin with indeed, we will discourse of the thing itself considered in itself and, by going through, as the king seems to demand, the individual parts of the formula of the oath, we will show how unjust and contrary to the faith the

oath is. Afterwards we will indeed easily reply to the things objected against the Pontifical Briefs.

Chapter 2: Whether in the first part of the formula of the oath anything beyond civil and contrary to ecclesiastical obedience is proposed to be sworn.

Summary: 1. Division of the formula of the oath into four parts. 2. In the first part of the oath of King James poison lies hidden. An evasion is excluded. 3. By the words of this oath the power of the Pontiff is abjured. 4. Chief reason. 5. Other errors that are contained in those words. 6. Another error. 7. The final oath contains virtually in itself the earlier ones.

1. The said formula of the oath is divided into four parts or paragraphs; the first is at its beginning, the second in the paragraph, “Again I swear,” the third in the paragraph, “In addition I swear,” and the fourth in the paragraph, “And further I believe;” these need to be broken up, and one must carefully consider whether in all or in some of them is found true the pronouncement of the king that nothing is contained in the oath except what has regard to civil and temporal obedience. Now, before I descend to the individual parts, I first give warning that it has by others been noted that the verb ‘I swear’ is not added on in the first and final sections, and so in them no oath is sworn, and thereupon as great a certitude required about the truth of the things is not so proposed in them that someone may not be able, without at least grave fault, to confess them, although he not believe them, as is necessary in the other two parts that are pronounced under oath. But this consideration is false and pernicious. For, first, it is beyond doubt true that even the things contained in the first and final part are proffered under oath. For in the first it is said, “in my conscience before God,” which two remarks taken strictly are wont to be forms of swearing oaths; and although, individually taken, they be sometimes ambiguous, yet taken together conjointly they mutually aid each other and determine the signification to an undoubted form of swearing. And the certitude is increased from the solemnity of the oath, and from its matter, and because it is at once said in the second section, “Again I swear,” and from the other things that I will now state. For in the final section is placed the phrase “in my conscience,” and it is next simply supposed that this oath is so valid an oath as to all its parts that the Pontiff cannot absolve anyone from any of them. And what takes away all doubt is said later, “And all these things I completely and sincerely acknowledge and swear.” And at the end it is concluded, “in the true faith of a Christian man,” and, “so help me God.” Which last words are sufficient for swearing to everything that precedes, as is also contained in canon right, ch. ‘Ego N.’ *De Iureiurando*. But I add lastly that, since in the first part is said, “I acknowledge, profess,” and in the final part, “I believe,” and since the matter pertains to the dogmas of faith, even if an oath not intervene, it will in that matter be a very grave sin to confess or profess anything false, because it would be against the confession of faith which is necessary for salvation, as witnessed by Paul *Romans* 10.9.

2. Taking this as supposition, then, I note, first, at the very beginning of the oath, “I, A. B., do truly and sincerely acknowledge, profess, testify, and declare in my conscience, before God and the world, that our supreme Lord, King James, is the supreme and true king, etc.,” that although these words, purely proposed and understood, seem to contain expressly nothing other than profession of temporal lordship and

kingship, yet in those words “our supreme Lord, King James” poison lies hidden. For, according to the intention of the speaker, and from his other formula for swearing that oath, which has never been retracted and is sufficiently known from his public profession and writings, and according to the common and received sense in that kingdom, the phrase “supreme Lord” signifies that he is supreme simply, as well in spiritual things as in temporal; supreme positively, I say, in his kingdom, because he is above everyone, both lay and ecclesiastic, and in both temporal and spiritual things, and negatively in respect of the whole world or the Church, because he does not recognize therein any superior. Since, therefore, in the very form of the oath, everyone who swears is compelled to recognize the king in that way as supreme lord, he is tacitly compelled to confess the king’s primacy in Great Britain and Ireland, and his exemption from all superior power, and consequently he is tacitly compelled to abjure the supreme spiritual power of the Pontiff. Thus, therefore, in that single phrase “our supreme Lord” something beyond civil and temporal obedience is contained.

Someone will say, let it be that this was the intention of the king, which can certainly not be denied, he deliberately did not express it in the formula itself, so that there might not in pontificalists (as he himself speaks) be caused a scruple of conscience which they could not set aside easily by swearing, not according to the intention of the speaker, but according to the simple sound of the words, and in the accommodated sense that those words could make, by understanding them only of supreme lordship in temporal matters. However this escape, although it might be sustained speculatively, as they say, and abstractly and with scandal removed, yet in use and in practice in such a place, and among such persons, and with the other circumstances, and with the danger of scandal that arises there at the same time, scarce can such a signification be removed from those words; and consequently it will be a sort of external confession and profession of the power of a king supreme in all matter, and without any limitation besides that which is added in the words themselves about lands subject to his dominion. Which limitation increases the rest of the words so that they are understood to be said without any limitation. And much more do the following words make it clear, where now not covertly, but expressly, the oath is extended beyond civil and temporal obedience. For the addition is:

3. “And that the Pope, neither by himself nor by any other authority of the Church or of the Roman See, or by any means in company with certain others, has any power or authority to depose the King.” Who, I ask, would say that by these words is only demanded from subjects such a civil obedience “as is to supreme princes due from subjects”? Certainly other kings of the Church are no less supreme princes in temporal things than the King of England, and yet neither do they exact such an obedience, nor do they believe it is due to them from their subjects, nor do their subjects recognize it; therefore the King of England plainly declares that he is speaking and thinking of himself as a supreme prince having no superior on earth, and is demanding this profession by that oath from his subjects. Next, by those words obedience is not so much sworn to the king as power is foresworn to the Pope; but to treat of the power of the Pope, and to propose swearing or foreswearing it, does not pertain to the civil or temporal power of a king, nor to the civil obedience due him; therefore those words evidently exceed the limits of civil obedience, both because the very words signify something else besides civil obedience due to a king, as is from them themselves manifest; and also because the very act of exacting such an oath, and of imposing the obligation to profess this or that about the power of the Pontiff, is an act of jurisdiction more

than civil, nay of a superior jurisdiction, or one not subject to the power of the Pontiff; because to civil power it does not pertain to prescribe limits to spiritual power, especially supreme spiritual power. Therefore, to make the thing clear in theological terms, in two ways does the king demand in those words an obedience more than civil, first in the signified act of proposing non-civil matter, second in the exercised act of using a power more than civil and in compelling his subjects to be subject to it and to recognize it by their profession.

4. Add that by those words is proposed profession of a certain error against a doctrine approved by the Universal Church. For although the matter is in truth ecclesiastical, if the doctrine proposed were true, it would be, however tolerable, a usurpation of jurisdiction; since, however, the form itself of the oath contains error, and since it compels subjects to profess it, not only does it demand something beyond civil obedience, but it also compels them to deny pontifical power and to confess something contrary to sound doctrine. The assumption is clear because that article of the oath includes this proposition and faith in it: "In the Pontiff or in the Universal Church there is no power to depose a baptized king in any case, or for any cause or guilt." For although in the form itself of the oath all those words "in any case, or for any cause or guilt" are not expressly added, they are contained in other equivalent ones, namely when it is said that "the Pope, neither by himself nor by any other authority of the Church or of the Roman See, nor with certain others, has any power or authority to depose the King." For if he has no power, he therefore has not have power to punish, nor does he by any other title have effective power for such an effect or such a deposition. And this same thing is amplified in the other clauses, namely that the Pope does not have power to depose the king from the kingdoms established under this dominion, or to concede to another king the authority to invade them. For all these depend on the principle that the Pope cannot compel him by such punishment of deposition, even if he be a heretic or a schismatic or a persecutor of Catholics, nor can use other means of temporal or corporeal coercion to punish him, or to defend the Church and to snatch Catholics from so great a danger. But how false this dogma is, and how alien to the principles of the faith, to the usage of the Church, and to all even right reason, given the supposition of the pastoral office that Christ committed to his Vicar, was sufficiently shown in book 3; and therefore I do not for the present further delay on the point.

Finally, of the same nature is the other section with which this part of the oath is concluded, wherein the king compels his subjects to swear that in the Pontiff there is no power "to discharge any of his subjects from their obedience and subjection to His Majesty, or to give any of them license to bear arms against him, to sow discord, or to cause any violence or loss to the person, the State, or the governance of His Majesty, or to any of his subjects within his dominions." Which section is of almost the same nature as the preceding, and it proceeds from the same error, namely, that in the Pontiff there is no power of coercion through corporeal violence or other temporal penalties; which doctrine is erroneous, as was shown in the same book 3. Wherefore in this section too there is something beyond civil obedience proposed for swearing, and spiritual power is usurped, and subjects are compelled to profess it in the oath itself and to acknowledge it in the king. And next too pontifical power is abjured and an error contrary to the faith is sworn.

5. Nay, there are here new errors involved. One is that the Pope does not have power of relaxing oaths, even if a just and reasonable cause intervenes; which is against ecclesiastical custom and the use and approval of General Councils ch.2 *De Re Iudic.* 6, and against the consent of Catholic doctors, and against the power of binding and loosing given to Peter, and thus made clear in the use and morals of the whole Christian people. And in addition it is also against reason, for in similar oaths is always either included the tacit

condition if the promise can be fulfilled without loss and danger to the swearer, but especially when the danger and loss comes from the injury and violence of him to whom the promise is made. Or there is understood the reserved right of a superior, who, notwithstanding the promise made by a subject, can prevent him from fulfilling it or from carrying out the promised action, if a just and reasonable cause intervenes, and consequently can relax the oath, by prohibiting the matter of it. Next this error supposes the prior one; for if the Pope can depose a king, it is as a consequence necessary that he can take away the bond of obedience and of the oath, because obedience is not promised to James as he is James but as he is king; hence if he ceases to be king, by that very fact obedience is not due to him, and thereupon neither is the oath binding; for once the matter of the oath has been taken away, the obligation of the oath must as a result be taken away.

6. Another new error is that not only is the Pontiff denied the power of deposing a king himself heretic, but also of coercing his subjects by penalties of this sort, as is clear from the phrase “to any of his subjects.” For it must be noted about the sense of those words that there is no one who teaches that the Pontiff can by his own choice, and without a compelling reason of justice, give any prince license to take up arms against another king or his subjects, and inflict on him any force or harm; just as also he cannot at will give license to subjects to stir up disturbances against their king, as the King of England in the discourse of this book seems to attribute to the Pope, as we noted and refuted at the end of book 3. For which Pontiff has ever arrogated this power to himself? Or which Catholic or which person in possession of the use of reason has ever taught or preached this? One should not, then, cover or extenuate those words by imagining that the sense of them is that the Pope cannot give that license at will or without cause, for this neither does the king fear nor has it ever come into the mind of men.

7. The sense, then, is that the Pontiff cannot inflict any violence or loss, not only on a king, but also neither on his subjects, nor give anyone license of doing anything the like against the subjects of the King of England, even if they are apostates and rebels from the Roman Church, and sowers or supporters of schismatics and heretics. In this way, then, we say that in those words a great and new error is contained, or certainly the same error about primacy is made more explicit. For what is this other than to profess that the subjects of the King of England do not have on earth another superior besides the king himself, and that they cannot be coerced or punished by another because of their crimes, even if they are pernicious to other Catholics and to the Church of Christ? Therefore by all these section is the supreme power of the Pontiff either expressly enough, or at least implicitly, denied and abjured, and attributed to the king. Hence the conclusion is drawn that it is both false that nothing is in this oath exacted besides profession of civil and temporal obedience, and that it is on the contrary very true that this oath is mixed and contains virtually whatever was in the former oaths being offered for swearing to. Nor do I see what might with any appearance of probability be said in reply to these reasons; but we will, in the following chapter, touch on a certain escape that the king insinuates.

Chapter 3: In the second part of the oath as well something beyond civil obedience and against ecclesiastical obedience is offered to be sworn.

Summary: 1. This second part of the oath differs in almost nothing from the first, and further it deprives the Pontiff of the power of jurisdiction. 2. Double sense of this second part. The first sense is excluded and is shown to be alien to the mind of the king. 3. The second sense intended by the king contains an error. 4. In that part of the oath is included profession of an error against the faith. How many sins lie hidden therein. 5. An evasion

is excluded. 6. The succeeding words of the oath contain an error and one similar to the preceding. Another error in the second part. 7. Subjects licitly can and should reveal treason to a prince. 8. Treason is not to be revealed if it is taken in an improper sense. 9. This revealing cannot be licitly promised in an oath. 10. The accusation placed against Garnet. 11. A thing heard in confession can for reasonable cause, with concealment of the person, be made manifest. First limitation of this doctrine. 12. Second limitation.

1. This part begins from the words, “Again I swear,” and contains almost nothing diverse from the preceding, but in it are made clearer all the things that are foresworn in the first part against the power of the Pope, in order, no doubt, that they may be understood to proceed not only of extra-judiciary power, so to say, or of power of acting through human force, but also of the power of jurisdiction and of judiciary power, which is in this second part more expressly denied and foresworn to the Pope in the following words: “Again I swear from my heart that, notwithstanding any declaration or sentence of excommunication or privation, whether done or conceded, or to be done or conceded, by the Pope, or his successors, or by any authority derived, or claimed to be derived, from him or from his See, against the said king, his heirs, or notwithstanding any absolution of the said subjects from their obedience, I will nevertheless give faith and true obedience to His Majesty and to his heirs and successors, and I will defend him and them with all my strength against all plots or attempts whatever that against his person or theirs, and against his and their crown and dignity, will by reason or color of any sentence or declaration or in any other way have been committed.”

2. In order, therefore, not to give any place for subterfuge, I ask whether the king understands that the sentence of a Pope deposing, because of crimes, a baptized king, and one who professes himself a Christian, can be just, or whether instead he believes that it is always unjust. The first, I believe, he will not assert, otherwise he would be inducing his subjects to swear to something very base, namely to not obeying a just sentence that brings with it a just command. For if the sentence is just, the command whereby subjects are bidden to keep it will also be just, since otherwise it could not be committed to execution. Again, if the sentence of deposition passed by a Pope against a king can be just, it will also be effective; therefore it has the effect of the punishment which it imposes. Hence, since a punishment imposed by sentence of deposition from the kingship is *ipso facto* to deprive the king of the dominion and property of his kingdom, a just sentence does effectively deprive him of the kingdom; therefore it is against justice and the obedience due to the Pope to resist such a sentence and to defend the person of the king against the execution of such sentence; therefore, he who believes the first understanding and nevertheless swears to this second part of the oath is swearing to a thing plainly unjust and wrong. And, in another respect, it is contradictory to want to keep obedience and fidelity to someone as to a true king whom you know has, by a just declaration or sentence, been with effect deposed from the kingship. So that if the Pope himself were to exact an oath from the faithful that, notwithstanding any sentence or declaration whatever of his deposition, even for the crime of heresy, passed by any General Council whatever, they will defend him in his See and supply him with the same obedience and fidelity, the oath would be unjust, because it would be about a thing unjust and contrary to the Church and to faith. Of such sort, then, is this oath of the king, if the said sentence is supposed to be just. This then the king will without doubt not admit, nor

do I even think that he has such an unfair valuation of his own state of things that, if he do concede that a sentence passed by a Pope against some king can be just, he would nevertheless deny that it could possess the same justice against himself. For what greater immunity or innocence could he allege in himself than in other kings who were rebels against the Roman Church or deserters and attackers of the faith? Or although he not acknowledge in himself a cause worthy of deposition, whence does he know that it cannot be in his successors, although nevertheless he exacts the oath equally about all of them? There is no doubt, then, that the foundation of this oath is that such a sentence cannot be just.

3. Hence, therefore, we draw the evident conclusion that the subjects of the King of England are required by those words to swear that a sentence of deposition against a king can neither be valid nor just; for this they do in truth profess when they swear not to obey such a sentence or to keep it. Hence we further conclude that the same are required to swear that there is in the Pontiff no power for passing such a sentence. The proof is that for no other reason does the king believe, and wish by his subjects to be believed, that that sentence will be unjust, except that it would be passed without any power and jurisdiction of the Pope over a king; for this yoke does the king try with all his means to break and to remove from himself, and therefore in his book he often repeats that he has nothing to do with the Pontiff and the Pontiff nothing to do with him, and the like. Nor can the king allege or claim in such a sentence any other reason of injustice that would be permanent and could give a foundation to this part of the oath. For, although at the beginning of his *Apology* he himself indicates two other causes, namely that disparity in cult of religion is not a sufficient cause to enable subjects to conspire against the king, and that he should, cause unheard, be condemned, which complaints I will treat of below; nevertheless neither of these is universal and lasting (to say nothing now of their quality). And thus the form of oath cannot be founded on those causes, both because the Pontiff had not yet written his Brief, about which the king is complaining, and also because the oath does not speak of a sentence passed or to be passed against the king or his successors; it comprehends, therefore, every sentence, whether it is passed when the party has been heard or whether not heard, or whether on account of disparity of religion, or whether for any other crimes or cause whatever. Therefore the injustice, which the king supposes in the sentence and on which he has founded the formula of the oath, does not exist, unless because he believes that it cannot flow from legitimate power and jurisdiction.

4. I conclude, therefore, that in the words of this oath not only is civil obedience demanded of subjects, but also profession of this error, that the Pope does not have power and jurisdiction to pass a sentence of deposition against a king for any cause at all, and thereupon I conclude that this proposition of the king is not true, "that nothing is contained in the oath except what has regard to merely civil and temporal obedience." And hence the further inference is drawn that subjects sin very gravely in giving that oath. For they outwardly profess that the Pope does not have jurisdiction over a king whereby he could pronounce a just sentence of deposition against him, for whatever cause and in whatever way he pass it, in keeping with the order that, if the power were not lacking, natural justice would demand. For he who makes this oath either believes or does not believe what he professes; if he believes it, he is in heart and deed a schismatic and errs in a doctrine of the faith; but if he does not believe what is contained in the form

of the oath and yet swears it, he sins both against confession of the faith and against the religion of oath, whether he swears without the intention of fulfilling what he swears, or whether he swears with the intention of keeping it; because in the first way he is a perjurer, in the second way he makes the oath a bond of injustice and proposes to obey men rather than God, by promising to obey the king against a just sentence and precept of the Pontiff.

5. But if the king say that those who swear simply do not understand everything that is contained in the oath, we reply that the excuse is frivolous, both because we are treating, not of the ignorance of persons, but of the quality and justice or injustice of the oath; and also because that ignorance can scarcely be invincible in Catholics, unless they are very rustic types and too little instructed in religion; because the literate and expert will easily understand the errors lying hid in the oath, and those who are less learned will at least be in doubt and will be bound to search out the truth; but no one is so ignorant that he could with a safe conscience rashly swear without first inquiring of what sort the oath is. Which above all has place in England, because, since all Catholics know, even rustic types, that the king and his counselors are pursuing the Pontiff with very great hatred and are rejecting the Roman faith, and since they see in the very form of oath many things foresworn against the Pontiff, they must be in doubt of what sort that foreswearing is; therefore if they swear rashly, they are not excused from the very serious faults that we have made clear are present in the oath. And then, since such oath results in contempt of the Apostolic See and loss to the Christian religion, it cannot be admitted without great scandal; and so Catholic pastors and doctors of the Church which is in England should not keep the truth secret and permit the simple to be ignorant, for in an event of this sort there is less evil in tolerating temporal affliction, or permitting the inconstancy of a fall in some, than to hide or disguise the truth.

6. And this discussion made about the unjust foreswearing of a just sentence which can by a Pontiff be passed against a king, can also be applied to the like foreswearing of any absolution from an oath of fidelity which the Pope can concede to the subjects of a king that is made in the words “notwithstanding any absolution of the said subjects.” For these words too exceed political obedience, because that the Pope can or cannot absolve from an oath is not matter of civil obedience but is ecclesiastical matter, having regard to the interpretation of the power of binding and loosing given to Peter by Christ the Lord. And in addition, these words are connected with the preceding ones and contain the same error; because the obligation of obedience in any order or state whatever lasts as long in the subject as the dignity or power and jurisdiction lasts in the superior, because these things are correlative and one depends on the other. Hence, in the case both of prelates of the Church and of civil magistrates, by the very fact that a superior person is deposed from his prelacy or magistracy the obligation of obeying such a person ceases in the subjects, because they are not now subject to him. Which also has place in the Supreme Pontiff, if he renounces the pontificate or is deposed for heresy; thus therefore, if the Pontiff can depose a king, he can also absolve subjects from obedience to him; therefore there is at least equal error in abjuring all absolution from fidelity made by the Pontiff as in abjuring all sentence of deposition. I add, indeed, that a new error is involved in this second part, because the Pontiff can, even without deposition from the kingship, command subjects not to obey a king who is stubborn in some error, or in some public and scandalous crime, and to absolve them from their oath of obedience

for the time being by way rather of suspending the obligation than of absolute privation, as we will treat of below when dealing with the censure of excommunication.

7. It remains to consider the final words of this paragraph, wherein there is required the oath of a special promise to reveal all treachery, in these words, “and I will expend all my effort to reveal and make manifest to both His Majesty and to his heirs and successors all treasons and treacherous plots that against him or any of them may come to my notice or hearing.” About this promise, then, I note that, if its words are taken in a simple and proper sense, it is honorable and contains nothing which either exceeds civil fidelity or is repugnant to sound doctrine. For “treachery” signifies the very great crime of *lèse majesté* against a prince or a republic, which in the vernacular is called ‘betrayal’; therefore treacheries of this sort, or treasonous plots, subjects are bound, even when a special promise is excluded, to reveal to their legitimate kings both by the law of charity and piety and observance toward them and the republic, and also by title of subjection and fidelity which by the very law of nature they owe by reason of that subjection to their prince; and therefore to strengthen and increase this obligation by promise and oath is honorable and holy. But it is necessary that the words “that...may come to my notice or hearing” be understood in a sound way of merely human notice, and that it not be obtained through sacramental confession; for it is in no case licit to reveal the seal of confession, as I will next say. And indeed, if the words of this promise were, as I said, simply taken, they include of themselves that clarification and limitation, because (among Christians and Catholics especially) those words, pronounced generally or indefinitely according to their common sense, do not propose any other sense, nor introduce any greater obligation.

8. But although this be true when one speaks of the force of the words and without consideration of special circumstances, nevertheless, when these are all weighed, one must beware of a double fraud or deception in the words. One is that by the name ‘treachery’ the king does not understand only that which is truly and in itself treachery, but also everything that is in his own judgment, and according to the errors of the preceding sections, reckoned to be treachery. Therefore, even if the king is legitimately deposed by the Pontiff, and his subjects are legitimately freed and absolved by the same Pontiff from the bond of oath and of obedience due to a king, every plot of the kingdom or of the republic or of the subjects to expel the king and free themselves from tyranny (if he is perchance exercising tyranny) the king will call treachery and a treasonous plot, although however in truth it is not such, but is a just defense or a just war or punishment, as I will show in the following chapter. When treachery, then, is understood in this sense, the exaction of such a promise is unjust; and it would be base and sacrilegious to swear it, both because, as I said, it is not treachery, for in that case faith is rather to be kept with the republic, or with the community of the subjects oppressed by force, than with the tyrant, who is unjustly oppressing them, since in truth he is not now king; and also because then the natural secrecy, under which notice of such a plot would be held, is obligatory, because it is about a thing just and necessary for the common good of the community which is justly defending itself; and therefore a promise contrary to that secrecy neither obliges nor can be honorable, and accordingly cannot be solemnly sworn. Wherefore those words, considered in themselves and taken on their own, so to say, might be lacking in suspicion; nevertheless, when taken together with what precedes,

they are to be avoided, because this latter sense seems to be most of all intended by the king.

9. Another fraud can be that the promise seems to be made even if notice is obtained through sacramental confession; for that this was the mind of the king, and of those who produced that form of oath, can be collected from this, that among them there is no sacramental confession, and they regard the seal of confession as nothing, and establish no difference between that notice and any other notice. Nor will he much doubt about this mind of the king who has carefully considered what he wrote about the seal of confession in his *Preface* p.147. For there, although he admits that scholastic doctors, from when they began to exist in the Church, have all asserted that whatever is revealed to a confessor under the veil of confession, however harmful and pernicious a thing it may be, the confessor is bound to keep secret the name of the one confessing; nevertheless he so proposes the doctrine that he seems rather to be making fun of it. For he says that: "From when those scholastic doctor fellows began to be in the Church, the ancient foundations of theology also began to be subverted by novelties begged from philosophy," signifying that the opinion about the seal of confession pertained to this lapse or defect of theology. But the Christian world is not ignorant that the innovators of this age have hatred for scholastic theology, either because they are ignorant of it, or because it more accurately uncovers and impugns their errors. However, that the foundations of that doctrine and opinion about the seal of confession are older than the scholastic doctors, and always were and are now in the Church, has been elsewhere expressly proved by us, and cannot now be treated of by the by in a worthy way, nor is there need, since the king, in the place cited, refused to contend about the doctrine as to this part of it.

10. He adds, however, that none of the ancient scholastics denied that, if something was made known to a confessor the hiding of which might cause great harm to the republic, the confessor can and should, as often as it happens, reveal the thing, though he hide the man, so that he might confront the danger. Which opinion he thinks to be so certain that he says that the contrary one, which he attributes to the Jesuits, contains a new and pernicious dogma, such that neither a king nor a republic can be secure where that doctrine finds protectors. But this doctrine he has there proposed and exaggerates for this cause, that he might accuse Henry Garnet of being aware of a plot that was not revealed and make him a participant in it through not allowing the excuse of secret confession. Although, not content with this charge, he adds later, and tries to show, that Garnet had knowledge of the plot, not in confession, but outside the sacrament. But as to what concerns Garnet's deed, I can say nothing with sure knowledge, because I was not present, nor have I been able to read a sure history of the affair. I know, nevertheless, that Garnet, whom I knew familiarly for many years, was a man adorned by God with great gifts of mind; for, besides the excellence of his genius and his eminent erudition, I always observed in him great candor of mind and integrity and probity of morals, which I have, by sure signs and testimonies, always understood that he preserved up to his death. Wherefore I have no doubt that, in keeping the plot secret, whether before he was arrested, or in giving his judicial confession, he preserved great prudence, fidelity, and truth. And therefore, since Cardinal Bellarmine affirms that many witnesses, and one of them grave in the first rank and beyond all exception, solemnly affirmed to have heard from Garnet's mouth at the very moment of death that he was not aware of the plot save

in sacramental confession, I think faith is to be given to both, namely, both to Garnet denying that he had any other notice, and to the witnesses affirming that Garnet denied it. Nor let the king take it indignantly if we prefer the testimony of the faithful and of Catholics to the testimonies of the heretics who have imposed on the king himself.

11. But as what to pertains to right, or to the doctrine asserting that a thing heard in confession can, in order to avoid a great harm, be revealed without revealing the person, we say that it is indeed true absolutely, and has never been denied by Jesuits; for Bellarmine in his *Apology* ch.13 frankly admits it, and I in vol.4 *De Poenit.* disp.33, when expressly clarifying the secret of confession and the precept about it, expounded in sect.3 n.3 that the secret must be understood in relation to the person of the sinner, and therefore, for utility's sake, a confessor can speak about the thing itself keeping silent about the person, which I again confirmed and made clear in sect.7. Nor will the king be able to show an author of the Society who has taught the contrary doctrine. They do however apply the necessary clarifications, lest anyone abuse the doctrine. One of them, in defense of Garnet and in response to the king, was acutely to be sure and prudently used by our Bellarmine, when he says that it is indeed licit in general words to warn a prince about a treachery known in confession so that he might avoid the danger; but yet it must be understood, in the first place, about a Catholic prince who believes in and holds in due reverence the religion of sacramental confession, and next about a pious and Christian prince of whom it can be presumed that he will not ask anything beyond what is right. Otherwise, a priest is being held to put himself in very great danger and difficulty, nor ought or can he licitly reveal the secret of confession to him whom he knows both to hold confession as nothing and to be going to try with all his strength to interrogate and make examination about the person of the traitor.

12. And to this has regard the other general clarification, that the understanding of the doctrine must be that it is licit then to speak about a thing itself known in confession when the person is neither directly nor indirectly revealed. Hence because in morals the danger is equivalent to the fact (for, *Ecclesiasticus* 3.26, "he that loveth danger shall perish in it"), therefore he who so speaks about the thing itself that he exposes the person of the one confessing to moral danger, that is, by giving moral occasion, or preparing the way, for it to come to his notice, is acting against the seal; for he is, at least indirectly, revealing the person, and so it is by no reason licit. Nor is this doctrine, so understood, contrary to the security of kings and kingdoms. For rather this very great religion and observance of the secret is necessary so that, by way of confession and by the counsels and warnings of the confessor, some remedy might be applied to these sorts of treasons and iniquities, which would otherwise clearly cease; for if penitents are not made secure of their safety by that secrecy, there would be no one who would dare in confession to reveal the like facts. And so those rather, who either mock confession or subvert its secrecy, are consulting too little the security of kings and kingdoms.

Finally, to return to our point from which we have digressed, since in the formula of the oath the King of England is exacting from his subjects a promise to reveal all treacheries that might come to their notice, Catholics can rightly fear, nay and believe, that it is demanded without any distinction, whether the notice be through confession, and whether revealing the treachery is done at the same time with revealing the traitor, or with moral danger of it, or in any other way at all. In which sense too that form exceeds civil obedience and involves something against Catholic religion. And therefore also in

this respect the oath is very suspect; and for that reason can Catholics and prudent men rightly demand a greater clarification of it, although they are bound for other causes simply to refuse it.

Chapter 4: Whether in the third part of the oath something beyond civil obedience and against Catholic doctrine is contained.

Summary: 1. The third oath of the King of England. Two kinds of tyrants are distinguished by theologians. 2. A prince, although governing tyrannically, cannot be licitly killed by private authority. 3. The contrary doctrine is condemned as heretical. Error of Wycliffe and John Hus. 4. Foundation of the true doctrine. 5. Whether it is licit to kill a prince in defense of one's own life. 6. What holds in defense of the republic. 7. A tyrant in title is licitly killed. 8. What is required for a tyrant in title to be licitly killed by a private person. 9. Another limitation. Final condition. 10. Opinion of others. 11. It is refuted. Response to Augustine. 12. A new difficulty. 13. The difficulty is explained. 14. A second difficulty. For what reason an heretical king may be deprived of lordship of the kingdom. 15. The difficulty is clarified. When a republic can deprive a tyrannically governing king of the kingdom. 16. A Christian kingdom depends on the Pontiff in deposition of a tyrannical king. 17. How a king can be punished after a just declaratory sentence. 18. A private person cannot, on his own authority, kill someone justly condemned to death. 19. From this doctrine an error is demonstrated in the third part of the oath. 20. It is also demonstrated from the very words of the oath. Second reason. 21. A twofold error included in the third part of the oath.

1. After the preceding oaths a third is in these words added, "In addition I swear that I do from my heart abhor, detest, and abjure, as impious and heretical, this doctrine and proposition that princes excommunicated or deprived by the Pope can be deposed or killed by their subjects or by anyone else whatever." In these words three things must be considered; first the doctrine itself, second by what right this oath is exacted of subjects, third how much these words are repugnant to the things by which the king promises to show that nothing is contained in this oath besides civil obedience. About the first, since the king, solicitous of his own security, often insists on the common question whether it is licit for a private person or for subjects to kill a tyrant king, and since on its true resolution much depends the understanding of this and the other parts of the oath, I have thought it necessary to preface a few things about it. There is, then, a distinction made by theologians between two tyrants; one is he who has, not by just title, but by force and unjustly taken hold of a kingdom, and who in truth is not king nor lord but occupies his place and wears his shadow; the second is he who, although he is true lord and possesses the kingdom by just title, is ruling tyrannically as to use and government, because, that is, either he turns everything to his own advantage, despising the common, or he unjustly harasses the subjects by despoiling, killing, perverting, or perpetrating other like things publicly and often unjustly. Such was Nero, for example, who is numbered among the tyrants that God sometimes permits to be lord by Augustine bk.5 *De Civitate Dei* ch.19, thus reading that verse of *Proverbs* 8.15-16: "By me kings reign...and tyrants by me hold the earth [alt. and nobles, even all the judges of the earth]." And among Christians is most of all to be numbered in this order a prince who leads his subjects into heresy, or something else as far as apostasy, or into public schism.

2. The present question, then, is principally dealt with in respect of a legitimate prince governing tyrannically, because the King of England speaks of these princes, and because we hold him in this rank of legitimate kings. We say, therefore, that a prince cannot, because of tyrannical governance or any crimes at all, be justly killed by private authority. The assertion is common and certain. St. Thomas taught it in bk.1 ch.6 *De Regimine Principum*, where he confirms it with the best moral reasons. The same is handed on by Cajetan, *ST* IIa IIae q.64 a.3, on which are other moderns, and by Soto bk.5 *De Iustitia* q.1 a.3, Molina vol.4 *De Iustitia* tract.3 disp.6, Azor vol.1 bk.8 ch.12 q.17, and ch.26 q.7, and vol.3 bk.2 ch.2 q.1, and ch.7 q.30, Cardinal Toletus in his *Summa* bk.5 ch.6, and the summists generally on the word ‘tyrant’. The assertion of this truth is agreed to by the jurists, Bartolus, Alexander, Socinus, Cardinal Praepositus, and the others whom he refers to, and Gigas follows them tract. *De Crim. Laesae Maiest.* q.65 the whole of it. The same is handed on by Lucas de Penna in bk.1 *Code* ‘Ne Armorum Usus’ bk.11, and by Conrad Bruno tract. *De Seditiosis* bk.5 ch.2 nn.9 & 10, and by Thomas Actius opusc. *De Ludo Sachor.* q.2 n.50 extensively and well, and Restaurus Castaldus, with many references, tract. *De Imperat.* q.82 the whole of it, and Paridius de Puteo tract. *De Sindicat.* § ‘An liceat occidere regem’, who intends this though he speaks confusedly, as I will say below. Covarruvias in *Epitom.* 4 *Decretal.* p.2 ch.3 §4 n.6. This truth is also in conformity with the precepts of *1 Peter* 2.13: “Submit yourselves to every ordinance of man [alt. to every creature] for the Lord’s sake, whether it be to the king, etc.” And later, v.18: “Servants, be subject to your masters with all fear; not only to the good and gentle, but also to the froward.”

3. But it is more in its species defined and the contrary condemned as heretical in the Council of Constance sess.15 where (as I reported in book 5) this article is condemned: “Any tyrant whatever can and should licitly and meritoriously be killed by any vassal or subject whatever, even by means of secret ambushes, notwithstanding any oath or confederacy whatever made with him, and without waiting for the opinion or command of any judge.” And the Council declares that they who stubbornly defend this article are heretics and must be punished as such. For this definition, as all modern authors understand, proceeds of a tyrant in ruling, not one in title and usurpation of kingship, which may be collected from the words themselves. For a vassal and a subject are properly spoken of with respect to a true prince and superior. Again the words, “notwithstanding any oath...made whatever,” include also oaths legitimately made to true kings; for the words are universal. Hence there is no doubt but that the author of that article at least spoke universally about all tyrants, whether in title or in governance, as is clear from his words and exaggerations. Again, because the article arose from the doctrine of Wycliffe and John Hus, who said that temporal lords, through any mortal sin whatever, lose their principality by that very fact, and can therefore be chastised by their subjects at will, as is contained in the same Council sess.8. Now the Council condemned the article because of its universality and precipitate nature, which it displays in all its articles and amplifications, and it chiefly condemns it in that it includes true kings and princes governing tyrannically. But it can also be extended to a tyrant who is so most properly through unjust usurpation and retention of a kingdom, if it is with all its exaggerations rashly asserted, namely “notwithstanding any oath or confederacy whatever made with him;” for this is false and against natural reason, which declares that compacts, especially sworn compacts, are to be kept.

4. But the reason for the assertion is that a king governing tyrannically might be killed by any private subject whatever either under title of just revenge or punishment, or under title of just defense of himself or the republic. The first is altogether false and heretical, because the power of avenging or of punishing offenses is not in private persons but in the superior, or in the whole perfect community; therefore a private person killing his prince under that title is usurping a jurisdiction and power that he does not have; therefore he sins against justice. The major is *de fide* certain, and is handed on by Augustine bk.1 *De Civitate Dei* chs.17 & 18 when he says that “it is not licit for any private power to kill a guilty man, license to kill whom is not conceded by any law,” and chs.21 & 26 when he says “he who kills another without public power or its just command is a murderer.” But the reason is both that revenge and punishment for offenses are ordered to the common good of the republic, and have not been committed except to him to whom the public power of governing the republic has been committed; and also that to punish is the act of a superior and of jurisdiction, so if it is done by a private person it is an act of usurped jurisdiction; and next, because otherwise there would ensue infinite confusion and disturbance to the republic, and occasion would be given for seditions and murders. But if for this reason it is murder to kill a private man by one’s own authority, even if he is a murderer, a thief, and an assassin, a much greater crime is it to lay one’s hands by one’s own authority on a prince, though he be unjust and a tyrant. Finally, because otherwise there would be no security in kings, for vassals easily complain that they are being by them unjustly treated.

5. The other title indeed of defense, although perhaps it might in some case be in place, yet not in the case of which we are treating, namely whether a king can be killed by a private person solely for tyrannical governance. Therefore we must distinguish whether someone is defending himself or the republic. Again, if himself, whether he is defending his life or limbs or against grave mutilation of body, or is only defending external goods and goods of fortune. For it will not be licit to kill an invading king solely because of defense of external goods; both because the life of a prince is to be preferred to these external goods on account of his dignity and because he represents God in a certain special way and holds his place; and also because a prince has a certain superior administration over the goods of all his subjects; and although perhaps he go beyond them, not for that reason is he to be resisted as far as killing. For it is enough that he remain afterwards obliged by justice to restore or compensate for the things taken away, and that the subject can demand them, as far as he can do so without violence. But if however the defense is of his own life that the king is advancing violently to take away, then indeed it will ordinarily be licit for a subject to defend himself, even if the death of the prince do thence follow, because the right to protect life is the greatest; and then the prince is not in any necessity that might oblige the subject to lose his life for him, but he himself has put himself voluntarily and unjustly in that peril. But I say ‘ordinarily’, for if the republic would necessarily be thrown into confusion by the death of the king, or would suffer some other great disadvantage against the common good, then charity for the fatherland and for the common good would oblige to not killing the king, even with peril of one’s own death; but this obligation pertains to the order of charity, of which we are not now treating.

6. If, however, the discussion is about the defense of the republic itself, this does not have place unless the supposition be that the king is actually aggressing against the

city so as unjustly to ruin it and kill the citizens, or something the like. And then certainly it will be licit to resist the prince, even by killing him, if defense cannot be done in any other way. Both because, if this is licit for one's own life, it is much more so for the common good, and also because the city itself or the republic then has a just defensive war against an unjust invader, even if he is its own king; therefore any citizen at all, as a member of the republic and expressly or tacitly directed by it, can in that conflict defend the republic in the way he is able. But we are not at present treating of the case where a king is actually carrying out aggressive war against the republic itself to destroy it and to kill the multitude of the citizens, but of the case when, reigning in peace, he troubles the republic in other ways and is harmful to it, and then there is no place for defense by force, or by ambushes against the life of the king, because then there is not being brought to bear against the republic an actual force that it is licit to repel by force. Hence to attack a prince then would be to start a war against him by private authority, which is in no way licit, "because natural order, adapted to the peace of mortals, makes this demand that authority for undertaking war should lie with the republic or the prince," as Augustine said bk.22 *Contra Faustum* ch.24. Again, because just as it is not licit on one's own authority to avenge, through someone's death, the evils he has committed, so neither is it licit on one's own authority to prevent future evils that one fears from someone by killing him. For the reason is the same, and in the case of private malefactors it is evident; the same then has place with greater reason in a prince.

7. Now, in order for us to be able to illustrate this doctrine more fully and to apply it better to the proposed section of the oath, there is first need to speak about the other member, that is, about a tyrant in very title, whether the preceding doctrine has place in him or not. For there is commonly drawn a distinction between these two kinds of tyrants; for the assertion is that this tyrant as to title can be killed by any private person at all who is a member of the republic that is suffering the tyranny, if he cannot otherwise free the republic from that tyranny. So thinks St. Thomas in *Sentences* bk.2 dist.44, which is 2 art.2 in the body of the text and in answer to the final objection, and almost all the doctors cited have followed him, and one can look at Conrad Bruno tract. *De Seditios*. bk.6 ch.3, where he reports various examples; they are, however, amassed from just and unjust acts and so do not prove the right but the use. The reason is, therefore, that in this case there is killed, not a king or prince, but an enemy of the republic. In this way the same St. Thomas bk. *De Regim. Princip.* ch.6 defends the deed done by Aod, *Judges* 5, who although he was a private person killed Eglon, King of Moab, whom Israel was in service to, because he was not true king of the people of God, but an enemy and a tyrant. The same is also handed on by Abulensis on that place q.26, and he adds that he could have been killed by any Israelite. Thus too did Judith kill Holofernes, *Judith* 4, which is praised in ch.5. Thus too does St. Thomas in the former place approve the opinion of Cicero praising those who killed Caesar, because he was usurping empire, not by just title, but by force and tyranny. Therefore do the doctors also say that the crime of *lèse majesté* was not committed against this tyrant, because in such a tyrant there is no true majesty. They also say that this sort of tyrant does not come with the name of 'prince', and therefore the decrees that say it is not licit to kill a prince do not include this tyrant, as can be seen in Gigas tract. *De Crim. Laesae Maiest.* q.65.

8. But St. Thomas above adds the limitation, namely that this is licit when no recourse can be had to a superior by whom a judgment about the invader can be made.

Which limitation has place above all when the tyranny is being exercised, not by a supreme prince, but by some inferior. For not only kings but also inferior potent lords can through tyranny usurp some lordship or jurisdiction or magistracy. For then, in a case of actual aggression, the people can resist an invader, although after he already possesses it in fact and is dominating, they cannot on their own authority kill him, nor start a new war against him, if they can have recourse to a superior. Because when they do have a superior, it is not licit for them on their own authority to take up the sword, and it will be less licit for any private person, otherwise everything will be thrown into disorder and great confusion will arise in the republic. And for that same reason, even when there is no superior to whom recourse can be had, it is necessary that the tyranny and injustice be public and manifest; for if it is doubtful, it will not be licit to remove him who is in possession, since in case of doubt his condition will be better, unless it is certain that the possession was tyrannical. Besides, in order for the killing of such a tyrant to be licit, it must be the case that it is necessary for obtaining the liberty of the kingdom, for if a tyrant can in a less cruel way be removed, it will not be licit immediately to kill him without greater power and examination of the cause.

9. In addition, the common opinion must be understood when no contract, or signed agreement, or pact confirmed by an oath intervenes between the tyrant and the people, as Abulensis noted above; for pacts and oaths, even with enemies, are to be kept, unless perhaps they were evidently unjust and done by coercion. Another limitation too must be applied, if the same or greater evils are feared for the republic from killing the tyrant than it is suffering under him. And thus Bartolus said, tract. *De Guelfis et Gebell.* 9, that it is licit in that case to kill the tyrant for the common good, but not for a private one. For if someone kills the tyrant so that he himself might become master of the empire through a similar tyranny, he is, because of the new tyranny, not excused from the guilt of homicide. Again if it is believed that the son of the tyrant or some like associate of his will inflict the same evils on the republic, it will not be licit, because an evil is done without hope of greater good, and because in truth the republic is not then being defended, nor liberated from tyranny, by which title alone would that death be justified. Next, it is necessary that the republic not expressly object; for if the republic is expressly opposed then it not only does not give authority to individual persons, but even makes clear that the defense is not appropriate for you who needs in this to be trusted, and hence as a result it happens that it is not then licit for a private person to defend the republic by the death of the tyrant.

10. But these things notwithstanding, there are not lacking authors whom this distinction and opinion do not please, but they think it should distinctly be said that it is not licit for a private person to kill a tyrant, whether he is a tyrant in governing only or also in title. Thus does Castro think bk.14 *Adversus Haer.* at the word 'tyrant', insofar as he is speaking distinctly; and the Council of Constance has the same understanding, and all its reasons tend in that direction. Azor proclaimed the fact more expressly when rejecting the said common opinion in vol.2 bk.11 ch.5 q.10. The foundation is, first, that the Lateran Council speaks about a tyrant absolutely and generally. Second, that Augustine bk.1 *De Civitate Dei* also says absolutely that without public administration it is not licit to kill anybody. Third, that St. Thomas does not say that this tyrant is laudably killed by any private person, but says indefinitely that he is laudably killed. Fourth, that no malefactor can by right be killed, nor can he who is in possession be overthrown in

fact, unless he is first heard and judged. Nor is evidence of the perpetrated deed sufficient, unless sentence precedes.

11. But these things are of little cogency against the received opinion. For the Lateran Council, as I said, does not state a universal negative proposition that no tyrant can be killed, but it condemns the universal affirmative that every tyrant can be killed, and not as stated absolutely but with many amplifications; and therefore its statement is reduced to this indefinite one, that not every tyrant can be killed before sentence pronounced against him; from which no argument against the common opinion can be taken. To Augustine I respond that the private man who kills a tyrant of this sort does not do it without public administration, because either he does it by authority of the republic tacitly giving consent, or he does it by the authority of God who has, through the natural law, given to each one the power of defending himself and his republic from the force that a similar tyrant is doing. To St. Thomas we reply that he speaks sufficiently clearly, for in the body of the article he says: "When the means are to hand, anyone can expel such a domination;" but in his solution to objection 5 he plainly means a private person by the word 'anyone', both by thus interpreting the words of Cicero about the killers of Caesar, and because he thus concludes: "For then he who kills a tyrant to free the fatherland is praised and receives a reward." To the final reason is said that it proceeds when someone is to be killed in punishment for an offense, or is to be deprived of the goods he possesses quietly, and without actual conflict, formal or virtual; but in our case the question is not about vengeance but about defense, nor does the tyrant have possession quietly but through actual force; because although perhaps the republic is not starting war, because it cannot, nevertheless (as Cajetan rightly notes) it is always waging implicit war, because it is resisting as much as it can.

12. But hence arises a new difficulty, because according to this doctrine there is no difference between the two cases or tyrants. Because even a tyrant as to title is not licitly killed by private authority but by public; but in this way it is also licit to kill a king governing tyrannically. Hence I argue further that a tyrant in title is to be killed either in vengeance for his crime or by reason of defense. It has already been said that in the first way he cannot be killed by any private person with private authority, both because to punish is an act of jurisdiction and of a superior, as I said above, and also because neither the republic itself, which has suffered the offense of such a tyrant, can in this way punish him, but by public council and with the cause cognized and sufficiently judged; and so, for a private person to do it, the tacit or presumed consent of the republic is not enough, but there is required an express declaration by a special or at least by a general commission. Hence too it would, by this title, not be licit for any external person, nay neither for a public person having jurisdiction over such a tyrant, to kill him by this title without the express commission of the offended republic. But if only by title of defense is this killing licit for a private person, there is thus no difference between the two tyrants; because it is also licit by title of defense for a private person to kill a true king who is tyrannically invading his own kingdom or city, as I said. Again, such a killing in that way is not licit by a power tacitly conceded by the republic to its members, but by authority from God, who by the natural law has given to each one the means to defend himself and his fatherland, nay to defend any innocent person. Therefore by this title to kill a tyrant is licit in both cases and both tyrants, not only for members of the republic, but also for foreigners; therefore there is no difference.

13. In the first place I reply to the last question that it is true that a tyrant seizing a kingdom without just title cannot be justly killed by any private person by way of vengeance or punishment; for this is proved by the arguments made in the first member of the dilemma. Hence I admit that, to this extent, there is no difference between this tyrant king as to the absolute reason of justice, although the crime with respect to a king proper is far graver and one of *lèse majesté*, which it is not in respect of the other tyrant but simple injustice and usurped jurisdiction. There remains, therefore, that only by right of defense is it licit for a private person to kill this tyrant. But herein there is a great difference between him and a corrupt king. For the king, although he is governing tyrannically, does not, as long as he is not moving actual unjust war against the republic subject to him, inflict on it any actual force; and therefore there is with respect to him no place for defense, nor can any subject by this title attack him or move war against him. However, a tyrant proper, as long as he is unjustly holding the kingship and is dominating by force, is always actually inflicting force on the republic; and so the republic is always waging actual or virtual war against him, not vindictive war, so to say, but defensive war. And as long as the republic does not make clear the contrary, it is always reckoned to be wanting to be defended by any of its citizens, nay by any foreigner too; and therefore if it cannot otherwise be defended except by killing the tyrant, any member of the public may licitly kill him. Hence also is strictly true that it is not then done by private but by public authority, or rather by authority of the kingdom wanting to be defended by any citizen as by its member and organ, or by authority of God, the author of nature, granting to each man the power of defending the innocent. Hence in this too there is no distinction between the two tyrants; for neither of them can be killed by private authority, but public authority is always necessary. The difference, however, is that this power is reckoned to have been committed to any particular person against a tyrant proper, but not against a lord proper, because of the distinction declared.

14. But from this there now arises a new difficulty necessary for the present purpose. For from this latter resolution about a tyrant proper, it follows that the former one, about a king governing tyrannically, only proceeds before there has against such a king been passed a sentence of deposition; not, however, after it has been passed, as the King of England badly infers and as is deserving of examination. For, to begin with, the consequence has a considerable foundation in the Council of Constance; because that Council only speaks of killing a tyrant prince by private authority, “without waiting for the opinion or command of any judge;” for in this way did the Council of Constance condemn the contrary assertion; therefore, if the legitimate judge of such a king, whoever he is or could be, has passed a just sentence against him whereby he has by that very fact deposed the king from the kingship, the definition of the Council does not now hold. Next, even the reason given ceases, and so the first assertion, as it has been proposed, will not then have place. For then the just and legitimate sentence being waited for is now assumed, and thus the aggressor is not proceeding by private authority but in virtue of the sentence, and consequently as an instrument of public authority. Next, after a king has been legitimately deposed, he is not now legitimate king or prince, and as a result the assertion that speaks of a legitimate king cannot hold of him. Nay, if such a king, persevering in his stubbornness after legitimate deposition, retains the kingship by force, he begins to be a tyrant in title, because he is not legitimate king nor does he possess the kingship by just title. The thing is made more clear in the case of an heretical king; for by

his heresy he at once is by that fact deprived in a certain way of the lordship and property of his kingdom, because either it remains confiscated or it passes by right itself to the legitimate Catholic successor, and nevertheless he cannot at once be deprived of the kingdom, but he justly possesses and administers it until by a sentence at least declaratory he is condemned of crime, according to ch. 'Cum Secundum Leges' *De Haeres.* in 6. However after sentence has been passed he is altogether deprived of the kingdom, such that he cannot by just title possess it; therefore, from then on he can be treated as altogether a tyrant, and can consequently be killed by any private person.

15. This difficulty supposes that against a king supreme even in temporal things a punishment of deposition and a sentence of privation of kingdom can be passed, which the King of England refuses to hear; yet it is very true, and is evidently collected from the principles laid down in book 3, and it will be said again in what follows. But by whom such a sentence can be passed is a large question; briefly, however, we now suppose that this power of deposing a king can exist either in the republic itself, or in the Supreme Pontiff, though in diverse way. For in the republic it exists only by way of a defense necessary for its own preservation, as I said above in book 3 chapter 3. Therefore if a legitimate king is governing tyrannically and the kingdom has no other remedy for defending itself unless it expel and depose the king, the whole republic, along with the public and common council of the citizens and nobles, can depose the king, both by force of natural right whereby it is licit to repel force with force, and because this case of necessity for the proper defense of the republic is always understood to have been made an exception in that first compact whereby the republic transfers its power to the king. And in this way must it be taken, because St. Thomas says *ST IIa IIae* q.42 aa.2 & 3, it is not an act of sedition to resist a king governing tyrannically, that is, if it is done by the legitimate power of the community itself and prudently without greater harm to the public. Thus too did the same St. Thomas expound it in bk.1 *De Regimine Principum* ch.6, and his disciple Soto bk.5 *De Iust.* q.1 a.3, Bañez 2.2 q.64 a.3 dub.2, Molina vol.4 *De Iust.* tract.3 disp.6. The other jurists, however, speak confusedly on this point, for Paridius de Puteo above and Antonius Massa tract. *Contra Duel.* nn.78 & 79, so affirm it that they seem to concede the license even to individual citizens; but contrariwise Restaurus and Castalis on the said q.82 so oppose it that they seem to deny it even to the community, but they are to be tempered according to the aforesaid.

However, in the Supreme Pontiff this power exists as in a superior having jurisdiction to chastise kings as subject to him, even supreme kings, in the way shown above. Hence if the crimes are in spiritual matter, as is the crime of heresy, he can directly punish these crimes in a king even up to deposition from the kingdom, if the stubbornness of the king and providence for the common good of the Church so demand. But if the vices are in temporal matter, he can, insofar as they are sins, chastise them by direct power; but insofar as they are damaging temporally to the Christian republic he can punish them, at least indirectly, insofar as the tyrannical governance of a temporal prince is always also pernicious to the salvation of souls.

16. Nay, there must further be added that although the republic or the kingdom of men, considered in the sole nature of the thing as it existed among the Gentiles and now exists among the heathen, has the power that we said for defending itself from a tyrant king and deposing him, if it be necessary, for that purpose, nevertheless Christian kingdoms have, in this respect, some dependence on and subordination to the Supreme

Pontiff. First, because the Pontiff can prescribe to any kingdom that it not, without consulting him, rise up against its king, or not depose him, unless first the cause and reason have been by himself cognized, on account of the moral perils and loss of souls that in these popular tumults morally intervene, and so as to avoid seditions and unjust rebellions. Hence we read in the histories that almost always in these cases kingdoms consulted the Pontiffs, or even asked him to depose a foolish or tyrannical king. As was related about Childeric, King of Gaul in the time of Pope Zachary, ch. 'Alius' 15 q.6 and about others in book three chapter 23 above; and about the King of Portugal, Sancius II, at the time of Innocent IV the Portuguese histories relate extensively that he was by the Pope deposed from the royal administration, although not deprived of the kingship; as is also reported in ch. 'Grandi' *De Supplend. Neglig. Praelatorum* in 6. Secondly, a Christian kingdom depends on the Pope in this, that the Pontiff is able not only to advise or consent that a kingdom depose a king pernicious to it, but even to prescribe and compel it to do so when he will have judged it necessary for the spiritual salvation of the kingdom, and especially to avoid heresies or schisms. Because then most of all has place the use of indirect power about temporal things for the sake of a spiritual end, and because he can of himself immediately depose a king in such a case; therefore he can compel a kingdom to carry it out, if it be necessary, otherwise his power would not only be ineffective but even insufficient. Lastly, because such a precept is in that cause most just.

17. On the supposition of this foundation, then, one must say that, in the last point proposed, after the passing by legitimate power of a condemnatory sentence against a king about depriving him of the kingdom or, which is the same, after a declaratory sentence of a crime that has such punishment by right itself imposed, he indeed who passed the sentence, or he to whom he committed it, can deprive the king of the kingdom, even by killing him, if he cannot do it otherwise, or if the just sentence is extended to this punishment too. However, the deposed king cannot at once be killed, nay nor forcibly expelled, by any private person until it is prescribed to him or the general commission is in the very sentence or in right declared. The first part evidently follows from the preceding principle; for he who can justly condemn someone can also carry out the punishment, by himself or by the assistance necessary for it; otherwise the power to declare right, without effective coercive power, would be vain. And for this reason, as Augustine says bk.1 *De Civitate Dei* ch.26, the minister of a king acts rightly in killing a man by precept of a king, because then he is executing rather the power of the king than his own. Thus, therefore, when a republic can justly depose a king, its ministers act rightly in coercing or killing the king, if necessary, because they are now not operating by private power but by public. And thus did Soto rightly speak bk.5 *De Iustit.* q.1 a.3, although a king who is a tyrant in governance alone cannot be killed by anyone whatever, "when," he says, "the sentence has already been passed, anyone can be set up as minister of its execution." And in the same way a king, if the Pope deposes him, can only be expelled or killed by those to whom he himself has given the commission. Which, if he give command for the execution to no one, will pertain to the legitimate successor in the kingdom or, if none can be found, it will concern the kingdom itself. And the doctors hand down that it must in this way be kept in the case of the crime of heresy, when an heretical king has, by public sentence, been declared deprived of the kingdom, as can be seen in Castro bk.2 *De Iust. Haeret. Punit.* ch.7, Simanus *De Cathol. Institut.* tit.46 n.75.

18. But from these things is the second part easily proved, that although someone is justly condemned to death, no private person whatever can kill him at will unless he is commanded, or otherwise directed, to do so by the one who has the authority, because no one can kill another except a superior who has such a power over him, or the superior's minister; but he cannot be called a minister if he is not directed by princely power. But if this is true with respect to any malefactor, with much greater reason, certainly, does it proceed with respect to a king. Someone will perhaps say that an implicit or tacit direction of the republic is sufficient, which by the very fact that it has deposed a king wishes him to be by everyone expelled, and coerced, and, if he resists, even killed. But this is false and thought up or imagined contrary to reason; for a judge condemning a private heretic or malefactor, does not at once give the means to everyone for noticing it in him; therefore neither does the republic, nor the Pope when condemning a king who is a heretic or otherwise tyrannical, concede such license, even tacitly or implicitly, to everyone. For by no just reason can this license be more presumed against a prince than against others; for prudence and a just manner in the execution itself are always necessary, and there is greater danger of disturbance and excess in coercing the person of a prince or king than of others. Hence if the Pope declares by sentence some king a heretic and deposed from the kingdom, and declares nothing further about the execution, not any prince can immediately move war against him, because neither is he, as we suppose, superior to him in temporal things, nor does he receive that power from the Pope by force of the sentence alone. And therefore, as I was saying, only his legitimate successor, if he is a Catholic, has this faculty, or if he himself is negligent, or there is no successor, the community of the kingdom succeeds to that right, provided it is Catholic. But when it seeks help from other princes, they will be able supply it, as is *per se* clear. Now if the Pontiff (as we showed in book 3 by examples was often done) attributes to other kings the power to invade such kingdom, then it can justly be done, because neither just cause nor power are lacking.

19. From this true and certain Catholic doctrine, then, we prove manifestly that the third part of the oath contains on various heads an excess of power, injustice against good morals, and an error against true and Catholic doctrine. First proof: for by what authority does the king compel his subjects to swear that a proposition is heretical which the Catholic Church has not hitherto condemned? For if the king say that it was condemned in the Council of Constance, he cannot, to begin with, consistently say this, since he holds the authority of Councils, especially modern ones, for nothing. Next, where does he read in the Council of Constance the phrase "princes excommunicated or deprived by the Pope"? Or the phrase "by their subjects or...anyone else whatever"? Since, therefore, these phrases added to the proposition make it and its sense very different, such a proposition is by a fallacious and imaginary inference attributed to the Council. But if not by the authority of the Council but by his own he condemns that proposition, he without doubt exceeds and abuses a power which he does not have. And it is besides remarkable that he often contemns the power of the Pope to define the things of faith and dares himself to arrogate it to himself, for although he does not say this in words he professes it in fact. In which too he seems to be too little consistent with himself; for he glories elsewhere in the same *Apology* that he does not hammer out new articles of faith in the manner of the Pontiffs. Next, since he himself thinks nothing to be *de fide* except what is contained in Scripture, he should show us in Scripture where that

proposition is condemned as heretical, or the contrary divinely revealed, so that it can be held as heretical. Certainly, although Paul said, *Romans* 13.1, "Let every soul be subject unto the higher powers," he never added that everyone should be subject also to powers excommunicated or deprived by the Pope; nor can one of these be collected from the other, since they are far different, not to say almost opposites, for a deprived king is not now a higher power. And hence I conclude further that the profession of this oath, as to this part, is a sort of confession of royal authority and power both to condemn propositions as heretical at will, and to propose authentically to the faithful what they should *de fide* believe or protest as heretical; which is on the part of the king an excess and usurpation of spiritual power, and on the part of those who confess such an oath a sort of virtual profession of a false faith.

20. Besides, from the words themselves it is very plainly clear that the king in this oath is not merely requiring civil obedience or the swearing to it. For to demand under oath the detestation of a proposition as heretical clearly exceeds civil obedience, which is of a far inferior order to Christian faith. Especially when such a precept is new in the Church, such that not only does the king compel his Christian subject to detest a proposition elsewhere condemned by the Church (which sometimes a Catholic king, keeping to the due measure, can do), but he compels him also to detest a proposition that he himself condemns anew on his own authority, as now the king is doing. Hence it continues sufficiently proved that this oath is on the part of the king unjust, because in many ways it exceeds his power; and thus it is violent coercion and usurpation of alien jurisdiction. But on the part of the faithful too it is unjust to accept it, for the general reason indeed that they are swearing either to something illicit or to a lie; for if they believe that the proposition is heretical because of the king's authority alone, the oath is for this very reason alone damnable, and much more so because the proposition which is condemned is most true and, from true principles of the faith, certain, as was proved in book 3. But if they externally abjure such a proposition which in their mind they do not believe to be heretical, they are committing manifest perjury, as is *per se* evident. And beyond this, such a profession contains a special and proper injury against the Pontiff, whose power and obedience they are, because of human fear, denying.

21. Finally from these things is easily understood that this part of the oath involves doctrinal error too. One error is that there is not in the Pontiff a power to depose an heretical or schismatic king, and one who is dragging or perverting his kingdom into the same schism or heresy. For profession of this error is chiefly and more directly made through those words than through others, as will be clear at once to anyone reading them, and as was in many ways proved above. The other error is less express indeed in the words, but it lies hid and is virtually contained in the very opinion that, in things pertaining to the doctrine of faith and to the detestation of heresies, a temporal king can demand even sworn faith from his subjects. Nay, also in this, that the opinion of the king is to be preferred to the opinion of the Pontiff. Which is to be sure a sort of virtual profession of the primacy of a temporal king in things spiritual or ecclesiastical, for there is nothing greater in the primacy of Peter, nor more necessary to the conservation of the Church and its union, than the supreme power in proposing things of faith and condemning heresies that the King of England is in those words arrogating to himself; therefore profession of such an oath is manifest profession of schism and error; therefore true Catholics are in conscience bound to repudiate it.

Chapter 5: On the final part of the oath and the errors contained therein.

Summary: 1. The errors set forth in the first four chapters of this book are repeated and exaggerated in the final part of the oath. 2. The Pontiff can absolve the subjects of an heretical king from the oath of fidelity. 3. Confirmation with another reason. 4. The oath of the King of England is not of itself obligatory. 5. The formula of the oath that is related in this paragraph attributes supreme spiritual power to the king. 6. In the final words of the oath, profession of all the preceding errors is repeated.

1. In the final part of the oath the same errors more or less are repeated, and so there hardly remains anything that needs to be added about it; but because they are in part further declared and exaggerated, in part too the depravity of the oath increased, the individual elements must be briefly noted and expounded so that they may by everyone be easily understood. First, then, the authority and power of the Pontiff are abjured again in these words: "And further I believe, and in my conscience am resolved, that neither the Pope nor anyone else whatever has power to absolve me from this oath or from any part of it." In these words is plainly affirmed this proposition: "The Pope cannot absolve subjects of a temporal king from an oath of fidelity." Because what is affirmed about this in the oath is not on account of a special reason in it, nor on account of a dignity that may be greater in the King of England than in other temporal kings, as is *per se* evident and as the king himself in his *Preface* plainly professes. But when it is said, "the Pope cannot etc." it is understood simply, that is, in no way, for no cause, in no case; for this is what the words signify according to their plain and common sense and understanding, in the way the king himself a little later wishes the words of this oath to be taken. Besides the fact that it is sufficiently clear from the end of the oath and from its first part that this is the mind of the king.

2. Now in this way that proposition is heretical, because it is contrary to the power of binding and loosing given to Peter, as the Catholic Church has always understood and exercised it. For thus are the subjects of any heretic at all, by the fact that the heretic has been publicly denounced by a public sentence, absolved from their oath of fidelity, from the decree of Gregory IX on the last chapter *De Haereticis*; and the power and very just reason for that punishment are explained by St. Thomas *ST IIa IIae* q.12 a.2. In like manner anyone is absolved from the bond of an oath of fidelity given to a lord who has been publicly excommunicated and denounced, from Urban II on the last chapter 15 q.6, and Gregory VII along with the Roman Synod in ch. 'Nos Sanctorum' on that very place. Where the bond of the oath is not altogether and simply taken away, but as it were suspended for the time that the one excommunicated stubbornly persists in censure. But it is otherwise when a king or prince is for heresy or other crimes deposed and deprived of lordship of the kingdom; then the oath is altogether taken away and, with its matter removed, nullified as it were. And in this way Innocent IV, along with the Council of Lyons, absolved from their oath of fidelity all the vassals of the emperor Frederick; and other examples were presented above whereby the ancient and universal sense of the Church, which is the best interpreter of Scripture, is made clear. For if all rights say about human custom that it is the best interpreter of human laws, why will the best interpreter of the law by Christ laid down, and of the power of binding and loosing bestowed by the same on Peter, not be the universal and very ancient custom of the Church and its use of

such power? Which power was by the same Pontiffs who used it defended with the highest authority and doctrine. Especially Gregory VII bk.8 *Register* epist.21, and Innocent III in epistle to the duke of Carlinga in ch. 'Venerabilem' *De Elect.*, and Boniface VIII in *Extravag.* 'Unam Sanctam' *De Maiorit. et Obedientia*.

But if the king does not believe this proposition founded in Scripture, declared by the authority of Pontiffs and Councils, and received hitherto by common consent, by what right or by what authority does he wish to compel all his subjects to believe, affirm orally, and confirm by oath the contrary falsity? Or how can they themselves be "resolved in their conscience," as is said in the oath, to believe it and to swear to it without any reason or motive? Unless they believe that the king alone together with his ministers has, for confirming his own error and demanding faith in it, greater authority than has the Roman and Universal Church together with the Supreme Pontiffs handing it on with such constant tradition and consent. But if the king does intend this, and is obliging his subjects to this faith, he must admit that in this oath he is not fighting for merely temporal jurisdiction but for spiritual primacy.

3. Which I evidently declare also in another way. For it is against natural reason to say that no one can be absolved from a promise confirmed by an oath through a change in its matter, by taking the promise away and as it were nullifying it. For although someone may have promised by an oath to return a deposit, if the other yields up his right, the depositary is absolved from his oath. Hence if such a change is brought about by a superior power, the obligation of fidelity is equally taken away. Which was also recognized by Triphon, *Justinian Code* law 50 'Bona Fide' and following of deposit, when he says that, if someone has received a deposit under trust of returning it to the owner, and the owner is later condemned by the praetor and his goods confiscated, the depositary is freed from the trust of returning the deposit to the same owner, and should put it in the public treasury. Because as he says later: "Reason of justice demands that the fidelity to be kept in a contract is not to be regarded only in respect of the contracting parties, but also in respect of the other persons to whom that which is done pertains." Which is most of all true where the authority of a superior and the public good intervenes. Nor has the king, as I think, hesitated to exercise a like power in his own kingdom, by for example depriving a subject of his goods who has been apprehended in the crime of *lèse majesté*, and consequently by transferring all the actions or all the promises made to him either to himself or to his treasury, whether certainly by simply nullifying them, or by presenting or remitting them to the debtors; from which it necessarily follows that, although those actions and promises had been confirmed by oath, the debtors remain absolved from the oath. Therefore it cannot be denied but that this mode of absolving from an oath might be honorable and valid, if there is in the absolver power to make disposition either about the matter of the oath, or about the right of the creditor or lord or of the promisor. Therefore the power of absolving vassals from an oath made to an heretical king, or to one dangerous to Christian subjects, is either very unjustly and against all reason denied to the Supreme Pontiff; or it is denied without other foundation than that he is not believed to have power to coerce and punish temporal kings. And so this part returns to the earlier ones, and it plainly contains profession of error against the primacy of the Pontiff, and an heretical assertion about the primacy of the king and about his absolute exemption from obedience to the Pontiff, especially as to coercive force through temporal penalties.

4. Next, I will not omit to note (because the king does not speak of an oath in general, but of this oath) that in the true and Catholic sense, though contrary to the mind of the king, it can be said that no one can absolve the swearer from that oath, because, namely, no one can be properly absolved who has not been bound; but that oath does not bind the swearer, because an oath cannot be a bond of injustice, as that oath is, and therefore no one can be loosed from it. Yet, nevertheless, he can be declared absolved, or not bound, because the Pontiff can do it by special authority, and he did sufficiently do it when he declared that the oath is illicit and contrary to eternal salvation. For thence it not only follows that it must not be given, but even that, if it has been given, it must not be observed. Hence it also happens that the Pontiff can in another sense absolve from that oath after it has already been made, that is, from the sin committed in supplying such an oath, provided a penance worthy thereof, as a necessary disposition, precedes.

5. Second, in the same part, confession of supreme royal power in spiritual things, and of its exemption from the Pontiff, is made in the words: "Which oath I acknowledge has been with right and full authority legitimately administered to me." And afterwards the oath is confirmed in these words: "And all these things I completely and sincerely acknowledge and swear." For that that confession is contained in those words is clear first from the phrase "with full authority;" for although the word 'supreme' was with purposeful diligence avoided, lest perhaps it deter the more simple, nevertheless the word 'full', on the basis of the king's mind sufficiently understood from the whole discourse, is placed there as its equivalent, for the oath is not said to be with full authority except because there is among men no power that is able to impede, prohibit, or remove it; but this is supreme power. Next, since the oath is itself expressly against the power of the Pope, the signification, when "with full authority legitimately administered" is added, clearly is that the royal power administering the oath is either superior to the power of the Pope or equivalent to it. What therefore the king in other places expressly professes, is here covertly, and in the use of usurped power, involved. Hence he who consents to such an oath is clearly swearing that an act of usurped power is an act of legitimate power, which is open perjury and contrary to confession of the Catholic faith. And lastly, the king is from these words too convicted of not demanding only civil obedience in this oath, since he demands recognition and confession of his own power to decide against the power of the Pope.

6. Third, in the final words a new oath is added of this tenor: "And this recognition and acknowledgement I make from my heart and my will and truly, in the true faith of a Christian man. So help me God." Which is a fresh confirmation and repetition of all the preceding errors, and of a confession of them, not merely external, but also internal, so that the swearer cannot be excused either of internal infidelity or of perjury. And in addition I weigh the word 'my will', which involves an open lie, which is sufficient for it not to be capable of being sworn by Catholics without perjury. For it is evident that they are not themselves giving the oath with their will but coerced by threats and terrors. Because, as the king had himself said a little before, "if they renounce such oath they are wretchedly put and thrust into danger of loss of life and fortune;" how then can they truly swear that they are giving such oath with their will? For that 'with their will' does not signify there any will at all, but a will that is uncoerced by grave fear and powerful human violence, and that the swearer would have even if he were not coerced; but Catholics know that they do not have such a will, and the king himself is not ignorant

of the fact; therefore on this head too the oath is unjust, because it involves and requires in it perjury.

Chapter 6: The reasons are considered by which the oath is defended.

Summary: 1. The foundations of the king. 2 A triple consequence is deduced from these foundations. 3. The final class of proof of the King of England. 4. Satisfaction is made to the foundation of the king. From the title of the oath it is demonstrated that the oath was made up for the purpose of distinguishing Catholics from sectaries. 5. From the title of the second oath is collected that the king wishes for primacy in spiritual things. The chief target of this oath is the denial of pontifical power. 6. Confirmation from the equivocation of the words. Civil power is subordinate to spiritual. 7. The conclusion is drawn that this oath demands more than civil fidelity. 8. A latent objection of the king is met. 9. What the civil obedience of subjects is. 10. The obedience due to kings is part of the right of nations. By what reason it can be said to be of natural right. Sometimes it is not binding. 11. Civil obedience in Christian subjects is limited by divine faith. 12. A certain evasion is refuted. 13. The Pontiff by excommunication deprives a king of the jurisdiction of his kingdom as to the use of it. 14. An objection is refuted. 15. The deposition of a king is not the proper effect of excommunication. The power of the Pontiff to depose kings is shown from the daily use of the Church. 16. Satisfaction is made to the argument of the king. 17. The third corollary of the king is refuted. The final one is refuted. 18. Response to the final proof of the king. The propositions that the king infers are considered. 19. The tenth proposition involves a repugnance and gives occasion for calumny. 20. The twofold opinion in the eleventh proposition. 21. The thirteenth proposition is true and rightly follows from rejection of the oath. 22. The final proposition is false and wrongly inferred. 23. The falsity is shown of the words that the king adds to his proposition. 24. All Catholic doctors admit in the Pontiff jurisdiction to depose an heretical king.

1. Hitherto we have refuted the oath and shown its deformities “in its parts and bit by bit,” as the king in the same words declared he wants; now lest we should seem to be giving sentence against a party unheard, which is also a complaint of the king, we have thought it necessary to bring into examination whatever in defense of the oath the king either indicates or we have been able to think of, so that it might be thence more evident that rather could the condemnation of the oath be therefrom increased than the oath defended or excused.

First, then, can be objected to us the royal authority which, in words express and rather often repeated, affirms that he wished to require from his subjects by that oath nothing other than civil obedience and its profession. Thus does he often make repetition both in his *Apology* and in his *Preface*. For on p.4 he says that he has sufficiently shown that he desired nothing more through the oath than that he might be made secure about the faith and constancy of his subjects “which,” he says, “they are bound because of conscience to supply me.” In the *Preface* he more often, namely on pp. 11, 12, 13, & 14, and more plainly, not only affirms it but also proves it in more or less this way: Since Parliament in its lower house had asserted in the oath a clause “whereby the power of the Pontiff to excommunicate me was taken away, I immediately wanted it deleted;” therefore may one thence collect “with how much concern I took care that nothing be in

the oath contained beyond profession of that fidelity and temporal obedience which nature itself prescribes to all born in the kingdom.” A proof of this sort is collected for this inference from the same place that, after the abjuration of the power of the Pontiff to excommunicate a king was taken from the oath, nothing was left in it besides civil obedience and fidelity. For if anything can be argued, most of all is it that “because the right of removing kings is to the Pontiff denied and abjured, and because this is most just and does not exceed civil fidelity, therefore, etc.” The proof of the minor is, first, that such right “has in no legitimate way been acquired by the Pontiff, but has been appropriated by the unjust usurpation and secular violence of Popes,” which he often repeats in his *Preface*, and on p.22 in particular he says he took it as a thing to be proved in his *Apology* that the usurpation of the Pontiffs is repugnant to the Scriptures, the Councils, and the Fathers. Second, that such removing or deposition of kings “far and wide exceeds the limits of excommunication, which is a spiritual censure;” therefore excommunication by the Pontiff cannot supply subjects with a just and legitimate cause for them to contrive anything against a king or his command. Thus more or less the king in that place.

2. And from this foundation he tacitly infers, both there and in other places, that subjects cannot by the Pontiff be absolved from the civil obedience due to a king, because a Pontiff cannot depose a king from his rank and lordship; therefore neither can he bring it about that the obedience not be due to him, because it is due by natural right, which right the Pope cannot take away. For this is what the king wished to signify in the words, “which nature itself prescribes to all born in the kingdom.” In like manner he infers that the Pontiff cannot absolve subjects from their oath of fidelity, because the matter of that oath, which is civil obedience and the promise of it, is immutable and always honorable, since it is due by the right of nature; therefore by no human power can it be brought about that the swearing of it not be always binding. The proof of the consequence is that no one can be absolved from an oath’s obligation, under which he promised something, unless the promise itself, or its matter, be first remitted or nullified, because the bond of an oath is *per se* inviolable and obliges by human, and most of all by divine, right; since therefore the matter cannot be removed from this oath, neither indeed can the oath itself be loosed. Third, there is hence collected as well that there is a great difference between this last oath and the ancient oath of primacy, because in the latter oath spiritual power as well, but in the former the temporal power only which the Pontiff usurps over kings, is abjured. Hence in his *Preface* the king much blames Bellarmine because, as he says, “he tries to prove that this oath of fidelity is nothing other than the ancient oath of primacy now fashioned in obscurer words and with ambiguities of circumlocution, etc.” From here he next says, at the beginning of his *Apology*, that “this oath was not established for any other end than that a distinction exist not only between faithful subjects and perfidious traitors, but also between pontificalists themselves who believe fidelity should be kept to kings and those of them who, under pretext of disparity of religion, think it is licit to conspire against a king.” Thence he later concludes that “this oath was established for the end that there will be the likeness of a pledge and contract of his subjects’ faith towards himself.” It contains, therefore, nothing besides civil obedience.

3. Finally, to this place has regard another class of proof that in his *Apology*, at the beginning of his attack on the letter of Bellarmine, the king introduces, by reduction to inconsistency. Because he who teaches that this oath is to be refused must in traitorous

and absurd positions necessarily entangle the subjects whom he is striving to ward off from this oath. And he numbers fourteen propositions of that sort, all or some of which he says are necessarily inferred from rejection of the oath. Now which those propositions are will be clear below in our response to this part.

4. These are the things that I have from various places and sayings of the king been able to collect in his defense, which, although they are frivolous excuses and always turn on the same hinge, I have thought should not be omitted; both so that it might be more evident to all that nothing of service that could conduce to showing the difficulty or the truth has by us been passed over; and also so that, if possible, the king himself may note by what light reasons and what badly founded opinions he is, in a thing of such great moment and such great peril, allowing himself to be led. Therefore to the words of the king we say, in the first place, that his deeds do not conform to his words, and that one should go along more with the deeds and the things themselves than with the words or promises. For what matters it that the king affirms that he wished to exact by that oath nothing other from his subjects than civil fidelity and obedience if, from the form of the oath and in all its parts, the contrary is clearly shown? For in the royal edict, where this formula of oath is contained, the title written above it was: "For uncovering and repressing papists," that is, Catholics and those who obey the Pope and recognize his primacy; but if the oath demanded only civil fidelity and temporal obedience, it could not be a sign for distinguishing papists from sectaries or from apostates from the Pope, because civil obedience is common to all; for those who obey the Pope do not deny just civil obedience to their kings. Therefore such an oath is for no other reason said to be given for uncovering papists save that those who admit the oath are reckoned by that very fact to be renouncing the Pope and abjuring his power, and because those, on the contrary, who refuse it show themselves by that very fact to be faithful and obedient to the Pope; it is not, then, given for civil obedience alone; for (as also the king himself contends with all this strength) civil obedience does not conflict with the Roman Religion, and thereupon neither with obedience to the Pope, which they profess whom the king calls papists.

5. Besides, in the same royal edict two oaths are contained, distinct in their titles; for one is inscribed "About the primacy of the king in spiritual matter," which was the sort of oath in use under Elizabeth and which was by King James expanded with a certain promise, as we noted above in our preface. But the other was entitled: "Against the power of the Pontiff over Christian princes," which is nothing other than what the king now calls the oath of fidelity; for nothing else was in that edict passed, nor was mention up to that point made of anything else; therefore from the inscription itself it is clear that this oath contains abjuration of the power of the Pontiff over kings rather than fidelity of subjects toward the king. For the former is both directly intended, as the inscription shows, and is immediately and expressly declared and rather often repeated in the words; but the latter is at most indirectly and remotely or by a certain consequence contained in the oath itself, although it was by the king himself, perhaps, *per se* and principally intended. Hence rightly can we note here and apply a distinction of scholastics and moral philosophers about the intention of the doer and of the deed, and about the intention of the end and the choice of means for the end. For the king could by this oath have principally intended the civil fidelity of the subject and the security and indemnity of his affairs, but the means that he used to obtain it was abjuration of pontifical power; and

thus, although the former end was perhaps the chief one in the doer, that is, in the king instituting the oath, nevertheless, in the oath itself, the particular target and as it were object of it is denial of pontifical power; and in this way we say that it is the principal end of the deed, that is, of such oath, because it is its intrinsic end and its proximate matter, as has been made clear in the individual parts of it. And thus, however the thing may be with the principal intention of the king, which we are not worried about nor do we wish to charge him with lying, it cannot be doubted but that the oath itself, which the king uses as the means, has exceeded the limits of civil obedience and, in order to strengthen that obedience beyond what is right, has invaded pontifical power by abjuring it and by at the same time overturning and denying the foundations of the faith.

6. To make this more fully clear, I note that in this phrase “the fidelity of civil obedience,” as far as the King of England uses it, there lurks an equivocation whereby the simple and ignorant can easily be deceived. For the king exacts from his subjects a civil obedience and fidelity of the sort that recognizes no superior to the king on earth, whether directly or indirectly, and of the sort that can in no case or for any cause be by any jurisdiction existing in mortal man impeded or taken away. And because so great a supreme power cannot be recognized in the king unless the power of the Pontiff is denied, which alone could be that superior on earth, even in civil matters, at least indirectly, therefore he has, in order to strengthen his civil obedience in the rank and manner in which he demands it, used the means of abjuring pontifical power. And therefore in his words he says that he is demanding from his subjects only civil fidelity, although in truth he is extorting from them the abjuration of the Catholic faith. However, according to sound and true doctrine, civil obedience is generally said to be that which is due to the higher temporal and civil powers, to each in its rank, and in its matter, and within its measure, according to the remark of Paul *Romans* 13.7: “Render therefore to all their dues; tribute to whom tribute is due; custom to whom custom, fear to whom fear; honor to whom honor.” And that of Peter, *1 Peter* 2.13-14: “Submit yourselves to every ordinance of man for the Lord’s sake; whether it be to the king as supreme, or unto governors as unto them that are sent by him, etc.” Therefore to civil magistrates too is civil obedience due, subordinate, however, to kings who are supreme; now to kings who do not recognize a superior in temporal things is also due the civil obedience that is greatest in its order; it cannot fail, however, if it is to be Christian obedience, to be subordinate to the spiritual power. Because it ought to be in accord with the measure of faith, for everyone, whether king or subject, is bound in accordance therewith “to obey those that have the rule” over them, *Hebrews* 13.17, and chiefly to the Vicar of Christ, to whom Christ himself has subjected all his sheep, among whom kings are numbered. And therefore, if by a temporal king such civil obedience is demanded as excludes obedience to the Pontiff, it is not now merely civil obedience but passes over into spiritual and ecclesiastical obedience. Now such is the obedience that the King of England is demanding of his subjects; therefore, in this formula of oath, as if forgetful of civil obedience, he relies wholly on the denial and abjuration of pontifical powers.

7. Hence it is clear, first, that what the King of England says is simply false, that he is demanding through this oath only “that fidelity from his subjects which they are in conscience bound to supply him.” For subjects are in conscience bound, as Christ said, *Mark* 12.17, to “render to Caesar the things that are Caesar’s, and to God the things are God’s,” and consequently also to the Vicar of Christ the things that are his; and because

these pertain in a singular way and title to God, they are contained under the second member of Christ's words. Wherefore, just as, when Caesar gives commands against God, God is to be obeyed rather than men, as Peter said, *Acts* 4.19 and 5.29, so, although Christians are in conscience bound to obey the king as supreme in his order, yet are they not bound, nor are they able, to obey him when he commands abjuration of pontifical power, nor even are they bound to obey him contrary to the obedience due to the Pontiff, which obedience is of a higher order, to which civil obedience is in such way subordinate that in certain cases, or for just cause, it should sometimes yield to it. Therefore it is false that in the oath nothing is demanded from the subjects of the king except what they are in conscience bound to supply him.

8. Now what he repeats a little later in the *Preface* with a small change in the words, "that nothing is in the oath contained beyond the profession of fidelity and civil obedience which nature itself prescribes to all born in the kingdom," must be read with caution and care. For it contains an objection and a latent error. The objection was made above, that obedience and fidelity are due to kings by natural right; therefore it is due to them independently of the Pontiff; hence the Pontiff himself can no more change it than he can change the right of nature, nor can he more absolve from it than from natural right. But the error or deception lies hidden, because the king does not think that one must judge in a higher way of civil obedience among Christians than among heathens; for to each is due from their subjects the civil obedience which nature itself prescribes; and so he thinks that the civil obedience to be supplied by Christians to their princes is not to be defined in other terms or with other rules than is the obedience due from the heathen to their kings. And that this was the mind of the king he will easily persuade himself who recalls to memory the king's other clearer words that he wrote in his *Preface* p.34 against Bellarmine. For he says: "Since he numbers me with heretics and puts me on a level with Julian the Apostate, he must think me to be outside the fold and flock of pontificalists. Therefore I am in right to be reckoned with heathen princes, over whom he himself admits the Pontiff has no power." On the basis of this principle, therefore, the king wanted to signify in other words that, just as the Pope cannot depose a heathen king nor absolve the latter's subjects from obedience to him, so neither can he free the former's own subjects from their obedience and fidelity; and that accordingly he is demanding nothing in the oath than what nature itself has imposed on all born in the kingdom.

9. Now Catholic truth teaches that, although faith and grace do not destroy nature, they do however perfect it and constitute it under higher rules and laws; and therefore civil obedience among Christians, although it arises from the law of nature, is nevertheless defined and limited to a civil obedience that is in conformity to a such state, and is not repugnant to faith and religion, and is subordinate to the just laws and precepts of the Church. And, on that account, civil obedience among Christians is not to be equated in all respects with civil obedience among the heathen, or among men, who can be governed by pure natural prudence without any light of faith. Because the heathen or infidels, not having been baptized, are not subjected to the Pontiff and to the laws of the Church in the sort of way that Christians are; and therefore Christian princes, even those who are supreme in temporal things, can be prohibited by pontifical law from commanding, even in civil matter, something to their subjects in many cases where heathen princes cannot be compelled, because they are not in the bosom of the sheep, nor did they even enter it. But King James (as we proved in book 1), although he cannot be

excused from the crime of infidelity, or heresy and apostasy, is not for that reason to be numbered among the heathen in exemption from the obedience of the Pontiff, for by reason of baptism he cannot in himself delete its character; so neither can he be exempt from the debt of ecclesiastical obedience, even if a thousand times he destroy the yoke and break the bonds and say: I will not obey. For he will be able in fact to resist and not obey, but he will with God always be guilty of the disobedience, not only of himself, but also of his subjects. Wherefore, when he says that “nothing is in the oath contained beyond profession of that fidelity and temporal obedience which nature itself prescribes to all born in the kingdom,” if he understand it (as he seems to) of obedience loosed from all rule and direction of the faith, such as can exist even among the heathen who use right reason, he sufficiently confesses, by that very fact, the error of the oath and the perversity it involves, because he demands such civil obedience as excludes in it ecclesiastical obedience and as is put in preference to it; but if we wish in a sound way to interpret the civil obedience that nature prescribes to all those born in the kingdom, it will thus be false that nothing else is contained in the oath, as will be clear in our response to the objection that we have put together from those words.

10. For we reply that the fidelity and obedience given to kings, although it is founded and rooted in natural right, is more truly and properly said to be of the right of nations, because it is not of natural right immediately but on the supposition of a joining together of men in one political body and perfect community. Or certainly it can at most be said that it is of the right of nature on the supposition of a pact and convention among men themselves, just as is of natural right the obligation or promise of a vow to God and of an oath among men, as above in book 3 and also in bk.3 *De Legibus* we have declared at length. And hence it happens that the obligation of civil obedience is not, as to its matter and mode, equal in all men who are born in a kingdom, but exists in each one according to the original institution of the kingdom and the condition of the pact and contract between the king and the people, about which there is wont to be agreement either by written laws, which are elsewhere called *fora*, or by a custom exceeding the memory of men. And hence also it happens that the bond of such fidelity or obedience either is sometimes not obligatory, or can sometimes even be rescinded, according to the conditions that in the first contract between the king and the kingdom were either expressly stated or, by the demand of the right of nature itself, internally included. And in this way the obedience does not oblige to the obeying of a king when he prescribes things illicit or contrary to the salvation of the soul. And the perversity of a king can be so great against the common good of the republic, or against the compacts and agreement made with the king, that the whole kingdom can by common counsel rescind the pacts and depose the king, and thus liberate itself from civil obedience and fidelity to him, as we said above in chapter 5.

11. Thus, therefore, in a good sense can Christians who are born in a kingdom also be said to have the fidelity of their kings prescribed by nature, though in a way that is accommodated to the common right of the nations of the Christian and Catholic world, or rather to divine right and faith. But this way is that civil obedience is subordinate to ecclesiastical and is directed by it, as far as those things are concerned that have regard to the salvation of the soul, and consequently that the bond on which the obligation of civil obedience is founded can be dissolved by the Pastor of the Church, if he who has the civil power abuses it to the spiritual ruin of his subjects, or of himself, together with public

scandal and harm to others. But in this sense it is false that the King of England in that oath is only demanding from his subjects the civil obedience that nature itself prescribes to all those born in a Christian kingdom; because nature itself in Christians, having been illumined by divine faith, asserts that kings are to be obeyed in civil matters unless they include or prescribe something against the faith or against ecclesiastical obedience, in the way that, as has been sufficiently and more than sufficiently proved above, is done in this oath by the King of England.

12. Now to the sign by which the king tries to prove the contrary, that he did not permit the clause, in which the power to excommunicate him is abjured, to be put into the oath, we reply that, though it be so (which, because of the word of the king testifying to the fact, we do not doubt), yet the sign is insufficient. First because, although an express abjuration of the power of excommunicating was removed, an implicit and covert one was left. Second, because there is expressly put in the oath an abjuration of the power of the Pontiff to depose a king for any cause, however just it be, and of loosing subjects from any fidelity or obedience due or promised or sworn to the king; which power is with no less certitude fitting to the Pontiff than the power of excommunicating. Both are made clear easily from what has been said. Because in two ways is it possible for a king who is obstinate, or who is a rebel against religion, to be deprived by the Pontiff of the power of the kingdom, and for his subjects to be absolved from their fidelity; in one way as to use alone and by way of a certain suspension; in another way as to property and dominion and by way of deposition; and both does the king of England deny in the oath, the first indeed more expressly in the second and fourth sections of the oath than in the other sections, but the other in the whole of the oath and in all its parts. Catholic doctrine, however, teaches both.

13. For the first mode of privation is intrinsically included in the very bond of major excommunication, as Pope Gregory VII teaches in ch. 'Nos Sanctorum' 15 q.6, where he says that those "who are tied" to excommunicated persons "by fidelity or oath we by our apostolic authority absolve, and we in every way forbid that they keep fidelity with them." In which words a new prohibition is not so much made as is that declared which by virtue of such censure is done. For the censure deprives persons not only of sacred but also of civil communication in all things or cases not excepted by right; but therein is not only an exception not made, but a prohibition is even made clear. But that it is not an absolute deposition but a sort of suspension is clear from the limitation thereto adjoined: "Until they come themselves to make satisfaction;" for hence is it clear that the absolution is not perpetual but for as long as the bond endures. It is therefore by way of suspension of power as to use, and not by way of deposition. But because those final words are said not to be found in the manuscript codex found in the Vatican, a like decision with that express declaration is found in Pascas 2 on ch. 'Iuratos' 15 q.6, "as long as he is excommunicated." And a similar limitation is contained in the final ch. *De Poenis*.

14. Nor does the king's objection stand in the way of this, that excommunication is a spiritual censure and that therefore the privation of jurisdiction or of temporal power even as to use and by way of suspension exceeds its limits. For the consequence is denied; for although excommunication is said to be a spiritual censure, whether from its principal matter and end or because it proceeds from spiritual power, yet, just as the power itself, although it be spiritual, is extended indirectly to temporal things, so also the

censure of excommunication is in the same way both spiritual and extended indirectly to temporal things; for it deprives not only of sacred communion but also of civil and human, as is clear from the institution and usage of the Church, approved by perpetual tradition and founded on Scripture. For in 2 *John* 1.10 is said: “neither bid him God speed;” and Paul in *1 Corinthians* 5.11: “With such an one no not to eat.” And the reason he in the same place insinuates when he says, vv.3, 5: “I have judged...to deliver such an one unto Satan for the destruction of the flesh, that the spirit might be saved in the day of the Lord Jesus.” In this way, then, is a man harassed also in temporal and corporal things, so that the harassing give him understanding, so that he return from his stubbornness.

15. But the other way of privation, by way of deposition from the kingdom or from some other temporal power, and consequently with perpetual absolution of subjects from civil fidelity and obedience, is not the proper and intrinsic effect of major excommunication, provided nothing further is added, as I assume from the proper matter of it and from the common usage of the Church, and it is sufficiently collected also from the rights mentioned. Yet, nevertheless, even this deposition and absolution is, by way of singular punishment, joined to censures when the offences of princes compel Pontiffs to use that severity, which use was sufficiently proved by us in book 3. And hence is the power demonstrated, because so public and constant a use, and one without the violence of arms so effective, could not exist without the faith of the Church recognizing in the Pontiff a legitimate power for imposing punishment which is included in the power of binding and loosing given to Peter by Christ and in the pastoral staff, which he has received for ruling the Church, as we sufficiently showed in the place cited. And here as well Paul’s reason has place, that often a man that is a sinner needs to be very severely afflicted in bodily and temporal goods so that he may return to his right mind. Again, a very good reason is that subjects often need this remedy so that they be not overthrown. For that is why Paul said about a heretic, *Titus* 3.10, “after the first and second admonition reject him;” which is wont to be much more necessary in the case of a prince than in the case of others.

16. And thus there is no problem in what the king says, that this punishment exceeds far and wide the limits of excommunication; for let it be so, yet when deposition is thus understood it does not, as is in the oath abjured, exceed the limits of pontifical power. But when he says that this right has by no legitimate title been acquired to the Pontiff, we reply that it has indeed not been by any human title properly acquired but has been by divine right conferred, as was shown from the words of Christ in book 3. Where we also refuted the words of the king, “by the unjust usurpation and secular violence of the Popes.” For to say these things is easy, especially for a powerful king and one too much caught and blinded by affection of supreme power (to speak *pace* him), but it is impossible to prove them. And the king has thus introduced no proof or evidence for this unjust usurpation, nor is it likely that an unjust usurpation has prevailed against the power of emperors and kings. Hence those words that the king adds about “secular violence” are more *per se* incredible, because this violence is not done except by arms and secular power; but this was not so great in the Pontiffs that it was sufficient for inflicting violence on emperors and kings. And thus is there no such violence of the Pontiffs read of in the histories; it is asserted gratuitously, then, and by mere freedom of speaking.

17. Wherefore, from among the corollaries that the king infers, the first and second, about the absolution of subjects from obedience and oath of fidelity, have been

from what has been said been sufficiently rejected. But the third about the comparison of this oath with the previous one about primacy is also easily refuted. For rightly did Cardinal Bellarmine say that the one is virtually and covertly included in the other. Because the power by which the Pontiff deposes kings who are schismatic and pernicious to the flock of Christ is not other than the very power that he received from Christ, which is one and indivisible (so to explain the thing), and therefore it is not divided or lessened, nor can it be in part abjured and in part retained. Since, therefore, in this oath the power of checking and punishing kings is abjured to the Pontiff, his whole spiritual power is thoroughly abjured, which is what was expressly done in the previous oath. Now a sufficient indication of this truth is that the king himself, so as to seem to be denying with a foundation this power of deposing him, denies as a result that Christ gave to Peter, or through him to the Roman Pontiff, supreme spiritual power for ruling the Church, thinking that these are so connected that one cannot be denied without the other. Therefore, while in this oath one is expressly denied, the other is as a result and virtually denied and with the same perjury. But the final inference and, as it were, protestation of the king about the end of the oath is of no help to him. For let it be that he intended by that oath to separate out and recognize traitors, yet the means that he used was the abjuration of pontifical power. Hence by that oath not only does he civilly distinguish faithful persons from traitors, but he also induces faithful Catholics to betray and abjure their faith; from which it turns out that he discriminates much more between believers and non-believers, or at any rate between those resolutely refusing an unjust oath or wretchedly making pretense of it to avoid temporal disadvantage. Wherefore, such an oath should be in right reckoned a character of the Anglican schism than a pledge or contract of the faith of subjects.

18. It remains that we respond to the final proof of the king taken from the fourteen propositions that he infers from rejection of the oath. And to begin with we say that there is evidently collected from them that the intention of the oath is not so much about supplying obedience to the king as about denying power to the Pontiff and usurping it to himself. For, out of all the propositions, only one pertains to guarding royal dignity, and that one does not follow from rejecting the oath; but the others are almost all directly about Pontifical power and they are, in a sound sense, very true, and therefore is the oath rightly rejected, because it contains the contradictory assertions, as the king himself admits when he says that these propositions follow by antithesis from the rejection of the oath. Now to make this more evident, I will note the individual propositions and what must be thought about them.

The first is: *That I, King James, am not legitimate king of his kingdom and of all my other domains.* But this follows not at all from detestation of the oath, for although James be true and legitimate king, nevertheless the oath is corrupt in the way that pontifical power for deposing him for legitimate cause is abjured; for this power the Pope does have over legitimate and true kings and emperors.

The second is: *That it is licit for the Pope to depose me from the kingdom purely on his own authority, or if not on his own, yet by authority of the Church or the Roman See; if not by authority of the Church or the Roman See, yet by other means and with the help of others it is licit for him to depose me from the kingdom.*

The third is: *That it is licit for the Pope to give rulings at will about my kingdoms and domains.*

The fourth is: *That it is in the power of the Pope to concede to any foreign prince whatever power to invade my domains.*

The fifth is: *That it is licit for the Pope to absolve my subjects from the faith and obedience due to me.*

The sixth is: *That it is in the power of the Pope to give license to one or more of my subjects to bear arms against me.*

The seventh is: *That it is in the power of the Pope to give pardon to my subjects for offering violence to my person or domains, or to any of my subjects.*

The eighth is: *That if the Pope, by a sentence passed, excommunicate or depose me, subjects are not at liberty to persist in the faith and obedience due to me.*

The ninth is: *That if the Pope judicially excommunicate or depose me, subjects are not at liberty to defend with all their strength my person and my crown.*

The tenth is: *That if the Pope has promulgated any sentence either of excommunication or deposition against me, subjects are by force of that sentence in no way obliged to reveal all the conspiracies or treasons commenced against me that they happen either to hear or learn of.*

The eleventh is: *That it is not heretical nor detestable to think that princes excommunicated by the Pope can be with impunity deposed or killed by their subjects or by anyone else at all.*

The twelfth is: *That the Pope has power to absolve my subjects from this oath or from any part of it.*

Now all these assertions more or less come together into one, which is declared as it were by parts in those twelve positions so as to exaggerate the thing. But in some of them there is sometimes added a phrase which destroys and changes the true sense. What, then, is said in the second position, that *the Pope can depose King James purely on his own authority*, is very true and Catholic provided the word ‘purely’ does not exclude legitimate cause, but declares only a sufficiency, without the aid of any other, of that authority. And because the proposition speaks in particular of such person in whom a legitimate cause is not lacking, as is sufficiently clear from what has been said and as is manifest to the Universal Church, therefore the proposition makes true sense without any equivocation, because it does not exclude legitimate cause but supposes it. But in the third, which is more or less similar, the phrase ‘at will’ contains ambiguity and gives occasion for calumny; especially because in other places the king is wont to say ‘at pleasure’ or something the like. Therefore, if it be understood of a just and legitimate choice, the proposition is true; but if it be understood of pure and absolute will and mere pleasure, thus it is an imposture and can by no likely consequence be inferred from rejection of the oath. And for the same reason about the rest. For all are about the same supreme power of the Pope to coerce Christian rebels, even if they be kings, as far as to depose them, should the gravity of the cause and the necessity of the spiritual kingdom demand it.

19. Only in the tenth proposition must one note (as was indicated above) that partly it involves a repugnance and partly gives occasion for calumny. I say that it involves a repugnance because, if the king, through a just sentence of the Pope, is by that very fact deposed, by that fact do those who before were subjects to him cease to be subjects; for the king himself would now not be king nor superior. And therefore, if any plots were made against him, they could not now be properly called treasons. Nor would

the citizens be bound, at any rate by a title of fidelity of subjection, to reveal them. But I add that that way of speaking can be exposed to calumnies because, although a criminal king be deposed, he cannot at once by plot or ambush be justly killed by anyone among the people; because neither may a private citizen who is a criminal be licitly killed in these ways by other citizens on their own authority, but only on public authority, or by power received from it, whether by command or special commission.

Wherefore if, after a king has been deposed, some people, without having received power from a legitimate judge, were through private ambush to devise death against him, one who, outside the confessional, were to become aware of it, would be obliged from charity, with the concurrence of the circumstances that are wont to be necessary for such an obligation, to reveal them so as to prevent an evil to his neighbor. But when one proceeds against the person of such a king according to the tenor of the just sentence, not exceeding the limits of the power conceded by a legitimate judge, then all obligation of revealing a secret would cease, because now the ambush would not be iniquitous but a just war. Because, therefore, that proposition speaks indistinctly, for that reason I said that it can give occasion for calumny, as if it were saying that even when plots and treasons are unjust and iniquitous citizens are never held by any title, even of charity, to make them manifest; which is false, nor does it follow from rejection of the oath, as is of itself evident.

20. The same caution must be used in the eleventh proposition; for its opinion is in sum that an excommunicated king can be deposed or killed with impunity by anyone at all. Which, as thus simply pronounced, is very false; for excommunication alone and by itself does not give power to kill the one excommunicated, nor to deprive him of the lordship of his own affairs, but to deprive him only of communion, and the one excommunicated can, as a result, be deprived of the use of any of his own property if this cannot be done without such communion. An excommunicated king, therefore, if the sentence contains nothing else, cannot at once be deposed or killed by his subjects or by anyone else, nor does this follow from rejection of the oath. But if in that proposition under the term 'excommunication' is included also deposition and distrust, which is in a canonical sentence sometimes done, thus it will contain truth; nay, even understood of the sole censure of excommunication in common form, if the sense of the proposition were that an excommunicated prince, while the excommunication lasts, is deprived of the right of commanding his subjects to obey him, but that, if he compel them, they can themselves resist him, even by just war, the proposition will in this sense be very true and the contrary doctrine heretical, against the force and the power of the keys of the Church; but in that proposition, and its bare words, all this is not sufficiently explained, and therefore calumny should be avoided and one should speak plainly.

21. The thirteenth proposition is: *That this oath may by no means be administered to my subjects with full and legitimate authority.* This does indeed plainly follow from the rejection of the oath, because an unjust oath can by legitimate authority be supplied by no one. The proposition is, however, very true and certain, which is evidently shown from the former ones, for it is clear from the tenor of them that all the articles are about the power of the Pontiff, and thereupon many articles contrary to the power of the Pontiff are contained in the oath; therefore it is manifest that there is in a temporal king no legitimate authority to administer such an oath to his subjects. And with the like clarity it follows that such an oath is not being given about civil obedience alone, but about apostolic

power; nay is being demanded contrary to it.

22. The final proposition is: *That this oath would have to be taken with equivocation, with mental evasion or tacit reservation, and not from the opinion of one's mind and from one's inmost breast, in the true faith of a Christian man.* Now this in no way is connected with or follows from rejection of the oath. Because although that part of the oath too is rejected, it is not thereby affirmed that this oath must be taken with equivocation. For these affirmations are contraries and both can be false and between them there is a mean, namely that the oath is supplied in neither way. Hence so far are we from saying or thinking that such an oath is to be taken with equivocation that rather we reject this too. Both because it would be done with perjury against the final part of the oath, and also because it would be done with scandal and with omission of confession of the faith at a due time; nay, also with external denial of the faith, as we will in the following chapter more explain.

23. Finally, after these propositions, the king adds these words: "These are the articles elicited by antithesis from various parts of the oath. To these the opposite theses neither touch upon the primacy of the Pontiff in spiritual causes, nor has it ever been concluded and defined in any fully completed General Council that this sort of power over kings pertains to the authority of the Pontiff. And lastly their scholastic doctors themselves, in some inexplicable quarrelling, disagree with each other about them up to this day." But it has already been sufficiently shown by us how the power, which is in these articles explained, pertains to the spiritual dignity of the Pontiff, and how, as a result, the opposite theses included in the oath are directly repugnant to it. But what the king subjoins, that in no fully completed General Council has it been concluded and defined that this sort of power over kings pertains to the authority of the Pontiff, nay, that about this very power there is dissent among scholastics, is plainly false in both its parts; neither can it be affirmed by the king except because, since he was himself not able to peruse the Councils or the scholastics, he has been deceived by Protestants. For above in book 3 it was shown that many General Councils acknowledged and approved this power in the Supreme Pontiff; besides the fact that, without a definition of a Council, the definitions of the Pontiffs would be sufficient for making the truth certain. However, more often the Pontiffs together with General Councils have used that power, as Innocent III in the Lateran Council ch.3 and Innocent IV in the Council of Lyons. Hence, there is no doubt but that Councils themselves, by approving the things done, recognized the power in the Pontiff. In addition, this truth is founded on the common tradition and consent of the Church.

24. Nor is there dissension on this point among Catholic theologians; for it is those, I think, whom the king understands by the name of scholastics, for his own theologians detest scholastic theology. But about the common consent of Catholics on this point enough has been said in book 3, and more extensively by our Cardinal Bellarmine in his book against Barclay, at the beginning. And those who say they disagree should show us the Catholic authors who contradict this truth, which certainly they cannot do. For even those scholastics who have seemed sometimes to restrict the power of the Pontiff, as Occam, Gerson, Parisius, and the like, never denied to him this power of deposing kings who were heretical or pernicious to the salvation of their subjects; although, in the mode of speaking, there be among them some diversity as to whether the Pope of himself and immediately does it, or only by giving command to the subjects to throw off such a king;

and in this too many of them, and those who think better, and all the rest, judge that both modes fall under the power of the Pontiff. And in truth it is *per se* incredible that a Christian kingdom has no remedy against an heretical king; for it is against all reason and against the accurate providence of God, since an heretical king may very easily infect the whole kingdom, as experience teaches. Hence the Pope too, if he be a heretic, can be deposed by the Church; therefore it is necessary that there be power on earth that can depose an heretical, stubborn, and incorrigible king. Therefore it should above all exist in the Pontiff as in the supreme visible pastor on earth of souls; nor could such a power have been located in anyone else more agreeably in order that the depriving, which is exposed to many difficulties and perils, might be done with greater maturity and justice, as has been explained.

Chapter 7: The Supreme Pontiff was not only able, but also obliged, to turn English Catholics by his warning away from profession of the said oath.

Summary: 1. Three objections of the King of England against the Pontifical Brief. 2. The foundations of the contrary doctrine. The Pontiff has power to examine the oath proposed by the king. 3. The Pontiff is bound by his function to condemn such oath. 4. Any controversy about the oath whatever, although it be a doubtful one, is to be settled by the Pontiff. 5. The first objection of the king is turned back against him. 6. The Pontiff has imposed on the king no punishment. 7. Difference between the Briefs of Pius V and of Paul V. 8. Response to the second objection of the king.

1. Hitherto we have pointed out the injustice and errors of the aforesaid oath of fidelity, and we have refuted vain excuses; it remains for us to defend the Pontifical Briefs and make satisfaction to the complaints and objections of the king; which can from the principles laid down be briefly and easily carried out. At the beginning, then, of his *Apology*, the king dares to blame the Pontiff because “in his Brief sent to Britain and there made public he has forbidden all the little papists to suffer themselves to be obligated to this oath of fidelity.” And three sins especially he notes in it, one against the king himself, another against English Catholics, a third in the manner itself of refuting the oath. About the first he speaks thus: “Since war has not been declared, it cannot be denied but that the Pontiff has acted against good morals and against the custom especially of Christian princes, because he has condemned me unheard.” Hence he later thus concludes: “The Pontiff, if he considers himself my judge competent, as is wont to be said, why does he condemn me unheard? But if things stand otherwise, and if there is no business between the Pope and me (which is most true), why does he get mixed up in a work not his own, and put his scythe to another’s crop, especially in a matter that is civil and in no way concerns him?”

Second, he proves that the Pontiff has sinned against the Catholics of England, because “he has thrown them into wretched difficulties, such that either they renounce, with danger to life and loss of fortune, fidelity to their prince, or they bring, with loss of Catholic faith, the salvation of their souls, as the Pontiff pretends, into peril.” For both of these perils would be avoided if, as they had begun to do, they were allowed to give the oath in good faith. Third, he proves that the Pontiff has been deficient in manner, “because he takes on a lot of work in reviewing the whole formula of the oath as to its wording, but afterwards, with one general word, he proscribes the whole oath,” not

indicating what he is blaming, so that it might either be emended or favorably interpreted, or, if he despises to do this himself, so that his Catholic subjects might have some excuse if they refuse the oath.

2. These objections, however, proceed from two erroneous principles. One is that the Pontiff does not have direct spiritual power over the king; the other is that much less does the Pontiff have even indirect power over the king in temporal matters. But the contrary dogmas were established and proved by us in book 3, on the supposition of which all the objections are easily refuted. For we say, to begin with, that the Pontiff could of his own right examine a formula of oath prescribed by the king and, to the extent he made judgment of it, condemn or prohibit it as sacrilegious either as contrary to the Christian religion or as contrary to the reverence of an oath. The proof is, first, that an oath is a thing very spiritual and sacred; therefore it falls directly under the spiritual power of the Pontiff; therefore it pertained to the function of the Pontiff to condemn an oath in respect of a thing unjust and very pernicious to the faithful, such as has above been sufficiently shown to be contained in that formula.

Second, when a civil law either exceeds its own temporal limits or makes disposition about temporal things by fostering sins or giving occasion to them, the Pontiff by his spiritual power, as far as it extends indirectly to temporal things, can condemn it, and invalidate it or declare it invalid, as was extensively shown above in book 3 chapter 22; but that formula, as the king himself contends, is a certain royal decree or civil law, and (as we have shown) it exceeds the limits of civil and temporal matter, and contains many things contrary to Religion and good morals, such that it cannot by the faithful be kept without loss of their souls; therefore the Pontiff in condemning it used the legitimate power of the keys, namely the key of knowledge, by making clear the injustice and malice of the oath, which is the proper function of the pastor to whom it concerns to feed the flock of Christ, and the key of power, by prohibiting the use of such oath. Hence there is a confirmation too, for the Supreme Pontiff has the right to defend the power that Christ has conferred on his See; but that oath is directly contrary to pontifical power; therefore he could by right efficaciously condemn and prohibit it.

3. Next we add that not only was he able but he was also, by force of his function and office, obliged not to keep silent about or to hide the truth, but to warn his subjects to abstain from such an oath. The proof is, first, that he is bound to uncover public scandals and occasions of sinning in doctrine when, by fraud or deception, they are offered by the enemies of the Church to the faithful. And he is likewise bound, insofar as is in him, to take away by his power or impede such perils, especially when they are approved and proposed by some public authority. For both of these are included in the words of Christ, “feed my sheep,” for there the power is given, as was above made clear extensively, and those words contain, together with the conferring of the power, the imposition of a precept on Peter and his successors, as is clear both from the form of the words and from their matter; for this precept, on the supposition of the function, is connatural with it, on account of which Paul said, *Hebrews* 13.17, that those will give an account for the souls of their subjects who have the rule over them. But in this oath all those things come together, namely the hidden occasion of error and deception in accepting the abjuration of pontifical power under color of an oath of civil fidelity, and consequently an occasion of schism, heresy, and perjury; therefore the Pontiff was bound, by force of his function, to disclose the truth, notwithstanding any disadvantage whatever, because the truth in the

case of such great spiritual harm is not, on account of disadvantages feared from the malice of men, to be passed over in silence.

Again, this obligation follows from another principle, because the Pontiff, as a faithful and prudent steward, is bound to protect and defend ecclesiastical rights. Which, although it be true of all ecclesiastical goods, has place especially in protecting pontifical dignity and power, because it is the foundation of ecclesiastical unity, as Christ himself taught, and is most of all necessary for keeping the truth of the faith, as experience itself shows and as was proved in book 3. But this pontifical power is subverted by this oath; in the kingdom, indeed, of England by power and corrupt doctrine; and thence it could rebound by corrupt example to others; therefore was the Pontiff bound, notwithstanding any difficulty or impediment, to oppose himself to that oath and to detest it.

4. Nay rather, we add further that not only in a thing so clear, as is the perversity of that oath, but also if it were a thing doubtful, did it pertain to the Pontiff to disclose the truth, lest in a thing so grave and dangerous the faithful should dwell in the dark. Thus does Innocent III generally teach in ch. ‘*Per Venerabilem*’ *Qui Filii sint Legiti.*, and he adduces the saying of *Deuteronomy* 17.8-12: “If there arise a matter too hard for thee in judgment, etc.” up to “And the man that will do presumptuously, and will not hearken unto the priest that standeth to minister there before the Lord thy God, or unto the judge, even that man shall die.” Which law, to the extent it is directive and moral, has place even now, not by virtue of the Old Law, but by virtue of evangelical faith, because, on the supposition of the power of the Supreme Priest of the Law of Grace, that obligation necessarily follows from a law connatural, as it were, with that power. Hence is the reason proper, because the matter is spiritual, both because it pertains to the doctrine of faith and morals, which pertains to the pastors of the Church, not to kings, as was above sufficiently proved from Scripture and the Fathers; and also because it immediately touches the salvation of the soul, for it treats of whether such an oath is harmful to the soul or not; therefore to the pastors of souls, and especially to their head, does judgment in a case of such doubt pertain.

There is a confirmation and declaration; for when a like controversy has arisen between a king, even a Catholic one, and the Pope whether some oath is licit and conformable to the faith, such a controversy is certainly not to be settled by war; because neither is war a fitting means for declaring moral truth, nor would in that way provision be suitably made for the Church in spiritual things, for schisms would thence arise and a kingdom divided against itself could not stand. Nor even could such a controversy be ended by arbitrators, because, in declaring moral truth, such judgment about a thing doubtful does not go beyond human opinion, nor can it with greater power be passed by any arbitrator, and so it does not suffice for the security of the Church, nor can the Pontiff submit himself to such a judgment; therefore it is necessary for such a controversy to be settled by the king or the Pontiff. But no one who has read the Scriptures would in this business prefer royal to pontifical power, since the latter is simply superior, spiritual, and belongs to the Vicar Pastor, to whom Christ committed his sheep for directing them in faith and morals. A king in a like controversy, then, should be directed and governed by the Pontiff, and be as a sheep led and fed by the pastor.

From these it is sufficiently proved that the King of England not only wrongly complains about the Supreme Pontiff that he has passed judgment on his formula for the oath, but also very gravely sins in disagreeing with his judgment, since he is bound to

obey him as a subject, especially in spiritual causes, to which the controversy about the oath very evidently pertains. Add that he has hitherto been unable to bring any just excuse or defense of his oath, as was shown in the first part of this book, and what we said there proves that none can be found. Nor has he even against the Pontifical Briefs objected anything grave or of any moment, especially as to what pertains to the point of the principal cause, which is about the uprightness of the oath, as we will see in what follows.

5. In his first matter of blame, then, wherewith he accuses the Pontiff, because the Pontiff is condemning him unheard since there has between them been no war declared, the king himself sins in many ways in making the accusation. First, because the reason about undeclared war is impertinent. For even among temporal princes, especially Christian ones, although neither is subject to another, it is not licit to condemn unheard, even after declaration of war. For in order that a war be itself justly declared on the part of the attacker, it is necessary that he not make moves against an unheard party. For, on the witness of Augustine, bk. *Quaestionum in Josue*, otherwise bk. *Sex Quaestionum* q.10: "Wars are wont to be defined as just that avenge injuries, if any people or city, which is to be attacked by war, has neglected to avenge what has by its own been done wickedly or to return what has by injury been taken away." But these cannot hold of a party that has not been heard; therefore even in a just war a just condemnation cannot be made against an unheard party; therefore not even after declaration of war can one king by a sentence, or in any other way, condemn unheard another his equal or superior, in the way that the king seems to suppose in his objection. Next because, although among other princes equally supreme it might in any way whatever proceed, a far different reason intervenes between himself and the Pontiff; and therefore he is abusing that comparison as well, since he is by right subject to the Pontiff by reason of baptism and of the faith that he therein professed. But if the king himself does not fear publicly to deny this truth and to profess the contrary, how can he complain that he is condemned unheard? Besides, when the king says that war has not been declared between himself and the Pontiff, if he understands it of a material or corporal war, what relevance is that to the cause, which is principally and directly, so to say, spiritual? But a spiritual war has above all been declared between the King of England and the Supreme Pontiff, and it was first publicly declared by Henry, whom James his successor imitates; and this is enough for him, even were he condemned, not to be able to complain that he is condemned unheard.

6. Next, why does he complain that he has been condemned? For in neither Pontifical Brief is any condemnation read of, nor excommunication passed, nor deposition pronounced, nor any other punishment inflicted, or sentence stated. But if he calls the condemnation and prohibition of the oath condemnation, he wrongly says that he has been condemned unheard, because the formula of the oath is heard and read everywhere, which is enough for him to be able to be condemned. Nor is it necessary for a person to be further heard when against him no declaratory sentence of crime committed in publishing or seeking such an oath, nor any punishment on account of the same crime against a king, has been passed. But the king says the Pontiff has condemned him unheard, "partly by numbering him with the persecutors, partly by commanding English Catholics to abstain from this oath." But neither of these pertains to a proper and juridical condemnation that ought not to be passed against a person unheard. For to judge by private opinion from a fame that is public and manifest in its effects, and to speak

about someone as about an author of some crime, is often licit, even if he himself is not first heard, as is *per se* manifest. But for what reason the King of England could justly be numbered with the persecutors of the faithful we will see in chapter 10. But about the prohibition of the oath we have already said that the king has been sufficiently heard as to this part by the reading of the formula itself of the oath, which neither does he himself deny, nor can there be doubt that it was by his authority done and proposed to his own subjects.

Wherefore, if the king is only speaking of private condemnation, so to say, the dilemma he subjoins adds nothing to the issue, because judging privately about someone does not need a competent judge, that is, a judge using jurisdiction; nor is it even necessary, as I said, to hear the person to be judged; for it is enough to have sufficient causes, reasons, and motives to so judge. Nor is the dilemma rightly accommodated even to the second member of the prohibition of the oath, because condemning false doctrine does not need a competent judge of its author, nor the hearing of him otherwise than by his writings. But to prohibit under precept such an oath, there must indeed be jurisdiction over those to whom the precept is made, which jurisdiction English Catholics in the Supreme Pontiff, as in their pastor, do recognize. Rightly, therefore, could the Pontiff impose such a prohibition on the English, especially since he did not so much make a new law as declare a divine and natural law about avoiding an illicit oath, and about fleeing from profession of false error, and confirm it with his precept. But although, with respect to the king, it be very true that the Pontiff is his competent judge, as we showed above, yet nevertheless in this act he exercised no judgment of jurisdiction over the king. For although the author of a like oath were some unbaptized heathen prince, if the oath involved some error in the Christian faith, or injury to our religion, the Pontiff could condemn it and prohibit it to Catholics living under any gentile emperor whatever, as is sufficiently manifest from what has hitherto been said.

7. Wherefore wrongly does the king on p.7 of his *Apology* compare and make equivalent the sentence passed by Pius V against Elizabeth with this Pontifical Brief of Paul V when he says: "Could he (that is, Pius V) have laid down anything more bitter or more grave than this Pontiff has laid down against me? For what difference there is between these two, to loose subjects from the bond of obedience and to command them to take up arms, as Pius V did, and to proclaim to subjects that they should not obey a prince demanding an oath of fidelity, as today's Pontiff did, cannot easily be discerned." But although the deed of both Pontiffs was very fair, they are so far distant that a difference can very easily be discerned between them. For Pius V pronounced a sentence against the person of the queen, declared a very grave punishment, and used his power severely, though justly, against her. But Paul V has in his Briefs passed no sentence against the King of England, nor has he hitherto punished him with any penalty, or declared by his authority that he has incurred it; but he has disclosed the wickedness of the oath alone and, as was a necessary consequence, forbidden the king commanding it to be obeyed. But he did not (as the king always alleges) simply and absolutely forbid subjects to give their king an oath of fidelity, but that they not give this oath, which is injurious to Christian faith and religion. And so these things are very different, to prohibit the king's subjects to take this oath or to absolve them from civil obedience to their king; for they can, without coercion to this oath, give and swear the civil obedience that is not repugnant to the purity of the Christian faith.

8. To the second objection about the losses and dangers of the subjects, the reply is that subject Catholics are not being reduced to those difficulties by the Pontiff teaching truth and prohibiting what was *per se* evil, but by the king commanding such an oath. For, on the supposition of the force and coercion of the king, the Pontiff could not, in fulfilling his function as was right, keep silent about or hide the error. To the third a response has been very well made by others, that the Pontiff wrote as a legislator, and so indicated briefly what was to be avoided. But we can add that it was not necessary for the Pontiff to designate what in the oath he was reprehending, for from its beginning up to its end there is almost nothing in it which should not be avoided and shunned, because in its individual parts, as we have shown, either the same or diverse errors are inculcated. And all its sentences are so connected with each other that scarce are any of them free from suspicion of error. Wherefore not only by a prudent, but also by a necessary, counsel did the Pontiff designate nothing in particular as worthy of blame, lest he should seem tacitly to approve the rest.

Chapter 8: Might Catholics who admit this oath be by any reason or in any way excused from fault?

Summary: 1. Twofold objection of the king against the Pontifical Brief. 2. Response to the first objection. 3. To the second. 4. Whether he who takes up the oath can be excused from sin. First excuse. 5. Second excuse. 6. Third excuse. 7. The first excuse is refuted. 8. A grave sin is committed in abjuring the power of the Pontiff even in a single act of deposing a king for just cause. 9. It is shown by an argument ad hominem. Foundation of the said pontifical power. 10. The second excuse is refuted. 11. A confirmation of pontifical power is refuted. An evasion is excluded. 12. In what sense and in what persons the third excuse may have place.

1. After the beginning and as it were preface of his *Apology*, the king first reviews the Brief of the Pontiff to the letter, and then advances to attack it. Now we can distinguish the Brief itself into three parts; for first the Pontiff prefaces a few words to console the faithful in their tribulation and to instruct them in morals; next he condemns and prohibits the oath; and finally he exhorts his sons to courageous resistance for the faith and to concord of charity. All which words pretty much the king attacks in the same order, but it has seemed more agreeable to us to complete first the matter of the oath and then to digress with the king about the other things. After setting forth the formula of the oath, the Pontiff forbids the taking of it in these words: "Which things being so, it should to you be clear from the very words that this sort of oath cannot, with preservation of the Catholic faith and the salvation of your souls, be given, since it contains many things that are openly contrary to faith and salvation." Against which words the king objects nothing new but repeats the two attacks which, though he often presses, he adds no force to beside acrimony. The first is that the Pontiff blames the oath in very few words and refutes it without any proof. Hence the king subjoins: "With this, in truth, does the old saying square that is spread around about the philosopher: he says much but he proves little, nay indeed, he proves absolutely nothing." The second objection is that a profession of fidelity to a prince cannot be in opposition to religion and salvation, and of the contrary assertion he says: "It so exceeds my theology, as little as it is, that an utterly new and thoroughly exotic assertion I cannot judge; nor one pronounced from the mouth of

him who advertises himself enough as universal bishop and ecumenical pastor of all Christian souls.” And this argument the king repeats on pp.31 & 31 of his *Apology*.

2. But in these objections, as I said, if the pious and thoughtful reader attends to them, he will find no force of reason or no solidity of doctrine but only a license of speaking. To the first reproof, then, we have already given for the brevity just causes in the previous chapter. But to the new rebuke, “that the Pontiff says but does not prove,” Bellarmine rightly responds that the things the king mentions are not those of a man faithful and Christian but of a pagan or infidel philosopher, whether it was Aristotle speaking of Moses, as the king indicates, or Averroes of Christ, as they say, or Galen, as it is found written in him; for all of them were being ruled, not by faith, but by their own judgment and opinion, whom the heretics in this respect imitate; and therefore it is no wonder if they object to the Pontiff what others opposed to Christ or to Moses. But the Pontiff, since he was speaking to the faithful, to whom it is said: “unless you believe, you will not understand,” was not putting together a disputation nor adjoining a prolix proof, but judged that a setting forth of the simple truth was enough. For since he was speaking to the orthodox, who do not doubt of his authority and power, and among whom are many uneducated and ignorant not able to follow theological reasons and proofs, it was not fitting to burden them with reasons and proofs but to teach the simple truth. Nay, even for doctors it was necessary not to place a thing of so great moment on the unreliability of opinions and of human reasons, but to secure it on pontifical authority, and to make it clear in a brief declaration of truth. I add, indeed, that even in those words the Pontiff insinuated a very certain and very evident proof by saying: “it should to you be clear from the very words;” for no other proof is necessary besides the words of the oath; and that is very sufficient, as we have demonstrated in the first six chapters, and these can serve for a sort of commentary on these words of the Pontiff.

3. To the second objection it has already been often replied that it was not necessary to speak of an oath of civil fidelity generally, but of this oath, which is rather of abjuration of faith toward the Pontiff than of fidelity to the king. An oath of fidelity, then, taken generally is not repugnant to the Roman religion, nor to Christian faith, which is the same, nor even to the salvation of the faithful; and he who does not know this does not merit the name of theologian. However, to speak freely for the truth, he who attributes that assertion to the Pontiff has not sufficiently considered it, since in neither of his Briefs, nor indeed in the universal decrees of the Pontiffs, is any trace of it to be found. But this oath of fidelity does clearly conflict with true religion, and is against the salvation of souls; and this is what the Pontiff said, and it is very true and from the words of the oath manifest, as was answered and proved by us in the preceding and earlier by Cardinal Bellarmine. To which proofs the king replies nothing, but digresses thereafter in his *Apology* to proving the authority and power of kings in temporal matters, as if any Catholic denied it. Hence he adduces nothing that pertains to the point of the present controversy. For all the proofs are that kings have supreme power in temporal matters, but not that they do not have it as subordinate and subject to the power of the Pontiff, as was very extensively shown in the discourse of book 3. Response was there given to everything that the king here proposes, and so nothing more remains for us to say of this objection. Only I will not omit to note that the king, on p.33, wrongly attributes to the Pontiff that, led by uncertain rumors, he released this Brief rashly; for it is very clear from the very few words of the same Pontiff that, not by report or rumors or other

extrinsic testimonies, but by the clear words of the oath was he moved, or rather compelled, to forbid such an oath to the faithful. Nor are dissimilar the things that the king, up to the end of this part, subsequently brings forward, which I gladly omit, because they pertain to facts only and Bellarmine gives a copious reply to them.

4. Someone can, to be sure, doubt about this part of the Pontifical Brief whether, it notwithstanding, he who has refused to give the oath could in any way be excused from the guilt of infidelity or of sacrilege. And the reason for doubt can, in the first place, be that no dogma seems in that oath to be denied or abjured. For in it there is at most denied the power of the Pontiff to depose a king, for the rest depends on this principle; but although we believe it to be true that the Pontiff has this power, yet it does not seem to pertain to the dogmas of the faith, because it is not found expressed in Scripture nor has it been by the Church defined as *de fide*; therefore although the power be denied by giving such an oath, no dogma of the faith will be denied. Hence can further be inferred that no one is with great sacrifice, and especially with evident danger to life, bound to refuse such an oath, because, if it does not contain external denial, it is not intrinsically evil nor against religion; and thereupon he will, on account of grave cause, be excused from fault.

5. Second, the excuse can be increased, because the words of the oath are not so clear that they cannot be taken and sworn in some other sense, in which even the power of the Pontiff for deposing kings is not abjured; therefore in this way is this oath licit or excusable from fault. The proof of the consequence is that, although the one proposing the oath is demanding it in a corrupt sense and with a bad intention, the one swearing it is not bound to conform with the former's intention, but can use the amphiboly that the words allow; and then he swears neither against truth nor against religion or confession of faith, because the swearer intends to swear no such thing. The difficulty, then, seems to be in the proof of the antecedent, for in the first clause, when the king swears "that he is supreme lord, etc." it can be understood in a sound sense about supreme temporal lordship; and when there is subjoined that the Pope cannot depose him, the swearer can tacitly understand "at his will or pleasure," as the King of England is wont to say; therefore these words of his can thus be taken as if the tacitly understood phrase were expressed or, which amounts to the same, there can be tacitly understood the phrase "without legitimate cause." And the same phrase can be conceived in the mind and be repeated in the rest of the words of the same clause. And, in the second clause, this can be founded specifically on the words: "and I will defend him and them with all my strength against all plots or attempts whatever." For "plots" and "attempts" are taken in worse part to mean conspiracies and tumults unjustly stirred up. Therefore each one can take the words in this sense, and he will not sin in swearing them in that same sense; therefore he can conceive and swear all the preceding words in the same sense, because in the one context the later words explain and limit the preceding ones. And thus, as a result, the remaining clauses admit of a similar excuse, as will be readily clear to one who considers them.

There is also wont to be a confirmation from the English, that this amphiboly is accepted by those who are worthy of trust, because the oath has been set forth in the English tongue and, in the original, for the words "kill the king" is put in the vernacular the word "murder," which in English means "kill unjustly," and thus is it commonly taken; therefore in the oath too it can be thus licitly taken even in its literal and common sense, especially in a matter of loss of life or of all one's goods. But in that sense it is true

that it is never licit for subjects to “murder” the king, and it is heretical to assert that it is at any time licit, just as it would be heretical to say that it is at any time licit to do injustice. Therefore the other words can, because of the connection, be drawn to the same sense; or certainly, because the whole proposition is, since it is conjunctive, false by reason of the second part. For in the third clause is proposed conjunctively for abjuring the proposition “it is licit to depose and kill the king” (that is, unjustly); therefore the whole proposition will be false and heretical by reason of one of its parts; and thus it will be possible for it to be abjured without sin, because a conjunctive proposition, of which one part is false, is false simply, and likewise, if one part is heretical, it will be heretical simply.

6. The third popular evasion is wont to be about excuse through ignorance, which some of the English have tried to prove not only can be, but has in fact been, invincible in them. Because the opinion asserting that it is licit to give the oath has been made probable by the authority of many men and by diverse reasons and expositions of the clauses; therefore, although the oath be in itself corrupt, as the Pontiff has declared, nevertheless those who allow it will, by conforming themselves to a probable opinion in a case of so great necessity and extreme peril, not in practice be sinning. And these are the excuses which I hear have been found out by some people for permitting a like oath, but in truth they are frauds rather for deceiving souls than legitimate defenses of such a promise contrary to true religion, as we will briefly prove by running through them one by one.

7. The first excuse, then, could have been discovered rather by heretics than faithful theologians; for what is assumed at the beginning of the excuse is false and heretical. For the proposition, ‘the Pope has power to depose heretical and stubborn kings, or kings pernicious to their kingdom in matters pertaining to the salvation of the soul,’ is to be held and believed among the dogmas of the faith. For it is contained in the words of Christ spoken singularly and with special reason to Peter, “whatever you bind,” and “whatever you loose,” and “feed my sheep,” in exactly the way the Catholic Church, which is the pillar and ground of the truth, has understood them, and as Boniface VIII very clearly declared in *Extravag. ‘Unam Sanctam’ De Maiorit. et Obedien.*, when he concludes that this truth is of necessity for salvation. And thus do all Catholic doctors, both jurists and theologians, receive this truth in this rank of certitude, as was in book 3 expressly disputed and rather often stressed. Since this power is there in that oath abjured, the Catholic faith is plainly abjured. Hence if it is done from the heart, the faith is lost and a fall is made into heresy; but if it is done with pretense, manifold perjury is committed and sin is done against confession of faith, as is clear.

8. But I add too that what is assumed in the latter part of the excuse is very false, because although that truth would not be *de fide* with the greatest strictness, in the first rank, as they say, but with a sure, theological certitude, it will be a very grave sin to abjure such a truth and the act of pontifical power. The proof is in the reason just made, that either the abjuration is done falsely and many perjuries and things injurious and pernicious to the Pontiff are committed; or that it is at least contrary to the reverence and obedience due to him by right, and it clearly includes the malice of schism, which therefore the king does not dare to deny about himself, although he disguises the malice of it, as we sufficiently proved in the first book. But if the abjuration is done from the heart, more gravely and formally, so to say, schism is being committed; and, although it

be against one's intention, the oath is by that very fact rendered iniquitous and a bond of iniquity. For to deny in a matter most grave, and necessary for the unity and concord of the Church, a sure truth, even if it were not *per se* primarily *de fide*, is a most grave sin against the charity of the Church, and against justice, by denying to the Apostolic See what is by legitimate title its own; therefore to swear such an abnegation is a sacrilegious and pernicious oath. It cannot, therefore, be allowed in any way for avoiding any temporal disadvantages whatever.

9. There is an *ad hominem* clarification; for it is certainly not *de fide* that James is true king of England, for it has nowhere been revealed; nay, neither is it theologically certain; for it will be enough if it is believed by a sort of human faith to be morally certain; and yet the king will not, indeed, deny that to swear James is not true king of England is a grave sin, because it is to swear either something that is in truth false or at least something that cannot without great rashness be believed or affirmed as true; and therefore the king will easily concede that such an oath cannot, even to avoid death, be done. But however much the king in his *Preface* turns aside, it is far more certain that the Pontiff has power over the king himself than that he himself is true king; for the former has more and higher principles than the latter. For that James was true successor to the kingdom could be founded only in a certain human tradition and proof; and he himself has feared not a little lest, since he was a heretic and succeeded a queen already declared a heretic, it be brought into doubt; which fear the public acceptance of the kingship together with the patience and toleration of the Pontiff was able to take away. But the power of the Pope over a king has foundation in the word of Christ, in the common confession of the Church, in the decrees of Pontiffs and Councils, in the doctrines of the Fathers and the best and Catholic theologians and of the prudent interpreters of each kind of right, and in frequent and longstanding use; how then can one certitude be compared with the other? If, then, the king does not grudgingly concede that it is unjust for him to be abjured as king by his subjects, how does he dare to dispute that it is not very unjust and pernicious for faithful Christians to abjure to the Pontiff his right, power, and obedience, which in that oath is evidently done?

10. The second excuse seems to have been found out by men timid and little constant in faith and charity; for it is very frivolous and in many ways repugnant to the words of the oath. For, first, at the end of the oath is added a clause excluding every extraordinary sense of the words through tacitly understood phrases or in any other way at all. For thus is it said: "And all these things I completely and sincerely acknowledge and swear according to the express words here by me pronounced, and according to the plain and common sense and understanding of the same words, without any equivocation or mental evasion or secret reservation whatever." If, then, anyone pronounces these words without the intention of fulfilling them, by that fact he is a perjurer; but if he pronounces them from his heart and mind, the whole of the second excuse has no place, as will be readily clear to him who considers it. For although we might grant that the phrase "without legitimate cause" or "at his pleasure" can be tacitly understood in the abjuring of the power of the Pontiff considered in itself and without the adjunct of the other clauses, yet such a tacit or mental addition cannot, on the supposition of the last clause, be adjoined without perjury.

Next, in this oath there is not only made a promise never to kill the king, or to cooperate in a plot against him, or the like things, which pertain to doing and might be

understood of unjust doings, but the power of the Pontiff itself is abjured with so many distributive phrases that that sense or tacitly understood limitation has no place. For thus is it said in the first clause: “and that the Pope, neither by himself nor by any other authority of the Church or of the Roman See, or by any means in company with certain others, has any power or authority to depose the King, etc.” Which words can in no way be restricted to the power of deposing unjustly or without cause. Both because all power is denied to the Pope both in the particular respect of this king and in the general respect of all his successors, as is added in the second clause and along with the distributive phrases, “notwithstanding any declaration or sentence of excommunication or privation, whether done or conceded, or to be done or conceded.” And also because there is a swearing virtually that such a sentence or deposition cannot be just or efficacious due to defect of power, even if the king, who is demanding the oath or about whom in particular the oath is being sworn, is a heretic or a schismatic.

Besides, in a like manner and with the same augmentations, the power of loosing subjects from the bond of obedience is abjured, as well as that, notwithstanding any absolution at all, subjects should defend the king even against the Pope, and without taking account of any censure or excommunication. Which cannot be restricted in the mind to an unjust or to no excommunication, because the words are so universal that such a limitation is repugnant to them, namely, “notwithstanding any declaration or sentence of excommunication or privation;” from which words cannot be excluded the declaration that such a one is a heretic or a schismatic, although it be true and done by the Pope through some power of his whatever, for those words include everything. Next, the whole profession or confession and abjuration is directly contrary to the definitions of the Pontiffs and the Councils; therefore it is an express external denial of dogmas of the faith, which can never on account of tacitly understood interpretations or phrases be made licit, because it is against the obligation to confess the faith and not to deny it even externally. To pass over the public scandal to other believers which cannot be separated from such action; nor should it be given, even to avoid death, as we are taught by the example of Mattathias Maccabaeus.

11. Hence to the confirmation about the vernacular English word ‘murder’, which is said to signify the same as ‘unjustly kill,’ the response is that, if was only proposed there for swearing that it is heretical to say “a king can be murdered by his subjects,” it would be a tolerable excuse. But now not only is that proposed but also that it is heretical to say that princes deprived or excommunicated by the Pope can be deposed by their subjects, which is contrary to the doctrine of the faith. Nor does the evasion have place that the whole conjunction, by reason of one part, is false, both because, in the form of the oath in the way it is contained in the royal book, there is read the disjunction “deposed or killed;” and also because, even if the conjunction “deposed and killed” were read, the sense amounts to the same, because the swearing is not that the whole conjunction or hypothetical proposition is heretical, but the swearing is that the individual parts are heretical, namely that a prince deposed by the Pope can be deposed by his subjects and can be “murdered;” and thus there is always condemned as heretical a proposition that is Catholic and according to the faith certain. Most of all for the reason that the word ‘murder’ is for this purpose put there, because it supposes that, notwithstanding the sentence of the Pope, the killing of a king is an unjust betrayal of him and against the faith due to a king, and thus is this whole thing there sworn. Hence,

although the word taken by itself have that meaning, yet in the oath it is made clear and expanded by many other words such that the limitation does not have place, especially in respect of the whole oath and of all its clauses. Wherein there is often an express and absolute and universal abjuration of the power of the Pope to punish kings, even rebellious and stubborn ones; and in addition there is recognized in the king an authority and a power to exact such an oath, and other things are mixed in that cannot with truth be sworn, or be excused from perjury by those equivocal and tacitly understood words.

12. About the third excuse one must distinguish the times and the persons. For as to the times we can speak of the time before the declaration made by the Pope or of the time after it. In the former time there could perhaps have been, with preservation of conscience, some contention or diversity among Catholics. After the declaration of the Pontiff, however, in no way can an opinion be judged probable that is contrary to the decision, how there is with him power of declaring doubtful things of this sort pertaining to good morals and the faith by which subjects are bound to stand, otherwise such power would be useless. Of which fact we have above sufficiently spoken. As to the persons, however, one must distinguish among those who are learned, and who can by themselves consider the quality of the oath and pass judgment on it, and the rest who are ignorant, who must be led by the opinion and judgment of others. About these latter there is no doubt but that some could be excused by ignorance if the priests, who were reputed honest and learned, were teaching them that the oath could, with preservation of conscience, be given, provided the intention is kept of not swearing anything contrary to faith or to the power of the Pope. But this ignorance will not now after the Pontifical Brief have place even among these more simple folk, because they are bound to prefer the Brief to all their private teachers. If, nevertheless, there were some so unlearned that they had heard or understood nothing of the pontifical declaration, such ignorance could still persist in them, because they will be exactly as if the Pope had declared nothing. However, the thing is so notorious and public in those parts that scarce could the case morally arise. But with the other educated faithful who can by themselves consider the movements of the oath, even were the Pontifical Brief taken out of the way, I think that never was the opinion of them probable who taught that profession of such an oath was licit, because the words of the oath were always so clear and so multiplied, and were in so many ways entrapping the conscience and inducing approval and profession of schism, that, although in one or other little word or specious phrase an evasion was able to have place, it would have been impossible to find a truly probable way of making the whole oath honorable, or of excusing it and avoiding its perils, as is sufficiently proved by the things that have hitherto been weighed in respect of its individual words. If at the beginning, then, any of those commended for doctrine and life fell into that opinion, led perhaps by fear or human reason, they did not sufficiently consider the thing; whose ignorance, whether it was probable or not, there is not need now to judge, but I think they should fear the stain, and by both penance and public confession, whereby the weaker may be animated and instructed not to fall into the fraud, make compensation for it and, if necessary, blot it out with their own blood.

Chapter 9: Is it licit for English Catholics to enter the temples of heretics and to communicate with them in their rites, without intention of cult or of cooperation with them, solely so as to avoid temporal penalties?

Summary: 1. English Catholics were being compelled by diverse penalties to frequent the churches of heretics and to participate in their rites and sermons. 2. The divine precept about external confession of faith is explained. 3. The proper motive for confession of faith is to manifest our internal faith. 4. In the precept to confess the faith the negative is included. 5. The precept to confess the faith and not to conceal the faith is not at every moment obligatory. Twofold concealing of the faith. 6. For what time the precept to confess the faith is obligatory. 7. Reason for doubt. 8. First argument whereby it seems to be shown that it is licit to enter the churches of heretics etc. 9. Second argument. 10. Third argument. 11. The declaration of the Supreme Pontiff is very much in conformity with the Scriptures. 12. And it is also in conformity with the Fathers. 13. A twofold evasion is refuted. First reason to prove that communication with heretics is illicit. 14. Confirmation. The reason of St. Augustine is further clarified. 15. Second reason. 16. Why the precept to confess the faith in the aforesaid critical moment is obligatory. 17. This is clearly supposed and taught by Navarrus in cons.10 De Haeret. n.10. The example of St. Ermenegildus. 18. The doctrine handed down is confirmed by reason of scandal. 19. It is next proved from the danger of losing the faith. 20. Response to the first reason for doubt. 21. Response to the second. When the precept to confess the faith is most obligatory. 22. Response to the third reason for doubt. 23. Public protestation is not sufficient to make superstitious communication honorable.

1. Although the King of England in his *Apology*, when referring to this part of the Brief, refused to touch on it, I have judged that, for the completeness of this work and for the great instruction of the faithful, as well as for the greater declaration and confirmation of the things we have said about the oath, it is opportune and necessary in this place to say a few things on this point. But the occasion or necessity for this doctrine has arisen from the harsh ill treatment that Catholics in England are suffering when they are, by the bitterest laws, deprived of their goods and subjected to other grave penalties unless they enter the churches of heretics and participate in their sermons, prayers, or other rites. For, immediately from the time of Elizabeth, Catholics began to be coerced by the gravest penalties to frequent the churches of heretics and to participate in their rites and sermons. And first, as Sander reports bk.3 for the year 1559, a fine of twelve pence per head was proclaimed for those refusing to frequent the churches as before. But afterwards (as the same Sander reports for the year 1582), "Having called the orders together, they promulgate a law by which they impose on individuals of each sex (provided they have reached the sixteenth year of age) who refuse to attend the prayers, sermons, and churches of protestants a fine of twenty English pounds monthly, that is, almost seventy gold coins." And there was added, as the bishop of Tarragon reports, that those who did not have the sum of gold coins were to be detained in prison until they should pay it. Which rather bitter laws and penalties have been carried out up to the present day, as we will report in the following chapter. For this reason, therefore, some people, moved by pious pity for the Catholics, began to doubt whether they might, in keeping those laws, be for some reason excused of guilt, such that they might not, without evident obligation, be compelled to undergo so many evils, nor also, with peril of conscience because of human fear or too much love of temporal things, be subjected to unjust and tyrannical laws.

2. But in order that the reason for doubt and the true decision about it might be better founded, there is need to preface a few things about the obligation and precept of

confessing the faith not only in words but also in deeds. And, to begin with, three things must be discerned that in this matter are commonly distinguished; namely ‘to confess the faith externally’, that is, publicly or in the presence of others, such that those who see or hear understand by the external signs I display that I am a Christian; to this is opposed, at the extreme, ‘to deny the faith’; as a sort of mean between these is ‘to conceal the faith’, which is only opposed negatively to confession, not as contrary to it in the way that to deny the faith is.

Now, of these three, it is certain that the first, namely to confess the faith, falls under divine precept. Thus do all Catholic doctors teach along with St. Thomas IIa IIae q.3. It is also *de fide* certain from the verse of Paul *Romans* 10.10: “With the heart man believeth unto righteousness; and with the mouth confession is made unto salvation.” For in this final phrase “is made unto salvation” Paul signifies that confession of faith is necessary for salvation; for, just as it is said that with the heart is belief made unto righteousness, because faith is necessary for justification, so is confession of faith said to be done unto salvation, that is, eternal salvation, because it is necessary for attaining it and preserving grace. And hence too it is clear that Paul is speaking of external and perceptible confession of faith, for internal confession pertains to the former member, of believing with the heart, for we do not in any other way confess the faith internally, that is, the truths of the faith, except by attributing internal assent to them, which is to believe with the heart. Beyond this, then, is external confession required for salvation. Which is also explained by Paul when he says it is done “with the mouth,” not because it can or should only be done with the mouth, for it can also be done by the bodily actions and the other external signs by which we profess religion; but, because words are signs that are more express and established principally for expressing the mind, Paul for that reason specifically attributed confession of faith to the mouth.

Moreover, Christ in *Matthew* 10 said absolutely, v.32: “Whosoever therefore shall confess me before men, him will I confess also before my Father which is in heaven.” Which words do not so much have the express form of a precept as of a promise, but in other places Christ explained that our confession is necessary for us to obtain his confession, as we will see directly. Now rightly does the promise of Christ square with Paul’s phrase “unto salvation.” For the Apostle distinguished between faith of the heart and confession of the mouth, and he said the former was necessary for righteousness, that is, to obtain remission of sins and internal renovation of soul, because internal faith is the foundation of righteousness itself; but for the former external confession of faith is not thus necessary, except perhaps in the general intention to obey all the precepts. For a man is in any case justified by internal faith, along with contrition of heart and love, before he proceed to the external act of confession of faith. Hence rightly did Ambrose say on *Psalms* 38: “Faith belongs to the beginning for believers, confession belongs to the execution of it.” And therefore confession of faith is not said to be unto righteousness, but “unto salvation;” for, after righteousness has been obtained, there is still need of confession of faith for persevering in that righteousness and consequently for obtaining salvation, for *Matthew* 10.22: “he who endureth to the end shall be saved,” and Christ will confess him before his Father.

But this precept is not only a divine positive precept, but is a moral precept connatural, as it were, to faith itself, or to man once the state of faith has been supposed; and therefore at all times and in every state of the Church confession of faith was

necessary for salvation. Now the reason for this truth is touched on by Augustine bk. *De Fide et Symbolo* at the beginning where he says: "Faith demands of us the office both of the heart and of the tongue; for says the Apostle, 'With the heart man believeth...' And therefore it is necessary for us to be mindful of righteousness and salvation, seeing that we who will reign in eternal righteousness cannot be saved from the present wicked age unless we too, striving for the salvation of our neighbors, confess also with our mouth the faith we carry in our hearts." By which words he insinuates that confession of faith is necessary on account of our neighbor. And he declares the same more fully in serm. 181 *De Tempor.*, otherwise serm. 59 *De Diversis*, in these words: "Without faith it is impossible to please God; this he recognizes in our hearts who searches the reins and the hearts. But on account of preserving the unity of the Church in the dispensation of this time, confession of the mouth is necessary along with faith of the heart, because with the heart man believeth unto righteousness; but with the mouth confession is made unto salvation, not only of preachers but also of the learned; for in no other way may brother feel for brother, nor may the peace of the Church be preserved, nor could one teach another or be taught by another the things that are necessary for salvation unless what he has in his heart he were to transmit, by signs of the voice as by his own vehicles, to the hearts of others. Faith then is to be preserved in the heart and brought forth by the mouth. For faith is the foundation of all goods."

3. Therefore Augustine thinks that faith of the heart is *per se* and first necessary on account of God, while confession of faith is necessary on account of neighbors or the Church; for just as internal faith is the foundation of the union of the soul with God, so confession of faith is the foundation of ecclesiastical unity and peace. Not that the confession itself of faith is not also a precept for the honor and cult of God, but because it does not so directly and immediately tend to God, or is necessary because of him, as internal faith is. Wherein one must also consider that confession of faith can be done in two ways; in one way for showing exteriorly the internal faith that we have in our hearts, such that this be the chief and as it were sole proximate motive for such confession; in another way it is done for carrying out some external cult and exhibiting it to God; and in this way the sacrifice of the mass and the use of the sacraments and the other ceremonies can be said to pertain to confession of faith, though properly they are acts of religion and are done and prescribed chiefly and proximately for the cult and honor of God. However the formal, so to say, and proper confession of faith is that which is done to make manifest to others our internal faith, and this without doubt is referred immediately to men; for it was not necessary on God's account, and therefore the reason for this precept is rightly founded on the necessity of this confession for joining together the faithful in the peace and the unity of one Church, which faith itself demands. And thus too did the same Augustine expound that verse of *Psalms* 115 [116].10: "I believed, therefore have I spoken." "Because those who believe," he says, "do not perfectly believe, they do not wish to speak."

And hence is also collected that the second, namely 'to deny the faith' is against a divine precept, or falls under a prohibitory or negative precept. Which is in the same way *de fide* certain, Christ the Lord saying, *Matthew* 10.33: "whosoever shall deny me before men, him will I deny before my Father which is in heaven." For he who denies will hear, "I do not know you," as Theophil. there says. Hence Paul 2 *Timothy* 2.12: "if we deny him, he also will deny us," where Ambrose, Theodoret, and Primas note the fact. And

Chrysostom hom.35 on *Matthew* gives the reason when he says: “He seeks a free confession, and he leads us to greater love, and desires us to be exalted and unconquered, wherefore he gives all of us these precepts.” And in the same way does he interpret there the words of Christ, *Matthew* 10.16: “be ye wise as serpents,” which expose their body to any wound so that they may preserve the head; for thus should the faithful rather hand over their body than deny the faith, which is the head and beginning of all goods. Which things are also contained in Jerome there, and Hilary can.10, and Augustine bk.2 *De Doctrina Christiana* ch.16.

4. And this precept follows from the first; for in every affirmative precept there is included the negative of not doing anything against what is prescribed by the affirmative; as that, if we are bidden to love God, we are implicitly forbidden to do anything against divine love, and thus about the others; for one contrary destroys the other, hence if one is prescribed, the contrary is without doubt forbidden. Since, therefore, confession of faith is prescribed, the denial of faith is there implicitly forbidden, for this latter is contrary to confession, as is *per se* evident. Nay, from the precept of internal faith follows necessarily the prohibition of denying the same faith. For he who denies the faith by his mouth is either denying the same faith in his heart, and thus he is an infidel and is acting not only against confession of faith but also against the precept of faith; or, denying the faith with his mouth, he is retaining it in his heart, and thus he is lying with a lie very pernicious and contrary to the honor of God, because by denying the faith he has attributed a lie to God, saying that what God has said is false; he has also very gravely offended against the Christian religion and, in so far as in him is, has destroyed the Church and rended its unity. Therefore is that lie prohibited, not only by the general precept not to lie, but also by the special precept of the Christian faith and religion, as Augustine rightly thinks in bk. *Contra Mendacium* ch.6. Hence also it happens that, just as a lie is pronounced in two ways, namely, either by denying what is true or by affirming what is false or what is contrary to the truth, so in the present case, this denial of faith can happen in two ways, namely, either by simply denying that the truth of the faith is true or certain, or by professing the contrary error, for profession of the false is necessarily denial of the true, and it involves the same or greater malice.

5. The third one that we proposed, namely concealing the faith, has as it were a middle nature, because it is neither always bad nor always licit, as also all Catholic doctors teach. The reason is that to keep silent about the truth, or not to pronounce it, is not to deny it but to hide it, as is evident of itself; and thus too to conceal the faith is not to deny the faith; and therefore, to this extent, it is not always bad. But, in another way, the precept to confess the faith, since it is affirmative, is, although always obligatory, yet not obligatory at all times; for this is the nature of an affirmative precept, as we now suppose; and for that reason, not to confess the faith, which is done by concealing the faith, is not always bad, because, if the carrying out of some act is not *per se* necessary, ceasing from that act cannot be always bad, as is evident of itself. Concealing the faith, then, will only be vicious if faith is concealed at the time for which the precept to confess the faith is obligatory; just as to keep silent about one’s own sins is not always but only then bad when the precept to confess them in some court is obligatory. Hence a double concealing of the faith can be distinguished; one is by way of simple negation, which can be licit or without sin during the whole time in which or for which is man is not bound to exhibit an external confession of faith; the other is by way of moral privation or omission,

because it is allowed at the time at which a confession of faith is to be shown, and it is in this way the lack of a due action, and therefore is it called a moral privation. And this is a sin grave of itself, because it is against the precept to confess the faith. For an affirmative law prescribing an act at some time prohibits, as a result, the omission of it at the same time, as is evident of itself.

And of this omission can be rightly understood the words of Christ, *Luke 9.26*: “For whosoever shall be ashamed of me and of my words, of him shall the Son of man be ashamed when he shall come in his own glory, and in his Father’s, and of the holy angels.” For ‘to be ashamed’ seems to be less than ‘to deny’; for not only he who denies but also he who, when he should, omits to confess Christ and the truth of his faith (which is the same) is ‘ashamed’ of Christ. And although Christ used there the word ‘ashamed’ (which properly signifies to avoid something because of shame or fear of some contempt or derision), because either it was more accommodated to the current matter of which he was speaking, or because at the beginning the doctrine of the gospel was derided by Gentiles and Jews, and thus many were, through shame or disgrace, going to be despised; nevertheless the doctrine and the warning are general; for by whatever reason, whether shame or fear of losing his life or other temporal goods, someone omits confession of the faith at the due time, he will meet the same rebuke and warning.

6. But it at once occurred to ask what that time is for which the confession of faith is obligatory; but to explain this expressly does not belong to the present occasion. Let it be enough, then, to suppose that it is the time when confession of the faith is necessary to guard the honor of God or of the Christian religion, as is reckoned to be whenever someone is being questioned by a tyrant or a public power about his faith, or certainly as often as when to keep silent and not to confess is in effect to deny. For this is the other way in which this omission becomes vicious, because it involves virtual denial of the faith, because in morals the implicit is reckoned for express when it has the same effect. And thus does the precept of not denying the faith forbid not only express denial but also tacit and virtual denial. But such an omission will be called a virtual denial of the faith when the very omission to confess is commonly taken for a sign of denying the faith. Just as not to wear in ordinary and common use the clothes and tonsure of a cleric or of a monk without special cause or necessity is a sort of virtual denial of such state, which can sometimes be enough for external apostasy. Thus, therefore, can it happen in confession of the faith, if there be justly instituted anywhere some sign so proper to Christianity that he who omits it seems by that very fact to deny that he is a Christian, as will be more explained in what follows.

7. From which things is understood that the difficulty of the proposed question lies in this, that we should consider whether to do those acts of going to the churches of heretics, or to hear their sermons and to pour out prayers in their company, or to participate in their rites, is to deny the true faith or (which is the same) to profess the contrary error; or whether indeed it is only not to confess the true faith and, on this view, whether it is a simple negation or a sinful moral omission. Now the reason for doubt is taken from the difference between words and actions or other things; for words both signify more expressly than things and do not have another proper use, for they are *per se* primarily instituted for this purpose; but other things, as clothing, houses, food, and the like, or even the acts of hearing, seeing, and such are not *per se* instituted for signifying the mind of the doer, but for other natural or human uses, although sometimes they seem,

by a sort of consequence, to signify something. Hence it happens that the signification of things is wont to be more obscure and ambiguous or equivocal than the signification of sounds. Next, it also happens that pretense, or dissimulation without lying, also seems to have place more easily in the use of other things or actions than in the use of words, which have a more certain and, so to say, more usual signification. Next, there is, from this same principle, a far other reason for doubting about this actions of going to churches, etc., of which we are now treating, than about profession of the oath of fidelity; for the latter is done by express words and for this end alone of explaining the mind; and the words of the formula of the oath are such that they contain an express denial of the doctrine of the faith and consequently a confession of the contrary heresy; and therefore no one who does not live in the same heresy, or unless he fall into some ancient one that said the faith could even with an oath be denied under tortures without sin, can doubt but that the profession of that oath is not licit.

8. However, about the actions proposed in the question it seems there can be doubt. First because these are in their proper objects and materials indifferent; for to enter a church is in itself good or at least indifferent. Nor does it for this reason become intrinsically evil that heretics are badly using the place; for this pertains to their corrupt intention, without which entering thither is indifferent; for even to enter a synagogue of Jews or a temple of pagans is not of itself evil. Likewise, to hear a talk of some doctrine, even a corrupt one, is not intrinsically evil; for someone can be listening to it in order to confute it, or to enjoy the eloquence of the speaker, or to deride it. Next, to participate in their prayers and sacred acts, taken materially, is indifferent, because someone can, while he is there, be pouring out secretly the prayers of Catholics and in the Catholic rite, or be thinking of the true faith. In other respects, indeed, those acts do not have the signification contrary to the faith that they may *per se* be posited to have, because they are not specifically posited to signify faith, but only to perform something which is done immediately by one or other of those acts. But if such acts, whether from the discourse of the onlookers, or from the common use of others, are wont to indicate a corrupt faith, that is accidental, provided they are not done by a Catholic with that intention; because he himself does not signify a false faith, nor does he deceive others, but permits them to be deceived. Therefore those who do such acts only for obeying the king in external material acts, so as to avoid temporal loss, are not denying the faith, nor are they lacking in the confession of faith that is by precept due, because there is then no special necessity on account of which the affirmative precept to confess the faith is at that time obligatory; therefore all reason of fault ceases. Hence Catholic doctors have taught that it is not *per se* evil to communicate with heretics in sacred actions, as long as these are not by name made clear.

9. Second, if there were there any fault, it is most because there is profession of false religion, at least in pretense; but this pretense is not always intrinsically evil; therefore it will most in that case be licit, so as to avoid very heavy fines and ill treatment. The consequence is clear, because if such pretense is not intrinsically evil, it will not be forbidden because evil; therefore at most it will be evil because forbidden, or accidentally so because of the evils that thence follow; but these reasons cease in so urgent a necessity, because a positive prohibition does not oblige with such strictness, and the disadvantages that now follow are not intended but permitted, and therefore they are not imputed. The major too is clear, because we are supposing that the intention of the

doer is not to profess anything false, but only to be there present and to do something either good or indifferent, whatever others thereby think, which is material pretense or dissimulation. The proof of the minor, then, is first that there have not been lacking Catholic and grave authors who have taught that it is not intrinsically evil to simulate a false or superstitious religion, or to feign it in external acts by doing them only materially, as they say, that is, without intention of religion or cult, but on account of some human utility. Nay, many attribute this opinion to Jerome who says that it was licit for the Apostles to keep the legal precepts in appearance at that time when they were already deadly if done in earnest and with intention of cult, as I said extensively in bk 9 *De Legibus* ch.16, where I mentioned many authors and adduced the testimonies of the Scriptures which moved them. Now the reason was touched on above, that such pretense is not a lie; for there is no intention by it to signify anything false or against one's mind, but there is only concealment, or non-confession, of some truth or of the faith. But concealment has, by the first reason, that it is not evil like denial of the faith, because the latter is not without lying; moreover, by the second reason it is not evil, because there is nothing that then obliges to make oneself manifest or to confess the truth.

10. But it can be replied that these reasons rightly proceed of a malice found *per se* in those acts; yet, nevertheless, they are evil by reason of the scandal that cannot morally be separated from them, and that is enough for an act to be always morally bad. But against this is objected, third, that the scandal too not only can be separated but is also in fact separated from those acts, according to the way they are said to be able to be done in that kingdom by Catholics. For, to begin with, everyone knows that those who hold the Roman faith are not doing those acts of their own accord or from their heart, but only to avoid the penalties. Nay, they also know that the precept was given by the king himself rather because of greed for gold and silver than because of the cult of God or religion, and that therefore he more willingly imposes pecuniary penalties than corporal ones; hence, as a result, they are also persuaded that Catholics are not doing those actions for the sake of religion, or in contempt of the faith, but only to avoid the plundering of their goods. Therefore there is nothing whence they might reasonably take scandal, since the action is not of itself evil, and since the appearance of evil, which it seemed to have, is being removed by that public knowledge. Add that the faithful are said to make beforehand a public profession of their right intention and true faith; therefore, if there is any scandal remaining, it is not given but taken, which to the doer is not imputed, especially when so grave a cause and necessity intervene.

Nevertheless, it must without any doubt be said that it is not licit for English Catholics to gather in a church of schismatics and heretics to hear heretical sermons and to perform profane rites. Thus does our Supreme Lord Paul V in his Brief admonish in these words: "Assuredly we without doubt believe that those who have hitherto, with so much constancy, undergone the most atrocious persecutions, well-nigh complete miseries, in order that they might walk faultless in the law of the Lord, will never bring it about that they should be polluted by communion with those who have deserted the divine law. Nevertheless, impelled by the zeal of our pastoral office, and with the paternal solicitude whereby we labor unceasingly for the salvation of your souls, we are compelled to warn and to implore you that under no condition should you go to the temples of heretics, or hear their public sermons, or communicate with them in their rites, lest you incur the wrath of God. For it is not licit for you to do these things without

detriment to the divine cult and to your own salvation.” From which words one may collect that this is not only a positive or human prohibition, by reason of which those acts become evil because prohibited, but is a law declarative of the malice or baseness existing in the acts themselves, by reason of which they are prohibited because evil. For this is signified by the words “For it is not licit for you to do these things...;” and therefore does the Pontiff use words not so much prohibitory as admonitory and attestative of the malice of such communication with heretics. There is next collected from those words that this fault is sufficiently mortal and grave “lest you incur the wrath of God. For it is not licit for you to do these things without detriment to the divine cult and to your own salvation.” Hence although perhaps there was before some controversy or diversity of judgment among Catholics on this point, now it should altogether cease, because it is not licit for them to be in doubt about an authentic declaration of the Pontiff in matter moral and pertaining to the salvation of souls.

11. We must, however, show how this declaration is in conformity with the principles of the faith, and with the doctrines of the holy Fathers, and with reason. For, to begin with, in Scripture communication with infidels is very much forbidden, especially in the case of sacred things; but there is no doubt but that heretics are included under infidels. Nay, about these is Paul chiefly writing *2 Timothy* 2.16-18: “But shun profane and vain babblings; for they will increase unto more ungodliness. And their word will eat as doth a canker; of whom is Hymenaeus and Philetus, who concerning the truth have erred, etc.” And therefore in *Titus* 3.10 he gives admonishment to avoid a man who is a stubborn heretic, and he warns very gravely in *1 Corinthians* 6 and in *Romans* 16.17-18 to keep away from “them which cause divisions and offences contrary to the doctrine,” he says, “which ye have learned... For they...by good words and fair speeches deceive the hearts of the simple.” Again the words of *2 John* 10-11 are to be noted, for when he had said of heretics “neither bid them God speed,” he subjoins the reason, “for he that biddeth them God speed is partaker of their evil deeds.” Wherefore, although all communication with heretics is forbidden by the apostles because of the danger, yet that communication most and with greater strictness that is “in evil deeds,” which they certainly do insofar as they are heretics. But such are the deeds of which we are now treating, and it cannot be denied but that Catholics coming together with them in churches to perform the like meetings are communicating with them in the same deeds. Wherefore, although perhaps not every other communication with the persons of heretics not yet declared to be excommunicated is under strict precept forbidden, this particular one, which is in evil and schismatic deeds, so to say, is always forbidden. For Paul says *1 Corinthians* 10.20-21: “I would not that ye should have fellowship with devils. Ye cannot drink the cup of the Lord, and the cup of devils; ye cannot be partakers of the Lord’s table, and of the table of devils.” And *2 Corinthians* 6.14: “Be ye not unequally yoked together with unbelievers,” that is, as St. Thomas expounds, “do not communicate in the works of infidelity with infidels.” For as the Apostle subjoins, v.14-15: “for what fellowship hath righteousness with unrighteousness? And what communion hath light with darkness? And what concord hath Christ with Belial? Or what part hath he that believeth with an infidel?”

12. This law of the Scriptures the holy Fathers have followed and handed on to us. For Irenaeus in bk.3 ch.3 says that the Apostles and their disciples were afraid so much “that they did not communicate as much as by a word with any of those who adulterated

the truth;” and he reports the testimony of Paul and the widely known examples of John the Evangelist and of Polycarp, and in bk.1 ch.13 he says: “those who exhale against and anathematize them must fly elsewhere and far from them.” To the same opinion Cyprian epist.55 to Cornelius, at the end, says: “For the rest, may our most dear brothers bravely shun and avoid the words and speeches of those whose word eats as doth a canker, as the Apostle said.” And later: “Let us be as separate from them as those fugitives are from the Church.” And later: “This,” he says, “is not only the warning but the also the command of the blessed Apostle, to depart from such people. ‘We command you,’ he says [2 *Thessalonians* 3.6], ‘in the name of our Lord Jesus Christ that ye withdraw yourselves from every brother that walketh disorderly, and not after the tradition which ye received of us.’” This precept, then, is apostolic, on the witness of Cyprian, and it is fitting very properly to the present cause; for the meeting places of the schismatics of England are very disorderly and are new human inventions foreign to the traditions of the Apostles; therefore, from the precept of Paul, a faithful man cannot communicate in such rites and assemblies. Like things are contained in [Cyprian’s] bk. *De Lapsis* at the end. But, touching more clearly and expressly on the same state in epist.4 to the people, against those who, contrary to legitimate morals, were rending the Church and contemning its rites, he says: “There is one God and one Christ and one Church and one Cathedral founded on Peter by the voice of the Lord. Another altar cannot be established or a new priesthood made besides the one priesthood and the one altar.” And he subjoins a little later: “Depart far from the contagion of this sort of men, and their sermons by flight avoid like the cancer and the plague, on the admonition and saying of the Lord, ‘They are blind and leaders of the blind’ [*Matthew* 15.14].” And later, “Let no one,” he says, “take the sons of the Church out of the Church; let them perish alone by themselves who have wished to perish; let them remain alone outside the Church who have left from the Church.” And later: “Avoid the wolves which separate the sheep from the shepherd.” What clearer could be said about the Anglican schismatics?

In addition, St. Hilary can.10 on *Matthew* interpreting mystically the words of Christ, v.5, “Go not into the way of the Gentiles, etc.” says: “Not that they were not sent also for the salvation of the Gentiles, but that they should abstain from the work and life of Gentile ignorance. And that they are forbidden to enter the cities of the Samaritans is that they are warned not to enter the churches of heretics.” Augustine bk. *Contra Mendacium*, and bk.2 *Retract.* ch.62, expressly teaches that it is not licit to pretend heresy even for converting the heretics themselves, and he thinks that it is always a pernicious lie. And in epist.162 at the beginning he teaches that communication with heretics, except in things that are ordered to their conversion, should be altogether avoided; therefore especially in things that pertain to religion. And there are many monuments of antiquity whereby it is clear that the holy Fathers shrank from the rites of heretics and most of all from all communication with them in sacred things. For it was for this reason always forbidden to receive communion from them, as is clear from the decree of Pope Julius in ch. ‘Is qui Acceperit’ 24 q.5 with similar ones. The example is to be noted too which Gregory of Tours reports bk.1 *De Glor. Martyr.* ch.80, that a priest, namely a Catholic or (as he says) a “Roman” priest, refused to taste food blessed by a heretic priest, even if he did not use an heretical rite in the benediction, and that God approved the deed with a miracle. How much more, therefore, must communication be avoided in heretical ceremonies themselves? Hence we also read that Gregory bk.1 epist.41 wrote to Leander

that it was necessary for a time to omit the rite of baptizing with a triple immersion, because heretics were abusing it for false signification.

13. But this doctrine of the holy Fathers is general and someone might be able to elude it, either by interpreting it not as strict precept, but as advice by reason of danger, or by limiting the same to ordinary and voluntary use, not to unavoidable coercion with enormous danger. However neither evasion has place in the words of Augustine in serm.6 *De Verbis Domini* where, treating of *Romans* 13.2: "Whosoever therefore resisteth the power, resisteth the ordinance of God," he asks: "But what if it order that which you ought not to do?" And he replies: "Here certainly despise the power by fearing the power." Which he declares with an example subjoining later: "If the emperor commands, let it be for me to obedience in the right, but not in idolatry. In idolatry a greater power forbids. Pardon me: you threaten prison, he threatens Gehenna." Next, from the opinions mentioned of the saints, if the individual words are weighed and all of them among themselves compared, both evasions can easily be refuted; but this will be done more efficaciously by explaining the reasons for this truth and by, on the occasion of them, further urging and enriching the testimonies of the Fathers. The first reason, then, is that the communication with heretics, about which the question is being moved, cannot be done except by profession of the new religion, or rather superstition, of the heretics, or at any rate by pretense of it; but each is intrinsically evil and against the precept of confessing the true faith and of honoring Christ and his true religion; therefore on account of no human fear is such communication licit. The consequence is evident from what has been said. But the antecedent as to both its parts is shown thus. For those who meet together in churches with heretics can be present there in two ways. First, with a mind to worship God in those rites and ceremonies or with the intention of performing those rites as licit and religious; and this is formally and truly to profess a false religion; just as he who adores an idol with true intention of worship truly professes idolatry, and he who now performs the Jewish rites with intention of worship would be truly a professor of the sect of the Jews. Hence it is necessary that he who thus professes a false religion denies the true one, and consequently also the faith on which it is founded. Nor can there in this by any doubt, nor do Catholics intend to partake of the rites of heretics in this way.

In the other way, then, can this be done without intention of cult or religion but only of a certain coerced political obedience as to external presence of the body with the purpose of secretly there worshipping God in the Catholic rite. But in this very thing is necessarily included a pretended profession of schism and an exterior communication with heretics in their own rites, because, according to the common and received use of that nation and place, this is signified by those external actions, and for this end is meeting and common assembly made. But such pretense is always evil, as Augustine proves extensively in the said book *Contra Mendacium* and in various epistles *De Cessatione Legalium ad Hieronymum*, and I along with him proved it in bk.9 *De Legibus* ch.17. It is also briefly shown first from Paul *1 Corinthians* 10.21: "Ye cannot drink the cup of the Lord, and the cup of devils," that is, of Gentile superstition and idolatry; "ye cannot be partakers of the Lord's table, and of the table of devils," that is, by eating things sacrificed to idols, even without intention of cult and adoration of the idol, as the following words make clear, which we will consider a little later. And thus did the Fathers understand the place by gravely censuring the eating of food sacrificed to idols when it is done externally by way of religious act and as use of sacred food. As one may

see in Cyprian in the said book *De Lapsis* and in many epistles wherein he very gravely condemns all external signification of communicating or consenting to the rites of infidels, especially in epistles 31 and 52, some words from which I will report below. The same does Tertullian bk. *De Spectacul.* ch.13 say extensively: “We abstain from idolatry, we despise the temples no less than the statues, we do not sacrifice, nor do we eat of what is sacrificed.” And later: “We keep our eyes and ears from things sacrificed to idols;” and bk. *De Idolatr.* ch.13 he says: “One must hold back from this place on the feast days (namely of heretics) and other extraordinary solemnities, which we sometimes by our wantonness, sometimes by our fear subscribe to, communicating against the discipline of the faith with the Gentiles in the things of idols.” And he subjoins the question: “Whether a servant of God should, without a habit and without nourishment, communicate with the Gentiles themselves in these things, etc.” namely in so far as they are done for the sake of religion; and he replies: “As to these things there is no communion between light and darkness, life and death.” Which doctrine is also extensively handed on by Origen bk.8 *Contra Celsum* a little from the beginning. There is also about it a striking place of Chrysostom in ‘Imperfecto’, whose words I will immediately refer to. But the proper reason is that all communication in these superstitious rites, even if it is done with a feigned intention, is a sort of participation in the superstition. Hence, just as exterior idolatry, even done with feigned mind, partakes of the malice of idolatry, so too all exterior superstition, even pretended, puts on the malice of superstition.

14. A confirmation for this reason is that feigned exterior profession of such schism is a sort of approval and affirmation thereof, that it is religious and of true faith; but this is intrinsically evil, even if it not be interiorly believed or intended, because it is exteriorly to confess a false religion. For neither can the signification be separated from such deeds and in such matter, namely of religion and cult; because exterior acts, clothing, or other ceremonies are not assumed for cult except because of some signification; therefore he who exteriorly uses them by way of religious cult approves, at least exteriorly, that rite of worshipping God. But this is intrinsically evil, for to approve or confess in words that such rite is religious is evil and against faith and religion; therefore to approve the same also in deeds is equally corrupt, and this is the very strong reason of Augustine in the places cited. Which is hence further made clear, because this pretense of false religion is a certain exterior negation of the faith; but this is always evil, as we laid down at the beginning; therefore so is the pretense. The major is clear, because the pretense is approval of superstitious religion and, consequently, it is confession of the false faith from which that superstition proceeds; but the affirmation of error is denial of truth; therefore the pretense is denial of the Catholic faith that is contrary to the heresy. Next, since the true religion is one only, he who approves that one exteriorly rejects every contrary; therefore he who exteriorly approves heretical rites denies in the same way by that very fact the Catholic religion; and thus he fails contrariwise in confession of faith. Hence, on this reason too, such pretense is very contrary to the honor of the Christian religion; for it leads to contempt of it, since it is exteriorly denied and rejected, and the contrary is strengthened in the minds of its enemies, as we will say a little later. From which finally is concluded that such pretense is never licit, even for avoiding death, both because external and pretended denial of the faith is never licit for avoiding any evil at all, and also because a man is especially bound to keep a precept, even a positive and human one, notwithstanding any danger of violent death, when transgression of it is

extorted for contempt of religion, as I said in bk.3 *De Legibus* ch.30.

15. We can in another way explain the force of this obligation, because in that critical moment, when the faithful are coerced by unjust laws to participate in the sacred rites of heretics, the affirmative precept to confess the Catholic faith by resisting such laws is specifically binding, and accordingly those who make external pretense and obey, even if they do it with feigned mind, are failing in confession of faith; and thereupon they are to be reckoned among the lapsed in persecution of the faith. This doctrine I take from Cyprian in the places mentioned before, especially from epist.31, which is to him from the clerics existing at Rome, where, after they had said that not only those who sacrificed exteriorly to idols, or ate things sacrificed to idols, were failing in the faith, but also those who had offered, when present, or sent, when absent, notifications of submission, they add the notable words: "He is not immune from crime who wishes to seem to have made satisfaction to proposals or edicts or laws against the Gospel; for in this very fact he has obeyed because he wished to seem to have obeyed." And later Cyprian stabs more vehemently at the English as both schismatic and weak in constancy of faith when he says: "Far be it from the Roman Church to abandon her vigor with such profane ease, and to loosen the nerves of severity after having overthrown the majesty of the faith." And the words are in agreement of the same Cyprian when he says in bk. *De Lapsis*: "Nor let them deceive themselves into not doing penance who, although they have not soiled their hands with abominable sacrifices, have yet polluted their consciences with notifications of submission. And that profession is the affirmation of a Christian denying what he was, of a Christian rejecting that he himself did what another by doing committed. And although it is written, 'Ye cannot serve two masters,' he has served the secular lord, has submitted to his edict, and has obeyed human command more than God."

I take the same doctrine from Chrysostom homi.25 on *Matthew* in 'Imperfecto', where he first shows the necessity of confessing the faith, and among other things he says: "If God had created only a heart for you, the faith of the heart would be sufficient for you; but now God has created a mouth for you, so that you may believe with the heart and confess with the mouth." And he adjoins: "Not only with the mouth but also with the five bodily senses; but if even one sense was too little the confession is not perfect." But, when declaring the necessary occasion for such confession, he adds the following words, which, because they confirm this truth in many ways and bring light for solving the arguments, I will report complete. "Therefore," he says, "if anyone say to you, 'do not eat the thing sacrificed to an idol, but look only at the idols, how splendid they are', if provoked you look, you have with your eyes denied Christ. Not because looking at idols is anything, but you sin because you look when invited. But if you do not look, you have with your eyes confessed Christ. Therefore is it written [*Psalms* 119.37]: 'Turn away mine eyes from beholding vanity'. But if he say to you, 'I do not wish you to look at the idols but only to listen, how that Gentile blasphemes Christ so that he might glorify the Gods', if you listen, you have with your ears denied Christ. If he say to you, 'I do not wish you to hear blasphemy against Christ, but lo, how incense is offered to the gods, stand only and receive the odor of the incense,' if you smell it, you have with your smell offended Christ. Again if he say to you, 'do not eat the meat with your teeth, just feign that you are eating from the sacrifice,' if you pretend, you have thus with your taste denied Christ. But if you refuse to feign, you have confessed Christ, just as did Eleazar in the book of Maccabees, who refused to eat sheep's meat under the appearance of pork. If he say to

you, 'I do not wish you to feign that you are eating of the sacrifice, but only touch the idol with your hand or hold the thurible', if you touch or hold, you have with your touch denied Christ. But if you refuse, you have with your touch confessed Christ, as it is written [*Psalm* 7.3]: 'If there be iniquity in my hands'. For all the members of your soul or of your body God made not only for your use but for his glory."

16. Now by reason can be shown the said assumed proposition, namely, that in that critical moment the affirmative precept to confess the faith is obligatory, because the precept especially then or for that time obliges when the faithful is by an infidel or heretic tyrant, or by any public persecutor whatever of the faith, questioned about his faith, as whether he be a Christian or obedient to the Roman Pontiff, or if he is questioned whether he believe that a sect or a rite of worshipping God foreign to the Catholic or Roman Church is licit or holy; for in these cases the faithful is bound not only not to deny openly the Catholic faith, or not to confess a false one, but also not to turn aside or to dissimulate or keep silent, but openly to confess the Catholic faith and religion; but in the case in which the faithful are by edict coerced to enter the temples of heretics and to take part in their rites, they are being virtually questioned by the public power whether they approve those rites or not, or whether they profess the Catholic religion; therefore the faithful are bound to confess the truth by not obeying such edicts, for the refusal is a sort of confession of the faith to which the precept then obliges. The major proposition is common to the theologians along with St. Thomas *IIa IIae* q.3 a.2, where Cajetan and all the modern expositors not only agree but also hand it on as certain dogma. For although there be some controversy whether any questioning at all suffices (which for the present is not important), yet, when the questioning is by the public power, there is no doubt about the obligation to confess the faith, because then most of all is the necessity urgent to honor God and the Christian religion; and therefore he who then turns aside takes from God his true honor and is truly ashamed of Christ. About which Cyprian thus writes in the cited book *De Lapsis*: "Christ says in his precepts: 'He who is abashed of me before men, him will the Son of man be abashed of'; and does he think himself a Christian who is abashed or afraid to be a Christian? How can he be with Christ who is ashamed or afear'd to belong to Christ?"

17. But that in the case of which we are now treating, Catholics are being questioned by the public power, both about their religion and faith and also whether they approve or refuse the superstition of the Protestants, is manifest from the fact itself. For that is why they are being under very grave penalties coerced to enter the churches, etc., so as to show whether they are pontificalists or belong to the Roman religion, as they themselves say, and whether they detest the Calvinist religion. Nay rather, they are questioned in such way that they cannot exteriorly show both; therefore that occasion is one where the precept to confess the faith most obliges, at least by refusing such communication with heretics. Which is very well confirmed by the example of St. Ermenegildus, prince of Spain, who, so as not to receive the Eucharist from the hand of a heretic, even at the bidding of his father, refused to the point of death. Which deed is much commended by Gregory bk.3 *Dialog.* ch.15 when he says: "The man, given to God, reproached, as he ought to have, the arriving Arian bishop, and repulsed from himself his perfidy with deserving rebukes." By which words he signifies that he did it by the duty of obligation, so that he might not seem to be communicating with heresy.

18. Another reason for this obligation can be taken from scandal, which seems so

intrinsically annexed to these actions that it seems inseparable from them. But this is enough for any external communication with schismatics to be sinful and detestable, according to the doctrine of the Apostle *Romans* 14 and *1 Corinthians* 8 where he calls this sin, v.12, “sin against Christ,” and 10.28-29: “Eat not...for conscience sake...Conscience, I say, not thine own, but of the other.” And from the deed of Mathattias in *2 Maccabees* 6 and from his excellent words it is clear that death is to be borne rather than this scandal be given to the brethren. But there is clarification that scandal intervenes in this business. First, on the part of the heretics themselves, for from this sort of weakness of Catholics they are confirmed and hardened in their error, and they despise the Roman faith. Hence Sander bk.3 *Histor.*, after he had reported that at the time of the queen, because of the very bitter law and coercion, many Catholics refused not at some time to go even publicly to the churches, sermons, communion, and assemblies of schismatics, he subjoins: “In the meantime the queen and hers reckoned things to be from the beginning going splendidly with them, because, although there were so many worshippers of the ancient faith in the kingdom, yet they knew that most were embracing, or in some way or other by their presence approving, the rites publicly prescribed to them, although interiorly they were worshipping another faith, about which they themselves did not care much or thought it necessary for the time to conceal. And they rejoiced not a little that some of the priests did not even shrink from administering these rites.” In this way, then, this pretense of Catholics resulted in increase to the schism and great contempt to the Roman religion, and occasion for the same scandal always remains. And thus there is found also in such action another malice, because it redounds to the favor and help of heretics insofar as they are heretics, that is, as they perform the works of their error; but this is intrinsically evil, as in a similar case was noted by Navarrus cons.12 *De Haereticis* n.6 at the end and following. Hence this scandal is also most found on the part of Catholics, especially the simpler of them; for they easily imitate others who seem to be wiser; and thus this sort of custom becomes an offense to the weak. For if anyone (as Paul says) sees him who has knowledge in the churches of heretics taking part in their rites, his conscience, since it is weak, is made to imitate him, and thus the weak perishes in the knowledge of the more learned. And, which is chief, it hence happens that as the multitude increases, now they use, not in pretense, but from their heart that rite to worship God, such that the simple do not know how to distinguish between the ancient religion and the new superstition. There is, then, an evident harm and scandal, by reason of which this sin is not only against fraternal charity and divine honor, but also against confession of faith, which obliges most of all, on the witness of St. Thomas above, when, by dissimulation or silence, due honor is taken from God, “and utility should on neighbors be bestowed.”

19. Lastly we can add to these a reason taken from moral danger; for if a faithful people frequents the assemblies of heretics, and especially if it hears their sermons, they live in very great danger of losing the faith. For although one or another could hear them without danger, nay and attack and confound them, yet the simple crowd is easily deceived, and therefore even the more advanced are bound to abstain from such sermons lest by their example they bring others with them, and so the faith of these is endangered. And therefore does Chrysostom warn orat.2 *De Provid. et Fato* that one should flee places and sermons that are full of pestilential opinions more than contagious and infected places, because the latter harm the body but the former kill the soul. “Do not

stand,” he says, “but jump back, do not delay, fear even the briefest pause here. These things we say, not fearful of the firmness of those opinions, but afraid for your weakness, etc.” Therefore too does Augustine warn in bk. *De Fide et Symbolo* ch.1: “So that the faith cannot by the deceitful cleverness of heretics be in the least part violated in us, one must make provision of pious and cautious vigilance.” And Gregory Nazianzen in orat.53, which is about the new Lord’s Day, gravely blames those who, as he himself says, “accommodate their faith to the arbitrament of time,” namely, when heretics have possession of affairs, following their own will in matters of faith and, as he subjoins, “employing dispensation in the faith.” Which is rather a sort of dangerous pretense; and therefore does he also say that those who thus walk “limp in the faith,” because in truth they fail in confession of faith and live in danger of losing the faith; and although perhaps they themselves be constant, they put their brothers in danger.

20. Now, to the reasons for doubt, the response is easy from what has been said. To the first is said that those actions, taken abstractly and generally, can be said to be indifferent, insofar as they are not intrinsically evil, yet, taken in the particular case, as done in such way and in such circumstances, they do contain an intrinsic malice. For, as I was reporting from Chrysostom, to look at idols is not intrinsically evil, but to look at them because of inducement, or fear of a tyrant, is to deny Christ. “Not,” he says, “because looking at idols is anything, but you sin because you look when invited.” To enter, then, in such way a church of heretics or a synagogue of Jews is in itself nothing; but to enter for the sake of religion and to perform the rites of heretics, so as to obey the command of a heretic, is evil. Thus too, although to hear the sermon of a heretic is not *per se* and intrinsically evil, yet to go to sermons frequently, and at the command of those inducing to heresy, and with scandal and danger to the weak, and sometimes to oneself, is pernicious. It is also much more clearly superstitious to take part in the prayers and rites of heretics, because either it is a sort of tacit approval of this kind of superstition, or cooperation too is mixed in. Which is most of all seen in participation of the sacraments; and therefore, among all the rites that are done by Calvinists, the more hateful is communication with them in the sacrilegious supper and the fictive Eucharist that they administer; for those who participate in that are evidently cooperating in an infidel superstition and are receiving, for the sacrament of Christ, what is a nothing, and are by their own deed approving that custom. Thus, next, although in a case of necessity a Catholic might be baptized by a heretic who is using a true and substantial rite of baptism, yet if the heretic make use of other rites accidental, superstitious, and foreign to the custom of the Roman Church, he cannot cooperate in them, although he could sometimes tolerate them, if neither scandal nor contempt of religion intervene and he cannot avoid them.

And thus too is response made to the other part of that reason. For those acts are by common imposition and use acts of religion, and they have this signification partly from the nature of the thing, partly from imposition and the use of men; hence, when taken in the particular case and on such occasion and with such inducement and in consort and communication with such schismatics, they clearly signify their religious cult and rite, and have for this purpose been instituted by such a king. Wherefore, just as it is intrinsically evil to assume the sign of a false religion, nor can it, on account of that fear, be licitly done, as is a thing settled in theology, so is it *per se* evil to perform those acts in such a way and on such an occasion. But the doctrine that, when a heretic has not been

denounced, it is licit to communicate with him in sacred rites, which Navarrus hands down, by the same is it expressly said that the proviso is that the sacred acts themselves are done in the Catholic rite, and that there is no communication in an heretical rite, ceremony, or impiety; and in addition that no offense to Catholics or no danger to the faith intervene, as was made clear expressly by Azor when reporting Navarrus in the said book 8 ch.11 q. 4 in the volume.

21. To the second reason the response is that the pretense of a false religion is intrinsically evil, as in the said book 9 *De Legibus* I showed extensively from the opinion of Augustine above mentioned and of many doctors whom I there referred to; and the same opinion is held by all who deny that it is sometimes licit to assume the sign of a false religion or to perform an external act of infidelity, even if internal faith is retained. Because, although he who assumes the sign does not intend its signification, he cannot separate it, and therefore, willy nilly, he signifies by the act itself that he is an infidel; and thus, in the very deed, he confesses a false religion, which is contrary to the precept of confession of faith. For, just as the true faith obliges to its confession, so it also obliges to avoiding the contrary infidelity, and consequently also to avoiding the exterior confession thereof. This obligation is also more urgent when the harassment of a public tyrant is insistent on the contrary; for then most of all does the precept oblige of confessing the true faith and of avoiding all opposed pretense. And this obligation will be greater the greater is the scandal and the greater is the danger of overthrow of faith and of contempt for the Roman religion; all which things most come together in the present case.

22. Through which is response made to the third reason, which was about scandal; for we say, in the first place, that there are, besides the scandal, other sufficient reasons. Next, we say that the scandal is not avoided because of the escapes there proposed. For when it is said that it is known to all that those things are not done by Catholics from the heart but by coercion, we reply that this is uncertain (for it was possible for many to be ignorant of the fact), and that this is enough for very grave scandal, for that very pretense is a grave sin; besides the fact that other dangers and injuries to the Christian religion are not avoided. Again, when it is said that the king is not so much harassing the faithful because of religion as because of greed for money, I reply that this is said by guesswork; but however it may be, it matters little, because the intention not of the doer but of the deed must be looked at; for although the king intend monetary gain, he is proximately giving inducement to profession of a false and superstitious religion, together with express, or at least tacit, denial of the Roman religion; but this is intrinsically evil, and so, for whatever reason it is intended by the king, it is to be resisted.

23. Next too the protestation does not excuse, both because it cannot morally be as public and notorious as is the pretense itself of heresy, and also because the protestation, although it were known to all Catholics, does not remove the fact that the action is a pretense and an external profession of error and of false superstition; nor does it remove failure to confess the faith, nor contempt of religion, nor danger to souls. Nay, in that way license is given for exterior profession of any infidelity at all along with protestation, made before faithful Catholics, that it is not being done with an infidel heart, but from human affection for not losing one's resources and other temporal goods; but this is very base and pernicious and against reason; for this fictive profession of corrupt religion is not only evil because other faithful will believe that it is done from infidelity, but also because this is being signified to whoever sees and understands such signs. But

at most the protestation takes away that estimation from Catholics, because the protestation is wont to be done only before the faithful, not before infidels. In addition too, even were it done among all, the action is always against the honor of God and to the contempt of the faith, and with danger and scandal to the weak. The protestation, therefore, does not purge the malice of such actions. And in this way does Azor ultimately explain his own opinion, in vol.3 bk.1 ch.7, after q.2.

Chapter 10: Whether the ill treatment that Catholics are suffering in England is true persecution of the Christian religion.

Summary: 1. He who in hatred of the Roman Church ill-treats any part of it persecutes the Catholic Church. 2. State of the controversy. 3. The reasons whereby the king excuses himself. 4. Ill treatment of Christians in temporal things is not persecution of the Church. 5. What Christian persecution or persecution of the Church is. 6. What persecution proper of the Church is. 7. The first means which persecutors are wont to use. 8. From the end itself of persecution is shown that the ill treatment of the English faithful is persecution of the Church. 9. The same is shown on the part of the means. How grave the persecution was under Henry. 10. How much the persecution increased under Edward, under Elizabeth, under James. 11. The second means of persecution. How much under Elizabeth. 12. And under James. 13. The meeting of the four Irish bishops for extirpating the Catholic faith. 14. An evasion that the king uses is excluded. 15. Other evasions of the king are refuted. 16. The progress of persecutions under King James. 17. His second evasion is met. The king is not excused from persecution because of the benefits that he reports he has, for reason of political governance, conferred on Catholics.

1. This question is not to be treated in the sense that we should return again to the first controversy about where the true and Catholic religion is, whether in the island of England, or in the whole world, or, which is the same, in the Roman Church; for this was sufficiently disputed in book 1. And, from the things there said, we suppose that the true faith and the Christian religion exist in the Roman Church; from which it evidently follows that if in England the faithful (who are called papists by heretics) are ill-treated because they are in union with the Roman Church, and profess its faith, religion, and obedience, that is proper and altogether true persecution of the Catholic faith and of the Church of Christ, and he who is author of it is an enemy of Christ and a persecutor of Christians. Nor can anyone doubt of this consequence or conditional proposition, once the said hypothesis has been posited; for if the Roman Church is the true Church of Christ, he who persecutes the Roman Church because of his own religion, or he who opposes its religion, is persecuting and attacking the Church of Christ, and consequently that will be persecution of Christ and of his Church. Which is then most so called when it is not only private persecution of one or another person, but is also public and general to the whole community. For although the persecution of any member at all, insofar as he is such or on account of faith or justice, is persecution of the same Christ and seems, by reason of its general cause or motive, to redound against the whole Church, nevertheless by antonomasia that is said to be ecclesiastical persecution which attacks the community of the Church and its universal body. However, it is not necessary for such ill treatment to deserve the name of persecution of the Church that it be directly and immediately done either in the whole Catholic Church, as it is diffused through the whole globe, or in the

Roman Church, as it is a particular bishopric; but it is enough that it prowls about in some Christian kingdom on account of the same Roman and Catholic faith. For Augustine says bk.8 *De Civitate Dei* ch.53: "For what is it not to consider that the Church, bearing fruit and growing in the whole world, can in some nations be suffering persecution from kings even when in others it is not suffering?" And he brings forward the example of the persecution done in Persia by the king, and by the Goths in their dominion, and by Herod in Jerusalem. For such ill treatment in one kingdom or principal part of the Church is not done without some participation and troubling of the Universal Church; for the whole is in a certain way shaken. Because although the persecution is in motion in one province, it is trying to overturn the foundations of the whole Church.

2. With this supposed, then, as a constant, the sense of the present controversy, since it is *de facto* clear that those who profess the Roman religion are, by the princes after Henry VIII of that kingdom (Catholic Mary excepted), in many ways ill-treated and afflicted with great sufferings, is whether it truly is and should be called persecution of the Church and of Christ, or only either unjust war or just punishment. And the occasion for the question has been provided to us by the King of England, who complains greatly about the Pontiff that he seems to be numbering him among the persecutors of the Church. Hence he contends that the penalties and afflictions that in England are by royal authority being inflicted on the papists (as we are by them understood to be) do not merit the name of persecution of the Church because they are being inflicted, not by title of religion, but in just punishment of crimes committed against the king and the republic. Hence at the beginning of his *Apology* he thus speaks: "It cannot be denied but that the Pontiff has vehemently sinned against the good morals and the custom of princes, especially Christian ones, since he has condemned me unheard, which thing indeed he has done by numbering me among the persecutors; as is not obscurely indicated by the fact that he is encouraging his Catholics to aspire to the glory of martyrdom." But next, in his attack on the first Brief of the Pontiff, he digresses at length about this and first he affirms of Elizabeth on p.18 that: "on none of the pontificalists did she impose punishment for religion's sake until their crimes and outrages had extorted from her, as it were unwillingly, the sufferings that they have borne." Now this he in this place more or less proves because the queen, neither before nor after the issuing of the Brief of Pius V against her, can justly be branded with the infamy of persecution. He shows the first part because, at that time, before Pius V had fulminated his sentence against the queen, "neither did she impose on Catholics any heavier fine or severer laws, nor was any capital punishment at that time established against Catholics." He shows the second part since, from the time when that sentence had been passed against the queen, "so many plots and machinations and public rebellions rose up in the kingdom that the punishments of the delinquents were not only just but also moderate;" therefore the queen cannot, on account of those punishments, be branded with the infamy of persecution, but can rather be commended with the name of great clemency.

3. Next he makes transition to himself and his own kingship, and on p.23 he thus speaks: "As to what they falsely accuse me of about the persecution of Catholics, it can never be proved that anyone for the sake of conscience, and therefore of religion, has hitherto in my reign either been punished with death or lived merely in danger of death. Unless perhaps (he adds) this wretched interdiction given by the Pope to Catholics not to make, on their oath, promise to me is becoming henceforth the cause why many of them

are rightly punished.” Next, with many arguments and signs he tries to show that he does not merit the name of persecutor. First generally by comparison with the queen, because James has conducted himself with much greater mildness and piety toward Catholics than the queen. Second, because he has used so much clemency toward Catholics “that even they themselves have come to the hope that they will soon enjoy the freedom of their religion,” and that other sectaries, familiars of the king, are astonished and fear therefrom great calamity for the kingdom. Third, he reviews the human favors and temporal benefits conferred on Catholics, as are the giving some recusants the dignity of knight, making others sharers in access and conversation with him, lavishing on them honors and benefices without any discrimination of religion, and the like. Fourth, he numbers among these benefits that he has admonished his judges not to afflict priests with punishment, even if they have been convicted, and chiefly he exaggerates “a most clement edict whereby it was permitted to all priests who had not been apprehended, and were at that time active outside custody, to leave the kingdom within a predetermined day. But if any were being detained in prison, they were permitted also freely to depart, and if any others were afterwards apprehended, they were sent off across the sea and there restored to liberty.” From which he concludes that ingratitude is shown in the Pontiff “who has with so unjust a measure compensated so many benefits.”

4. But because for us it is certain and has been examined that the persecution which the Catholic Church is now suffering in England, and suffered after Henry under Elizabeth, is one of the gravest of persecutions that the Church has hitherto in any particular kingdom endured, therefore, in order to show this from its own beginnings and foundations, I note that in every persecution, so as to pass judgment on it, what must be looked at is, first of all, the target and end at which the persecution is tending, next the means through which the attainment of that end is intended. In order, therefore, for some ill treatment of the Church to be a proper and public persecution, it is necessary and sufficient on the part of the end that it be ordered to bringing about destruction or change of the Catholic religion in the whole Church or in some notable part of it. For although the ill treatment of a Christian people or kingdom be ordained to seizing tyrannically the temporal lordship thereof, and although for this reason many temporal harms be done to Christians by rapes, murders, and other like injuries, if these do not tend to the overthrow of the Christian religion but come to a stand in the appetite only for temporal empire, there will not be a persecution proper of the Church as we are now treating of it. Because by it the faithful are not being ill-treated insofar as they are faithful and Christians, but insofar as they are men and citizens, just as Gentiles and pagans are sometimes ill-treated. It will, therefore, be able to be called a bodily persecution, not a spiritual one, a human persecution, not a Christian one, for the latter ought to be because of Christ or because of his faith, according to the verse of *Matthew* 5.11: “Blessed are ye, when men shall revile you...for my sake.” And *1 Peter* 4.15-16: “But let none of you suffer as a murderer... Yet if any man suffer as a Christian, let him not be ashamed; but let him glorify God on this behalf.”

5. However, if on the contrary the persecution tend to that end, and be done under that name, by whatever means intended, it will be a Christian persecution. Because, as is said in morals, the end is what gives being and species to an action. Hence just as he who favors Christians because they are Christians, and confers any benefits whatever on them because of faith and love for Christ, is honoring Christ and can expect a reward from him,

according to the verse of *Matthew* 10.42: “And whosoever shall give to drink unto one of these little ones...only in the name of a disciple...he shall in no wise lose his reward;” so also, contrariwise, he who directly intends to offend the Catholic religion and to turn therefrom those who profess it, whatever means he use for this purpose, will be properly a persecutor of Christians, and consequently also of Christ, according to his word when saying to Paul, *Acts* 9.4: “Why persecutest thou me?” But as to the means, in the same place of *Matthew* 5 the same Lord insinuates various ways of persecuting Christians when he says, v.11: “when men shall revile you, and persecute you, and shall say all manner of evil against you falsely for my sake.” Where Augustine bk.1 *De Sermone Domini in Monte*, accurately distinguishing those three things, says that “persecutions” are properly done by force or ambush; but “to revile” is to dishonor someone in his presence and to afflict him with insults; “but to say all manner of evil against someone” is properly to disparage someone in his absence and to damage his reputation. But although these things are rightly said when the word ‘persecution’ is taken strictly, nevertheless even the ill treatment that is done through insults or defamation of Christians deserves the name of persecution, as is said of the Apostles *Acts* 5 that, v.41, “they departed from the presence of the council, rejoicing that they were counted worthy to suffer shame for the name of Jesus.” And *1 Peter* 3.14: “If ye suffer for righteousness’ sake, happy are ye.” Therefore, according to the diversity of means or tribulations, a persecution can indeed be greater or lesser; yet, in whatever way it be done, if it is done by reason of the Christian faith or religion, it will be Christian persecution. Just as Augustine in the cited place said that “then does someone suffer for Christ when he is, according to the true faith and Catholic doctrine, called a Christian, and is for that reason ill-treated.”

6. Next, so as to bring more light to the cause, we judge it useful to explain more distinctly both the ends of the persecutions of the Church and the means by which they are wont to be done. For a persecution can either be only against good morals, by introducing through violence and human power some corrupt morals into the kingdom, and by gravely afflicting those who resist or fight in any way for the truth. But such ill treatment, as long as it is contained within those limits, is, because it can exist in any kingdom, even a merely human and Gentile one, wont for that reason not so much to be called an ecclesiastical persecution as unjust and tyrannical government. Therefore ill treatment by a Christian prince is wont to advance further to rending the unity of the Church, and to so despising obedience to the one head that he afflicts all those subjects of himself who do not consent to the same schism, and judges them for this very thing alone worthy of punishments. And this now properly reaches some rank of ecclesiastical persecution. Finally, the end and target of the persecution can be change of faith and of the true religion founded thereon, along with ill treatment and affliction of the faithful who resist such change. And this is, on the part of the end, consummate persecution of the Church, because it strives utterly to overthrow its foundation.

7. But the means which persecutors of the Church are wont to use for this end are more or less these. First, by force and power to overturn divine cult in the Church by destroying churches, burning images, converting monasteries and sacred places to profane uses. Just as is related by Optatus bk.6 of the Donatists, whom he accuses in the words of Elijah [*1 Kings* 19.10]: “They have thrown down thine altars.” “Why,” he says, “have you overturned the desires of men along with the altars themselves? Why have you destroyed the way with your prayers?” And Augustine bk.3 *Contra Crescon.* ch.59

therefrom convicts the Donatists of having persecuted the Maximianists, “because they destroyed the basilica of Maximian.” Thus too were the Arians overthrowing the temples of Catholics, as Victorius reports bk.1 *De Persecut. Vandal.* Other persecutors also overthrew and burned images, as is sufficiently well known. Another means is wont to be to proclaim laws and edicts contrary to the faith, whereby the faithful are compelled, under the gravest penalties, to abjure the faith and to profess something contrary to the rules of faith. Which not only did the Gentile emperors do, but also those who defected from Christ, Julian, Valens, and the like. To these are added the carrying out of punishments and tortures. And sometimes too violent means are wont to be applied, whereby the children of Catholics are taught and instructed by heretical ministers and masters, and in order that they may, on the contrary, be kept away and in every way hindered from the discipline of Catholics, as is in memory recorded was done by Julian the Apostate. Next, sometimes tyrants are wont with human enticements and favors to tempt the minds of believers, as is in the ecclesiastical histories matter of common report.

8. First, then, must be proved that the ill treatment of the faithful in England is, on the part of the end, ecclesiastical persecution. For it will be clear if we observe its beginning and origin. For Henry VIII, in order to make proceed in his kingdom the sentence of his divorce against Catherine, in contempt of the Holy See, introduced a new form of the Church in England, and set himself up as head of that church; and he established a decree that there was in that kingdom no need of the authority of the Pontiff in any administration of the affairs of the Church. And, by this power thus usurped, he decreed the introduction into his kingdom of new rites of religion and laws for worshipping God that were far other than they had formerly been; and for this end he did many things which we will later touch upon. This target had Edward also, or rather his protector and advisers, who so increased and amplified the end “that within a short time the awesome sacrifice, the divine office, and all the sacraments ceased altogether in England to be done in the Catholic rite,” as Sander reports. Nay, although Henry forbade, the article of primacy excepted, change to be made in other things pertaining to the faith, straightaway with Edward the Zwinglian heresy began to be introduced, as we saw above. The same end was restored by Elizabeth as soon as she was assumed to the monarchy; for she both declared herself supreme governess of the whole of England no less in spiritual and ecclesiastical things than in temporal, and wished it to be sworn by her subjects. Nor did she in every way insist only on preserving the schism but also on introducing the Lutheran heresy, or some other little different from it, and on completely changing the Catholic religion that her sister Mary had begun to restore; and she labored in that care and solicitude to the end of her life.

Now, that the same form of religion, namely one repugnant to the Catholic, is being by King James preserved in his kingdom, and guarded, and in all ways intended, there is no need to prove. For this the king himself, with sufficient eloquence and explicitness, rather often professes in his own book, as is sufficiently manifest from the profession of his faith treated of above, and we will, in the following, point out many of the words and places in it where he shows and declares this end. From all which it is clear that those three corrupt ends which we above distinguished in persecution of the Christian religion, namely corrupt morals, change of religion by schism, and change of faith by heresy, are all found in this Anglican disturbance; for it began from corruption of morals, and proceeded to schism, and was consummated in open heresy, and does thus

now persist. For schism is not even denied by the king himself; but that was already founded on heresy, as was shown in book 3, and it has culminated in many other heresies, as was proved in books 1 and 2; but schism and heresy cannot exist without great corruption of morals. Therefore, on the part of the end, all the evils which can be found in ecclesiastical persecution there come together.

9. But that it was on the part of the means too, both before Elizabeth and under her, and after her under James, a most bitter persecution, is proved by running briefly through the heads that we have touched on. The first was about violent overthrow and usurpation of sacred things; but this began at once with the change of religion under Henry. For Henry alone seized violently 10,000 monasteries and temples built by Catholics over many centuries, and turned them to profane uses, as Bozius reports vol. 1 *De Signis Ecclesi.* ch. 10; and the sequence and manner of his tyranny is more extensively described by Sander bk. 1 pp. 154 and following. "And at the beginning," he says, "Henry prescribed that all the men and women of all the orders should hand over all the most precious ornaments and relics of their churches to his treasurers." Next, he says he obtained in the public assemblies that all the minor monasteries, whose revenues did not exceed 700 gold coins, should be given over to his own pleasure; and in this way he seized 376 monasteries, and from them 120,000 gold coins each year, and he dismissed into the world more than 10,000 religious of both sexes. Within three years, indeed, he overthrew all the monasteries of his kingdom, and through supreme violence devoted all their goods to his exchequer. But by how much force and how he entrusted this with corrupt arts to execution, is pursued extensively by the same author. But after this, he moved war against the images, tombs, and relics of the saints, and destroyed all the more famous ones, and treated them with contempt and plundered them. But other churches, although he did not utterly overthrow them, yet he seized whatever was precious in them, and violated them in infinite other ways, treating everything sacred with dishonor.

10. Now all these things were continued and increased under Edward, for if any images or crosses had remained in England, they were partly overthrown and partly burned; and everything gold and silver, chalices and sacred ecclesiastical vestments, and all the goods of churches were devoted to the king. And the divine office began to be recited in a heretical rite and in the vulgar tongue, and thus, with the divine sacrifice taken away and the altars destroyed, the churches of Catholics ceased to be temples of God and of Christ, and were transformed into synagogues of Satan. But afterwards Elizabeth again took out of the way the temples, monasteries, and all the sacred things that her sister had in part brought back to the ancient beauty of the true religion, and invaded with greater force and power everything sacred, and tried with all her strength to take away all use of the ancient religion. James, however, although perhaps he did not find monasteries to destroy or their immovable goods again to occupy, nor temples that had not yet been debased by heretics, is nevertheless reckoned to be inflicting violence on sacred things. First, because he acts by his own power to preserve that abomination of desolation, and with the same violence he prevents anything redolent of the Catholic religion from being restored in his realms. And although in Ireland (as we have thence received) the Church, formerly wrecked by heretics, is now by order of the king being rebuilt with the expenses of the Catholics, yet it is being done so that it might serve the sacrilegious rites and assemblies of Calvinists; which is to double, so to say, the injury and the persecution. Next, if any sacred vessels are being secretly retained by Catholics,

and the ministers of the king find them, they seize them and convert them to their own and profane uses. Nay (as we have received from those worthy of faith), under this color they steal all precious vessels of gold and silver or ornaments of women, feigning that they are sacred vessels and are being kept for adornment of reliquaries or altars.

11. Another way of persecuting the Christian religion is wont to be by edicts and laws violent and repugnant to the Catholic faith, of which sort it is very well known that innumerable were passed in England under the aforesaid kings, and are being passed daily. For Henry, at the beginning of his fall, compelled his subjects by public edict to give him an oath of primacy, as was seen above; nay, he was inflamed with so much hatred for the Pontiff that he prescribed by public law, under punishment of death, that everyone should delete the name of Pope from their books. And other similar laws were under him and under Edward passed against the Catholic religion. But later Elizabeth, immediately at the beginning of her reign, proposed an oath about her ecclesiastical primacy to be taken by her subjects. For although she did not use the name of 'head of the Church' but of 'supreme governess', it was however afterwards made clear that the same thing was signified by both phrases. Also was added the penalty of privation of goods and perpetual incarceration for those who refused the first time, but the penalty of death the second. In addition, the use of the sacrifice and of the sacraments in the Roman rite was forbidden under penalty of 200 gold pieces the first time, 400 the second, all goods and perpetual incarceration the third. Again, she forbade anyone, under penalty of loss of all one's goods and perpetual incarceration, to bring into England Agnus Deis, crosses, or any other sacred thing consecrated by authority of the Pontiff, and, under penalty of death, to carry Briefs or Bulls from Rome. To reconcile anyone to the Roman Church she wanted to be the crime of *lèse majesté*. Those who sailed outside the kingdom for the sake of religion she first deprived of all their goods. Afterwards, however, she proclaimed a law whereby all clerics ordained by pontifical authority were within a certain day compelled to leave the kingdom and never, under penalty of *lèse majesté*, to return from overseas. And she promulgated innumerable like edicts.

12. Nor has King James, in attacking the Catholic faith, been more sluggish in his laws. For, as is extensively reported by Cardinal Bellarmine in his response to the *Apology*, there proceeded from the king in the year 1606 an edict whose title was 'For Detecting and Repressing Papists'. From which title is manifest that the edict was passed for the cause of religion and for defection from the Pope. Hence in its first article the laws passed by Elizabeth are confirmed, but in others many things are under the gravest penalties established for the same end. As that the fining with diverse pecuniary penalties of Catholics who refuse to receive the supper of heretics, or to enter their temples and take part in their sacred rites, was being done, through increase of these on each occasion, in a far more bitter way than under Elizabeth. Next, although the king say that he has tempered the ancient oath, he has not however removed it. For we know by faith worthy of report that it was last year decreed that all subjects should give the oath. In addition, those who also refuse to accept the new oath of fidelity are thrown into the prison of murderers; and if they there also refuse, they are deprived of all their goods and delivered over to perpetual incarceration. Again, as that he who leads any of the king's subjects back to obedience to the Church is held guilty of *lèse majesté*, and he undergoes punishment for the crime unless, having confessed the crime within a certain period, he take both the oaths, of primacy and against the power of the Pope. All which edicts and

laws are manifestly ordered to the target of turning men from the Roman religion, and they contain considerable coercion; since, by the threat of privation of goods and perpetual incarceration, men are kept from acts in harmony with the Roman faith and religion, and are drawn toward an oath of perfidy and the sacrilegious superstitions of heretics.

13. Add that it was before under Elizabeth not so bitterly done as in these later years, especially from the year 1605 to the present. The same edicts have in Ireland (as is being written from there) been promulgated by legates and governors sent with great power from the king, by whom Catholics are so ill-treated that they are scarce permitted to live, unless they renounce the ancient religion. For it is prescribed to all, under the gravest penalties, that they go to the churches of Protestants on the Lord's days and on feast days and take part in their impious rites, and Catholics are compelled to leave their fatherland if they do not wish to be in conformity with Protestants. In addition, Catholics are forbidden, under pain of perpetual incarceration, to teach grammar or any other science to young men within the kingdom. Parents are prohibited, under pain of confiscation of goods, to send their sons outside the kingdom to Catholic studies of letters; but if it is clear that they have sent them, they are detained in prison until their sons return. Again, those who are their own master are likewise forbidden to depart the kingdom for the sake of obtaining knowledge, under pain, if they are apprehended on their departure, of perpetual incarceration. No one is permitted to be chosen for some magistracy, nor admitted to control of it, unless he first take the oath about the ecclesiastical primacy of the King of England. All these things and many more, which I omit for brevity's sake, are ordered to the same end of tearing up by the roots the Roman religion from that island where it was seeming still to be in vigor. Hence when, by order of the king, the four archbishops, who are the only ones in that province, met in Dublin to deal with affairs of religion, they all swore with one mouth to procure by all means and ways that in their own and their suffragan dioceses, and so far in the whole island, uniformity in rite of religion be preserved. "To the end," they say, "of eradicating thoroughly the papistical religion and of planting in its place the true (of course) faith and religion."

Now this ill treatment by edicts and laws stops not only at threats but in great part proceeds to implementation, as Sander in bk.3 of his history extensively reports about the time of Elizabeth. And about this time it is clear to us, by constant report and relations very worthy of faith, that Catholics are being very greatly ill-treated by plunder and rapine, and having been reduced, at the extreme, to poverty they have neither strength nor spirit to resist. Of which thing we could report many examples; but let one suffice, about a certain illustrious man, the Viscount Montagu, who, in order not to take the new oath, paid in the previous year of 1611 6,000 pounds in compensation, that is, 24,000 Portuguese cruciats or ducats. Nor is there need for us to employ longer proof for the other means of tortures, punishments, and coercion by which the faithful are ill-treated very gravely; because both in the following chapter will it be necessary to relate many arguments and examples of this truth, and now will the same be more evidently made clear by response to the objections, or rather excuses, of the king. For even the king himself does not dare altogether to deny the afflictions and penalties that the orthodox have suffered in England and are also now suffering; but he makes pretense of other excuses which need to be considered so as to make very clear that the persecution is so

clear and cruel that it can by no subterfuge be hidden.

14. First, then, the king excuses his predecessor Elizabeth by the above made partition of times. For before the passing of the sentence by Pius V she did not gravely ill-treat the faithful, while after the sentence she did not ill-treat them but defended herself, nor did she persecute the faith but crimes and plots. Now the first member rests on a false foundation. For the king says that, before the excommunication by Pius V, there were passed in England rather severe laws against Catholics. But the excommunication was passed by Pius V in the year 1569, and yet in 1558 and the following year the laws related above were passed, which can and should be called, not only rather severe, but even very severe. For the penalties of privation of goods or of perpetual incarceration, taken in themselves and singly, are very grave; how then is the law not to be judged very severe that imposed both penalties on him who refused once the oath of primacy, that is, of perfidy? Again, the other laws imposing pecuniary penalties both on those who keep the Catholic custom in sacred rites and on those who avoid the sacrilege of Protestants, since they deprive them little by little of their goods necessary for life and ultimately deliver those persevering in good to perpetual incarceration, cannot fail to be judged very grave and very severe.

15. The king adds besides that no penalty of death was at that time established for pontificalists. But the contrary is clear from the said laws; for on him who for a second time refused the oath of perfidy was the penalty of death being imposed. And the same penalty was being paid by one who brought any pontifical Bull at all into England. And a doctor of the Catholic faith, if he converted anyone from heresy, was guilty of *lèse majesté*, and thereupon was held also guilty of death. Nor only by the laws, but also by the execution of them, and in innumerable other ways did the queen already at that time ill treat Catholics. For Sander reports bk.3, for the year 1585, that many bishops, who refused either to swear or to consent to the other impieties, were deposed from their rank and delivered to prison, and there at length “were by long and tedious miseries extinguished.” Again, other nobles and other religious of both sexes either endured other ill treatments or, to avoid them, were compelled to leave their fatherland and, abandoning everything, become exiles. It is therefore very evident that Elizabeth ill-treated Catholics with the gravest persecution before Pius V turned his attention to her. Hence, if in fairness of spirit, as the king demands, he himself wanted to judge and ponder the thing with all its circumstances, he would far more truly say that Pius V imposed no penalty on the queen before her stubbornness and her savagery toward Catholics compelled the Pontiff to the defense of the innocent.

Let us see, next, how legitimate is the excuse about the acts of Elizabeth in the later time. “Elizabeth,” says the king, “exasperated by the censure and deposition of Pius V, was moved with anger and indignation against Catholics.” But what then is this excuse? Surely none; nay, rather is the iniquity of the persecution thence made graver and more detestable. For, as was shown, Elizabeth had, before the sentence of Pius V, for many years been ill-treating Catholics in order to turn them from obedience to the Pontiff; and although Pius IV had sent her a legate, who admonished her not to destroy her most noble kingdom for hatred of the Pontiff, and affirmed that, if she feared anything for herself by right of the kingdom, it could easily be settled by the kindness of the Apostolic See, she neither wished to hear the legate nor permitted him to cross over into the island, as in book 3 for the year 1566 Sander reports. He adds too that another

legate was nevertheless sent by the same Pontiff to England to exhort her to send, with all promise of security, some of her bishops to the Council of Trent, so that the cause of the faith might be dealt with, whom also she proudly rejected. Again he says that she was by various letters from the emperor, kings, and other illustrious Catholic men made always more harsh. What wonder, then, if Pius V, when he had for almost four years of his Pontificate patiently awaited some correction or moderation in the morals of the queen and was achieving nothing, at length judged that severity was to be used against her? No one, certainly, who did not doubt of the power of the Pope will dare to blame his indignation nor excuse the stubbornness of the queen.

We can also adapt to the present cause the excellent opinion of Augustine who, in bk. *De Unitate Ecclesiae* ch.24 speaks thus to the Donatists: "If you have erected an altar against the Church of Christ and are separated from Christian unity, which is diffused through the whole world, by a sacrilegious schism, and if you oppose by blaspheming and attacking as much as you can the body of Christ, which is the Church diffused through the whole world, the holy and canonical Scripture proves you are the impious and the sacrilegious; they, however, who so kindly decree that, for so great wickedness, you are to be deterred and coerced with warnings of losses, with privation of places or honors or money, so that, bethinking why you suffer those things, you may flee your cognized sacrilege and be freed from eternal damnation, are esteemed to be both most beloved and most pious advisers. This love the Pontiffs owe you, so that your sacrileges too they may both on account of Christian mildness decree are not to be punished as they deserve, and on account of their Christian care not let go altogether unpunished. This does God work in them, whose mercy, even in these troubles of which you complain, you refuse to acknowledge." Although Augustine speak these things more or less, not about a Pontiff coercing a schismatic king, but about an emperor raging in favor of the Church against subject rebels, nevertheless, as I said, these very words and the whole opinion are very well adapted, with proportion, to the present cause. Nor will anyone be able to contradict them save he who denies the power of the Pope to coerce schismatic kings; but he will bring the controversy back to the question of the cause of religion. And in this way too is the conclusion drawn that, although Elizabeth, provoked by the sentence of the Pontiff, increased the persecution, not for that reason did she change the target and end of the persecution; for always she fought against religion and was in that intention, by the occasion of a just sentence, more confirmed and made more cruel, and in this way the persecution of Catholics was not changed or taken away, but increased.

16. To the other things that the king proposes about himself and his own governance, we reply briefly that, in the first place, from the comparison he makes between himself and Elizabeth, he at most shows that at the beginning of his rule he behaved himself more gently toward Catholics and in some way tempered the persecution of Elizabeth; but he did not cease from it. For we can easily show that even James himself from the beginning of his reign persecuted the Catholic religion. First, because in the first year of his reign, and in the first Parliament, he not only confirmed the edicts of the queen but also not a little expanded them, as Bellarmine in his response testifies. Second, because the king himself says that Catholics, having trusted in his kindness, came to the hope that they might trust they would soon enjoy the liberty of their religion. Therefore he admits that, even while he himself was reigning, it was always forbidden to Catholics to profess or observe their religion; therefore were they compelled to desert it;

but what can be a more evident persecution of the Church than to forbid the use of it by unjust laws and force? Third, the king himself admits that his supreme clemency toward Catholics reached the point that they were, within a fixed day, permitted to leave the kingdom, or rather were coerced, for the exile was conceded to them for avoiding graver penalties. And this the king calls “a most clement edict.” But let him hear what about a like concession made at the time of Elizabeth Sander writes. “They formed in those very days a new plan, about sending into exile some of those whom they were holding in bonds; either because they felt that by the death and slaughter of priests they effected nothing, or because they judged that their clemency, whose praise they so greatly aspire to, could, when dyed especially by this fact, be noised abroad in many places.” What then if someone make the same judgment about the like plan of the king? Perhaps he will not err much from the truth. However, let us grant that the king did it in the spirit of mitigating the ill treatment and lessening the penalties, “assuredly neither is perpetual exile a great argument for leniency,” as the same author adjoins; nay, considered in itself, it is a very grave penalty, and to be compelled by it to avoid graver penalties is a great calamity, and, finally, when it is imposed on the condition that to return is a capital offense, it is very harsh and savage.

17. But the king says that during his reign it cannot be proved that anyone was punished with death for the cause of religion. But, to begin with, this is no grace, nor is the deed of thieves to be reputed a benefit who are wont to glory that they have given those life whom they did not do away with. Next, very wicked is the conclusion: ‘Catholics are not being killed; therefore neither are they suffering persecution’; as if, indeed, only killing and death are coercion and grave punishment. Hence Augustine *De Unitate Ecclesiae* ch.20: “As often as princes, by the terrors of even the milder punishments, deter from good life and good deeds by threats and savagery, they are persecutors and oppressors.” Next, what is asserted is false, as we will show in the following chapter. And from what the king adds, and signifies will be, that the forbidding of the oath is occasion for the killing of many who refuse, it sufficiently shows that the purpose of the king is to persecute the saints unto death for the sake of religion. For, as we showed, religion and conscience oblige the faithful not to admit this oath; therefore, he who for that cause kills the faithful is persecuting them unto death for the sake of religion. “Their blood not on the Pontiff,” as the king prophesies, but will on the head of the persecutor fall, unless he be corrected. For the Pontiff, who, by declaring the truth, forbade the oath, did not give cause for shedding such blood; but the king, who both imposed such oath by attacking the truth, and decided to persecute unto death those who refuse it, will be true cause of blood so cruelly shed. Besides, the favors and benefits that he relates he has conferred on Catholics are also of little moment for excusing persecution; for not for the sake of religion did he begin to favor them, or rather to dissemble with them, but for political reasons, so that he might, at the beginning of his reign, in some way conciliate everyone to himself. And perhaps he was by such flatteries and honors eager to win their hearts, so that he might afterwards in things also of religion find them more obedient to his will. But if it is so, that is no excuse, but is rather to be reckoned part of and augment to the persecution. Finally, what the king frequently alleges in his defense, that he was compelled to act more severely against pontificalists by the wickedness of their plots, both does not excuse the persecution, which he had begun much before, as we showed, and helps nothing to excuse from persecution the ill

treatment of Catholics that has thence ensued, as we will show in the following chapter.

Chapter 11: Whether those who for the Roman religion and obedience are in England punished with death are to be numbered among true martyrs.

Summary: 1. So as to escape the disreputable mark of persecutor of the Church, the king asserts that faithful and religious men have been killed for crimes and treason. 2. The truth for the affirmative is shown. The Carthusian and Franciscan martyrs; again the illustrious martyrdoms of Thomas More and Rochester. 3. The martyrdom of Thomas, Earl of Northumberland. 4. The testimony of Baronius about the martyrs of England. The martyrs of the Society of Jesus. 5. Grave testimony for Henry Garnet of the Society of Jesus. 6. An evasion of the king is refuted. 7. From his own words it is demonstrated that some of those killed by him have died for Christ. 8. They are martyrs who, when offered the pardon they deserve from death, spit it back so as not to deny the Roman faith. 9. Those inflicted with death for not keeping an unjust law are martyrs. Many Catholics who were killed for transgressing the laws of King James have died for Christ. 10. For the same cause were the martyrs of the nascent Church being killed. 11. They are martyrs who for violation of laws prohibiting acts of the Roman religion are killed. 12. He who is killed because he is performing acts of the Catholic religion will be a martyr. 13. It is no crime of treason to obey the Pontiff. Confirmation from an edict of King James for the oath of fidelity. 14. Those who are in various ways ill-treated for the faith of Christ will not lack the glory of martyrdom. 15. A twofold way of enduring the aforesaid afflictions.

1. So that the King of England may in some way escape the infamy of persecutor of the Church, he has tried to throw the infamy back against the religious and faithful men killed for Christ in the same island, constantly affirming that they were for evil deeds and the crime of treason, or for grave disobedience in transgressing the civil laws, inflicted with a just punishment, and were not killed for the cause of conscience and religion. And therefore he affirms that those who call them martyrs are lying and he much ridicules them. Hence in his *Preface* he thus speaks: “Although it be enough and more than enough that by fitting proofs is it patent that the Jesuits are guilty of treason and plots, and although they have themselves, conquered by truth, confessed it, nevertheless they must be held for martyrs.” Later, indeed, after a long digression directed against Fr. Henry Garnet and others, he adjoins: “This I constantly aver, which I put also in my *Apology*, that here no one, whether in my own times or in those of the deceased queen, has been for the cause of conscience and religion inflicted with punishment.” But if this is true, the conclusion necessarily is that no Catholic who, at least in the times of Elizabeth and James, was inflicted with the punishment of death, has been a true martyr, because (as is the constant principle in theology) the penalty does not make the martyr but the cause, as we have from Cyprian, Augustine, and other Fathers made clear above in book 1 chapter 22. But on what arguments or indications the king relies to prove that the violent deaths of the holy English faithful, carried out by royal authority in England, were inflicted, not for the cause of religion, but for other crimes, we will afterwards see. And we will show that the glory of the martyrs is not obscured by those arguments, but is rather lit up and proved by the words of the king himself; for so powerful is the light and splendor of truth that it can never by cleverness or violence be so hidden that it does not eventually betray and show itself.

2. We say, therefore, that not only under Henry VIII, but also under Elizabeth and James, many in the Anglican persecution have for Christ undergone death, who are, with great glory and abiding truth, counted among the true martyrs of Christ. Thus about these holy men do all Catholic writers think who have in these times written about English things. For Polydore Vergil, relating at the end of his *History* the fall of Henry in denying the power of the Pope and constituting himself head of the Anglican Church, subjoins: “But that decree was not approved by all. And in the first place by the Bishop of Rochester, a man of great learning, supreme integrity, and innocence; again by Thomas More, knight, most adorned in letters and good morals; who finally preferred to depart from life than from that opinion, so that they might in heaven, as they themselves were hoping, the sooner enjoy eternity; and some few others voluntarily did the same.” Where, although he does not by express name call them martyrs, yet, when he testifies of their innocence and discloses the true cause of their killing, he confirms both that they were very martyrs and that they were killed for the sole reason of religion. Sander affirms the same of them, and of others killed under Elizabeth, and he shows it with various examples and reasons in bks. 1 & 3 *De Schismate Anglicano*. For in bk. 1, for the years 1533 and following, he relates that many illustrious religious of the Carthusian and Franciscan families were martyrs, and he confirms that they gloriously triumphed in giving illustrious testimony for the truth. Afterwards he describes the martyrdoms of Rochester and More, and distinctly relates of More that he was asked “whether he approved the law publicly passed in which all power was abrogated from the Roman Pontiff and supreme government of the Church conceded to the king.” To which interrogation, although he had first responded in such way that he seemed neither to be denying the faith nor offering himself rashly to danger of death, at length, under urgent necessity, he thus replied: “I by the grace of God always Catholic, and never departing from the communion of the Roman Pontiff, heard at some time that the power of the Roman Pontiff was indeed legitimate and laudable, but yet that it was of human right and not divine prescription. Therefore, when I saw that the state of this kingdom was being carried to such place that necessarily there had to be investigation into the origin from which the power of the Roman Pontiff flowed, I gave myself for a whole seven years to most diligent research of the matter, and I discovered that the power of the Roman Pontiff, which rashly (to say nothing more serious) you have abrogated, is not only legitimate, laudable, and necessary, but is also of divine right and prescription. This is my opinion, this my faith, in which by the grace of God may I die.’ Scarce had he said these things when all in a loud voice cried out that More was a traitor and an enemy.” And likewise of Rochester, he says that he was killed for the fact that he refused to consent to the article about the spiritual primacy usurped by Henry. But he adds that both were killed for the fact that they refused to swear that the marriage of Henry with Anne Boleyn was legitimate. From which King James takes opportunity to mock their martyrdoms; but that on this head too they were made more illustrious, we will in the following chapter show. Next, the same author in almost all the following years of the life of Henry relates most illustrious martyrdoms; however, because King James says nothing of the time of Henry, these things are at present sufficient.

3. Now in his third book he affirms that many were for sole cause of faith killed by Elizabeth, whom he judges also to be martyrs. And first, before the Brief of Pius V had been readied, he reports that Thomas, Earl of Northumberland, who had taken up

arms against the heretics, was betrayed into the hand of the English, “and having,” he says, “been offered life if he would change his opinion of religion, he ended with a famous martyrdom faithfully in the Lord.” Now the author interposed here the words “offered life if he would etc.” lest perhaps anyone think this ear should be excluded from the glory of martyrdom on the ground that he seemed to have been killed for starting rebellion; for it is not so, for the condition offered him was sufficient for him to have died for testimony of faith rather than for a prior deed (of whatever sort it was). Which is for many other examples a thing to be heeded. Afterwards, indeed, in the year 1571, although many laws, noted in the preceding chapter, had been passed against Catholics, Sander says: “When many devoted Catholics either were truly committing offense against these laws, or netted at least by the calumny of the laws were being held in custody, some were punished with prison, some with proscription of goods, some also with death, both priests and lay folk of both sexes from all orders.” And for the following year 1581 and thereafter he relates also the very famous martyrdoms of Fr. Edmund Campion of the Society of Jesus and of many others, about whom he finally says: “But I have in vain commemorated in this intended summary for what crimes punishment was so cruelly inflicted on the innocent, since it is clear to all that the true and sole cause was profession of the ancient religion and defense of the Apostolic See and communion against the rebel sons of the Church.” Which later he confirms with many signs and testimonies. Hence, as to what King James says, that Elizabeth committed these and the like things irritated by Pius V, it can do nothing to prevent all these from being true martyrdoms. Nay rather, therefrom can be more shown that all those murders were committed in hatred of the Roman religion and for confirming the sect contrary to it, and thereupon nothing can in them be wanting for true nature of martyrdom.

And in the same way about these martyrs does Genebrard think in his *Chronicle* for the year 1534, referring to Paulus Jovius, Georgius Lilius in his *Chronicle*, and Sleidam bk.9. Again Sirius in his *History*, Bozius *De Signis Eccles.* p.1 bk.11 ch.1, where he relates extensively the martyrdoms of the Carthusians under Henry, and notes that these endured them willingly. “For the condition was proposed to them,” he says, “either to depart from the faith or undergo those torments.” Next, indeed, he relates the torments and martyrdoms of others under Elizabeth, all of which he pursues more extensively in bk.12 ch.22. After these Didacus de Yepes, a Spanish bishop, in his *English History* often confirms this truth, but especially in bk.1 ch.14 he reveals the counsel and industry of the heretics in wrapping the cause of religion under the name of the crime of *lèse majesté*, so that Catholics might under that pretext and calumny be killed, and should not obtain among Christians the glory of martyrs. And in bk.2 ch.5 he refers to Andreas Filipater writing excellently about these martyrs who were made by Elizabeth.

4. In addition, the most illustrious Baronius in his *Martyrology* for the 29th day of December, on which day the Church celebrates the feast of St. Thomas of Canterbury, after a brief description of his martyrdom subjoins: “He deserved to see our century, in this respect most happy, what a number of Thomases, most holy priests, and other most noble Englishmen, crowned with an ampler (may it be permitted to say) martyrdom and enlarged with crowns of a double title!, since not only for ecclesiastical liberty (as Thomas), but for guarding, restoring, and conserving the Catholic faith, do they repose in a most noble martyrdom; as, among others, those whom recently the holy Society of Jesus lavishly fed, like innocent lambs in sacred enclosures, with holy erudition for

martyrdom, victims most pleasing to God; whom the Roman, whom the Rheims sacred colleges, which I would call high citadels from the face of the North and most strong defenses of the faith, have sent out to their triumphs, and have carried forward to their crowns. Band of Englishmen, go on in spirit, go on in virtue, most nobly and gloriously, who have given your name to so illustrious a campaign, and in a sacrament pledged your blood! Certainly I emulate you with the emulation of God, since I behold you candidates for martyrdom and designated martyrs of the most noble purple. I am compelled also to say: May my soul die with the death of the just, and may my last days be similar to theirs.” Which words the most grave man spoke, not only about those who suffered in the times of Elizabeth but also about these who did so under James too in his time, of whom that there were not a few we have it as ascertained fact in the reports of many persons worthy of faith, although it not be written down in some history committed to print that has come into our hands.

5. Next thus does Petrus Opmeccus think about the English martyrs in a very recent work of chronography for the year 1535, and Laurentius Beyerlinck in vol.1 of the same chronography for the year 1606, where, after describing the gunpowder plot against the King of England and the punishments inflicted on the authors of the plot, he gives grave testimony about Fr. Henry Garnet, which it has seemed opportune in this place to transcribe. “A little later there came also into suspicion of the gunpowder plot, by hatred, I would believe, of the Society of Jesus in which he had enrolled himself, Henry Garnet, a man cultured in all kind of letters, who however had never involved himself in those arts, protesting that he had found out about them nothing publicly. Catesby had revealed in the secret of conscience that there was something in his heart that might advance religion, yet he so wrapped it in the cover of words that he never made mention of a royal killing. The acts of the court, and what both against him and for his defense was brought forward into the open, have been explained in published books. Meanwhile on the 28th of March (others say the 3rd of May), unafraid and with unruffled face he was drawn to the place of punishment and to killing, protesting that he rejoiced greatly that he had found that death which would open up for him the entrance to immortality. Nor had he alone come into suspense of that outrage, but many in addition, of whom not a few, who were living in Belgium, are said to have been defiled by that stain. The day on which the plot was first discovered, having been recorded in the annals and famous in the whole kingdom, was commanded kept for perpetual remembrance of the thing.”

6. I know that to all these things King James will reply that no faith is to be put in these authors, both because they are pontificalists and also because they were deceived by false rumors. However, since not only the faith in God of all those authors but also their doctrine and prudence are well known, and some of them were illustrious in integrity and purity of life, they are rather to be believed than Protestants who have both denied the faith and have become, by hatred for the Pontiff, worse than infidels. Wherefore those who speak, not from the relation of others, but from sure science and experience, as Sander and those whom he alleges, are certainly witnesses superior to all exception. But that those who report what they heard were not moved lightly is manifestly shown by their words. Hence one should rather believe that the king has, in the things he affirms about the legitimate proofs in his courts, been deceived by heretics and enemies of the Pope than that so many wise men have been led by vain rumors; since they affirm the thing not as doubtful but as certain, and many of them testify that they

learnt the things they publish from writings and testimonies most worthy of faith. Which was also, without any fear of falsity or refutation, done by the most illustrious Bellarmine, to pass over other writers of the Society who have given testimony to this truth.

7. But, passing over conjectures and witnesses, we can demonstrate the same truth from the words of the king himself. For I suppose, from the things said above in book 1 chapter 22, that nothing else could be wanted in the persons killed by the monarchs of England but that they were put to death for justice, faith, or true religion; for all the other conditions requisite for martyrdom, and all the indications of true martyrdom, are found in their death. Because as well in the antiquity of their faith as in their constancy and patience of mind, and also in the gravity and prudence of their words, they imitated the ancient martyrs, as I made clear in the said chapter. Hence, neither the King of England himself nor any of the Protestants have hitherto been able to find any other reason or way of obscuring these martyrdoms except by denying that those martyrs suffered for the cause of religion. And perhaps for this reason have they dared to pretend this excuse because, since it depends on fact, its proof seems to be difficult; however so powerful is the force of truth that James was not able even in his words to deny, nay even to hide it.

8. For in his *Preface* p.153, when he had said that no one in his or the queen's time was inflicted with the ultimate penalty for the cause of religion, he subjoins a proof in these words: "For however much one may be given to one's religion, however much one may openly and steadily profess it, no danger of death hangs over him from the laws; unless, by some ascertained external act, he has offended against the laws, or has entered upon conspiracy or counsels pernicious to matters supreme; excepting only the sacrificing priests and the rest of the pontifical party who are initiated into sacred orders in regions beyond the sea, who, infamous for so many plots, so many betrayals in England by them either conceived or praised, are kept away, under penalty of treason, from our borders." In which words is first to be noted the general rule whereby the king says that over those "who openly and steadily profess the Catholic faith hangs no danger of death from the laws." For he does not deny that other grave penalties and afflictions threaten them, nor can he affirm that it is licit by the laws for them to profess their faith in those acts and ways that the faith itself prescribes or teaches, as will be clear from what must be said. Next are to be noted the exceptions; one is about "those who have entered upon conspiracy," of which it is not necessary to say anything, for if they have been legitimately convicted of such a crime, they are justly punished for it; nor does that death pertain to martyrdom. But the custom (as has from certain of the examples been shown above, and as repute generally preaches) is for them to be promised remission of penalty if they abjure the Roman religion; and in that case, if along with repentance for past offenses they suffer, they will not lack the glory of martyrdom, because they are ultimately undergoing death for their constancy of faith; but about this elsewhere. Now, as to what pertains to our issue, there is a second exception for those "who by some external act have offended against the laws." And over this point one must pause, and we will consider it along with the rest of what is said about the religion and extermination of Catholics.

9. I ask, therefore, about which laws the king is speaking, whether about purely civil ones, by which thieves, murderers, and other like persons are punished with death, or about laws by which Catholics either are compelled to profess a false sect or to abjure

the obedience and power of the Pontiff, or are forbidden to perform acts of the Catholic religion, or to teach it. Truly the king cannot be speaking of the former laws alone, otherwise his assertion will be easily convicted of falsehood. Both from the laws mentioned in the preceding chapter, and from facts known to all the world, and also from the words of the king in his *Apology*, where those who refuse the oath recently published are threatened with death, as we already considered in the preceding chapter, and we have heard already by certain report that some have in England been killed for that refusal alone. The king, therefore, must be speaking of laws in matter of religion making disposition against the Roman religion. But hence it evidently follows that those who are killed for transgression of such laws alone are killed for the sole cause of religion and conscience, and thereupon are true martyrs; because, as I said, nothing else can in such a death be wanting for true martyrdom.

10. Now the proof the inference is, first, in the laws prescribing acts contrary to true religion, as are to swear the primacy of the queen or king, and to abjure the power of the Pope, or to delete his name from all books, as Henry prescribed. Because no one can keep such a law except by acting against his conscience, or by interiorly or at least exteriorly denying the Catholic religion; therefore to be killed for transgression of such laws is the same as to be killed for keeping one's conscience and religion immaculate. The consequence is evident, and the antecedent is clear from the opinion of Peter and the Apostles, *Acts* 5.29: "We ought to obey God rather than men." Hence rightly did Augustine say, epist. 166: that "if it happen that the emperor is living in error and gives laws for his error against the truth, those who do not do what he commands because God prohibits it, although they are tortured, are not punished but are now tested and afterwards crowned." And the like opinions of the Fathers are collected by Gratian 11 q.3 ch.92 and following. And there is confirmation, because not otherwise have all martyrs from the beginning of the Church suffered. For, by the edicts of the emperors, they were being bidden to do something against the faith and cult of the true God under threat of death, which they chose rather to undergo than to obey such commands. But in the same way are transgressors of such laws in England being punished. And this reason and assertion have place also in the case of those laws of England that prescribe other sacrilegious acts, as participation in the Calvinian supper and similar communications with heretics in their rites and synagogues. For although in the laws there is no capital punishment imposed, nevertheless, whatever punishment it be, to undergo it for transgression of such a law is a sort of participation or beginning of martyrdom, which, if they undergo it unto death, will be able to consummate martyrdom, as I will say below.

11. But about the laws forbidding exterior acts that are good and have proceeded from the Catholic faith and religion, as to do sacred things, to say private masses, to absolve the penitent, to exhort Catholics, to teach the ignorant or those deceived by heresy, and specifically to teach that the Pope is the head of the Church existing everywhere, even in England, and the like – about these laws, I say, it can also easily be proved that those who are killed for transgression of them are true martyrs and are killed for cause of religion. For these laws are similar to the precept of the priests and scribes given to the Apostles in *Acts* 4.18, when "they called them and commanded them not to speak at all nor teach in the name of Jesus." To whom Peter and John replied, vv. 19-20: "Whether it be right in the sight of God to hearken unto you more than unto God, judge ye. For we cannot but speak the things which we have seen and heard." And again in

ch.5, when the high priest blamed the Apostles, saying, v.28: “Did not we straitly command you that ye should not teach in this name? etc.” The Apostles replied, v.29: “We ought to obey God rather than men.” And when for that cause they were beaten, v.41: “they departed...rejoicing that they were counted worthy to suffer shame for his name.” Where I consider that, although the priests had the Apostles beaten for transgression of their precept, these themselves nevertheless judged that they had suffered “for his name;” hence, if that suffering had reached unto death, it would without doubt have been a consummated martyrdom. From which we generally collect that, if a human precept or law forbid acts of the true Catholic religion, which are ordered to its defense, preservation, and propagation, and if someone is killed for transgression of the law by a persecutor of the faith, he is truly killed for the cause of religion, even if the tyrant say the punishment is imposed for transgression of his law. For the reason is altogether the same. Since, therefore, by these laws of England similar acts of the Catholic religion are forbidden, they in no way prevent any who are killed for use of such acts from dying because of the faith and religion.

Now the reason is that those laws are unjust and can introduce no obligation, both because they are civil laws and are in matter of religion making disposition against religion; and because they are prohibiting acts in themselves licit and holy to the spiritual ruin of the Church that exists in that kingdom. And therefore not to observe those laws is no fault; nay, if it be done in a prudent way and without rashness, it is a signal act of fortitude and religion, and a sign of great charity; therefore death inflicted for such acts is in truth not punishment for transgression of law, because where there is no law there is also no transgression, and consequently no fault; therefore neither is there true punishment. It remains, therefore, that there is only persecution of religion and only affliction or suffering of such a person because he professes or defends or preaches such religion; but this is to suffer for cause of religion and for Christ, just as the Apostles suffered. Now this reason more evidently proceeds when the action prohibited by man is commanded by Christ; both because a man then suffers so as not to prefer man to God, according to the Apostolic opinion, “we ought to obey God rather than men;” and also because in that moment of crisis the precept of Christ is binding, *Matthew* 10.28: “Fear not them which kill the body.” For where the author of *Imperfecti* homil.25 says: “Not only is he betrayer of the truth who in transgressing the truth speaks a lie, but also he who does not freely proclaim the truth when he ought freely to proclaim it.” Hence he subjoins that not only a priest but also a layman is debtor to professing the faith in such a moment of necessity. How then will he not be a martyr if for that cause he is killed?

12. I add, indeed, that although such deeds prohibited by human law might sometimes be omitted without transgression of the divine precept, either because they are only of counsel, as to vow chastity or profess religion, or because, if they fall under an affirmative precept of God or the Church, it does not bind either for such time or with so many dangers, and therefore it could very well be then omitted without transgression of the same, nevertheless, if someone, notwithstanding the unjust prohibition and tyrannical threat, perform, for zeal of the faith, those acts in the way they are licit for him and as he judges them expedient for the glory of God and the utility of souls, if for that reason he be killed, he will be a true martyr, because not “as a slanderer or a thief,” or disobedient to the king, whose law is unjust, “but as a Catholic Christian” does he suffer, and on account of justice is he killed. For a man does justice not only when he obeys a precept

but also whenever he works for Christ and the glory of God, although he be then not under obligation; therefore he who suffers so as not to omit this, so to say, voluntary justice, that is, a justice not then necessary by precept but pleasing to God and useful for neighbors, suffers in truth for justice; therefore if he be killed for the same cause, he is truly killed for the cause of religion, and thereupon he is a true martyr.

Since, therefore, the king admits that in England pontificals are killed for transgression of such civil laws, he cannot deny but that they are killed for cause of religion, and consequently neither can he refuse to acknowledge them as true martyrs. For an unjust and invalid law cannot impede the truth of martyrdom, nor alter the true cause of such death; which cause is in truth the mere profession of such acts, which for this reason displease the king and his counselors because the Roman religion displeases them, and they are afraid lest by those acts it be preserved or restored in that island, and lest the opposed sect be confounded. Nor does it matter if they say that those acts are prohibited, not because of religion, but for civil reasons, that such men are seditious and promote plots, etc. For, to begin with, these are for the most part false calumnies and pretexts for overthrowing the Catholic religion. For granting, but not conceding, that some Catholics have in this matter sinned in some respect or gone to excess, not for that reason should their disgrace redound against all Catholics; for this is against reason and against justice, as is clear. It is most of all unjust that for this cause the Catholic religion itself (so to say) is defamed and suffers persecution through the prohibition to subjects of the use of it and of all the means necessary or useful for its preservation or propagation. Next, in English laws many things are prohibited and punished under penalty of death that are neither necessary nor useful for avoiding that danger, if it be one; as, for example, 'to prohibit the affirmation that the Pope is the head of the Church' certainly contributes nothing to that end. Nay rather, the law brings it about that the faithful obedient to the Pope are compelled to hide themselves, from which and the like violence such plots are wont to spring. And the same holds about the prohibition of the use of sacrifice and other sacred things, as of images, and about the administration of the sacraments in the Catholic rite. Yet, if subjects were allowed freely to profess their faith and those who are of the Pontiff were known, the occasion for plots and the like dangers would be taken away; therefore such laws, or the deaths that happen under title of them, cannot, by this color, be excused from persecution for the cause of religion. From which finally we say that, if there is any danger of ambushes and plots, it comes from the stubbornness of the heretics themselves. And therefore if, for avoiding the danger, they want rather to overturn the Catholic religion utterly than to desist from their stubbornness, they show evidently by this very fact that they are persecuting the Catholic religion in order to retain their heresy and to preserve therein the temporal state; therefore when for a like cause they kill priests or other faithful, they are taking them away for cause of religion, and thereupon they are, willy nilly, sacrificing them as true martyrs to God.

13. Nor should Catholics be moved or brought into any doubt because the laws of England condemn those who so act as enemies, traitors, and secret adversaries of the king and the republic; for they cannot be judged such before God, but before the depraved judgment of men. For the makers of such laws think the dignity of the Pontiff is contrary to the royal majesty, and therefore do they call profession of obedience to the Pontiff the crime of *lèse majesté* although, however, to deny obedience to the Pontiff is the crime of

lèse majesté against the Divine Majesty, who has committed his vicariate on earth to the Pontiff; and therefore the obedience that is attributed to him is attributed to God, and it cannot be contrary to the fidelity that is just and due to temporal princes; since Christ himself taught that to give the things that are Caesar's to Caesar is not repugnant to giving the things that are God's to God. But that this is the principal intention and artifice of such laws can easily be understood from the things that Sander relates about Elizabeth's time, bk.3 p.469, where he says of the holy confessors: "Although the rest of the fabricated charges they had easily in court rebutted, next their more secret thoughts and future deeds become inquiry through certain captious interrogations about the declaratory Bulls of Pius V; namely, whether they judge that sentence legitimate? Whether they think there is power in the Pope to de-authorize kings and to make their subjects free of obedience to them? What their future deeds will be and what they will prescribe in conscience to others if war is waged by anyone on account of religion? and others of this kind; wherein, if they said anything on behalf of pontifical power, even with the most prudent moderation of the ancients, they were immediately decreed guilty of *lèse majesté* and not of religion." And afterwards he confirms the same at length by the confession of one John Nicolas and by diverse and illustrious examples; and finally he proves it by laws contained in a certain edict of the queen, chiefly up to p.484. But we can prove that very thing from King James' edict for the oath of his fidelity, or rather of denial of pontifical power, made at proclamation or petition of Parliament in the seventh year of his reign, whose tenor, omitting the preface, is: "By these presents we strictly prescribe and command that the lords and the rest of our more secret council, archbishops, bishops, presidents, and guardians of the peace...to whom this business has regard, that they administer this oath to all persons, and chiefly to those to whom it can and should be administered according to the statute made in the third year of our reign, and that they note those who refuse, according to our laws respectively. And although we will be able, from our love toward all our subjects (over whom we are, by the providence of God, in the place of father), to wish that there be none found within the limits of our domains who will have refused it, nevertheless, if anyone has so alienated his heart from their most serene prince so that it, or any part of it, they have subjected to a foreign power in derogation of our crown and dignity, we will make clear the severity and justice of our laws due to him; just as, on the contrary, our favor and kindness will be due to our well-deserving subjects. Nevertheless, because this alienation from us and from our crown is a certain preparation for a further and more dangerous defection, and tends for that reason to the crime of *lèse majesté*, we have determined to reserve to ourselves and to our use all ordination, power, and disposition concerning this case as also concerning the punishments of the same." From which words is clear enough that these punishments are not in truth inflicted save for confession of the primacy of the Pontiff, or for non-denial of his power, which is manifestly cause of religion; but, in order to obscure the glory of the martyrs, the true cause is covered by the fictitious veil of the crime of *lèse majesté*, while the severity and injustice of the punishments are hidden under the flattering words of clemency and paternal providence, wherein the King of England imitates other emperors who have defected from the Church. For thus about Constantius does Hilary report in his book against him, because he was persecuting Catholics partly by flatteries, partly by terrors and afflictions "without envy (he says) of their glorious deaths." Hence in this way does he cry out against Constantius: "You fight against God, you rage against

the Church, you persecute the saints, you hate the preachers of Christ, you take away religion, tyrant now not of human beings but of divine.” And later: “You creep up under a flattering name, you kill in the appearance of religion, you accomplish impiety, you, a false preacher of Christ, destroy the faith of Christ.”

Likewise Julian the Apostate “cleverly and artfully” (as Nazianzen says, *orat.3* and elsewhere against him) moved war against Christians, “putting clemency round tyranny like meat round a hook, so that he might cover force with persuasion and flattering words.” And Nazianzen subjoins: “Since, as he envied the athletes in other things so he envied them in the honor with which martyrs are wont to be treated. And accordingly he undertook this labor, that he himself indeed might both bring force to bear and not seem in the meantime to be doing so.” Which he pursues there at length. And he repeats similar things in *orat.4*, which is the second one against the same. But in *orat.32*, after he has spoken about Julian, he subjoins about Valens: “The second was in no way more humane than the former; nay, even bitterer than he, because, bearing the name of Christ, he was a false Christ, and a disgrace and shame to Christians, for whom to do was impious and to suffer inglorious, so that they might not seem indeed to be receiving injury, nor the illustrious name of martyr be added to their tortures, but that this too might be a dye to hide the truth, so that those who were suffering as Christians might be afflicted with torment as impious.” There is no reason, then, that Catholics should doubt of the martyrdom of those saints; for, according to the rule of Augustine bk.20 *De Unitate Eccles.*, since they are certain that they died in the unity of the Church for the same unity and obedience, they cannot doubt but that they have been crowned as martyrs, and that their killers are to be judged as persecutors of the martyrs. “Let no one, therefore,” as Cyprian said bk. *De Lapsis*, “defame the dignity of the martyrs, let no one destroy their glories and crowns. The strength of their incorrupt faith remains unimpaired, nor can he say or do anything against Christ whose hope, and faith, and strength, and glory are all in Christ.”

14. We can, finally, add to the consolation of the faithful that Catholics so long vexed for the faith, although they have not died violently for the faith, if they persevere in that tribulation constant unto death, if either as wandering in flight in mountains and wastes, or as afflicted with bonds and prisons, or as sojourning in voluntary or coerced exile, or as hiding in caves and caverns of the earth, or as undergoing in other ways and in need many troubles with patience, they have arrived at the end of life, they will not have to be deprived of the glory or reward of martyrdom. Of which truth for me is sufficient witness Cyprian *epist.5 & 6* to the people of Thibaris, whom he exhorts to martyrdom and says: “If a thief has oppressed someone fleeing in the wastes or the mountains, if fierce famine or thirst has seized him, or cold afflicted him, or if hurrying through the seas in a precipitate voyage, tempest or storm has submerged him – Christ everywhere sees his soldier fighting, and renders to him, dying because of persecution for the honor of his name, the reward he promised he would in persecution give. Nor is the glory of martyrdom less for not perishing publicly and among many, since the cause of perishing was perishing for Christ. Sufficient witness for testimony of his martyrdom is he who proves and crowns the martyrs.” And thus did the same Cyprian speak *epist.18* to Pope Lucius: “Martyrdoms deferred in the confessors of Christ do not diminish the merit of confession, but show the mighty deeds of the divine protection.”

15. For these toleratings of afflictions and punishments up to death can happen in

two ways; in one way with so great violence and infirmity of body from the afflictions themselves, or arising from the occasion of them, that death in large part comes therefrom, or is much hastened, as happens in long incarceration, or in exile to unhealthy places, in long and perilous voyages, or in so great penury of things that the body is weakened by grave and continuous troubles until it is extinguished. And in these cases martyrdom is in all propriety and truth perfected; and thus is the Church wont to venerate those who in this way die for Christ as true martyrs, and to celebrate their deeds. But in another way can it be done, so that although someone sustains bonds or exiles or other like afflictions until death for Christ, nevertheless those afflictions are not the cause of death, but it comes in its own natural course; and then, although there be doubt among theologians whether that testimony of faith rendered unto death suffice for obtaining the name and special halo of martyrdom, nevertheless it is certain that there cannot be lacking to him the plentiful glory and reward of martyrdom. For he who has thus persevered has in truth fulfilled the condition demanded by Christ: "Whosoever shall confess me before men;" hence it is necessary that Christ himself too fulfill his own promise: "him will I confess before my Father."

And in these, because they thus suffer, has most place what Augustine says in serm.46 *De Tempore*: "Not mere spilling of blood consummates martyrdom, nor does merely the burning of flames give the palm. Not by death alone but also by contempt of the flesh is the crown reached." And serm.232: "Whoever has given testimony for the truth, to him will the lord compute for martyrdom the whole of what he has borne for the testimony of truth and justice," namely, by persevering in that confession unto death. And thus too in these confessors is very much completed what the holy Fathers often say, that martyrdom is not lacking where the will is not lacking, just as Chrysostom said on *Psalms* 95: "Martyrdom is not reckoned only by the event but also by the purpose." And Cyprian epist.11: "Let none of you be sad as if he were less than those who having before you suffered torments, having conquered and trodden the world under foot, came by a glorious journey to the Lord. The Lord is searcher of the reins, and he examines the secrets of the hearts, and gazes upon what is hidden. There suffices for meriting the crown of God the testimony alone of him who will judge."

Chapter 12: Response to what the king objects against the second Pontifical Brief and against the letter of Cardinal Bellarmine.

Summary: 1. The king's refutation of the brevity of Cardinal Bellarmine. 2. The chief strength of the second Brief of Paul V. 3. Since the king does not have anything to object against the second Brief of the Pontiff, he uses exaggeration of words. 4. By what spirit the form of swearing the oath was contrived. 5. Response to the final inference of the king. 6. The king's objections against the letter of Cardinal Bellarmine are refuted. 7. The illustrious martyrdoms of Thomas More and of Rochester are vindicated from calumny. 8. The final objection of the king against Bellarmine.

1. Among the other arrogant signs that the king in his *Preface* enumerates and reproves from the *Apology* and from the response of Bellarmine, one is that the same brevity that the king had held to in writing Bellarmine himself wanted to follow in replying; and he adds: "The same brevity I used in refuting the second Brief of the Pontiff he wished to use against me and, on my example, he confines himself within the

narrowness of one page.” So that I may, then, avoid a like rebuke, and might flee all shadow of occasion for it, I have desired to give on this point, as hitherto I have done in the rest, a plenteous rebuke to the most serene king. But neither in the Brief itself have I found anything that is in need of a new defense and proof, nor in the attack of the king anything that might require a special response; therefore I have thought it more satisfactory to fall into the same offense and rebuke of the king than either to repeat things already said or weigh down the page with superfluous and idle words. And therefore I will next briefly explain the decree of the Pontiff and its reasoning, then I will with the same brevity show that nothing difficult is objected by the king against it; lastly in a similar way I will run through the refutation about the letter of Bellarmine.

2. The Pontiff, then, in this second Brief imposed no new burden or obligation on English Catholics, but again confirmed the first Brief and more distinctly explained that in it two things were done. One is to make clear that it was not licit in conscience to give this oath of fidelity; the other is to prohibit it also by his own precept, so that all occasion of turning aside or of doubt might be taken away. In addition he also makes clear that the first Brief was written, not only on his own initiative and from sure knowledge, but also after application of long and grave deliberation about all the things contained in the oath, and that therefore the Brief must be absolutely kept, with rejection of every interpretation persuading otherwise. But the reason or necessity for this new declaration or confirmation was that, as the Pontiff himself reports, some, whether subjects or seducers of the king, had sown a rumor in England that the Brief was either false or not legitimately and with sure knowledge got ready but by some secret deception; on which pretext some, contemning the Brief, were not refusing the oath. Which fraud and resistance the same Pontiff kindly and prudently attributed to the craftiness of the adversary of human salvation, in order to excuse the frailty of the weaker among the faithful.

3. The King of England, however, since he had nothing, whether taken from authority or reason, that he might object to the most true declaration of the Pontiff and his necessary prohibition, erupted into exaggeration of words, and snatched at the words of the Pontiff himself which we have just adduced, and turns them against him saying that by no fraud could the demon have in a thousand years so harmed the Catholics of England as the Pope has harmed them by the ready issuance of this Brief. Because from it this great harm, of course, will follow, that even many priests who had admitted the oath will be compelled to abjure it, and so it will come about that they would perjure two oaths of fidelity given to their king. One is that which everyone born in the kingdom tacitly swears, the other that which they later admitted. “Hence it follows,” he says, “that no one can in England profess the Roman religion, nor care for the salvation of his soul, who has not cast off and perjured his own acknowledged and sworn fidelity toward the prince.” And nothing else does he object against this second Brief.

4. But it is not difficult in the present point “to try the spirits” and to show whether the intent of the oath and its exaction rather than its rejection and prohibition were from the spirit of Satan, for these can “from their fruits” or their effects be discerned. For the end of the oath is to turn the faithful from ecclesiastical obedience under color of civil obedience, by inducing them to deny pontifical power under pretext of swearing fidelity to the king. Hence the fruits of such an oath, if it is taken, will be profession, confirmation, and increase of schism, denial of the faith, and the complete

ruin of the kingdom in spiritual things, and the loss of souls. It is clear, then, that the oath was by the adversary of human salvation thought up and put into the hearts of the Protestants who advise the king; and that from the same spirit proceed all the words and means whereby such oath is defended. Contrariwise, however, that the rejection and prohibition of the same oath has been inspired by the contrary or divine spirit; both because it is the proper work of the spirit of God to destroy the works of the devil, and also because those who have received the prohibition in full faith and constant obedience are both consulting their consciences and resisting schism and infidelity with hope of great fruit and reward. But those who, whether from frailty of spirit or by error and deception, have, as the king affirms, admitted such oath, recognizing their fall and their error through the cry of their Pastor, will break the bands of impiety and abjure an unjust oath. For this is not only, as the same king infers, not unfitting but rather necessary for salvation, and should be counted among the chief effects of this Brief.

Nor for that reason does the second part follow that the king includes, namely that an oath of obedience and fidelity to the king, which is congenital with the subjects themselves, is abjured. For whether by this oath he understand the obligation that comes as it were by hereditary right to all subjects and to their sons from the fidelity sworn by their parents and ancestors to princes, or whether too he speak of an express oath, licit and honorable, made by subjects about political fidelity due to the king, in neither way does it follow that the natural bond or oath of civil obedience, because of retraction of the oath devised by the king and by some admitted, has been abjured. Because in it, as we showed, there is not promised to the king a civil obedience that is just and honorable, but there is directly denied obedience and power to the Pontiff; and therefore, when it is retracted, the denial is abjured, so to say, and return is made to his obedience. But to the king is only denied the obedience that was contrary to obedience to the Pontiff and to God, which that it is not contrary to civil obedience and is not naturally due has been very often declared and proved.

5. Hence we have now responded to the final inference of the king. For if the king speak of an obedience, as he himself desires, which recognizes no obedience above it, either directly in spiritual matters or indirectly in temporal ones, he infers rightly that no one can in England hold and keep the Catholic faith by swearing such obedience to the king, or by not retracting such an oath if he has once given it. Nor would the king have doubt on this point if he believed, as he is bound to, that outside the one Catholic and Apostolic Church there can be neither salvation nor faith; because where there is not union with the head, there is there schism and division and separation from the Church; and so it cannot happen that he who has admitted the oath and has persisted in it should exist in the state of salvation. However, if the king were speaking of pure and legitimate civil obedience, the inference would be of no moment, because this civil obedience does not conflict with ecclesiastical, and in other Catholic kingdoms subjects keep the Roman religion and consult their own salvation and yet they do not cast off nor abjure the fidelity due to their king, nay they observe it with fuller faith and with greater peace and security for their kings.

6. After impugning the pontifical decrees, the king inveighs against the epistle of Cardinal Bellarmine, to whom in this regard I have not thought it worthwhile to reply; both because the most learned Cardinal wrote it very fully with his accustomed erudition, and also because the king has touched on almost nothing pertaining to the cause that has

not above been satisfied. So that this might be evident to all, I will very briefly make it clear singly and by parts.

For, first, he attributes to Bellarmine that he has confounded the oath of fidelity with the oath of primacy. But this objection the Cardinal himself sufficiently refutes. And for that reason we put forward at the beginning of this book the formula for each oath, so that no place of turning aside or ambiguity might be left.

Second, in the passage “And that justice etc.,” he has set forth fourteen assertions, all or at least some of which he affirms follow from attacking the oath. But enough was said about these in chapter 6.

Third, in the section “And that more clearly,” the king makes transition to prove the justice of the oath of fidelity from the authority of the Councils. But, as I noted in chapter 2 of this book, those Councils speak of an oath that is far different. Hence not unjustly can we turn back against the king the error that he himself, at the beginning of this attack, attributes to Bellarmine, namely, that for proving an oath which is altogether foreign to the question he is piling up unnecessary proofs, as in the said place I more extensively declared.

Fourth, in the section “But now” which is found at p.65, he digresses for many pages attacking and blaming Bellarmine with injurious words or abuses and insults; but in none of them do I find anything pertaining to the cause or to doctrine or worthy of discussion; however, of whatever sort they are, they are learnedly refuted by the same Bellarmine, although they could not unjustly have been condemned.

Fifth, on p.84, the section “Now, however,” he is (he says) returning “whence he had made digression,” but he is by something else immediately diverted to convict Bellarmine of another contradiction, to effect which he assumes as a thing to be proved that the emperors were by the Pontiffs much ill-treated, troubled, and persecuted to death. And he brings in various examples of emperors and kings whom the Pontiffs deposed. But among them are many false ones mixed in with the true, as Bellarmine eruditely shows. Whereon, those that are true confirm the Catholic truth, as by referring to them in book 3 we diligently considered, weighing the circumstances of them individually; but those that are false are to be condemned, for they refute rather the arguer. And so neither of them show that Pontiffs plotted the slaughters of kings by assassins and traps, which thing Bellarmine had denied, for falsehoods prove nothing; but the true histories prove only that when a legitimate cause intervened, and a just cause required, the Pontiffs rather often proceeded, by keeping the order of right, against unjust princes, up to sentence of deposition.

Sixth, on p.90 the passage “For since it is clear etc.,” the king comes more nearly to treating of the cause about the malice or honesty of the oath; however, he does not much persevere with it, for at once he is distracted by the likenesses or examples adduced by Bellarmine into looking for differences in them as if for knots in a bulrush. But nothing does he adduce in defense of the oath or for showing its honesty, besides the general principle that an oath of civil fidelity given to a king is holy. Although, however, the difficulty turns on the application of that very true principle to this oath that the controversy is about, by demonstration that it is a pure oath of civil obedience and contains nothing contrary to the Catholic religion, he indeed often supposes and repeats this but never proves it nor defends it, except by denying the power of the Pontiff. And therefore we have judged we must stand on this point alone; for the other likenesses or

examples, which are brought in for exhortation rather than for proof, suppose the Catholic doctrine; and they are, on that stance, very good, nor are they refuted by the king except by denial of Catholic doctrine, as the same Bellarmine rightly noted when defending and confirming all the parts and examples of his epistle. But because certain words of the Pontiffs Gregory and Leo, which the king extensively attacks from p.106 up to p.116, pertained to the cause of primacy, we dealt with them extensively in book 3. But in the second book we refuted the things that on p.117 he repeats against communion under both species and against private masses.

Seventh, on p.117 up to p.126, he again inveighs against Bellarmine and Sander, and then against Thomas More and Rochester; and although none of the things he touches on pertains to the point of the cause, yet because they in some way touch upon the doctrine of the faith, we have thought it necessary to say something briefly about them one by one. For first he blames, not Bellarmine, but the Church because it does not, in the words of the consecration of the Body, add the words “which is given for you,” “against,” he says, “Luke and Paul.” He also adds that he holds Bellarmine, who confesses that they cannot be reconciled, for an adversary and an enemy. But who ever said that there is opposition between persons speaking about the same thing one of whom tells the thing completely, the other of whom reports part without discrepancy but about part keeps silent? If this is a contradiction or opposition, there are infinite oppositions among the Evangelists that will not be able to be reconciled. Nay, on this same point Luke and Paul are opposed by Matthew and Mark, who were silent about the phrase “which is given for you” that Luke and Paul set down. Nay, even Luke and Paul will be in some way opposed to each other, because they did not use the same word, but one said [*Luke* 22.19] “which is given for you,” the other [*I Corinthians* 11.24] “which is broken [alt. delivered] for you.” Which I have pleased to advert to so that he who reads will notice under what pretexts Protestants leave the Catholic Church and dare to blame its Apostolic rites. For it is clearly known that there is no opposition there, because to keep silent is not to contradict, and Paul and Luke did not say all the words that are necessary for consecrating the Eucharist, and it is not likely that Matthew and Mark omitted something substantial for this sacrament; but it is blasphemous and heretical to think that Peter handed over a mutilated and insufficient form of the Eucharist to the Roman and Catholic Church; on which matter we have elsewhere expressly disputed.

7. Of the person of Sander the king says that “he deserved ill of his fatherland,” which he proves from the man’s opinions or assertions, and he reviews eight which here it is not necessary to transcribe; for they can easily be seen in his books. But from them is plainly collected that for no other reason is Sander said to have deserved ill of his fatherland than that he taught the Catholic truth; or that he did not adhere to or flatter schismatic kings; or finally that, for the constancy of his faith, he died an exile from his fatherland. Of Thomas More and Rochester, signal men and most illustrious martyrs, although the king was not able to deny that they were killed because they refused to assent to the decree about the primacy of the King of England in spiritual matters, he adds that not for this cause alone were they killed, but also because they refused to approve the second marriage of the king. Which he says specifically of More, but understands the same of Rochester, for the histories report thus about both. Now the king subjoins “which in my judgment was a very carnal cause for martyrdom.” But I judge that this judgment of the king sufficiently shows how potent is an error once imbibed for

perverting prudent judgment even in things that are clearer than the noonday sun. For what can be more detestable than to say that bad is good? Or what more grave than to approve the false as true, especially in things of morals and that concern eternal salvation? Since, therefore, the second nuptials of King Henry were so detestable that they were without validity and effect contracted against all divine and human right, the refusal to approve them, even if no other cause for death had intervened in addition, would without doubt have been enough for martyrdom. For although adultery and polygamy, while the first and true spouse is living, are carnal, yet to condemn them is a work of virtue and very spiritual, and resolutely to bear death because of resoluteness in such a deed is an excellent cause for martyrdom. For thus was the death of John the Baptist, as the Church thinks, an illustrious martyrdom, although John was killed rather from hatred of a concubine than of a wife, because he preached to the king “it is not lawful for you to have her;” because that cause, although it was on the part of the king and Herodias carnal enough, nevertheless on the part of John it was spiritual, namely testimony of the truth, for which he was killed. Thus therefore does it happen to More and Rochester; and so on this head their martyrdom is not obscured but made more illustrious. But the rest that the king says in detraction of these holy men pertains to the calumnies of the heretics, in whom he himself has faith; and therefore he also opposes to Rochester the writers and assemblies of the heretics of England, against the authority and consent of the whole world, which is very frivolous, as Bellarmine excellently describes in detail.

8. Eighth in the section “Finally that etc.,” he advances to prove the royal dignity and power from the Scripture of the *Old* and *New Testaments*; but he labors in vain, because no one denies the legitimate dignity and power of a temporal king; but the spiritual power of a king, or his exemption from obedience to the prelates of the Church, are not proved by those testimonies, and by other very certain testimonies are they condemned, as was shown in book 3, where we spoke copiously about the testimonies that the king here piles up. And hence is it sufficiently clear how frivolous the oppositions are that the king fabricates between the modes of speaking of Scripture and of Bellarmine about the dignity and power of temporal kings, whereto Bellarmine himself satisfactorily replies. Just as he also refutes what the king afterwards subjoins against the titles ‘Greatest Pontiff’ or ‘Head of Faith’ with which the Pope is wont to be honored; about which, and about many other things too we have spoken in book 3. And therefore, as I said, I judge that there is in this whole part of the *Apology* nothing further to be delayed over.

Conclusion of the work and peroration to the King of England.

With what gravity and moderation of words one must speak or dispute in controversies of the faith we are, with both example and sentence splendid and most grave, taught by that Gregory who has by antonomasia obtained the name of Theologian, when he says in *orat.*32: “Not without skill do we teach, nor do we with abuses and insults advance against adversaries, as many do, fighting not against the speech but against the speaker, and concealing the while with curses the infirmity of their reasons and arguments in no other wise than they say the octopus vomits out black ink before itself to escape the fishers or snatch from them its view. But that we wage war for Christ

we make plain with this argument, that we do battle according to Christ, who was mild and peaceful and carried our infirmities. For neither do we study peace to the detriment of true doctrine when we in some measure hold back in contentions for minds in order to acquire reputation for easiness and gentleness (for we are not wickedly lying in wait for what is good); and we again cultivate peace when we fight legitimately and hold ourselves within our limits and the rule of the spirit. And of these things indeed I do in such wise think, and for all stewards of souls and judges of right doctrine do I lay down as law, that neither by hardness should they exasperate the minds of men, nor by submission make them proud and insolent, but behave themselves prudently and advisedly in cause of faith, and not in either of these exceed the mean.”

To this rule of writing I have desired so to conform this whole disputation that, if it be possible, I should not in the least depart therefrom. For that this is due to the royal majesty and belongs to my office and is most necessary to attain the end for which I have undertaken this work, of whatever sort it is, I have been always convinced. For I have not for the praise of victory or the display of genius or doctrine desired conquest, but I have had most in my prayers that truth itself might conquer, and that errors’ darkness might be dispelled, and that Christ in all things might reign. Wherefore, most Serene King, if anything in my response and disputation has seemed more sharply said than I am wont, or more freely than is just, may you understand it to have been said, not against the person that you bear, but against the doctrine both new and also ignominious to the Vicar of Christ; and may you in tranquil heart consider that a corrupt and pernicious doctrine, which a Catholic man abhors, a doctor turns from, a religious man takes indignantly, is a thing most difficult to reprehend in sharpness without something seeming to redound against the followers of such doctrine. For these are so conjoined that scarce might they in disputation and admonition be separated. Which in Paul was sometime noted by Chrysostom, hom.4 on *Romans* 1, when he says: “He wanted to speak with preservation of gravity and reverence, and at times to strike down his hearer with cuts; but these were not given together, but one was impediment to the other. For if anything you say reverently, you could in no way restrain your hearer; but if again you wish to restrain him vehemently, you must point to the thing plainly and in undressed speech. Yet the prudence,” he says, “of Paul provided both in exactness, increasing the rebuke in the very name of nature, and making use thereof for a sort of curtain over the shame of his narration.” This prudence of Paul I have certainly held before my eyes, and have studied to imitate it with what diligence I could, always treating, as far as could be, of the thing itself, not of the person, or, where necessity compelled, directing my speech not to the king but to the Protestants his deceivers.

It remains, then, most Serene King, that, with what kindness of mind you are endowed, and what greatness of genius, about which I have always had much confidence, you disdain not to receive with good will this work, and leaf through it at times with pure love of truth, and that you consider at the same time that it is mark of a generous mind and of the greatest judgment to put aside a false opinion when the falsehood has been uncovered, and to embrace the understood truth with the mind and profess it in word, and to guard against the impending perils of eternity. For in stubbornness there is no glory, but in docility of intelligence there is supreme prudence, and in pious conversion to God providence, whereby the interests, not of yourself alone, but of your once most flourishing fatherland, now indeed placed in supreme crisis, you may, insofar as from the

magnitude of your office you are debtor, consult. But if you have heard the voice of God calling you and have determined to obey him, what he himself by calling has begun, he will by aiding perfect, and there will be nothing that, supported on the divine protection, you will not be able to conquer and overcome. Hence there is no reason that you should fear the contradiction of the enemies of truth, whose word creepeth as doth a canker, for God will protect you from the contradiction of tongues. “Many tongues contradict,” says Augustine on *Psalms* 30, “diverse heresies, diverse schisms make loud noise, many tongues contradict the true doctrine; run you to the tabernacle of God, hold the Catholic Church, do not from the rule of truth depart, and you will in the tabernacle be from the contradiction of tongues protected.” The Henry that was first named defender of the faith first wrote excellently against the contradicting tongues, afterwards in folly, and badly consulting the interests of himself and his fatherland, he left an example to be deplored both to England and to the whole world. Why may not James too, although he have first, by seducers deceived, written against the tabernacle of God, namely the Catholic Church, afterwards, understanding the truth, stand forth a most sharp defender of the same Church, and restorer of English honor? For so shall it be that the illustrious title of defender of the Catholic faith, which not without cause you show you value much, you may, not in words only, but in deed and truth, with immortal praise deserve.

But if perhaps, most Serene King, we have by our disputations not yet made satisfaction to your desire, and your greatness of mind and sharp intelligence, and if for other things a fuller response or greater proof be desired, or if to you or to your ministers new objections against Catholic doctrine occur which it be necessary to satisfy, my wish were that they should with all sincerity and for the sake of understanding the truth alone be set forth, and you will always find me ready, as much as will in me be, to give account for the faith that is in us, whether in writing or in speech, if occasion offer, and to make response, according to my strength, to all things that are proposed, confiding, not in myself, but in the divine help and in truth. This only do I earnestly of your Majesty ask with all submission of heart, that if, against those things which in these disputations I have treated, it seem good to write something in reply, there be abstention from all vain contention of words; and that diverse digressions about things which, from time to time, either escape by chance or are touched on by the by, and which matter nothing to the cause of faith, may be avoided, and that in sole love of truth the thing itself be treated and the truth of the faith be inquired into. For if I obtain this from you, I shall, roused by hope of some public utility, spare no labor but most gladly spend and be myself spent for your soul.