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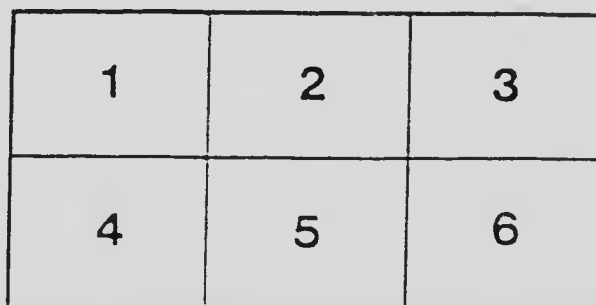
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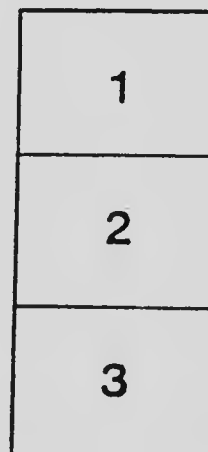
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Christ the First Pope,
.. and ..
Peter his First Successor;
Or
Notes on the Divine Plan of the Church

BY
T. SMYTH-VAUDRY, C. PR.

"And to sore eyes light is offensive which to the sound is delightful."
—(S. Aug. Com., c. 7, n. 16.)

A NEW AND ENLARGED EDITION.

(NINTH SERIES,

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**CHRIST THE FIRST POPE
and Peter his first Successor:**

or Notes on the
DIVINE PLAN OF THE CHURCH.

See table of contents at end of this volume.

SUMMARY OF NOTES.

FIRST SERIES

CHRIST'S PERMANENT MIRACLE.

SECOND SERIES

**THE INCARNATION IS THE CROWNING COMPLEMENT OF ALL
CREATION.**

THIRD SERIES

THE END AND THE WHEREFORE OF THE INCARNATION.

FOURTH SERIES

THE MEANS TO THE END—THE CHURCH.

FIFTH SERIES

THE CHURCH AND THE SYNAGOGUE.

SIXTH SERIES

**CHRIST'S THREEFOLD POWER AS KING, PROPHET, AND PRIEST
VIA, VERITAS ET VITA (JOHN 14' 6): IMPARTED TO HIS
CHURCH.**

SEVENTH SERIES

DISTRIBUTION OF CHRIST'S SACERDOTAL POWER.

EIGHTH SERIES

DISTRIBUTION OF CHRIST'S MAGISTERIAL POWER.

NINTH SERIES

DISTRIBUTION OF CHRIST'S ROYAL POWER.

TENTH SERIES

COMPARATIVE VIEW OF THE THREE POWERS IMPARTED TO
THE CHURCH.

ELEVENTH SERIES

CHRIST'S COMMAND TO PETER, MAKING THE PETRINE OR
PAPAL OFFICE AND THE PETRINE SEE OF ROME
FOREVER INSEPARABLE.

TWELFTH SERIES

A SUMMARY OF PETER'S PREROGATIVES.

CONCLUSION

THE ALTERNATIVE: EITHER THE INDEFECTIBLE ROCK,
PETER—OR BALD ATHEISM.

NINTH SERIES OF NOTES.

Distribution of Christ's Royal Power (or Authority) in the Church.

[364] In this group of Notes we will consider, first, the two-fold title under which the Church governing holds Authority—and second, the visible fountain-head and channels of the same.

First Section:

By the two-fold title of the Positive Divine and of the Natural Law—Christ imparted His Authority to His Apostles and Their Successors, Who Constitute the Church governing.

Definition :

"Jurisdiction is the moral power or right of exercising a variety of functions towards others, of pronouncing judgment and enforcing obedience" (Ryder's Cath. Controv., 9th ed., p. 38). The power of Order means the power of the Church over the *Real* body of our Blessed Saviour—*i.e.*, the power to sanctify men by means of the religious rites instituted by our Lord in order to communicate to mankind the virtue of His atoning Sacrifice and the substance of His Deific body and blood. The royal Sovereignty of the Church, or the power of Jurisdiction, signifies the power over the *Mystical* body of Jesus Christ—*i.e.*, the right to rule and govern the members and subjects of his Church.

Subject-matter of Jurisdiction :

The Jurisdiction of the Church extends over the baptised exclusively—the unbaptised, being no part of the Body, are not ruled by the laws of the Body. "For, what have I to do to judge them that are without * * * For them that are without God will judge:" 1 Cor. 5' 12, 13.

At the same time, an important truth should not be overlooked or glossed over, in connection with this subject, to-wit :

Valid baptism being the God-appointed door of entrance to His one and only Church, it follows that its every recipient become *ipso facto* a child of the one true Church of God, and remains such until he incurs excommunication, or lapses into

formal or willful open schism or heresy. Then he indeed ceases to be a member, but ever continues to be a subject, of the true Church, and, as such, is amenable to her laws. Holy Mother Church, however, whose heart overflows with the maternal love of God, contents herself with appealing to the heart and conscience of such rebellious subjects as were born within the pale of schism or heresy. In her boundless charity She regards these as material heretics or schismatics whose good faith she does not call into doubt.

She most reluctantly punishes deserters. She never persecutes. She abhors and condemns every form of persecution.

The object-matter of Jurisdiction :

It embraces all the measures which the Church deems necessary for her preservation or conducive to her end. It covers all her commandments, ordinances and laws, relative to the hierarchy, to the clergy, to the religious Orders, to the sacraments, to worship, to church property, or to the whole body of the Faithful: such precepts and laws being commonly known as the Canon Law and the Commandments of the Church.

The Jurisdiction of the Church has also for its object the natural divine law—the positive and Evangelic law—the revealed truths of the Faith and the revealed precepts of morals which the eye of her Infallibility descends and the Voice of her Authority promulgates. For, it is worth while to remark, that, to the revealed truths which her Infallibility alone first perceives and recognizes—truths which *per se* command in all their intelligent hearers the adoring assent of Divine Faith in God their Revealer—She superadds the sanction of her universal Authority which enforces the acceptance of the same truths by a positive command of hers. That command of hers does not, it is true, claim (as God the Revealer does) an act of *adoring* obedience to herself the issuer of said command,—but it does require an act of *absolute* obedience under divine threat and pain of eternal perdition.

A fortiori can the Church add the enormous weight of her Authority or command to the dictates of the Natural Law.

The Two-fold Title of the Church to Sovereign Authority :

[365] By virtue both of the positive divine Right and of the Natural Right, the Church possesses full authority—legislative, judicial, and executive—over her members and subjects.

(i) BY VIRTUE OF THE POSITIVE DIVINE RIGHT :

By the very fact that Christ solemnly commanded his Church to continue His own redemptive work here below and found it for that very purpose, He gave her full use of the means, especially the Authority, which He himself judged necessary for the fulfillment of His saving mission. If God Incarnate could not, or would not, begin the Church and guide

her humble beginnings without full sovereign control over the then very small community—how can his heirs, or successors in office, preserve the same Church once grown to such mighty proportions, without the help of at least the measure of authority used by our Blessed Lord?

Therefore, the commission of Christ to his Apostles: "As the Father hath sent me I also send you" (John 20' 21), is a solemn bestowal upon his representatives on earth of the Christ-like Sovereign Authority requisite for the fulfillment of their immense superhuman task. The words of Jesus irresistibly suggest their own paraphrase; they obviously mean: "As the Father hath sent me to do a certain work, I, in my turn, do now send you to continue and perfect the same. And as my work was not simply that of Doctor or teacher, but also that of Priest and Ruler of the Church—so shall you be in my place the visible priests, teachers and rulers of the Church."

Repeatedly does Christ declare his Church to be a veritable Kingdom in spirituals,—a Kingdom *in* this world though *not* of this world. Now, a true kingdom enjoys the prerogative of full Sovereignty. Hence it is that our Lord extends the right of sovereignty to those whom He sets over his Church. His words to that effect could not be more explicit: "And I dispose to you, as my Father hath disposed to me, a Kingdom" (Luke 22' 29.) He imparts his sacerdotal, magisterial and royal powers to his officials: "All power is given to me in heaven and in earth" (Mat. 28' 18).—"Amen, I say to you, whatsoever you shall bind upon earth shall be bound also in heaven; and whatsoever you shall loose upon earth shall be loosed also in heaven" (Mat. 18' 18). And to silence all cavillers, in advance, He makes his Evangelist add in as many words: "Calling together the twelve Apostles * * He gave them power and *authority*" (Luke 9' 1).

He assures His Apostles that they are to continue and endure to the end of the world—(in their successors, of course, for how could they otherwise?)—and that, consequently, their *essential* or episcopal office—*i.e.*, their *impersonal* and strictly *official* "power and authority"—is not to be *temporal* and for a few years only, but shall last "all days even to the consummation of the world" (Mat. 28' 20).

Nor are their episcopal "power and authority" to be fractional and inadequate. They shall comprise "all power" necessary—the full legislative, judicial, and executive powers necessary—the sovereign power absolutely necessary to keep the world-diffused Church compacted into *one* Body (1 Cor. 10' 17)—to save her from schism (1 Cor. 12' 25)—to preserve her from heresy (Tit. 3' 10)—to guard her, guide her, and sanctify her.

We are only rehearsing here the doctrine of Jesus Christ and of His Church—a doctrine which S. Paul, addressing himself to the bishops and to the pastors of his day and of all time, translates into the following terms: "The Holy

Ghost hath placed you bishops *to rule the Church of God*" Acts 20' 28.—"These things *command* and teach" (1 Tim. 4' 11).—"Rebuke *with authority*: let no man despise thee" (Tit. 2' 15).

The duty of the Faithful of all ages and countries is thus tersely summarized: "Obey your prelates and be subject to them." Heb. 13' 17.

Full Legislative Power Promised, Conferred, and Exercised.

[365] Christ *promised* the legislative power to His Apostles in the following words, which to the Hebrew as well as to the Catholic mind convey but one meaning, viz., that of full legislative authority.

"Amen, I say to you, whatsoever you shall bind upon earth shall be bound also in heaven; and whatsoever you shall loose upon earth shall be loosed also in heaven." Mat. 18' 18.

It is historically undeniable that the terms "to bind" and "to loose" were understood by our Lord's hearers to signify the power to make and to abrogate laws. Not Holy Writ alone, but the Talmud itself bears abundant witness that such was the traditional signification attached to these words by the Almighty and by His chosen people.

Our Lord himself in other passages of Holy Writ uses the words in question in their traditional sense, as He does here—*v.g.*, in the 17th verse of the 5th chapter and in the 4th verse of the 23rd chapter of S. Matthew. So does S. Paul in the 2nd and 6th verses of the 7th chapter of his Epistle to the Romans.

The plenitude of the power promised is evident from the very first word of our Lord's promise, "whatsoever"—which studiously eliminates all idea of inadequacy. The same appears from the divine assurance that their legislative enactments shall ever be ratified in heaven. If there ever was a truly sovereign power on earth, it is most assuredly that whose every act is promised the unreserved sanction of God centuries in advance and to the very end of all time.

"As the Father hath sent Me I also send you" (John 20' 21). The power *conferred* by these words is thenceforward *exercised* by the Apostles. For instance, we know that neither the law of nature nor the positive divine law obligates Christians to "abstain from the things sacrificed to idols and from blood and from things strangled" (Acts 15' 29). Yet, the Apostles, under the presidency of S. Peter, made a law enforcing such abstinence upon the hitherto exempt members of the Church. Again, S. Paul forbids the ordination of a certain class of men (1 Tim. 3' 2), and orders women to pray in the Church with "head covered" (1 Cor. 11' 3-10). He further writes to the Corinthians: "Now, I praise you, brethren, that you keep *my precepts*." 1 Cor. 11' 2.

S. Luke says of the delegates of the Council of Jerusalem: "And as they passed through the cities they delivered unto them *the decrees* for to keep that were decreed by the Apostles and Priests who were at Jerusalem:" Acts 16' 4.

S. Paul says in a public discourse to bishops and priests: "The Holy Ghost hath placed you bishops to rule the Church of God:" Heb. 13' 17.

Full Judicial Power of the Church :

[367] This point finds its obvious proof in the proposition just established. For it cannot be reasonably denied that the judicial is an essential part of the legislative power, since it consists in passing judgment both upon the true sense of the law and upon its application to a given emergency. Now a government destitute of the power to interpret its own laws and to judge of their application to the various circumstances of litigation—would soon fall an easy prey to dissension and anarchy. The law would become an inexhaustible occasion of wrangling, and every one would claim the right of private legal interpretation.

But besides the general proof just adduced, we have the positive warranty of the Word of God.—Christ's commission to the Church authorizing her *to judge* and punish her delinquent members is too clear to need elucidation. He says: "Tell the Church: and if he will not hear the Church let him be to thee as the heathen and publican" (Mat. 18' 17). "Tell the Church," for the Church, is the God-appointed judge of her children—a supreme judge whose judgment is ratified in advance in heaven. Here is the Divine text of the aforesaid ratification: "Amen I say to you, whatsoever you shall bind upon earth shall be bound also in heaven; and whatsoever you shall loose upon earth shall be loosed also in heaven" (Mat 18' 18). With divine condescension Christ takes the trouble to tell us that by "the Church" He means her God-appointed authorities; namely, those who have been granted the power to bind and to loose: for, then as now, the generic name of a state or country or collective body was employed to signify the government or authorities thereof. Do we not say every day, "The United States, England, France, Germany, Italy," etc.—to indicate the respective governments of those countries? Availing Himself of this common and universal mode of expression, Christ employs the generic term, "the Church," to signify her official rulers or representatives—as He himself carefully intimates in the 18th verse of the same chapter.

The Apostles put the same construction on the Master's command to "tell the Church," for they ever afterwards acted the part of judges. Now, the Apostles were infallible interpreters of Holy Writ; therefore, their practical interpretation of Christ's command is infallible as well as in perfect accord with the constant Catholic interpretation of the same text.

Unaided reason itself warns us that Christ could not out-

rage the law of God—(i.e., the natural divine law and the positive divine law)—which forbids punishing any one without previous hearing and judgment. Surely, God Incarnate cannot be charged with having a lesser sense of natural justice than Pagan Rome itself, which forbade, under severe penalties, that any of her citizens be punished unheard and unjustly (Acts 22' 25; 25' 16). How, then, could Christ command that a member of His Church—aye, a member redeemed at the cost of Christ's own blood—be cut off and treated as "the heathen"—without the essential procedure of a judicial examination and sentence?

As remarked before, the course followed by the Apostles is a practical as well as infallible interpretation of the command "tell the Church." Now, S. Peter did pass judgment on Ananias and Sapphira (Acts 5' 1-10);—S. Paul on the incestuous Corinthian (1 Cor. 5' 3), on Hymeneus and on Alexander: 1 Tim. 1' 19, 20—etc.

Full Executive Power of the Church :

[368] What we said of the judicial applies to the executive power of the Church: it is not only an integral, but an essential part as well, of all legislative power. For, its essence lies in the right, or moral capacity, to enforce all legal enactments—and it stands to reason that a law devoid of sanction could never be but an object of amusement to those whom it attempts to rule. Therefore, the legislative power of the Church necessarily carries with itself the right or power to enforce the law: which is only saying that Christ made His Church an object of universal admiration, not of universal derision or mockery. He personally makes explicit mention of the executive power of His Church when He says: "Tell the Church; and if he will not hear the Church *let him be to thee as the heathen and publican.*" Mat 18' 17.

Here Christ bestows upon the Church the plenitude of executive authority, viz., the power of excommunication, i. e., the cutting off of refractory members from the Society out of which there is no salvation—by reducing them to the rank of "the heathen."

Benedict XIV. approvingly quotes S. Bernard as follows: "S. Bernard (lib. 4 de Consid. c. 3) addressing Eugenius III., thus speaks of the two swords: "Attack them (he is speaking of perverse Christians who by their seditiousness disturb the peace of the Church) but with the word *not with the sword*. Why dost thou again attempt to use the sword who wert once hid to put thy sword into the scabbard? He, however, who denies it to be thine seems not to me sufficiently to consider the word of the Lord who said, put up *thy sword into the scabbard*: thine, therefore, and it is to be unsheathed, not perhaps by thy own hand, but at thy bidding. Otherwise, if it did not belong to thee, when the Apostles said, Behold here are two swords—the Lord would

not have answered: It is enough—but, *It is too much*. Both then belong to the Church, the spiritual and the material sword, the latter to be used *for* the Church, the former *by* the Church: the former by the hands of the priest, the latter by the hands of the soldier, but in truth at the bidding of the priest and at the command of the emperor" (Benedict XIV. in his great work on Heroicity, p. 311 Eng. tr.).—

[369] To the texts already quoted we could add many more, directly expressive of the executive power vested in the Church. For instance, S. Paul writes to the Corinthians: "What will you? Shall I come to you *with a rod*?" 1 Cor. 4' 21.—"Having in readiness *to revenge all disobedience*," 2 Cor. 10' 6—"I have told you before and foretold as present and now absent, to them that sinned before and to all the rest, that if I come again *I will not spare*. Therefore, I write these things, being absent that, being present, I may not deal *more severely* according to the power which the Lord hath given me unto edification and not unto destruction" (2 Cor. 13' 2, 10).

To Titus, a bishop and disciple of his, he writes:

"And if any man obey not our word by this epistle, note that man and *do not keep company with him* that he may be despise thee" (Tit. 2' 15).

To Titus, a bishop and disciple of his, he writes:

"*Rebuke them sharply* that they may be sound in the Faith" (Tit. 1' 13).—"Rebuke *with all authority*: let no man despise thee" (Tit. 2' 15).

To Timothy, likewise a bishop and disciple of his:

"Them that sin *reprove before all*" (1 Tim. 5' 20).

We have said enough to prove, scripturally, that the Apostles and those whom they set over the Church possessed and exercised, by divine right, the power to legislate, to judge, and to punish.

Even the right of the Church to material support (which Christ embodied in her Divine right to rule) cannot emanate as such—*i. e.*, as a *Divine right*—from any human authority, but comes directly from God Incarnate: See Mat. 10' 10; Luke 10' 7; 1 Cor. 9' 4 sq.; Gal. 6' 6, etc.—The same remark applies to the absolutely sovereign independence of the Church.

Sovereign Independence of the Church:

[370] The absolute, sovereign independence of the Church rests on the positive divine law as well as on the natural law—for, Christ breathes not a word of any intermediary power between the Church and heaven. He does not say "whatsoever you shall bind or loose *by the favor and good pleasure of the State*, shall be bound or loosed in heaven; but His words exclude all interference: "Whatsoever you"—you exclusively—you independently—"shall bind and loose, shall be (forthwith) bound and loosed in heaven," notwithstanding all the powers of earth and of hades: Mat. 16' 18; 18' 18, etc.

Had Christ subordinated His Church to the State, He would unwisely have, thereby, enabled any ambitious potentate to enslave the Church with the greatest ease—by systematically breaking up her grand unity into helpless, servile, isolated, purely national churches—thus destroying her universality, cutting up her world-covering organism into a series of scattered amputated members. Worse still: In pagan, or schismatic or heretical lands, Christ would have, thereby, betrayed His own Church into the hands of her deadliest foes by setting these over her as her God-ordained rulers—thus encouraging the Turk, the heretic, and the schismatic to persecute and annihilate his own grandest creation. Either the language of Christ, in Mat. 16' 18 and 18' 18, is really meaningless, or it signifies: Harken, O ye secular potentates, "Render to God the things that are God's" (Mat. 22' 21): now, the Church is God's; wherefore, O Cæsar, keep thy hands off my Church and "touch not My Anointed:" Ps. 104' 5.

Loudly do the Apostles affirm that they hold their Commission from God alone and from no man—from no earthly potentate: Eph. 4' 11; Gal. 1' 1; 1 Pet. 1; 2 Pet. 1, etc.

Loudly do they repudiate all State-intrusion, or obtrusion, or meddling with the Church and her Divine mission (Acts 4' 19; 5' 29, 42, etc.)—for they are the Apostles or ambassadors, not of Cæsar, not of the State (Gal. 1' 1, etc.)—but of the Lord and Master of the State, the Lord of lords, the King of kings, Jesus the Christ—God manifest in the flesh: Apoc. 17' 14.

(ii) BY VIRTUE OF THE NATURAL DIVINE RIGHT THE CHURCH POSSESSES SOVEREIGN AUTHORITY.

[371] Having shown that the Church is entitled to sovereign authority by virtue of the positive divine law, we will proceed to show that She is, moreover, entitled to Sovereignty by virtue of the natural law. For, it is an axiom of jurisprudence that a *perfect* society is, by right of nature, self-governing and sovereign. Now, the Church is notoriously what jurists call "a perfect society."

A society is the union of rational beings for the pursuit of a common end. It is perfect if its end is perfect and if, besides, the means at its disposal for the attainment of such end are fully adequate. In other words, a society is perfect *i.e.*, self-sufficient and independent, if its end is supreme and subordinate to no other, and if it depends upon no other for the means to that end.

In the *natural* order, the one perfect society is that which (a) has for its end the *whole* compass of man's *natural* welfare, not merely a fraction thereof—and which (b) possesses the means proportionate to the end. Thus, civil society in its supreme form exclusively—as empire, monarchy or republic—may be called a perfect society.

Other natural societies—*v.g.*, the city, the municipality, etc.—are obviously imperfect societies, since they can only meet a *portion* of the natural and social needs and wants of man, and are thus necessarily subordinate to the Sovereign society, upon which they themselves depend for perfect protection or individual independence, for the benefits of progressive civilization, and for all social blessings.

In the *supernatural* order, the particular churches and especially the religious Orders are imperfect societies, since they are *not* self-sufficient and cannot even work out their own salvation independently of the Perfect Society called "The Catholic Church"—from which they derive the right to exist and the very breath of supernatural life.

The one perfect supernatural society existent upon earth is the Church Militant.

She is perfect, and immeasurably superior to all natural societies, by reason of the infinite superiority of her end or object, and of her absolute self-sufficiency in the disposal of the means for attaining that end.

Her object or end is to continue the mission of Jesus Christ here below, *viz.*, to introduce *Him personally*, as well as His Religion, into the human soul,—and thus to raise up fallen man, to Christify man and fit him for the face to face vision of God in heaven.

Such a sublime end is the highest conceivable and, by consequence can be subordinate to no other.

The means to that end is the threefold authority to teach, to sanctify and to guide or rule—*i.e.*, to focus the minds, the wills, and the actions of men by one world-wide common impulse towards the Infinite End to be attained.

These supernatural means the Church derives directly from her Founder; no earthly power could supply them, since they transcend the whole order of nature.

[372] We have already observed that the right of the Church to material support from her members, and to sovereign independence from the State, if viewed exclusively as a God-given right, transcends all human authority. Viewed, however, as a natural right, it may be said to proceed from the natural law which requires us to keep a just contract (baptism), to return good for good, and to respect the God-given rights of others—especially when those divine rights, so far from clashing with, do positively promote the moral, intellectual and material interests of civic society and of mankind at large.

The very law of nature commands us to respect the rights conferred by the Creator of nature.

It only remains for us to draw the inevitable conclusion from the above premises.

The Church is a perfect society—*i.e.*, a society whose end is subordinate and subservient to no other, and whose means adequately respond to the end: therefore, the Church is entitled by the right of nature to Sovereign authority—which is but another way of saying that she has a natural right to exist.

A perfect society has the right to exist as such. It cannot exist without enforcing the use of the means to the end—for, if the means can be altered or changed, or replaced, or set aside, at the choice of each individual member—(a) they will fall short of the end; (b) differences and antagonisms are sure to arise; (c) the least evil, as a result, will be confusion and utter lack of concert of action. For, the mind is subject to so many aberrations, the will to so many vacillations, the heart to so many temptations and corruptions—that nothing short of a controlling authority can blend so many minds, and wills and hearts together in the use of the appointed means, and thereby save the union or society from disruption. Therefore, the use of the means must be made obligatory on all, or it will be a dead letter, and the society will fail of its desired end. Now, the authority to make the means obligatory is the authority to give them force of law—the legislative authority.

To recapitulate and close the argument:

By virtue of the natural law, the Church, as a perfect society, has the right to exist. She cannot exist without giving force of law to her ordained means of existence—which otherwise would be neglected or ignored, and would occasion end-

less discord. Therefore, She cannot exist without inherent legislative powers. Therefore, by virtue of the natural law of self-preservation, the Church has the right to legislate: and to deny her the right to legislate, is to deny her the right of existence.

On the other hand, we have proved that the legislative power without the complementary power to judge and to enforce the law, would be illusive and worthless; therefore, by virtue of the natural law, the Church possesses full legislative, judicial and executive sovereignty.

Must we conclude from what precedes that the Power or Authority of the Church is Absolutely Unlimited?

[373] By no means. In the first place, the authority of the Church is *subordinate* to, as well as in perfect harmony with, the law of God and of nature. In the second place, it is circumscribed by the requirements of her own self-preservation and welfare. That is to say, it ceases to be the moment it ceases to edify or benefit the Church but rather tends to her injury. For, the Holy Ghost teaches with emphasis that it is a power "unto edification" only, "and not unto destruction:" 2 Cor. 3' 10 and 10' 8.

In this connection, it is of capital importance to note that, if material or corporal punishments, *miraculously* inflicted by a S. Peter or by a S. Paul, irresistibly produce repentance or edification—they produce a contrary effect when inflicted by ordinary human agencies: hence the well nigh inspired wisdom of S. Bernard's advice to pope Eugenius III. —to smite with "the word and *not* with the sword" (ad. loc. cit.)—The wisdom of the advice was gratefully recognized by pope Eugenius and by the great pope Benedict XIV. in his celebrated work on heroic virtue, Eng. tr., page 311.

Religious coercion or persecution is a most "execrable heresy," says S. Athanasius:

[374] The Saviour spurned *the mere suggestion* of coercing men into the Kingdom of Heaven (Lk. 9' 54). He tells us that he had legions of Angels at his service (Mt. 26' 53)—and he could have employed these to coerce and crush all opposition. With infinite ease He could have enlisted the Roman legions on his side to achieve the conquest of the world at the point of the sword, but He scorned such a cowardly and Mahomet-like mode of conquest. He warned His disciples that the spirit of religious coercion, which is but another name for religious persecution, is not of God but of the devil (Lk. 9' 55). Christ's all conquering weapon, according to his own declaration, was to be the all-consuming love of the Cross: "And I, if I be lifted up from the earth, will draw all things to myself" (Jn. 12' 32). "Now this He said signifying what death He should die" (Ibidem).

His Apostles, of course, held and taught the same divine doctrine; so did His beloved Church; so did the Fathers.

[375] The Scriptural episodes of Ananias and Sapphira (Ac. 5' 1-11), of Hymeneus and Alexander (1 Tim. 1' 20), and of the incestuous Corinthian (1 Cor. 5' 5)—do not sanction the revolting abuse of coercing anyone, be he infidel or heretic or Jew or schismatic, into the Fold. They simply prove that the Sovereign Lord of life and death alone may, at will and miraculously, inflict death and other dire punishments upon sacrilegious sinners through *the mere word* of His ministers—not through their coercing hand, God forbid!

S. Peter and S. Paul laid no violent hand upon heretical or schismatic offenders, nor did they ever urge the Church to fight these with the glaive of violence. Their sole weapon was the word, not the sword. They who would fain Christianise men, or recall them to Catholic unity, by means of coercion torture and death—dishonor Jesus Christ and degrade Him to the level of an important Mahomet whose power lies, not in his own moral ascendancy, but in terror and brute force and oppression.

[376] The partisans of religious coercion inscribe on the banner of their "execrable heresy," as S. Athanasius justly brands it, the greatest name in all Church history after the Apostles, the name of St. Augustin. They forge his signature to their own base and odious theory, and strangle the historic truth that Augustin's Christ-like soul embraced in its boundless love not only all mankind not only all the oppressed, all the fallen, all apostates and heretics and schismatics—but even heretics and schismatics guilty of dreadful crimes—against the laws of God, of nature and of society. To such a Christ-like sublimity of perfection did S. Augustin carry the love he bore even to persecuting heretics, that he actually saved the life of his would-be assassins by refusing to make them known to the civil authority, whilst these monsters and heretics, "furious at never being able to resist the victorious arguments of Augustin, preached publicly that to kill him would be a real service rendered to religion, and even went so far as to hire assassins to attempt his life" (S. Augustine by Hatzfeld Eng. tr. by E. Holt, A.D. 1903).

[377] Nay, rather than see even murderous heretics and schismatics put to death, Augustin openly declared his readiness to die by their hands. He wrote to Donatus, proconsul of Africa, about the Donatists—the most inhuman and ferocious heretics that ever lived: "If you take away the lives of these men for their crimes you will put us in the necessity of preferring to die by their hands rather than accuse them before your judgment seat" (Letter 127; *ibid.* p. 107).

The question submitted by certain bishops to S. Augustin was not, Whether it was allowed to coerce into the Church a heretic or a schismatic otherwise guilty of no crime. We defy any one to adduce one single word, from the immortal Doctor, in favor of such a coercive course, which, for the rest, he never tires of repudiating.

The question put to the saint, and on which he most reluctantly modified his opinion, was the following:

In the case of heretics and schismatics who, like the Donatists, made such enormous crimes as murder and suicide a part of their creed—is it allowable to grant them, not the full absolute pardon advocated by S. Augustin, but a *conditional* pardon only, viz., by giving them the choice between (a) "a disciplinary repression" of their criminal excesses, or (b) a public return to the Church, in token of sincere repentance. S. Augustin gave his assent to the above "alternative" because, *not* of the heresy, but of the crimes of the culprits, which really deserved death. The conditional pardon he subscribed to was, therefore, a most merciful and generous measure after all, though less so than the unconditional pardon at first advocated by our glorious saint.

[378] S. Augustin, after a long resistance, yielded at last, but under protest, as it were, and with the utmost reluctance, to the imperative necessity of saving the life and property of his fellow-Catholics by legally coercing—but always as gently as possible—the cruel Donatists, who were to be punished not as heretics, but solely as public criminals preaching and practising self-murder as well as the plunder, torturing, mutilation and massacre of Catholics. For a description of these enormities, see the life of the saint by his own disciple Possidius, a bishop in Africa. "It is not argument," writes the saint, "but experience which has modified my opinion" (Letter 93)—*i.e.*, not the mere schism of the Donatists, but their persecuting spirit and their criminal deeds of violence have compelled me to appeal to the repressive arm of the law.

In one of his letters, the saint tells us that, among other incredible barbarities, the Donatists poured vinegar mingled with lime into the eyes of their victims! (Letter 3, n. 1). Nevertheless, the Christ-like heart of S. Augustin yearningly sought those monsters and, precisely *because of their heresy*, pleaded for the most lenient forms of repression in their favor. (2 *Retract.*, c. 5; Ep. 48 ad Vincent., and Ep. 30 ad Bonif.)

[379] In fact, in the matter of humanitarian reforms, S. Augustin was fifteen centuries ahead of his time. Hear him protest, for instance, against the barbarous custom of "the question by torture."

"What shall I say," he exclaims, "of the torture which they make an accused person submit to? What should most appeal to our tears is that the judge who orders the torture for fear of killing an innocent man through ignorance, kills this same man by the very means he employs to save him from death He does not think it a crime to torture the innocent for the crime of others, or to force them by the violence of torture to declare themselves falsely guilty and to perish as such; or, even if they escape condemnation, to be the cause of their dying from the consequences" (Letter 113).

Shame, yes, shame, on the defamers of S. Augustin who in the name of that noblest-hearted of men, in the name of that heaven-high and heaven-broad soul—dare to justify the hell-vomited atrocities of the *torture* of heretics; the torturing boot and the thumb-screw, the rack and the wheel, the stake, the hanging and the disembowelling and the drawing and the quartering of the poor deluded victims of misbelief or unbelief.

[380] The killing of heretics in the name of religion is a more odious form of murder than even the killing of the incurables in the name of humanity.

Mahomet's "Believe or die" was not the doctrine, much less the practice, of the saints; they loved "vehemently and vehementer," not only the household of the Faith, but all the outside of it. Nay, their exceeding great kindness went on to the brute creation itself. Listen to S. Chrysostom: "Sunt enim sanctorum animæ vehementer amantes, non solum erga domesticos sed *alienos*, ita ut hanc suam mansuetudinem etiam ad animantia *bruta* extendant. Propterea et sapiens quispiam dixit: Justus miseretur animarum jumentorum multo magis hominum" S. Chrys. in Ep. ad Rom. cap. 1. sermo 20, circa finem).

Even in dealing with the "ferocious" Donatists, S. Augustin "contended against the penalty of death, *which took away from the condemned the means of repentance*" (Hatfield: Life, etc., p. 136).

As we have seen already, S. Augustin most heroically notified the civil authorities that—rather than consent to the death of heretics—he himself would gladly accept inevitable death from these, by remaining at their mercy and foregoing the protection of the law.

[381] As regards the prosecution and coercion of heretics otherwise guilty of *no criminal offense*, Augustin remained to the last its most formidable opponent. He writes: "One must *never constrain any one to come back* to the unity of Jesus Christ, and no arms should be employed other than discourses and reasons, for fear of making false Catholics of those whom we know now as declared heretics" (Ep. 93).

"I beg of you all who are in the Church to take care *not to insult* those who are not in it. Rather ask God that they may enter."

He wrote to the Manicheans: "Let those be severe with you who do not know with what labor truth is discovered and how hardly one escapes error Those may treat you with rigor who do not know with what sighs and groans one comes to understand God ever so little" (Contra. ep. Manichæorum).

"We have in view, and we wish only for what is good, the *gentleness* which makes the word of truth *loved*" (Letter 113).

"Nothing," says S. Justin martyr, "*nothing is more contrary to Religion than coercion*" (l. 3).

Lactantius says on this point: "*Compulsory religion is no religion at all.* We must employ persuasion not coercion: religion cannot be a matter of compulsion." (Ap. Drach: Harmonie entre l'Eglise et la Synagogue, vol. 1, p. 238).

[382]. A most illustrious Doctor of the Church, S. Hilary, bishop of Poitiers, thunders as follows against the champions of religious coercion:

"Let it be permitted to us to deplore the misery of our age and *the crazy opinions* of a day in which it is believed that God can be protected by man, and the Church of Jesus Christ by the power of the world. I ask you, O bishops, on what succours did the Apostles rely for preaching the Gospel? What sort of men did they call to their assistance in preaching Jesus Christ? How did they convert the nations from the worship of idols to that of the true God? Did those who, on receiving stripes and chains, praised God, get their dignity *from the pulace*? Was it *with the edicts of a prince* that Paul, exposed as a criminal, assembled the Church of Christ? Or *was it indeed under the patronage of Nero, Vespasian, Decius, or of any of those whose hatred but made the Divine word to blossom*? Those who lived by the labor of their hands, who held secret assemblies, who wandered over villages, towns and nations, by land and by sea, despite decrees of the senate, or edicts of princes, had they not the keys of the Kingdom of Heaven? And has not Christ been the more preached, according as it has been forbidden to preach Him? But now, O sorrow! the suffrages of the world serve as a recommendation to divine Truth, and *Christ is convicted of weakness* by the very intrigues made on His behalf! The same Church now *spreads terror by exile and prison, and compels* men to believe in her who of old was believed in because she endured exile and prison: and she who has been consecrated by the hands of persecutors now depends on the condescension of those who communicate with her" (Contra Auxentium, ap. Hatzfeld, p. 107).

With no less indignation than S. Hilary does S. Athanasius, the grand bulwark of Christianity against Arius, stigmatize as a truly detestable, nay, execrable heresy, the doctrine of religious coercion. He says: "the characteristic of a religion of love is to *persuade* and to *compel*" (Epist. ad Erem.): "it is a truly *execrable heresy* to force by violence, by stripes and by imprisonment those whom we cannot convince by reason" (Ap. Drach's Harmonie, vol. 1, p. 238).

The ways of Mahomet are not the ways of Jesus Christ. "Believe or die," is the Turkish, not the Christian, pass-word and motto.

The Church and Civil Society.

[383]. Civil society suggests a very strong a fortiori argument in favor of the natural right of the Church to sovereign authority. For, if civil society itself is naturally en-

titled to such authority—a fortiori is the infinitely more perfect Society known as the Catholic Church. This truth is irresistibly deduced from the main points of difference between the two societies—viz., as to their immediate authors, their comparative action on man, the immediate source of their authority, their object, their duration and their respective polity.

Their immediate authors:

God is the immediate author of the Church which He Himself personally founded, organized and established; but He is only the mediate author of civil society. That is, He created man a rational and social creature and, being the author of such a society-craving creature, God is indirectly the Creator of civil society itself. But he left man free to determine the form to be given to said society—free to act out in his own way his God-given instinctive need and want of social life. Therefore, whilst the Church rests on the positive divine law, civil society rests immediately on the natural law, on the instincts of human nature itself.

Their comparative action on man:

The Church raises man to the plane of the Supernatural *i.e.* of the Godhead, by transfiguring him into a divinely-human being; civil society aims at perfecting man in his natural sphere of action exclusively.

The immediate source of their authority and the nature thereof:

Christ confers His own supernatural authority immediately and directly on the visible Sovereign Ruler of the Church and, *through him*, on her subordinate rulers, bishops and pastors: He confers but mediately or indirectly a purely natural authority on the rulers of civil society, through the latter's immediate choice, election, or consent.

Their object:

Civil society is concerned with the natural welfare of man—the Church with his supernatural well-being. Civil society safe-guards man's temporal interest, the Church his eternal interests and happiness.

Even under the natural law and apart from Revelation, the Natural Church or religious Society would be distinct from, and far superior to, the political society—since the latter's aim is to regulate the relations of man with man with a view to temporal peace, order and prosperity—whilst the aim of the former is to regulate the relations of man with God with a view to the spiritual progress of mankind, through the love of God and of God's living image, man himself.

Their respective duration :

Civil society will end with Time itself : the Church will bury Time and live the eternal years of God.

Their respective polity :

God left to civil society the task of determining its own form of government : autocratic, monarchical, oligarchical, aristocratic, democratic—or a combination of any or all of the four forms last named.

But He gave his Church a fixed and irrevocable form of government, making it a Divine Monarchy tempered by divine law and endowed with a democratic and an aristocratic element.

[384] It is a divine monarchy—not a constitutional, or representative, or mixed monarchy—but a monarchy pure and simple—since the supreme authority is not divided up and parcelled out among several, but vested in one visible head, independently of the whole Church, even of the episcopal body.

It is a divine monarchy with one aristocratic feature, since laws to which the pope must yield absolute obedience.

It is a divine monarchy with one aristocratic feature, since bishops and pastors are, by divine right, true, though subordinate, rulers of the Church of God (Acts 20' 28), in perfect subordination to the Sovereign Pontiff: John 21' 17; Luke 22' 31, 32; Mat. 16' 18, 19, etc.

It is a divine monarchy with one grand democratic feature, since, in the Catholic Church, all fit subjects, of every rank and condition, are eligible to all the dignities of the hierarchy—even to the highest of all, the papacy.

The Church superior to the State:—

Man's daily dependence, for physical sustenance, upon the animal and vegetable kingdoms of nature, in no way impairs his superiority to both—and the subordination of both unto him as their God-anointed king: similarly, the accidental dependence of the Church, for support and protection, upon the power of the State, does in no way impair her divine superiority to the same as its God-appointed Guide to the way of true civilization and progress.

"For, as among the powers in man's society, the greater authority is obeyed in preference to the lesser, so must God above all"—says S. Augustine (Conf. bk. 3, c. 8).

The Church is the Most Perfect Form of Government on Earth and the Greatest benefactress of Civil Society.

[385] The most perfect form of government on earth is that of the Catholic Church. It is neither autocratic, nor aristocratic, nor republican, but divine-monarchical: that is to say, the supreme authority resides neither in the bishops, nor

in the other ranks of the clergy, nor in the entire body of the laity, but in the Vicar of Jesus Christ exclusively—to whom (remember) God Incarnate pledged His most especial guidance and protection: Mat. 16' 18; Luke 22' 31, 32; John 21' 15-17—etc.

The legislative, judicial, and executive powers exercised by the bishops are divinely subordinate to the Supreme Pastor of the Fold (John 21' 17)—whilst the authority of the Pontiff himself is sovereign and independent of all human interference (Ibid.).—

Moreover, as the Pontiff is chosen, not by the people, but by a special body of electors appointed by the successor of Peter—viz., the College of Cardinals—and as, furthermore, the bishops and all other subordinate rulers of the Church can only be chosen and confirmed by papal authority and not by the popular vote—it follows that the Church is a Divine Monarchy indeed and not a duplicate-copy of any republic, ancient or modern.

Note that the pope has the right to designate and appoint his successor and to invalidate, thereby, in advance, the election of any other candidate.

Not Christ alone, but St. Peter and other popes have personally exercised the right in question. Consequently, the elective franchise enjoyed by the College of Cardinals is not a right, but a privilege granted by the Sovereign Pontiff, and recallable at his good pleasure.

Even Protestants, e.g., the greatest of them all, Leibnitz—acknowledge the right of the pope in the premises. Writes Leibnitz: "The Ancients unanimously attest that the Apostle Peter governed the Church, suffered martyrdom and appointed his successor in the City of Rome" (Sys. Theol., Dr. Russell's tr.).—

That the Church is the greatest benefactress of society is a fact as visible as the light of day. Christ was confessedly the greatest benefactor of mankind. Now, Christ himself points at his Church as the embodiment and world-wide social irradiator of His own Spirit (John 17' 23; 1 Cor. 10' 17; Eph. 4' 16; Col. 1' 18—etc.); therefore, the Church is the greatest benefactress of society. What else could She be, since She is, we repeat, the Divine Mould into which Christ recasts the fallen race of man to turn out fac-similes of Himself, and propagate a race of Christs: John 17' 22; Rom. 8' 17; 1 Cor. 15' 20; 15' 49; 2 Pet. 1' 4—etc., etc.

Second Section:

Church Authority: Its Visible Fountain-Head and Channels.

We have seen that the *passive* subjects of Church authority are all those who have received baptism. Its holders, or *active* subjects, are the pope, who is the visible source of all authority, or those to whom either the pope or the bishops, under papal sanction, grant jurisdictional powers.

The hierarchy of Order, by divine institution, comprises three degrees—namely, the episcopate, the priesthood and the diaconate. The hierarchy of Jurisdiction or Authority comprises, by divine institution, three degrees—viz., the papacy, the episcopacy, and the priesthood. Popes and bishops and priests exercise jurisdiction by divine right. Others, holding jurisdiction in the Church—either ordinary or delegated—hold it solely by ecclesiastical ordinance—such ecclesiastical ordinance being expressly authorized, of course, by our Lord: Mat. 16' 19; 18' 18—etc.

Considered in its relation to office, jurisdiction is either ordinary—*i.e.*, either divinely or ecclesiastically inherent in said office—or delegated, *i.e.*, not pertaining thereto, but granted by a Superior *ad hoc*.

As a rule, delegated jurisdiction may not be sub-delegated.

Considered in its relation to the tribunal before which it is exercised, jurisdiction is of two kinds—(*first*) jurisdiction in foro interno, which comprises jurisdiction (*a*) in the sacramental tribunal of Penance, and (*b*) in private ecclesiastical courts (e.g., the Roman Penitentiaria) dealing with matters of quasi-sacramental privacy: (*second*) jurisdiction in foro externo or in public ecclesiastical courts—viz., the power to rule the visible Body of the Church—to enact laws, render judgment and impose penalties.

The first, or internal jurisdiction, is directly and immediately concerned with the private welfare of every member of the Church.

The second, or public jurisdiction, is directly and primarily concerned with the public welfare of the Body of the Faithful (Bouix: De Princip. Jur. Can., P. 4. s. 6. c. 3).

Jurisdiction in the Internal Forum: How Distributed.

[387] Its sole efficient cause or fountain-head is the Invisible Head of the Church, Jesus Christ.

Its visible source is the visible head of the Church, the Vicar of Jesus Christ. In him alone does it reside permanently, as in its visible reservoir—whence it flows (*a*) sacramen-

tally (in Penance), through the two-fold channel of the episcopacy and of the priesthood; (b) non-sacramentally, through priests and bishops and other authorized channels,—viz., the private courts of the Church.

The Holy Father receives it directly from Jesus Christ at the moment he yields formal assent to his election. He then transmits it to his subordinates, not by any sacramental act of his, as he does the power of Order, but by Appointment or injunction—which is an act of the will by which a Superior lays upon his subjects the charge of governing others.

By divine right, it belongs (1) in its plenitude to the Holy Father, who may exercise it over every member of the episcopacy, of the priesthood and of the clergy and laity;—(2) to the bishops, in the measure granted by the Holy See;—(3) to the priests within the bounds marked out by the Holy Father or by the bishops with the sanction of the Holy See.

Bishops and priests alone can exercise sacramental jurisdiction in foro interno—*i.e.*, they alone can exercise jurisdiction in the first part of the Internal Forum,—viz., the Sacrament of Penance.

Deacons, subdeacons, clerics in Minor Orders, simple clerics and laymen cannot participate in this prerogative. They may be delegated or empowered to confer, but not to exercise it. They may, however, be authorized to exercise non-sacramental jurisdiction in the second part of the Internal Forum, *i.e.*, in the secret courts established by the Church for the transaction of business of a strictly, though not sacramentally, private character.

Note that the jurisdiction exercised by the priest over the penitent, in the holy tribunal of penance, is sacramental—*i.e.*, an essential part of the sacrament, and, consequently, of Divine ordinance. For whatever pertains to the validity of a sacrament is admittedly of Divine institution: Therefore, the priests participate in the very highest form of jurisdiction, *in the sacramental sphere* of jurisdiction. Therefore, by Divine ordinance, the hierarchy of sacramental jurisdiction in the Church comprises three degrees, viz., the papacy, the episcopacy and the priesthood—the second degree being subject to the first, and the third to the second and the first.

Yet, when treating of jurisdiction by Divine ordinance, the professional minimisers of the priesthood affect to reckon two degrees only, and magisterially rule the priesthood out of court altogether.

Public Jurisdiction, or Jurisdiction in the External Forum : How Distributed

[388] Its sole efficient cause and fountain-head is the Invisible Head of the Church, Christ Jesus our Lord.

Its visible source is the visible head of the Church, the Vicar of Jesus Christ. In him alone does it reside permanent-

ly as in its visible reservoir, whence it flows, through myriad Petrine channels, to refresh and fecundate the universal Church.

The Holy Father receives it directly from Jesus Christ at the very instant he accepts the papal office. He then imparts it by appointment, as explained above.

(a) By divine ordinance, it belongs in its plenitude to the Holy Father, who may exercise it over all Synods and Councils—diocesan, provincial, national or plenary, and ecumenical—*i.e.*, over every member of the Church absolutely, without exception.

Dollinger himself, as an historian if not as a sectarian or partisan, could not help acknowledging, not the divine teaching infallibility alone, but the divine sovereignty of the pope over the whole Church:

"Like all other *essential* parts of the Church," he writes, "the Supremacy was known and acknowledged from the beginning as a divine institution, but it required time to unfold its faculties; it assumed by degrees the determined form in which the Bishop of Rome exercised systematically the authority intrusted to him for the preservation of the internal and external unity of the Church" (*Gesch. der Christlichen Kirche*, 1835, vol. i, p. 363).

(b) Jurisdiction in the external forum also belongs, by divine ordinance, to the bishops, not absolutely, however, but within the limits prescribed by the Holy Father, to whom it belongs to regulate, suspend, or suppress its individual exercise—licitly, for just reasons—and validly always.

By right of delegation, *i.e.*, by ecclesiastical right only, jurisdiction may be exercised by any other cleric or by a layman even—within the measure allowed either by the Holy Father in person or by the bishops with the authorization of the Holy See.

N.B.—Whilst bishops and priests alone, as just noticed, can validly exercise jurisdiction in the tribunal of Penance, all clerics and laymen may, by papal authorization, validly exercise public jurisdiction, or jurisdiction in the External Forum.

(c) By Divine Ordinance priests share in the bishop's pastoral office—in his two-fold jurisdiction over the natural and over the Mystical Body of Jesus Christ: to such a degree that S. Paul, in his Epistle to the Philippians, as remarked by the Fathers, calls the priests "co-bishops, fellow-bishops, sunepiscopos."—Theological jugglers denying the Divine pastoral character of the priesthood.

[380] The episcopate alone could not tend or shepherd the universal flock; therefore (says Divine tradition) did our Lord himself institute the priesthood. Priests are, therefore, by Divine institution the Christ-appointed vicegerents of the bishops, their subordinate fellow-pastors or "fellow-workers" (*Pontif. Rom.*) in the pastoral field of Jesus Christ. To such a degree do they share, by Divine ordinance, in the pastoral

work of the bishop, in his two-fold jurisdiction over the natural and over the mystical Body of Jesus Christ, that St. Paul, in his Epistle to the Philippians, call them literally: "co-bishops, fellow-bishops, sunepiscopois."—as remarked by the Fathers (Cf. v. g. S. Chrysostom on Philip. 1' 1).

And yet we are gravely told that the priesthood does not belong, by Divine ordinance, to the Pastoral Order at all, or to the hierarchy of jurisdiction in any least way. Fortunately, Holy Writ, the Councils, the Fathers and the Roman Pontifical gave the lie to such perfidious errors—invented by theological jugglers who deny the Divine mission or pastoral office of the priesthood and mutilate Catholic theology in order to exalt themselves.

[300] Even as the fact that the Pope, by Divine ordinance, is the *sovereign* pastor of the universal Church,—prevents not the bishops from being, by Divine ordinance, the pastors of their respective dioceses, though subject to papal authority—so, the fact that the bishop is, by Divine ordinance, the *chief* pastor of his diocese, prevents not the priests from being, by Divine ordinance, and in strict subordination, to episcopal authority, the subordinate pastors of the faithful committed to their charge. The very titles of "sovereign" pastor and "chief" pastors, given by the Church to her visible head and to her bishops, necessarily presuppose the existence of subordinate pastors—whose subordinate pastoral character, is recognized by the Church and the Fathers as of Divine institution—and whom the Church herself accordingly, through her Councils and through her supreme Pontiffs, calls "pastors of souls, pastores animarum"—a designation, as remarked by Dr. Drach, repeatedly applied by the Council of Trent to the priests having care of souls.

Setting aside all hair-splitting scholasticisms and distinctions, he is undeniably and truly a pastor who lawfully does the work of a pastor—be he called parish-priest, rector, curate or vicar. Jacob was a pastor because he tended Laban's flocks, which did not belong to Jacob. So are popes, bishops and priests in various subordinate degrees, pastors of souls *because* they tend the flock of Jesus Christ—which flock, strictly speaking, belongs to no one, absolutely, but to Jesus Christ himself.

The very name of priest, as acknowledged by the Jesuit Pesch.—is one which, if due regard be had to its Scriptural derivation—scripturally implies public authority or jurisdiction (Pesch: de Eccl., n. 338).

[391] Note that, so far as the pope is the visible representative of Jesus Christ as the Supreme Ruler of the Church, so far forth are the bishops officially related to him as to Jesus Christ continued in His visible Alter Ego or Vicegerent—and so far forth are they truly the vicars of the Supreme Pontiff, as the Apostles were the vicars of Jesus Christ. Nay, the Holy See has always exercised the right of employing bishops as, and under the very title of, "Vicars Apostolic"—whose

Vicariates have the Holy Father for their bishop-in-ordinary. Now, as the fact that a bishop may be, or is, simply a Vicar Apostolic does not obliterate the *pastoral* character of his functions—so the correlative fact that priests may be simply the “vicars” of the bishop, or of a fellow-priest, does not obliterate the *pastoral* character of their Divine ministry.

All bishops—says Bossuet, who was no ultramontane—are the Vicars of Peter. “Wherefore our predecessors,” in the episcopate, “who have so frequently asserted, in their Councils, that they acted in their respective churches as the vicars of Jesus Christ and the successors of the Apostles have also said, in other Councils, that they acted in the name of Peter, *vice Petri*, by the authority given to all bishops *through Peter*, auctoritate episcopis per beatum Petrum collata—as vicars of S. Peter, vicarii Petri” Bossuet’s Sermon on the unity of the Church, 1st part).

[392] Our Lord, beyond any reasonable doubt, endowed the priesthood with powers proportionate to its end. Now, its indisputable end is to help the episcopate in the pastoral work of the Ministry throughout the Universal Church—a work immeasurably beyond the strength of the episcopal body if left without “fellow-workers” (Pontif. Rom.)—

Therefore, Christ made the priesthood inherently capable of performing such pastoral functions as are not strictly episcopal. Therefore, barring the strictly episcopal power of ordination in the domain of the Sacraments and of legislation in the domain of authority—the priesthood is by the very nature of its Christ-appointed end and, consequently, by Divine ordinance, capable of all other sacramental and jurisdictional faculties—in strict subordination always and necessarily to the bishop, it goes without saying. The episcopate cannot do without, and abolish, the priesthood—any more than the pope can do without, or abolish, the episcopate.

Such is the teaching of Catholic tradition, as handed down by S. Chrysostom, S. Jerome, etc. This is what the Fathers mean when they say that “slight is the difference between the priesthood and the episcopate.” (S. Chrys.)

[393] Further: be it remembered that the two very highest acts in the two spheres of Order and of Jurisdiction belong, by Divine ordinance, to the very nature of the priesthood—we refer to the consecration of the Blessed Eucharist and to Sacramental Absolution. Now, on the one hand, jurisdiction belongs to the essence of valid absolution—and, on the other, whatever belongs to the essence of a sacrament is of Divine institution—therefore the jurisdiction attached to priestly absolution is Divine in its origin and nature, and not merely ecclesiastical.

By Divine ordinance, priests, though not the ordinary lawmakers of the Church, are not only *pastors* of souls, guiding them and teaching them how to walk in the light of the

Gospel, feeding them with the Word of life and with the flesh and blood of God Incarnate—truly and veritably pastors, *i.e.*, leading and feeding the flock—but they are, moreover, the supernatural *Fathers* of souls through baptism, yea, and the supernatural *life-restorers* of souls through the sacrament of Penance.

Not only S. Chrysostom but all the Fathers attest, either explicitly or by logical inference, the Divine origin of the pastoral and magisterial powers of the priesthood. The denial of these truths is a heresy of recent growth—which cannot stand the test of either Scripture or tradition, or reason itself.

The author of Notes on the Divine Plan of the Church holds, in common with all sound theologians, that *eminent* jurisdiction alone—*i.e.*, jurisdiction viewed in its *law-making* capacity—belongs, by Divine ordinance, to the papacy and to the episcopacy *exclusively*. Jurisdiction in general, either internal or external, is not confined to such restriction. On the contrary, as Cardinal Manning justly observes, "S. John Chrysostom founds the sanctity of the priesthood, which in bishop and priest is all one, upon the two-fold jurisdiction over the natural and the mystical Body of Christ—that is upon the power of consecration and upon the power of absolution" (De Sacerd. lib. 3, n. 4, 5: ap. The Eternal Priesthood, page 1).

Hence the proposition taught unreservedly in certain Religious manuals of theology that "by Divine ordinance, the hierarchy of jurisdiction comprises two degrees only, namely, the papacy and episcopacy," is false and derogatory to the Divine powers of the priesthood.

For, by Divine ordinance:

The hierarchy of Sacramental and of external jurisdiction comprises three degrees, viz.: the papacy, the episcopacy and the priesthood.

"A two-fold power has been given to priests: power over the natural Body of our Lord, and power over His Mystical Body, which is the Church" (Gaume: Catech. of Persev., 2d part. 43d lesson).

This awe-inspiring and two-fold Divine jurisdiction, with which our Lord himself has been pleased to endow His priesthood, comprises all sacerdotal and jurisdictional faculties not strictly episcopal. This is evident (as we said before) from the very end for which the priesthood was notoriously established, viz.: to assist the bishop in the discharge of all functions not exclusively episcopal. (Pontif. Rom. in ordin. presbyt.)—

Consequently, all the faculties granted by the Church to her priests—excepting episcopal jurisdiction—are of Divine ordinance, and, by Divine ordinance, subordinate to episcopal authority; even as the jurisdiction of the episcopacy is of

Divine ordinance, and, by Divine ordinance, subordinate to papal sovereignty.

Pius X. solemnly reminds the priests "who have the care of souls," that their two-fold office as subordinate teachers and rulers is of Divine institution—that "they are *sent by God*" to teach and to "*hold the office of ruling souls.*" (Pius X., On The Teaching of The Catechism).

Pius X. repeats the teaching of S. Peter (1 Pet. 5' 1, 2) developed by S. Paul. For, according to Catholic exegesis, the Apostle most evidently teaches, in the Acts of the Apostles (Acts 20' 17, 28) and in his own Epistles (Philip. 1' 1;—1 Tim. 5' 1, 8; 4' 14; 5' 17, 19, 22;—2 Tim. 1' 6, collated with 1 Tim. 4' 14; 1 Pet. 5' 1, 2;—Tit. 1' 5, 7).—that the Presbyterate is the Episcopate of the second degree, whilst the Episcopate is the Presbyterate of the first degree—that the Priests are scripturally called "bishops" and the bishops "priests"—that priests and bishops hold, from the Holy Ghost, *i. e.*, have been *divinely* instituted to exercise, the power "to rule the Church of God" (Acts 20' 28)—but in a *different* measure; for the priests, who are the bishops of the second order, are *subordinate* to the bishops, who are the priests of the first order.

The erudite commentator Drach says on Acts 20' 17, 28: "The text which the Vulgate renders *maiores natu* (the ancients), is *tous presbuteros, presbyteros, the priests*, whom the Apostle *himself* calls *bishops*, in his discourse to them," in the twenty-eighth verse of the same chapter.

Why does the Apostle call the priests "bishops?" Because, as he himself declares, "the Holy Ghost hath placed you bishops to rule the Church of God"—*i. e.*, as bishops of the second rank *under* the Bishops of the first rank. Hence it is, observes the same commentator, that, "originally, the title of 'bishop' was given both to the pastors of the first order, to whom it is now restricted, and to the simple priests, whom it also evidently befits, as shown by its signification, since they, too, have the charge of 'watching over' the flock of Jesus Christ, though with less extensive powers than the bishops and only under their authority."

"The Holy Ghost himself rules the Church and He himself, therefore, has set up *the priests*—whom the Apostle calls 'bishops' (episcopous, *i. e.*, inspectors, overseers)—to 'tend' (or rule) the Church of God" (Drach on Acts 20' 17, 28).

The ablest of all Jesuit commentators, Cornelius à Lapide, says on 1 Tim. 3' 1:—

"Note that the Apostle makes no mention here of the *priests* and pastors, but *he includes them under the term of bishops*: for *theirs is the same charge and the same office*, viz., to teach, to tend, and to rule the people, but *within a more limited sphere*: nota, non meminit hic parochorum et sacerdotum Apostolus, sed eos sub episcopis intelligit; est enim idem

eorum onus et munus docendi, pascendi, regendi populum, sed circa pauciores subditos."

S. Paul says: "Take heed to yourselves, and to the whole flock wherein the Holy Ghost hath placed you bishops to rule the Church of God."

Cornelius à Lapide comments as follows on the above text: "Take heed (he says) to yourselves and to the whole flock wherein the Holy Ghost hath placed you bishops (that is, *priests and pastors*) to rule the Church of God: attendite autem vobis et universo gregi in quo vos Spiritus Sanctus posuit episcopos (id est, *presbyteros et pastores*) regere ecclesiam Dei" (Corn. à Lap. in Philip. 1' 1).

But (again and again do we insist upon it) the supremest and divinest power of Jurisdiction is that exercised by the *priest* as well as by the bishop: over both the natural and mystical Body of Jesus Christ in the offering of the thrice holy Sacrifice for the living and the dead, in the distribution of the Holy Eucharist to the members of the Church Militant, and in the resurrection of souls wrought in the sacrament of Penance.

It is on the Altar and from the Altar and from the judicial bench of the Confessional that the priest exercises the highest sacerdotal authority of Jesus Christ over the beloved of the Fold, bought with the blood of the Lamb.

Yet, our minimisers say nothing of this miraculous two-fold *jurisdiction* of the priest, and declare him devoid of all jurisdiction derived from Divine ordinance.

To sum up: By *Divine* ordinance:

The hierarchy of *sacramental* jurisdiction comprises three degrees, namely, the papacy, the episcopacy and the priesthood.

Likewise the hierarchy of *pastoral* jurisdiction comprises three degrees, namely, the papacy, the episcopacy and the priesthood.

Why does the Successor of Peter receive the Plenitude of Jurisdiction Immediately from the Master Himself?—(Mat. 16' 18, etc.)

[394] Because neither the bishops nor the priests—collectively or individually—nor the rest of the Church, ever received the pontifical power granted to Peter and his successors exclusively (ibid.).—They cannot, therefore communicate that which they have not, *i.e.*, the Pontifical Sovereignty; nor can any one else on earth. There remains, consequently, but one alternative: either Peter never had any successor, the pledge of Christ to the contrary notwithstanding (Mat. 16' 18—etc.)—or the successor of Peter, like Peter himself, receives his sovereign investiture immediately from Jesus Christ, who promised to perpetuate the Petrine office despite all the hostile powers or "gates of hell" (ibid.).—

Why do the Bishops receive Jurisdiction Immediately from the Vicar of Jesus Christ?

Because our Lord made Peter the principle and bond of Apostolic unity, and therefore ordained that his bishops should receive Jurisdiction not by consecration but by Appointment—which, of course, can only come from a Superior, and consequently from the Vicar of Christ on earth.

How do we know that the bishops do not receive Jurisdiction by means of Consecration, together with the fulness of the sacrament of Order, but by Appointment from the Holy See?

From the words and actions of our blessed Lord: for, by Appointment exclusively did he confer Jurisdiction on the Apostles both before and after their consecration, and quite independently of it—thereby teaching (a) that Jurisdiction is not conferred by the sacrament of Order but by Appointment—and (b) that it may be conferred on men not vested with the clerical dignity, *i.e.*, on the laity—even as it may be withheld from those vested with the episcopal character, as it was from the Apostles from the day of their consecration (Mat. 26' 6) to the eve almost of the Ascension (Mat. 28' 18): it being thoroughly distinct and separable from the sacerdotal power of Order.

Did the Apostles receive Jurisdiction from Christ Exclusively?

[305] Peter alone did: the other Apostles received jurisdiction both from its originator Jesus Christ and from its Apostolic successor, Peter, as from a visible joint-source of authority. That is to say, both Christ and Peter—the first by His own independent sovereign will and with the full knowledge and understanding of the other Apostles (Luke 24' 45—etc.)—both Christ and Peter, we repeat, caused the plenitude of authority, till then locked up in its Apostolic head and possessor (Mat. 16' 18, 19; John 21' 15, 17), to fill up the entire Apostolic Body: Mat 28' 18.

Even as the Father imparted his authority to Christ (John 20' 21—etc.), and then, jointly with Christ (John 17' 21), imparted the same to Peter but in subordination to Christ—so did the latter, as just remarked, first impart His authority to Peter (John 21' 17), and then jointly with Peter imparted it to the other Apostles, but in subordination to Peter: Mat. 28' 18.

The profoundly significant fact that Authority was first infused into the Apostolic head *alone*, and thence subsequently diffused into the whole Body, most forcibly intimates that such a diffusion of Authority was brought about by the will of Christ and the *concurrent* will of its Apostolic possessor. For, of a certainty, when our Lord made Peter, under and with Him, the Foundation and Visible Head of the Church (Mat. 16' 18; John 21' 17—etc.); and at the same time deposit-

ed in him alone and separately the fulness of Apostolic authority (ibid.)—He, thereby, declared him the material or *passive* source, at least, of said Authority,—since the Head is naturally the source whence the body derives light, guidance and governance.

Now, God did not leave this His grand work unfinished and half-done; therefore, does He (in Mat. 18' 18) distinctly fore-warn the Apostles that the *then* material source-elect of authority (Peter) must be prepared to become, later on, the *active and formal* source thereof: how? by filling up the whole Body therewith, by a positive act of his own will, under the *express* will of Christ as recorded in Mat. 28' 18.

[306] Nay more, the very promise of Christ to all His Apostles, in Mat. 18' 18, that the authority first deposited in Peter (Mat. 16' 18; John 21' 17) would eventually be transferred to the rest of the Body—was tantamount to a two-fold notice served long in advance upon Peter and upon his fellow-Apostles. To Peter it clearly signified: "Be prepared, O thou my chosen Apostolic head, to co-operate with Me by a *positive* act of thy will in the distribution of Authority from the Apostolic head and actual possessor thereof, thyself, to the other Apostolic members."

To the Apostles it obviously meant: "Be prepared, O ye my Apostles, to receive authority, now wholly resident in Peter, from the concordant will of Peter and mine own."

Our Lord does not make, in Mat. 18' 18, the absurd promise that the Apostolic members shall share the inalienable headship of Peter—for, then, their Body would only be a many-headed, a twelve-headed monstrosity.—What Christ does promise to the Apostles *collectively* taken, *i. e.*, to the whole Apostolic Body *as constituted by Himself under the Sovereign dominion of Peter* (Mat. 16' 19; John 21' 17—etc.) is this: Full authority shall naturally descend from the Apostolic head to the rest of the Body (Mat. 18' 18), but always bear in mind) under the sovereign dominion of the Christ-appointed head, Peter (Mat. 16' 18; John 21' 17).

Thus, the Apostles will derive their authority from Christ and Peter jointly, and will exercise it as faithful members and, consequently, in perfect subordination to the Apostolic head appointed by our Lord: Mat. 16' 18, 19; John 21' 15-17—etc.

The profound truth to be insisted upon is that the above-described circulation of authority from the Apostolic head to the Apostolic members will be brought about by the will of Christ and by the obediently concurrent will of the Apostolic head, wherein the aforesaid authority was first deposited and permanently resides: (Ibid.)

[307] The rash assertion—it should be observed—that the other eleven Apostles, besides Peter, received Jurisdiction from Christ *exclusively* and not from Peter *simultaneously*

wo true, create the reasonable presumption that the successors of the Apostles, the bishops, do still receive it in the same way—*i.e.*, (like the pope, *v.g.*), immediately from our Lord and *from no one else*. The proposition, as it stands, is but a half-truth and fatally mischievous as well as misleading.

The *whole* truth is that eleven of the Apostles received Jurisdiction from Christ and Peter jointly and simultaneously—Peter alone remaining the one *visible* source of authority after the ascension of our Lord.

Such is the teaching of the holy Fathers. For instance, S. Optatus writes very positively that the other Apostles received the Keys from Peter; "Beatus Petrus et præferri omnibus Apostolis meruit et claves regni coelorum *communiscandus ceteris solus accepit*" (De Sch. Donat. contra Parmen., l. 7, c. 3 et l. 2, c. 2).

Pope S. Leo the Great is as emphatic as S. Optatus, and says: "If Christ willed that the other Rulers should enjoy aught together with Him" (Peter), "yet *never* did He give *save through* him what He denied not to others" (Serm. 4).

It was meet that the Apostles should receive jurisdiction from Christ in Person, the better to remind us all that Christ is the meritorious efficient *cause*, not less than the original source, of authority in the Church.

It was equally meet that the subordinate eleven Apostles should receive jurisdiction from Peter jointly with Christ—to remind the Apostles themselves that Christ's Vicar was then, yea, even *then*, the Visible source of Apostolic Authority.

It was meet, in fine, that, *after* His ascension, Christ should safeguard the prestige and strengthen the hands of His Vicar by leaving the latter behind Him as the *one* visible source of jurisdiction in the Church Militant.

COROLLARY :

[398] Since Christ and Peter—when the Church as yet counted only a few thousand adherents—insistently proclaimed, not in words only but in deed especially, *viz.*, in their own person, the necessity of a Supreme Visible Head and Center of unity to keep the Church compacted together—the need of such a Supreme Bond of Unity must logically grow apace with the growth of the Church itself. Such a need must, therefore, become a million-fold more urgent the moment the numerical development of the Church reaches such a figure. Now, when you add to those vast numbers—to those millions of adherents—the fact that they belong to divers and often conflicting nationalities, to all tribes and tongues and races and peoples under the sun—the supreme need of a Supreme Visible Centre to keep that colossal, globe-embracing international empire together, vividly appears not only a million-fold more urgent than in the time of Christ and Peter—but its urgency is unutterably beyond all human computation.

I. JURISDICTION: A GLANCE AT ITS HIERARCHICAL SCALE OR DISTRIBUTION.

[399] We treat here exclusively of the *active* subjects of jurisdiction, *i.e.*, of those by whom it is exercised in the Church—not of its *private* subjects, who are all the living marked with the indelible character of baptism.

Viewed in a descending scale, hierarchical jurisdiction may be likened to a series of concentric circles the center and outermost of which, embracing all the others, is the Sovereign Pontiff—whilst the other circles represent: papal legates, œumenical councils, Roman congregations, national and provincial councils, patriarchs, cardinals, primates, archbishops, bishops, diocesan synods, prefects apostolic, vicars capitular and general, parish-priests, curates, etc.

(1). Authority of the Pope:—

The pope wields ordinary and permanent jurisdiction, in virtue of his office and by Divine right, over each and every member of the Church—over each and every Church in Christendom. His authority is supreme, full and immediate, over every baptized person. It is supreme, *i.e.*, absolutely without equal and the highest in the Church. It is full, *i.e.*, it can not be restricted by the Church, and embraces all the powers vested in the universal Church itself. It is immediate, *i.e.*, no bishop, no Council, no Christian, can plead interposition and immunity therefrom.

He makes laws for the universal Church and is above all *ecclesiastical* laws, canons, decrees and precepts—these having a merely *directive*, not a binding force in respect of the Vicar of Jesus Christ, who can dispense His subjects—the Church universal—from their observance.

Does the Dispensing Power of the Pope extend to the Divine Law?

[400] No. On the contrary, because of his most exalted office, the pope is more strictly bound than any other man to give the example of perfect obedience to the law of God.

The divine law emanates directly from God and comprises the natural and the positive divine law.

The natural law is the moral rule or order prescribed by our own moral nature and implanted therein by the Creator—regarding our duties to God, to our neighbor and to ourselves, for the attainment of our *natural* destiny. It is the Divine Will written in the human heart and inwardly promulgated by that inner echo of God's Voice, which we call Conscience. Being founded on human nature, it cannot be altered or departed from without injury to human nature itself. It may, however, be perfected, as in fact it *has* been perfected by the positive divine law, which may be defined:—

The sum total of man's duties as prescribed by Divine

Revelation for the perfection of the natural divine law and for the attainment of our *supernatural* destiny.

We distinguish two positive divine laws: First, the Mosaic law, promulgated by Moses and preserved by our Lord in its doctrinal and moral entirety—though abrogated by our Lord, through Peter, in its ceremonial and polity, which were unadaptable to, and *never* intended for, mankind at large;—secondly, the Evangelic law, given by the true Law-giver, Jesus the Christ.

The Evangelic law consists of doctrinal truths—of precepts relating to morals and worship—and of counsels of perfection left to the free choice of those willing to embrace such a state of life.

The Evangelic Law is essentially universal by reason of its perfect adaptability to all men, in all climes and under all forms of government.

It is unchangeable, because resting on the positive command of God Incarnate.

Consequently, it can never fall under the dispensing power of the Church.

Can the Pope Dispense from what Theologians term "The Subjective Divine Right" in contradistinction to the Divine Law (Natural and Positive) which is also called "The Objective Divine Right?"

[401] Yes. Roughly sketched, the difference between the objective and the subjective Divine Right may be stated as follows: the first proceeds immediately from the positive will of God and constitutes the Divine Law, natural and positive: the second flows immediately from the good or perverse will, from the piety or guilt, of man.

The subjective Divine right is that which results from man's obligation and indebtedness to God as incurred by means of a promise, or a vow, or an oath, or a contract, or sin. So long as the cancelling of such indebtedness does not contravene the natural or the positive divine law and redounds not to the injury of our fellowmen, the Church may grant the dispensation. For, (a) as regards sin, Christ has confessedly given to His Church the power to pardon repentant sinners.—(b) As to promises, oaths and vows made to God, they are always made in due subordination to the Church of God; and, consequently, the Church may dispense from the same for the welfare of souls or of the Christian commonwealth.—(c) As to religious contracts, the one religious or sacramental contract between Christians is that of matrimony. So long as the marriage remains unconsummated, the Church may, for just and grave reasons, dispense therefrom. But marriage, once consummated, is irrevocably beyond all human power, and remains absolutely indissoluble.

(B.) Authority of the Bishops:—

[402] The bishops hold jurisdiction over their respective dioceses and can dispense from the diocesan rules and statutes established by their predecessors or by themselves.

Their jurisdiction, as we have said, is of divine institution, both in its immediate derivation from the visible head of the Church and in its subordination to the same authority.

Their oath of office binds them with special stringency, under pain of perjury, to yield obedience to the Sovereign Pontiff and to the laws and canons of the Church.

Parish-priests and curates have ordinary jurisdiction over their subjects. They may dispense their parishioners or subjects from fasting and abstinence, from the observance of Sundays and holidays of obligation, etc.

2. JURISDICTION: A GLANCE AT ITS TERRITORIAL SCALE.

[403] Note first: The jurisdiction of the bishop of Rome as such, *i.e.*, as Bishop of Rome, extends over the diocese of the same name.

But, as successor of Peter, his diocese is the Catholic universe—*i.e.*, his territorial jurisdiction is commensurate with the universality of the Catholic Church.

Note second: The Church-wide extent of the pope's territorial jurisdiction—*i.e.*, its being circumscribed solely by the territorial extent of the Church—is inherent in his office and of Divine ordinance.

Note third: The pope's territorial jurisdiction being essentially commensurate with the territory covered by the entire Church, remains immutably so: neither councils, nor bishops can restrict it—nor can the pope himself relinquish any portion thereof.

Contrariwise, the territorial jurisdiction of bishops and priests may be altered, enlarged or abridged at the discretion of the Vicar of Jesus Christ.

In brief, whilst the popedom is of Divine institution, the territorial divisions of the Church are of papal or human institution.

For the better government of his universal empire, the pope has wisely divided it into territorial districts as follows: Patriarchates, exarchates or primacies, provinces or arch-bishoprics, dioceses or bishoprics, vicariates apostolic, prefectures apostolic, parishes, missions, stations, etc.

The Catholic Church abhors Absolutism.

[404] The vicars of Jesus Christ, in faithful emulation of the first and holiest of them all, have never ceased to exhort ecclesiastical superiors to avoid the crying evil stigmatised by S. Peter as "lording it over the clergy" (1 Pet. 5' 3). Pontiff after pontiff has boldly reminded not the bishops alone, but

their own Apostolic delegates, that they are not the lords of the law but the *sworn* servants of the law.

Gregory IX. indignantly threatens despotic bishops with the gravest penalties and fearlessly writes to them. "We shall so punish you that the dread of your punishment shall deter others from imitating your example: vos taliter puniemus quod terrore poenae vestrae ceteri a similibus abstineant" (Decret. I. 5, t. 31, c. 1. sup. Santi).

There is the thunderful ring of Peter's voice in that papal rebuke to those who would fain raise inhumanity to the rank of an episcopal virtue.

Says Canon 7 Dist. 95, quoted by the eminent Roman canonist Dr. Santi, in a work not only approved but highly recommended by the Cardinal Vicar of Rome and by other Roman authorities,—: "Let the bishops learn that they themselves are priests and not masters; let them honor clergymen as clergymen—that they, in their turn, may be honored as bishops by the clergy: episcopi sacerdotes se esse noverint non dominos; honorent clericos quasi clericos, ut et ipsi a clericis quasi episcopi honor deferatur" (Santi: Decret. Greg. IX., l. 5, t. 31).

Pope Marcellus II. writes: "Let the cardinals not think that, because they are cardinals, they may break the laws." (Quoted by Pope Benedict XIV. in his work on Heroic Virtue, Eng. tr. 1851, vol. 2, p. 141).

"When the Council of Trent," adds Benedict XIV., "was deliberating whether the cardinals needed reformation he"—Bartholomew de Martyribus—"replied with *Apostolic freedom*. The most illustrious and most reverend cardinals are in need of a most illustrious and most reverend reformation" (Ibid. p. 144).

The Popes and Canon Law :

[405] Being, as they are, the living repositories of the accumulated wisdom and experience of so many centuries—the Sovereign Pontiffs know and realize, above all, three things more profoundly than any other man. First, they know that our fallen nature, when raised to the dizzy heights of power, is of itself lamentably prone to fall into fearful abuses of authority.

Second, they know that irresponsible authority so insidiously obliterates in its usurpers every sentiment of humanity that it has actually produced the very worst monsters of inhumanity that disgrace the pages of history.

Third, they know that ignorance of the laws of the Church naturally breeds the curse of irresponsibility in ecclesiastical rulers and, as remarked by S. Raymond de Pena-fuerte and by so many popes, is the prolific source of some of the saddest evils that afflict the Church. And, be it said to their everlasting honor, the Supreme Pontiffs have turned to

the profit of the Church their superhuman experience and knowledge of human nature.

Hence the paramount importance attached by Rome, at all times, to the study of canon law. No cleric, writes Pope Julius II. to the Oriental bishops, can licitly remain ignorant of this Code of laws which is "our weapon, our hope and our protection." Yes, our sole "protection" from abject servitude—the more abject because imposed under semblance and pretense of religion and piety.

Canon Law is the Magna Charta of the fundamental rights and of the dignity and self-respect of the priesthood.

The great French canonist Bouix fears not to say, and masterfully proves from papal deliverances, that to those who exercise ecclesiastical jurisdiction, especially to bishops and most especially to delegates Apostolic, the knowledge of Canon Law is even more indispensable than the knowledge of theology. *De Princip. Jur. Can.*, p. 1, sect. 2, c. 3).

According to a celebrated Doctor of the Church,—S. Isidore, bishop of Seville and the glory of Catholic Spain,—Canon Law should rank immediately after Holy Scripture in the curriculum of ecclesiastical studies: "Cujus prae ceteris speciale officium est Scripturas legere, percurrere Canones" *Ex lib. Office.*, c. 5).

"There was a time when a candidate for a theological doctorate had to spend six years in Canon Law at Bologna before he could be presented to the arch-deacon who acted as chancellor conferring the degree" (*Am. Eccl. Review*, Jan. 1902, p. 66).

Leo XIII. re-echoes the sentiments of his wise predecessors when he writes to the French episcopate, under date of Sept. 8, 1899, in his Encyclical on the Education of the Clergy:

"Without the knowledge of Canon Law—as the Fathers of one of your provincial councils very well said—theology is imperfect, incomplete, like a man with only one arm."

According to the infallible Head of the Church, neither the mitre nor the red hat can make up for the loss or privation of the canonical "arm." Quite on the contrary Leo XIII. regards the nickname of one-armed theologians as rightly applicable to priests, and a fortiori to bishops, delegates and other clerics ignorant of Canon Law.

To such ignorance the Holy Father ascribes various abuses of episcopal authority—for, he says in the same Encyclical: "Ignorance of Canon Law has favored the rise and spread of numerous errors touching the rights of bishops."

[406] Against those "lording it over the clergy" (I. Pet. 5' 3), the Church makes her own the words of S. Peter and the following of S. Hilary, bishop and Doctor of the Church:

"Although the Lord doth move us all in common to weary not in carefulness and watching, He layeth more especially

upon the rulers of His people, that is, the bishops, this duty to look always for His coming. For, such an one is that faithful and wise servant, made ruler over the Lord's household. But if that servant"—*i.e.* that ruler or bishop—"despise the suffering of God and begin to wax wanton against His fellow-servants"—*i.e.*, against the clergy under his charge—"the Lord of that servant shall come in a day when he looketh not for Him and shall cut him off from the goods wherewith he was entrusted, and appoint him his portion with the hypocrites in everlasting punishment * * because being unmindful of the judgment to come, he hath afflicted * * * with stripes the flock committed to his care" (S. Hilary, on S. Matthew, ch. 26—But's tr. of the Rom. Brev.).

"*Superiors*,"—says the greatest Doctor of the Church, S. Augustin—"should humbly accept correction, and inferiors should not shrink from the bold task of pointing out the faults of superiors. Augustin himself follows the example of Peter and repeatedly asks pardon of Jerome for any offense he has given him. For, though the episcopate is higher than the presbyterate, yet is Augustin in so many things inferior to Jerome" (Ep. 82).

S. Jerome warns the bishops that "the mighty shall be mightily punished: caveant ergo doctores et episcopi et videant potentes potentior tormenta sustinere" (S. Hier., l. i. com. in c. 5 Matth.).

"Etiam Judas fuit episcopus: Judas, too, was a bishop"—writes the saint, in one of his epistles.

S. Chrysostom affirms, with Apostolic boldness and with a full sense of the responsibility attaching to his utterances, that the bishops "who perish are far more numerous" than those who "are saved." It is of the priests of the first Order, *i.e.*, of the bishops, that he speaks,—as the context clearly shows and as he himself explicitly declares—when he says: "I do not speak rashly, but as I feel and think. I do not think that many Priests are saved, but those who perish are far more numerous. The reason is that *the office requires a great soul*. For there are many things to make a Priest swerve from rectitude, and he requires great vigilance on every side. Do you not perceive how many qualities a *bishop* must have?" (S. Chryst., 3rd hom. on the Acts of the Apostles)—"Tell me," he fearlessly asks, "tell me, pray, whence do so many disturbances arise in the Church? They arise, in my opinion, from no other cause than from the imprudent and negligent manner in which the choice and election of bishops is made." (On the Priesthood, 3rd bk.).—

One of the very greatest saints and doctors and popes of the Church, Pope S. Gregory the Great, fully shared the conviction of S. Chrysostom. He, too, says of the Priests of the first Order, *i.e.*, of Bishops or Prelates:—"I think, dearly beloved brethren, that God is not so much wronged by any as He is by Priests above all when we who, as *Prelates*,

are raised above the others and are so far freer to do as we like, prostitute our ministry of blessing wherewith we are blessed to compass the ends of worldly pride: nullum puto, fratres carissimi, ab aliis majus præjudicium quam à Sacerdotibus tolerat Deus et quia eo ipso quo cæteris Prelati sumus ad agenda quælibet majorem licentiam habemus, susceptæ benedictionis ministerium vertimus ad ambitionis arguæmentum." (Ex. hem. 17a S. Greg. Papæ in Lucæ 10.)

Beyond a doubt, the holy Doctors of the Church believed in the favorite maxim of Cardinal Manning and of Leo XIII. They believed that, "if the Evangelist did not conceal the sin and fall of Judas, *neither ought we to conceal the sins of bishops and of other personages*" (Purcell's Life of Cardinal Manning, vol. 2, p. 155, note).

He who shows up Judas honors Jesus Christ, and he who cloaks Judas betrays Jesus Christ, for he who cloaks a traitor is a traitor himself.

We have the authority of Pius X. to affirm that the Church is in need of "many repairs."

"There are many repairs to be made in the Church's robe;" he says, "but I am a tailor (Sarto) by trade; and I hope that God will enable me to ply the needle skilfully" (D. Lynch, S. J., in "Messenger" for January, 1905).

No doubt, the Pontifical Sarto will be a Sarto, not in name only, but "by trade" as well, to use his own picturesque language. The Pontiff who spares not the slaughterers of church-music—will surely not spare the wolfish shepherds who slowly murder—not the notes of the Gregorian chant—but the priests of Jesus Christ. He will not spare those whose inhumanity is born of criminal ignorance. The Synagogue herself gave precedence, over any ignorant high-priest of the old Covenant, to the very bastard born of incest: what place, then, will Pius assign in the scale of degradation to certain high-priests of the New Covenant, who are criminally and boastfully ignorant of the laws of the very Church whose overseers they are! Let them learn and memorise this sentence of the Talmud: "le bâtard, fruit d'un inceste, instruit dans la loi, a le pas sur le grand-prêtre ignorant" (Talmud, traité Horiot, folio 13 recto—ap. Drach's Harmonie, vol. 1, p. 107).

We can hardly do more, here, than allude to the incredible vengeance wreaked by a mitred pharisee on a fully restored priest, to whom he had been ordered to extend the proper support enjoined by the holy canons as well as by natural equity. On being authoritatively given to understand that he would not be allowed to kill his priest outright by robbing him of his daily bread—"very well," said the enraged despot, "he shall have his daily bread, but only under condition of lifelong dishonor—a condition which he shall accept under penalty of still deeper disgrace and of starvation besides. Every morsel of his daily bread shall he dipped and soaked in the dirt of ignominy before it reaches his lips."

And, to gain his end, this is the fiendish contrivance which he himself devised and invented:—

(a) Trampling upon the decision and the honor of the Holy See, and upon all laws human and divine,—trampling upon his own honor and upon his oath of obedience to the holy canons, he inflicted upon his victim (first) the perpetual infamy of a life-long banishment from his diocese—(second) the perpetual infamy of a life-long degradation to the rank of a layman in the same diocese, where the restored priest is not even allowed to say Mass, even privately and with closed doors; not allowed even to *visit*, there, as a mere private citizen—(third) the perpetual infamy of being, for the receipt of his pittance, utterly at the mercy of every bishop, of every priest, and of every layman or woman of influence in the diocese and in the parish where he is compelled to seek refuge.

(b) After inflicting the above triple infamy upon the priestly refugee his lordship coerced the same (always under penalty of two-fold death by starvation and by defamation) to give his gibbeter a certificate of Apostolic charity and generosity!

(c) By another refinement of cruelty, the alimony paid to the restored priest was purposely made too small to save him from the pinch of poverty, and, at times, even from cold and hunger and want of proper clothing. Think of a confessedly worthy priest, who is an invalid and almost a sexagenarian, being obliged to tramp from diocese to diocese and from street to street, in various cities of the United States, in quest of a *cheap* boarding place in keeping with his slender "pension." In vain did a noble-hearted bishop write to the pharisaic persecutor, reminding him that the clergyman's pittance was sadly inadequate. The generous protest of a fellow-bishop was pharisaically ignored.

It will be remembered that S. Francis succeeded in mollifying the ferocity of a wolf—but, be it said to the credit of *that* beast of prey, the saint never attempted to placate the ferocity of the clerical pharisee.

The following incident will give the reader a very faint glimpse of the diabolic hatred with which the restored priest N. is persecuted:—

It is well known that the clergy of his millionaire diocese receive, every year, hundreds of thousands of dollars in Mass stipends alone; now, the authorities *refuse* to send him *one* single Mass "intention" to relieve his pressing wants and necessities, even during sickness. The day of reckoning is nigh. "The Lord," says S. Ambrose, "is the despiser of the envious who persecute the gifts of God in others: aspernator enim Dominus invidiorum est qui divina beneficia in aliis sequuntur" (Lib. 4 in c. 4 Lucæ).

But the crowning refinement of barbarity, the inexhaustible breeder of endless and most abject dependence and slavery, is this: the exile's pittance is made *absolutely subject*,

not to the law of God and of his Church, but to the mere good pleasure, to the mere whim of the bishop in whose dominions he happens to be. The prelate in question has simply to decline to sign the pensioner's "application," and the pension is instantly stopped! The strange bishop, naturally anxious to be on friendly terms with his clergy, makes the pensioner subject to the mere good pleasure of the parish-priest in whose parish the clerical pensioner domiciles himself. The parish-priest, in his turn, desirous of being at peace with his curate or curates, makes the pension subject to the mere good pleasure of these gentlemen—who, in their turn, make it subject to the mere good pleasure of any parishioner of "means" or influence What an infernal scale of ignominious dependence and oppression! What a state of *helpless* abjection, inviting the public contempt that dogs the steps of every castaway! What a premium on blackmail! Well nigh every body holds the poor refugee at his or her mercy—having only to say the word to force him to "move on" and "seek more hospitable climes," under pain of losing his miserable allowance. He must, therefore, endure in silence innumerable vexations, innumerable snubs, innumerable taunts, innumerable indignities, innumerable insults, innumerable affronts, innumerable impositions, innumerable wrongs, innumerable outrages, innumerable oppressions, innumerable persecutions. What can he do against the prelates and the parish-priests and the curates and the favorite parishioners who *know* they hold his daily bread *under their feet*? Let him resent any indignity, no matter how revolting, and his pittance shall be stopped at once and he shall starve—for they never fail to take base advantage of his helplessness; and they delight in covering with spittle and buffets the face of the helpless crucified brother whose hands and feet are so securely nailed to the cross that the cravens have nothing to fear from *him*.

Thus, his very pittance is turned into an instrument of oppression and enslavement—an instrument which any one may wield with *impunity* and which, consequently, almost every one does use freely and unscrupulously.

The poor wanderer's pittance is already too small to supply him with a decent livelihood, and yet he must frequently spend a large part of it in search of less unpropitious quarters—in plain English, he must occasionally half starve himself. Indeed, on one occasion, he, a confessedly worthy priest under no censure or reproach whatsoever, had actually to seek shelter for a whole month in a notorious clerical prison, among drunkards and felons, in order to escape the horrifying fate of the clerical tramp. And be it formally recorded here to their everlasting shame, the recreant local authorities winked at the outrage. Instead of opening the door of hospitality, they opened the door of the diocesan jail to a most highly recommended clergyman whose only crime was poverty. To this day, the same exiled wanderer has not one

single spot in this wide world that he can call his home. At this writing, he is in a strange diocese where he is barely suffered to reside, temporarily only, yea, on mere sufferance, and on condition that he shall eat his bread in disgrace, *i.e.*, on condition that he shall constantly wear the convict's garb of ignoble ostracism from the entire diocesan clergy and laity. Systematically isolated and ostracised, and, thereby, slyly defamed as a leper; systematically buried and stifled "under the bushel,"—with a soul utterly crushed and with a heart slowly bled to death by "religious" pharisees who ostentatiously spend hours, day and night, before the blessed Sacrament and, meanwhile, lift up to Jesus Christ hands steeped in the tear-shed blood of their brother—what can he do? He is alone; and isolated honesty can do nothing against organized rascality. He must face this dire alternative: he must suffer in silence the daily stabs of the most loathsome of pharisees, of self-canouised Religious, who are veritable "religious" emetics—or he must starve and sink under still deeper defamation and persecution.

Were he to protest, he would instantly be sacrificed to the caprice of the last of the boy-postulants, whose knowing smile of disdain and supercilious looks of superiority and blackguardish freaks of insolence tell him that he, the white-haired old priest, is the plaything of those children and the object of their pious contempt. The brood is worthy of its origin: the pharisaic children are worthy of the pharisaic Fathers, whom they ape and by whom they are taught to despise the one Order instituted by our Lord, the Order of the pastoral, or secular, priesthood.

What an endless series of concentric hells—like those of Dante's Inferno—growing ever smaller and tighter, until they stifle the last breath of hope in the soul of the sufferer, and make him cry and pray daily for the coup de grace of physical death itself!

The State's hangman contents himself with hanging the vilest criminal *once*; but the pharisee-hangman insists upon hanging his brother-priest every day.

And that colossal scandal, that daily gibbeting of a priest canonically restored in full by the Holy See, that ruthless gibbeting which ever begins but never ends, has been going on for years and years. A homeless wanderer, the saddest of all homeless wanderers on the face of the earth, the priestly victim is daily entombed alive by the murderous hand of envious pharisees: the tomb-stone laid upon his breast is the crushing tramp of the world, and thus he must endure for days and years the supremest stifling agonies of premature burial.

(If necessary, we shall publish name and date and place).

A still *worse* case of pharisaic barbarity was *witnessed* and described, a few years ago, in New York Freeman's Journal of January 12 1895, by the ablest champion of the

Church in America, the illustrious and saintly Father Lambert in person.

Holy Father, turn thy Apostolic zeal against the priest-torturers who would fain raise inhumanity to the rank of an episcopal virtue. True, they have been unmasked and exposed and chastised by many of thy predecessors. But thou *knowest* how cruel they are, and how implacable—as implacable, indeed, as the human "leopards" described by St. Ignatius Martyr, "quibus et cum benefeceris *pejors* fiunt." Cowardly de-erters of their own word (S. Aug.),—masked betrayers alike of their own solemn oath and of thy Apostolic authority, they *dishonor* their own word and their own oath, and therefore scruple not to disgrace thy priests, whose honor is alas! ever at their mercy whenever "they set *us* an abomination to themselves" (Ps. 87). They turn the law of the Church into a lying label and mockery; and they make of the sanctuary the shambles of the priesthood. Masked renegades, who confess God in word but deny Him in deed—"confitentur se nosse Deum, factis negant: they profess that they know God, but in their works they deny Him" (Tit. 1' 16). Unspeakable hyp crites: before thee, Holy Father, they bless their victim with their mouth, whilst they curse him with their heart: ore suo benedicebant et corde suo maledicebant (Ps. 61' 5): *i.e.*, they profess to be loving "fathers" whilst they are fierce assassins in disguise—monstrous fathers indeed, who slay their own sacerdotal children—and fratricides indeed, who murder their own brothers in the Messianic priesthood. Holy Father, those who, at this hour, desecrate the churches in France and lock up *dogs* in the tabernacles—are far less criminal and far less inhuman than they who ruin for life the living *sacerdotal* temples of Jesus Christ, aye, fill His living anointed tabernacles with the everlasting stench of defamation and disgrace. Coiling the longman's rope around the priest's neck to fell him full length and drag him through the endless sewer-pipe of social ignominy, in "luto faecis" (Ps. 39) —such, Holy Father, is the favorite pastime of the clerical pharisee. Holy Father, the martyrs, sewed up, by order of Nero, in the skins of wild beasts in order to be quickly devoured by famished dogs and make a Roman holiday —suffered excruciatingly indeed. But they suffered far less than the priestly victims sewed up, by order of a mitred pharisee, in the wild beast's skin of public defamation, in order to be *slowly* devoured by the ravenous dogs of clerical pharisaism and make a clerical holiday. Rather than subject thy priests to years of lingering death by moral torture—it were better, Holy Father, summarily to shoot or guillotine them as did the Paris Commune and the French Revolution. Holy Father, the blood of thy priests, slowly shed in tears of woful bondage and despair, cries for vengeance to heaven and to thee!

Is not the Pope Absolute Ruler of the Church?

[407] No. He is the very first to disclaim such a title and to declare that his three-fold office as Ruler, Teacher and High-Priest is circumscribed by Divine Tradition or the unwritten Word of God, by Holy Writ, and by the constitution and the welfare of the Church. Nay, the one-man power, even when not absolute, is opposed to the spirit and practice of the Church. The most erudite and accurate canonist in the ranks of the American clergy, the Rev. Dr. Baart, very justly observes: "All canon law shows that the one-man power is opposed also to the spirit of the Church. The one exception is the Sovereign Pontiff. But practically even he undertakes nothing of importance without the advice of his senate. 'This senate of the Roman Church,' says the Roman Ceremonial, 'was instituted by Peter through divine inspiration, that with it he might determine all difficult affairs in the Church.'" (Baart: *The Tenure of Catholic Church Property in the United States of America*, p. 64).

"The final reason," writes Dr. Hettinger, "for the pontifical plenitude of power lies in the mission of the Church: it is a potestas in adificationem, and in this it has its limits" (Hettinger's *Timothy*, Eng. tr. 1902, p. 401).

The Church is the Incorruptible Champion of Natural Justice and Equity.

[408] The incorruptible love of the Church for justice and equity shines most brilliantly in her treatment of the lapsed—particularly in her treatment of lapsed priests and bishops, to whom she promises the means of subsistence the moment they show signs of repentance.

Why does she declare such a promise founded on natural justice?

Because she demands and receives from such a priest or bishop a special triple fee for the promised means of subsistence. The triple fee, or "collateral," which she gets is (a) the daily recitation of the Divine Office; (b) the life-long renunciation of a worldly career, however, lucrative, or honorable—a sacrifice eloquently recognized by the Fathers of the third Plenary Council of Baltimore in their Pastoral Letter to the clergy and laity of the United States; (c) the practice of perfect continence—not to mention the two-fold tribute of canonical obedience to ecclesiastical superiors and of compliance with the requirements of the holy ministry or of sacerdotal life.

We can realize now, in a measure, the burning indignation Holy Mother Church feels when a poor clergyman, after being punished to the full extent of the law, and whilst, moreover, faithfully paying his Triple Fee and his tribute of obedience to the Church in return for the promised canonical maintenance—is nevertheless robbed of the so solemnly promised and so manifoldly pledged means of subsistence.

For, just as the State—even a pagan State like Japan, or

a Mohammedan State like Turkey—recognizes its obligation in strict justice to feed the prisoner whom it deprives by imprisonment of all means of livelihood: exactly so, and on the same principle of natural equity, does the Church loudly proclaim her own obligation in strict justice to provide for every one of her priests or bishops—even if suspended, if not unwilling to repent—because she herself irrevocably deprives them of all means of earning their bread in the world: for, she forbids them most solemnly ever to seek a subsistence in secular pursuits.

[409] Her solemn prohibition makes it infamous—and, by consequence, morally impossible for a priest or a bishop, especially when under the additional stigma of ecclesiastical censure, to make a living in the world—so much so that, were she to recall her own prohibition (which she will never do), even then, public infamy would still haunt and hound the priest or bishop engaged in secular employments.

It is, therefore, by a strictly just return, and not merely out of charity, that she pledges herself to provide for the priest, or the bishop, and never let him die of hunger or want, inasmuch as she herself holds him, if worthy, as the life-long ward—and if unworthy, as the life-long prisoner of her authority.

We insistently repeat that, so far as a livelihood in the world is concerned, the Church systematically, *i.e.*, canonically, makes the priest a life-long cripple, or if you prefer the term a life-long incapable. She, therefore, very justly considers that the least she can do in justice for such a cripple of her own making, is to supply him with a pair of crutches in the form of life-alimony.

In short, both the Church and the State acknowledge that they could not, without monstrous injustice as well as inhumanity, let their wards or their prisoners die of starvation or want.

[410] Nay, the duties of the Church toward her delinquent priests or bishops are more sacred and stringent than those of the State towards its prisoners.—for many cogent reasons upon which too much stress cannot be laid:—*a*) because the Church irrevocably forbids even a suspended priest or bishop to embrace a secular avocation; *b*) because, by reason of such prohibition, the priest who ventures into a secular calling bears around his neck the mill-stone of life-long infamy and ostracism, and tails invariably wherever he goes; *c*) because his very profession utterly unfits him, utterly incapacitates him from following any secular calling, as proved by instances without number; *d*) because, when deposed from his office, a repentant *bishop* is never deprived of his right to alimony. Much less, then, should a repentant priest be deprived of such a sacred right: for, the lesser the dignity, the lesser the guilt; *e*) because, as already noticed, the Church by special contract, demands and receives a triple fee at the

hands of her clergy for the protection and support which she pledges herself to furnish in return.

The Church deems it sufficient to pass sentence of moral death upon a priest or bishop by removal from office. She execrates the crying injustice and barbarity which superadds to the above "capital punishment" (as removal or deposition is justly termed by canonists)—the penalty of slow death by gradual starvation, dire privation, and despair.

Again and again must we remind our readers that the position of the Catholic priest, as a bread-winner or loser, is unique and without a parallel on the face of the globe. For instance—

Protestant ministers may always pass honorably from their clerical ranks to a secular profession and are not, consequently (as a rule) entitled in justice to alimony from their denominations, when they quit the pulpit—either spontaneously or otherwise. It is vastly different with the Catholic priest: so far as a livelihood in a secular pursuit is concerned, the Church herself, we insist, makes him a life-long cripple, and honestly binds herself accordingly.

Whence it follows that our pharisees do most atrociously libel the Church as being even more destitute of any sense of justice than the pagan state itself—whenever they accuse her of denying her obligation in strict justice to provide for the wards of the sanctuary.

[411] The "authorized American edition" of "a Catholic Dictionary," bearing the imprimatur of Cardinal Vaughan and of Archbishop Corrigan, adverts as follows to the law of the Church regarding the support of her clergy.

"The pupils of certain seminaries may be ordained *titulo seminarii* or *missionis*. The acceptance of this last named title imposes on the bishop the responsibility of providing for the support of the ordinand if he shall become incapable of discharging his functions, whether it be without fault (*emeritus*), or through his own fault (*demeritus*)"—Ferraris, *titulus* § 31; Wetzler and Welte.

The Sacred Congregation of the Propagation of the Faith, in its reply to several American bishops, plainly intimates that a lapsed but repentant priest is, in strictest justice, entitled to his maintenance. See the text of the document in the 3rd Plenary Council of Baltimore, page 210.

"The maintenance of ecclesiastics is a matter of *justice* and not of charity merely." *Ecl. Rev.*, Nov. 1900). Why? Because "the Church has taken away from them the opportunity to earn a respectable livelihood through pursuits of a secular character" (*ibid.*) The denial of such a natural right constitutes a sacrilege, says Pope S. Gregory the Great: "*sciunt se sacrilegii crimen committere et eterne damnationis periculum incurrere*" (S. Greg. on 2 Tim. 2' 4).

Writing about one Agatho, an unworthy bishop who had been deposed on account of his very bad life, Pope S. Gregory

the Great remarks that it would be on the part of the Church—not only the height of injustice—but the height of inhumanity to deprive even such a delinquent and penitent of his canonical pension or alimony, after deposing him and debarring him from the possibility of making a living either in the sanctuary or in the world. "Nimis impium, exceedingly inhuman," are the words of the blessed Pontiff. "Nam," he writes, "nimis est impium, si alimentorum necessitati post vindictam subiaceat" (S. Greg. Magni, lib. 2, ep. ind. 11, Epist. 53). See Father Mahoney's monumental work "Jura Sacerdotum Vindicata"—a book stealthily plagiarised by its pharisaic detractors.

The very ancient book of the Apostolic Canons enacts (can. 58), "If any bishop or priest, when any one of the clergy is in want, do not supply his necessity, let him be ejected from the communion, and if he persevere, *let him be deposed, as having killed his brother.*" (See Am. Eccl. Rev. for Nov., 1900: Rev. Anselm Kroll on the support of old, sick and delinquent clergymen.—see also *Analecta Juris Pontificii* published in Rome—Smith's Elements of Ecclesiastical law—and especially Dr. Baart's Legal Formulary, etc.).—

Christ the First Pope;

OR

Notes on the Divine Plan of the Church

NINTH SERIES OF NOTES

Distribution of Christ's Royal Power (or Authority) in the Church.

TABLE OF CONT.

	Page
(1) First section by the two fold title of the positive Divine law and of the natural law, Christ imparted his authority to His apostles and their successors.	293
Definition of jurisdiction—its subject-matter—its object.	
(A) The title of Church to sovereign authority by virtue of the positive Divine law.	294
(a) Full legislative power promised, conferred, and exercised.	296
(b) Full judicial power of the Church.	297
(c) Full executive power of the Church.	298
(B) By virtue of the natural Divine right the Church possesses sovereign authority.	301
Must we conclude from what precedes that the authority of the Church is absolutely unlimited?	303
Religious coercion or persecution is a most "execrable heresy," says S. Athanasius.	303
The defamers of S. Augustin.	304
Rather than see even murderous heretics and schismatics put to death, S. Augustin openly declared his readiness to die by their hands, for they had openly vowed to murder him too.	304
In the matter of humanitarian reforms S. Augustin was fifteen centuries ahead of his time.	305
S. Augustin remained to the last the most formidable opponent of religious persecution or coercion.	306
S. Hilary thunders against the same abuse.	307
THE CHURCH AND CIVIL SOCIETY their immediate authors—their comparative action on man—the immediate source of their authority and the nature thereof—their object—their respective polity—their respective duration—the Church superior to the State.	308-9
The greatest Benefactress of mankind.	309

	Page
(11) Second section: church-authority, its visible fountain-head and channels.	311
(a) Jurisdiction in the internal Forum: how distributed.	311
(b) Jurisdiction in the external Forum: how distributed.	312
By Divine ordinance the priests share in the bishops' pastoral office.	313
Why does the Successor of Peter receive the plenitude of jurisdiction directly from Christ himself?	318
Why do the bishops receive jurisdiction immediately from the Vicar of Jesus Christ?	319
Did the Apostles receive jurisdiction from Christ exclusively?	319
Corollary.	321
1.—Jurisdiction: a glance at its hierarchal scale.	322
(A) Authority of the Pope.	322
Does the dispensing power of the Pope extend to the Divine law?	322
Can the Pope dispense from the "subjective" Divine right?	323
(B) Authority of the bishops.	324
2.—Jurisdiction: a glance at its territorial scale.	324
THE CHURCH ABHORRS ABSOLUTISM.	324
The Popes and Canon Law.	325
The Church against those "lording it over the clergy" (1 Pet. 5:3).	326
"Superiors should humbly accept correction" (S. Aug.).	327
According to S. Chrysostom, the bishops who "perish" are far more numerous than those who are saved.	327
S. Gregory the Great at one with S. Chrysostom.	327
"Neither ought we to conceal the sins of bishops," said Pope Leo XIII, and Cardinal Manning.	328
"Many repairs to be made in the Church," says Pope Pius X.	328
The vengeance of a mitred Pharisee.	328
Religious emetics.	331
Teaching their brood to despise the one Order instituted by our Lord, namely, the Order of the pastoral or secular priesthood.	331
A case of Pharisaic barbarity witnessed and described by Father Lambert.	331
A prayer to Pius X.	332
Is the Pope the absolute Ruler of the Church?	333
The Church is the incorruptible champion of natural justice and equity.	333
Her treatment of (repentant) fallen bishops and priests.	333-6
Noble words of Pope S. Gregory the Great.	335-6
"Let him be deposed as having killed his brother" (58th of the Apostolic Canons).	336

