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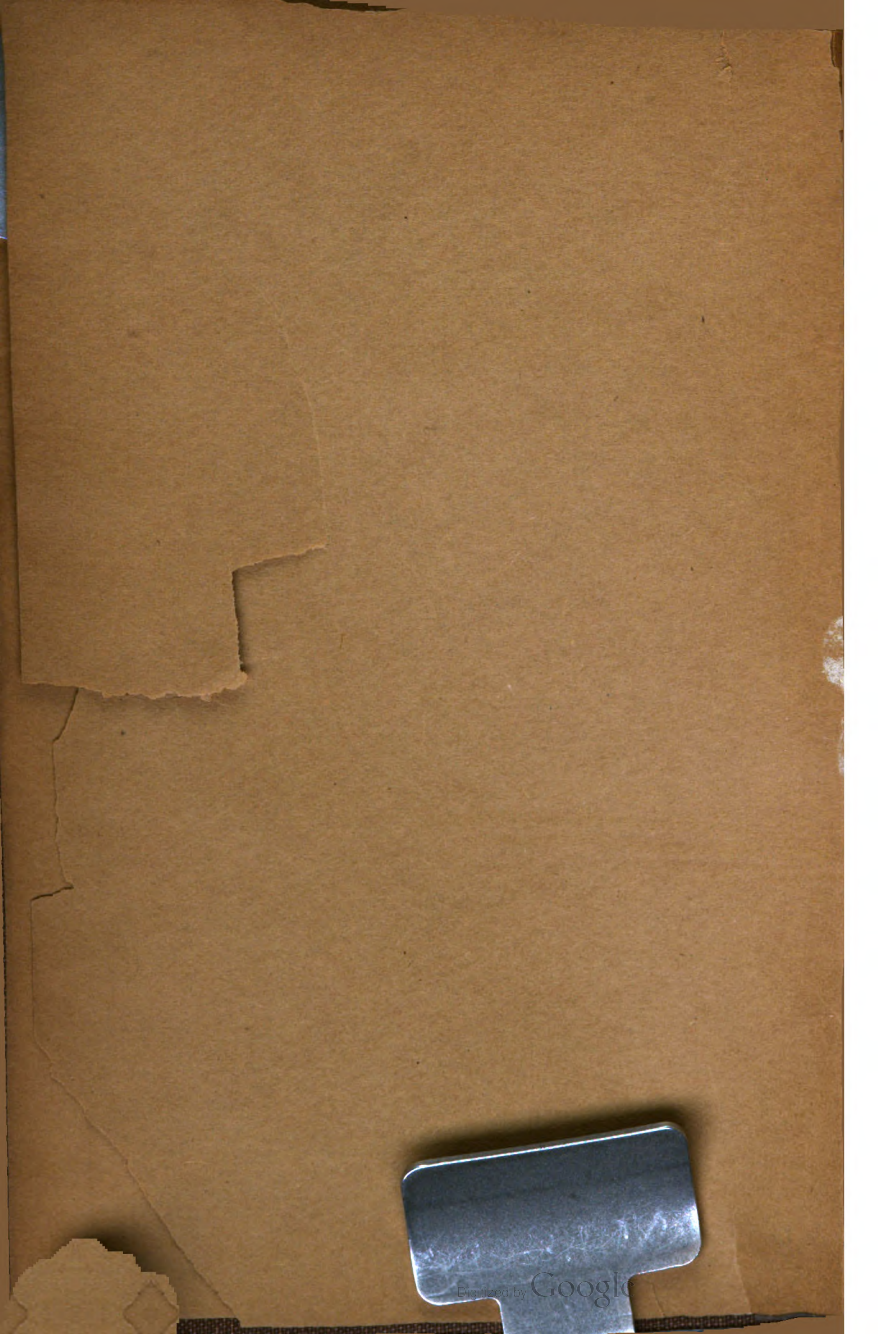
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THE  
TRUE AND THE FALSE  
INFALLIBILITY OF THE POPES.

A CONTROVERSIAL REPLY TO DR. SCHULTE.

BY  
DR. JOSEPH FESSLER,

*Late Bishop of St. Pöllen, in Austria, and Secretary-General of the Vatican Council.*

A Work honoured by a Brief of Approbation from His Holiness  
Pope Pius IX.

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Translated from the Third Edition

BY PERMISSION OF THE EDITORS OF THE LATE BISHOP FESSLER'S WORKS.

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*Extract from a Brief addressed to Bishop Fessler by his Holiness Pope*

*Pius IX.*

*April 27, 1871.*

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' . . . . PER OPPORTUNUM autem et utilissimum existimavimus retudisse te audaciam Professoris Schulte incitantis sæculares Potestates adversus dogma Pontificiæ infallibilitatis ab œcumenicâ Vaticanâ Synodo definitæ. Non omnes enim, inter laicos præsertim, rei indolem perspectam habent; et veritas luculenter exposita multas abigere solet ab honestorum mentibus obliquas opiniones, sæpe cum lacte haustas, aliosque confirmare in rectâ sentiendi et adversus insidias munire. Quamobrem si hujusmodi commenta refellere pergas, optime certe merebis de sanctissimâ religione nostrâ et Christiano populo, quem, uti bonus Pastor, a venenatis pascuis abduces. Pergratum Nos tibi profitemur animum, cum ob volumen oblatum, tum ob amantissimas litteras tuas; tibi que amplam apprecamur obsequii devotionisque tuæ mercedem. . . . '

*Translation.*

' . . . WE esteem it a very opportune and useful thing to have beaten back the audacity of Professor Schulte, inciting as he does the secular powers against the dogma of Papal Infallibility, as defined by the Ecumenical Council of the Vatican. For it is a matter the true meaning of which, not all men, and especially not all laymen, have a thoroughly clear understanding of, and the truth, when lucidly set forth, is wont to expel from properly constituted minds opinions which men perhaps have drunk in with their mother's milk, to confirm others in a right mind, and fortify them against insidious attacks. Wherefore, if you continue to refute figments of this kind, you will deserve well of our most holy religion, and of all Christian people, in that, like a good pastor, you withdraw them from poisoned pastures. We make known to you, then, the great pleasure you have given Us, both by reason of the book which you have presented to Us, as well as by reason of your most affectionate letters; and We pray that you

*Papal Brief to Bishop Fessler.*

may receive a rich reward for your deference to Our authority and devotion towards Ourselves. . . .'

*(Signed by the Pope's own hand.)*

NOTE.—The fact of the Brief and its signature is derived from M. Anton. Erdinger, director of the Episcopal Seminary at St. Polten, author of the *Life of Bishop Fessler*, who sent a copy of it to M. Cosquin of the *Français*, to whom I am indebted for these important notices. The Pope's Brief is not given entire, as the remainder of it has reference solely to local diocesan affairs.



## TRANSLATOR'S INTRODUCTION.

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THIS important work of the lamented Dr. Fessler, Bishop of St. Polten, or more properly St. Hippolytus, in Austria, who was Secretary-General to the Vatican Council in the year 1870, and who, worn out with the fatigues of the Council, died two years afterwards, is now for the first time brought before the notice of English Catholics.

Entitled by the good Bishop himself *The True and False Infallibility of the Pope*, it presents to the reader a perfect 'repertorium' of all the stock objections and erroneous representations, both as regards the doctrine itself, and as regards the history of previous Papal rescripts and acts, that the fertile mind and extensive reading of Dr. Schulte, Professor of Canon and German Law in the University of Prague, could ingeniously pile together and misconstrue, in order to bring odium upon all Papal Bulls and Papal acts from, as he says, the time of Pope Gregory VII.

These misstatements and misconstructions Bishop Fessler, with extraordinary labour and patience, has met and refuted one by one. The refutations remained unanswered during the Bishop's lifetime, nor have we heard of Dr. Schulte having attempted any answer since his death, although he has gone on reiterating his former statements. It is the old story

of 'mumpsimus.'" Nevertheless, as this particular mumpsimus is of German extraction, it has been thought that it would not be amiss, while German meets German in this strife of the True and of the False Infallibility, they should carry on the battle in English, that we, who have an equal interest in the issue of the contest, may hear both sides, and judge for ourselves which is the *true* and which the *false*.

And it is this which constitutes the special merit of Bishop Fessler's work, that, in this properly German quarrel, it states fairly all that Dr. Schulte has to say on his own side, so that although we have not actually his book before us, we can hear him speak both in the titles of the chapters and in the propositions brought forward, all of which are given in Dr. Schulte's own words; thus the reader, be he Catholic or be he Protestant, may see for himself what has been said on the part of those who have tried to make Infallibility impossible, by the process of *reductio ad absurdum*, and what by those who calmly and dispassionately have endeavoured to bring it back to its true significance.

It is strange that, considering the general interest of the subject, the comprehensive character of the work, its general acceptation in Germany, and, lastly, the author's thorough knowledge of his subject, which his peculiar position during the Council, as its Secretary-General, enabled him to obtain, so valuable a work should have remained so long untranslated. And this becomes the more remarkable when we consider that after the first edition had been sent to Rome, and there thoroughly examined and ap-

ular improved, the second and third editions were published after the Pope himself had written to Bishop Fessler commending him for having, by means of his work, 'as a good pastor done good service to our holy religion,' and exhorting him to go on bringing back Christian people from poisoned pastures; the particular 'poisoned pastures' indicated by the Pope being evidently those false and exaggerated notions of Infallibility which Dr. Schulte and others of his stamp have been engaged in propagating.

It will be a further good result of the present controversy if it brings us to see the danger of all exaggerated statements, even when made with good intentions, for it is precisely to these statements that the now open adversaries of the Church appeal, in order to place the true doctrine before their dupes in an odious form. And this good result has already followed from the French translation, edited by M. Emmanuel Cosquin, editor of the *Français*. It has 'put the question before many, who had been made anxious by exaggerated statements, in a way which rendered it quite easy of acceptance.' The existence of this translation was, I regret to say, not known to me until my own translation from the original was completed; in fact the editor kindly sent me a copy when he saw my advertisement of the pamphlet in the newspapers, accompanied with the obliging permission to make use of his prefatory matter, his valuable notes from the 'Pastoral Instruction' of the Swiss Bishops, and the useful and comprehensive index at the end of his edition. As a most valuable

confirmation of the position assumed by Bishop Fessler, I would refer my readers to M. Cosquin's two notes, which I have translated from the French, and appended to the second chapter of this work.

That Bishop Fessler was really the exponent of the mind of most of the German Bishops, and in particular that his work exercised a special influence on the learned historian of the Councils, Mgr. Hefele, Bishop of Rothenburg, will be sufficiently shown by the following letter, translated from the *Germania*, the organ of the Catholics of Berlin, whose editor, Herr Majunke, although a deputy in the German Assembly, is now undergoing his sentence, as a confessor for the Faith, in a common German prison.

Extract from the Roman correspondent of the *Germania* of Berlin, of Nov. 3, 1872:

Rome, Oct. 26.

'The letter of Bishop Hefele, which has lately been published, gave rise to an explanation on the part of this prelate; as a result of which the following information came to my knowledge, which, on account of its high importance, I think I ought not to withhold from your readers, and so much the more as it concerns our lately deceased and universally honored Bishop of St. Polten. Mgr. Fessler, who was on very intimate terms with Dr. Hefele, the Bishop of Rothenburg, sent to him, accompanied with a most affectionate letter, expressive of all those feelings which he entertained towards him as a brother in the episcopal office, a copy of the work which he had composed *On the True and False Infallibility of*

*the Popes*, then just published by Sartori of Vienna. At the same time he had forwarded his pamphlet to all the other Bishops, no matter what opinion they might have held before the 18th of July 1870. From most of the Bishops Mgr. Fessler received the most sincere congratulations in respect of the work which he had just composed. The Bishop of St. Polten had also previously forwarded it to Pius IX. The Pope had thereupon directed a translation of it to be made into Italian, and instructed a commission of learned theologians of different nationalities to examine it, and report upon it. Both of these commands were put into execution without delay. The Pope made himself thoroughly acquainted with the contents of Bishop Fessler's work, and as his own judgment of it fully corresponded with the judgment of the commission, he wrote a letter with his own hand to the Bishop of St. Polten, praising him for this highly valuable work, and begging him to persevere in the laborious task he had undertaken of correcting the erroneous opinions which had been spread abroad in various directions. Upon the receipt of this Brief Bishop Fessler published a second and third edition of his pamphlet. The Bishop of Rottenburg, however, had declared that although after a thorough examination he perfectly agreed in principle with Fessler's defence of the Vatican definition against Dr. Schulte's pamphlet, still he doubted if the views there maintained would be accepted as sound at Rome. Hereupon the Bishop of St. Polten told him what had happened at Rome about his work, and mentioned that he had received from the Pope himself a



letter avowing his satisfaction with it; he also gave Mgr. Hefele this further consoling assurance, that both he himself and many other bishops who gave their *votum* in favour of Infallibility had held this view of the Infallibility of the Pope. The deceased prelate was, however, too simple and too modest to allow this Brief of the Holy Father to be printed in the preface to the second edition of his work.'

The same journal, the *Germania*, adds the following editorial comment on the above: 'The Pastoral Letter of the Bishop of Rothenburg' of April 10, 1871, in which he published the Vatican Decree, testifies to the correctness of our Roman correspondent, by the frequent quotations it makes of Bishop Fessler's work *On the True and False Infallibility*.'\*

It has been the apparently inevitable result of all Councils that whilst they have settled and confirmed the faith of many, they have left some still anxious as to the exact meaning of the definitions of the fathers there assembled, viz. whether they were to be interpreted with this or that limitation; the question with such persons being, not whether God had spoken by the Council, but whether in what the Council had said, He had meant this or that. The Vatican Council has been no exception to this rule. But how

\* NOTE.—As Bishop Hefele published his Pastoral in April 10, 1871, and the Pope's Brief to Mgr. Fessler is dated April 27 of the same year, it is evident that Bishop Hefele had become satisfied that Bishop Fessler's pamphlet expressed the true sentiments of the Holy See on the subject of Infallibility *before* the Pope's Brief reached its author.

soon and how readily difficulties have been made up since the definition of the Infallibility of the Pope in his teaching office! The chief country of these difficulties was Germany, and what has been the spectacle presented to our view since the definition of Infallibility, and the publication of Bishop Fessler's pamphlet upon its true meaning? Those Bishops who doubted the opportuneness of the definition, or who in other ways hesitated to receive it, and who, for conscience' sake, absented themselves from the final and decisive session,\* have since become the chief confessors and witnesses of the doctrine, before a cruel and persecuting government! Nor has any word of reproach against the Council or the Holy See escaped them in their many trials. Never has an Episcopate been more unanimous, or more patiently endured persecution for the faith. On the other side, viz. of those who have denied the authority of the living Church, speaking in her last and most numerous assembly, what is the spectacle which is presented to us by Dr. Schulte and his friends at the present moment? Not content with assailing the Vatican Council and Pope Pius IX., they assail all Councils, all sayings and doings of Popes since the first eight centuries, differing therein in nothing but name from other Protestant and heretical sects, whose principle is really identical with their own. Both the one and the other have their reward: the one, the Archbishop of Cologne, is earning a martyr's

\* See the account given by Bishop Fessler of their conduct, in the first chapter of his work.

crown in the common gaol, condemned like a felon to forced labour; \* the other, Dr. Schulte, has been rewarded with a professorship at the University of Bonn!

Here I will conclude this Introduction with a short notice of this gentleman, Bishop Fessler's opponent, Dr. Schulte, whose name has so much prominence in the following pages; it is taken from M. Cosquin's introduction to the French translation.

'Dr. Schulte is a Westphalian by birth, up to the present time (1873) Professor of Canon and German Law at the University of Prague, and a short time since appointed by the Prussian Government to a chair at the University of Bonn. For a long time he enjoyed a well-earned reputation as a canonist, not only by reason of his erudition and the originality which distinguished his works, but also by his strict orthodoxy. The only reproach brought against his writings was their incompleteness, and the obscure form into which they were thrown. About the year 1862, tendencies to unsound doctrines manifested themselves in him, and from the year 1868 these tendencies became more and more pronounced. In 1869 his hand was thought to be seen in the odious compilation, the *Pope and the Council*, published under the assumed name of "Janus." Finally, at the commencement of 1871 he published under his own name the first of a number of pamphlets, by

\* See *Tablet* newspaper, Dec. 26. Paul Melchers (the Archbishop) entered on the prison books as 'strawplaiter.'

which he has gained for himself a sad renown amongst the enemies of the Church. This pamphlet, published at Prague, has the interminable title: "The Power of the Roman Popes over Princes, Countries, Peoples, and Individuals examined by the Light of their Doctrines and their Acts since the Reign of Gregory VII., to serve for the appreciation of their Infallibility, and set face to face with contradictory doctrines of the Popes and the Councils of the first Eight Centuries."

'On the appearance of this pamphlet there was a burst of admiration from all the "free-thinking" journals of Austria and imperial Germany. One Vienna newspaper, the *Press*, declared that all the attacks which had been hitherto directed against the doctrine of Infallibility were but as the pricking of a pin in comparison with the terrible blows dealt by the mace of Dr. Schulte.

'This pamphlet Mgr. Fessler thought it his duty not to leave unanswered, which gave rise to the composition of the work which is now presented to our readers.

'In this refutation the able prelate follows step by step, chapter by chapter, the reasoning of his opponent, pointing out the unfair treatment which the instruction given by the Council meets with at his hands; explaining at the same time the true doctrine, re-establishing the true import of the facts adduced, and cautioning his readers against false interpretations of them. When, with a somewhat slow, perhaps, but sure progress, he has arrived at the end of his elucidations, he draws his inevitable conclu-

sions, and of this whole work of Dr. Schulte there remains—NOTHING.

‘Dr. Schulte had asserted that the definition of the Infallibility of the Pope has completely altered the relations between the spiritual and the temporal power. The object of his work was, as he says, “to show governors and governed what a Catholic is in conscience obliged to believe if he admits the Infallibility of the Pope.” So he drew up from the declarations and acts of the Popes of the Middle Ages a catalogue of what he called doctrinal propositions, which he presented to his horror-stricken readers as the decisions of the Infallible teaching office of the Sovereign Pontiffs, and so, of course, since the Council of the Vatican, as Catholic dogmas. If it can be shown that all that Dr. Schulte so laboriously quotes has nothing whatever to do with Infallibility, his book is answered, and falls as a dead letter. This feat it is that Mgr. Fessler has so victoriously performed. The result of an investigation of passage after passage, quoted by Dr. Schulte, shows that they none of them can be regarded as infallible definitions on faith and morals. Accordingly, Catholics when they accept, as is their duty, the constitution of the Council on the Infallible teaching office of the Roman Pontiff, are in no wise bound to believe what Dr. Schulte asserts they are, in regard to these assumed doctrinal propositions of Popes.

‘Mgr. Fessler might have confined himself to this reply. But in behalf of those of his readers who might possibly have been perplexed regarding certain acts and declarations of Popes quoted by Dr.



Schulte, although those acts and declarations do not constitute an object of the Catholic faith, the prudent Bishop has not neglected to indicate in a few short remarks at the end of his work the principal points of view, from which a right appreciation of these acts, &c., may best be obtained. Such in the abstract is the work of Mgr. Fessler, in which he has refuted by anticipation the theories which, with so much assurance, M. de Bismarck brought before his audience in the discourse which he pronounced in the Prussian Upper House on the 10th of March last, 1873. Important documents well known in France, the collective declaration of the German Bishops of May 1871, the "Pastoral Instruction" of the Swiss Bishops, have already set the principles drawn out in form by Mgr. Fessler before the eyes of such of my readers who are not theologians. People have seen in a general way how these principles have to be applied to Bulls and other Papal documents, of which the adversaries of Infallibility endeavour to avail themselves. But the great advantage of this work of Mgr. Fessler, and that which gives it a particular interest, is the application this author makes of these principles to such numerous examples. All that the adversaries of the doctrine have drawn from history in order to assail it has furnished the illustrious prelate with the opportunity of placing these very facts in their true light. Thus has he been able to show to men of good-will, but hitherto imperfectly instructed in the matter, that the doctrine against which their understanding rebelled is not the true Infallibility defined by the Council of the Vati-

can, but the creation of ignorance and of passion—in fact, “a false Infallibility.”

With these concluding words of the distinguished editor of the *Français* the work of Bishop Fessler is presented to the reader, in the hope that he will derive the same comfort and edification which it has afforded to many others.

AMBROSE ST. JOHN,  
' OF THE ORATORY.

Edgbaston, Jan. 10, 1875.

## AUTHOR'S PREFACE TO THE THIRD EDITION.

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WHEN the publisher, a few weeks after the appearance of the first edition of my answer to Dr. Schulte, brought me the information that a second edition was required, and at the same time inquired of me whether I wished to alter anything, I told him I knew of nothing I wished to alter except a few misprints and particular words.

Since then, however, there has appeared a second enlarged edition of the work of Dr. Schulte, but as no notice was taken in it of my reply, this must be, I suppose, because both works were passing through the press at the same time. Dr. Schulte has made several additions to his second edition, which for the most part are only directed to confirm or enlarge the ground of the assertions he has made in his first.

There are, however, some new doctrinal statements of Popes, discovered by him and added in this second edition, which for the careful reader of my answer to his first work require no further refutation, since at least according to the principles laid down by me in my answer, and which are not disputed by either side, they cannot be regarded as *ex cathedrâ* utterances, and accordingly do not belong to the subject in hand. I mention, by way of example of such new Papal doctrinal statements,

'The Pope has the right to determine for persons how they ought to dress' (p. 64 of Dr. S.'s work); and more strange still, 'That in religious questions according to the teaching of Pope Leo the Great, the Emperor is infallible' (p. 111 of his work). The latter assertion appeared to me certainly a trifle somewhat too scandalous, and to the honour of this great Pope I thought that I ought to go into the proofs of this wonderful assertion. But in a lucky moment I perceived that Dr. Schulte did not mean his words to be taken in earnest, and that he only wished to show what strange things on the subject of Infallibility might be deduced from the misunderstood or misinterpreted words of ancient writers, when people choose to interpret them in a passionate and irrational way. This, I say, broke upon me, and so I renounced my intention, and I am satisfied now to regard the statement that in religious questions, according to the doctrine of Pope Leo the Great, the Emperor is infallible, as an historical curiosity, which it would be as superfluous for me to refute, as it would be wearisome to the reader for me to attempt. One utterance of this holy Pope I will not, however, omit, and it struck me, on a fresh perusal of his letters, as very appropriate here. He says, 'Veræ fidei sufficit scire, quis doceat,'—'For the true faith it is enough to know *who* is the teacher.' But then he is not here speaking of the Emperor, but of the Pope and the Bishops.

But if the second edition of the pamphlet of Dr. Schulte has given occasion to no alterations in this third edition of my own work, the remarks of some

others have reached me which will afford me the opportunity I desire, both of illustrating and of defending the position I have taken in my pamphlet. A Vienna reviewer, amidst some cavils which have no great point in them, thus expresses himself: 'The sum and substance of the matter on which, according to Schulte, all depends is the question "Whether the dogma of Papal Infallibility really reaches to that extent which he assigns to it?" The principle here involved Fessler does not contest with his opponent; he admits that not only all future but all earlier utterances of Popes, if they have been made *ex cathedra* in the sense already explained, have a claim to the privilege of Infallibility.'

This is true, of course; but then what this reviewer designates as the bone of contention between myself and Dr. Schulte, and wherein he says I admit Dr. Schulte's 'principle,' is really no question or bone of contention at all between us. On this point the supporters as well as the adversaries of Papal Infallibility are agreed, viz., that the definition upon the Infallible teaching office of the Roman Pontiff comprehends all former as well as all future Popes. No one whatever in the Vatican Council has been guilty of the theological absurdity of wishing to define that only Pius IX. and his successors were infallible, to the exclusion of all former Popes. The question at issue is quite of a different kind. It is whether the definition *de fide* of the Vatican Council upon the Infallible teaching office of the Roman Pontiff extends to all the different expressions which a Pope may ever casually have uttered, either as Briefs or



otherwise, and even to acts of the Popes; or whether this *de fide* definition extends solely to those utterances of Popes in past as well as future times, wherein all the notes, prescribed as belonging to definition on matters of faith, combine, so as to create an infallible Papal *de fide* definition. This is the question, and in the solution of this I cannot concede an iota to Dr. Schulte, because I have learnt in the Catholic Church not to explain away (*deuteln*) a definition of a General Council (as an Augsburg reviewer unjustly says I do), but to hold to it exactly and with all my strength, TO ADD NOTHING TO IT, but at the same time to DETRACT NOTHING FROM IT. This is the position I assume in this work of mine, this is the gist of the question between me and my opponents.

The same reviewer as he proceeds in his remarks is guilty of making a certain mischievous confusion and perversion of theological ideas, which he hides behind expressions quite foreign to the subject. He says: 'The one, Fessler, draws his proofs according to mere theory; the other, Schulte, deals simply and solely with the practical historical point of view;' and he adds, 'the only real contest between the two lies in the purely theoretical treatment of Infallibility, and in its practical application.' To treat the matter in this way is simply to misunderstand the real point at issue, for what the reviewer calls 'practical application' really means that straightforward obedience and true submission which a Catholic ought to pay to the directions and definitions of the Pope.

But it was not the Vatican Council that first

introduced this idea of obedience and submission. This obligation has existed time out of mind in the Catholic Church, and follows from the very nature of the Primacy. That, however, which *was* defined in the Vatican Council is another matter altogether, and it is this: that the doctrinal decisions of the Pope upon faith and morals, provided with all those notes which were prescribed in the well-weighed definition of the Council, are free from error. This definition of the Council has indeed its theoretical, as well as its practical side: the theoretical asserts that such doctrinal decisions of the Pope, made through God's assistance, are free from error; the practical side requires that every Catholic should, with a full conviction of their perfect and certain truth, devoutly accept them with that faith which belongs to truth revealed by God, and deposited in His Holy Church. I may spare myself the trouble of a longer exposition of this distinction which has its basis in theology, since the learned Bishop of Paderborn, Conrad Martin, has explained it so clearly and systematically in his work, *The True Meaning of the Vatican Definition on the Infallible Teaching Office of the Pope* (Paderborn, 1871).

An Augsburg reviewer takes objection to my expression: 'It is by no means an established fact amongst Catholic theologians, that the Syllabus with its eighty propositions belongs to those definitions of doctrine which are to be characterised as infallible;' and is of opinion that in saying this I show that the notes cannot be relied on, which I have given to make it plain how an utterance of the Pope may be

recognised as *ex cathedrâ*. I, on the contrary, find that in this case, as in a hundred others, we can fully rely on the notes which have been given, for they are really good and sound notes, but yet, notwithstanding this, the application of these notes to particular cases may have its difficulties. It is the business of the science of theology to support the different views which may be taken of this question by such arguments as it has at its command, and probably in this way to bring it to pass that the right view should become the generally received view.

Should this not take place, then the authoritative decision on the matter may at any time follow. Before the Vatican Council was summoned, a Catholic was bound to pay obedience and submission to the Syllabus; nor has the Vatican Council in any respects altered this conscientious obligation. The only question which could arise was, whether the Syllabus possesses those notes on the face of it, which, according to the doctrinal definition of the fourth session of the said Council, belong to an utterance of the Pope *ex cathedrâ*.

The 'Syllabus,' as its title shows, is nothing but a collection of those errors of the age that we live in, which Pope Pius in earlier Rescripts of different dates has declared to be errors, and which accordingly he has condemned. The condemnation of errors, according to the traditional practice of the Church, is made in various forms: sometimes they are condemned as heretical; sometimes as savouring of heresy; sometimes as schismatic; sometimes simply as erroneous, or false; sometimes as dangerous, or scandalous, or

perverse; sometimes as leading to heresy, or to schism, or to disobedience to ecclesiastical superiors. When a particular doctrine has been condemned by the Pope as heretical in the way designated by the doctrinal definition of the Vatican Council, speaking of the Infallible teaching office of the Pope;—then, indeed, there can be no doubt that we have under these circumstances an utterance of the Pope *ex cathedrâ*. But as in the Syllabus, through the whole catalogue of eighty propositions, designated generally in the title as ‘Errors’ (*Syllabus errorum*), there is nothing to show, as was pointed out above, under what category of condemned propositions, according to old ecclesiastical usage, a particular error falls, we are compelled to have recourse to the records or sources, in which the particular propositions of the Syllabus have been on previous occasions condemned by Popes, in order to learn whether it is condemned simply as erroneous, or whether it has some other designation, and notably whether it has been condemned as heretical.

The Augsburg reviewer further remarks, that whilst I blame Dr. Schulte for picking out the mere words of the definition, when he quotes the doctrinal definition of the Vatican Council on the subject of the Infallible teaching office of the Pope, and excluding the introduction and the reason for the definition, I complain of him further on, for printing the *whole* of the Bull *Unam Sanctam*. As it is here laid to me that I am acting inconsistently, I must defend myself from this charge. What it seemed to me I had a right to require of Dr. Schulte as an

author was, that he should treat alike the dogmatic definition of the Vatican Council, and the Papal Constitution *Unam Sanctam*, by doing as I had done myself, viz. by pointing out that in both cases the definition *de fide* really commences after the solemn formula *definimus*; that in both the introduction was very important, not however that it was to be looked upon as the definition itself. Nor can I ever think it right that Dr. Schulte should leave out and pass *sub silentio* the introduction to the decree of the Vatican Council, calculated as it is to quiet people's minds, and, on the other hand, give entire the introduction of the Bull *Unam Sanctam*, this introduction being of a character to disquiet people; and what is still more unjustifiable, that he should treat this introduction as a doctrinal definition. And I think I have good reason to express my dissatisfaction at a proceeding, the sole object of which was to increase prejudices which were already at work, and to create a sensation in people's minds; surely a very unjustifiable proceeding, when the position a man assumes is that of one who is engaged in an impartial scientific investigation.

Another reviewer objects to my statement, that the Bull of Paul IV., *Cum ex Apostolatus officio*, of Feb. 15, 1559, is not a doctrinal definition, not an utterance of the Pope *ex cathedra*, but merely a disciplinary statute, and he adds that my proof of this is nothing but the title of the Bull; so he concludes: 'According to this theory it is not the contents of a Rescript, but the whim of the rubrical commentator upon it, that has to decide upon the right of a Papal Bull

to be considered as an *ex cathedra* utterance, and thus to determine the gravest questions of conscience! Miserable subterfuge!

Here I must be allowed, in a few words, to throw some light upon this passage of my critic, in order to show up his dishonest way of conducting a controversy. He says that I bring forward nothing but the title of the Bull in the *Bullarium*, 'so that it is not the contents of the Bull but the whim of the rubrical commentator which has to decide upon the properties of a Papal Bull;' and he permits himself to bewail my 'miserable subterfuge.' What I really said was, p. 88, 'This title, which gives a true account of its contents, is of itself enough,' &c. No one surely could direct attention to the contents of the Bull in question more plainly and definitely than I did in these words; but at the same time, to make it quite clear to my readers that the Bull really is a penal enactment, the following words out of the contents of the Bull itself will not be out of place here. Sec. 2 of the Bull says: 'Habita cum S.R.E. Cardinalibus deliberatione matura, de eorum consilio et unanimi assensu omnes et singulas excommunicationis, suspensionis, et interdicti, ac privationis, et quasvis alias sententias, censuras et pœnas a quibusvis Romanis Pontificibus prædecessoribus nostris, aut pro talibus habitis, etiam per eorum literas extravagantes, seu sacris Conciliis ab Ecclesia Dei receptis, vel Sanctorum Patrum decretis et statutis, aut sacris Canonibus ac Constitutionibus et Ordinationibus Apostolicis contra hæreticos aut schismaticos quo-

modolibet latas, et promulgatas Apostolicâ auctoritate approbamus et innovamus,' &c.\*

The words of the contents of the Bull in question which I have here printed form *also* the title of this Bull, as I quoted in p. 88 of my pamphlet; this any one may easily convince himself of by comparing the words in both places. And yet it is in this very case that my opponent ventures openly to assert that I have made use of a 'miserable subterfuge' in drawing my proofs not from the contents of the bull, but from the title alone; the fact being that I did expressly refer to the contents, and only for the sake of brevity quoted the words of the title, which were identical with the contents, instead of the contents of the Bull, which I have just given to my readers. These are the sort of opponents with whom one has to deal. When this same opponent of the Vatican definition further says, 'Bishop Fessler himself does not venture to deny that the Bull concerns doctrine *de moribus*,' I answer, 'The contents of this Bull concern morals certainly, if you reckon all penal enactments as doctrine *de moribus*.' Whether my opponent does so or not, I do not know. But this I do know, that mere penal enactments do not belong to the infallible doctrinal definitions *de fide et moribus*, of which the definition of the Vatican Council on the Infallible office of the Pope treats, and that this Bull of Paul IV. is a penal enactment and *not* a doctrinal definition. If he will take the trouble to read through the old Roman and later imperial penal

\* *Bullar. Rom.* edit. Coquelines, Romæ, apud Mainardi, 1745, t. iv. p. i. p. 355

enactments against heretics, he will find whence the specially designated penalties are derived to which he takes objection in this Bull of Paul IV.

When the Augsburg reviewer says in conclusion: 'It is impossible to discover from what, according to Dr. Fessler, a person is to draw the perfect removal of his apprehensions; no proof, no logical reason is presented to us that anything which a Pope solemnly enunciates, which he has had signed by the Cardinals and sent to all Bishops, may not have the weight of a definition in the sense of the Vatican Council,'—I thereupon point to the simple, literal, dogmatic, and logical explanation of the meaning of the definition of the Council in pages 55 to 60 of my pamphlet as the 'proof and logical reason' for my statement. Indeed, I know no proof which could be more complete, and no reason which could better meet all the requirements of sound logic. And up to this time this exposition of the subject has been contested by neither side.

Another reviewer thinks he has discovered the following contradiction, as he calls it, in my pamphlet, because in p. 73 I assert that the well-known Brief *Multiplices inter* of Pius IX., one of the most important sources of the Syllabus, in which certain doctrines amongst others are condemned as *heretical*, is not a dogmatic definition; and yet on p. 84 I admit that it is a sure sign in theology of a dogmatic definition, if a doctrine is condemned by the Pope as heretical. Here I do not know that I can do better than publicly request the learned discoverer of this contradiction to be so good as to name to me one single



doctrine which is declared expressly by the Pope in the Brief *Multiplices inter* to be *heretical*. If he does this, I will readily admit him to be right, but not otherwise.

Finally, to those of my readers who are anxious about the fidelity of quotations from the Holy Scriptures, I must acknowledge my obligation to give them a trifling explanation. The question concerns the words of Christ to St. Peter: 'I have prayed for thee that thy faith fail not; and do thou in turn one day strengthen thy brethren' (p. 49), upon which translation the Augsburg reviewer remarks: 'The author quotes, we know not why, the passage incorrectly, for it runs, "Do thou, when thou hast converted thyself, strengthen," &c.' I will tell him why I quoted this passage as I did. I did so because, following Dr. Schulte, I made use of Dr. Molitor's translation of the 'Dogmatic Constitution upon the Church of Christ' without alteration, as the attentive reader will have already observed from my pamphlet itself, where I expressly said so, and because this translation of Dr. Molitor gives this passage as it appears in my work, p. 49. The reviewer may see the reasons why this passage is so translated by consulting those commentators on Scripture who have paid particular attention to the Hebrew modes of speech.

THE  
TRUE AND THE FALSE  
INFALLIBILITY OF THE POPES.

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WHEN a man, who for a course of years has passed for a true son of the Catholic Church and a zealous defender of her rights, suddenly turns against the Pope and Bishops with the sharpest weapons he can command, no one can deny that this is a painful sight for every one who loves his Church. Enemies of the Church will, indeed, rejoice, and eagerly greet his accession to their own ranks. Such a man is Dr. Schulte, Professor of Canon and German Law at the University of Prague, who has just published a pamphlet with this high-sounding title, 'The Power of the Roman Pontiffs over Sovereigns, Countries, Peoples, Individuals, according to their Doctrines and Acts, held up to the Light, in order to afford persons the means of making a true estimate of their claim to Infallibility.' Misleading indeed is the light this pamphlet holds up for our guidance, the subject being really presented to our view in a light wholly false and extremely repulsive. Surely love of truth imperatively requires that so grave a subject should at any rate be represented in its just and fair light; and this is the object the author of the following pages has set before himself, viz. to present

the subject to his readers, without passion and without partiality, with that knowledge which many years' study, and an exact acquaintance with facts and circumstances, enable him to do.

The subject, as treated by Dr. Schulte, is divided into the following heads:

I. 'Exposition of the subject as introduction.'

II. 'The contents of the definition of the Vatican Council, "On the Infallible teaching Office of the Roman Pontiff."'

III. *Part 1.*—'Doctrinal propositions of Popes simply *ex cathedra*, and their acts in relation to states, countries, peoples, and individuals.'

III. *Part 2.*—Relations of Popes to the state-law. Treatment of heretics.\*

IV. 'Pleas devised to quiet the conscience, and their confutation.'

V. 'Considerations on the law of the state.' †

\* This division, being made for the convenience of English readers, is given in the words of the Translator.

† It must be borne in mind that the headings of the chapters are all taken from Dr. Schulte's pamphlet; if not in his own words, at least in their substance.—TRANSLATOR.

## CHAPTER I.

## 'EXPOSITION OF THE SUBJECT AS INTRODUCTION.'

1. THE general exposition of the subject with which my opponent, Dr. Schulte, opens his attack upon the Church commences with a German translation of the Address of several of our archbishops and bishops, issued under the date of April 10, 1870.\* This Address entreats the President of the General Congregation of the Council not to bring on for consideration, or to decide the question of the Infallibility of the Pope, before the question as to the power of the Holy See in temporal matters, or rather, as to the relative position of the ecclesiastical and political power, has been thoroughly weighed in all its bearings, and put to the test. These prelates, it seems, thought it desirable that the question whether Christ our Lord had given to St. Peter and his successors the power over kings and realms should *first* be laid before the Council, and thus that the relation of the ecclesiastical to the temporal power should first be made matter of mature deliberation. He adds himself that this Address produced no result.

Accordingly, this Address of certain archbishops

\*I ought to say that with respect to this address of April 10, 1870, I have not had at hand any copy of it, except the translation of Dr. Schulte himself, which he assures us is perfectly correct.

and bishops is at once the shield or bulwark behind which Dr. Schulte shelters himself, and the ground on which he rests, in order to open his attack upon the Pope. The Bishops to whom he refers having acknowledged it to be the principal task of the Council 'to advance in the best way possible the greater glory of God, and the welfare of mankind in general,' find it natural that in so great a body of men different opinions should arise—not, however, so different as to split them up into parties. Accordingly, out of the various difficulties presenting themselves in the consideration of the question of Papal Infallibility, they make particular mention of a specially weighty one, and this, their Address says, is a difficulty which directly touches the relationship of Catholic doctrine to civil society; in the treatment of which subject some contradiction might be expected to arise between the doctrine hitherto taught by them on the relationship between Church and State, and the conclusions which might follow from the doctrine of the Infallibility of the Pope.

Well, it is a matter of fact that this difficulty was not separately considered, and it is also matter of fact that, in the matters treated of in the Council, the relations of Church and State power did not come first under consideration, but the doctrine respecting the Pope as the Foundation and visible Head of the Catholic Church. Whoever will look at the question without prejudice will see that there are clearly two different ways of viewing it—viz. first, whether it is best to commence with the Catholic doctrine respecting the Pope as the Foundation and visible Head of the Catholic

Church, and then *afterwards* with the doctrine respecting the relations between Church and State, or *vice versa*; that reasons can be alleged on both sides; and that the view that the doctrine respecting the Pope ought to take precedence is, at any rate, a well-grounded one.

But it may be said that, had this question of the relations of Church and State taken the precedence, difficulties touching the Infallibility of the Pope would have then been examined. No doubt they would; and so they have been now, though not exactly in the form in which one portion of the Council wished and required. The discussion, which continued for many weeks, in which bishops of all countries took part, had this very object in view—viz. to throw all possible light on the subject when considered on every side.

But, continues Dr. Schulte, 'anyhow these difficulties have not all been properly solved.'

To this I answer: If before doctrinal matters were decided in the Catholic Church, we had always had to wait until all difficulties were cleared away, General Councils would have had a long time to wait. When the Council of Nicæa declared that the doctrine, 'The Son of God is very God,' was a dogma of the faith, all difficulties were so far from being cleared away, that during four whole centuries, in which period flourished the greatest teachers of doctrine the world has ever known—Athanasius, Hilary, Basil, Ambrose—those theologians had to put forth their whole strength in order to solve these difficulties. This has been the case with subsequent General Councils; and it is the excellent and all-important task of the science of theo-

logy, after the authority of the teaching Church has solemnly and formally declared the truth revealed by God, to solve the difficulties which present themselves in respect of each particular doctrine, to aid every man to acknowledge the truth himself, and to help to obtain a victory for that truth in the world at large. After each dogmatic definition there have ever been found in the Catholic Church men, on the one hand, who contested the truth of the definition, and who enhanced its difficulty; and men who, on the other hand, have done their best to defend it, and who in the end have happily solved all difficulties which stood in the way of its general acceptance. The former have long since been subjected to the judgment of history and to the just judgment of God; the latter, the Catholic Church names through all ages with honor, and these, too, have had their reward with God.

2. The bishops who signed the address are, with the exception of four, not mentioned by name by Dr. Schulte. It is only said: 'It was signed by almost all the Austrian and Hungarian bishops, and by several of those German bishops who, since the Fulda pastoral of August 31, 1870, have been seeking, with a reckless arbitrary exertion of authority perfectly unintelligible, to introduce this same doctrine of the Infallibility of the Pope, so as to cause an open breach amongst Catholics.' A severe taunt this, to use towards a portion of the German bishops! to whose charge, moreover, he still further lays, that in their pastoral of 1870 they used no single word to imply that they themselves admitted the July doctrine in substance. And of these bishops he remarks: 'After they had persistently and boldly declared their

*non placet* up to the decisive day of July 13, they, to their disgrace, remained absent from the formal act of July 18; and this from mere human respect of persons.'

Here I must again say: These are hard words for a man of learning to fling publicly in the faces of German, Austrian, and Hungarian archbishops and bishops—viz. that, out of mere human and personal motives, they kept away from the solemn act of expressing their assent to a revealed truth. Such a hard judgment as this neither the Pope nor their brother bishops pronounced upon them; it has been reserved for a layman to constitute himself the judge of their consciences, and to raise this cry of scorn against bishops: 'You stayed away from the solemn sitting of the Council, July 18, out of mere human respect.' What avails it to say, 'He doesn't blame them for it'? The reproach of acting in so grave a matter from a motive of mere human respect is the greatest reproach that can be made to a bishop.

Very different was the judgment of their brother bishops upon the cause of their absence. It is not in the General Congregation, but in the Solemn Session of the Council, that the decisive vote is given. This it is easy to see from the acts of General Councils. If even up to this point in the last General Congregation before the Solemn Session the bishop is not satisfied as to all his difficulties, or if he thinks it better that the decision should not yet be pronounced on such and such a doctrine, he may in the interval between the last General Congregation and the Solemn Session acquire a full conviction on the subject by discoursing



with other theologians, by study of the subject, and by prayer, and may thus overcome his last difficulties, and see that it is well that the definition should be made. Nay, even if he cannot attain this full conviction and insight into the matter by any exertion of his own, he will wait for the decision of the Council with a calm trust in God, without himself taking part in it, because up to this point he lacks the necessary certainty of conviction. When, however, the Council by its decision puts an end to the matter, then at length his Catholic conscience tells him plainly what he must now think and what he must now do; for it is then that the Catholic bishop, whom hitherto unsolved difficulties have kept from participation in the public session and from the solemn voting, says: 'Now it is undoubtedly certain that this doctrine is revealed by God, and is therefore a portion of the Catholic faith, and therefore I accept it on faith, and must now proclaim it to my clergy and people as a doctrine of the Catholic Church. The difficulties which hitherto made it hard for me to give my consent, and to the perfect solution of which I have not even yet attained, *must* be capable of a solution; and so I shall honestly busy myself with all the powers of my soul to find their solution for myself and for those whose instruction God has confided to my care.' Then those bishops who in the last General Congregation voted with the *non placets*, only because they really thought it was not a good thing, not necessary, not for the benefit of souls in countries well known to them, and who for this reason abstained from taking part in this decision, may, after the solemn decision, if they think it advisable, represent to the

faithful of their dioceses the position which they previously adopted towards the doctrine, in order that their conduct may not be misunderstood. But they must now themselves unhesitatingly accept the doctrine which has been decided, and make it known to their people in its true and proper bearings, without reserve, and in such manner that the injurious effects which they themselves apprehended may be as much as possible obviated and removed ; for it is not permitted to the bishop, as the divinely-appointed teacher of the clergy and people, to be silent about or to withhold a doctrine of the Faith revealed by God, because he apprehends or thinks that some may take offence at it. Nay, rather it is his business so prudently to bring it about in the declaration of that doctrine, that its true sense and import may hereafter be clearly represented, all erroneous misrepresentations of it be excluded, the reasons for the decision of the doctrine brought out plainly, and all objections to it zealously met and answered.

And this was what the German bishops really did think and do. In proof whereof I will venture to mention the name of the Archbishop of Cologne, who thus speaks: 'In respect of this doctrine, I, in common with many other bishops and laymen, although I have always given my assent to its truth, nevertheless held a different opinion from the majority of bishops at the Council, and made no concealment of my opinion that the definition was inopportune in our time, and I also differed in respect of certain particulars connected with the doctrine. Since, however, after a deep and thorough investigation and examination, the question has been

decided by the Ecumenical Council, in the firm conviction that every Catholic is bound to submit unconditionally his own personal view of the matter to the decisions of such a Council—the highest legitimate authority in the Church—I have dismissed all previous doubts and anxieties on the subject, and I feel myself bound here publicly to declare that I expect the same submission from every Catholic and subject of this archdiocese, as the fulfilment of a simple duty of their religion.’—*Pastoral*, September 10, 1870.\*

As to the way in which the bishops thought fit to make known to their subjects this obligation of their faith—whether it should be done by a simple printed notice in the official gazette of the diocese, as at Vienna, Prague, Leitmeritz, and elsewhere, or by a special pastoral, as at Cologne, Saltsburg, Munich, Regensburg, &c., or by a notice from the altar-rails of the church, as at Linz—is immaterial; since any one of these notifications shows sufficiently that each particular bishop looked upon this doctrine as a doctrine of the Catholic faith, and required that his subjects should do so likewise. Moreover, every one is aware that all doctrinal definitions of the Catholic Church demand a conscientious acceptance on the part of every Catholic as soon as he comes to a certain knowledge of the doctrine, and this without any special publication in a particular diocese.

3. Our opponent next insists on the great importance of an exact and thorough knowledge of History, in order completely to sift the doctrine of the infallible teaching authority of the Pope, and to ascertain

\* See note at the end of this chapter.

what value History has set upon it. The necessity of such a knowledge we readily admit, without, however, admitting that it will at all avail the enemies of the doctrine. For it is perfectly well known to every one who is acquainted with the literary works, both old and new, which have reference to this subject, that the advocates of the doctrine of Papal Infallibility, as well as its adversaries, appeal to the history of the Church and to its sources. History experiences the same fate that has befallen Holy Scripture. The advocates, as well as the enemies, of every particular Catholic doctrine on which, in the course of ages, dogmatic definitions have been pronounced, have always appealed to Holy Scripture. So it is with the appeal to history; but with this great difference—that we honour Holy Scripture as the divine source of our Catholic faith (though not the only source), whereas history, in so far as we consider it apart from that tradition which is one source of our faith, has only a human authority, and is amenable to the full force of the laws of sound criticism. Accordingly, history will furnish those supporters of the doctrine of the Infallibility of the Pope who wish to go to its very foundation with extremely valuable and rich materials. Those things which the adversaries of the doctrine adduce out of history, in order to assail it, will present us too with an excellent opportunity of placing in a right light what the doctrine really is, and of showing, by particular examples, in what cases it derives support from such instances, and in what cases not. These records of the past will not then be, as our adversaries taunt us, ‘a very disagreeable subject for us to contemplate;’ say rather they

are the sources which enable us to maintain our point, and that their investigation is most desirable, since without these there can be no real history at all. And if there is anything to which the writer of these pages owes a grateful acknowledgment, it is to these very sources of his information being as exact as they are.

4. Dr. Schulte now further declares that, though a Catholic born and bred, he has never believed in Papal Infallibility, and he asserts that, as to this decree of July 18th, 1870, 'he can find no authority for it either in Scripture, or in the Fathers, or in any other sound source of historical information, as it is taught in Caps. iii. and iv. of the Vatican Council.'

Such a declaration makes it clear enough what position he assumes, and a very deplorable position it is. He refuses to accept the definition *de fide* of an Ecumenical Council; he cares nothing for the authority of the living teaching Church; only for what he thinks he finds in Scripture, in the Fathers, and in other genuine ancient sources. This is the way to forsake the Catholic Church altogether. Every one is to follow his own guidance, his own private judgment; one finds one thing, another finds another; each calls out, 'I have found out the truth; come to me.' This is the way all errors have arisen, and it is this uncatholic position, which he has assumed, which is at the root of this particular perversion of his judgment, as is manifest from the following words he makes use of: 'As it is not my bishop or my priest who will bring me to heaven by his prayers, if I myself believe not in Christ, and live not as a Christian ought to live; so neither

can I, nor any one else who wishes to know what is right, intrust my salvation to the responsibility which a third person might be willing to assume for me. Of my own self God will, in the next world, require a reckoning of my life. To the doctrine of the Apostle (Rom. xiv. 12, 2 Cor. v. 10\*) I hold fast, and will never shield myself under the responsibility of any one but myself.'

When then Dr. Schulte says, 'Neither Pope, nor bishop, nor parish priest, can bring me to heaven by his prayers, if I live not as a Christian and believe in Christ,' no doubt he states perfectly correctly that no one goes to heaven by another's prayers, if he does not believe in Christ and live according to his faith. When, however, he adds, 'Just as little can I, or any one who wishes to know what is right, trust my salvation to the responsibility which a third person may be willing to assume,' this is a proposition with a double sense, one of which senses is true, and the other false. It is perfectly true, if it is a question of the transgression of a law which I may have had the misfortune to commit, which transgression a third person may, perhaps, say he will take upon his own shoulders; as if a person were to say, 'If you commit such and such a murder, such and such an adultery, such and such a theft, such and such an act of fraud, I will take upon

\* I give these passages that the reader may judge how far they help Dr. Schulte's cause: Rom. xiv. 12—'Every one of us shall render an account to God for himself;'; 2 Cor. v. 10—'For we must all be manifested before the judgment seat of Christ, that every one may receive the proper things of the body according as he hath done, whether it be good or evil.'

myself the responsibility of the deed.' In such matters assuredly the responsibility which another person takes upon himself, will in no wise avail me before God. In this sense, then, the proposition is true. But if any one wishes to extend the application of this proposition, so as to say that I must not accept a Catholic doctrine on faith when the teaching Church declares it to be of faith, because I myself do not find the doctrine in Scripture, the Fathers, or other genuine ancient sources of Church doctrine, then this proposition is used in a false sense, by the substitution of the act of the individual's subjective belief for the objective truth declared by the Church, which truth is based upon the infallible teaching office of the holy Catholic Church. What an amazing difference, then, is there between these two propositions! In the one case, a man offers to bear for another the consequences of an act of everyday life, be it of belief or unbelief, be it of a good or bad action, and, in the other case, a Catholic Christian, relying on the authority of the teaching Church, on which God has Himself taught him to rely, 'he that heareth you heareth Me,' accepts a doctrine as a truth revealed by God, because the teaching Church, under the special guidance of the Holy Spirit, has declared it to be so. If a man is not to be required to believe such a declaration as this, then all difference between an infallibly teaching Catholic Church and Protestantism in all its forms, with the unlimited right of private judgment, is at an end. Assuredly he says truly, 'God will some time call every one to a reckoning for his conduct during life.' Certainly He will call our once-Catholic opponent, and will say to him, 'I gave

you the grace to be born and bred up in the Catholic Church; you both might have learnt and you ought to have learnt that there resides in the Catholic Church an infallible teaching authority, to which, in matters of faith, every Catholic is bound to submit. From the man who rebels against that authority and rejects her decision will I demand an account, and an account twofold and threefold more severe from him who, in his capacity of public teacher, misleads from the Faith the youth who have been intrusted to him, and causes them to rebel against the authority of the Church, and who, for this reason, will have the guilt of the shipwreck of those souls on his conscience.'

5. Having assumed, as I have described, so fearfully mistaken a position, our opponent proceeds to assert that he himself preserves and holds fast the faith of the Fathers and the teaching of the ancient Catholic Church in rejecting the decision of the Vatican Council on Papal Infallibility, (the July Constitution, as he is pleased to call it). Well then, the Vatican Council has solemnly spoken, and said that 'holding fast to the tradition of the Christian faith, which it has received from the beginning,' it declares this to be a doctrine of the Faith. If this faith is contained in the tradition of the Christian faith, which has existed from the beginning, then must it have been the faith of the Fathers and the doctrine of the ancient Catholic Church. So here we have assertion *versus* assertion. The Vatican Council declares the doctrine of the infallible teaching office of the Roman Pope has been in the Church from the beginning, delivered down from



the most ancient times ; Dr. Schulte says that he, while, maintaining his own view of the question, he does not accept the doctrine, still holds fast to the faith of the Fathers and to the doctrine of the ancient Catholic Church. Whom is the world to believe? Dr. Schulte, or the Pope and the Bishops? Hardly will he have the confidence to answer, 'The world is to believe me, not the Pope and the Bishops.' Yet, according to the position he has assumed in his pamphlet, he cannot bring himself to answer, 'The world must believe not me, but the Pope and Bishops.' Accordingly, all that remains for him to say is, 'Everybody is to search for himself the Holy Scriptures and the writings of the Fathers, and examine the ancient records, in order to find out the truth for himself.'

Out of compassion for the author I decline to stigmatise with its proper name such a position as this which he has assumed ; his own conscience must, when he calmly weighs the matter over, tell him what a course he has entered on, and whither such principles must naturally lead him. How utterly unreal, how completely impossible in practice, such a suggestion is my readers will easily see, if they do but consider that they are thus, every one of them, required to examine Holy Scripture, the Fathers, and the ancient records of the Church, in order to know what they have to believe respecting the infallible teaching office of the Roman Pontiff ; whether, having made such an investigation, they are compelled to accept this doctrine as a doctrine of the Catholic faith, and under what limitations. In order, however, to prevent any one misunderstanding my meaning, I think it right to remark,

that in contesting the position of Dr. Schulte, as regards the duty of every one to examine the Scripture, the Fathers, and the ancient records for himself, I am far from dissuading an examination of them as a thing objectionable in itself. On the contrary, I highly value such an investigation, and I hold it to be a very right and proper thing to make it, when it is done in a right manner. If, however, this examination is praised and recommended in order to represent the solemn definition of the teaching Church as an error, then will a thing that is good in itself, instead of being a means of establishing and defending the truth, only serve as a battering-ram against that truth. This is a bad and objectionable proceeding.

6. One other assertion of our opponent needs to be cleared up. It is this: he says, 'The Church is not founded that the Hierarchy may govern, and the laity obey; but the Lord hath founded His Church that every one may find in her the safe way to work out his own salvation.' As this assertion here meets the eye, it presents to our view a truth—viz. that the final cause of the foundation of the Church was not that the Hierarchy might govern, and that the laity might obey, but that every one might find salvation in her. But if this assertion is made to represent as a fact that it is not the will of God, in the foundation of His Church, that the Pope and the Bishops should instruct and govern His Holy Church, and that the laity should listen to them in the Church, then is this a great misrepresentation of the truth. When, however, I say it is the will of God that the Pope and the Bishops should instruct and govern the Church, of course I mean to

say this in that ordinary sense in which the words have ever been understood, and the thing practised in the Church. To the Pope and to the Bishops, in the person of Peter and of the rest of the Apostles, was the whole truth of Revelation committed by Jesus Christ, the Founder of the holy Church. This truth is preserved by them, with a true and earnest watchfulness, as a precious treasure intrusted to them by God, and laid up in their keeping, to be imparted, either by themselves or by their assistants, the priests, to all who, by a true acceptance of this truth and by Baptism, have either already found admission into her, or who shall hereafter find admission. This is what the Pope and the Bishops, according to the will of God, teach. But it is also the will of God that they should govern the Church. This means that they should lead on their way to heaven the faithful committed to their pastoral care by means of the truth which they have received, as also by the means of grace which they have received to administer, and by virtue of that spiritual power with which, in the third place, they are endowed. This they know right well, and bear it always in mind: that in their ministrations they should always, and before all things, as their first duty, follow the example of their Divine Redeemer, the first and highest Pastor of souls, who hath said to them, 'I have given you an example, that you also should do as I have done unto you.' 'Learn of Me, for I am meek and lowly of heart.' 'He who will be great among you, let him be your servant; and he who will be first, let him be your minister, like as the Son of Man is not come to be ministered unto, but to

minister and to give his life a ransom for many.' This ministration for the good of souls is exercised in very different ways: sometimes with loving and sometimes with zealous words; sometimes with instruction by word of mouth, and sometimes with words of written admonition, after the fashion of the Apostles, in the doctrine and love of Christ.

It is greatly to be regretted certainly that our opponent, Dr. Schulte, has met with so many distressing proofs of disquieted minds, as he says he has in his work, *A Glance into the State of the Church in several Dioceses*. However, I, being myself a Bishop, know the state of many Churches, and the mind of many Bishops thereon, and I am compelled to express my opinion that Dr. Schulte met with either very one-sided informants or discontented grumblers in those dioceses he visited; so that the prospect looked much more gloomy than it really was. That all regulations of this world, even when they rest on divine direction, in so far as they have to be carried out by men, are more or less subject to human imperfections, is too well known to need to be re-asserted; nor can this now be denied. But we must not for this reason deny the divine supervision in the Church, set ourselves against it, or prejudge it, and that falsely too. God has willed it and ordered it that in His Church Pope and Bishops should teach and govern, and that the laity should obey. If a layman rebels against the Pope or against the Bishops, because, as he says, the good of the Church is of a higher order of good than the momentary pleasure of the Hierarchy, and that he has no fear if his conscience is not alarmed, then I am compelled to make the remark

that we Bishops too, and the Pope have a conscience, and that this doctrinal definition respecting the infallible teaching authority of the Roman Pontiff has been long and maturely weighed before God in prayer, and after long and earnest study has been declared with a quiet conscience; and I also declare it to be my firm belief that those Bishops who, in supplement to the Council, declared their adhesion to the doctrine, and gave their reasons in excellent pastorals, acted simply according to their own consciences. Lastly, as regards the good of the Church, which Dr. Schulte professes he thinks imperilled by the momentary perversion of the Hierarchy, I ask, who can imagine that things are come to such a pass that in this nineteenth century the Church of God has come to be betrayed by the Pope and Bishops, and that our opponent, Dr. Schulte, should be the man chosen by God to take the Church under his protection? Are, then, the Pope and Bishops so forsaken by God that He should let them sink into so dangerous an error in doctrine? Has the Lord forgotten His promises? Can He ever forget them, and give over His Church a prey to destruction?

*Note to page 34.*

Quite in unison with the Archbishop of Cologne are the sentiments (as they have been credibly reported to us by the public press) of the Prince Primate of Hungary, John Simor, Archbishop of Gran, and his sentiments may be taken as expressing those of the rest of the Hungarian Bishops. We are there told that the Prince Primate never for a moment contemplated denying that the Council was ecumenical; that 'He never was opposed to the doctrine itself "that the Pope was Infallible by virtue of the promise given to the Founder of the Church," but only to the *opportuneness* of so weighty a step, fraught with such important consequences, in the present deplorable

state of affairs. Besides, after that the Council, and, by the voice of the Council (as the certain and undisputed doctrine of the Church has ever held), the Holy Ghost Himself, has spoken, the Prince Primate was as little capable as any other faithful member of our Holy Church of entertaining a doubt about the validity and binding force of the Infallibility Dogma.—*German-Hungarian Monthly Journal*, December 1870.

## CHAPTER II.

'THE CONTENTS OF THE DEFINITION OF THE VATICAN COUNCIL, "ON THE INFALLIBLE TEACHING OFFICE OF THE ROMAN PONTIFF." '\*

7. THIS portion of Dr. Schulte's pamphlet contains a German translation† of the words of the definition of the Vatican Council now under consideration; it enumerates the particular propositions therein contained, and draws from them their logical and juridical consequences.

I cannot refrain here from expressing my sense of the extraordinary unfairness of the writer in quoting the definition without the reasons which the Council itself gives in express words for making the definition. This context is absolutely necessary in order that we may rightly understand so important a matter. In order to supply this deficiency, I will present to my readers, in the vernacular, the entire section or chapter 'On the Infallible Teaching Office of the Roman Pontiff,' as given by the Council. The whole section, or fourth chapter, of the first dogmatic definition on the Church of Christ runs as follows:

*'Caput Quartum.*

'ON THE INFALLIBLE TEACHING OFFICE (MAGISTERIUM) OF THE ROMAN PONTIFF.

'That in the apostolical primacy which the Roman

\* Bear in mind the headings of the chapters are taken from Dr. Schulte's pamphlet.

† By Dr. W. Molitor, Regensburg, 1870.

Pontiff, as successor of the prince of the Apostles, Peter, has over the whole Church, is comprehended also the supreme teaching authority, this holy See has always firmly held, and this the constant practice of the Church confirms, and this the Ecumenical Councils have themselves declared, and above all, that Council in which the East met the West for the union of faith and charity. For the Fathers of the Fourth Council of Constantinople, treading in the footsteps of their forefathers, made the following solemn confession: "The first condition of salvation is to keep the rule of sound faith. And as the declaration uttered by our Lord Jesus Christ can never fail,\* when He says, 'Thou art Peter, and upon this Rock I will build My Church,' so have the words there said actually come to pass, forasmuch as in the apostolical chair the Catholic faith has ever remained inviolate and its holy doctrine been celebrated. Desiring to be in no wise separated from its faith and doctrine, we hope to be made worthy to be in that one communion which the Apostolic See declares, wherein resides the perfect and true wholeness of the Christian religion."† With the acquiescence of the Second Council of Lyons the Greeks made this confession: "That the holy Roman Church possesses the highest and the full primacy and principality over the whole Catholic Church, which it

\* 'Prætermitti,' used with 'jus,' in the sense of 'being brought to naught.' See *Facciolati in verbo*.—TRANSLATOR.

† From a formula of Pope Hormisdas, as it was proposed by Adrian II. to the Eighth Ecumenical Council, viz. the Fourth Council of Constantinople, and was signed by the Fathers there assembled.



truly and humbly acknowledges it has received from our Lord Himself in the person of St. Peter, the prince and chief of the Apostles, together with the fulness of power; and as this Church is before all other Churches bound to defend the truth of the faith, so ought all questions of faith which may at any time arise to be decided according to her judgment."

1436 The Council of Florence finally defined: "That the Roman Pontiff, the true Vicar of Christ, is the head of the whole Church and the Father and Doctor of all Christians, and that to him, in St. Peter, was committed by our Lord Jesus Christ the full power to feed the universal Church, to rule, and to guide it."

'In order to fulfil this pastoral office, our Predecessors have, time after time, directed their unwearied labours that the wholesome doctrine of Christ might be spread abroad among all people of the earth, and with like care have they watched that, wherever the true doctrine has been received, there it should be preserved pure and undefiled. Therefore have the Bishops of the whole world, sometimes individually, and sometimes assembled in solemn synods, acting according to the long-received custom of the Church, and according to the pattern of the ancient rules, brought before this apostolic chair those difficulties which were ever arising in matters of faith, in order that the rents in faith might there be mended, where alone the faith could never fail.\* The Roman Pontiffs, however, have, as times and circumstances warranted,—sometimes by summoning Ecumenical Councils or by asking the opinion of the Church throughout the world,

\* St. Bernard, Epis. 190.

sometimes by particular synods, sometimes by the use of other means which Divine Providence put in their way,—defined that those things should be held firm which they had thus learnt, under God's assistance, to be in accordance with Holy Scripture and apostolical traditions. For the Holy Spirit was not promised to the successors of St. Peter, that by His revelation they might make known a new doctrine, but that by His assistance they might holily preserve and faithfully expound the revelation delivered to the Apostles, or, in other words, the "deposit of the faith" (*depositum fidei*). This is that apostolical doctrine which all the venerable Fathers of the Church have embraced, and all the orthodox holy Doctors have venerated and followed; for they had the most perfect conviction that this holy See of Peter always remains free from all error, according to the divine promise of our Lord and Saviour, which He made to the prince of His disciples: "I have prayed for thee, that thy faith fail not; and thou, in thy turn one day,\* strengthen thy brethren."

This gracious gift of the truth and of indefectible faith has been accordingly given by God to Peter and his successors in this See, that they might discharge their high office to the salvation of all; that so the universal flock of Christ, turned from the poisonous allurements of error, might be nourished by the pasture of heavenly doctrine; so that, all occasion of schism having been removed, the whole Church might be preserved in unity, and, resting on its own solid basis, might stand fast against the gates of hell.

\* See the author's Preface, concluding paragraph.

‘But as at this present time, when the wholesome efficacy of the apostolic office is most pressingly needed, there are found not a few who derogate from its dignity, We esteem it quite necessary solemnly to assert the prerogative which the Only-begotten Son of God has graciously declared to be bound up with the highest pastoral authority.\*

‘Whilst, then, We remain firm to the tradition of the Christian faith, which has come down to us from the beginning, We teach, in accordance with this holy Council, to the glory of God our Saviour, to the exaltation of the Catholic religion, and for the benefit of all Christian people, and declare it to be a doctrine revealed by God, that the Roman Pontiff, when he speaks from his chair of teaching (*ex cathedra*)—that is to say, when he, in the exercise of his office as pastor and doctor of all Christians, by virtue of his supreme apostolic power, defines a doctrine on faith or morals as to be held by the universal Church, by virtue of the divine assistance promised to him in St. Peter—possesses that Infallibility with which the Divine Redeemer willed His Church to be furnished in the definition of a doctrine respecting faith or morals; and that therefore such definitions of the Roman Pontiff are of themselves, and not merely when they have received the consent of the Church, unalterable. Should, then, any one—which God forbid!—venture to contest this definition of Ours, let him be Anathema.’

\* All this, from the beginning of this chapter up to this point, Dr. Schulte has omitted, and has only admitted into his article the passage commencing ‘Whilst, then.’

8. It can hardly escape the observation of any one who peruses this fourth chapter of the Council thoroughly and carefully, that the reasons given for the definition and the historical account of the doctrine are of immense importance for a right understanding of the matter. It was, then, very unfair of Dr. Schulte, to say the least, to extract from the chapter on Infallibility the bare words of the definition, and by so doing to leave the readers of his pamphlet in entire ignorance of all that important matter which, with the best intentions, the Council itself had given as the reasons for the definition, and, in order to forestall misunderstandings, had placed in close connection with the definition itself.

I have, therefore, thought it especially necessary to give my readers the words at full length which the Vatican Council made use of in declaring its mind on the infallible teaching office of the Roman Pontiff; and I beg my readers to pay particular attention to this context of the definition as regards the present controversy.

The very title of the chapter is remarkable. It runs (in order to designate precisely the subject which is under consideration), 'On the Infallible Teaching Office of the Roman Pontiff.' This expression, 'on the Infallible teaching office,' was chosen purposely, instead of the title 'On the Infallibility,' in order to forestall the erroneous deductions which might be drawn from the general term 'Infallibility' by those who are disposed to dispute the doctrine on this very ground—viz. because it was so general. Such persons would be sure to misrepresent the doctrine to others, and mis-

lead them in their inquiries. Accordingly, the Council carefully and exactly declared, by the very title, in what respect the term 'infallible' is used of the Roman Pontiff.

The contents of the chapter 'On the Infallible teaching office of the Roman Pontiff' may be concisely viewed and readily stated in its principal features as follows:

It is the ancient consistent doctrine of the Church, says the Pope, that to the Roman Pontiff is given by God the supreme power in the Church, in order always to preserve its unity. But in this supreme power is contained the supreme teaching power, as the Church has always acknowledged in General Councils of ancient times, and especially in the Fourth Council of Constantinople (A. D. 869), in the Second Council of Lyons (A.D. 1274), and in the Council of Florence (A.D. 1439). He also shows how the Popes acted when difficult questions relating to faith were, according to ancient custom and prescription, laid before the Apostolical See for decision by the Bishops, viz. either, by assembling the Bishops in Ecumenical Council; or by inquiring into and obtaining the knowledge in some other way of what the general feeling of the universal Church was upon such and such a point; or by summoning particular synods; and, lastly, by using all such means as Divine Providence put in their power. And with this assistance the Popes decided that doctrine to be revealed by God, and accordingly to be held by all as *de fide*, which they, with God's assistance, recognised as conformable to Holy Scripture and the apostolical traditions; always themselves holily pre-

servng and truly interpreting, by the same divine assistance, the *depositum fidei* preserved in the Church. This apostolical teaching of the Popes, he says, the venerable Fathers and all orthodox teachers in the Church have, from of old up to the present time, accepted with a full and perfect conviction that the See of blessed Peter, by virtue of the Divine Providence of our Lord and Saviour, has been constantly kept from all error; for so Jesus Christ spoke to Peter: 'I have prayed for thee, that thy faith fail not; and do thou, in thy turn one day, strengthen thy brethren' (Luc. cap. xxii. v. 32). The reason is also added why God gave this great grace to St. Peter and his successors in the office of supreme teacher—viz. that they might exercise this office for the spiritual benefit of all the faithful, that thereby the Church, trusted by God to their supreme pastoral care, might through those who exercise this office of supreme teacher be maintained without fear of error in the divine truth, and thus the whole Church be preserved in unity. Therefore, in accordance with that tradition which has ever existed in the Church from the beginning of the Christian religion, and which has always been maintained inviolate, it is declared by the Vatican Council, to the glory of God and for the salvation of Christian people, to be a constituent part of the Catholic faith revealed by God, 'that the Roman Pontiff, when he speaks from his chair of teaching, (or *ex cathedra*)—that is to say, when he, in the exercise of his office as pastor and doctor of all Christians, by virtue of his supreme apostolic authority, defines a doctrine which concerns faith or morals to be held *de fide* by the whole Church—

does, by reason of the divine assistance promised to him in the person of St. Peter, possess that Infallibility with which the Divine Redeemer willed His Church to be provided in the decision of matters respecting faith or morals ; and that accordingly all such definitions of the Roman Pontiff are of themselves, and not then only when they have received the consent of the Church, unalterable.'

Having thus supplied, in the little review which we have made, the gap left by Dr. Schulte, by giving the important introduction to the definition of the Vatican Council on the Infallible teaching office of the Roman Pontiff, and shown also the principal motives by which this Council was actuated, we are confident that it will be clear to all unprejudiced persons that 'the decisive passage' (as Dr. Schulte calls it, and which alone he quotes in his pamphlet, from the end of the chapter) will produce a very different impression, if considered in connection with the reasons which the Council itself assigns for the definition, and in connection also with the historical explanation, from that which it would produce, if viewed wrenched out of its context, and isolated. They will now be able to see how this supreme and infallible office has *hitherto* been exercised by the Popes, and from this they will judge how it *will* be exercised in future. And I must say it is a most disingenuous commencement of Dr. Schulte in his pamphlet, that he has torn off from the words of the Definition the Council's reasons for it, and its historical explanation in this chapter of the Vatican Council 'On the Infallible teaching office of the Roman Pontiff.'

9. I admit, however, the 'decisive passage' itself does require some remarks to enable persons thereby thoroughly to understand it; for it is with this passage that Dr. Schulte commences that erroneous exposition of the Vatican definition, which I have undertaken to examine and refute; it becomes then my duty to open out and disclose the sources of his erroneous view and his misrepresentations; and this I can best do by explaining at once what is the right sense of the definition, and so letting every one see when and where the author of the pamphlet under examination has deviated from the path of truth.

The definition asserts that the Roman Pontiff, by virtue of the divine assistance, possesses the Infalibility promised to the Church in his doctrinal teaching only when he speaks *ex cathedrâ*. This is the expression used for centuries, and for that very reason preserved in speaking of definitions of the faith.

But as this expression *ex cathedrâ*—or, Anglice, 'to speak from the chair of teaching'—is not generally intelligible, as it is a technical expression drawn from theological science, the Council itself added a short explanation of it. It says it means, 'When he (*i.e.* the Pope), in the exercise of his teaching office as pastor and instructor (*doctor*) of all the faithful, by virtue of his highest apostolical power, defines, as to be held by the whole Church, doctrine that regards faith or morals.'\*

\* The Latin of these last words is as follows: *Doctrinam de fide vel moribus definit; i.e.* issues his final decision that a certain doctrine is to be regarded as an essential part of the Catholic faith or of Catholic morality, and, to be maintained as such by the universal Church.



(1) By this expression, then, *ex cathedrâ*, the gift of God's divine grace conveying Infallibility in faith and morals to the Roman Pontiff, the visible head of the Catholic Church, and who in the person of St. Peter has received from our Lord Jesus Christ the full power to feed the universal Church, to direct and to guide it, is closely restricted to the exercise of his office as *Pastor* and *Doctor* of all Christians.

The Pope, as visible head of the whole Church, is:

I. The Supreme Teacher of truth revealed by God.

II. The Supreme Priest.

III. The Supreme Legislator in ecclesiastical matters.

IV. The Supreme Judge in ecclesiastical causes.

He has, however, the gift of Infallibility, according to the manifest sense of the words of the definition, only as *supreme teacher of truths necessary for salvation revealed by God*, not as supreme priest, not as supreme legislator in matters of discipline, not as supreme judge in ecclesiastical questions, not in respect of any other questions over which his highest governing power in the Church may otherwise extend.\* And when I

\* In this sense F. Perrone writes (*Prælect. Theolog.* vol. viii. *De Locis Theologicis*, pars i. § ii. cap. iv. n. 726, Lovanii, 1843, p. 497): "Quapropter neque facta personalia, neque præcepta, neque rescripta, neque opiniones, quas identidem promunt Romani Pontifices, neque decreta disciplinæ, neque omissiones definitionis, aliaque id genus plurima in censu veniunt decretorum, de quibus agimus. Quamquam enim hæc omnia pro summâ auctoritate, ex quâ dimanant, magno semper in pretio habenda sint, ac humili mentis obsequio ac veneratione sint excipienda, nihilo tamen minus non constituunt "definitionem ex cathedrâ," de qua loquimur et in quâ solâ adstruimus Pontificiam infallibilitatem." I quote Perrone as my guarantee, inasmuch as he at least cannot be suspected of wishing to derogate

here decline to place in the range of subjects for the exercise of Infallibility ecclesiastical matters, I mean to exclude all those matters which commonly form the subject of ecclesiastical processes, as, for instance, marriage questions, benefice questions, patronage questions, church-building questions, &c.; questions of faith of course the Pope decides as Supreme Teacher.

(2) As doctrinal definitions comprehend doctrines respecting the faith as well as doctrines respecting morals, it will often happen in the nature of things that definitions on the latter of these two subjects, viz. morals, will be issued to the universal Church in the form of a command or prohibition from the Pope (*Precepta morum*).

(3) Here, in order that we may better understand the subject, it will be well to compare what we are now saying with what is said in the third chapter of the Vatican definition *de fide*, where it is expressly taught that the Pope possesses the highest power of jurisdiction over the whole Church, 'not only in matters of faith and morals, but also in matters of the discipline and government of the Church

from the Pope's authority. Ballerini expresses himself to the same effect (*De vi et Ratione Primatus Rom. Pontif.* cap. xiv. § vi. Veronæ, 1766, p. 287-8): 'Solas itaque fidei definitiones id (inerrantiæ privilegium) respicit a Summis Pontificibus Ecclesiæ propositas contra insurgentes dissentiones et errores in materiâ fidei: non autem opiniones, quibus etsi aliquid statuunt, nihil tamen decernunt credendum ex Catholicâ fide, nihilque damnant tanquam alienum ab eadem; non simplicia præcepta, quæ ad fidei definitionem referri non possint; non judicia de personis tantum, non decreta disciplinæ, quæ ad fidem non pertinent, non tandem omissiones definitionum fidei,' &c.

extended over the whole *orbis terrarum.*' 'Non solum in rebus, quæ ad fidem et mores, sed etiam in iis, quæ ad disciplinam et regimen Ecclesiæ per totum orbem diffusæ pertinent.' Thus there are here distinguished four classes of matters as belonging to the province of things ecclesiastical, which fall under the supreme power of the Pope:

- I. Matters of faith.
- II. Matters of morals.
- III. Matters of discipline.
- IV. Matters of government.

In all these matters the faithful owe a true obedience to the Pope.

(4) Then in the fourth chapter, entitled 'On the Infallible Teaching Office of the Roman Pope,' the Council treats exclusively of the teaching power of the Pope—matters, that is, of the first and second class, faith and morals, not matters of the third and fourth class, *i.e.* discipline and government. Accordingly, it is only as regards definitions of the Pope upon faith and morals, that the Council defines, as a proposition revealed by God, that they possess infallible certainty by virtue of the unerring divine assistance promised to the Pope in St. Peter, *i.e.* as the successor of St. Peter. Cardinal Bellarmine had already made this distinction, speaking of the doctrine on morals as follows (*De Rom. Pontif.* lib. iv. cap. v.): 'Non potest errare summus Pontifex in præceptis morum, quæ toti ecclesiæ præscribuntur, et quæ in rebus necessariis ad salutem, vel in iis quæ per se bona et mala sunt, versantur.' What he then says further in this place refers to discipline: 'Non est erroneum di-

cere Pontificem in aliis legibus posse errare, nimirum superfluum legem condendo vel minus discretam, &c. Ut autem jubeat (sc. Pontifex) aliquid quod non est bonum neque malum ex se, neque contra salutem, sed tamen est inutile, vel sub pœnâ nimis gravi illud præcipiat, non est absurdum dicere posse fieri,' &c. And other theologians follow Bellarmine on this point.

(5) This Infallibility of the Pope in the exercise of his office as Pastor and Doctor of all Christians is, however, still more closely defined as 'that Infallibility with which the Divine Redeemer willed that His Church should be provided in the definition of a doctrine relating to faith or morals.' Before, then, we proceed to answer the question, how far the *Papal* Infallibility extends over matters which concern faith or morals, the question arises how far the Infallibility of the *Church* extends over such matters? Without entering into the investigation of this very wide question, on which much precise information is afforded in all our great theological works, I content myself with selecting the following proposition, universally acknowledged in theology—viz. 'That even in dogmatic Decrees, Bulls, &c. &c., not all which therein occurs in any one place, not that which occurs or is mentioned incidentally, not a preface, nor what is laid down as the basis of the decree, is to be looked upon as itself \*

\* If here, as elsewhere, I make use of the term dogmatic definition on a matter of faith in the sense of the Latin words 'dogmatica definitio,' this is only for the sake of brevity. I mean by the words all the 'doctrina de fide et moribus,' following Ballerini (*De vi ac Ratione Primatûs Roman. Pontif.* cap. xv. § v. Veronæ, 1766, p. 312), who thus explains the expression: 'Fidei dogma, in quo continetur et morum naturalis ac divini juris doctrina.'

a dogmatic definition, and so as matter of Infallibility.' \*

(6) Lastly, the Council adds that the definitions of the Pope, in which, by virtue of his office as Pastor and Doctor, he lays down a certain doctrine on faith or morals as firmly to be held *de fide* by all Christians, are *per se* irreversible, *i. e.* of their own nature, and not only irreversible when they receive the subsequent assent of the Church. It is not meant by this that the Pope ever decides anything contrary to the tradition of the Church, or that he would stand alone in opposition to all the other Bishops, but only that the Infallibility of his definition is not dependent on the acceptance of the Church, and rests on the special divine assistance promised and vouchsafed to him in the person of St. Peter for the exercise of his supreme teaching office.† Since, then, it is here expressly said that those definitions on which the Infallibility of the Pope exercises itself are *per se* unalterable, it follows, as a matter of course, that all those laws which are issued from time to time by the Pope in matters of discipline, and which *are* alterable, are, by the very reason that they are alterable, not included in the *de fide* definition of the Vatican Council.

10. Having now by these remarks on the *de fide* definitions of the Vatican Council cleared our view of their meaning and import, we find ourselves in a con-

\* 'Quæ in concillorum vel Pontificum decretis vel explicandi gratiâ inducuntur, vel ut objectioni respondeatur, vel etiam obiter et in transcurso præter institutum præcipuum, de quo erat potissimum controversia, ea non pertinent ad fidem, hoc est, non sunt Catholicæ fidei judicia.'—Melch. Canus, *De Locis Theologicis*, lib. v. cap. v.

† See note A, end of this chapter.

dition to face the conclusions Dr. Schulte draws from them.

The first set of these conclusions may be unhesitatingly admitted—viz. that it is the duty of every Catholic to believe the dogma published on the 18th of July, 1870; that the aim of this solemn proclamation of the doctrine is not merely theoretical but practical—viz. that the Roman Pontiff by these *ex cathedrâ* definitions may make known infallibly those right and true principles of living by which a man must frame his life if he wishes to be happy in the next world; that by this definition not the present Pope alone is declared infallible, but also that each one of his predecessors has been infallible, under those conditions which have been already stated; that such an infallible definition is not conditional on the use of some one or other definite formula; that such a definition is *per se* unalterable, and that its reception by the Church adds nothing to its binding power.

II. Then follows a very important conclusion, commencing with a true proposition, but making, as it is manipulated by Dr. Schulte, a very serious divergence from the truth. Dr. Schulte says: 'It is inconceivable that a proposition should be solemnly published as revealed by God, without its also of necessity influencing the faith and life of a Christian.' Again: 'Every man must be able to satisfy himself by objective proofs whether or no such a proposition is really proposed to him.' Again: 'There must be certain objective practical marks whereby every rational being can recognise an utterance *ex cathedrâ*.' Again; 'Those objective proofs must have been always the same, and uninter-

ruptedly.' Again: 'There is an utterance *ex cathedra* when the Roman Pontiff utters definitions upon faith and morals which he requires to be looked upon as the teaching of the Church.' This is ascertained, he says, 'sometimes directly from the very words used, sometimes it is gathered from attendant circumstances, sometimes it is evident from the very decision itself, *i. e.* from its subject-matter.' In order, then, to marshal forth these objective practical marks, as he calls them, by which a Papal *ex cathedra* utterance may be recognised by any one, he directs his readers' attention to the *objectum*, *i. e.* subject-matter of the infallible teaching office, that is, faith and morals. He then, in the same terms as we do, admits what belongs to faith; but as regards the other subject, morals, he culls from some book of Moral Theology the titles of all the treatises in order to show in detail what belongs to the moral duty of a Christian. Having done this, he proceeds to draw this conclusion: 'Morals comprehend the whole range of the duties in the life of each individual Christian as such.'

This then, being the conclusion drawn by Dr. Schulte, requires of us an exact and careful examination, since in it truth and falsehood are mixed up together in a most dangerous manner, and that which is false serves the writer as a foundation for further misleading developments of his subject.

It is true to say that every truth revealed by God has an influence upon the faith and life of a Christian, and must therefore be capable of being recognised by him in a sure and safe way; and it is true also to say that this character must belong to definitions of the

Pope *ex cathedrâ*; and when he asserts that such definitions must be recognisable as such by objective practical marks, this also is, in a certain sense, true. But when he draws his two conclusions—*first*, there is an utterance *ex cathedrâ* whenever the Roman Pontiff utters definitions on faith or morals, and requires that they should be regarded as the teaching of the Church; and *secondly*, this is made known sometimes directly by the words used, sometimes by attendant circumstances, and sometimes by the very definition itself—then of these two statements of his, the first is true, and the second is false, and the source of many errors.

For it is in this second proposition that Dr. Schulte has set those objective practical marks, as he calls them, whereby a Papal definition has to be recognised as an *ex cathedrâ* utterance. He gives three such objective marks, of which sometimes the first, sometimes the second, sometimes the third, will tell us the will of the Pope as to what we should regard as the teaching of the Church; that is, it is sometimes the words used by the Pope, sometimes the circumstances, sometimes the *very* definition itself; that is, the subject-matter or *objectum* of the definition, his meaning being, when the definition refers to faith or morals in the widest sense of the words.

Here, then, it is, in these so-called objective marks, whereby Papal *ex cathedrâ* utterances are supposed to be recognisable, that the dangerous error commences, error which our opponent proceeds to develop further throughout the whole course of his pamphlet.

It will hardly surprise any one who has perused Dr. Schulte's explanatory Preface to his work to be told



that Dr. Schulte's very starting-point is unsound and misleading. He assumes, he says, that each individual Catholic Christian must be able, without the intervention of bishop or priest—*i. e.* without having recourse to any teaching authority in the Church—to recognise at once what is an *ex cathedrâ* utterance of the Pope; and this 'because each one has to work out his own salvation.'

Were Dr. Schulte to say that his meaning in these words is (even if he has not said so expressly) that every Catholic can by the assistance of the Church's teaching office (*i. e.* through her bishops and priests) learn what is a Papal utterance *ex cathedrâ*, and therefore infallible, even in the face of conflicting difficulties, then indeed he would explain and rectify his position; but were he to admit this, then indeed he would certainly arrive at a different result from that at which he has actually arrived.

For the bishops and the priests are quite aware that when there is no authentic explanation of a Papal *ex cathedrâ* utterance, the Theological Faculty, which has been for centuries engaged upon this question, has to be heard upon the marks of a real utterance; and that in reality the short *de fide* definition in the Vatican Council in its few words does but contain what the science of Theology has been this long time investigating at great length, with the full knowledge and admission of the difficult questions arising out of the history of ancient times. But we shall look in vain, as Dr. Schulte from his own experience admits, if we wish to find from History or Theology that such Papal utterances are to be recognised, sometimes from the words

used, sometimes from the circumstances, and sometimes from the definition itself, as though each one of these marks was of itself sufficient to establish the fact.

On our part, we find that it is the view of Catholic theologians that there are *two* marks of an *ex cathedrâ* utterance, and, moreover, that these two marks must both be found together—viz. that (1) the *objectum* or subject-matter of the decision must be doctrine of faith or morals; and (2) the Pope must express his intention, by virtue of his supreme teaching power, to declare this particular doctrine on faith and morals to be a component part of the truth necessary to salvation revealed by God, and as such to be held by the whole Catholic Church; he must publish it, and so give a formal definition in the matter (*definire*). These two marks must be found together. Any mere circumstances do not suffice to enable a person to recognise what a Pope says as an utterance *ex cathedrâ*, or, in other words, as a *de fide* definition. It is only when the two other marks just mentioned are acknowledged to be present that the circumstances of the case serve to support and strengthen the proof of the Pope's intention; and this intention will be made known by his own words.

Should, however, these marks not give us a certainty absolutely free from all doubt as to whether, in a certain case, there is a Papal utterance *ex cathedrâ*, then will the subordinate teaching authority of the Church have recourse to the highest Authority himself, to ask him what his intention was in such an utterance,\* or to ask whether a formal Papal utterance on

\* Such an appeal to the Pope is not, then, so absurd as Dr.

such and such a matter is to be looked upon as *ex cathedrâ*.

Here it must be evident to every one that from this point Dr. Schulte's way of viewing his subject and my own must part company in their further development, viz. as to what is and is not an infallible doctrine uttered by the Pope.

*He* lays down three notes, of which three any one alone is enough to make known a Papal utterance as infallible, and therefore unalterable, as being *ex cathedrâ*.

*I*, on the contrary, having regard to the words and the import of the definition of the Vatican Council, and also bearing in mind previous scientific expositions of theologians on the subject, lay down two such notes, both of which, however, must always be found together; whilst to the third note *I* attribute only an auxiliary significance.

As was to be expected, Dr. Schulte, in consequence, naturally finds a great number of Papal *ex cathedrâ* utterances; *I*, in accordance with the Theological Faculty, find only a few.

Schulte says; on the contrary, where there is a supreme authority, it is quite intelligible and reasonable on the part of the Pope's subordinates in matters on which a doubt might arise of the applicability of the Pope's intention to a particular case, although in the first instance the intention was clearly expressed.

(Of course Bishop Fessler is here understood as meaning that this fresh explanation of the definition must be provided with all the marks which are necessary to prove the presence of a real definition; just as in a will any alteration or explanation forming part of a will, must be attested by the same witnesses and with the same formalities as were required for the original document.—TRANSLATOR.)

12. Having made his own exposition of notes of a definition, Dr. Schulte proceeds to assert 'that only the Pope himself can define the subject-matter, the comprehensiveness, and the limits of an utterance *ex cathedra*.' This assertion is so far true, that it is certain that no human authority can prescribe anything to the Pope in this matter. If, however, it is meant that the Pope, according to his own will and fancy, can at all events extend his infallible definition even to matters relating to the *Jus publicum*, to which the divine revelation does not extend, then he has laid the case before us quite erroneously. The Pope, in his doctrinal utterances, only speaks what he finds, under the special divine assistance, to be already part of the truth revealed by God necessary for salvation, which he has given in trust to the Catholic Church (*i.e.*, in the divine *depositum fidei*). The same assistance of God which securely preserves the Pope from error preserves him with equal security from declaring *that* to be revealed by God, and intrusted to the keeping of the Catholic Church as a matter of truth or morals, which God has *not* revealed and has *not* deposited in His Church.\*

Supposing then, as Dr. Schulte says, 'the infallible teaching office of the Church can even extend to all subjects and departments of man's life which have any bearing upon his moral conduct,' yet assuredly no infallible doctrine will ever be pronounced which is not part of the truth revealed by God. Were the contrary of this possible, then would God have forsaken His

\* See note B of the editor of the French translation at the end of this chapter.

Church, which is impossible, since we have His promise that He will never forsake her unto the end of the world ; and to this promise we both *are* and *must* continue faithful if we desire to be Catholics and to remain so.

13. Dr. Schulte now passes on to the special practical matter of his pamphlet, and says : ' In order, then, to proceed to investigate with certainty what is the doctrine of the Church in respect to the relations between the spiritual and temporal power, we must have recourse to the utterances of the Pope. What these utterances have declared as really proceeding from him, *that* is the truth, and *that* must be believed by every Catholic, and must be the rule of his conduct.

Hereupon Dr. Schulte proceeds to represent in the following manner what the doctrine of the Church is in respect of the relations of the spiritual to the temporal power, which the Catholic Christian must believe and follow out, if the infallible teaching office of the Pope is a matter of faith.\* Well, he may do so. But it must be our business to insist upon this—viz. that in his representation he shall only represent *that* to be a matter of faith which is really and truly a definition of the Pope on faith and morals. If he does not do this—if he represents Papal rescripts which belong to the province of reversible legislation, or are mere acts of government, as definitions of Popes upon faith and

\* In the Introduction, p. 18 of his Pamphlet, he thus expresses his own intention : ' I, in the first instance, issue this pamphlet that governments and persons governed may be thoroughly acquainted with what a Catholic who admits the Infallibility of the Pope is bound to believe as matter of conscience.'

morals, or if from the records of real dogmatic definitions of Popes he extracts mere incidental remarks, *obiter dicta*, and alleges these to be *ex cathedrâ*—then assuredly he is leading his readers into error; he is disturbing their consciences without reason; he is arousing the suspicions of governments unnecessarily, and setting them against that Catholic doctrine which has been declared by the Vatican Council; and he is consciously or unconsciously (God only knows which) creating great prejudice against the Catholic Church.

Dr. Schulte is unfortunate with his proofs from the very commencement. For instance, in order to prove that 'what the Popes have declared to be a doctrine of the Church is true, and to be believed by all Catholics, and followed by them in practice,'\* he, without

\* I said designedly above, p. 57, 'only a real and true definition of the Pope on faith and morals' can be under consideration, because the expression made use of by Dr. Schulte, p. 27 of his Pamphlet, is ambiguous. He says: 'What the Popes have declared to be such' (viz. a dogma of the Church), 'that is true, and must be believed by Catholics, and accordingly followed by them in practice.' This may be true and may be false. For not all that the Popes have declared to be a doctrine of the Church is for that reason alone (because the Popes have said so) true, and to be believed by Catholics, and so followed by them in practice; but only that which Popes have declared in an *ex cathedrâ* utterance to be a dogma of faith or morals to be believed by the whole Church. See Ballerini, l. c. p. 36, who speaks very expressly on this point: "Multæ sententiæ, quæ in Pontificum sive epistolis, sive concionibus, sive aliis quibuslibet eorum operibus inspersæ, etiam si veritatem aut aliquod dogma contineant, et verissimæ sint, non tamen fidei definitiones dici queunt, sicuti similes sententiæ in aliis Patribus inventæ, opinionis vel dogmatis, uti materies fert, testimonia sunt, definitiones autem fidei non item.' So also says Cardinal Bellarmine: 'Multa esse in epistolis decretalibus, quæ non faciunt, rem aliquam esse de fide, sed solum opiniones Pontificum ea in re nobis declarant.' *De Rom. Pontif.* lib. iv. c. xiv.

further introduction, brings the following proof. 'For,' says he, 'Pope Leo X. asserts in his Bull *Exurge Domine* of June 15, 1520, which excommunicates Luther and rejects his teaching, § 6, "Had Luther done this" (viz. come to Rome), "we should have proved to him, as clear as the light of day, that the holy Roman Popes our predecessors have never erred in their canons or constitutions."' And this is an *ex cathedrâ* utterance! Dr. Schulte really means it, for he adds in a note, 'Can any one venture to say that the words we have just quoted are not an *ex cathedrâ* utterance?' Had he quoted the passage in full from which he clips this morsel, and presented it to his readers, any candid reader would have been able to judge whether such a cursory remark could, by any possibility, be erected into a dogma of the faith, *i.e.* a real *ex cathedrâ* Papal utterance. So I will bring forward the whole passage, that the reader may judge for himself. It runs as follows: 'Had he, Martin Luther, done this' (viz., as the context shows, 'had Luther come to Rome'), 'then would he assuredly, *as we think*, have entered into himself and acknowledged his errors; nor would he have found so many faults in the Roman Curia, which he so violently attacks, giving an undue weight to the empty words of mischievous persons; and we should have shown him clearer than the light of day that the holy Roman Popes our predecessors, whom he traduces in such unmeasured terms, have never erred in those canons and constitutions of theirs, which he studiously assails.' \*

\* 'Quod si fecisset p̄ certo, ut arbitramur, ad cor reversus errores suos cognovisset nec in Romanâ curiâ quam tantopere vanis malevo-

Are we bound to look upon the particular parts of this passage as Papal utterances *ex cathedra*, even when the Pope says himself 'as we think' (*ut arbitramur*)? Or how can Dr. Schulte possibly claim for himself the right out of three principal propositions, apart from dependent propositions, to dock off the first and second propositions as not dogmatic,\* and to bring forward the third clause, and that not entire, and allege this to be an infallible utterance? If Dr. Schulte assigns as his reason for taking out of the context this third proposition, and bringing it forward as an infallible utterance, because the Pope here says that if Luther had come to Rome, he, the Pope, would have taught him that the Popes have never erred in their canons or constitutions, and that he selects this passage as an instance of his infallible teaching, because the Pope speaks expressly of *teaching* Luther, then I answer, not everything which the Popes *might have* taught, but what they actually *have* taught as doctrine on faith and morals, and defined,† by virtue of their highest apostolical power, as true, and to be held as such by the universal Church, *that* alone is an infallible

lorum rumoribus plus quam oportuit tribuendo, vituperat, tot reperisset errata; docuissentque eum clarius luce sanctos Romanos Pontifices predecessores nostros, quos præter omnem modestiam injuriose lacerat, in suis canonibus seu constitutionibus, quas mordere nititur, nunquam errasse.' *Bullarium Romanum*, ed. Cocquelines, tom. iii. p. iii. Romæ, 1743, p. 491.

\* For Dr. Schulte has omitted after the word 'constitutions' the words which in the Papal bull immediately follow, viz. 'which he studiously assails;' words which contain a limitation of the foregoing general expression, 'constitutiones.'

† 'Definit' is the well-considered word of the Vatican Council.



utterance *ex cathedrâ*. Perhaps Dr. Schulte may here say, 'You may see plainly enough from the words of Pope Leo X. what his thoughts were, and *how* he hoped to teach Luther if he actually had gone to Rome.' To this I answer, 'It is quite beside the moot question what a Pope's *thoughts* were; nor does it at all belong to a Papal utterance *ex cathedrâ* to consider what a Pope *thinks*, or even what a Pope thinks it well to give as a piece of private advice or *information* to any one in this or that manner.'

After this first most unfortunate proof which Dr. Schulte has brought forward, he tries a second, which is not a bit better. Accordingly he says: 'Just so has it been declared in express words by Pius IX. on the occasion of the condemnation of a book: "Finally, not to mention other errors, he rises to such a pitch of audacity and impiety \* as with indescribable perversion to assert 'that the Roman Pontiffs and Ecumenical Councils have overstepped the limits of their power, assumed for themselves the rights of princes, and have even erred in matters of faith and morals.'"' † Here I should like to ask, in sober earnest, whether any one ever before Dr. Schulte took it into his head to assert that dogmatic infallible definitions (utterances

\* The German word 'Gottlosigkeit,' which is rendered above by 'impiety,' is an imperfect translation of the Latin 'impietas' (so also is our English word 'impiety.'—Tr.) The words 'pius,' 'impius,' 'pietas,' and 'impietas,' all designate a certain state of mind towards God as well as a state of mind towards parents, and 'impietas' is here used in this latter sense, inasmuch as the Pope is regarded as the 'pastor omnium Christianorum' in the sentence quoted from the Brief in question.

† See Brief *Multiplices inter*, June 10, 1851.

*ex cathedrâ*) were sent forth by Popes as mere accessory matter on the occasion of the condemnation of a book? There is nothing whatever in all the fundamental principles of the theological science which can be brought forward to prove this, and therefore it is a purely gratuitous assertion that a Papal document (by which a bad book is rejected and forbidden, the reasons being assigned) is on that account raised to the rank of a dogmatic definition, and the reasons assigned by the Pope for the condemnation of a book stamped as Papal utterances *ex cathedrâ*.\*

\* In a note to page 28 of his pamphlet he assumes as proved that this Brief speaks *ex cathedrâ*, and this he does for the following reasons: 1. 'It appeals to the duty of preserving the flock of Christ, which has been committed to him (the Pope) from the first Pastor.' Here, I ask, to preserve from what? Dr. Schulte prudently holds his tongue upon this point, since it makes nothing for his point. But the context says plainly what this is. 'It is to preserve men from the pernicious reading bad books, and keeping them in their possession.' That is expressly declared by the Pope to be the object of this Brief, not a definition on a matter of faith. The further reasons he gives are not a whit more to the purpose; as, 2. 'The Pope speaks of his apostolical office.' 3. 'Of his apostolical plenitude of power.' As if he didn't do this every time he exercised his supreme power in the Church. 4. 'The Pope commands open publication.' As if nothing was ever published openly except definitions on matters of faith, and as if prohibited books were not so published. 5. 'He refers therein to the Syllabus.' Just as if all that the Syllabus refers to is, for that very reason, *i.e.* because it is in the Syllabus, at once to be looked on as a dogmatic definition on a matter of faith. 6. 'He decides after a mature consideration, with the advice of the cardinals.' Just as if many other things were not decided after mature consideration, and with the advice of the cardinals. If the circumstances which Dr. Schulte speaks of as proofs of what is *ex cathedrâ* are something of this sort, it is easy to see how utterly valueless such 'circumstances' are, to enable him to make out his point.

The third and last proof of an infallible utterance which Dr. Schulte brings forward is closely connected with the second; it runs: 'And resting on this Brief, the Syllabus, in no. xxiii., condemns the proposition— "Roman Pontiffs and Ecumenical Councils have transgressed the limits of their power, have claimed for themselves the rights of princes, and have erred in their decisions upon faith and morals."' Thus, amongst the doctrines of the Church he conclusively places the following proposition: 'Roman Popes have not overstepped the limits of their power, have not usurped the rights of princes, have not erred in their declarations on faith and morals.' In bringing forward this passage from the Syllabus, Dr. Schulte has not definitely asserted that he looks upon it as a dogmatic definition—a Papal utterance, that is, *ex cathedrâ*. As he has not done this, he has saved me the trouble of going farther into the matter. It is sufficient for us to direct attention to the fact, that when in the first and second parts of this proposition of the Syllabus, it is said that the Roman Pontiffs have, *first*, 'not overstepped the limits of their power,' and, *secondly*, that they 'have not usurped the rights of princes,' these assertions have no reference to a truth revealed by God, but bear upon historical events of a later period, which events have nothing to do with faith and morals, but only with the acts of the Popes. So it is plain there is not here the *objectum* or subject-matter required for a dogmatic definition.

Our readers can now judge for themselves that these three proofs of infallible teaching which Dr. Schulte has confidently brought forward (and he only

brings forward these three) are anything but valid or perfect proofs of his assertion, that Popes, in their infallible definitions, or utterances *ex cathedra*, have set forth as the doctrine of the Church, or *de fide*, these propositions: 1st, that Popes have never erred in their constitutions; 2d, that they have never overstepped the limits of their power; or, 3d, claimed for themselves the rights of princes. If Dr. Schulte has not proved this, as he most certainly has not, then his assertion falls to the ground, 'that a Catholic, in accepting the *de fide* definition of the Vatican Council "on the Infallible teaching office of the Roman Pontiff," is bound to believe that the Popes have *never* erred in their constitutions; that they have *never* overstepped the limits of their power; have *never* claimed for themselves the rights of princes.' Here, however, I must take care not to be misunderstood. I say only that a man is not bound by a definition *de fide* of the Vatican Council to believe all this besides; which is what Dr. Schulte, on untenable grounds, imagines that he discovers to be contained in this particular *de fide* definition.\*

Such is the poor outcome of the fundamental proposition on which Dr. Schulte has erected his whole edifice in this Pamphlet.

\* What should be the way in which a Catholic should conduct himself as regards these propositions of the Papal Brief, *Multiplices inter*, June 10, 1851, and also as regards the Syllabus, no. xxiii. (even if they are not doctrinal definitions), see above, 9 (3), and compare Balzerini *De vi ac Ratione Primatus Romanorum Pontificum*, Veronæ, 1766, cap. xv. § 10.

*Note A to No. 9 (6), chap. ii. p. 60.*

M. Emmanuel Cosquin, the Editor of the French translation of Bishop Fessler's Pamphlet, has appended the following note to page 60, for the accuracy of which he makes himself responsible. He says:

'In order to complete what Mgr. Fessler here says, we borrow a passage from the *Pastoral Instruction* of the Swiss Bishops in June, 1871, which has been approved by a Brief of Pius IX. "The Definition of the Council," say the Swiss Bishops, "has not in any respect brought about a separation between the head and the members of the teaching body in the Church. After the Council, as before, the Popes will exercise their office as Doctors and Chief Pastors in the Church, without forgetting that the Bishops are appointed with them by the Holy Spirit, and, according to the constitution of the Church, as successors of the Apostles, in order that, in concert with the Pope, and in subordination to the successor of the Prince of the Apostles, they may govern the Church of God. As the Popes did before the Council, so now after it will they continue to strengthen their brethren the Bishops in the Faith; so also, in the government of the Church, never will they undertake anything which concerns the Universal Church without taking the Council and advice of the Bishops. As they did before the Council, so now also afterwards, will the Popes summon Councils; ask the advice of the Bishops scattered over the world; use every means in their power to obtain a full understanding respecting that deposit of the Faith which has been confided to the Church. It will be according to this only and immutable rule of the Faith that they will decide, as if in court of supreme and last instance, and infallibly, for the Universal Church, all questions which can possibly arise on matters of Faith or Morals.

"Nevertheless," add the Swiss Bishops, "even when the Popes use all possible means to obtain a profound knowledge of the question of the Faith which is under consideration, as the duties of their office require, yet is it not this purely human knowledge, however complete it may be, but it is the assistance of the Holy Spirit—that is to say, it is a special grace of his state peculiar to himself—which gives the Pope the indubitable assurance of Infallibility, and which guarantees to all the faithful, with an absolute certainty, that the definitions of faith of the supreme teaching authority of the Pope are exempt from error."

*Note B to No. 12, chap. ii. p. 67.*

The French Editor has here another important note :

‘In their *Pastoral Instruction*, posterior to the work of Mgr. Fessler, and approved, as is known, by Pius IX., the Swiss Bishops cite the following passage of the Constitution of the Vatican Council : “The Holy Spirit has not been promised to the successors of St. Peter that they might publish according to His revelations a new doctrine, but in order that with His assistance they may holily guard and faithfully set forth the revelation transmitted by the Apostles—that is to say, the deposit of the Faith.” And they add : “It is, then, the revelation given by God, the deposit of the Faith, which is the domain perfectly traced out and exactly circumscribed, within which the infallible decisions of the Pope are able to extend themselves, and in regard to which the faith of Catholics can be bound to fresh obligations. . . . It in no way depends upon the caprice of the Pope, or upon his good pleasure, to make such and such a doctrine the object of a dogmatic definition : he is tied up and limited to the divine revelation, and to the truths which that revelation contains ; he is tied up and limited by the Creeds already in existence, and by the preceding definitions of the Church ; he is tied up and limited by the Divine law, and by the constitution of the Church ; lastly, he is tied up and limited by that doctrine, divinely revealed, which affirms that alongside religious society there is civil society ; that alongside the Ecclesiastical Hierarchy there is the power of Temporal Magistrates, invested in their own domain with a full sovereignty, and to whom we owe in conscience obedience and respect in all things morally permitted, and which belong to the domain of civil society.”’

## CHAPTER III.

‘DOCTRINAL PROPOSITIONS OF THE POPE, SIMPLE AND “EX CATHEDRA.”—ACTS OF POPES BEARING UPON THEIR RELATIONS TOWARDS STATES, COUNTRIES, PEOPLES, AND INDIVIDUALS.’

14. IN this portion of his treatise, Dr. Schulte has been at the utmost pains to rake together from every quarter, especially from the middle ages, everything odious he can find against the Popes.

In order to throw light upon this chapter of his Pamphlet, I must call the attention of my reader to the results of the investigation I made in the preceding chapter on the true extent of the subject-matter of Papal Infallibility according to the *de fide* definition of the Vatican Council, as a right appreciation of what follows depends strictly on what I have already said.

(1.) Thus, in my present answer I have nothing to do with what the Popes have thought, or said, or done, or ordained to be done, but only with what they have defined to be a doctrine of faith or morals *ex cathedra*, and the propositions on the faith which a Catholic must therefore accept as already decided in *ex cathedra* utterances by the Popes, in virtue of their Infallible supreme teaching authority, if, as he is in duty bound to do, he accepts the *de fide* definition of the Vatican Council.

(2.) Acts of Popes undoubtedly are not Papal utterances *ex cathedrâ*.

(3.) All that Popes have said in daily life, or in books of which they are the authors (supposing them, *i. e.*, to have written books), or in ordinary letters, are not dogmatic definitions or utterances *ex cathedrâ*.

(4.) Utterances of Popes, either to individuals or to the whole Church, even in their solemn rescripts, made by virtue of their supreme power of jurisdiction, in issuing disciplinary laws, in judicial decrees,\* and penal enactments, and in other acts of ecclesiastical government, are not dogmatic Papal definitions or infallible utterances *ex cathedrâ*.

(5.) Accordingly, none of these matters, acts of Popes (2), what Popes have said (3), utterances of Popes (4), have anything to do with the subject we have under discussion—which is exclusively about Infallible definitions.

(6.) Moreover, if we have before us a real and true dogmatic definition of the Pope, still only that portion of it is to be looked upon and accepted as an *ex cathedrâ* utterance, which is expressly designated as 'the Definition;' and nothing whatever is to be so regarded which is only mentioned as accessory matter.

Now, then, having laid down these general rules for our guidance, when I come to examine this portion of Dr. Schulte's treatise, I have to keep the two following questions, which arise out of it, entirely separate, and to give them a separate answer. They are:

First, whether the particular propositions, which he

\* See no. 9 (1), (3), and (4), for an explanation of these two terms.



arrays for our consideration, have been defined by an infallible Papal utterance as Catholic doctrine *de fide* on faith or morals?

And, secondly, if they are not this, then what is really to be held as regards these propositions?

15. So, in considering these propositions, I shall begin by answering the first of these questions, which it is clear, from the object Dr. Schulte has in view in his Pamphlet, is the principal question.

The FIRST Proposition which he brings before us as Papal doctrine is: 'Temporal power is of the Evil One, and must therefore be subject to the Pope.'

For this proposition he refers to a certain Brief of Gregory VII. where, however, it is not found in these express words, and where the context gives a different meaning. But Dr. Schulte himself adds, 'These passages, however, are not uttered *ex cathedra*.' As he says this himself, he saves me the trouble of proving that his proposition has nothing to do with Papal Infallibility, and cannot therefore be here considered.

16. The SECOND Proposition is: 'The temporal power must always act unconditionally in subordination to the directions of the spiritual.'

In proof that this proposition is a Papal utterance *ex cathedra*, Dr. Schulte brings forward the celebrated Bull, *Unam Sanctam* of Pope Boniface VIII. This Bull, starting with a *de fide* proposition of the Nicene-Constantinopolitan Creed, which has so long existed in the Church, contains a detailed exposition of the mutual relations of the temporal and the spiritual

power; and ends with a dogmatic definition, which is as follows: 'And this we declare, we say, we define, and we pronounce, that it is necessary for the salvation of every human creature that he should be subject to the Roman Pontiff.\* These words, and only these words, are the definition *de fide* of the Bull *Unam Sanctam*. All the rest of the foregoing, after the very first words, which lay down an acknowledged article of faith as a basis, is a partly theological, partly canonical exposition of the relative positions of Church and State, made after the fashion of viewing such matters then in vogue; but it constitutes no dogmatic definition at all, which evidently commences with the words, 'We declare and we define (*definimus*).† The definition itself asserts only the Catholic doctrine

\* 'Porro subesse Romano Pontifici omni creaturæ humanæ declaramus, dicimus, definimus, et pronunciamus, omnino esse de necessitate salutis.' *Extravag. Commun.* c. i. De Majorit. et Obed. The expression 'omni humanæ creaturæ' is borrowed from the First Catholic Epistle of St. Peter, c. ii. v. 13, and in the Fifth Lateran Council it is explained by Pope Leo X. as meaning 'omnes Christi fideles' (Harduin's *Acta Concil.* tom. ix. Paris, 1714, col. 1830). I have further to remark, that the Latin word of the above definition, '*subesse*,' is correctly and exactly expressed by the word 'unterstehen,' Ang. 'to stand under.'

† If Pope Boniface VIII. had wished to declare all that is represented in the Bull respecting the relations of the temporal to the spiritual power to be a definition *de fide*, he need only have placed the word 'definimus,' 'we define,' at its commencement. But this he did not do; and if a man who, amongst all the Popes, is distinguished by his ability as a legislator, places the decisive word, not at the commencement of the whole Decretal, but before the concluding words, as we have just accurately stated, surely no one can be entitled to assert that all that precedes these words is a Papal doctrinal definition.

of the *Primacy* of the Roman Pontiff;\* for if the Pope has been appointed by God to be the Head of His Church, and if every one who cares for the good of his soul must belong to that Church, then it follows that he must be subordinate to the Pope as the Head of the Church (*subesse Romano Pontifici*). This surely is a truth which Catholic princes have ever acknowledged, and I do not imagine any Catholic prince denies it at the present day.

It will be said, no doubt, 'Yes, in spiritual things the Catholic prince is subject to the Pope, but not in temporal things.' To this I answer: The decision of the above-named decretal contains nothing whatever about the Catholic prince being under the Pope in temporal things; still less does it say, as Dr. Schulte formulates his second proposition, 'That the temporal power must act unconditionally in subordination to the spiritual.'

But here again, perhaps, I shall be answered, 'True, it is not said so, but it is implied.'

To this I answer: According to the exposition, partly theological, partly canonical, certainly it might

\* That is, the *spiritual*, to the omission from the definition of any mention of the *temporal* power. This is clearly proved from the fact that the words of Boniface, '*Subesse Romano Pontifici esse de necessitate salutis*,' are taken from St. Thomas, *Opusc. I., contr. Error. Græc. c. 32*: '*Ostenditur etiam, quod subesse Romano Pontifici sit de necessitate salutis. . . . Maximus in Epistolâ orientilibus directâ dicit: "Coadunatam et fundatam super petram confessionis Petri dicimus universalem Ecclesiam secundum definitionem Salvatoris, in qua necessario salutis animarum nostrarum est remanere et ei est obedire, suam servantes fidem et confessionem."*'—  
TRANSLATOR.

be supposed that this was the meaning; but it is a general rule that whenever, in any dogmatic definition, a question to which it gives rise has not been touched upon (as is here the case with the question whether this definition extends to temporal matters), then this question is to be looked upon as still undefined.\* It would have been defined if the Pope had said in his definition 'that every human being was subject to the Pope, not only in spiritual but also in temporal matters.' But then the Pope did not say this, although the question lay, so to speak, at his elbow.

It may be still further objected: 'Well, if the Pope did not *say* so, he has shown clearly enough the plain common sense and import of the definition by his conduct towards King Philip resulting directly from this Bull.'

I answer again: Granting even the intention of the Pope in this definition did go beyond the plain words, and indeed so far beyond them as the subsequent conduct of Pope Boniface VIII. towards King Philip indicates, still we must not overlook the fact that a mere intention, even if it may be assumed from actions to have existed, if it is not expressed (especially when it might easily have been expressed), is not to be looked upon as a dogmatic definition. Moreover, it must not be forgotten that Pope Clement V., in an explanation which he afterwards made on the extension of this

\* Here we have just such a case as Perrone expressly speaks of above, at p. 56, calling it *omissio definitionis*, which he says cannot constitute an *ex cathedra* utterance; thus the positive extent (*tragweite*) of a definition is to be measured, not by what is *left unsaid*, but by what *is said*.

definition, recalled the legitimate interpretation of the Bull to its right proportions; \* and this interpretation probably corresponded with the real intention of Pope Boniface VIII. as far as can be gathered from his acts. †

For the rest it may be conceded that in this constitution *Unam Sanctam* of Pope Boniface VIII. there is a second dogmatic definition, and it is this: 'That there are not, according to the vain fancy and erroneous teaching of the Manichees, two principles.' ‡ This is *de fide*, since in theology it serves as a sure note of a dogmatic definition when an opposite doctrine is branded by the Pope as heretical, as is the case here, where the doctrine at variance with the true doctrine is stigmatised as 'heretical.'

17. The THIRD Proposition of Dr. Schulte is: 'The Church is entitled to bestow and to take away every temporal sovereignty.'

(1.) His first proof is taken from the words of Pope Gregory VII. spoken in a solemn session of a Council at Rome in the year 1080. Well, what *are* the words which Dr. Schulte brings forward? Our readers will be astonished to hear. They are a prayer which the

\* Vide *Extravag. Com. c. ii. Meruit: De Privilegiis.*

† It is therefore carefully to be noted, as a matter of great importance, that the renewal and approbation of the constitution of Boniface VIII.'s Bull *Unam Sanctam*, at the eleventh session of the Fifth Lateran Council (see Harduin, *Acta Concil.* tom. ix. Paris, 1714, col. 1830), took place only after the addition of the declaration of Pope Clement V. contained in the afore-named decretal, *Meruit.*

‡ 'Nisi duo (sicut Manichæus) fingat esse principia, quod falsum et hæreticum judicamus.'

Pope addresses to the two Apostles, St. Peter and St. Paul, earnestly entreating them to exercise the just judgment, which God has committed to them, on the Emperor Henry IV., and so to make manifest that in very deed they can both take away and can bestow upon this earth empires, kingdoms, principalities, and the possessions of all men, 'according to the deserts of the individual. And this prayer to the Apostles, forsooth, is to be construed into a dogmatic definition? To expect that his readers will admit that, is assuredly to suppose them to be very deficient in judgment.

(2.) He continues: 'It is a fact that Gregory VII. did depose King Henry IV.; did release his subjects from their oath of allegiance, and did install Rudolph in his place.' Well, that is an action of the Pope,\*

\* As regards both this and the following points, I must again call my reader's attention to the fact that, for greater clearness, I keep the two questions quite separate in my explanation, viz. first, whether the acts and expressions of the Popes brought under our notice in Dr. Schulte's propositions are definitions made by the Pope in his Infallible teaching office, and therefore to be regarded, according to the Vatican Council, as Catholic doctrine *de fide*; and, secondly, if this is not the case, then 'what is to be thought of these acts and expressions?' Strictly speaking, the first question alone belongs to the object of this reply of mine to Dr. Schulte; and if I can prove that nothing that he brings forward belongs to Papal Infallibility in the sense of the Vatican Council, then Dr. Schulte's Pamphlet is sufficiently answered. But for the sake of my readers who may perhaps be disquieted on account of these acts and expressions of Popes which Dr. Schulte brings into notice, though they do not really belong at all to the Infallible teaching office, and are not subject-matter for the faith of a Catholic, I will not fail to direct their attention to the leading points of view in order to guide them to a right judgment on these subjects.

but it is not an Infallible definition which a Catholic must accept.

(3.) Again: 'Pope Gregory IX., in the year 1239, declares the Emperor Frederick II. excommunicated, and releases from their oath of allegiance\* all who had pledged their fidelity to him.' Well, that is a penal sentence whereby excommunication, with all its legitimate consequences according to the laws of that period, was fulminated on the offender; but it is not a definition of faith, it is not an utterance of the Pope *ex cathedra* upon faith or morals at all, as anybody who will open his eyes may see.

(4.) The same answer holds good in regard to the deposition of the above-named Emperor Frederick II. by Innocent IV. in the year 1245, in which were bound up the consequences of such a sentence, according to what was the *Jus publicum* common in those times.†

(5.) 'Pope Nicholas V. deposed the Antipope Felix, (Duke Amadeus of Savoy) in the year 1447, and declared all his possessions confiscated, as the possessions of an anathematised heretic. ‡ Neither is this a definition of faith, but an execution of the punishment which, according to the *Jus publicum* common in those times, was bound up with the Anathema, an execution

\* So in the Bull *Quia Fridericus*, in the *Bullar. Rom.*, ed. cit. t. iii. p. 292.

† So in the Bull *Ad Apostolicæ*, in the *Bullar. Rom.*, edit. cit. t. iii. p. 300, and in the Acts of the Council of Lyons, I. Session iii.; Harduin's *Acta Concil.* t. vii. Paris, 1714, col. 381.

‡ Raynaldi, *Annal. Eccles.*, ad ann. 1447, n. 18 (t. xviii. p. 338), and compare this with ad ann. 1446, n. 11 (*ibid.* p. 325).

(*executio*) with which, in this case, the King of France was charged.\*

(6.) No more is there a dogmatic definition before us in the Papal Bull whereby King Henry VIII. of England, in the year 1535, was threatened with an excommunication, carried into effect in the year 1538, with all its legal consequences, according to the *Fus publicum* common in those times.† It is a simple penal sentence in the spirit and in the form which once was customary, but which in later times fell into disuse.

(7.) The same holds good of the penal sentence pronounced upon Queen Elizabeth of England by Pope Pius V., issued in the year 1570.‡

Now, since all the Bulls here brought forward—(3) to (7)—have not the faintest trace of being Papal, doctrinal, or *de fide* definitions, utterances of the Popes *ex cathedra*; and since they plainly and uncontestably belong to an entirely different class of Papal deliveries, it clearly follows that no one of these is to be regarded as an infallible utterance of Popes, and this alone it is which, by the definition of the Vatican Council, a Catholic is to believe and obey as part of the doctrine of the Catholic Church. It is hardly credible that a learned man like Dr. Schulte should have asserted all

\* 'Brachium auxilii sæcularis Caroli regis Francorum invocandi facultatem concedimus,' says the Pope to the Archbishop of Aix, to whom this despatch is addressed.

† In the Bull *Ejus qui*, in the *Bullar. Rom.*, edit. cit. t. iv. p. i. p. 125, and so in the Bull *Cum Redemptor*, in the *Bullar. Rom.*, l. c. p. 130.

‡ In the Bull *Regnans in Excelsis*, in the *Bullar. Rom.*, ed. cit. t. iv. p. iii. p. 98.



these Bulls to be infallible. Such an assertion is both unscientific and contrary to common sense. If, however, he has not put forward this assertion in earnest, why has he piled up all these quotations out of the Bulls he has ransacked, which have really nothing whatever to do with the teaching office of the Pope?

(8.) Dr. Schulte proceeds with another Bull of Pope Paul IV., issued in the year 1559,\* which is rightly described in the collection of Papal Bulls under the title of 'Renewal of previous censures and punishments against heretics and schismatics, with the addition of further penalties.' Why, the very title, which gives a true account of its contents, is of itself alone enough to show every one who reads it, that this Papal delivery is not a definition *de fide*, and cannot, therefore, be an utterance *ex cathedrâ*. And yet Dr. Schulte, in the most decided way, asserts that it is, saying that 'it is directed to the whole Church, signed by the Cardinals in the most solemn form, so that it is certainly delivered *ex cathedrâ*, (Dr. Schulte's Pamphlet, p. 34).† One can hardly believe one's eyes when one sees such manifestly erroneous assertions set forth with such an affectation of demonstrated certainty. One really feels sorry for Dr. Schulte that he should have made such an enormous blunder in the sight of every one who knows

\* *Vide* the Bull *Cum ex Apostolatus*, in the *Bullar. Rom.*, ed. cit. t. iv. p. i. p. 354. 'Innovatio quarumcumque censurarum et pœnarum contra hæreticos et schismaticos,' &c.

† It must seem quite ridiculous to any one who has any sort of knowledge of the subject to hear a person boldly assert that such and such a Papal Bull must be infallible, because it is directed to the whole Church and signed by all the Cardinals.

anything at all about such matters. To us it is beyond all question certain, that this Bull is not a definition of faith or morals, not an utterance *ex cathedra*. It is simply an outcome of the supreme Papal authority as legislator, and an instance of his exercising his power of punishing; it is not done in the exercise of his power as supreme teacher. I should abuse the patience of my readers if I were to attempt to prove in detail what is manifest to all mankind in every line of the Bull. Who ever imagined before Dr. Schulte that the Pope was infallible in the province of declaring legal pains and penalties?

Dr. Schulte finds in this Bull various things which he designates by the terms 'remarkable!' 'still more remarkable!' 'most remarkable!' until he comes to the epithet 'inconceivable!' pp. 34, 35. And indeed it is 'very remarkable,' nay quite 'inconceivable,' that Dr. Schulte, who is a canonist, should have so utterly misunderstood the introduction to this Bull, and the sense of a passage further on in it, § 6. I am conscious I am giving utterance to a grave reproof, and I must entreat my reader's patience while I prove it. Dr. Schulte finds it 'very remarkable;' he says that 'the election of a heretic as Pope is valueless from the first, and is here declared to be null and void.' That is, he says, 'The Pope and Cardinals assume the possibility of an infallible Pope being found deviating from the faith!'

To set this supposed case in its proper light the following remarks may be useful. Pope Paul IV., no doubt, supposes the case possible (however improbable it might be) that a man who clings to an heretical doctrine might be chosen Pope, and also that after he has

mounted the Papal throne, he might still hold heretical doctrine, or, even it may be, express it in his intercourse with others; not, however, that he would teach the whole Church this heretical doctrine in an utterance of his supreme teaching office (*ex cathedra*). From making such an utterance God Himself, through His special assistance, preserves the Pope and the Church. If, then, as has been suggested, a man were elected Pope who might uphold heretical doctrine (not supposing that he could declare such a doctrine to the whole Church formally as Catholic doctrine *de fide*, or prescribe it to be held as such), then we should have the case before us for which Pope Paul IV., in the above-named Bull, § 6, provides, by quashing the election of such a man to the Papacy, and declaring it 'null and void.' This is one of the cases which theologians mean when they say the Pope (*homo privatus*), as a private individual, may err in a matter of faith; that is, when he is considered simply as a man, with merely his own human conception of a doctrine of the faith. As Pope, as supreme teacher of the Catholic Church, he cannot err, when, by virtue of the assistance of God, promised and vouchsafed to him, he solemnly defines a truth revealed by God, and prescribes it to be held by the Universal Church. It is clear that there are in the one person of the Pope two different active powers (*ἐνεργεῖται*); first, the ordinary power of thinking and viewing things;\* and, secondly, the solemn defining power for

\* Of this ordinary faculty, Ballerini, in the passage we have already referred to, says very appropriately: 'Ex quo summi Pontifices ad Petri sedem promoti sunt, sicut non idcirco exuerunt humanam naturam, ita neque humanam agendi et opinandi rationem deposuerunt.'

the whole Church. I might illustrate this point by the parallel case of a judge who has to decide upon a suit. In his own private life he may, perhaps, hold and express his opinion, and that on very various occasions, but in the suit nothing passes for law but his solemn judicial utterance, which, however, is by no means infallible. The example, however, will suffice to show that a man who is invested with an official position can be readily conceived as thinking and speaking as a man, on the one hand, and, on the other hand, as an official personage in his forensic utterances and acts.

After making this distinction, plain enough as I conceive it to be, the introductory words of this Bull will be quite intelligible; why, that is, the Pope expresses his conviction how perilous it would be if, even in his private life, a Pope were to admit an error in doctrine, and what sad confusion would arise if the said Pope, as a private individual, were to be guilty of heresy, and yet had to put into force penalties against heretics, he as Pope, having no judge higher than himself.\*

(9.) Dr. Schulte says further on, p. 35: 'It is, moreover, quite an ordinary introduction to Bulls to find that the Pope is "Lord of the world," at least as far as it lies in his words and acts to make himself so.' So, for instance, says he, 'We find the *ex cathedra* (!) speak-

\* The question, 'an Papa, si in hæresim incidit (i.e. as *homo privatus*) deponi possit?' has been investigated and answered in different ways in former times. The introductory words of the Bull point to a solution of the difficulty in the sense of Pope Paul IV.; the real meaning of the words, however, depends on the right understanding of the word *redargui*.

ing Bull of Leo X. *Divina disponente*, in the eleventh session of the Fifth Lateran Council of Dec. 19, 1516, says Through the grace of God, . . . Elevated on the high watch-tower of the Apostolate, and placed over peoples and lands,' &c.

Here, again, we have, according to Dr. Schulte, an *ex cathedrâ* speaking Bull. But what is it about? Why, it is really neither more nor less than the well-known Concordat between Pope Leo X. and King Francis I. of France.\* This is the Concordat which for more than two centuries regulated the relations between Church and State, and which the kings of France themselves have so energetically upheld. And pray will any one be so good as to tell me when Concordats were first elevated to the rank of dogmatical decisions and utterances of the Pope *ex cathedrâ*? The honour of this discovery rests with Dr. Schulte. But will any one in sober earnest believe that the kings of France from the time of Francis I., kings who have been so jealous of the prerogatives of their crown, a Louis XIV., and other equally zealous sticklers for the rights of kings, would have been likely to be so mightily pleased with a Bull in which, according to Dr. Schulte's view, the Popes were called the Lords of

\* To be assured of this, we have only to look at the words with which the solemn reading of this Bull, in the eleventh session of the Fifth Lateran Council, is introduced. These are the words: 'Postmodum vero, Rev. Pater D. Maximus, Episcopus Iserniensis, ascendit ambonem et legit schedulam, in qua continentur *concordata* cum Christianissimo Rege Francorum. Cujus tenor sequitur, et est talis: Leo Episcopus, servus servorum Dei, etc. *Divina disponente clementia*,' &c. Harduin, *Acta Concil.* t. ix. Paris, 1714, col. 1809.

the world? Or how comes it that Dr. Schulte has had the good luck to discover so dangerous a doctrine in this Bull, which for more than two centuries has escaped the observation of French kings and learned men? And now the truth must be told that Dr. Schulte has mutilated this Bull of a most essential portion of its introduction; for the real introduction runs as follows: 'By the grace of God, *through which kings rule and princes exercise authority*,\* (the Pope) elevated on the high watch-tower of the Apostolate, and over peoples and lands,' &c. The words 'through which kings rule and princes exercise authority' (the very exact words whereby the temporal power of kings and princes is expressly acknowledged to be of divine grace), Dr. Schulte has thought fit to omit! I leave it to my readers to pass their own judgment on such mutilations and omissions.

(10.) Finally, in the last passage brought forward by Dr. Schulte from a Bull of Pope Sixtus V. in the year 1586, he stumbles on the following words: 'As the Roman Pontiff, the successor on the chair of Peter and true Vicar of Christ, holds by the divine preordination (*divina præordinatione*), the crown of the highest Apostolical dignity, and thus is in the place of Christ and of Peter upon earth; so the Cardinals of the holy Roman Church stand at the side of the Pope upon earth, representing the persons of the holy Apostles, as they served Christ our Lord, when He preached the Kingdom of God, and wrought out the mystery

\* 'Divina disponente clementia, per quam reges regnant et principes imperant.' Harduin, *Acta Concil.* t. ix. Paris, 1714, col. 1809.

of the salvation of man.' On this passage he makes the following commentary: 'The theory is a simple one: the Pope is Peter; the Cardinals are the Apostles; *ergo*, the Catholic Church is wholly concentrated in the Roman Church. The Bishops, apart from the six Cardinal Bishops, are mere assistants. This, then, is the meaning of the third chapter of the dogmatic constitution of July 18, 1870' (p. 36 of Dr. Schulte's Pamphlet).

Strange that it should be now near three hundred years since Sixtus V. issued his Bull, and that we Bishops have, during all this time, never gained even an inkling from this Bull that we were no longer looked upon as the successors of the Apostles, and had been degraded to the position of mere assistants! The honor of this discovery also rests with Dr. Schulte. He seems not to be aware that as long ago as the time of St. Ignatius of Antioch, the immediate disciple of the Apostles, that holy Bishop says: 'Strive to do everything in union with God, under the presidency of the Bishop, who is in the place of God, and with the priests, who are in the place of the Council of the Apostles.'\* If this great and renowned disciple of the Apostles thus spoke, then surely might Sixtus V. speak as he did. Moreover, the Bull of Pope Sixtus V. is not a definition *de fide*, not a Papal utterance *ex cathedra*; it is nothing more than a simple Bull for the

\* St. Ignatius, *Epist. ad Magnes*, c. vi. (*Patrum Apostolicorum Opera*, ed. G. Jacobson, (Oxonii, tom. ii. p. 314); so often he speaks in like manner, *Epist. ad Trall.* c. iii. (ibid. p. 366); *Epist. ad Smyrn.* c. viii. (ibid. p. 430); *Epist. ad Philadelp.* c. v. (ibid. p. 394).

organization of the College of Cardinals, settling how many the number of the Cardinals ought to be, what qualifications those ought to have, who are to be taken into the high office of Cardinal, and the like.\* Surely no sensible person will count as one of the doctrines of the Catholic Church how many Cardinals there ought to be, and what should be their qualifications? Moreover, to quiet all anxiety as to whether, from this Bull of 1586, the Bishops have lost their old privileges and their former dignity, we may bring forward what took place on April 24, 1870. On that day, in the third session of the Vatican Council, Pius IX. uttered the *de fide* definition: 'The Bishops of the whole world, gathered together with our authority in the Holy Ghost in this Ecumenical Synod' (they are the Pope's own words), 'sit together with us, and give their *judgment* with us.' Just as was done in the Church of old. Well, then, from the year 1586 up to the year 1870, this Bull of Pope Sixtus had not deprived the Bishops of anything that belonged to their most important rights. There is here, however, just one point in which I find I can agree with Dr. Schulte—it is where he says 'that nobody compares a Papal utterance with the Gospel;' but then I do so on very different ground from him; my ground being that I am thoroughly convinced that there is no man living who would utter such a downright untheological absurdity as to com-

\* See the Bull in question of Sixtus V., *Postquam Verus*, in the *Bullar. Rom.*, ed. cit. t. iv. p. iv. p. 279, where the contents of the title are given as follows: 'De S.R.E. Cardinalium creandorum præstantia, numero, ordine, ætate et qualitibus, et de optione sex Cathedralium Ecclesiarum, quæ Cardinalibus conferuntur.'



pare a Papal utterance with the Gospel. The Gospel is, as is the complete Word of God, *inspired* by Him ; that the Papal definitions *de fide*, infallible utterances *ex cathedrâ* as they are, are inspired by God, no one has ever taught, either in the Vatican Council or in the Catholic Church.

18. The FOURTH Proposition of Dr. Schulte is: 'The Pope has the right to bestow upon Catholic rulers lands and peoples who are not Catholic, and rulers so made may make them slaves.'

In proof of this he alleges: 'Pope Nicholas V., by his Bull *Romanus Pontifex*, as regards Western Africa, gave full leave to King Alphonsus of Portugal to take possession of all Saracens and heathen, and other enemies of Christ, in all those parts, as well as of their kingdoms, and to make them their own inheritance,' &c. Now I hope it is, by this time, clear that a Bull giving over any temporal property, of any kind whatsoever, *is not* a Catholic article of faith ; and of its being so there is not a trace in the Bulls cited by Dr. Schulte directed to King Alphonsus of Portugal.\* Surely any man of ordinary abilities can distinguish between an infallible definition of faith and a certain course of conduct which, at a particular time and under particular circumstances, seemed proper for the extension of the Catholic faith amongst Turks and heathen ; and this it is, which the Bulls quoted by Dr. Schulte are concerned with. And the case is the same

\* *Vide* Raynaldi, *Annal. Eccles.*, ad ann. 1443, n. 10-12 ; also ad ann. 1454, n. 8 ; and the Bull of Nicholas V., *Romanus Pontifex*, Jan. 8, 1454, in the *Bullar. Rom.*, ed. cit. tom. iii. p. iii. p. 70.

in respect of all the Bulls quoted by Dr. Schulte under this fourth head, as any one may see who will be at the trouble of carefully reading these Bulls. But perhaps some of my readers may ask, 'Have the Popes really, in the fifteenth century, given away countries by virtue of their apostolical plenipotentiary authority? To this I reply: It is not what Popes *do* in the plenitude of their authority, but what they *define* and teach by virtue of their supreme power of teaching in matters of faith, that is an utterance *ex cathedra*, and this it is which alone belongs to the question in hand. Here plainly is nothing whatever about a definition *de fide*.

19. The FIFTH Proposition of Dr. Schulte is: 'The Pope can enslave and bestow away those Christian subjects whose sovereign, or temporal superior, is under the anathema of the Pope.'

It would indeed be dreadful if, together with the definition *de fide* of the Vatican Council, delivered by the Infallible teaching authority of the Roman Pontiff, this was an article of faith which every Catholic, who hoped to be saved, was obliged to believe and obey. But if anybody has felt a qualm on reading this proposition, he may set his fears at rest. The case is not, after all, so desperate; it is only one of Dr. Schulte's self-invented Catholic *de fide* doctrines, of which the Catholic Church really knows nothing at all; it was invented by Dr. Schulte to horrify people, and to keep them from giving their assent to the real *de fide* doctrine on the Infallibility of the Pope in doctrinal definitions. This is the proof he gives of his proposition:

‘It took place, and was declared by Pope Clement V., who in the year 1309, in a quarrel with the Venetians, excommunicated doge, senate, and people, declared them deprived of all rights, bade ecclesiastics refuse to exercise their office except in administering baptism and penance for the dying, confiscated all the possessions of the Venetians, and preached a crusade against them.’\*

Anybody may see that there is nothing here but a penal sentence,† which, however, Dr. Schulte has not even taken the trouble to give us correctly, as it is not the whole people who are excommunicated, and there is no mention of a crusade. But I will not be at the pains to enter into the correction of matters which are wholly irrelevant.

A similar penal enactment of Gregory XI. against the Florentines, in the year 1376, which he next mentions, belongs just as little to the province of Infallibility, and the same may be said of what he says about Adrian IV. and Paul III.

20. The SIXTH Proposition of Dr. Schulte is: ‘The ecclesiastical laws upon ecclesiastical immunity, and upon Papal authority, rest upon divine inspiration.’

This is a very remarkable proposition. In proof of it, Dr. Schulte continues, ‘Accordingly, Pope Julius II., in the fourth session of the Fifth Lateran Council, declares this, in the following words: “Julius, Bishop, servant of the servants of God, for a future memorial

\* Raynal., *Annal. Eccles.*, ad ann. 1309, n. 6.

† ‘Judicarium edictum,’ as Raynaldus expressly and very properly calls it, t. xv. p. 43.

of this transaction, with the consent of the holy Council. Albeit, the dispositions of the holy Canons, of the holy Fathers, and Roman Pontiffs, our predecessors, and which have been sanctioned in legitimate\* General Councils for the defence of the freedom of the Church and its dignity, and for the protection of the Apostolic See, after mature deliberation must be held inviolate by all, and their decrees are esteemed unalterable, as if they had issued under divine inspiration," &c.'

Upon this proposition I have three remarks to make: first, the passages quoted from Pope Julius II. do not occur in a dogmatic definition, but in a 'peremptory judicial citation,'† and it is going a great way for any one to say that a judicial citation on a matter of discipline is to be regarded as an utterance *ex cathedra*. In the second place, Dr. Schulte would have done

\* To these words Dr. Schulte appends the following remark: 'In generalibus legitimis Conciliis; a remarkable epithet! Are there, then, even General Councils which are only sham councils?' To prevent any one from being misled by this mischievous suggestive question, I esteem it my duty to give the real reason of the word 'legitimis' being added. This we have plainly shown us in the Bull of Pope Leo X. *Pastor Æternus*, in the eleventh session of the Fifth Lateran Council. At that time there was an attempt to favour the Pragmatic Sanction by assuming the authority of the so-called General Council of Basle, to which title it had no claim after it had been displaced from the rank of General Councils. So the Synod of Pisa had falsely assumed the title 'Œcumenicum Generale atque Universale Concilium,' as we may see in the first session of the Fifth Lateran Council (Harduin, *Acta Concil.* t. ix. col. 1585.) For this reason Leo X., in the Bull *Pastor Æternus*, already cited, says: 'Nullum infra hoc temporis spatium præter hoc Lateranense Concilium legitime fuisse celebratum.' Harduin, *Acta Concil.* t. ix. col. 1828

† 'Monitorium contra Pragmaticam et ejus assertores.' Harduin, *Acta Concil.* t. ix. col. 1642.

well to have quoted, not merely the preamble, 'Albeit the dispositions of the holy Canons are esteemed unalterable,' but also what follows in the preamble,\* wherein we are told how far, nevertheless, the Pope is authorised to alter them. In the third place, it really is too bad that, when in the record quoted it is said, in the very words of the Pope, that the decrees of the canons are esteemed *as if* they were issued under divine inspiration, Dr. Schulte, in his proposition, should omit this very expression, *as if*,† with all its important signification, simply saying, 'The laws of the Church upon ecclesiastical immunity and on Papal authority rest upon divine inspiration.'

21. The SEVENTH Proposition of Dr. Schulte is: 'The Church has the right to exercise an unconditional censure upon all writings.'

The Bull of Pope Leo X., issued in the tenth session of the Fifth Lateran Council, in the year 1515, *Inter Sollicitudines*,‡ serves as Dr. Schulte's proof for this.

This Bull is simply a disciplinary law with a penal threat, but is no definition on doctrine; this is clear for two reasons. The first reason is, that in the express words of the enactment in question the Pope says: 'That to restrain the bad results of a misuse of the invention of printing—a thing so good in itself and so useful—he feels himself constrained to adopt certain

\* 'Licet sacrorum canonum instituta . . . immutabilia censeantur,' are the words in the original text.

† German 'gleichsam.'—TRANSLATOR.

‡ Harduin, *Acta Concil.* t. ix. col. 1779.

regulations proper for the purpose' (*volentes de opportuno super his remedio providere*). This is not the way in which the Church utters her solemn definitions *de fide*. That, however, this enactment, which not the Pope alone, but the General Council of Lateran, had issued, belongs to the *alterable* discipline of the Church, the rescript of Pope Pius IX. of June 2, 1848, shows; in which important alterations are adopted in respect of this Bull of Pope Leo X.\*

22. The EIGHTH Proposition of Dr. Schulte is: 'The Pope has the right to annul State laws, State treaties and constitutions, if they appear to him derogatory to the right of the Church and clergy.'

(1.) In proof of this, he brings the following: 'That he has power to annul laws generally is shown and maintained in the Bull *Pastor Æternus* of Leo X. Dec. 19, 1516, in the eleventh session of the Fifth Lateran Council, wherein the pragmatic sanction in France was rescinded under penalty of the greater excommunication.' (The pragmatic sanction is a kind of edict *de religione* of the fifteenth century.) Well, this is quite true, viz. that in this Bull of Leo X. the pragmatic sanction was annulled in France, but Dr. Schulte should not have kept his readers in ignorance that in this same Bull it is said in plain words that the King of France, Louis XI., had already previously annulled this same pragmatic sanction,† and that after this the Pope took

\* Pii IX. Pont. Max. Acta, pars i. pp. 99-101.

† For instance, Pope Leo says: 'Nos mature attendentes, Pragmaticam Sanctionem a cl. m. Ludovico XI., Francorum Rege Christianissimo revocatam, cassatam atque abolitam.' Harduin, *Acta Concil.*

from it all its validity on all points,\* in an ecclesiastical point of view. This puts the matter in quite a different light, and we may well wonder how it came to pass that Dr. Schulte, who is so ready to bring before us the Acts of this Council, never saw this passage in them. I must not forget to add that, irrespective of all that has just been said, there is here no question of a definition *de fide* in the Bull. This anybody can see without any remark of mine.

(2.) The second proof of his proposition, which Dr. Schulte introduces after the following fashion, is as unfortunate as the first. 'Against one whole category of laws subjecting the clergy to the temporal jurisdiction, or taxing Church property, there are, as is admitted, innumerable Papal statutes, so that it is hard to make a selection. Some proofs will suffice from the so-called Bull *In Cæna Domini*.† "We curse and we

t. ix. col. 1828. In the same way, Francis I. consents to the revocation of the Pragmatic Sanction, as is specially declared in the Concordat concluded between him and the Pope on the day specified, Dec. 19, 1516 (Harduin, *Acta Concil.* t. ix. col. 1812). Whoever desires to do so may find the curious old French original text of this Concordat in Andre's book, *Cours de Droit Canon*, Paris, 1853, t. ii. p. 168, where, from pp. 169-170 in the introduction to the Concordat itself, the removal of the Pragmatic Sanction by the two French kings, Louis XI. and Francis I., is circumstantially narrated.

\* Why this was necessary Pope Leo X. explains in his Bull *Divina Disponente*, in Harduin, *Acta Concil.* t. ix. col. 1811.

† *Bulla in Cæna Domini* is the name given to that Papal Bull which constitutes a kind of ecclesiastical penal statute in different important matters, and which was published in Rome every year on Holy Thursday, *Feria V. in Cæna Domini*, as a proof that it was still in force; hence the name. Like all human penal laws, it has undergone alterations from time to time. The penalty pronounced for the particular cases specified in the Bull was the penalty of ex-

damn—Lat. *excommunicamus et anathematizamus*\*—all those who lay upon their country new burdens or taxes besides those which are due in equity, or which are imposed in particular cases by special Papal permission, all those who increase such taxes, or who impose new taxes, or who seek to revive those already forbidden.”’

Well, a simple ecclesiastical penalty is not a dogmatic definition, and, even if issued by the Pope, is not a Papal utterance *ex cathedra*.

Does not Dr. Schulte really know that this Bull has been cancelled now for a hundred years and more, and has ceased to be published on Holy Thursday?

And does he not know also that Pope Pius IX., in his Bull *Apostolicæ Sedis modérationi*, Oct. 12, 1869, has expressly declared that from that time only censures imposed *ipso facto* for certain cases were still to be held in force, and that all other ecclesiastical penalties of this kind were then revoked? The Pope at the same time gave his reason of this revocation of penalties in these words: ‘These ecclesiastical penalties, which for security of the Church herself, and for the maintenance of her discipline, as well as for the restraint and improvement of the unbridled license of

communication. The copy of this ecclesiastical penal statute which Dr. Schulte brings forward belongs to the time of Paul V., 1610. It is in the *Bullar. Rom.*, t. v. p. iii. p. 393.

\* It deserves to be noticed that Dr. Schulte translates the words of the Bull *excommunicamus et anathematizamus*, by the odious and, at the same time, incorrect formula, ‘We curse and damn’ (Ger. *verfluchen und verdammen*), instead of the correct translation ‘We separate from the communion of the faithful and lay under anathema.’



evil-disposed men, having been at different times issued with the most excellent intentions, have now become very numerous; and a portion of them, from altered times and altered habits of mind, having lost the object and the reasons for which they were introduced, have also lost their former usefulness and their applicability.\*

It is not a particularly happy line of argument that has to draw its proofs from the obsolete cancelled Bull *In Cæna Domini*, in order to demonstrate to the world what a Catholic has to believe and to accept, if he accepts the definition of the Vatican Council on the Infallible teaching office of the Roman Pontiff.

(3.) Dr. Schulte's third proof is drawn from the fact that Innocent X. in his Bull *Zelo Domus Dei* of the year 1648† by virtue of his apostolical plenipotentary power, declared the articles of the Peace of Westphalia, which were displeasing to him, to be null and void. First, I have to remark upon this, that the Pope did not declare the articles in question void as simply displeasing to himself, but as violations of the just rights of a third party. It was the duty of the Pope, as Head of the Catholic Church, to protect the

\* 'Cum animo Nostro jam pridem revolveremus, ecclesiasticas censuras, quæ per modum latæ sententiæ ipsoque facto incurrendæ, ad incolumitatem ac disciplinam ipsius ecclesiæ tutandam, effrenemque improborum licentiam coercendam et emendandam sancte per singulas ætates indictæ et promulgatæ sunt, magnum ad numerum sensim excrevisse, quasdam etiam, temporibus moribusque mutatis, a fine atque causis, ob quas impositæ fuerant, vel a pristina utilitate atque opportunitate excidisse.' So run the words of Pope Pius IX. in the Bull of Oct. 12, 1869.

† *Bullar. Rom.*, ed. cit. t. vi. p. iii. p. 173.

rights of the Church in their full extent. For this purpose he here makes use of all the means afforded him by his spiritual office which circumstances admit of his using, such as earnest remonstrances, protests, or declarations of the infringement of his rights, and also ecclesiastical penalties, especially excommunication. It is undeniable that in the Peace of Westphalia, as well as in the acts of the Congress of Vienna in later times, the rights of the Church were in many ways violated. Against these violations of rights the Pope protests before God and before the world. He might, indeed, be pretty certain that the protest would be of little avail, but no fair inquirer will find fault with any one who has been despoiled of his rights for raising his voice and crying out aloud before God and men:\* 'This spoliation is invalid; I do not acknowledge it to be just.' A person who so acts is not to be branded as a disturber of the peace, and still less should be taunted with this when, after having given clear and manifest proofs of his rights, he showed that, in the interests of peace, he made no objection to come to terms with the despoiler.†

\* In this account there is no sort of contradiction between the Pope and the German Bishops, who seemed to sanction the Peace of Westphalia by appealing to it. The Pope did *not* reject the *whole* of the treaty of the Peace of Westphalia, but only certain articles which were breaches of the rights of the Church. To these articles the German Bishops made no appeal.

† This is not the place critically to investigate whether the passage to which Dr. Schulte takes objection on this occasion is a purely imaginary fiction or not, viz. that the number 'seven' of prince-electors was established by apostolical sanction. Any one may see what can be said for it in Card. Bellarmine's *De Roman. Pontif.* lib. v. cap. viii.

(4.) A further proof is drawn from the Austrian Concordat, because 'in this the Holy See gives its consent that in certain cases the secular court may pronounce judgment on spiritual matters and persons.'

It is inconceivable what this can have to do with the Infallibility of the Pope. And why upon earth is it to be considered a thing contrary to justice for the Pope to give his consent or permission to a change in an existing law of the Church? If even this is not allowed him, then, indeed, is the independence and autonomy of the Catholic Church come to an end altogether! A person who sanctions this simply wishes to annihilate the Church.

(5.) The Allocution of Pope Pius IX. June 22, 1868, after the fundamental State laws—the so-called confession laws—had been passed in Austria, is here brought forward by Dr. Schulte, because these laws were judged and partially condemned from an ecclesiastical point of view. But is it to be considered an infallible definition *de fide* that the Pope has expressed his own view of this matter? If not, why does Dr. Schulte introduce the subject at all? Surely the Pope had a right to ask for justice to be done him? Surely he might demand that a solemn concordat should be observed, which had been formally made in all its constituent parts? And as it was not observed, he, in his Allocution, protested against, rejected, and pronounced invalid, all that was contrary to the doctrine and to the rights of the Catholic Church; and in particular he protested against all that was contrary to the treaty that had been made. At a time when we hear complaints on all sides of broken treaties, why should we

take it ill of the Pope that he, too, should oppose a breach of treaty with himself by such means as he had at his command?

(6.) Finally, Dr. Schulte rakes together several statements out of the Syllabus to serve as a proof of this proposition. These statements, however, are not given as in the words of the Syllabus, but in the form which a certain learned theologian has formulated the opposites of the rejected theses. But granting that this theologian is to be highly esteemed as a learned man, yet it is a generally received fact in the Catholic Church that the formulæ of Catholic theologians are not definitions *de fide*.

For the rest, Dr. Schulte assumes that the Syllabus, with all its eighty propositions, is one of those Papal definitions of doctrine of which the Vatican Council speaks in its fourth session. This assumption he has failed to prove. Dr. Schulte assumes it to be so as a *fact*, while the truth of the matter is, that this *fact* is called in question by the gravest theologians. Their doubt is founded especially upon this, that the form of the Syllabus is quite different from that which the Pope usually adopts when he delivers a solemn definition *de fide*. In order to convince himself of this, Dr. Schulte need only peruse the Bull of Leo X. against Luther, the *Exsurge Domine*, which he himself adduces as a Bull, speaking *ex cathedra*, p. 27 of his book; or the celebrated Bull of Pius VI. *Auctorem Fidei*, August 28, 1794.\* In these and in similar documents the intention

\* *Bullarii Romani Continuatio*, t. ix. (Romæ, typis Rever. Cameræ Apost. 1845), p. 395, and following.

of the Pope is expressed in the most decided manner, either at the beginning or at the end, that certain propositions must, by virtue of his supreme apostolical power, be regarded as incompatible with the Catholic doctrine on faith or morals. Now it is true that the propositions of the Syllabus are designated \* in the title of the document as 'Errors of our time which the Holy Fathers have on different occasions denounced;' but then it is certain that many of the documents in which a special error is denounced, and from which the propositions are drawn, are not utterances *ex cathedra*. But it may be said, perhaps, that the Pope, by requiring that the Syllabus should be made known to the whole Episcopate, desired to raise all his utterances on the errors contained in the Syllabus to the position of doctrinal definitions, such as would be, according to the definition of the Vatican Council, utterances *ex cathedra*. This many theologians think may be assumed to be doubtful, until a fresh declaration is made on the subject by the Holy See. For, as the Syllabus stands, neither the introduction nor the conclusion is sufficiently clear upon this point. It is true the Bishops had an authentic announcement made to them through a letter of the Cardinal Secretary that the Syllabus was arranged and sent out at the command of the Holy Father, but the reason for this is given, and it comes to no more than this, that perhaps many persons would not be able to meet with the printed documents from which the pro-

\* The complete title of the Syllabus is: 'Syllabus complectens præcipuos nostræ ætatis errores qui notantur in Allocutionibus Consistorialibus, in Encyclicis aliisque Apostolicis litteris, SS. D. N. Pii Papæ IX.'

positions of the Syllabus are drawn. Certainly in the Papal Encyclical *Quanta Cura*, Dec. 8, 1864, which was promulgated with the Syllabus, it is said that Pius IX. has often raised his voice during his Pontificate against the principal errors of our time; but in that Encyclical there is nothing to show absolutely that the Pope in any one single word thought of the Syllabus.

23. The NINTH Proposition of Dr. Schulte is: 'The Pope has the right to reprove all temporal sovereigns, emperors, and kings for their misconduct, and on occasion to punish an offence (*in foro externo*), as well as, in the case of a mortal sin, to bring it before the spiritual forum.'

In proof of this Dr. Schulte brings two passages from the book of Canon Law written by Popes.\* The first of these is directed to the Grecian Emperor Alexius; the second to the French prelates, and concerns the King of France. Neither the one nor the other of these decretals is a definition *de fide*. No trace of a definition occurs therein. In both the Pope justifies his conduct towards the one and against the other of the two rulers mentioned, according to the point of view common in the *Fus publicum* of those times.

24. The TENTH Proposition of Dr. Schulte is: 'Without the consent of the Pope no tax or impost can be laid upon any cleric or church.'

\* C. Solitæ 6, de M. et O. (i. 33), and C. Novell. 13, de Judiciis (ii. 1).

In proof of this Dr. Schulte brings forward a Bull of Boniface VIII., which, however, as he admits, was soon limited by Benedict XI., and afterwards entirely cancelled by Clement V. 'But,' he concludes, 'the Bull *In Cæna Domini* took up the matter, and in the Syllabus it is defined that Popes have never overstepped the limits of their powers.' I have already shown, No. 22 (2), that the Bull *In Cæna Domini* is now no longer in force; it is, in fact, entirely revoked. Dr. Schulte is thus left quite in the lurch, without the shadow of a reason for his assertion. His remark, by the way, 'In the Syllabus it is defined that Popes have never overstepped the limits of their powers,' does not help out his tenth proposition, and could only serve to strengthen the proof from the Bull *In Cæna Domini*. But as that Bull no longer exists, why, it follows that it cannot be strengthened.

Nor can it for a moment be admitted that the Pope *has* defined this in the Syllabus. The general assertion that the Popes have overstepped the limits of their powers is, indeed, mentioned amongst other errors. And the proposition, wherein it is laid to the charge of the Popes that they have in *general* overstepped the limits of their powers, is most justly condemned as erroneous. But that is a very different thing from a positive dogmatic definition that a Pope never in *any respect* overstepped the limits of his power.

25. The ELEVENTH Proposition of Dr. Schulte is: 'The Pope has the right to nullify the oath of allegiance taken to sovereigns whom he has excommunicated, and to forbid his subjects to obey him or his laws.'

In proof of this he brings forward the previously-mentioned Bulls of Gregory IX., Innocent IV., Paul III., and Pius V. Since, however, as I have already shown, no one of these Bulls is a definition *de fide*, not an utterance *ex cathedrâ*, they do not belong to the subject in hand, and can constitute no proof that any one is obliged to receive the above-named proposition as a Catholic doctrine *de fide*.

26. The TWELFTH Proposition of Dr. Schulte is: 'The Pope can deprive excommunicate persons of all their social rights, and in particular can dissolve their marriages.'

(1.) The first proof of this is: 'Innocent IV. in his Bull *Cum adversus* of Oct. 31, 1243,\* confirms the laws of the Emperor Frederick II. by accepting them. These laws condemn those guilty of heresy to the punishment of death at the stake; so in his Bull *Ad extirpanda* of May 15, 1243,† there follows a long list of punishments against heretics.' Here Dr. Schulte himself relieves me of the trouble of proving that there is here no definition *de fide*, no Papal utterances *ex cathedrâ*, by saying that 'the Pope only confirmed in the first of the rescripts, just mentioned, the penalties declared by Frederick II. against heretics.' This is the fact. And nothing could be a clearer proof than this, that there is no question in these rescripts of a definition on faith or morals; for I fancy everybody knows now that imperial penal laws are not the

\* *Bullar. Rom.* ed. cit. t. iii. p. 295.

† *Bullar. Rom.* ed. cit. t. iii. p. 324; where, however, this Bull bears date May 15, 1252.



place to seek for or to find Catholic doctrinal propositions. It ought to be mentioned, moreover, that this confirmation of the Pope was not issued for the whole Church, but expressly only for Lombardy, the Marches of Treviso, and the Romagna. Dr. Schulte's second Bull, that of Innocent IV., is wholly irrelevant as a dogmatic definition. It is designated simply a law, and nothing more. If I am asked the reason of this statement, I point simply to the wording of the Bull, which consists of thirty-eight paragraphs, each of which is noted down as 'Lex,' with the ciphering 'Lex 1,' 'Lex 2,' 'Lex 3,' &c. Surely this is sufficient proof. Moreover, this enactment is expressly limited by the Pope to Lombardy, the Romagna, and the Marches of Treviso. It really is difficult to characterise as it deserves such a mode of treating the subject under consideration. Dr. Schulte recklessly brings forward as infallible, and therefore unalterable definitions of doctrine issued for the whole Church, laws of Popes expressly made for particular occasions. The penal laws of the Popes against heretics, he has piled together in his notes, have nothing whatever to do with unalterable definitions of doctrine, but are examples of the spirit of the age in which they were passed, and of a discipline subject to change, but they in no way belong to the Infallibility of the Pope.

(2.) As a further proof of his proposition, he mentions the Bull of Paul IV., *Cum quorundam*, of Aug. 7, 1555,\* in which Bull those several penalties which are usually pronounced only against relapsed

\* *Bullar. Rom.* ed. cit. t. iv. p. i. p. 322.

heretics are pronounced also against those who deny certain specially named truths of the Catholic faith, as the doctrine of the Holy Trinity, the Divinity of our Lord Jesus Christ, &c. In his Bull there is no definition *de fide*, nothing but a simple penal law against certain persons who denied particular truths of the Christian faith which had been defined long ago. Here Dr. Schulte permits himself to digress into a violent sally on the subject of the irregularity \* which, according to the ecclesiastical laws, is incurred by those who pronounce sentence of death, or those who carry the sentence into execution, and the different treatment which the Church adopts towards those who *pass a law* declaring the sentence of death for certain offences, and the judge who *condemns* to death in virtue of that law. When he here calls the Church's action 'a fiction to stifle the conscience,' and nicknames it 'Pharisaism,' he writes without knowing what he writes about. The irregularity spoken of is not *ex delicto*, but *ex defectu*; it is not incurred because the person who pronounces a just judgment has committed any sin which might burden his conscience. It is only in case of a man committing sin that the reproach of 'stifling the conscience' has any meaning, or that the word 'Pharisaism' is at all applicable. Irregularity *ex defectu lenitatis* was introduced by the Church, because the Church did not think it a proper or seemly thing that one who, even in the most just manner, had been brought into immediate contact with the death of a

\* The word 'irregularity' is known to theologians as a technical word, denoting an impediment as regards ordination or the exercise of the sacred ministry.

human being, be it by the condemnation of him, or by the execution of the sentence, should receive or exercise the office of Holy Orders. How far this respect for the dignity of the clerical office should be extended depends upon considerations which have nothing to do with sin.

(3.) Finally, as his last reason, Dr. Schulte brings forward, 'The conduct of Pope Urban V. towards Bernard Visconti, Duke of Milan, in the year 1363. As the matter is pictured to us by historians, he ordered his condemnation to be published, whereby he declared him a heretic, infidel, and schismatic, anathematised by the Church; he freed his subjects from their oath of allegiance, and his wife as a Christian from her marriage contract with a man who was a heretic and an infidel.'

Here we have before us, as Dr. Schulte himself says, only a sentence of condemnation against a prince who was deserving of punishment, not a definition *de fide*. Surely he is not going to make all judicial sentences which the Popes have pronounced for many hundred years past do duty as utterances *ex cathedra*? In this case such decisions would be innumerable. Canonist as he is, he cannot mean to assert this in sober earnest. Besides, we may justly demand that the exact words of the sentence should be produced, in which the Pope, contrary to the clear and express directions of the ecclesiastical law, dissolved the marriage tie on account of heresy. Without this we cannot consider so grave an accusation against a Pope. Instead of this sentence we have only the casual words of a late historian, Spondanus, and we

are not told whether *he* ever really saw the sentence himself, or only reported it second-hand. It would be waste of time to enter upon an exposition of the true meaning of a judicial sentence when the words used are of so much importance, and when we do not know what those words were.\*

In Raynaldi's great work mention is indeed made of the terms of this sentence, but the words respecting the dissolution of the marriage tie do not occur there.†

27. Finally, the THIRTEENTH Proposition of Dr. Schulte is: 'The Pope can release from an obligation (as of oath and vow) both before and after the oath or vow has been taken.

'Proved,' he says, 'by the *Privilegium* which Clement V. gave to King John of France and his consort, and to all his successors, that all and every one of their father confessors, whether secular or regular, might dissolve and commute, for works of piety, all vows which they have already taken, and all which either they or their successors might take in future,‡

\* In this uncertainty about the passage on which the proof is based there can be no real question of a contradiction between the penal sentence of Urban V., in the year 1363, and the later dogmatic definition of the Council of Trent in the year 1563; and thus the scornful remark of Dr. Schulte comes to nothing. His remark is on p. 50 of his Pamphlet: 'Thus it follows that Urban V., with the consent and in the presence of the College of Cardinals and of the Roman Church, passed a fearfully solemn act against a proposition *de fide*. How, in the face of such an instance as this, can people plume themselves on their invention of the phrase *ex cathedra* !'

† Raynaldi, *Annal. Eccles.* ad ann. 1363, n. 2, t. xvi. p. 423.

‡ Here follow three exceptions, which I omit for brevity's sake.

as well as all oaths which they had already taken, or which they or their successors might hereafter take, and change them into works of piety.' But no one says that Papal Privilegia\* are infallible definitions *de fide*. And if they are not this, then they do not belong to the matter on hand. Faculties to commute vows into other works of piety are still reserved to the Pope. As regards oaths;—in the case of an oath by which a promise is confirmed, where the oath ought not to be kept, but where the person, to whom something has been promised on oath, insists on the fulfilment of the promise, there a Catholic has the option of referring the decision either to the Pope, or to his father confessor, or he may decide for himself whether this is really a case in which obligation to stand by the oath ceases. Should a case occur in which the obligation to the observance of an oath ceases, as for instance when its observance would lead to the violation of some moral duty, then it would be unadvisable to leave the decision to the person himself who has made the oath.† For the rest, it is to be observed that the Pope, in granting this privilege to the confessor so chosen, does not give an unlimited power to commute vows and oaths into works of piety, as Dr. Schulte

\* 'Privilegia quædam regibus Franciæ impertita,' in D'Achery's *Spicilegium*, Paris, 1723, is the correct title of a long list of such documents as we now call faculties received from the Pope. They are dispensations from fasting, indulgences, permissions respecting Masses, absolutions *in foro externo*, &c.

† And this is why such an oath is referred to the Pope, because he is an impartial judge.—TRANSLATOR.

asserts, but only vows and oaths which a person cannot observe, according as the confessors for the time being judge to be desirable for the good of the souls intrusted to them.\* This last part of the document Dr. Schulte has entirely omitted. That, moreover, this faculty should be exercised on such vows and oaths as were not yet in existence at the time of the grant of the privilege is just as natural as that, when a Bishop nowadays gives a priest power to absolve from sins for a period of four years, he should not limit this power of absolving to sins which have already been committed, but should give power to absolve sins which, in the course of one, two, or three years, may hereafter be committed and confessed.

The example adduced by Dr. Schulte of the nullification of an oath by Paul IV., A.D. 1555, will serve as confirmation of the explanation I have given: 'the Pope,' he says, 'in the case of unlawful oath expresses his will to release the emperor, and declare him free from his obligation.'† But a release from an oath, which the Pope has thought good to make in a particular case, has never yet been regarded by any one as an infallible utterance *ex cathedra*.

We have now arrived at the conclusion of Dr. Schulte's alleged Papal doctrinal propositions and acts.

\* 'Prout secundum Deum et animarum vestrarum et eorum saluti viderit expedire.'

† It should here be noticed that the authority for this mere oral utterance of the Pope, Bzovius, (*Annal. Eccles. ad ann. 1555, n. 36, Coloniae, 1640, t. xx. p. 306*) does not mention the record from which he drew his information; so this *presumed* Papal utterance is of a somewhat imaginary character.

The result of the whole investigation has been that the passages which he has brought forward as his proofs are not such expressions as are to be regarded as utterances *ex cathedrâ*, that is as infallible definitions on the Catholic faith or morals.\* Accordingly a Catholic who accepts on faith, in accordance with his obligation, the definition *de fide* of the Vatican Council on the Infallible teaching office of the Roman Pontiff, is in no way obliged to believe these thirteen propositions, which I have given word for word from his work, to be infallible utterances.

\* The Bull *Unam Sanctam* alone forms an exception to this statement, but not even that Bull is an exception in its full extent, as Dr. Schulte asserts. See above, no. 16.

## CHAPTER III.

*Second Part.*

## RELATION OF POPES TO THE STATE-LAW.—TREATMENT OF HERETICS.\*

28. OUR task as regards the principal question is now discharged. But as, for the quieting of my reader's conscience and to enable him to see his duty clearly, I undertook to discuss not the principal question only—whether a Catholic in accepting the Vatican definition, is in reality bound to accept these thirteen propositions as articles of faith—but also to examine any other incidental questions which might arise out of the expressions and doings of Popes to which our attention has been directed, I will now briefly discuss this second question. It resolves itself into two heads, to which these Papal expressions and acts refer: first, 'the relation of Popes to the State;' and secondly, 'their treatment of heretics.' Now as regards the relation of Popes to the State we must bear in mind that all the expressions and acts of the Popes towards the State which have been mentioned in the principal propositions occur in the period from the eleventh to the sixteenth century. Hence it follows:

(I.) The *Fus publicum*, as it was then laid down

\* Translator's heading.



and acknowledged, must be accepted as furnishing us with the means of forming a right judgment of the precedents which took place in this period.

(2.) This *Jus publicum* was founded upon the general understanding, then prevalent, that European Christendom was based on the principles of the Catholic religion and derived its stability from it.

(3.) Accordingly, a man who did not belong to the Catholic Church could hold no position in public life.

(4.) Every one who is invested with any public office was obliged to direct his life according to the doctrines and principles of the Catholic religion.

(5.) If he did not do this, he fell under the penal authority of the Church and of the State.

(6.) The penal authority of the Church was, in its supreme instance, exercised by the Popes, who being independent, did justice fearlessly, even against the great and mighty of this world.

(7.) Nor must it here be left out of consideration what an important influence the laws of the old Roman Empire, Justinian's code, and the 'Novellæ' exercised in the West, and how many and what important rights ['jura'] were conceded to the Church by means of these old Roman statutes.\*

\* *Vide Savigny's History of the Roman Law in the Middle Ages*, 2d edit. vol. iii., Heidelberg, 1834, p. 87, where he says: 'As far back as from the times of Charlemagne it had been the custom to look upon a large portion of the European nations and states as in one lasting alliance, and to assume a solidarity even in, it might be, that special thing which distinguished them one from another. In this range of matters common to all were comprised "The Imperial Power" "The Roman Catholic Church Constitution," "The Clerical State," "The Latin, the language of all social transactions;" and under this cate-

(8.) Nothing can give plainer evidence of the prevailing opinion in those times with regard to the *Jus publicum* in social life than the fact that kings again and again had recourse to the Popes to obtain their judgment on a matter.\* Had this practice not been grounded in the *Jus publicum* of the time, the Emperor Frederick II. would never have undertaken to defend himself at the first general council of Lyons before Innocent IV., through his plenipotentiary ambassador, in order to escape the Pope's condemnation. This shows how fully he recognized the Pope's right.

(9.) According as this great family of nations brought out in different ways its internal conviction that its social life rested on a Catholic foundation, and must be penetrated through and through and guided by the Catholic truth, so it considered it its duty to spread everywhere the knowledge of the Christian Catholic religion.

(10.) Temporal dominion was undoubtedly everywhere recognised as ordained by God.†

gory fell also "The Roman Statute Law," which was considered not as the special law of any Roman province nor even as the private law of any particular State, but as *the common Christian European law.*'

\* The decretal of Pope Innocent III. may serve as an example of this, in cap. 13, Novell. De Judiciis, whence we see that the King of England cited the King of France before the Pope in order to have right done to him. *Vide* also c. 15, De Foro Competenti, ii. 2.

† Pope Innocent III. in his decretal, *Solitæ*, c. 6, De M. et O., i. 33, says this expressly in the following words: 'Ad firmamentum igitur cœli, hoc est, universalis ecclesiæ fecit Deus duo magna luminaria, id est, duas instituit dignitates, quæ sunt Pontificalis auctoritas et regalis potestas.' This may serve as a confutation of Dr. Schulte's false proposition, as though the Popes had taught 'the temporal power is from the wicked one.' P. 29 of his work.

These, then, we find to be (1) the generally received views of law (*jus*) in that period, but these views are in no sense (2) Papal definitions of faith made for all periods till the end of time.

These two things, then, must be kept quite distinct.

Here I am going to take the liberty to introduce a passage which bears upon this subject from an historical work of one of our most celebrated German authors, which will, I think, tend to throw light on our subject, and enable us to see it in its true proportions. The writer is Frederick Hurter. In his history of Innocent III., having made a thorough investigation of the records of that time, he says: 'The Church was the source of all higher social life in the human race; hence in her there was safety, outside of her there was no safety. In her mission, which was to include the whole world, in order to bring all people of the earth to the knowledge and adoration of the true God, he who was at the head of the Church was compelled, as his most sacred obligation, to bring into her dominion those who were afar off, to remove those who had separated from her, and so had to consider that the gain of those who entered into the great hospice of salvation was of more importance to themselves than to the Church.' (Book II.)

Again: 'The Church secured the Empire against that absolutism which will not endure by its side any law but its own. The veneration of the Empire for the Church procured that universal recognition of her in all countries, without which Christendom would have been abandoned to the separatist influence of ideas, customs, and inclinations of peoples, and split asunder

into ever so many sects, or perhaps have become the property of a school. But so (by this mutual support) it formed itself into that bond of union which embraced the nations, which sustained their social life, promoted civilisation, and maintained the spiritual rights of all, and enabled the Christian West, as one whole in living faith, to sustain the shock of the Mahometan East, which was contending with it for the empire of the world in all the fresh vigour of a doctrine kindled by human passion.' (Book II.)

Again: 'There lay in Christendom for all its votaries a uniting and a binding power. The rights of all were put under its protection, the duties of all were marked out and consecrated by it. He who stood at the head of the great Christian community had to protect some, and yet to be mindful of others.\* And thus there was founded a world-government which gave due honor to each lawful authority when moving in its own proper sphere.'

Again: 'If ever the dream of a universal peace is to be realised, it can only be possible by the general acknowledgment of some one spiritual power, raised above all others, to investigate and smooth the way in the strifes of kings and peoples, to mediate and to ad-

\* This passage recalls the words of a French philosopher which may interest our readers: 'Est-ce un si grand mal de rappeler aux princes mêmes leurs devoirs et les droits des nations lorsqu'ils les oublient? Qui réclamera donc en faveur des peuples, si la religion, cette seule et unique barrière, qui nous reste contre le despotisme et le désordre, se tait? N'est pas à elle à parler, lorsque les lois gardent le silence? Qui enseignera la justice, si la religion ne dit rien? Qui vengera les mœurs, si la religion est muette? En un mot, de quoi servira la religion, si elle ne sert à réprimer le crime?'

just ; and when that king or nation shall be treated as the common enemy, who, trusting in his own strength, shall refuse to acknowledge the decisions of this supreme spiritual power.' (Book XX. Hurter's *History of Innocent III.*)

29. In close connection with this stands the treatment of heretics in that period.

The Catholic Church and heresy are, in their own nature, and in the mind of the Church, antagonistic as truth and error.

I mean, in the mutual relation they hold one to the other as regards the inner self of both the one and the other.

Externally, however, we find that in the course of centuries the Church has adopted a very different conduct towards heretics, according to the different circumstances in which she has been placed in her intercourse with the world.

Thus we may distinguish four different periods.

The 'First Period' reaches from the commencement of the Christian era to the first decade of the fourth century. During this time, in treating with heretics, Christians acted according to the words and examples of the Apostles. What this way was, the Apostle Paul told the faithful: 'A man that is a heretic, after the first and second admonition avoid, knowing that he that is such an one is subverted and sinneth, being condemned by his own judgment' (Titus iii. 10, 11). And the Apostle John says: 'If any man come to you and bring not this doctrine, receive him not into your house, nor say to him, God speed you' (2 John v. 10).

This is the way in which the early Catholics protected themselves from heretics; they excluded them from their communion, and in some cases, even broke off intercourse with them in order that they might not be corrupted by their errors.

The 'Second Period' begins with the First Council of Nicæa, A.D. 325, at which time the Christian rulers of the Roman Empire sent the principal teachers of error into banishment\* from political reasons, and in order to prevent their doing mischief, because there was good reason for considering them disturbers of the public peace; and severe fines and other punishments were imposed on those who were the disciples of their errors. This period lasted for some centuries, as long as the Roman law was in force.

In the 'Third Period,' that of the Middle Ages, rulers went farther; fines were not only followed by confiscation of goods, but even capital punishment or imprisonment for life was pronounced against heretics, and this by the imperial laws of the Emperor Frederick II.† and other emperors; to these laws the Popes were a party, as Leo X.‡ expressly testifies. At that time, people looked upon heresy as a breach of the imperial law, to be punished with the loss of honour,

\* In this way Arius, and the few Bishops who had voted against the majority of 318, in the definition of faith made at that Council, were sent into banishment by the Emperor Constantine, as was also, later on, Nestorius: see Sozom. *Hist. Eccl.* lib. i. c. xx. xxi.; Philostorgii. *Hist. Eccl.* lib. i. n. 9, 10; Evagrii *Hist. Eccl.* lib. i. c. vii. ed. Vales; Cod. Theodos. *De Hæreticis* (xvi. 5), l. 13, 14, 19, 30, 31, 32, 33, 34, 45, 52, 54, 64, ed. Ritter, t. vi. p. i. Lipsiæ, 1743.

† Vide Pertz, *Mon. Germ. Legum*, t. ii. pp. 287, 288.

‡ Vide Bull *Exsurge Domine*, Bullar. Rom., t. iii. p. 488.

forfeiture of goods, deprivation of civil rights, &c. Testimony of this is expressly given by Frederick II., who declares that in punishing heretics, he was but exercising his own temporal power, wholly independently, and was not acting under the influence of any spiritual authority. The reason the emperor gives for inflicting such heavy penalties was because it was a greater breach of the law to offend against the Divine Majesty than against any earthly majesty. This was the general way of viewing men's public social relations at that time. This Period lasted till well on into the sixteenth century.

The 'Fourth Period,' which has been running its course up to the present time from the seventeenth century, did away with those penal enactments which had been passed under very different circumstances, as the reasons which had led to their being enacted, and the principles on which they rested, were no longer in force since the establishment of Protestant States in Europe. This is the period in which we meet with only protests or the reservation of rights, when, that is, the rights of the Church, whether divine, or legal, or accruing to her from contract, were violated in favour of heretics.

CHAPTER IV.

‘PLEAS DEvised TO QUIET THE CONSCIENCE, AND THEIR CONFUTATION.’\*

30. IT is in this section of his Pamphlet that Dr. Schulte shows us most clearly that the position in which he places himself with regard to the Vatican definition is the very reverse of mine. I will endeavor to point out the contrast.

We both begin by taking for granted that the whole controversy originates in the *de fide* definition of the Vatican Council, on the Infallible teaching office of the Roman Pontiff. Out of this definition he deduces the following proposition, which, however, he omits to define more accurately: ‘What the Popes have declared to be the doctrine of the Church, that is true, and must be believed and followed in practice by all Catholics.’

To this he appends a long list of Papal declarations drawn from documents of the most different kind—briefs, laws, concordats, citations, penal judgments, &c.

Of these documents he asserts that, if a person receives the Vatican definition they must, one and all,

\* It must not be forgotten that Bishop Fessler places at the head of his chapters the titles of the very chapters of Dr. Schulte which he refutes. The ‘Pleas’ here spoken of are the replies supposed to be made by the Ultramontane defenders of Infallibility, not Fessler himself, to the view maintained by Dr. Schulte.—TRANSLATOR.



be regarded by him as Papal definitions, must be believed in and followed in practice.

The reply, that this is an incorrect statement, and that, in stating his proposition so generally, he has started with an error, which has led him into further erroneous assertions and conclusions, he turns aside by saying, that 'such pleas are merely devised to quiet the conscience.'

This, then, is his position.

Mine, however, has been: (1) To lay plainly before my readers the Definition; (2) to weigh carefully its wording and its sense; and (3) to give my reflections upon it; and I say that these reflections show us plainly that the utterances of the Pope are to be received as infallible definitions only under certain conditions, and that these conditions have been exactly specified in the Vatican Council itself.

Dr. Schulte, in presenting for our consideration numerous Papal expressions and Papal doings which he himself regards as so many infallible utterances, has enabled us to see that, with one single exception,\* the conditions which the Vatican Council has declared to be requisite for an infallible definition, are not to be found in these documents which he parades before us, and therefore that all the Papal expressions and Papal acts, therein spoken of, cannot, according to the Vatican definition, come into the class of infallible Papal definitions.

This I consider that I have demonstrated, and I am compelled to say, that what Dr. Schulte really means

\* Part of the Bull *Unam Sanctam*.

by the term 'pleas devised to quiet the conscience,' is the *true* and *essential* meaning of the definition of the Vatican Council, and this is of itself sufficiently remarkable. By using this term he refuses to allow the validity of those essential restrictions by which the Infallibility of the Pope is limited, as it is necessary it should be, in order that the true Catholic doctrine on faith and morals may be preserved in its purity.

Such a proceeding on the part of a learned Catholic professor must meet with the most decided condemnation of the whole Catholic Church. How can a man, who lays claim to the name of Catholic, venture to say of a definition of an Ecumenical Council, that its essential restrictions are mere 'pleas to quiet the conscience'?

31. As the first of these 'pleas to quiet the conscience,' Dr. Schulte brings forward the distinction which has been drawn between the Pope acting as a *private person*, but not as *Pope*, and that it is admitted that he may possibly, as a private person, have erred in commanding, or in directing by law, something which cannot be justified.

Here I must remark first, that no one really has the folly to assert, as Dr. Schulte lays to the charge of the advocates of Papal Infallibility, that they say, 'The Pope may, as a private person, have commanded, or directed by law, something which cannot be justified.'

The first step then in a controversy, in order to relieve yourself of the burden of a proof, is to find out some nonsense, lay that nonsense on your adversary's shoulders as a target, and then discharge your weapons

at it! What we really do say is,—that the Pope may err as a private person, and as such may give utterance to his error (cf. above, No. 17 (8)); not that he can either command, or by law direct, anything to the Church ‘as a private person.’

Dr. Schulte proceeds further to say: ‘It is beyond all doubt that every proceeding which the Pope has ever taken in hand, or which he now takes in hand, relating to the province of his teaching office or to Church government, is really not the act of a private person, *x*, but is the act of the Pope *as* Pope, and that the Pope acts *as* Pope, whether the act in question is an act done for the diocese of Rome or for some other diocese, or for the whole Church. But this conclusion which he draws is by no means so certain as he assumes it to be. For the sake of brevity, I will but refer to one of the greatest authorities in the Catholic Church, viz. the learned Pope Benedict XIV., who asserts the very contrary, a fact which may at least be permitted to make Dr. Schulte’s view somewhat doubtful.\*

\* For instance, Pope Benedict XIV. says: ‘*Romanus Pontifex qui (according to Theodorus Studita) est omnium Caput, atque Christi Ecclesiæ Princeps, Moderator et Pastor, est etiam Patriarcha Occidentis, Primas Italiæ, Archiepiscopus et Metropolitanus Romanæ Provinciæ, atque Episcopus urbis Romæ; quod scite considerant Sirmondus, Morinus, Leo Allatius, Hallier, Natalis Alexander, et passim alii. Non inde tamen, quod Romanus Pontifex insitam sibi habeat dignitatem et prærogativam supremi Capitis totius Ecclesiæ, consequitur, omnia, quæ ab eo fiunt, fieri tanquam ab Ecclesiæ Capite, siquidem aliquando solum gerit personam vel Primatis Italiæ, vel Metropolitanæ, Romanæ Provinciæ, quandoque se tantum exhibet Episcopum urbis Romæ, ea unicè peragendo, quæ cuilibet Episcopo in suâ diocesi peragendi jus est; aliquando demum suam*

This Pope says in his preface to his celebrated work, *De Synodo Diœcesanâ*, published at the time when he actually was Pope, that 'In this work he desires to *define* nothing in respect of that for which he does not adduce Papal definitions, even if he expresses his own view upon the subject. (*sententiam Nostram proponentes*), just as his great predecessor, Innocent IV., expressed his own opinions only as a private person and scholar\* in the commentary he published upon the Decretals, adding also that this was the view he wished to be generally taken of his commentary.' Surely from this it is pretty clear that the distinction, which Dr. Schulte casts aside as mere words, has been so long known and is so well founded in the Church, that I may spare myself any further explanation of it.

32. Dr. Schulte next brings forward the following proposition as his second instance of a 'plea devised merely to keep people's consciences quiet:' 'The Council decrees Infallibility to belong only to utterances which have reference to doctrine, of faith, or morals, but that Infallibility has nothing to do with legislating or governing.'

In the somewhat lengthy discussion upon this proposition there is a regular torrent of repetitions of

supremam explicat dignitatem, et tanquam totius Ecclesiæ Præses, Moderator et Princeps illam exercet potestatem et jurisdictionem, qua non nisi ut Christi in terris Vicarius potitur. Neque quod quis pro loco et tempore diversas induat personas, et modo unâ modo alterâ ex iis utatur potestatibus, quibus diverso nomine præstat, res est adeo nova et inusitata, ut ab heterodoxis irrideri queat.' P. Benedict XIV. *De Synodo Diœcesanâ*, lib. li. cap. i. Ferrariæ, 1760, pp. 29, 30.

\* 'Opiniones suas quas tanquam privatus Doctor proposuerat.' P. Benedict XIV. In Proœmio, op. cit. p. ix.

propositions and assertions already brought forward in previous pages of his pamphlet, all of which have been examined one by one, and as I think sufficiently refuted. So I might content myself with referring my reader to what I have already said, since I must take care how I weary him by a repetition of what has been already sufficiently refuted. I think, however, it may be worth while just to extract the principal propositions out of this part of Dr. Schulte's pamphlet, and to set them in their proper light, so far as there is anything new in them, which might possibly perplex and trouble some of the less observant of his readers. He has, he tells us, collected them all together in this part of his treatise, in order to show that the Catholic Church at the Vatican Council *could not* possibly define the Infallibility of the Pope *only* in that limited sense in which it did define it, viz. as having reference only to doctrine respecting faith and morals (p. 53 of his pamphlet).\* This new assertion

\* This is also the place to state Dr. Schulte's view, 'that the *ex cathedrâ* theory is a mere invention of the schools, and has no foundation either in itself, and is utterly worthless in law.' One cannot but be surprised at hearing a learned man speak so recklessly and contemptuously of the science of theology. For the term *ex cathedrâ*—by which it is meant that sometimes the Pope speaks *ex cathedrâ* and sometimes not, and that *ex cathedrâ* utterances have quite a different import from those statements which are not *ex cathedrâ*—is a conclusion arrived at by the science of theology; and since the formula has been received by the Church, it has as much claim on our acceptance as is possessed by any older formula or expression, which although not in Scripture, and not in use in the first centuries, has nevertheless been selected by the Church, when making a solemn *de fide* definition in later times, as the most appropriate term to designate a definition *de fide*. Instances of this kind of formulas are well known to all theologians.

of his Dr. Schulte endeavours to prove out of Holy Scripture, and from the nature of the Primacy. Strange position for a man to claim for himself! He understands the nature of the Primacy better than the Primate himself and the 500 bishops. He says that in Holy Scripture there is not a word of any special teaching office of St. Peter, and he adds, 'the Vatican Council has not been able to appeal in its definition to any such passage.' But however Dr. Schulte may deny this, the Council *has* appealed to such a passage, and that passage contains the words of our Lord to St. Peter, 'I have prayed for thee that thy faith fail not; and do thou in turn one day strengthen thy brethren.'\* This passage is taken from St. Luke xxii. 32, and to this passage the Vatican Council expressly refers by quoting it *verbatim* in the definition.

33. Again, Dr. Schulte asserts, 'It will not do, on the one hand, to base the Infallibility upon the Primacy of the Roman Bishop, and at the same time, on the other hand, to exclude from the operation of Infallibility the giving of laws and all other Papal acts, except mere theoretical doctrinal definitions' (p. 54).†

(1.) Upon this I remark that, since the supreme power has various operations in the Church, God hath vouchsafed to its one most important operation a spe-

\* See Preface, conclusion, for the reason why Bishop Fessler adopted this translation.—TRANSLATOR.

† We call our readers' attention to this expression, 'mere theoretical doctrinal definitions.' If Dr. Schulte means to say or imply that such *theoretical* acts are of no importance, he is greatly to be blamed. The faith of a Catholic is directed by such definitions of doctrine, and his life by his faith,—'Justus ex fide vivit.' Rom. i. 17; Galat. iii. 11; Heb. x. 38.

cial grace. I call the teaching office the most important operation, because it is by teaching that faith comes, and because the right faith is the foundation of the whole work of salvation in man; as also for this reason, because teaching is the guide, the *norma*, both as regards the sacraments, and as regards the giving of laws and governing. The truth of salvation, revealed by God and preserved from error, is the foundation of all the other operations which the Church exercises for the salvation of man. Herein lies the reason for the possibility and for the fitness of the gift of a special grace to the highest teaching power in the Church,—viz. to exclude thereby all error from the doctrines of the Church. That this gift has actually been conferred, rests on the words of Christ as they are given us in Holy Writ, according to the declaration and tradition of the Holy Church. Thus, then, from this true doctrine disciplinary laws are deduced through the operation of *man*; in accordance with this true doctrine the Church is governed; and thus, in both discipline and government, we confidently hope and believe that the divine assistance is not wanting to the Pope.

From this we see the wisdom of the Church's action, that on the one hand all her definitions of faith should be unalterable, and that, on the other hand, it should be lawful for bishops to make representations as regards Papal disciplinary laws, even when they have been issued for the whole Church,—if, that is, they have reason to fear that such and such laws would have a prejudicial effect on their subjects in some way or other—in order that special alterations, exceptions in behalf of particular countries

or regions, relaxations of penalties, &c., may be brought into action.\*

Further, it is admitted that these laws may be entirely set aside, under certain conditions, after a proper length of time has elapsed, by a legitimate contrary custom.† How and why on certain occasions even the formal revocation or partial modification of laws passed in former times can be effected by Popes themselves, has already been shown above in a striking example (No. 22, p. 101).‡

(2.) Dr. Schulte endeavours to help on his cause by saying that several of the Papal constitutions which he has brought forward under the head of Papal doctrinal propositions have certainly reference to the faith, as for instance, 'Laws against heretics refer to the propagation of the faith' (p. 57 of his pamphlet), or, as he says in another place (p. 59), 'a number of such constitutions belong exclusively to the faith.' This assertion, however, rests on a mere play of words. Of course, it may be said, in a certain sense, penal enactments and condemnations of heretics do refer to the faith, because they punish a lapse from the faith. But

\* So Pope Benedict XIV. *De Synodo Diœces.* lib. ix. c. viii. nn. 1 and 3, where he speaks in quite a different manner on the one hand—'De Pontificiis Constitutionibus, quæ ad fidem pertinent, cum in his irreformabile sit Romani Pontificis iudicium'—from what he does on the other, 'De Constitutionibus ad disciplinam pertinentibus,' in respect of which last he expressly concedes the right of bishops to make representation about them, in order to obtain alterations.

† P. Benedict XIV. *De Synod. Diœcesand.* lib. xiii. cap. v. nn. 4-5.

‡ Any one who is well acquainted with Papal Bulls of the sixteenth and seventeenth centuries will recall a great number of examples of this sort.



the definition of faith of the Vatican Council says expressly Infallibility is promised to the Pope if he defines a dogma on faith or morals (*doctrinam de fide vel moribus definit*). Who does not see that it is quite a different thing for the Pope to pronounce a definition upon a Doctrine of the Church on faith or morals, and to direct or apply this or that means in order to protect people from falling away from the Catholic faith, or to bring back or punish those who have fallen from it? The first belongs to the teaching office, the latter to jurisdiction.

(3.) Hereupon Dr. Schulte tries another shift; he says, 'It is from these Papal laws and acts of Papal governments that we can learn the principles upon which the Popes have acted, as they have taken them for granted in making their laws and when acting as rulers of the Church; thus these laws and acts are after all real definitions on Church doctrine.' To this I answer, granting even that we can draw more or less certain conclusions out of Papal laws and acts of Papal governments as to the principles to which such laws owe their origin, yet we are by no means justified in viewing these principles so inferred, as the definitions on faith and morals of which the Vatican Council is speaking in its definition on Infallibility.

By that definition it was clearly meant to make definitions of the Pope *ex cathedra* as plainly and as readily recognisable as possible; whereas according to the artificial and unreal interpretation of Dr. Schulte a person would have to wade through an interminable field of endless controversies and contradictory assertions in order to attain, by the road along which Dr.

Schulte conducts him, to the knowledge of what doctrine has been defined by the Church *de fide et moribus*. Why, Dr. Schulte enumerates above a hundred propositions, all the hundred, he says, 'dogmatic utterances,' out of those Bulls alone which he quotes. Surely this fact of itself ought to have shown him, nay, must have shown him, and made him say to himself, 'The Pope and the bishops never could by any possibility have meant or willed such an absurdity.'

Again, the Papal laws do not always rest their *motivum* or principle on divine teaching alone, but not unfrequently on a human view of the *Jus publicum*, as it was regarded in the period in which they were passed, or after thorough consideration of the measures which, according to human wisdom, were the best that could be adopted. We can easily see what a wild-goose chase we should be led if, every one for himself, we had to hunt up the supposed motives for ever so many Papal laws, in order to make out of them so many Papal infallible and unalterable definitions of faith!

(4.) In close connection with the foregoing is Dr. Schulte's further assertion that 'no one of the constitutions brought forward by him has in view *mere* ecclesiastical discipline, because he designedly omits all such mere matters of discipline.'

Perhaps Dr. Schulte really believes this is the case. But his assertion, that there is no one of these constitutions which has in view mere ecclesiastical discipline, is a statement utterly without foundation. If, according to the plain statement of the definition of the Vatican Council, we are bound to hold that infallible definitions of faith are unalterable, and if, on the other

side, we have before our eyes the fact that Dr. Schulte's Papal constitutions are, with one exception, alterable, and, indeed, have in time past, been either altogether revoked, or have had important modifications made in them by other Papal constitutions, then it is as clear as day, that his assertion is utterly without foundation. Are we to suppose that the Bull for the organisation of the College of Cardinals belongs not to a mere disciplinary law of the Church, but really constitutes a dogma of faith or morals?

It may serve as a further proof how utterly void of foundation this assertion is, that among these constitutions there are several which pronounce excommunication upon different persons. Now the Council of Trent expressly says\* that excommunication is 'the nerve of the Church's discipline.' Then, if this be so, bulls of excommunication must belong to the discipline of the Church.

(5.) Hereupon Dr. Schulte tries to prove that in the Church's laws we find the particular formulas adopted which the definition of the Vatican Council required for an infallible definition. He brings all sorts of reasons for this, none of them good reasons, and many of them have been already disposed of. Still there are some which require a more careful treatment.

When he says, that the formulation requisite for a definition of faith really exists whenever the constitutions of the Pope are directed 'generally to the whole Church,' or 'when they are sent out by virtue of his

\* *Canones et Decreta Concil. Trident., sessio 25, c. iii. De Reformat.* Compare the Decretals of Pope Gregory IX., cap. v. *De Consuetudinibus* (i. 4).

supreme apostolical power,' I maintain it in no way follows from this that these constitutions, by reason of these expressions, are definitions of faith. The Pope has the supreme authority in the Church even in other respects besides matters of faith and morals; if accordingly he makes use of the supreme authority which he possesses over other provinces of that power which he holds in the Church, even towards the whole Church,—still, this is not such a case as the definition of the Vatican Council had in view; no, not even if the constitution is directed to the whole Church, and is issued by virtue of the supreme apostolical power.

When Dr. Schulte lays such special weight upon the introduction to these constitutions, because, as he says, 'It is from these that we may gather the doctrine of the Popes,' I must positively declare that Popes never do smuggle their definitions of doctrine in this underhand way into the introduction of this or that Bull (a Bull, too, which perhaps does not treat of faith or morals), in such a manner that such a supposed definition may run the risk of remaining for centuries unnoticed and unacknowledged.\*

\* Dr. Schulte really attributes to the Popes this absurd conduct, saying, 'It is to be regretted that people have not attended to the introductions to Bulls, principally, I suppose, on account of their lengthiness. This is a great mistake; as they are often the quintessence of the Bull. And yet this introduction itself shows that canonists up to this have not known the proper meaning of the Cardinals. Even Philipps,' &c. (p. 36 of his Pamphlet). The Bull of which Dr. Schulte is here speaking is now nearly 300 years old, and it has been the good fortune of Dr. Schulte to discover a most important definition in its introduction, which up to this time has escaped the notice of all canonists. And this precious discovery is a definition *de fide!*

Finally, when Dr. Schulte denies that the word *definire*, 'to define'—which is of such special weight in the Vatican Council—is not a technical expression having a special reference to definitions of faith, and strictly confined to them, I must most decidedly deny that assertion. When he says the Council of Trent has not made use of this word to designate its 'definitions' of faith, I answer: 'Is the Council of Trent the only general council? Are there not other councils?' Let him examine them. He will then be able to convince himself that these ancient councils did commonly designate a definition of faith as *definitio fidei* or *definitio*, and used the word *definire* without any other addition. So did the General Council of Chalcedon; so did the Third Council of Constantinople; so did the Second Council of Nicæa.\* To say nothing of other councils, it ought to be enough to settle the matter to mention only the celebrated *definitio* of the Council of Florence, in which the *de fide* proposition on the primacy of the Roman Pontiff and his supreme teaching power in the Church was defined with the consent of the Greeks.† Perhaps Dr. Schulte may find reason to soften his own crabbed assertion, '*Definire* is not a technical word in the Church's language in deciding a

\* *Concil. Chalcedon.* act. v. and vi. in Harduin's *Acta Concil.* t. ii. col. 451, 455, 466; *Concil. Constpl. III., Act xviii.* (Harduin, l. c. t. iii. col. 1394, 1395, 1399, 1455); *Concil. Nicæn. II., Act vii. and viii.* (Harduin l. c. t. iv. col. 451, 455, 483, 486).

† See *Definitio S. Œcumenicæ Synodi Florentinæ*, in Harduin, l. c. t. ix. col. 419; and in the same Council *Definimus S. Apostolicam Sedem et Romanum Pontificem*, &c. (ibid. col. 423). we may read the same words in cap. iii. of the *Constitutio Dogmatica Concilii Vaticani* of July 18, 1870.

doctrine ; to make capital out of it, is as false in fact as it is absurd in theory,' if he will but peruse the acts of the councils I have mentioned, to say nothing of the use of the word in the science of theology and in the celebrated Papal definition *de fide* in our own times.\*

(6.) Again, Dr. Schulte asserts that 'any one may see for certain from the addition of the anathema

\* See the Dogmatic Bull of Pius IX., *Ineffabilis Deus* of Dec. 8, 1854 In which is defined the Immaculate Conception of the most holy Virgin Mary, with the words : 'Auctoritate declaramus, pronunciamus et DEFINIMUS doctrinam,' &c.

NOTE.—The editor of the French translation here says, much to the purpose : 'In writing the above lines Mgr. Fessler, whose theological and historical erudition is so complete and so trustworthy, has failed to recall to mind several passages even more decisive against M. Schulte than those which he has quoted. M. Schulte asserts that this word "definire" has not been employed *even once* by the Council of Trent as a technical expression applicable to fix once for all a dogma. Instead of not being employed at all, it is, to our certain knowledge, employed at least six times ; session 13 and 21, at the end of the proœmium, "definitum ;" session 14 in the proœmium, "definitionem ;" session 25 and last, at the end, twice, "definita." Here is one of these passages : 'Sacrosancta Synodus . . . omnibus Christi fidelibus interdicat, ne postea de sanctissimæ eucharistiæ sacramento aliter credere, docere et prædicare audeant, quam ut est hoc præsentis decreto declaratum et *definitum*' (Sess. 13 proœm.). In another passage, session 14, proœm., the Council sets forth how important it is to give the sacrament of Penance '*pleniorem definitionem.*' In the decree *De Recipiendis et Observandis Decretis Concilii*, at the end of the twenty-fifth and last session, the Council declares that it has had a special case, 'ut præcipuus hæreticorum nostri temporis errores damnaret et anathematizaret ; veramque et Catholicam doctrinam traderet et doceret, prout damnavit anathematizavit et *defnivit.*' It cannot then be said that in these passages of the Council of Trent the word 'definire' is not used as a technical expression to fix a dogma once for all.—TRANSLATOR.

whether a constitution of a Pope is a law or a doctrine, or both combined.' This, however, is quite untenable, because the 'anathema,' or, in other words, the penalty of excommunication, is pronounced for two reasons, either for deliberate unbelief in the face of a solemnly expressed and defined doctrine on faith or morals, or for disobedience to the Church's injunctions on some other matter. If the sincere recognition of a dogmatic proposition is demanded under the threat of an 'anathema,' then it is to be regarded as a sign of a definition. But if the threat of excommunication is annexed to a mere disciplinary law issued by the Pope, then submission, true obedience, is required in virtue of that power of jurisdiction which the Pope possesses in the Church.\* This I will make plain by an example with which Dr. Schulte himself provides us. Alexander VI. drew a line in the ocean from the North Pole, and assigned to King Ferdinand and Queen Isabella of Spain all the continent and all the islands to the west of this imaginary line. He did this under the threat of excommunication against all those

\* In another place Dr. Schulte makes another assertion, resting, as he says, upon Papal *ex cathedra* declarations, 'Acts purely of jurisdiction have a dogmatic character' (p. 55 of his work). This he endeavours to prove from the excommunication attached. But, I ask, what does he mean by the expression 'have a dogmatic character'? This is one of those vague expressions neither theological nor canonistic, the meaning of which has to be determined before it can be intelligible. It does not occur in any one of the passages which he quotes in proof of his assertion; and Dr. Schulte's conversion of the condemned propositions into positive *de fide* definitions and Papal utterances has thus had the unfortunate result of preventing him from ever seeing their real meaning.

who should endeavour to encroach upon those countries without their permission.\* Well, it is here quite clear that, in order not to fall under this excommunication, it was enough to keep your distance from the lands which the Pope had thus assigned: this most assuredly was no definition of faith.

(7.) I cannot conclude these remarks upon the particular assertions in this portion of Dr. Schulte's work without a general remark on the extraordinary way in which, in this Pamphlet, he assails the definition of the Vatican Council on the Infallible teaching office of the Roman Pontiff. He gives out that he is attacking one thing; but all the while he is really attacking something else. He professes to be assailing the definition of the Vatican Council; but in reality he is only assailing a theological opinion of the schools, which was in existence long before the Vatican Council, and which is neither confirmed nor rejected by the definition of the Council, but remains just what it was before. However, even amongst those theologians who defended the thesis that the Infallibility of the Church extended even to general laws of the Church upon matters of discipline, *decreta disciplinæ*, there never was any one who, as Dr. Schulte supposes, went so far as to assert that every expression in the laws issued by the Pope, even when merely introductory, a declaration of the intention of punishing, the words of the judgments, the penal sentences passed, nay, even the motives leading to the issuing of such laws, must *all* be looked upon as infallible utterances of the Pope *ex cathedrâ*. Dr. Schulte stands

\* *Bullar. Rom.* ed. cit. tit. iii. p. iii. pp. 234-235.



alone in this extravagant assertion. The Vatican Council never taught this, nor did the science of theology ever teach it. Dr. Schulte assails what never existed save in his own imagination.

34. And now I come to the last of what he calls 'our evasions.' He feels himself obliged to call it a mere evasion to say that no conclusion can be drawn from the particular acts or dealings of Popes as to what is and is not the doctrine of the Church. Supposing Popes have even deposed sovereigns, given away nations and countries, dissolved subjects from their solemn oaths of allegiance, &c., it does not follow that these transactions were doctrines of the Church, or that they rest upon an unalterable infallible definition. 'This, too,' he adds, 'was what in former times I have always myself asserted, believed, and taught; as I can prove any moment by several quotations from my earlier works, and the expressions I made use of, as the occasion presented itself, in reviews. But since the 18th of July, 1870, there has remained for me and for everybody the alternative: This definition of chapter iv. (and iii.) of the Vatican Council, the so-called *Constitutio dogmatica de Ecclesia*, is not to be recognized as the conclusion of a truly Ecumenical Council; or I must also acknowledge as unalterable doctrine of the Church those principles which the Popes have either directly enunciated, or which present themselves to us with logical cogency as the irresistible presumptions created by their proceedings in the government of the Church' (p. 62 of Dr. Schulte's work).

There is more than one thing to answer here. First and foremost I will give Dr. Schulte the consoling as-

surance that whatever he says he formerly asserted, believed, and taught about the deposition of sovereigns, he may now, after the Vatican definition, as far as that is concerned, go on asserting, believing, and teaching.\* In saying this perhaps I expose myself to the danger of being classed with those good people whom he designates as 'mere children,' 'the ignorant multitude,' &c., p. 63; but for all that I must run this risk, and am unable, in spite of my danger, to refrain from stating this conviction. But then I must go on to say that I most emphatically decline the alternative he has offered me in such decisive language. I decline it as altogether unsound; and I confidently assert the Vatican Council

\* On July 20, 1871, after the publication of Bishop Fessler's pamphlet, Pope Pius IX. received a deputation of the Academy of the Catholic religion. He exhorted its members to do their best to refute with all possible care the statements of those who made it their business to misconstrue the meaning of the Infallibility of the Pope, declaring it to be a pernicious error, to represent the Infallibility as comprising in itself the right to dethrone sovereigns, and release their subjects from their oath of allegiance. 'This right,' the Pope said, 'has, indeed, been exercised by Popes in extreme cases, but the right has absolutely nothing in common with Papal Infallibility. It was a result of the *Jus publicum* then in force by the consent of Christian nations, who recognized in the Pope the supreme judge of Christendom, and constituted him judge over princes and peoples even in temporal matters. The present situation is quite different. Nothing but bad faith could confound things so different and ages so dissimilar; as if an infallible judgment delivered upon some revealed truth had any analogy with a prerogative which the Popes, solicited by the desire of the people, have had to exercise when the public weal demanded it! Such statements are nothing but a mere pretext to excite princes against the Church.' The Pope's approbation of the Pastoral Instruction of the Swiss Bishops, in which this declaration of his is referred to, renders its authenticity indubitable.—FRENCH TRANSLATOR.

is undoubtedly a truly Ecumenical Council, and its definition is to be accepted and acknowledged by every Catholic as the definition of an Ecumenical Council; and yet that it by no means follows (as Dr. Schulte says) that we are obliged to acknowledge 'as unalterable Catholic doctrine those principles which the Popes have either directly enunciated, or which present themselves to us with logical cogency as the irresistible presumptions created by their proceedings in the government of the Church;' but that the only thing which does follow from receiving the Vatican definition is,—that everybody must accept as a doctrine of the Church's faith and morals whatsoever the Pope in the exercise of his supreme teaching office declares and defines (*definit*) to be held by the Universal Church as doctrine of faith and morals.\*

If, however, Dr. Schulte is determined to stand by his assertion, that from the irresistible presumptions created by acts in the government of the Church, principles must be inferred which must themselves be regarded as the doctrine of the Church, then I would call his attention to the fact that General Councils too have deposed sovereigns and released subjects from their allegiance; as for instance the first General Council of

\* Accordingly not all, by a great deal, that the Pope has, it may be, even directly expressed, as Dr. Schulte says, still less what can be gathered indirectly from acts of ecclesiastical government, can be considered as affording 'an irresistible presumption.' The Popes often express or infer principles which are acknowledged in the *Jus publicum* of the age in which they lived, when those principles were by no means doctrines *de fide et moribus*. In Ballerini (*De vi et ratione Roman Pontificis*, c. xv. § x. n. 38 and 41) we may find an exposition of this as complete as it is instructive.

Lyons, in the year 1245.\* Thus the point of his proof is directed not against Popes, but against the Universal Church. Among other reasons for his assertion that it is a mere evasion to say the Vatican definition of the Infallible teaching office of the Roman Pontiff has no reference to his proceedings in the government of the Church, but only to his definitions of doctrine, Dr. Schulte, besides repetitions of what he has already said, mentions one which I cannot pass over in silence. He says, 'The "clausula" form into which the Infallibility is thrown is a thoroughly arbitrary proceeding;' and he adds in confirmation of this sentiment, 'Where has Christ bound up His words in clauses and formulas?' This is plainly to give the Church a downright slap in the face, and to condemn all General Councils from Nicæa to Trent. For they have one and all, as often as they make a definition on faith or morals, expressed it in the most definite terms (what Dr. Schulte calls 'clauses' and 'formulas'), in order to obviate, as far as possible, all error, doubt, and misunderstanding. It was precisely because the Vatican Council wished to prevent, as well as it could, erroneous interpretations of its definition, that it declared in the simplest and most easily intelligible words, in what kind of operations, and under what conditions, the Pope was to be looked upon as Infallible. It is sheer perversity to assail a definition of the Church which precisely defines and limits its subject matter, in order to remove all occasion of giving unfounded anxieties, misapprehensions, and misapplications, which might tend to disturb the conscience, simply because

\* Harduin, *Acta Concil.* t. vii. col. 385, 386.

of *its very definiteness* ; to reject its putting its definitions into clauses, and to talk of its being arbitrary ; and then afterwards, rejecting its own prescribed limitations and doing violence to its plain language and its true signification, to extend the definition perversely in a most unwarrantable manner to provinces with which it has nothing whatever to do ; and all this to the great disturbance of men's minds, and to the injury of the Church.

## CHAPTER V.

## 'CONSIDERATIONS ON THE STATE LAW.'

35. UNDER this title Dr. Schulte collects together as proven (Ger. *bewiesen*), to use his own word, all that he has gathered together out of different rescripts and proceedings of Popes, and in his own thirteen propositions, to be infallible and unalterable Catholic doctrine, which every one is bound to accept, if he accepts as a *de fide* proposition the definition of the Vatican Council on the Infallible teaching office of the Roman Pontiff.

I have proved, in sections 15–27 of my answer to him on each of his thirteen propositions, that, upon the principle laid down in the definition of the Vatican Council 'on the Infallible teaching office of the Roman Pontiff, they are *not* to be regarded as Catholic doctrine *de fide*, that they are *not* Papal utterances *ex cathedra*, and accordingly are *not* unalterable.

I had shown previously (section 13), that the other assertion which he brought in connection with his thirteen propositions, that he had no warrant whatever for saying that 'it had been declared *ex cathedra* that Popes have *never* overstepped the limits of their powers; that they have *never* erred in their canons and constitutions; that their constitutions rest, as it were, upon Divine inspiration;' for in reality no Pope *ever* has declared this *ex cathedra*, nor set it forth as a definition *de*

*vide.* Having proved this, the edifice of consequences, built by Dr. Schulte upon his worthless foundation, falls to the ground.

Still I must select one proposition, introduced by him as a corollary, which should not remain unnoticed. He says, 'The limitation of the omnipotence of the Popes upon earth rests merely with their own will.' This is a proposition which may well shock anybody. But happily, first and foremost, it is altogether wrong to speak of a Pope's omnipotence. The Pope has **from** Christ, in the person of St. Peter, received the fulness of power,\* which means, as the Ecumenical Council of Florence accurately explained, the full power to feed the whole Church, to lead and to rule it. If people choose to call this Papal omnipotence, then they will be really ousting an expression which has its own perfect justification, and its right meaning in the language of the Church, and foisting into its place a newly-coined expression, 'Papal omnipotence.' This is a term which the language of the Church has never used of Popes, which gives a wholly erroneous impression, and which in unlearned people would be apt to awaken the most strange apprehensions. Much more will this be the case when, as Dr. Schulte adds, this Papal omnipotence is supposed to have no restriction but the will of the Pope. All this is a monstrous untruth. The Papal power, not Papal omnipotence, has its restrictions in the laws of God, and in the will of God, not in the will of the Pope.†

\* *Plenitudo potestatis.*

† I would here direct Dr. Schulte's attention to Walter's excellent exposition in his *Ecclesiastical Law*, sec. 126 (thirteenth edition), on

All, then, which Dr. Schulte asserts on this ground, all that he asserts of the power of the Pope against heretics, and of the obligation of Catholics to obey the Pope, and also of the binding power of excommunication, is, so far as the Vatican definition is concerned, left just where it was before.

When, then, he draws his conclusion from such unwarrantable assumptions that no non-Catholic sovereign in his position as ruler is secure of his throne; no government carried on by those who are not Catholics is secure of its authority; no non-Catholic is secure of his life, or his freedom, or his honour, or his property; and what is more, under certain circumstances, no Catholic ruler, no government carried on even by Catholics, no individual Catholic, is a whit more secure,—then I must be pardoned for saying that all these assertions are as utterly ludicrous as they are untrue (see no. 28-9). Had not he better have said outright, 'Nobody is now safe from the Pope'? Any true Catholic, who, according to the true old Catholic doctrine, knows that the Pope is the pastor appointed by God over all the faithful, that he is their father and their teacher, will never believe a man is *now* a whit the less safe from the Pope.

Less safe, forsooth! Why? Because an express assurance has now been given him that the Pope, as teacher of all Christians, cannot err or lead others into

'The Pope's power not arbitrary and unlimited.' With this, however, a canonist ought to be already acquainted; and perhaps Dr. Schulte will answer, 'That is all valueless now since the Infallibility declaration.' But what is there said is just as true *now* as it was before.



error in definitions which he makes for all the Church upon faith or morals!

It is indeed very probable that those who are not Catholics, and who on that account are, through want of knowledge, the easier led astray and bewildered, will be disturbed by such a spectre as Dr. Schulte has evoked, when told that this is the result of modern Catholic teaching. In behalf of all such persons I make this express declaration: that all rulers and governments and subjects, Catholic and non-Catholic, are, since the Vatican definition of Infallibility, just as safe in their persons, in their life, in their freedom, honour, and possessions as they were before. Dr. Schulte says the contrary; but the facts which he alleges do not belong to the province of Infallibility, and so they make nothing for his assertion. 'Crying "wolf!" is a poor joke,' is an old proverb which might here be very properly applied.

In conclusion, Dr. Schulte directs the State to be sure to take stringent measures to protect itself from the Pope. Such measures will either be pointed against the Pope or else against us Catholics. I should be surprised indeed if any statesman should resolve, as Dr. Schulte suggests, to require the Pope to make some contradictory declaration in respect of his Infallibility; if he were to do so, he would have nobody to blame but himself for this exhibition of folly, and few people like to make fools of themselves. And I should also doubt if any statesman would venture to require Catholics to take an oath, or make a solemn declaration, in respect of the Infallibility of the Pope, since experienced politicians know well how

dangerous it is to meddle with freedom of faith and conscience, especially in countries where full freedom of faith and conscience is secured to all alike.

Wise statesmen do not forget the lessons given by the facts of the present time. Let any man look at the events which have happened in Europe since July 18th, 1870, down to December last, and ask himself what steps the Popes of the Middle Ages, whose spectres Dr. Schulte has conjured up from their graves to terrify the children of modern times, would have taken in the face of such events in all countries, especially in France? And what has Pius IX. done? He has but used gentle, fatherly, tender-hearted words full of Christian love and humanity towards France\* and towards King William of Prussia.

36. A real statesman, looking with deeper glance into the great questions of the present and of the past, whose emblem is not the staff of the policeman surmounting the fasces of authority, will entertain very different thoughts. He will, if I mistake not, be dis-

\* The Archbishop of Tours, whom the Pope intrusted with the mission to intervene with France in behalf of peace, wrote an excellent letter on the subject to the French Government. 'The powers of Europe,' he said, 'in times long past, times which formed Christendom to be what it afterwards became, were wont to appeal to the Pope in their contests with each other to act as their umpire; and many a time the intervention of the Pope has brought peace and welfare to their people. The Holy Father does not now complain that people have ceased to take him to be their arbitrator. He does but assume for himself the liberty to sigh over our miseries, and the right to entreat for the life of his children. Happy am I indeed if my mission to you, a mission which I esteem the honor of my life, were destined to give effect to the hopes of the Head of the Church, which are so fully in accord with the feelings of the whole of Europe.'

posed to think that it well becomes a religion revealed by God, a Church founded by God, to have an organ by means of which, according to the will of God, and through God's special assistance, the Divine doctrine may ever be preserved unfalsified, without admixture of any human error.

He will consider that since from its origin for all time the Infallibility of the Catholic Church in respect of faith and morals is secured, it is merely a question for the Church to judge of for herself, whether, according to the tradition of the Christian faith, preserved from the beginning, the Pope *and* the Bishops, or whether the Pope *without* the Bishops, possessed this gift of Infallibility.

He will consider that oppression of the conscience of the Catholic population in matters of faith through the imposition of an oath or a solemn declaration will be always and everywhere regarded as a kind of persecution, as was the case in England and Ireland, where this practice was for some time adopted, but where it has been now discontinued.

He will consider that it ill becomes a true liberal-minded statesman to establish such a persecution, especially when measures of that sort are adopted merely in the distant prospect of a barely possible danger.

He will consider that the steps the Pope has actually taken, and his whole conduct in the last half year (1870) that has passed since the definition was pronounced, have not only given no real ground for alarm to Governments or to our brethren who are separated from the Catholic Church, but on the contrary have

guaranteed as far as was possible their most perfect tranquillity.

I conclude with the earnest desire that what I have here written in the cause of Truth may in all it contains serve that same Truth, and that in all who may read it it may advance the knowledge of the Truth.



# I N D E X

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**ACTS OF POPES.** Simple acts of Popes, no. 14 (2), p. 79 ; acts of their ecclesiastical government, no. 14 (4), p. 79 ; as for instance Concordats, p. 92 ; what is the bearing of Papal Infallibility upon all such acts ? no. 18, end, p. 97 ; whether the principles supposed to be implied in the ecclesiastical government of the Popes are infallible definitions ? p. 32 ; acts of Popes brought forward by Dr. Schulte, and examined by Bp. Fessler—depositions of sovereigns, donations of countries, penal sentences, etc., no. 17 (2), pp. 85, 86, 87 ; what we ought to think of such acts considered in themselves ? note, p. 86.

**ANATHEMA.** Whether the fact of a Papal constitution being accompanied by an anathema, or, in other words, by a sentence of excommunication, shows decisively, or not, that the constitution is a dogmatic definition ? no. 33 (6), end, p. 142, cf. p. 135.

**APOSTOLICAL AUTHORITY.** Are all Papal constitutions which have been made in virtue of their supreme apostolical authority definitions *ex cathedra* ? p. 97, cf. p. 138.

## **AUTHORS QUOTED BY BISHOP FESSLER.**

Ballerini, p. 56, pp. 59, 69, notes.

Bellarmino, p. 62, text, and p. 69, note.

Benedict XIV., as private Doctor, pp. 130, 131, 135, notes.

Canus, Melchior, p. 60, note.

Guibert, Mgr., p. 153, note.

Hurter, Frederick, pp. 122, 123.

Melchers, Mgr., p. 33.

Perrone, p. 56, note.

Savigny, De, p. 120, note.

By French Translator :

Swiss Bishops, pp. 76, 77, notes.

Trent, Council of, pp. 141, 142, note.

**BISHOPS.** Whether the Bull of Sixtus V. and the third Chapter of the Vatican Council have taken from the Bishops any part of their former rights and dignities? p. 95.

**BRIEFS OF POPES.** *Multiplices inter* of Pius IX., is it *ex cathedra*? p. 72, and preface, p. 24, cf. p. 75, note.

**BULLS.** Are we to look for dogmatic definitions in the introduction to Papal Bulls? p. 139 and note; a Bull addressed to the whole Church and signed by all the Cardinals, is it an infallible dogmatic definition? p. 89, cf. p. 138.

**BULLS quoted by Bishop Fessler :**

<i>Quia Fridericus</i> . . .	. 1239, Gregory IX., p. 86.
<i>Cum adversus</i> . . .	. 1243, Innocent IV., p. 111.
<i>Ad Apostolicæ</i> . . .	. 1245, same Pope, p. 86.
<i>Ad extirpanda</i> . . .	. 1252, same Pope, p. 111.
<i>Unam sanctam</i> . . .	. 1302, Boniface VIII., p. 81 and following.
<i>Romanus Pontifex</i> . . .	. 1454, Nicholas V., p. 96.
<i>Inter sollicitudines</i> . . .	. 1515, Leo X., p. 100.
<i>Divina disponente</i> . . .	. 1516, same Pope, p. 92.
<i>Pastor æternus</i> . . .	. 1516, same Pope, p. 101.
<i>Exsurge Domine</i> . . .	. 1520, same Pope, p. 70, cf. pp. 72, 107.
<i>Ejus qui</i> . . .	. 1535, Paul III., p. 87.
<i>Cum Redemptor</i> . . .	. 1538, same Pope, p. 87.
<i>Cum quorundam</i> . . .	. 1555, Paul IV., p. 112.
<i>Cum ex Apostolatus</i> . . .	. 1559, same Pope, p. 88, and Preface, pp. 20-22.
<i>Regnans in excelsis</i> . . .	. 1570, Pius V., p. 87.
<i>Postquam verus</i> . . .	. 1586, Sixtus V., p. 95.
<i>Zelo domus Dei</i> . . .	. 1648, Innocent X., p. 104.
<i>Auctorem fidei</i> . . .	. 1794, Pius VI., p. 107.
<i>Apostolicæ Sedis moderationi</i> . . .	. 1869, Pius IX., pp. 103, 104.
<i>In cæna Domini</i> . . .	. pp. 110, 143.

**CHURCH (UNIVERSAL).** Whether it follows that a constitution is *ex cathedra* from being addressed to the universal Church? p. 138, and p. 88, note.

**COUNCIL OF THE VATICAN.** Examination of different facts relative to the Council of the Vatican, pp. 27, 28; text of the chapter on the infallible teaching office of the Roman Pontiff, p. 46; explanations of this chapter, p. 55.

**CONDEMNATION OF BOOKS.** Is a Papal decree condemning a bad book an infallible decision? p. 72.

**DEFINIRE.** Reflections on this word as a technical theological expression, pp. 135, 140, 141, and note.

**DEFINITIONS OF THE FAITH.** Whether definitions of the faith require to be published in any special form, in order to bind the conscience? p. 34.

**DEFINITION EX CATHEDRA.** Explanation of this term, p. 22 (1); by what notes a definition *ex cathedra* can be known, p. 65, cf. p. 84, no. 16, end; whether it follows from a Papal constitution being addressed to the universal Church, or promulgated by virtue of the Pope's supreme apostolical authority, that it must, on that account, be regarded as a definition *ex cathedra*? p. 138, cf. 88, note; to what matters an *ex cathedra* definition extends? p. 67; whether all that is found in a dogmatic Decree or Bull—as, for instance, the introductions and preambles—are to be regarded as definitions *ex cathedra*? p. 59; are there a great or a small number of definitions *ex cathedra*? p. 67. See also the heads **INSPIRATION** and **INFALLIBILITY**.

**DEPOSITION OF PRINCES.** Whether the rights which Popes have exercised in the Middle Ages of deposing princes has anything in common with Papal Infallibility? p. 145 and note; whether Œcumenical Councils have ever exercised the right of deposing princes? p. 146.

**DISCIPLINE.** Whether ecclesiastical discipline belongs to the domains of Infallibility? pp. 58, 79, 134; whether disciplinary laws are unalterable? pp. 134-136.



**GOSPEL.** Whether definitions *ex cathedra* can be likened to the HOLY GOSPEL? p. 95.

**GOVERNMENT OF THE CHURCH.** See ACTS OF POPES.

**HERETICS.** What conclusion is to be drawn as to a Papal declaration whereby a doctrine has been declared heretical? p. 84; in what sense it is possible to admit in theory that a Pope may be heretical? p. 90; the different position the Church has assumed externally towards heretics at different epochs of her existence, pp. 122-126; whether the penal laws against heretics are to be considered as doctrinal definitions, and unalterable? p. 112.

**INFALLIBILITY.** Why this general expression 'Infallibility' was avoided by the Vatican Council? p. 51; explanation of the true meaning of the constitution of the Vatican Council on the infallible teaching office of the Roman Pontiff, pp. 52-61, whether the Pope possesses the gift of Infallibility in the exercise of all his official prerogatives? p. 55; in what cases he does possess this privilege, p. 56, cf. notes at end of chapter ii. See also the word DEFINITION *ex cathedra*.

**INSPIRATION.** Whether the Pope, when he pronounces a definition *ex cathedra*, is directly inspired by God, as the Prophets were of old, or whether he is assisted by a special grace attached to his office, which prevents him from going wrong when he is formulating the faith of the Church, contained in Scripture and tradition? pp. 96, 60, and see notes A and B, end of c. ii.

**INTENTION.** Whether the intention of the Pope to make such and such a declaration dogmatic—an intention not expressed, but resulting from certain facts—can cause it to be regarded as a dogmatic definition? p. 83.

**JUS PENALE.** Whether the Popes are infallible in the domain of penal law, even in ecclesiastical penal law? p. 87, cf. p. 58.

**JUS PUBLICUM.** Whether the principles recognised in the Jus Publicum of the Middle Ages exercised an influence upon the acts and declarations of Popes at those times? p. 137, cf. p. 119-122.

**LEGISLATION (ECCLESIASTICAL).** Whether the Papal laws have always had divine doctrine for their foundation and origin? p. 136; whether the principles on which the ecclesiastical legislation of the Popes was founded, and from which it started, ought to be counted as infallible definitions? pp. 137, 138.

**OMNIPOTENCE.** Whether the expression, 'Omnipotence of the Pope,' is admissible? p. 150, cf. p. 67.

**POPE.** Whether the Pope, in the province ecclesiastical, always acts as Pope, as Head of the Church? p. 130, note.

**PENAL LAWS and SENTENCES.** Whether penal enactments of Popes, penal sentences pronounced by them, have anything to do with Infallibility? pp. 101, 112-114.

**PERSONA PRIVATA of the Pope.** Distinction between the Pope considered as Pope and considered as a private person. Whether the Pope can err in matters of faith as a private person? pp. 129-131, cf. p. 91; supposing the Pope to write books as an author, whether it is necessary to hold the ideas on religious matters to which he there gives expression to be definitions *ex cathedra*? p. 131, cf. p. 79.

**PLAN of Mgr. Fessler's work,** pp. 25, 26.

**PROPOSITIONS (DOCTRINAL).** Whether the doctrinal propositions attributed to the Popes by Dr. Schulte ought to be regarded as infallible definitions? p. 118; examination of the declarations and acts of the Popes from which Dr. Schulte has drawn these doctrinal propositions, p. 78-118; what ought we to think of these declarations and acts in themselves? p. 85, and note, pp. 119-126.

**POWER OF THE POPE.** What '*objecta*'—*i.e.* subject-matter—come under the power of the Popes? pp. 55-58; with regard to what portion or portions of this subject matter has Infallibility been conferred upon the Pope? p. 58; what is the duty of a Catholic in all these matters, even in those matters to which Infallibility is not applicable? pp. 57, 58, cf. p. 75, note.

**SYLLABUS.** Is the Syllabus one of those doctrinal propositions of which the Vatican Council speaks? pp. 108, 109, and preface, p. 23; examination of a passage of the Syllabus, p. 110, cf. pp. 74, 75.

**TEACHING OFFICE.** Is it true, as Dr. Schulte says, that Holy Scripture does not contain any passage relative to the teaching office of St. Peter? p. 133; why, among the different functions of the supreme ecclesiastical power, 'the teaching office' alone has received from God a special grace? p. 134. Infallibility of the Papal teaching office, see INFALLIBILITY.

**THEOLOGY.** What is the special business of theology as regards revealed truth? p. 29.

**UNALTERABLE.** What the Vatican Council means by saying that the decisions *ex cathedrâ* are by their nature unalterable? p. 59; are the disciplinary laws of the Popes unalterable? p. 60.

MR. GLADSTONE'S

EXPOSTULATION UNRAVELLED.

BY

BISHOP ULLATHORNE.



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## Mr. Gladstone's Expostulation Unravelled.

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MR. GLADSTONE'S pamphlet, *The Vatican Decrees in their bearing on Civil Allegiance*, is in everybody's hands, and for long to come Catholics will be asked, 'What have you got to say to Mr. Gladstone?' Many replies have been written; more than the intrinsic value of the production deserved. The character of the book is peculiar in its style, a style so different from the man when he writes with clear and certain knowledge of his subject. Place it by the side of his Homeric books or his Financial Statements, and it will be at once understood what I mean. To read it is like looking into a landscape where shifting clouds and fogs leave us scarcely a definite object in sight by which to tell us where in the world we are. Broad assertions are made, then contracted in their compass, then expanded anew into yet broader and stronger affirmations; and when we come to the end of them, we are irresistibly driven to ask, What does Mr. Gladstone precisely mean, and where are his proofs? Hence the conclusion is forced upon us, that this cannot be Mr. Gladstone after all; he must be swayed by prompters on more than one side of him, who throw his mind into confusion. Before, then, we come to the singular style of his Expostulation, let us consider : 5



## I. THE SOURCES OF MR. GLADSTONE'S INSPIRATION.

The mixed universities forced upon their Catholic subjects by the policy of the German Governments have long been a source of troubles to the Church, and one remote result of these troubles has been to disturb the otherwise clear mind of the ex-Prime Minister. In those universities the chairs of Catholic philosophy and theology were placed under one roof with the chairs of professors who, in the name of philosophy, often sapped the foundations of reason; and, in the name of theology, not unfrequently denied the divinity of Christ, the authority of revelation, or even the nature of God. It is impossible for such opposite schools of thought and doctrine to consort together without some of the Catholic professors and pupils contracting a taint from their unbelieving associates. For the doctrines of schools are not confined to lecture-rooms, and pupils themselves become professors in their season. If, through the force of faith and piety, very many Catholics escaped from the contagion, others less faithful contracted a laxity of principle that led them, as professors or teachers, to devise erroneous theories affecting the foundations of reason, the constitution of the Church, certain doctrines bearing on faith, or the relations of the Church with civil society.

By persistence in such teaching they drew disciples after them. Not seldom the admonitions of their Bishops proved in vain, and consequently their errors were denounced to the Holy See. Then followed examinations, decrees of the Sacred Congregations, and apostolic letters or encyclics from the Pontiffs. Let it

suffice to give the names of Gunther, Froschammer, and the unauthorised assembly of divines in Munich of September 1863, which foreshadowed the heretical sect of the Döllingerites. Whilst some of these teachers bowed to correction, others fell back upon the disingenuous tactics of the Jansenists, either to evade the supreme authority or to question it. Irritated against the Holy See for the checks put on their uncatholic teaching, the professors fell back upon the ancestors of their unquiet spirit. They invoked the expiring Gallicanism which the court lawyers and theologians had framed for the use of the Kings of France. They had ancestors in Richard of the Sorbonne, in Drontheim of Treves, better known as Febronius, in Eybel of Vienna, in the Council of Ems and the Synod of Pistoia; all indeed condemned by Rome and reprobated by the Church, but all serviceable to men prepared to withdraw themselves from the decisions of the Apostolic Chair. Whatever else they might allow, the infallibility of the authority that condemned them they would not agree to.

The unsound taint was brought to England by certain young laymen, pupils of Dr. Döllinger or others associated with him, and exhibited itself in the later numbers of the *Rambler*, after it passed into their hands, in the *Home and Foreign Review*, the *North British Review*, and the *Chronicle*. But the Catholics of this country repelled the poison, and these publications dropped rapidly one after another into their grave.

To go back a moment, other errors had arisen in France, chiefly from the pen of the unhappy De la Mennais, errors subversive of the foundations both of

## 8. *Gladstone's Expostulation Unravelling.*

Church and State. Although condemned by Rome at the instance of the French Bishops, and although his distinguished followers left him to stand alone in his resistance, yet other errors, milder but dangerous, sprang up as remnants of his teaching at a later period. In reaction against these errors there arose another class of unsound doctrines that touched upon the relations of reason with faith, whilst there was another class to contend against in which was advocated either Rationalism, or some sort of Pantheism.

Not only had the Popes of recent times to strive against these various errors infecting even members of the Church, but they had likewise to contend against a number of political assaults upon the rights and immunities of the Church that for many ages she had held in undisputed possession. From the time that Napoleon I. had foisted his Organic Articles into the Concordat concluded between him and the Pope, there had been successive violations of conventions with the Holy See on the part of various governments, and those of the most unjustifiable character. Civil marriages were forced upon Catholic populations; ungodly systems of education were forced upon them against their will; Bishops were imprisoned for maintaining the principles of their religion and the rights of their sees; the Catholics of Russia and of the Polish kingdom were ruthlessly dealt with, especially under the Emperor Nicholas, their Bishops exiled to Siberia, and everything that the stiff politico-religious bigotry of the Greek schism could devise, was put in force to undermine and destroy the Catholic faith in those regions.

The ecclesiastical revenues of Spain were seized by

the revolution under Espartero, its monasteries suppressed, and their quiet inhabitants dispersed to starve or die. How the Papal States were seized upon, the Pope dispossessed, the Church denuded, the religious institutions destroyed, and everything devoted to God confiscated, and that mainly for the benefit of adventurers who have plundered the whole of beautiful Italy, no one knows better than Mr. Gladstone. But it must be kept in mind that every one of these acts was defended by the speech and pens of men who, to exhibit some shadow of reason for their perpetration, invoked the names of liberty, modern civilisation, and progress. All the errors above intimated,—whether anti-rational or rationalistic, whether anti-Christian or pantheistic, whether subversive of the Church or of civil society—for the secret societies, the revolutionists, and the communists were undermining states and destroying thrones—whether opposed to Christian marriage or to Christian education,—whether subversive of the rights of conscience or of established Christianity,—all these it became the sacred and solemn duty of the Popes to expose, denounce, and mark with their censure as anti-Christian errors. Not only had these numerous errors and irreligious acts to be noted and denounced in defence of religion and for the instruction of all Catholics, but likewise the false pleas and the deceptive language by which, under the pretence of freedom, civilization, and progress, these monstrous assaults upon truth, upon morality, upon religion, upon civil order, upon established rights and possessions, were in speech and innumerable writings defended. Against a combination of adversaries and adverse cir-

cumstances such as history gives no example of, and with a magnanimity and fortitude worthy the noble line of Pontiffs, this was done; and the allocutions, apostolic letters, and encyclicals in which this was done, and which range from the reign of Pius VI. to that of Pius IX., but chiefly of Pius IX., from the nature of the case, are not aggressive, but defensive. Each one of these documents is addressed either to the Cardinals or to the Bishops upon the errors or events that had arisen at the period of its publication; and from the text of these documents the now famous Syllabus was extracted.

It is important to observe that the Syllabus was published on the 8th of December 1864, exactly five years before the Vatican Council commenced, and that in July 1867 the Bishops assembled in Rome, to the amount of two hundred and sixty-five, for celebrating the canonisation of the Japanese Martyrs, presented a joint address to his Holiness, to which most of the Catholic Bishops of the world sent their adhesion, in which they solemnly accepted the doctrines of the Pontiff in the following terms: 'We have come free to the free Pontiff King, with equal good-will, devoted as pastors to the interests of the Church, and as citizens to the interests of our several countries. . . . That impiety may not pretend to ignore this, or dare to deny it, we Bishops condemn the errors that you have condemned, and reject and detest the new and strange doctrines that are everywhere propagated to the injury of the Church of Jesus Christ; we reprobate and condemn the sacrileges, rapines, violations of ecclesiastical immunity, and other crimes committed against the

Church and the See of Peter. This protestation, which we ask to be inscribed in the records of the Church, we likewise confidently proffer in the name of our absent brethren, whether detained at home by force, where to-day they weep and pray, or whether by reason of urgent affairs or sickness they cannot to-day be present with us.'

Two years and a half, therefore, before the Council of the Vatican assembled, the Bishops had given their spontaneous adhesion to the doctrines of the Syllabus, and to the Papal documents from which they were extracted. This is a proof added to hundreds given us in history that the Popes do not pronounce on the doctrines or affairs of the Universal Church except in the sense of the Universal Church. This chain of facts should be kept in mind by every one who would form a right appreciation of Mr. Gladstone's Expostulation. Another fact to be kept in mind is this, that the doctrine of the Immaculate Conception was not defined in 1854, until petitions for it had been long pouring into Rome from every part of the Church, until every Bishop of the Church had been called upon to give the tradition of his See, the sense of his clergy and people, and his own view of the subject, and until the whole tradition of the Church from the Apostles had been investigated. The schismatic Greeks raised a complaint that the Pope should now first proclaim a doctrine that the East had always believed in. So far was this definition from being 'the deadly blow of 1854,' to use Mr. Gladstone's words, 'at the old historic, scientific, and moderate school.' \* What 'bearing on civil allegiance'

\* Page 15.

this definition can have, it would be very difficult to say.

To return back on this narrative to the unsound German professors and their disciples; no sooner did the Pope convoke the General Council than they took alarm. Whatever good was hoped from it by all staunch Catholics, who received its announcement with joy, these lax professors felt that it boded no good to their designs. When the Pope invited the Bishops to send theologians and canonists to Rome, inviting some men distinguished for learning and prudence from various parts of the world himself, that they might give their assistance in preparing drafts of decrees for the coming Council, it is a well-known fact that certain men of this party, one especially whom we need not here name, were bitterly disappointed at their being overlooked.

In the month of March 1869, nine months before the Council met, the party of whom I speak opened fire upon the coming Council in the *Augsburg Gazette*. They proclaimed to the world that it was the work of the Jesuits; that the Syllabus was to be made a dogmatic decree; that the Infallibility was to be carried by a trick, a surprise, a sudden call for its acclamation by the Fathers; that the rights of the Catholic civil powers in the Council were to be set aside—the fact being that the Catholic powers declared it to be their intention to watch the proceedings, but to abstain from interfering. It was proclaimed in a voice from Styria that ‘the efforts of the Council were declaring war against civilization;’ and the organ of the party especially devoted itself to the protection of State

interests.\* They thus anticipated Mr. Gladstone by four years and a half, and proved him to be a tardy copyist. These and other points of like character were urged from day to day upon the world in every form of vituperation and sarcasm, and with every 'rusty weapon' that the enemies of the Holy See of whatever age could furnish forth. All this professed to come 'from a Catholic point of view,' the one profession in which they differ from their great disciple of the Anglican establishment. Every one of these predictions proved false in the result; yet thus was it that the professors threw their flaming torch upon the anti-Catholic world, and kindled a universal conflagration. Pamphlets followed this stream of fiery articles. A little knot of surviving Gallicans were hard at work in Paris. The Protestant world was keenly alive, of course, and the infidel and the atheistic world, and all their literary organs. Their cry they took with their arguments from the German professors, and this cry was: The civil power and society are in danger from the Council of the Vatican, and the Infallibility is intended to crush the liberties of mankind.

Prince Hohenlohe, it is now admitted, was tutored by Dr. Döllinger before he sent his diplomatic circular to the courts of Europe, to invoke their repression of an evil so threatening. Count von Arnim, the Prussian Ambassador at Rome, was sent by Prince Hohenlohe later on to the same diplomatic teacher. The Emperor of the French promised that the Council should not be disturbed whilst sitting, but he likewise was put in motion against the definition; and a newspaper was

\* See Dr. Hergenrother's *Anti-Janus*, chap. i.



published under government auspices in Paris, which, though in milder terms than the *Augsburg Gazette*, had a good deal of its inspiration. It was daily sent to such Bishops of the Council as might be supposed to be open to its influence; but I never could understand why it was sent to me. Mr. Gladstone was Prime Minister of England, and he had his representative at Rome. During the period of the Council three hundred despatches were sent home. This I know authentically. Were they all the work of his ostensible representative, or were there other agents at work who were nearer the Church, and more intimate with the *Augsburg Gazette*? This has always been suspected. It is certain, however, that the then Prime Minister caught some of the infection that foreign statesmen had imbibed from the German professors, when he gave the hint of retaliation upon the Church for intruding into the civil sphere. Doubtless the notion of turning the Syllabus into dogma, and the Infallibility into an instrument against the civil power, had been already made to loom before his mind. Such a notion was, nevertheless, the pure result of heated imagination, and, as we shall hereafter show, never had the slightest ground in fact.

Who would not have assumed that these impressions had been effaced through better knowledge gained later on? In the interval between the Council and Mr. Gladstone's article in the *Contemporary Review*, that statesman had been a most generous friend to his Catholic fellow-countrymen. He had protected our principles against strong opposition in the Elementary Education Act; he had repealed the Ecclesiastical Titles Act, an immense boon to us; he had freed Catholic

Ireland from the incumbrance of a State Church not in harmony with the religion of the people; he had even intended well in his Irish University scheme, except that he was unable to realise the depth and tenacity with which Catholics hold to their principles, or to understand what experience of the evil of mixed universities we had already before us on the Continent. How sad it is that, by an outrage as unprovoked as it was unexpected, Mr. Gladstone should put our gratitude to a strain so intense!

The prejudice inflicted on Mr. Gladstone's mind during the Council had seemed to sleep, till his vindication of Ritualism woke it up again. His fierce attack upon the Catholics, and especially upon the converts, in the *Contemporary Review*, led to private expostulations from convert friends. Was it possible for Catholics to be silent under his imputations? This seems to have surprised him, and to have stung his sensitive mind. He resolved to expostulate in his turn, and to hit a fierce blow at men who dared to think he could be wrong. The newspapers told us of his visit to Dr. Döllinger before his Expostulation appeared, and of his visit to Dr. Döllinger's principal English pupil immediately after it came out. The points raised in that production are the points raised by the Döllingerites before the Council commenced and during its sitting, when yet these men hung loosely on the Church, and they have been forced forward with still greater vehemence by them since they became an excommunicated sect.

We have next to examine Mr. Gladstone's own statement of his motives.

## II. MR. GLADSTONE'S OBJECT AND MOTIVES.

NEAR the close of last session of Parliament, when the Public Worship Bill was before the House, Mr. Gladstone proposed a series of resolutions protective of the Ritualists that dropped dead on the instant. He subsequently relieved his mind in the well-known article defensive of Ritualism in the *Contemporary Review*. But there was one point which the accomplished political fencer had especially to guard, and that was the popular impression that Ritualism leads to the Catholic Church. Nor could Mr. Gladstone forget that he had himself been repeatedly and publicly charged with being a Catholic. Since Lord John Russell's Durham Letter it had become a habit in England to scourge the Ritualists on the backs of the Catholics; so this unfair and dishonorable cruelty was no innovation, but a good Protestant tradition with a ritual of its own—that the Catholics be striped for the crimes of the Ritualists.

Mr. Gladstone struck out with his unjust blows in the following terms:

'But there is a question which it is the special purpose of this paper to suggest for consideration by my fellow-Christians generally, which is more practical and of greater importance, as it seems to me, and has far stronger claims on the attention of the nation and of the rulers of the Church than the question whether a handful of the clergy are or are not engaged in an utterly hopeless and visionary effort to Romanise the Church and people of England. At no time since the bloody reign of Mary has such a scheme been possible.

But if it had been possible in the seventeenth or eighteenth centuries, it would still have become impossible in the nineteenth; when Rome has substituted for the proud boast of *semper eadem* a policy of violence and change of faith; when she has refurbished and paraded anew every rusty tool she was fondly thought to have disused; when no one can become her convert without renouncing his moral and mental freedom, and placing his civil loyalty and duty at the mercy of another; and when she has equally repudiated modern thought and ancient history, I cannot persuade myself to feel alarm as to the final issue of her crusades in England, and this although I do not undervalue her great powers of mischief.\*

In his *Expostulation* Mr. Gladstone confesses to the seeming roughness of some of these expressions, and tells us that had he been addressing his Catholic fellow-countrymen he 'would have striven to avoid them.'† After this questionable apology, he does not hesitate at once to address them to his Catholic fellow-countrymen, and sets about defending them. To our great astonishment, he even declares that his assertions 'are not aggressive, but defensive.'‡ It is an old saying that history repeats itself. The Durham Letter of 1849 was not aggressive, but defensive; the Titles Act was not aggressive, but defensive; Prince Bismarck's ruthless persecution of the Church is not aggressive, but defensive; whenever any unprovoked attack is made upon the Catholics, it is not aggressive, but defensive. In their original context in the *Contem-*

\* *Contemporary Review*, October 1874, pp. 673-4.

† Page 6.

‡ Page 7.

*porary Review*, these offensive terms were simply offered as a comfort to the Anglican Establishment; as consolation to her for the loss of the able men whom the Catholic Church has gained, or is gaining, from her; as an assurance to her that conversions were drawing to an end; and as an intimidation to us, lest that assurance might not prove true.

To the converts themselves, men as well educated and capable of forming a judgment as himself, some of them his old and intimate friends from youth onwards, Mr. Gladstone could not have addressed a more offensive or a less effective insult than, in this sort of stage-side voice, to tell the world at large, then to half apologise for it, and next to tell the converts themselves outright, that they have renounced their 'mental and moral freedom,' that they 'have placed their civil loyalty and duty at the mercy of another,' and that they have done this after their Church has 'equally repudiated modern thought and ancient history.' Mr. Gladstone has read the writings of the more distinguished converts, and must therefore know that they are far from thinking what he asserts of them. But these things he does not know; he knows not the mind of the converts, nor the mind of the Catholic Church, nor does he seem to have ever deeply reflected on the nature and scope of mental and moral freedom. To these subjects we shall return in due time.

More than one convert, friends of Mr. Gladstone, he tells us, have expostulated with him on the passage in the *Contemporary Review*. Whereupon he lays down a doctrine as surprising in the mouth of a Christian as it is singular in its mode of statement. First he tells us

that 'neither the abettors of the Papal Chair, nor any one who, however far from being an abettor of the Papal Chair, actually writes from a Papal point of view, has a right to remonstrate with the world at large.' What does this mean? Is it meant to say that men write from the Pope's point of view who do not take the Pope's point of view? Are men Catholics and non-Catholics at one and the same time? Are they outwardly Catholics and inwardly Protestants? We know of no such men. Half a dozen men of an opposite stamp we know, and Mr. Gladstone knows them, men who profess to be Catholics, whilst they attack the Catholic faith, and do their best to degrade the Papal Chair. Men who, some of them at least, although the Papal Chair be not the vine of Noah, endeavour to imitate the sin of Cham.

It is something new and strange in one who has read the Prophets, the Apostles, the Word of Christ, and something of the Christian Fathers, and who professes the Christian name, to maintain that the Church has no right to expostulate with the world at large, whilst the world at large has a right to expostulate with the Church. 'The world at large,' continues Mr. Gladstone, 'on the contrary, has the fullest right to remonstrate, first, with his Holiness; secondly, with those who share his proceedings; thirdly, even with such as passively allow and accept them.'\* This necessarily includes, first, the Pope; secondly, the Bishops; thirdly, the clergy and laity—the whole Church. The sum of this doctrine is, that the Church has lost its right to teach the world, and the world at large has gained the

\* Page 7.

right to teach the Church. When or how the world gained this new authority Mr. Gladstone does not say. What a descent from the *Church Principles* published by the same author in the year 1840!

We have here a specimen of that singular style that runs throughout the Expostulation. First, 'the world at large' has a right to remonstrate with the Church; then the world at large is brought nearer our senses in 'the people of this country, who fully believe in their loyalty,' that is, in the loyalty of the English Catholics; then the world and the English people are reduced to a rhetorical background for the one figure of Mr. Gladstone, who comes forward as representative of the world at large and the people of this country. 'I therefore,' he says, 'as one of the world at large, propose to expostulate in my turn.' 'The people of this country are fully entitled, on purely civil grounds, to expect from them' (the quiet-minded Catholics) 'some declaration or manifestation of opinion, to reply to that ecclesiastical party in their Church who have laid down in their name principles adverse to the purity of civil allegiance.' \*

The Church is here divided into 'quiet minded Catholics' and 'a certain ecclesiastical party,' and the first is called upon to disclaim the second. These quiet-minded Catholics have been previously described as 'Catholics generally.' And 'of Roman Catholics generally, they' (that is, his offensive remarks in the *Contemporary*) 'say nothing.' Only he now calls upon them in an expostulatory tone to deliver some declaration against a certain ecclesiastical party. Who form

\* Pages 7, 8.

this party? He has already described it as consisting of his Holiness, the abettors of the Papal Chair, with such as passively allow and accept them; and that there may be no mistake either as to the Catholics whom he invites to rebel or the authority against which he would have them to rebel, he puts it all in plain terms four-and-twenty pages later, where he says: 'The Pope's Infallibility, when he speaks *ex cathedra* on faith and morals, has been declared, with the assent of the Bishops of the Roman Church, to be an article of faith binding on the conscience of every Christian. His claim to the obedience of his spiritual subjects has been declared in like manner without any practical limit or reserve; and his supremacy, without any reserve of civil rights, has been similarly affirmed to include everything which relates to the discipline and government of the Church throughout the world. And these doctrines we know, on the highest authority, it is of necessity for salvation to believe.'\* Here is the ecclesiastical party, and here their principles, 'adverse to purity and integrity of allegiance,' against which 'quiet-minded Catholics' and 'Catholics at large' are invited by Mr. Gladstone to give forth some opinion. At his beck the nave is to rise up against the sanctuary, the Church taught to correct the Church teaching, the laity to instruct the Bishops and the Pope.

What does the author of the above passage mean when he tells us that the supremacy, including whatever relates to the discipline and government of the Church, 'makes no reserve of civil rights'? Is it intended to imply that civil rights form an element in

\* Page 32.



Church government? If they do, why should they be reserved? If they do not—and Catholics think they do not—how reserve them where they are not? In such Churches as those of England, Russia, and Prussia, Church government and discipline are suspended on the civil power; but Mr. Gladstone has himself shown in his *Church Principles* that the Church is a perfect society within itself, with all the means requisite for its own end and purpose. And the rights of an ecclesiastical society, as such, are in their nature exclusively ecclesiastical.

After travelling through a good deal of this kind of fog, we come to Mr. Gladstone's real object and precise intention. At page 22 he says: 'Far be it from me to make any Roman Catholic, except the great hierarchic power, and those who have egged it on, responsible for the portentous proceedings which we have witnessed. My conviction is that, even of those who may not shake off the yoke, multitudes will vindicate, at any rate, their loyalty at the expense of the consistency which, perhaps, in difficult matters of religion, few among us perfectly maintain.' The fog has parted, and Mr. Gladstone's mind comes out. He hopes to cause some Catholics to cast off the yoke of their faith, and multitudes of them to sacrifice their consistency. To encourage them, he gives them the comforting assurance that, in difficult matters of religion, few among us are perfectly consistent. Few are perfectly consistent in practice, but Mr. Gladstone invites us to be inconsistent with principle; and there with Catholics he must utterly fail.

This reminds me of something I recently heard

from a Protestant gentleman in a railway carriage. He had been in want, he said, of a good and quiet under-servant. Three young women applied for the place: one a Protestant, another a Methodist, the third a Catholic. Not satisfied with the tone of either of the others, he was inclined to engage the Catholic. But she refused to engage unless she could go to Mass every Sunday. Fearing the girl would be unprotected, as he lived at some distance from her church, he wrote to the priest, and received a reply to this effect: 'Unless the girl be faithful to God and her Church, you cannot expect her to be faithful in your service.' 'This,' said my informant, 'decided me, and raised the priest in my respect. I engaged her on condition that an uncle of hers should every Sunday see her safely to and from church.' Mr. Gladstone may depend upon it that he will never succeed in making Catholics loyal to the Queen by making them disloyal to the Church. We know all about that much better than he can, and he may safely take our word upon it.

It is an exercise to track our tempter along the serpentine course through which here and there he winds his approach, as if to puzzle and confuse our brain with his mesmeric passes before he puts his temptation unmistakably before us. One pass he gives, assuring Catholics at large that, if they do become inconsistent, it is just what other people do, throwing himself encouragingly into the 'us' by which he designates those people. He gives another soothing pass, commiserating the 'hardship brought upon them altogether by the conduct of the authorities of their

own Church.\* Then, drawing a longer pass, he offers his reason to the Catholics at large as a security for assailing the teachers of their faith. 'If,' he says, 'I am told that he who animadvertes upon these assails or insults Roman Catholics at large, who do not choose their ecclesiastical rulers, and are not recognised as having any voice in the government of the Church, I cannot be bound by or accept a proposition which seems to me to be so little in accord with reason.† And so because, like their Anglican neighbors of Mr. Gladstone's communion, Catholics neither choose their ecclesiastical rulers nor have a voice in Church government, they are to take the great Protestant statesman's reason as warrant for resisting the teachers of their Church—not any special reason, but reason in the abstract.

Severe upon 'the present degradation of the episcopal order' ‡ of the Latin Church, our expostulator is still more severe upon her 'converts.' Whether this severity is directed to all converts, or to some of them, or is intended to deter others from becoming converts, or whether, leaving the main body of them among the inoffensive 'Catholics at large,' it is the intention to direct this severity upon certain specific offenders, is left to our conjecture. Two converts are mentioned by name, and only two. Dr. Newman is mentioned with high commendation; Mr. Gladstone's old and intimate friend, the Archbishop of Westminster, is gravely reprovèd. To say the truth, the allegations of 'great breadth' and of 'broad and deep foundation' with which the great orator begins to expostulate

\* Page 9.

† Ib.

‡ Page 32.

thin off as he proceeds, and terminate in two passages picked carefully out of the context of the Archbishop's numerous writings.

'Archbishop Manning,' it is said, 'who is the head of the Papal Church in England, and whose ecclesiastical tone is supposed to be in closest accordance with that of his head-quarters, has not thought it too much to say that the civil order of all Christendom is the offspring of the Temporal Power, and has the Temporal Power for its keystone.'\* Precisely so when there was a Christendom composed of Catholic States; and Guizot, the Protestant historian, as well as Haller and Hurter, show us how the Catholic Bishops, with the Popes at their head, formed the Catholic States of Europe and the civilization of Christendom. The ablest historians have likewise shown how, by general consent, the Popes became the moderators of that Christendom which, through the action of private judgment and free thinking in religion, has long ceased to exist. Then it was Christian light and law; now it is human ambition and contempt of covenants that settle, or more truly unsettle, the affairs of the world. That state of things, however, has long since passed away, and Pius IX. has said as much. As Mr. Gladstone has given but a portion of what his Holiness said on that subject, it will be fair to give the whole of it. I take it as published in the pastoral of the Swiss Bishops, commended by the Pope.

The words were addressed by his Holiness to a deputation of the Roman Academia, not on the 21st of

\* Page 52.

July 1873, as Mr. Gladstone states,\* but on the 20th of that month 1871. The Pontiff exhorted that learned Society to refute with all possible care many falsifications of the sense of the Papal Infallibility. 'There are many errors regarding the Infallibility,' said the Pope, 'but the most malicious of all is that which includes in that dogma the right of deposing sovereigns, and declaring the people no longer bound by the obligation of fidelity. This right was, in fact, exercised by the Pope in extreme cases, but it has absolutely nothing in common with Papal Infallibility. It was a consequence of the public right then in force with the consent of Christian nations, who recognised in the Pope the supreme judge of Christendom, and constituted him judge of princes and peoples, even in temporal matters. But the present situation is altogether different. Bad faith alone could confound objects so different and times so unlike each other, as if an infallible judgment on revealed truth had any analogy with a right that Popes solicited by the desires of the people have exercised when the general good demanded it. Statements like these are but a pretext for stirring up princes against the Church.'

To thoroughly understand a declaration like this, or the similar one addressed by Pius VI. to the Irish Bishops, that has recently been quoted by a Catholic divine, it must be kept in mind that, according to the traditional teaching of Catholic divines from the days of St. Thomas Aquinas, the temporal power has its immediate derivation from the people. It was through

\* Page 19.

the consent of the people and the princes of Christendom that this supreme principle of international law prevailed, and the Coronation Oath, made to the Church, was based upon it. It is historically true that the Papal Power was in those times the keystone of Christendom.

The Archbishop again, says Mr. Gladstone, has affirmed that the spiritual power is supreme within its own limits, and can thereby fix the limits of all other jurisdictions.\* But then the Archbishop expressly states that this supremacy is 'in matters of religion and conscience.' It is not for me to interpose between these two distinguished persons; but I should have thought that it was impossible for one power supreme in itself to fix its boundaries without fixing as a consequence the boundaries of whatever power came in contact with it, just as the fixing the boundaries of your own field fixes the boundaries of the field adjoining it; and that the kingdom of conscience, that kingdom of God within the man, settles the question as to how far any other power shall come, and where its powers must cease in its right to act. Mr. Gladstone has said this very thing, observing that 'there are millions upon millions of the Protestants of this country who would agree with Archbishop Manning if he were simply telling us that divine truth is not to be sought from the lips of the State, nor to be sacrificed at its command.†

On a small scale we may exemplify what we mean from this Expostulation. Its author would seem to say to his Catholic fellow-countrymen: 'I am a man of

\* Page 54.

† Page 55.

position, eloquence, and influence. Senates and nations listen to me: a powerful party obey my voice. The majority of our countrymen foster prejudices against you, both old and new, and my skilful words can heat them into a flame; your fortunes have been in my hands, and may be again. Either protest against your spiritual teachers, or abide my indignation.' Here is a civil power which, though not the royalty of England, nor at this moment its representative, is yet not lightly to be undervalued. The Catholics say: 'You have no right either to question or command our consciences. Must we obey you against our conscience, *or* God with our conscience? You confess that we are loyal, that loyalty is a part of our religion. Were we to denounce our spiritual teachers that would be disloyalty indeed; and whoever is disloyal to his conscience will be disloyal on temptation to his sovereign. Our fathers, rather than abandon their pastors, suffered much greater things than you can inflict. Your insidious advances we reject; the indignation with which, at the close of your Expostulation, you threaten us we can endure.' Here the spiritual power of conscience, in defining its own extent, defines the limits of Mr. Gladstone's power, and fears it not.

But 'the converts'! Their fellow-Catholics may be let off more easily; no stigma can be too ignominious for them. They renounce their 'mental and moral freedom;' they 'place their civil loyalty and duty at the mercy of another;' they have 'repudiated modern thought and ancient history.' Vague are these accusations; and, though not very generous, yet quite safe from their generality. It would never have done to

give examples and proofs. However, there is a decided disagreement between the converts and Mr. Gladstone; for they say—and I have heard many of them—that they have gained a mental and moral freedom that they never knew before, have obtained a firmer footing for their loyalty, have a keener appreciation to distinguish between what is good and bad in modern thought, and a higher comprehension of the movement of God through ancient history. Whether their testimony or that of Mr. Gladstone should prevail must be left to the reader. I can only say that that of the converts is conscientiously given, and that not a few of them have distinguished themselves in the philosophic investigation of modern thought, in the cultivation of science and art, or in exploring ancient history. It would go hard with facts if they could be destroyed by declamation.

I have ventured to say already that Mr. Gladstone seems never to have thought deeply of the nature of mental and moral freedom. It is easy for a politician to confound civil with mental, political with moral, freedom; but they are in character very different. Political and civil freedom are of an external more than of an internal nature. They are concerned in removing limits and restraints from speech and action, in diffusing political power and civil influence through the people, and in controlling as well as directing the civil government. By the very nature of mind and will, mental and moral liberty are of a different order. The object of the mind, what sets it free from its narrow egotism of thought, is truth. The object of the will, what sets it free, is moral good. Man is not made for himself,



but for a truth, and for 'a good of which truth is the bright reflection, and to which there is no limit. 'If the truth set you free,' says Truth in person, 'then are you truly free.' Put a man into a solitary cell; leave him in his isolation; let him be one of those who hold no converse with the spiritual world, and the question will be, how long must it be before his mind break down? Unless he turn to God, he has lost all freedom, civil, political, bodily, mental, and moral. In losing the two last he suffers from mental and moral inanition. Put a holy, enlightened Christian solitary in the same position. In his privation of bodily, social, and political liberty, which were all things to that first solitary, his mental and moral freedom still remain to him, his mind will soar in freedom unto unmeasured regions of truth, his heart will go forth in love unto unspeakable depths of good. The Catholic, even the convert, who makes his annual eight days 'of spiritual retirement, understands these things.

A man is bodily free in proportion to the extent of territory over which he can freely move. Had he the bird's privilege as well, to take to the air, he would be doubly free. So is it with the mind. It is free in proportion to the extent of certain and assured truth into which it can freely enter, over which it can freely move. The will, again, is morally free according to the extent and height and greatness of moral good that through a loving heart the will can securely embrace. In the very root and basis of the soul moves the appetite for truth, and the moral good that truth reflects and brightens. Only when 'rawn forth by this truth and moral good, which God presents, can he get out of the contracted

cell of his subjective nature, and advance towards this truth, especially that of God's magnificent revelation, and enter into the foretaste of that good which this revelation has made known. This movement, lower in the natural order, immeasurably higher in the supernatural order, constitutes the mental and moral freedom of man. 'If the truth shall set you free, then are you truly free.'

Whilst still moving hesitatingly through the shallows of doubt and of uncertain opinion no man is free. He is struggling through conjectures or following half lights towards that certainty of truth and peace in good which he hopes in time will make him free; or he gives up the search and sinks back into indifference. The man who, intent on other thoughts, has lost his way and got benighted, is so far from mental freedom that he hesitates, doubts, conjectures, and frets; but on regaining his path he recovers his freedom, and makes progress towards the good before him.

But against freedom of will, as of mind, stand the allied powers of sense; their indulgence, and the passions they awaken, absorb and degrade both the moral and mental forces; make the mind's light servile to the imagination, which, however God designed it to be the servant of truth and its illustrator, grows sordid from sensuality and inflammable from passion; and thus evilly stimulated, it perverts from the truth and absorbs into error and evil the action of the will. Another condition of mental and moral freedom, therefore, is to keep the senses, their appetites, and the inflammable imagination down in order and subjection. Nor is this all; deeper within the man is the pride that

exalts the subjective self over the truth and good for which the man was made. This false and deceptive self-exaltation draws the mind from truth, the will from law, and needs the curb of humility and obedience to the One True Good, whose authority, that it may be ever at hand for the exercise of these virtues, is set before our very senses in the human depositaries of His truth and law.

Wherefore, obedience to truth is mental freedom ; resistance to truth is the loss of liberty. Obedience to the authority through which God brings us the truth, and to the supreme law that marks the way towards truth, is moral liberty ; disobedience to that authority and law is the loss of moral freedom. In what lies the secret strength of obedience ? In that a more authoritative and stronger will than our own brings ours into action ; in that two wills combine to bring up the one that is oppressed with its egotism, authority and law being its security for right direction. Thus, by obedient habits, is the child trained to strength of will ; and thus, in the things of God, where man is yet a child, does the authority of the Church draw him up to the unchangeable regions of truth and divine good. This being so, and God having in His Church wonderfully provided the channels of light and grace in her Sacraments, of safety in her infallible teaching, and of self-denial, humility, and obedience, in her ministerial authority, it is obvious to any one who comprehends these principles that the Church is the true home of mental and moral freedom ; but far more obvious is it to those who hold practical possession of them within the Church herself.

And if the field of the mind hath received the whole compass of truth made known by God to man in its marvellous unity, then in contemplating that truth, article by article, doctrine by doctrine, each illuminating all, and all illuminating each, new beauties of truth incessantly spring upon the mind, to the delight, solace, and freedom of the contemplating spirit. But the Catholic religion holds possession of all the revealed truth,—added to all the natural truth that God has given to man,—whilst elsewhere it is broken into fragments and scattered in parts through numerous sects and divisions.

In like manner the supreme law shapes out with authority the boundaries between good and evil, and leads us in the direction of moral good; and the obedient following of that law is the condition of moral freedom. But that man might not lose his way, be perplexed with doubts, or left to the hesitating and uncertain lights of his own judgment and opinion, where there should be certain faith and belief, Christ our Lord appointed an authority, to whom both the truth and the law were committed, to teach them with divine authority to the end of time; and to hear and obey that authority in a spirit loyal to God's inward movements is to gain mental and moral freedom. That these are gained, and in a way contrasting wonderfully with their previous states of mind, all earnest converts bear witness.

To the Catholic Church, in his earlier days, Mr. Gladstone gave a magnificent testimony, a complete justification to her converts. In his *Church Principles* he carps, indeed, at many details, not so much of what

the Church really is and does, but of what he erroneously supposes her to be and to do. At last, however, he comes to the comparison of what is the strength of the Protestant and what of the Catholic Church.

‘Simple Protestantism,’ he says, ‘has a legitimate strength of its own; it is this, that it makes the access to the Holy Scriptures free for all the people, and it derives immense advantage in the controversy with Rome from the evident fairness of exposing to the general eye the authority for the truths to which the general assent of men is asked. We may estimate the amount of this advantage from the anxiety which has been shown by the advocates of Romanism, ever since it has been obliged to appeal to public discussion and opinion, to show that the Papal system is not opposed to the free circulation of the Scriptures among the people. . . . The free circulation of the Holy Bible, *while it is one occasion of the difficulties of the Church*, is likewise a chief cause of her strength.’ I have marked the passage in italics for further consideration.

‘Romanism, on the other hand,’ continues Mr. Gladstone, ‘has also a strength of its own; it is this, that it unflinchingly asserts the oneness, the supremacy, the permanency of the faith, and its independence of private opinion; and that it offers the ordinances of grace from hands to which the power of administering them has been committed, if there be truth in history, by the Apostles of our Lord, and asserts an authority and power of guidance which they transmitted. Thus, of these two hostile principles, the one triumphs by tendering the word which God inspired, the other by asserting the Church which the Redeemer established.’

It is singular that in the next paragraph Mr. Gladstone should affirm of these 'two hostile principles,' that 'they must be essentially at all times harmonious, while their antagonism is supposititious, and has no ground but in the depraved fancies of mankind.' \*

Whilst the author of *Church Principles* allows that the free circulation of the Scriptures is 'one occasion of the difficulties of the (Protestant) Church,' he contends for uniting it with the principle of Church authority which he correctly portrays as the strength of the Catholic Church. There is but one way of uniting and harmonizing these two principles, and avoiding the 'difficulties,' and that is to keep the Scriptures under the Church's authority, and deliver that divine sense of them which the Church holds in her perpetual tradition. Then may she deliver the Holy Scriptures, as she habitually does, together with their sense, to all men of good-will.

Mr. Gladstone will perhaps allow me to exhibit this combination as it was understood by a probable ancestress of that New Zealander who is one day to sketch the ruins of St. Paul's. My old friend Bishop Pompallier, the first Catholic Bishop of New Zealand, made a convert of the daughter of a chieftain, and her name was Hoke. Having previously been a disciple of certain Protestant missionaries, they went to remonstrate with her, just as Mr. Gladstone expostulates with the English converts. Arrived in her presence, she sat in silence whilst they spoke, and said: 'Well, Hoke, we are surprised that you should join the Picopos (Catho-

\* *Church Principles considered in their Results*, by W. E. Gladstone, chap. viii. p. 181.

lic), who will not give you the Holy Book.' On this theme they descanted; and when they had concluded, Hoke called for her books, and rising to speak, according to New Zealand etiquette, the missionaries in their turn sat down in silence. 'You missionaries,' she began, 'should speak truth. Here are the Holy Books. They teach me the creed—what I am to believe; they teach me the Sacraments—what I am to receive; they teach me the commandments—what I am to do. If I was blind, of what use would be the Holy Book? The Bishop came and spoke—his word went through my ear to my heart. He baptised me—my heart received the light of God. After he had baptised me, he gave me the Holy Book—with the light in my heart, and the Bishop's words, I saw the meaning of the Holy Book.' It was the light of Catholic faith that enabled this daughter of a cannibal race to harmonise the Church's authority with the use of the Scriptures.

To come back to Mr. Gladstone's sentiments in his *Church Principles*, could their author have given a sounder justification to the converts from his communion? He may say that since he described her strength the Church has changed. And it is not improbably among the motives of the Expostulation to free himself by this charge from what in that book he has written in commendation of the Church. But whether she has changed or not, not her accuser, but the Church herself, is the judge. She maintains that she has acted in the Vatican Council on her old principles, has drawn from her old deposit, and proclaimed her immemorial tradition, doctrine, and practice. And even the expositor, with whatever consistency, whenever it seems

to support his accusations, endeavours to show that her recent decrees are the outcome of her earlier history.

At the end of last session of Parliament the *Times* suggested that two parties were in want of a cry; and the old anti-Catholic cry was suggested. Mr. Gladstone has seized upon it, and has dressed up the old figure called Popery, that grotesque invention of the Protestant mind, in a new garb taken from the well-stored magazine of the Döllingerites. But this figure of Popery is no more like the Catholic religion than the idols recently brought to light at Troy are like Minerva. The Protestant people of this country, its new editor might think, were fond of the dear old romance, the property of their imagination from the nursery, and would welcome a little improvement of it. In this, however, there may have been some misconception; the great political name explains its wide circulation.

### III. MR. GLADSTONE'S MISCONCEPTIONS.

COULD we get into the secret chambers of Mr. Gladstone's mind, and there examine his whole theory of the Catholic system, judging from the fragments of it exhibited, we should have an instructive example of what vivid imagination, working on the prejudices of education, can do in misshaping religious truth, and misjudging its professors. Could we discover a path through the haze and vague uncertainty of his language,—would some gracious sun shine out and disperse the Ossianic mists of his rhetoric, and bring us to see specific facts, persons, and precise charges with their proofs, we should



have something tangible to take hold of. But that will serve for a cry which is not sufficient for argument.

The title itself of the Expostulation involves a false assumption, and expresses the fundamental error of the book. *The Vatican decrees have no bearing on civil allegiance.*

The present writer is a competent witness that neither in the decrees themselves, nor in the discussions upon them, nor in the *schemata* discussed but not voted, nor in the *schemata* prepared but not discussed, nor in the *postulata*, nor in any private remark I ever heard from the members of the Council, was there ever a word uttered which either expressed or implied that any decree, whether passed or contemplated, bore the slightest reference to the civil power or to civil allegiance; and owing to the independent position I maintained towards all parties, to being the senior English Bishop present in the Council, to being an elected member of one of the principal congregations, to being the representative Bishop of his English brethren at the meetings of English-speaking Bishops for drawing up *postulata*, and to having the advantage of free converse with Bishops of all nations and modes of thought, I had special opportunities of knowing both what the Council contemplated and what its members thought.

Mr. Gladstone had my letter whilst the Council was yet sitting, and I believe another from the Bishop of Orleans, repelling every notion of an obtrusion by the Council into the civil sphere; but, what is decisive of the whole question, when susceptibilities were awakened by hostile diplomacy in the French Government, the reply sent by Cardinal Antonelli, as the Pope's Se-

cretary of State, completely disposed of the allegation. This State-paper, of date May 21, 1870, must have reached Mr. Gladstone's hands at the time, and have become well known to him. In that authoritative document the Cardinal says: "These canons attribute neither to the Church nor to the Pontiff direct and absolute power over the whole circle of political rights of which the despatch treats. . . . In fact, the Church has never intended, and does not now intend, to exercise a direct and absolute power over the political rights of the State. She has received from God the sublime mission of conducting men, whether regarded as individuals or associated in society, to a supernatural end; she has therefore, in virtue of this mission, the power, and is under the obligation of duty, to judge of the morality and of the justice of all acts, whether external or internal, in their relation to the natural and divine laws. Hence, since no act, whether prescribed by supreme power, or whether it emanates from the free action of the individual, can divest itself of this character of morality and of justice, it comes to pass that the judgment of the Church, though falling directly on the morality of the acts, indirectly embraces all those things with which this morality is allied.'

Here is the precise point of difference between Mr. Gladstone's view of the Church's action with respect to the civil sphere and that of the Church herself. Mr. Gladstone charges the Church and the Pope with claiming direct and absolute power in the civil sphere. The Church, who can alone know her own mind, says: No, nothing of the kind. Christ has given to His

Church the moral and the divine law, the authority to teach them, and the authority to judge the consciences of her children by them. But all the actions of man, as Mr. Gladstone has beautifully described, involve God's law and man's conscience, even his external acts relating to civil duty and to material things. For instance, it is a civil duty to obey the civil power; it is likewise a duty of conscience, and, as such, the Church enforces it. But were the civil power to prohibit preaching in the name of Christ, as the authorities of Jerusalem forbade their Apostles to do, then they would receive the apostolic reply: "If it be just in the sight of God to hear you rather than God, judge ye." So to steal, to break into a house, to raise or co-operate in an unjust rebellion, or to plunder the Church, involve civil and temporal acts, but they likewise involve the conscience in sin; and the Church condemns them as infringements of the moral law of conscience. We have already seen how Mr. Gladstone himself asserts that 'there are millions upon millions of the Protestants of this country who will agree with Archbishop Manning, if he were simply telling us that divine truth is not to be sought from the lips of the State, nor to be sacrificed at its command.\*' This is precisely what Cardinal Antonelli says; for divine truth includes the laws of morality and the rules of conscience. And the Archbishop would say, and has, in fact, said, the selfsame thing, and no more. Nor is it to be supposed that Mr. Gladstone has accepted the doctrine of the Hegelian philosophy, although Prince Bismarck has an-

\* Page 55.

nounced it in express terms, that the State is the supreme dictator of the conscience, and that the subjective conscience is bound to subject itself to the majesty of its objective laws.

Cardinal Antonelli goes on to explain: 'But this is not to mix herself up directly with political affairs, which, according to the order established by God, and according to the teaching of the Catholic Church herself, belong to the jurisdiction of the temporal power, without dependence on any other authority.'

It is impossible to put the contrary to Mr. Gladstone's assumption in clearer terms. The spiritual and temporal powers are next described by the Cardinal as distinct and separate, one from the other, the temporal having a subordination to the spiritual, as the human is subordinate in its end to the divine. 'It results from these principles,' his Eminence continues, 'that though the Infallibility of the Church embraces all that is necessary for the conservation of the integrity of *the faith*, yet no prejudice can spring therefrom to the claims of science, history, or politics. . . . The Church, in fact, while inculcating the principle to render to God the things that are God's, and to Cæsar the things that are Cæsar's, imposes at the same time on her children the obligation of a conscientious obedience to the authority of sovereigns.'\*

When Mr. Gladstone says that Rome 'has refurbished and paraded anew every rusty tool she was fondly thought to have disused,' he refers to the Syllabus. The Catholic Church has changed within the last

Translation from that in the *Month*, December 1874.

forty years. The Catholic Church has not changed, but refurbished her rusty tools. These contrary propositions meet each other all through Mr. Gladstone's Expostulation. '*Semper eadem* is her boast.' *Semper eadem* she is not, *semper eadem* she is.

So far from the Syllabus consisting of rusty tools refurbished, so far from being extracted from ancient or mediæval documents, its propositions are collected from the most recent Papal announcements, and expressly bear on modern errors. So far from refurbishing rusty tools, whilst the Council was sitting, the Pope destroyed a great number of them. In his Constitution *Apostolicæ Sedis* of September 1869, promulgated in the Council, a vast number of old censures that had accumulated with time were utterly suppressed and abrogated. Of this fact Mr. Gladstone was well informed at the time, the representative of his Government at Rome having obtained a copy of it. The preamble of this Constitution is very instructive to those whose fancy it is to assert that Rome keeps her old weapons ready for use, regardless of the changes around her. It commences in these terms :

'It is befitting the moderation of the Apostolic See so to retain what has been established by the canons in a salutary way, that if, through change of times and circumstances, the need suggest itself that some things be altered and prudently dispensed with, the same Apostolic See should from its supreme authority provide a remedy. Wherefore, having long revolved in our mind that the ecclesiastical censures *latæ sententiæ*, and to be incurred *ipso facto*, decreed and promulgated throughout many ages, whether to protect the safety

and discipline of the Church, or to correct and amend the unbridled license of the wicked, have grown by degrees to a great number; and because the reasons and ends for which they were imposed exist no more, and they have ceased to be applicable or useful; and forasmuch as because of them doubts not unfrequently arise, and anxieties and distress of conscience, both in those who have care of souls and in the faithful; in our desire to remedy these inconveniences, we have commanded a complete revision of these censures to be made, and to be laid before us, that with careful deliberation we may determine and ordain which of them it is requisite to retain, and which of them it is befitting to modify or abrogate.'

Before passing to another chapter of Mr. Gladstone's misconceptions, I may as well point out the error of his argument to prove that conversions to the Church are diminishing. Whether in recent years they have or have not diminished I decline to say, though not from want of knowledge. He tells us that the rumoured increase of Catholics in England—and he speaks with respect to conversions—'would seem to be refuted by authentic figures;' and then the gradual decrease of Catholic marriages from 1859 to 1871 is given. But that decrease is explained from another cause than diminished conversions. A very large immigration of Catholics from Ireland took place in consequence of the terrible famine which desolated that country; whilst of late years that immigration has diminished, until it has almost ceased. But the stream of Irish emigration from England to America and Australia still flows on. For this reason one would expect the diminution of

Catholic marriages in England to be considerably more than it proves to be.

#### IV. MR. GLADSTONE'S 'INFALLIBILITY' AND THE POPE'S INFALLIBILITY.

MR. GLADSTONE'S 'infallibility' and the Pope's infallibility are two very different things. But before I draw the line between them, and show in what respects they differ, to clear the way before me I must remove one or two more of his misconceptions.

As one proof that 'Rome has substituted for the proud boast of *semper eadem* a policy of violence and change in faith,' Mr. Gladstone expostulates in these words: 'It is necessary for all who wish to understand what has been the amount of the wonderful change now consummated in the constitution of the Latin Church, and what is the present degradation of its episcopal order, to observe also the change, amounting to revolution, of form in the present, as compared with other conciliatory decrees. . . . When, in fact, we speak of the decrees of the Council of the Vatican, we use a phrase which will not bear examination. The canons of the Council of Trent were, at least, the real canons of a real Council; and the strain in which they are promulgated is this: *Hæc sacrosancta, ecumenica, et generalis Tridentina Synodus, in Spiritu Sancto legitime congregata, in ea præsidentibus eisdem tribus apostolicis Legatis, hortatur, or docet, or statuit, or decernit,* and the like; and its canons, as published in Rome, are "*canones et decreta sacrosancti ecumenici Concilii Tridentini,*" and so forth. But what we have now to do with is the *Con-*

*stitutio Dogmatica Prima de Ecclesia Christi, edita in sessione tertia* of the Vatican Council. It is not a constitution made by the Council, but one promulgated in the Council. And who is it that legislates and decrees? It is *Pius Episcopus, Servus Servorum Dei*; and the seductive plural of his *docemus et declaramus* is simply the dignified "we" of royal declarations. The document is dated *Pontificatus nostri Anno XXV.*; and the humble share of the assembled Episcopate in the transaction is represented by *sacro approbante Concilio.*\*

There is such a conscious tone of having caught the Pope in an act of 'revolution,' of form at least, and the Episcopate in 'present degradation,' in this passage, such an unction, too, of conscious superiority over Rome, that, as a specimen of 'expostulation,' not a word of it could be spared the reader. Let us, then, use a little of that 'modern thought and ancient history,' which, whatever Mr. Gladstone may say, we have no intention of discarding, especially in the present case.

First be it observed, that in the course of eighteen centuries the Church must be expected to make many changes in disciplinary forms. Her whole history shows that she does so. Always the same in doctrine, although some doctrines may at one time be held implicitly, at another explicitly—always the same likewise in the fundamental principles of that discipline which springs from her divine constitution—in the application of its details the Church, as her history most clearly tells, knows how to vary according to circumstances and conditions, so that the spirit of her consti-

\* Pages 32-34.



tution may be the more perfectly preserved. For law is like an arm, and form is a species of law. Its basis, the fundamental principles of right, is fixed unchangeably on the divine authority, as the upper arm is fixed unchangeably upon the body; whilst the hand, the changeable application, adapts itself in varied movements to the ever-varying objects and circumstances which it has to take hold of, yet always resting on one and the same unchanged basis, as change of law rests on unchangeable right.

The solution of Mr. Gladstone's difficulty is this. General Councils are held in one or the other of two distinct forms, and hence there are two distinct and different forms in which their decrees are drawn up and promulgated. Either the Pope presides by his Legates or he presides in person. When the Pope presides over a Council by his Legates, the decrees run in the name of the Council, and this authenticates them when presented to the Pope for his authoritative approval, enforcement, and promulgation. The earlier General Councils were held in the East, and were presided over by Papal Legates, and after their conclusion they were submitted to the Pope, who gave them authentic approbation and effect. The first over which the Popes presided in person were the first four General Councils of Lateran. Of the first three the decrees remain, but not the acts or forms. Of the First, in 1123, we have the bare decrees, without mention of the authority by which they were approved or promulgated. The Second, in 1139, under Innocent II., and the Third, in 1179, are drawn up in the form of Papal Constitutions with the formula *Sacro approbante Concilio*, precisely as in the

Vatican Council. The Fourth, in 1215, under Innocent III., runs likewise in the Pope's name. Mr. Gladstone, in a note, suggests that though some hold it to be so, this is not established. But, as given in Harduin, and as extracted in the authentic decretals of Gregory IX., there is the very style and even the terms that Mr. Gladstone reprobates as an innovation of Pius IX. and the Vatican Council. The decrees of the Fourth Council of Lateran begin with the words, 'Nos autem, *sacro-sancto et universali Concilio approbante.*' The decrees of the First General Council of Lyons, under Innocent IV., run obviously in the Pope's name, and such phrases as these occur in them: 'We therefore, confiding in the mercy of Almighty God, and in the authority of the Blessed Apostles Peter and Paul;' and 'We receive them into the protection of Blessed Peter and our own.' These terms belong exclusively to Papal documents. The delinquencies of Frederic IV. were discussed by the Council, but the constitution giving sentence is the Pope's, with the clause *sacro presente Concilio.*

The decrees of the Second General Council of Lyons, where the Greeks and Latins were united, are given in an apostolic constitution of Gregory X., who presided. In the General Council of Vienne there was but one decree, the judgment on the Templars. It was given in a constitution of the presiding Pontiff, Clement V. In the famous Council of Florence, where for the last time the Greeks and Latins were united, Pope Eugenius IV. presided, and the form observed is precisely that of the Vatican Council. The decree or 'definition,' as the decree of faith was called, is in the form of a Papal Constitution, which begins: *Eugenius Episcopus servus*

*servorum Dei.* It states at the outset that the Greek Emperor John Paleologus, the delegates of the Patriarchs, and representatives of the Eastern Bishops approved; it begins the definition of doctrine in words identical with the doctrinal constitutions of the Vatican: '*hoc sacro approbante universali Florentin Concilio definimus.*' After the signature of the Pope follow the signatures of all the Latin and Greek Prelates. It is evident that the Greeks raised no more objection to this form than the Latins, for their subscriptions prove the contrary.

The like forms are used in the Fifth Council of the Lateran, presided over by Leo X. I might have equally referred to the Council of Constance, after the election of Pope Martin V. had taken place in the Council. And although the mode of proceeding in that Council was really informal, inasmuch as its members voted by nations, a portion of its doctrinal decrees obtained force through the dogmatic constitution of Martin V.\* The difference of style, then, between Trent and the Vatican is obviously based upon an invariable rule of the Church, and is no innovation of Pius IX.

It must not be forgotten that it was the Bishops in the Vatican Council who discussed and settled the terms of the two dogmatic constitutions, suppressing, adding to, and modifying the original drafts by their majorities. During the discussions the Pope was absent, and only present at the final votings. Every Bishop within the Council gave his *placet* or *non placet*, there

\* For the whole of the facts and quotations in the above statement see Harduin's *Councils*.

being but two *non placets* uttered in defining the Infallibility. The Pope never opened his lips on the question before the Council until all discussion and voting was completed; he then gave the final judgment. All the Bishops, moreover, subscribed the constitution after the Pope, as defining, and their names are all printed as defining in the authentic edition of the Council.

It has commonly been considered a foolish thing to slay the slain; but I cannot help noticing Mr. Gladstone's instancing, as one token of change, that the canons of Trent 'are published in Rome as "*canones et decreta sacrosancti ecumenici Concilii Tridentini,*" and so forth. But what we have now to do with is the *Constitutio Dogmatica Prima de Ecclesia Christi, edita in sessione tertia* of the Vatican Council.' Precisely so. But it so happens that my official copy of the Council of the Vatican has a similar title to that of Trent. The title is: *Acta et Decreta Sacrosancti Œcumenici Concilii Vaticani.* Mr. Gladstone has confounded the title of a constitution with the title of the entire Council; and if he will turn over the pages of his copy of the Council of Trent, he will there find a title resembling that which has given him so much offence. It stands as follows: *Bulla S. D. N. Pii Divina Providentia Papæ IV. super confirmatione œcumenici generalis Concilii Tridentini.* In that Bull are contained these words, without which the Council would be of no effect: 'With the counsel and consent of our brethren [the Cardinals], we this day have confirmed by Apostolic authority all and each [of the decrees and canons of the Council], and have decreed that they be received and observed by all the faithful.' So the Queen, and not the Parliament, makes

our laws; they run in the Queen's name, the Parliament consenting.

The expostulator may depend upon it that the Church is *semper eadem*. But it is curious to notice how the language of his accusation of change shifts about. First he tells us that within the days of his memory 'the constant, favourite, and imposing argument of Roman controversialists was the unbroken and absolute identity of belief of the Roman Church from the day of our Saviour until now. He then notes a sensible change in the present tenor of our literature 'during the last forty years.'\* Secondly, he speaks of 'the deadly blows of 1854 and 1870' aimed at 'the old historic, scientific, and moderate school,' which 'surely was an act of violence.'† And in several other passages we are told that the evil claim of the Pope to Infallibility and unlimited obedience dates from 1870. But then in a note we are told that 'the gist of the evil we are dealing with consists in following (and enforcing) precedents from the age of Pope Innocent III.‡ That is, from 1215, which makes six centuries and a half. Then we are told, on the same authority, that 'the Popes had kept up, with comparative little intermission, for well-nigh a thousand years, their claim to dogmatic Infallibility; and had, at periods within the same tract of time, often enough made, and never retracted, that other claim which is theoretically less but practically larger—their claim to an obedience virtually universal from the baptised members of the Church.'§

\* Page 13.

† Page 15.

‡ Page 33.

§ Page 28.

On the two very points on which Mr. Gladstone has raised all this clamor, and that on the express ground of violent and even revolutionary change, by his own admission, the Church has been substantially the same, as far as these Papal claims are concerned, for well-nigh a thousand years. Yet he complains, and invites Catholics to complain, that, by the decrees of 1870, 'the religion of a man has been changed for him, over his head, and without the very least of his participation.'\* Well, the doctrines have not been changed, but defined by the Pontiff and the Episcopate—first by the Episcopate, as far as their judgment was concerned, and finally by the Pontiff—and they teach the unchangeable faith of the Catholic Church.

I will venture to quote an English author who by no means accords with the sentiment I have just quoted. 'Our Redeemer,' he says, 'as we are henceforward to assume, founded upon earth a visible and permanent society, cohering, and intended always to cohere, by means of a common profession of belief, but also of common and public ordinances, which by their outward form constituted and sealed the visible union of believers; while, by the inward spiritual grace attached to them, they were also destined to regenerate men in Christ, and to build them up in Him, and thus to constitute their inward and essential as well as their external oneness. Now there has been in practice the closest connection between the doctrines of a visible Church, and that of spiritual grace in the Sacraments,

\* Page 22.

and that of an Apostolical Succession in the ministry ; so that in general they have been received or rejected together.'

Then, after a few pages, speaking of the ordinances of the Church, the author says: 'Now it would be a supposition most repugnant to all antecedent probability, that the administration of such ordinances under such circumstances (that is, the having to cope with all the opposing forces of the unbelieving world, and yet more with all the bitterly, though more subtly, hostile influences which the breast of every man professing allegiance to the Saviour supplies) would be committed to the members of the society at large ; and this for several reasons. First, because of the high and mysterious connection between their outward form and their substance, and of the blessings they convey, we should expect them in the hands of those whose function in life it is especially to know and to guard the treasures of Christianity. . . Therefore their administration becomes a matter of government and discipline, and one, too, requiring the best—nay, indeed, much more than the best—discernment that is to be found among men for its right management ; from whence it seems to follow, that as different persons are adapted in various degrees for such an office, and as the mass are not at all fit for it, while the very best are but imperfectly capable of its discharge, it should be kept in the hands of a select body of persons, the most suitable that can be secured.'

And in another passage, speaking of succession from the Apostles, 'If there be a divine commission, not a figurative, but an actual, not a supposed, but an

attested commission involved in the true idea of the Christian ministry, then we have a way open for us naturally and readily to believe that the gifts and graces which belong to the author of that commission are indeed closely attached to its legitimate exercise. Then we have a full and adequate representation of the religious dispensation under which we live, as a system of powerful influences emanating altogether from God, and operating upon us as their necessitous recipients; and that relation between Him and ourselves, which we must correctly apprehend in order to perceive the adaptation of the Christian doctrines to their purposes, is rightly established in the ideas of His unbounded might and bounty on the one hand, and of our absolute weakness and need on the other—of Him as the universal Giver, and of us as receivers qualified by necessity alone.'

And soon after the author says: 'The argument from the commission to preach and instruct, and from the power of the keys, is nearly parallel, and is corroborative of that from the authority requisite for the right administration of Sacraments.'

It would be a very hard task to reconcile these beautiful passages with Mr. Gladstone's demand on the Catholic people to disclaim the teaching of the Apostolic See and the Episcopate, or with the complaint he makes of their acquiescing in the having their religion changed over their heads without their concurrence. But the author of these extracts is Mr. Gladstone.\* No doubt he often contradicts his own *Church Principles* in the details of the very book from which they are

\* *Church Principles*, chap. v.



quoted; but these are, or were, Mr. Gladstone's principles.

It is impossible to take up all the misconceptions contained in the sixty-six pages of the Expostulation, but there is a glaring one about *ex cathedra* definitions, where he says that "there is no established or accepted definition of the phrase *ex cathedra*," and that no one 'has power to obtain one, and no guide to direct choice among some twelve theories on the subject, which, it is said, are bandied to and fro among Roman theologians, except the despised and discarded agency of his private judgment.'\* The whole of his argument rests upon the authority of—*it is said*. Doubtless, whilst agreeing in the main, theologians differed as to minor conditions of what was a true and complete definition of the term *ex cathedra* before it was dogmatically used and defined; yet they always agreed that it was the official act of the Pope teaching the Church. Mr. Gladstone asks for an 'accepted definition,' and the Council has given him one. It was before his eyes in the decree of Infallibility he had just quoted. No sooner does the Church in Council introduce the term *ex cathedra* than she gives its authentic definition, and, what is more, its very terms are taken word for word from the dogmatic decree of the Council of Florence, which was signed by both Greeks and Latins. The definition is in these terms: 'When he (the Pope) speaks *ex cathedra*—that is to say, when discharging the office of Pastor and Doctor of all Christians, by virtue of his supreme Apostolic authority—he defines a doctrine regarding faith or morals.'

\* Page 34.

There was a time when Mr. Gladstone had no difficulty in his own judgment of defining what is *ex cathedrâ*. In 1840, in his *Church Principles*, after quoting Gregory XVI.'s condemnation of indifferentism as maintained by the unhappy De la Mennais, he says: 'And this the Pope promulgated *ex cathedrâ*, as being infallibly decided by his voice, and as being obligatory upon all the children of the Church to receive.'\* Four-and-thirty years ago Mr. Gladstone understood the term *ex cathedrâ*, and could even apply it to Papal documents where both the term *definimus* and the term *anathema* are wanting. He could even think at that period that it 'became obligatory on all the children of the Church to receive it'; that is, the Papal condemnation. Why, then, should he first be shocked in 1874 that the Council should define in 1870 what he believed in 1840 was the Catholic doctrine of Papal Infallibility and obedience to the Pope?

And now let us approach the Council itself. The Expostulation goes to suggest that the Council was convened mainly with a view of defining the Infallibility, and that the definition itself was brought about, chiefly for political objects, through the action of the Pontiff and 'a dominant party.' A falser notion could not be entertained. I have the official catalogue before me of the *schemata* prepared by the theologians for discussion in the Council. In them the Infallibility is not even mentioned; far the greater part of them regard ecclesiastical discipline. Through mundane revolutions such vast changes had taken place in the condition of

\* *Church Principles*, chap. viii. n. 46.

the Church and its affairs since the Council of Trent, that in a very large portion of the Church many of the laws of discipline enacted three hundred years ago had ceased to be applicable, and new enactments were imperatively required. In discussing these, a not inconsiderable progress had been made when calamitous events suspended the Council. The whole doctrinal *schema* respecting the Church and the Papal primacy was presented to the Council, and discussed without there being a word respecting the Papal Infallibility in the programme. For although that point had been prepared by the theologians, representing not merely Rome, but all the principal Churches, before the Council began it was decided not to introduce it. Accordingly, the *schema* on the Church and the Papacy appeared without it. What, then, gave subsequent rise to the introduction of the doctrine of the Infallibility? The chief moving cause was the incessant attacks made upon the Council, originating with the unsound German professors. They assumed, even before the Council sat, that the Infallibility was to be carried, and that by some stratagem issuing in acclamation of the doctrine; their attacks were reverberated from other quarters, and the world was full of them; whilst the Bishops, absorbed in the Council, could not reply. The very fear which these men showed at the thought of the Infallibility, their loud denial of its being an article of Catholic doctrine and tradition, and the way in which, with all the say to themselves, they managed to establish an influence, raised the question to one of supreme practical gravity.

Many of the Bishops began to reflect, and to communicate their reflections one to another. It was ob-

served how much these men, some of whose other doctrines had been already corrected at Rome, were in fear of the Infallibility. Their positive denial of it was noted, and their spurious defence of the opposite doctrine. If this was not repelled, it would go far towards establishing the impression that the doctrine was not definable; the result would be, that men like the writers in the *Augsburg Gazette*, notwithstanding the traditional teaching of the Church, and the canonical practice of all times that involved the Papal Infallibility, would resist or disown the doctrinal decisions of the Pontiff whenever brought against them. The consequence would be that the authority of the Pontiff definitively to settle controversies of doctrine, which the Church had ever acknowledged and acted upon, would be set at naught by a party within the Church, and between Council and Council there would be no authority recognized by them that could with irresistible vigour put down new errors against faith or moral doctrine. There was precisely that justification for action which Mr. Gladstone ascribes to the definitions of the earlier Church. 'The justification,' he says, 'of the ancient definitions of the Church, which have endured the storms of fifteen hundred years, was to be found in this—that they were not arbitrary or wilful, but that they wholly sprang from, and related to, theories rampant at the time, and regarded as menacing to Christian belief. Even the canons of the Council of Trent have in the main this amount, apart from their matter, of presumptive warrant.'\*

Besides the motives already assigned, to borrow Mr.

\* Page 14.

Gladstone's words again, 'the levity of the destructive speculations so widely current, and the notable hardihood of the anti-Christian writing of to-day,'\* as it appeared to many Bishops, rendered it all the more important that the Pope should be armed with that full strength with which Christ had invested Peter and his successors, to confirm his brethren in the truth, and to smite with irreversible judgment the false doctrines that might lift up their pride within the Church. For these reasons many Bishops united in a postulation that the question of Papal Infallibility might be brought into the Council; and accordingly it was introduced. Once introduced, there could be no doubt of the decision; for even those Prelates who argued against its opportuneness, with the exception of three or four, maintained the doctrine. I have already declared that no political motive, or notion of giving political dominion to the Pope, ever entered the minds of those to whom we owe the definition.

It remains to consider the meaning and extent of the Infallibility: first, as it is viewed through the prejudices of Mr. Gladstone; secondly, as it is understood and defined, and so limited, by the Council. Mr. Gladstone says, that 'the reach of the Infallibility is as wide as it may please the Pope, or those who prompt the Pope, to make it.'† This he asserts on the ground that the sense of the limiting term *ex cathedra* is undefined. But we have shown that the Council itself defined the term. He likewise asserts that the office formerly claimed by the Church was 'principally that of a witness to facts,' but that now, especially within

\* Page 47.

† Page 37.

the last forty years, the claim is 'principally that of a judge, if not a revealer, of doctrine.' And then we have it asserted that in the earlier claim 'the processes were subject to a constant challenge to history, . . . maintaining the truth and power of history, and the inestimable value of the historic spirit.' But, 'in the second, no amount of historical testimony can avail against the unmeasured power of development.'\*

This is the intellectual basis of Dr. Döllinger's party as exhibited in their maifesto, the book entitled *Janus*; in which book the whole of Mr. Gladstone's arguments may be found, with all their heresy. That book, written previously in the shape of articles in the *Augsburg Gazette*, and that before the definition, has since become their plea for rejecting the Council. Let Mr. Gladstone read the reply to it in the *Anti-Janus* of Dr. Hergenröther, and, if his mind be candid, he will see how far an appeal to history upon foregone conclusions respecting doctrine will carry men away from historic truth. The old Protestant principle of private judgment, as against the teaching authority of the Church, was the appeal to Scripture. The new principle of private judgment of Dr. Döllinger and his party, as against her authority, is the appeal to history. This is precisely that spirit of historical criticism that I denounced in my Pastoral.

The assertion that until recent times the Church acted as witness, not as judge, of doctrine, presents us with a most singular example of modern thought arrayed against ancient history. What were the decrees

\* Pp. 13-14.

and the canons, the anathemas and the excommunications pronounced against heresies and heresiarchs, of all the ancient Councils, and of so many of the older Popes, but doctrinal judgments?

Then as to the charge of substituting unmeasured development for the testimony of history. The Church witnesses to two sources of evidence before she pronounces upon her own doctrine. The first is the actual existing belief of the Catholic world; the second is the tradition come down through the ages from the beginning. The full testimony of the actual living Church was within the Vatican Council in the voice of her Bishops, representing every clime and nation; and for the tradition of the past, never was history so thoroughly searched before, and that on both sides of the question, in dissertations written by 158 of the Fathers for the use of the Council; in discussions prolonged until history and argument were absolutely exhausted; and in a flood of pamphlets circulated among the Fathers. The constitution in which the Infallibility is defined cites decisions of the Second Council of Lyons and that of Florence, in both of which the doctrine had already been virtually defined by the Greeks and Latins united. It also quoted the Fourth Council of Constantinople of 869. But this by no means represents the evidence brought forward in discussion from much earlier Councils and Fathers, and from the Sacred Scriptures. Indeed, it may be safely said, that to an unprejudiced eye the evidence of the Sacred Writings is much stronger and more persuasive for the Infallibility of Peter's successor than for that of the Episcopate. On this subject there was no call what-

soever for the principle of development ; nor do I think it was once mentioned.

Mr. Gladstone is fond of putting his statements in the shape of questions, and he asks: ' Will it be said that the Infallibility of the Pope accrues only when he speaks *ex cathedrâ* ? ' \* This question insinuates the contrary. But the Council strictly limits the Infallibility to *ex cathedrâ* decisions ; and the objector ought to understand that such documents are of strict interpretation, and that no one has a right to affirm that more is contained in the decree than is expressed. Again, it is asked : ' Will it be said that the Infallibility only touches faith and morals ? Only matters of morals ! ' † And here, by way of illustrating the extent of morals, Mr. Gladstone very correctly describes our human life as involving duty at every step, as if the Pope pursued every man throughout his life, pronouncing *ex cathedrâ* judgments upon all his acts. He confounds judgment upon moral doctrine with judgment upon moral acts, and by this confusion of ideas contrives to bring all human life under the prerogative of Infallibility. No wonder that, after this monstrous widening of the sphere of Infallibility, he is enabled to hurl so many figures of rhetoric against, not the Pope's Infallibility, but his own invention. Such, then, are Mr. Gladstone's misconceptions of the Papal Infallibility. How completely it illustrates Dr. Newman's well-known remark, that ' true testimony is unequal to the Protestant view ' !

It remains to see what the Infallibility as defined by the Council truly is, and what it truly is not. Let me

\* Page 34.

† Page 36.



first say, that the Church is not responsible for either doctrines or their applications as given by those who, even though members of the Church, are not her authorised teachers, in whatever shape they may appear. Nor is it fair to pick out the *obiter dicta* of competent writers and exhibit them as Catholic doctrine. The only way of fair dealing is to take the formal expositions of competent authorities when expressly directed to explain an article of faith. So we take the legal expositions of judges, so the evidence of experts.

Before giving the definition of the Infallibility, it will be expedient to observe that the whole chapter in which it is contained underwent considerable alteration from the Bishops as the result of their discussions. For example, the original title of the chapter was *De Romani Pontificis Infallibili Auctoritate*. But the word *auctoritate* was altered to *magisterio*, with the express intention of marking that the infallible authority was limited to *teaching*. For greater convenience I give the definition in an English version of it as follows:

‘ The Sacred Council approving, we teach and define that it is a dogma divinely revealed, that the Roman Pontiff, when he speaks *ex cathedra*—that is, when, in discharge of the office of Pastor and Doctor of all Christians, by virtue of his supreme Apostolic authority, he defines a doctrine regarding faith or morals to be held by the Universal Church, by the divine assistance promised to him in blessed Peter—is possessed of that Infallibility with which the divine Redeemer willed that His Church should be endowed for defining doctrine

regarding faith or morals; and that therefore such definitions of the Roman Pontiff are irreformable of themselves, and not from the consent of the Church. But if any one—which may God avert—presume to contradict this our definition, let him be anathema.'

As an objection has been raised in the *Times* that there is no canon and no anathema attached to the definition, it may be well to observe, first, that definitions of doctrine are not always put in the form of canons, although they were so in the Council of Trent; secondly, that the clause *docemus et divinitus revelatum dogma esse definimus* begins the definition; thirdly, that the definition does conclude with the *anathema sit* against all who presume to contradict this definition, which is the equivalent of a canon. The definition strictly limits the Infallibility to doctrine of faith and of morals, and that only when the Pope is exercising his Apostolic authority in teaching all Christians from the Apostolic Chair. Mr. Gladstone confounds throughout his pamphlet moral conduct with moral doctrine; but the Infallibility is expressly limited in the text to doctrine of faith and doctrine of morals, or moral doctrine, which, in fact, is of the elements of faith as well as of ethics.

'The reach of the Infallibility is as wide,' says Mr. Gladstone, 'as it may please the Pope, or those who prompt the Pope, to make it.\*' And he even questions whether it may not enable the Pope to proclaim new revelations. This shows that he has never carefully studied the text of the definitions, nor the exposition

of its sense delivered in the preamble. In that exposition it is expressly stated that 'the Holy Spirit was not promised to the successors of Peter, that by revelation they might make known new doctrine, but that by His assistance they might inviolably keep and faithfully expound the revelation or deposit of faith delivered through the Apostles.' This, then, is another limitation to the Infallibility, that it is *not by revelation*, nor does it extend to new doctrines, but is, *by assistance* of the Holy Ghost, to keep *the deposit of faith delivered from the beginning*:

In another passage of the preliminary exposition it is shown that the Pope employs all wise and judicial precautions in taking the testimony of the Church to any doctrine before defining it. 'The Roman Pontiffs,' it says, 'according to the exigencies of time and circumstances, sometimes assembling Œcumenical Councils, or asking for the mind of the Church scattered throughout the world, sometimes by particular Synods, sometimes by using other helps which Divine Providence supplied, have defined as to be held those things which, with the help of God, they had recognised as conformable to the Scriptures and Apostolic traditions.' This brief narrative of the measures taken by the Popes securely to obtain the sense of the Church before pronouncing a doctrinal judgment was inserted into the decree as one of the results of discussion in the Council.

The distinction between the false Infallibility, as Mr. Gladstone has been taught to view it, and the true Infallibility held by the Church, has been admirably expressed by the late learned and lamented Père

Gratry. Misled like others as to what the Council really intended, he wrote against the definition; but before he died the actual decree reached his hands, and he wrote, in his retraction :

'I combated an *inspired* Infallibility; the Council's decree *rejects* inspired Infallibility. I combated a *personal* Infallibility; the decree gives but an *official* Infallibility. Writers of a school I thought excessive were undesirous of a limitation to Infallibility *ex cathedra* as being too narrow; and the decree but gives Infallibility *ex cathedra*. I almost feared a *scientific* Infallibility, a *political* and *governmental* Infallibility; and the decree gives but *doctrinal* Infallibility in matter of faith and morals.'\*

A more authoritative exposition of the limits of Papal Infallibility was given in the joint Pastoral of the Swiss Bishops in the year following that of the Council, which received the commendation of the Pope himself, and in which is contained the following passage: 'It cannot be said that the Roman Pontiff is personally infallible, in the sense that each of his affirmations is infallible, and that it depends but on his personal views to impose faith in new dogmas upon the faithful. The Pope is neither infallible as a man, nor as a scholar, nor as a priest, nor as a bishop, nor as a temporal prince, nor as a judge, nor as a legislator. He is neither infallible nor incapable of sin in his life and conduct, in his political views, in his relations with princes, nor even in the government of the Church; but he is solely and exclusively infallible when, in his quality of

\* *Correspondant* of 25th February 1872.

supreme Doctor of the Church, he pronounces a decision in matter of faith or morals that ought to be accepted and held as obligatory by all the people.'

I might give extracts in the same sense from the most valuable work of the late Bishop Fessler, the learned Secretary-General to the Council, for which he received a congratulatory Brief from the Sovereign Pontiff. But as the work itself, entitled the *True and False Infallibility of the Popes*, will speedily appear in an English translation, I refrain from doing so. Having disposed of half the ground of Mr. Gladstone's Expostulation, I proceed to dispose of the other half.

#### V. MR. GLADSTONE'S 'OBEDIENCE' AND THE CHURCH'S OBEDIENCE.

IF in his exaggeration of the Pope's Infallibility Mr. Gladstone exceeds all bounds, in his amplification of the extent of ecclesiastical obedience he becomes absolutely wild. I have only room for a brief statement of his misconceptions; I hope the reader will examine his text from page 37 to page 45 of the octavo edition.

'The sounding name of Infallibility,' he says, 'has so fascinated the public mind, and riveted it on the fourth chapter of the constitution *De Ecclesia*, that its near neighbour, the third chapter, has, at least in my opinion, received very much less than justice.\*' Then is given the text of the decree, which I shall put in English. 'The pastors and faithful of whatsoever rite and dignity, each one individually as well as all taken together, are bound to the duty of hierarchical subor-

\* Pp. 37-8.

dination and to true obedience, not only in those things that belong to faith and morals, but likewise in those that belong to the discipline and government of the Church spread throughout the world. . . . This is a doctrine of Catholic truth, from which no one can deviate with secure faith and salvation. . . . We therefore teach and declare that he (the Pope) is the supreme judge of the faithful, and that in all causes belonging to ecclesiastical jurisdiction recourse can be had to his judgment ; but the judgment of the Apostolic See can by no one be reversed. Nor is it lawful for any one to judge his judgment.'

Upon this Mr. Gladstone comments in these terms : ' Even, therefore, where the judgments of the Pope do not present the credentials of Infallibility they are unappealable and irreversible ; no person may pass judgment upon them, and all men, clerical and lay, dispersedly or in the aggregate, are bound truly to obey them ; and from this rule of Catholic truth no man can depart save at the peril of his salvation.' \*

This is strange blundering in the interpretation of law from a practised legislator. If with the whole context of the law before his eyes he can draw such conclusions, what can we expect when the same writer comes to the Syllabus, consisting as it does of short sentences taken out of their ample context ? He has confounded the point of doctrine with the point of law ; and that peril to salvation which in the text of the decree is exclusively attached to the doctrine he has attached to the law resulting out of the doctrine. The

first paragraph of the decree asserts that the members and whole body of the Church, whether pastors or flock, are held together in hierarchical order by the principle of obedience, of obedience not only to the doctrines of faith and morals, but obedience likewise to the regulations of Church government and discipline. It is this principle of obedience to the Church, not that other practical obedience to Papal judgments, which is declared to be '*a doctrine of Catholic truth, from which no one can deviate with secure faith and salvation.*' Mr. Gladstone has extended this clause into the second paragraph, where it is not to be found, and which is upon the distinct subject of the Pope's judgments in cases appealed to his Supreme Court, to which, as being a totally different subject, not referring to faith, but to legal decisions, it does not apply. Yet upon this egregious blunder of his own making has Mr. Gladstone raised his most vehement and declamatory accusations. He speaks likewise with horror of the Papal ecclesiastical judgments for being '*unappealable and irreversible ; no person may pass judgment upon them.*' Precisely so. So it is, and so it must be, in every judicial system, where there are inferior tribunals and one supreme tribunal and last court of appeal. No one can reverse its decision, no one can judge its judgment ; all must obey it, and that under pain of contumacy. It is the same in the civil as in the ecclesiastical system of judicature—there is always a high court of final appeal whose decisions are '*unappealable and irreversible ; no person may pass judgment upon them.*' All, of whatever class or degree, '*must obey them.*' In the Anglican Establishment the same rule prevails. As

the Queen is head of the Anglican Church, the final appeal in causes ecclesiastical is to the Queen in Council. All Anglican churchmen and laymen are bound to obey the decision, which is 'unappealable and irreversible;' no person can rejudge that judgment. Why? Because the theory of the law is, that the Queen takes the place formerly held by the Pope.

But it does not follow from the terms of the decree of the Vatican Council that there are no intermediate courts, such as those of the local Bishop, next that of the Archbishop or Metropolitan; nor does it follow that the Pope may not reverse his own judgment, which is not at all unusual, where the defeated party brings proof of error or new matter that could not be before adduced. I have a letter before me of the late Cardinal Prefect of Propaganda, in a case where I had acted as apostolic delegate, in which his Eminence says: 'Nothing is more usual to the Holy See than to reverse its judgments on proof of error.' 'The whole of the second clause most plainly refers to appeals from the local and inferior courts to the Supreme Court in matters ecclesiastical.

In his very authoritative book on Diocesan Synods, the most learned Pope Benedict XIV. points out, from the provisions of the common law, that in issuing rescripts and mandates the Popes may sometimes be deceived by false informations or by suppressions of truth; in which case they are far from complaining if the executors of such documents suspend their action until the Pontiff is informed, who willingly rectifies what is amiss. Moreover, whenever a Pontifical law or mandate may, in the judgment of the local authority,



have an injurious effect in some province or diocese, the Bishop can and ought to make this known to the Holy See, and the Pope is ever ready to receive such representations, and to make exceptional provisions wherever they are shown to be needed.\* In short, the government of the Church, like that of all sound governments, is guided by common sense. A discipline and government such as Mr. Gladstone imagines for us could not exist.

That the principle of obedience to the authority of the Church is a point of faith and condition of salvation is nothing new. It was taught by its Divine Founder when He said: 'If thy brother shall offend against thee, go and rebuke him between thee and him alone. If he shall hear thee, thou shalt gain thy brother; and if he will not hear thee, take with thee one or two more, that in the mouth of two or three witnesses every word may stand. And if he will not hear them, tell the Church; and if he will not hear the Church, let him be to thee as the heathen and publican.'† Here disobedience to the Church, even in matters of ordinary life, is plainly put under anathema, or separation from salvation. St. Paul likewise says: 'Obey your prelates, and be subject to them. For they watch as being to render an account of your souls.‡ What, then, has the Council done but repeat the doctrine of Holy Scripture?

After he has stuffed the decree of the Council with his own misconceptions and mental confusion, Mr. Gladstone lets his ideas run away with him into a wild-

\* *De Synodo Diacesano*, l. ix. c. 8.

† Matt. xviii. 14-17.

‡ Heb. xiii. 17.

ness of fancy, a very romance of misconstruction, that is fairly astonishing. The principle of ecclesiastical obedience is made to extend over all civil power and civil actions. 'Individual servitude,' he says, 'however abject, will not satisfy the party now dominant in the Latin Church; the State must also be a slave.\*' This sentence is a specimen of the shiftiness that runs through the whole production. The author allows that the decree was approved by 'a council œcumenical in the Roman sense;†' and here he limits the satisfaction derived from it to 'a dominant party.' How by this decree is the State made 'a slave'? It does not even touch the State. Mr. Gladstone quotes in proof of his assertion what he calls 'the pregnant words on the point.' They are these: 'Not only in those things that belong to faith and morals, but likewise in those that belong to the discipline and government of the Church spread throughout the world.'

These, then, are the limits set to that obedience whose principle is pronounced to be a matter of faith. It includes, first, obedience to doctrines of faith; secondly, to moral doctrine; thirdly, to Church discipline fourthly to Church government. Here, I repeat, is the limitation set by the Council to that obedience the principle of which is declared to be of faith. Let us now see to what Mr. Gladstone extends it. 'Absolute obedience, it is boldly declared, is due to the Pope, at the peril of salvation, not alone in faith and morals, but in all things which concern the discipline and go-

\* Page 40.

† Page 42.

vernment of the Church.' The words 'absolute' and 'boldly' are Mr. Gladstone's additions. And what is 'at the peril of salvation' in the text is the doctrine, not the obedience. Now for the wild romance. 'Thus,' says Mr. Gladstone, 'are swept into the Papal net whole multitudes of facts, whole systems of governments, prevailing, though in different degrees, in every country of the world. Even in the United States, where the severance between Church and State is supposed to be complete, a long catalogue might be drawn up of subjects belonging to the domain and competency of the State, but also undeniably affecting the government of the Church; such as, by way of example, marriage, burial, education, prison discipline, blasphemy, poor-relief, incorporation, mortmain, religious endowments, vows of celibacy and obedience. In Europe the circle is far wider, the points of contact and interlacing innumerable. But on all matters respecting which any Pope may think proper to declare that they concern faith or morals, or the government or discipline of the Church, he claims, with the approval of a council undoubtedly œcumenical in the Roman sense, the absolute obedience, at the peril of salvation, of every member of his communion.'

Except in points of defined doctrine, whether of truth or moral principle, all the rest, in so far as salvation is concerned, is not in the decree of the Council, but is a huge addition of Mr. Gladstone's. For, I repeat once more, the doctrine of obedience is declared of faith under peril of salvation, but the exercise of obedience is simply declared to be obligatory. There is no doubt but that contumacious disobedience against

authority is of peril to salvation. Contumacy strikes at the very root of authority, whether of God or man ; and no society, under whatever government, can tolerate it, but ever treats it among the gravest crimes. Only this point the Council does not touch directly, it only speaks of the obedience of subjects to superiors as of binding force.

Of the matters which Mr. Gladstone has 'swept into the Papal net,' the Council says nothing ; and he cannot but know that whilst some of them—vows, for example—are of a purely spiritual nature, others—for example, poor-relief—are of a purely temporal nature ; whilst others of them have both a spiritual and a civil element, in which what is of conscience and religion belongs to the Church, and what is of civil regulation belongs to the State.

Nothing is more clearly expressed in the traditions of the Church than the distinction between the spiritual and civil powers ; but when a nation and its government is Catholic, they are both presumed to have Catholic consciences, as in England, when, for a thousand years, the Catholic religion was part and parcel of the common law. Church and State become mutually supporting, and whilst the civil power, as such, is left to its free force, all that is of conscience, or, to use the words of Boniface VIII., explaining the Bull *Unam Sanctam* in a Council, 'what regards sin,' is of the authority of the Church. This principle explains a considerable portion of the Syllabus. Thus it is that the Church touches civil actions on the side of conscience, as previously explained. But in concluding that part of his subject the expostulator seems to ques-

tion the right of the Church to have any independent authority, and reclaims against the notion that the Church has the right to know her own powers, for to know is to define them.\*

Mr. Gladstone shall answer Mr. Gladstone. In his *Church Principles* he says: 'No mere sameness of tenets, therefore, is sufficient for the perpetuity of the Church. Association, of whatever kind, necessarily and obviously implies much more than a mere aggregation of units; and the action of an association implies, in like manner, much more than the concurrence of a majority of a mere aggregation of units. Wherever there is combination, there is something over and above the sum total of individual agencies; there is joint action, and that joint action requires law and an organ. That law is usually a constitution, and that organ a government. The former may be in the breast of the latter. The latter may, where the purposes of the association are both limited and definite to the last degree, be superseded by the former; but in every other case, and the exceptions are so trifling and equivocal that we may well say in every case, where there is a society there must be a government, a centre of life, a power acting on its behalf, and also controlling and commanding the movements of its individual members, so far as they are liable to be modified by the laws and purposes of the body.' And, again: 'How wonderful is the idea of the Christian Church! A power appointed to cope with all the opposing forces of the unbelieving world, and yet more with all the bitterly, though more subtly,

\* Page 43.

hostile influences which the breast of every man professing allegiance to the Saviour supplies. . . . . What moral contradiction so violent and absurd, until we supply in this description the idea of a divine power, working in and under appointed instruments.'\*

I may be told that the author of these sentiments publicly renounced his own book in Parliament, but this will not destroy the intrinsic force of his argumentation.

#### VI. MR. GLADSTONE'S 'SYLLABUS' AND THE POPE'S SYLLABUS.

'IT seems,' says the expostulator, 'not as yet to have been thought wise to pledge the Council in terms to the Syllabus and the Encyclical. That achievement is probably reserved for some one of its sittings yet to come.' This is in the expostulatory style, based not on facts, but on a dream of imagination. I need not point out from where it comes to any one who has read *Fanus*. Does Mr. Gladstone fancy that the eighty distinct propositions, on as many subjects, a good many of them complicated, most of them demanding an acute application of theological or canonical science for finding out their precise bearing and their exact contradictories, would ever be discussed and settled in 'some one sitting' of the Council? This is to insinuate that the Pope commands and the Council obeys. Does Mr. Gladstone remember how many months it took to discuss and settle the decrees that have been the object of his misinterpretations? I can only say, that the notion of introducing the Syllabus into the Council was never

\* *Church Principles*, chap. v. n. 6, 7, 9.

heard of except from the writers in the *Augsburg Gazette* and their copyists. The Papal documents from which they are extracted were promulgated by the Bishops throughout the Church, and the condemnations embodied from them in the Syllabus were condemned by the Bishops in their joint and spontaneous address to the Pope. What more do they require to give them every kind of force? Are they to be turned into dogmas of faith? This is evidently Mr. Gladstone's notion, as it is that of the school of *Janus*. But the propositions of the Syllabus are far from all of them capable of being pronounced heretical; and to imagine this is to misconstrue the nature of the censure attached to them.

The Syllabus is entitled *A Collection embracing the principal Errors of our Age, as noted in the Consistorial Allocutions, Encyclics, and other Apostolical Letters of Pius IX.* The letter of Cardinal Antonelli simply authenticates them. They are simply called *errors*. We must go to the original documents for any specific censures, but there we shall likewise find the exact limit of their sense. Error is a term that includes an extended scale and gradation of censures, and to understand their nature we cannot do better than consult the prefatory 'Instruction to the Index of prohibited Books.' 'The things to be corrected,' it says, 'are propositions that are heretical, or erroneous, or savouring of heresy, or scandalous, or offensive to pious ears, or schismatical, or seditious, or blasphemous.' These are the several terms of censure, any one of which may be included under the comprehensive word *error*. Then a censure may fall upon a single clause, phrase,

or word, and not upon the entire sentence. Amongst the objects of censure are especially marked in the 'Instruction' 'the things that savour of Paganism,' and 'such as, drawn from pagan sentiments, morals, and examples, foster political tyranny, which is falsely called *state reason*, and is abhorrent from the Evangelical and Christian law.' Again, 'such as are against the liberty, immunity, or jurisdiction of the Church.' Likewise 'lascivious or obscene writing that corrupts good morals.' These points pretty well embrace the whole Syllabus.

Yet even with these helps, and such as these, how is Mr. Gladstone to construe the sense of the Syllabus? It is tolerably clear that he makes every proposition to be a universal negation, and its censure to be that of heresy, and that the condemnation bears in all cases upon every part of each proposition. It is the propensity of ignorance to generalise whatever comes from an unacceptable source, and to distort its meaning out of the proportions of truth; and on Catholic subjects Mr. Gladstone is very ignorant. He ought to understand that Papal constitutions and censures, like law, diplomacy, and other professional sciences, are full of technical terms and refined distinctions, comprehended only by the initiated; that they are addressed to Bishops who have the science of interpreting them; and that nothing can be more presumptuous than for one who, so far from having the requisite science, is not even a Catholic, to attempt to instruct the world, above all, to teach Catholics on such a subject, and to expostulate with them on what he plainly shows he does not himself understand.



Were Mr. Gladstone a Catholic well acquainted with his Catechism, he would still require, as the least preparation before handling the Syllabus, a course of study such as follows: first, a year of scholastic philosophy, to understand the school-terms and their use and application; secondly, a three-years' course of dogmatic and moral theology, in both cases under a competent master; thirdly, he might then take up such a book as the *Theses Damnatae* of Dominic Viva. After this preparation the merely elementary knowledge will have been gained for expounding the Syllabus, provided its propositions are examined with due sagacity in their original contexts, with due attention to the historic facts to which they are individually addressed, and to the time, the place, the persons, and the circumstances.

Grave warnings have been given us of the danger of attempting to construe the Syllabus without the requisite science. The *Journal des Débats* attempted it in part, and the Bishop of Orleans convicted the writer of more than seventy errors.\* Mr. Gladstone attempted to render eighteen of the eighty propositions into English, and an able theologian in the *Month* found that twelve of them were either strained or presented in a sense foreign to their meaning.†

So much has been well written on the Syllabus, that I shall confine my attention to one or two of its easiest propositions, such as scarcely require the science I have

\* *La Convention du 15 Septembre et l'Encyclique du 8 Decembre*, by the Bishop of Orleans.

† The *Month* for December, 1874.

spoken of to understand them; nor shall I do more than simply replace the propositions in their context. But this will be sufficient to exhibit the difference between Mr. Gladstone's Syllabus and the Pope's Syllabus.

I select the 80th and last proposition as one of those which has been subject to the widest misconstruction, has been made the most hostile use of against the Church, and, nevertheless, with its context, presents the most complete refutation, not merely of the unjustifiable sense attached to it, but to that which has been attached to other propositions of the Syllabus. Mr. Gladstone renders it in these words: 'Or that the Roman Pontiff ought to come to terms with progress, liberalism, and modern civilisation.'\* The original is: 'That the Roman Pontiff *can* and ought to *reconcile* himself and come to terms with progress, with liberalism, and with recent civilisation.' The question before us is, whether this is a condemnation of progress, liberty, and modern civilisation absolutely and without distinction, or only of evils and abuses that go under that name. Englishmen, with insular pride, are apt to measure all things by what exists in England, and to think the Pope is always aiming his censure at them; whereas—to understand the Pope's Allocution of March 18th, 1861, from which the proposition is taken—they must consider the then state of things on the Continent, and the style in which evil men cloaked under popular names—such as liberty, civilisation, and progress—doctrines and deeds which in England would never be tolerated.

\* Page 16.

The Pope says in his Allocution *Jam dudum certinus* :

‘ Long have we been the witness of the agitation into which civil society is thrown, especially at this time, through the lamentable conflict of antagonistic principles, between error and truth, between virtue and vice, between light and darkness. For certain men, on the one side, contend for *what they call modern civilisation* ; others, on the contrary, strive for the rights of justice and of our holy religion. They first demand that *the Roman Pontiff should reconcile himself and come to terms with WHAT THEY CALL progress, with liberalism, and with recent civilization.* But others with reason reclaim that the immovable and unchangeable principles of eternal justice be kept in their integrity and inviolability, and that the salutary force of our divine religion be completely preserved. . . . But the patrons of *modern civilisation* will not admit of any such distinction, even though they declare that they are the true and sincere friends of religion. Willingly would we give faith to them, were it not that the melancholy facts which are this day before the eyes of all men prove absolutely the contrary. . . . Among these facts, no one is ignorant how solemn Concordats, regularly concluded between the Apostolic See and various sovereign princes, have been utterly abolished, as recently occurred at Naples. Against which act, in this august assembly, we again and again complain, venerable brethren, and loudly reclaim in like manner, as on other occasions we have protested against like attempts and violations.

‘ But whilst *this modern civilisation* fosters every anti-

Catholic worship, and by no means keeps back infidels from public employments, nor closes the Catholic schools against their sons, it is irritated against religious orders, against institutions founded to teach Catholic schools, and against numerous ecclesiastics of every grade, even those who are clothed with the highest dignity, of whom not a few drag on an uncertain life in miserable exile or imprisonment, and even against distinguished laymen, who, devoted to us and this Holy See, courageously defend the cause of religion and justice. Whilst it grants pecuniary assistance to anti-Catholic institutions and persons, *this civilisation* despoils the Catholic Church of her most lawful possessions, and puts forth every effort to lower the salutary influence of the Church. Moreover, whilst it gives entire liberty to all discourses and writings that attack the Church and those who from the heart are devoted to her, whilst it stirs up, fosters, and favours such license, at the same time it is exceedingly cautious and moderate in repressing the attacks, sometimes violent and excessive, employed against those who publish excellent works, whilst it punishes the authors of these works, if they pass the bounds of moderation in the least degree, with the utmost severity.

‘Can the Roman Pontiff ever extend a hand to *this kind of civilisation*, or cordially enter into alliance and agreement with it? *Let their real names be restored to things, and this Holy See will be ever consistent with itself. For truly has it always been the patron and nurse of real civilisation*; the monuments of history bear witness and prove that in all ages from this Holy See have gone forth, even into the most remote and barba-

rous nations, right and true humanity, moral culture, and wisdom. But if *under the name of civilisation* is to be understood a system devised to weaken, and perhaps even to destroy, the Church—no, never can the Holy See and the Roman Pontiff *come to terms with such a civilisation.*'

The Pope goes on to narrate how, in return for his paternal concessions, *this civilisation* spattered his Council Chamber with the blood of his minister; how it stripped the Holy See of its territories, and, amidst all its infamies, still called upon the Pontiff to reconcile himself with *this modern civilisation*. 'Willingly,' says the Pontiff, 'do we pray for these persons, that by the help of divine grace they may repent. But in the mean while we cannot remain passive, as if we had no care for human calamities. . . . If unjust concessions are asked of us, we cannot consent to them. But if pardon be asked for them, freely and promptly shall we be prepared to give it.'

From one example learn all. Here is the text from which the 80th proposition of the Syllabus is extracted, and from its Apostolic author we learn its true sense. Mr. Gladstone declaims on the Pope's condemnation of all modern civilisation. Ironically the Pope uses the word from the mouth of the Church's adversaries, until he comes to true civilisation, and then he embraces and exalts it. But *this civilisation* with which the Pope is asked to be reconciled is a civilisation and a liberty that breaks down solemn agreements with the Holy See, and that, without ever consulting the other party to the contract, breaks concordats, and puts an end to them, renouncing the entire obligation of the

solemn compact. This, by natural, divine, international, and even English law, is a great crime.

It is to Italy in 1861 that the Allocution refers, to a country in which the Catholic Church had full possession through the faith of its people; and *this modern civilisation* advances infidels into confidence and power, to the scandal of the people; does everything in its power to suppress the Church of the people; rises against the religious orders and the educational institutions; exiles and imprisons the Bishops; gives every license to speech and the press against religion, but severely represses whatever is earnestly written in its defence. Its liberalism, even in its royal personages and ministers of State, does not 'keep faith with princes.' And its *progress* moves strongly in the opposite direction to that loyalty to sovereigns about which Mr. Gladstone is so solicitous, when it murdered the Pope's lay Minister of State, revolted and raised insurrection against his throne, as well as half a dozen more; and put a number of innocent priests to death in cold blood. Little birds have even told us how Mr. Gladstone gave a helping pen, and how his liberal friends used the name, the influence, and even the ships of England to give an impulse to the progress of *this civilisation*.

The Index, as we have seen, points to heathen maxims and practices fostering political tyranny, *falsely* called *state reasons*, and abhorrent to Christian freedom, as an object of censure. This brings me to the second proposition I have selected from the Syllabus, as being an ample refutation of the whole of Mr. Gladstone's position. That proposition is the 63d, which condemns

the error that 'it is lawful to refuse obedience to lawful princes, and even to rebel against them.' Under the general term of lawful princes the style of Roman documents includes all heads of constituted governments, not only kings, but presidents of republics. For this 63d proposition we are referred to four Papal documents. The first of them is the very first Encyclical of Pius IX., of November 1846, in which his Holiness says to the Bishops of the Church: 'Strive to inculcate into the Christian people due obedience and subjection to princes and (temporal) powers, teaching them according to the admonition of the Apostle, that "there is no power but from God; and those that are, are ordained of God. Therefore he that resisteth the power, resisteth the ordinance of God.' Wherefore the precept to obey the power cannot by any one be violated without sin, unless perchance that be commanded which is against the law of God and the Church.'

The second document referred to for condemnation of the proposition in question is the Allocution of Pius IX. of October 1847. After treating of the restoration of the Latin Patriarch in Jerusalem, his Holiness says: 'And here, venerable brethren, we openly and loudly declare that in this affair, as in all others, all our cares, thoughts, and efforts, completely estranged from human policy, tend but to one thing—that the most holy religion and doctrine of Christ may shine forth more and more, unto all the nations of the earth. For although we desire that princes to whom the Lord hath given power, closing their ears to deceitful and pernicious counsels, may keep the law of justice, and walking according to the will of God, may

protect the rights and liberty of Holy Church, and from religious duty, as well as humanity, may labour for the happiness and prosperity of their people; nevertheless we are most keenly afflicted that in various places men are to be met with among the people who, rashly abusing our name and inflicting grievous injury on our person and supreme dignity, dare to refuse due subjection to their princes, to stir up multitudes against them, and to promote criminal disturbances. So far is this from our thoughts, that in our Encyclical Letter, addressed last year to our venerable brothers the Bishops, we failed not to inculcate obedience to the princes and powers, from which, according to the precept of the Christian law, no one can deviate without sin, unless what is commanded be against the law of God and the Church.'

The third document referred to in the 63d error of the Syllabus is the Encyclical Letter of Pius IX. of September 8th, 1849, after his return to Rome from his exile in Gaeta. After speaking of the mischievous doctrines and deeds of the Communists and Socialists, the Pope says: 'Let the faithful intrusted to your care be admonished that it belongs to the very nature of human society that all should obey the authority that is lawfully constituted within it; nor can anything be changed in the commands of the Lord which are declared on this subject in the Sacred Scriptures, for it is written: "Be ye subject to every human creature for God's sake; whether it be to the king as excelling, or to governors as sent by him for the punishment of evil-doers and for the praise of the good; for so is the will of God, that by doing well you may put to silence the ignorance of



foolish men ; as free, and not as making liberty a cloak for malice, but as the servants of God." And again : " Let every soul be subject to the higher powers, for there is no power but from God ; and those that are, are ordained of God. Therefore he that resisteth the power, resisteth the ordinance of God, and they that resist purchase to themselves damnation."

' Let them likewise know that it is equally a natural, and therefore an unchangeable, condition of human things, that even among those who are not in high authority, some by reason of different qualities of mind, or body, or of wealth, or of other external advantages, prevail above others ; nor *under any pretence of liberty or equality* can it ever become lawful to invade the goods or rights of another, or in any way to violate them. Clear also are the divine precepts on this subject, and extant in various places of Sacred Scripture, in which we are not only prohibited from taking, but from desiring, the possessions of another.'

Let this suffice. Mr. Gladstone's principal charge is, that whilst the Catholics of England are loyal; the Pope with his abettors uphold principles that are subversive of loyalty, and the Syllabus is his main proof. Let him read and be ashamed.

To sum up the Syllabus : some of its propositions defend natural human reason against its detractors, others defend Creation against Pantheism, others defend Christianity against Rationalism, others defend natural and Christian ethics against immoral theories. Some defend Christian faith against Latitudinarianism and Indifferentism ; not a few of the propositions are defensive of the Church and of the prerogatives of the

Holy See against the Church's assailants; others of them maintain the rights of the civil power to the duty and allegiance of its subjects; others, again, the right of Christians to Christian marriage and Christian education; whilst others of these propositions condemn that revolutionary and rebellious spirit which under false names strike at all real freedom, progress, and true civilisation.

#### VII. AN APOSTROPHE TO MR. GLADSTONE.

RIGHT Honourable Sir,—Responding to the call you have made upon all English Catholics to give you the expression of their sentiments on the charges you have brought against their Pontiff and their holy religion, I have the honour to offer you mine. Though but one of a million for whose voices you have called, and although I can scarcely understand why you exclude the other five millions within the British Isles, I claim the right to be considered the representative of at least one-tenth of that million. If in defending Catholic truth and loyalty against your pen I seem in some defensive strokes to put in the sharp edge of controversy, your courtesy will rightly ascribe it to the keenness of your assault. The temper of the assailant brings out in reverberation the temperament of the defendant, as the strings of one instrument set in motion awaken the chords of another, though in tones more subdued.

After ages of cruel persecution, the Catholics of this country were living in peace and content, loving their Church and Pontiff, loving their Queen and country, and your political efforts in their favour had contributed

to their peace, when, to our sudden amazement, and with no slight shock to our gratitude, we found our religious principles, in their bearing on our civil allegiance, called with vehemence into question by your eloquent, but this time misguided, pen. In your Expostulation, you call upon us to disclaim doctrines and principles of conduct that neither in the mind of our ecclesiastical superiors nor our own have any existence ; and that upon allegations that, short of absolute proof, we have every reason to believe were prompted by a factious party, once our brethren in faith, but now engaged in assaulting and ungenerously reviling that supreme authority of God's Church which was once their rock of security. Even should we be mistaken in ascribing the violence of your attack to the personal influence of those misguided men, there can be no mistake in tracing the materials you have used to the book in which they have drawn up their false indictment.

It is the privilege of those who have been wronged to complain ; and when the wrong comes from one to whom they have habitually looked for right, the breath of complaint comes from those deeper sources of emotion that touch upon the verge of indignation. Nothing inflicts pain like the breaking down of trust, especially where no reason has been shown for the change. When the Bishops of Ireland opposed the scheme of mixed university education, they stood equally upon their religious principles, their constitutional right, and experience of the evils of mixed education. That which you proffered to them as a boon, they discovered to be an evil. What was there in this, although it proved the occasion of breaking up a Ministry inclining to its

fall, to justify an unprovoked attack upon the Pope and the Catholics of England, not on the ground of the university scheme, but on the totally different plea of a disloyalty which, you yourself admit, does not exist among us?

At a time when every Christian force is needed to check the advance of unchristian, infidel, and atheistic invasions upon the peace and happiness of mankind, to draw up a severe accusation against the head of the greatest Christian community—accusation on matters that the accused look upon as criminal; to rest that accusation not upon proof, but on conjecture; to colour it and to heighten it with all the arts of rhetoric; to subscribe it with a great and influential name, and then, knowing the effect it must produce of inflaming prejudice and enkindling strife, to flood the country and the world at large with 100,000 copies of it, is what we did not expect, and could not beforehand have believed. It is not as if the Protestant population of the country had any true knowledge by which to judge what the Catholic religion is, or what are its principles and practices. They have had nothing of it in their minds for centuries but a grotesque caricature, to which your Expostulation corresponds.

Wheresoever prejudice, bigotry, and hatred of the Catholic religion and its professors prevail, there, as your correspondence will have proved, you have added flame to fire. Can this be justified on any party, political, or human motive? Is it a deed that has met the approval of the nobler-minded men of this country or of the press, or of the more prudent and abler men of your party? Unless it be the intention to strike your

roots into lower strata in search of a new party, what is there to explain this downward course?

The venerable Pontiff whom we love so well, what has he done that you should strike at him? Why should you, who profess Christianity, join the throng of scorners who buffet the Apostle of Christ? By what word, by what deed, has he done injury to any mortal being, except, according to his divine commission, to warn men from error and exhort them to the truth, except to turn their way from evil and draw it unto good? For long years he has been a spectacle of the righteous man suffering, to the world, to angels, and to men. Suffering is undoubtedly the allotted portion of prophets, apostles, and saints, yet no less undoubtedly are men the inflictors of that suffering. Faith broken with him by half the powers of the world, stripped of the patrimony that protected the freedom of his predecessors for more than a thousand years, he sees the strength of the world and much of its thought combined against him. His Bishops are persecuted and imprisoned, their clergy and the members of the religious orders are scattered and dispersed by violence, leaving devoted Christian populations without pastors or Sacraments. Yet you, Right Honourable Sir, who once carried your energies in defence of the imprisoned as far as the South of Italy, profess not to understand the merits of that unprovoked persecution in Germany that rivals, and in malignity surpasses, the persecution of Christianity by the Roman Cæsars.

Is it possible that a man of large mind and political experience like your own can imagine, still less can gravely state to the world, that this same Pontiff,

amidst his sufferings and solitude, can be plotting a dangerous combination of physical forces, expecting therewith to reëstablish an order of things which, through the injustice of men, God has permitted to depart? A Pope seated on a terrestrial throne, 're-erected on the ashes of a city amidst the whitening bones of the people,' is a combination of images such as Mr. Gladstone may contemplate with artistic enjoyment, but from the very notion of which a Pope would turn with horror.

Prussia has been long habituated to chastise its people with stick and cane, and that a minister of that country should strike a man when he is down is not so very surprising. But that an Englishman, and that Englishman Mr. Gladstone, should strike a man when he is down, and that a man of the highest and most venerable dignity, stricken already with years, stripped of strength, his place contracted from a kingdom to a virtual prison; in his sorrows and solitude to strike such a man, and that with foul blows, is what honourable men would not have believed, had you not given them the proofs of it.

Be not surprised that an act like this should draw from us no other response than a just indignation. One good, however, beyond intention you have done. By compelling the Catholics of this country to give a closer consideration to the Apostolic acts of their Pontiff than they had hitherto done, they have learned to appreciate him the more.













Rt. Rev. Herbert Vaughan, D.D., on Mr. Gladstone.

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# SUBMISSION TO A DIVINE TEACHER

NEITHER DISLOYALTY

NOR THE SURRENDER OF

MENTAL AND MORAL FREEDOM.

*A PASTORAL LETTER.*

BY

HERBERT, BISHOP OF SALFORD.

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## NOTE.

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I avail myself of the call for another issue of this Pastoral, to add a few notes and some appendices in further elucidation of what has been already said. The appendices chiefly regard three points: (1) The right and occasionally the duty of the clergy to take part in certain political questions; (2) The answer given by Dr. von Döllinger to those who, as he says, "especially in Germany and England, brand the Papal power as being boundless, as being absolutist, as one which recognizes no law capable of controlling it." This answer must derive a special value, not only from the fact that it is directed to Englishmen, but from its occurring in one of the last works published by the Professor. We must regard it as the mature and deliberate judgment of an author who had been thirty-five years before the world, and whose whole life had been engaged in the study of Church and Papal history. It may be supposed that Mr. Gladstone will be ready to admit that we shall find in Professor v. Döllinger, if anywhere, what he calls "the truth and authority of history and the inestimable value of the historic spirit" (p. 14).

Lastly (3), there is the subject of Mariolatry." Mr. Gladstone has characterized the Definition of the Immaculate Conception as "a violent breach with history," a "deadly blow," "an act of violence," a hurrying on, and a precipitating of a doctrine of "Mariolatry." To enter upon this subject at any length would be to exceed my limits. But I will call attention to a work just issued from the press, entitled "Our Lady's Dowry," by the Rev. T. E. Bridgett, C.S.S.R. (Burns & Oates). It is not a work of controversy, but of historical research into the belief, love, and practices of Englishmen over a thousand years ago down to the sixteenth century, in regard to our Blessed Lady. Though not intended as such, it is an unanswerable refutation of Mr. Gladstone's charge of "a violent breach

with history." Indeed, the tables are completely reversed. It shows how England obtained in Europe the title of "Our Lady's Dowry," and how she lost it. Calmly and historically it proves that they are not Catholics, but Mr. Gladstone and others who have made "a violent breach with history" by their rejection of the love and worship of our Blessed Lady. It will be seen that "the deadly blows" were aimed not "in 1854 and 1870," but in 1536 and 1559, not by Catholics but by Protestants, "at the old historic, scientific, and moderate school." But, despite "deadly blows" and "acts of violence," the old historic and scientific thread of devotion to Our Lady and belief in her Immaculate Conception have been preserved to England—preserved by the very "school" which is now once more assailed for that religious constancy and love for Mary, in which, by God's grace, it will never fail.

In my judgment, "Our Lady's Dowry" is the most excellent, the most interesting, and the most original work of its kind and for its purpose that has been published in the English language. \*I strongly recommend it to the Clergy and to all educated Englishmen, whether Catholic or non-Catholic, who have any care to investigate the religious history of their country.

✠ HERBERT, BISHOP OF SALFORD.

*January 1, 1875.*

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*HERBERT, by the Grace of God and of the Apostolic See, Bishop of Salford, to the Clergy, Secular and Regular, and to the Faithful of the said Diocese.*

HEALTH AND BENEDICTION IN THE LORD.

DEARLY BELOVED BRETHERN AND CHILDREN IN JESUS CHRIST,—

We speak to you once more, as the Father and Pastor who will have to render an account to God for your souls, so “that the trial of your faith (much more precious than gold which is tried by the fire,) may be found unto praise and glory and honour.” (1 Peter i. 7.)

A topic affecting your honour and your religion is in the minds of all. It is due to you that we should speak, and lay down for your guidance certain general principles upon which you can neither be shaken nor led astray.

#### I.—THE ACCUSATION.

The brief statement of the case is this:—

In an evil hour, an illustrious politician, whose distinguished services to justice we shall not forget, has descended from the noble eminence of an Imperial statesman to become the assailant of the Catholic name. He has sought to fix an indelible stigma upon your Faith and character. If the torch, which he cast into the country a few weeks since, has been extinguished at a moment's notice, it is due to the common

sense of the English people. The various organs of the Press, with the shrewd political sense for which they are conspicuous, without any possible collusion, extinguished its political import in a single morning. Twenty years ago and we should perhaps have been in the midst of the fires of political and civil and social discord. The English people have moved onward, and are willing to form a juster appreciation of you, and to judge you by your lives and conduct. Our thanks are due to those who have quenched the fire, or at least restricted its circuit to almost a theological arena. Little heed can be given to the assurance that it was intended to stop short of penal laws and German persecution. The person who applies a firebrand can prescribe no limits to the conflagration.

The gist of Mr. Gladstone's accusation is as follows:—As Catholics you have surrendered your mental and moral freedom. Your loyalty to the Queen and your civil allegiance are as base coin in false currency; you have made yourselves over to a foreigner who has neither heart nor interest in the British Empire.

You have been wounded by these imputations in your tenderest sense of honour; you have been outraged in your holy religion.

It is right that on such an occasion you should hear your Pastor's voice, and that he should direct your thoughts in the way of peace and truth.

## II.—OUR GENERAL PRINCIPLES ON ALLEGIANCE.

The precise meaning of the word "allegiance" is nowhere given in Mr. Gladstone's pamphlet. It was perhaps more convenient to leave it vague. For our-

selves, however, we prefer to define our terms. Allegiance, then, we understand to be the subject's duty of fidelity to his Sovereign. The allegiance of man in its absolute, unrestricted, and universal extent is due to his Sovereign Creator alone. The Creator having compounded him of matter and of spirit, having of his free love given him a spiritual and a heavenly as well as a civil and a natural life and end, and having fashioned him to live in society, in the very nature of things placed him under the authority of two Powers—one Spiritual and one Civil. These two Powers from the beginning were essentially distinct; but through the corruption of man at the fall, the natural and Civil Power became satisfied with nothing less than domination. It grasped possession of the Spiritual Power, and either incorporated it into itself, or, keeping it nominally distinct, held it as a subject and an instrument of the State. On the other hand, as a witness against this outrage, God was pleased to give to his chosen race a Theocracy—in which, however, the two Powers were preserved with a sufficient distinctness to mark the principle. When the King of Kings became incarnate, and determined to establish on earth the Spiritual Kingdom, which had been announced by his Prophets, He drew once more, absolutely and definitely, the distinction and separation between these two Powers—“Render to Cæsar the things that are Cæsar's, and to God the things that are God's.” When this solemn message of radical reform by the King of Kings was carried from the obscure province of Palestine to the Emperors of Rome, they treated it first with scorn, then with fear, and lastly with hatred and persecution,

“Who is this, they cried with fury, that He should invade our domain, that He should attempt to parcel out that which is indivisible, giving over the care and administration of material and earthly affairs to us, and reserving to himself the care and government of the souls of men and of religion?”

For three hundred years they endeavoured, with the aid of all their resources, to stamp out the very notion of such a division, by steadily, century after century, putting to death the Vicar of that foreign King, scattering his subjects, with repeated declarations that the Christian religion was incompatible with the State; whilst, on the other hand, every effort was made to rehabilitate and confirm the theory of the universal authority of the Civil Power.

The doctrine of the King of Kings triumphed, and that of the Pagan world perished—perished in Christendom for over a thousand years. Those who have lived in Rome will remember the famous Arch of Constantine. The historian Eusebius somewhere tells us that under his statue, holding in the right hand the standard of the Cross, Constantine had written these words—“By this saving Sign, the true token of strength, I have freed your city from the yoke of tyranny, have conferred freedom on the Senate and the Roman people, and have restored Rome to its pristine greatness and splendour.” The freedom of the human race, in intellect, will, and moral nature, was guaranteed by the distinction laid down by Jesus Christ. He had come truly and in every sense to be our Saviour and to set men free. The deep and permanent foundations of our public liberty rest upon the jurisdiction of the

Spiritual Power being separate from and independent of that of the State.

There are then established by God, and subject to Him, two Sovereignties, the Spiritual and the Civil. We owe allegiance to both. To talk of our allegiance either to the Civil or to the Spiritual Power as being "divided," leads in popular language to misunderstanding; and does not appear correct. To say that we pay a "divided allegiance" is as though we were to say that we paid a "divided debt," or performed a "divided act of mercy." And to assert of a wife that she pays a "divided" allegiance to her husband would suggest suspicion. Allegiance is due to each power within its own order or province. That which is one is not divisible or divided, and the two Orders of Power, as set up by God, are not antagonisms but harmonies, as God designed them. Only the sin of man can create a conflict. In intensity and degree our civil allegiance, whether to a Sovereign person or to a Sovereign body, is without limit in its own order. We must lay down our life in its service when required. We must be faithful to it unto death.

The *duty* of the civil allegiance of the subject is co-extensive with the *right* of the Sovereign,—to which it is the correlative. The *civil duty* of the subject, therefore, is limited only by the *civil right* of the Sovereign. But the Sovereign who reigns for a civil end, has no right or power over spiritual or divine Laws. He is himself subject to them, and must obey them like the least of his people; he will be judged by them, and punished or rewarded eternally, according to the sentence of the Just Judge.

The allegiance we owe to the Spiritual Sovereignty is also in intensity and degree without limit in its own order, but it is of another and of a pre-eminent order to the Civil. We must suffer any pénalty, even that of death, rather than be faithless to this allegiance.

The domain of the Spiritual Sovereignty is the Spiritual life of man, and whatever is directly and essentially connected with it. It has the ultimate interpretation and guardianship of the Moral and Divine Law. Being of a pre-eminent and higher order, being spiritual, having received under the new dispensation a special commission from God, and with its awful purposes and end stretching out into eternity, it is supreme, able to define its own limits, and the necessary conditions of its healthy life and action. The rest belongs to the natural and civil order. These two Sovereignities in their normal state—as God would have them working together in harmony, like all the works of His hand,—are necessary to one another and supplementary of one another; and hence the Vicar of Christ condemned with infallible precision this proposition, “The Church should be separated from the State, and the State from the Church.” (*Syllabus*, Prop. lv.) Where the world has altogether departed from the ordinance of God, and the discord of Babel prevails in religious matters, it is evident that we are in an abnormal condition. This is the condition of modern society, and hence the application of the doctrine of the union of Church and State must be determined in practice by existing circumstances. Never, however, can a Christian accept, either in theory or in practice, the subjugation of the Spiritual to the Civil Sovereignty. For

this truth, our Catholic forefathers in this country suffered persecution for 300 years; and the Nonconformists equally preferred the penalty of civil disabilities rather than acquiesce in the dependence of the Spiritual upon the Civil Authority.

2. The question now arises, *In what does the Spiritual Power consist? In whom or in what is it embodied and made sensible to us?* This is the question at the bottom of Mr. Gladstone's pamphlet; yet with the wonted dexterity of a practised debater he eludes, and even entirely conceals it from the public view.

The Spiritual Power in the world, to which all are called upon to submit, is undoubtedly that which is the appointed supreme Guardian and Interpreter of the moral and the Divine law of God. To this proposition all assent.

But *who, or what*, is that supreme Guardian and Interpreter? This, as we have said, is the real point at issue. Logically and theologically Mr. Gladstone was first of all bound to settle this. He has nominally addressed his pamphlet to Catholics, and has ignored this which is the first principle and basis of their life and conduct. He has assumed a premise which is neither proved nor granted, trusting to the sympathy of public prejudice. But all conclusions fall to pieces as worthless which are not drawn out of true and living premises.

There are four different theories which profess to answer this primary and fundamental question, "Who is the Supreme Guardian and Interpreter of the moral and Divine Law? Where is the Spiritual Power?"

(1). The first is the old pagan or modern Erastian,



which invests its guardianship and interpretation in the Civil Authority.

(2). The second is the theory put forward by the rationalist and semi-rationalist school, and it would seem to be also that of Mr. Gladstone ; viz.: the private conscience and reason of each individual.

(3). The third is the old Protestant theory of the Divine Authority of the Bible without note or comment.

(4). The fourth is that of a Divine Teacher speaking with an audible and living voice, easily accessible to men, able to expound its meaning, and capable of dealing with the difficult spiritual problems which are bred of the multiform combinations of our perpetually shifting times and circumstances.

It is unnecessary for the moment to do more than mention the first of these theories as the pagan and German system, which having a prophet in London, is making a slow but steady growth in England.

Upon the second, Fetishism and the most monstrous idolatries are defensible ; it may be pleaded as a justification of rebellion, communism, and of every theory that, springing from the fevered brain of man, has carried off conscience and reason to obey its behests. It is the plea put forward by every political assassin, and is the defence set up for every crime committed (in the name of religion) with cold and deliberate forethought.

As to the third, it may suffice to say that in principle it is indeed an appeal to an external authority and to a Divine Teacher, though in practice it is the doctrine of private judgment. *Quot homines tot sententiæ.*

The fourth theory is that which was held by Chris-

tendom undividedly for fifteen centuries ; which was professed in England for a thousand years, and is maintained to this day by 200,000,000, or one-fifth of the human race. It is a theory, therefore, entitled to respectful consideration. It cannot be elbowed out of court, as it lately has been, as though it had no right to be heard or even to be present. This theory is easily stated, and may be put as follows.

III.—A DIVINE TEACHER CLAIMS THE REASONABLE SUBMISSION OF OUR MENTAL AND MORAL NATURE.

1. This is our Catholic belief. Human reason and conscience, since the fall, have stood in constant need of a Spiritual Power which shall be a Divine Teacher. Human teachers have not sufficed: they are blind leaders of the blind. We refuse unconditional submission to any of them. The Catholic holds it a degradation and a crime to give over his reason or his conscience into the hands of any man. These, like the priceless treasure of a man's own consciousness, are sacred, inviolate, and inalienable. But if, on the one hand, he may not part with his conscience or reason, on the other, the experience of six thousand years, including the periods of civilization of the four great Empires of antiquity, has proved to demonstration the weakness, the blindness, and the folly of human reason and conscience in all that concerns the law of God, when cut adrift from the light and guidance of an Eternal and Divine Teacher. The hopeless wreck at this moment of at least three-fourths of the human family

beyond the pale of Christendom, sunk in every kind of abominable vice and error, and the chaotic confusion of a hundred sects within its pale, are evidence to every thoughtful and dispassionate mind of the absolute necessity of a Divine Teacher.

As a matter of fact, God never did from the beginning of the world abandon the human race to the guidance and care of reason without the external aid of a Divine Authority. The Divine Teacher was in the world from Adam through the Patriarchs to Moses, and from Moses through Priests and Prophets to the time of Christ.

It is a doctrine of our Faith that reason and conscience, aided by grace, will lead a man, if faithful to both, to see the necessity of a Divine Teacher. Having arrived at this, they will lead him further: they will convince him that the Divine Teacher can be no other than the Catholic Church.

If Mr. Gladstone's study and reading, if Mr. Gladstone's reason and conscience have not led him to this conclusion; if no inkling of this truth has ever dawned upon his soul, and if he has not fatally dallied with the calls of grace, then must he, and all who are like him, be reputed free from the *blame* of error and from the formal sin of misbelief. We, as Catholics, are far from condemning all men who differ from ourselves, though we may know them to be misguided; we shall all be judged before a just tribunal; we leave the judgment to Almighty God.

But what we deny with all the energy of our soul is this, that either Mr. Gladstone or any man, who respects the sanctity of conscience and the light of rea-

son, can consistently charge with the "forfeiture of mental and moral freedom" those who, having found a Divine Teacher, have become His faithful and devoted children.

When the fisherman of Galilee in the joy of his heart cried out, "We have found the Messiah" (*Jo. i. 41*), he called to his brethren, "Come and see." He began to form his reason and conscience upon the life and teaching of his new Master. Who will reproach him with having abandoned his mental and moral freedom, or with having jeopardised his civil allegiance? It matters little, brethren, whether it be a Jew or a Gentile, a fisherman or a politician; when once he has found the Divine Teacher he must become His faithful disciple. The light of truth is the freedom of reason and conscience: and the office of the Divine Teacher is to teach us truth of the moral and supernatural order. Whoever asserts that to follow such a One is to "forfeit mental and moral freedom" is a blasphemer, and the truth is not in him. But it will be urged, in reply, that the writer of the pamphlet nowhere affirms that to submit to a *Divine* Teacher is to forfeit mental and moral freedom: his charge is, that submission to the Catholic Church involves that forfeiture: In other words, as we have said, he has *assumed* (1) that the Catholic Church is not a Divine Teacher, and (2) that there exists no *living* Divine Teacher of the law of God in the world.

#### IV.—OUR DIVINE LORD'S PRINCIPLE AND PLAN OF TEACHING.

1. Note well the plan of our Lord's teaching; see

the order in which He began. He first sought to win from His hearers a belief in His Divine Authority. It was for this purpose that He wrought His miracles. He showed himself as the Divine Teacher. "Never did *man* speak like this man" (*Jo.* vii. 46). "He taught as one having authority" (*Matt.* vii. 29). He taught His disciples to accept His doctrines, not because they commended themselves to human reason (*Jo.* vi. 61-9, xiv. 12), but upon faith in Him as the Divine Teacher.

Now, note well the principle underlying His entire system. It is in radical opposition to modern rationalism and private judgment. Christ's first undertaking was to convince His hearers that He was a Divine Teacher, with a claim to absolute submission. Everything was to hinge on this admission. Until this claim to AUTHORITY on the one hand and corresponding OBE-DIENCE on the other was settled, nothing was taught or believed, nothing effected. He established this claim by addressing a great variety and number of proofs to their reason and common sense, whilst at the same time he proclaimed the absolute necessity of grace, preaching penance, and declaring that "no one could come to Him unless the Father drew him." He proved His Divine Authority (1) by miracles \*; (2) by prophecies uttered by Himself and afterwards fulfilled, and by His knowledge of secret thoughts †; (3) by the fulfilment in His own person of the prophecies

\* *Matt.* xi. 5; *Jo.* x. 37; xv. 24; xi. 42, &c. The chief end of St. John's Gospel was to prove the Divinity by miracles; see c. xx. 30, 31.

† *Matt.* xxiv.; *Luke* xviii. 31, &c.; *Jo.* ii. 19; xii. 32, &c.; xiv. 29, &c.; *Jo.* i. 48; ii. 24, 25; xiii. 18.

of the Old Testament \* ; (4) by His transfiguration and the appearance of Moses and Elias, witnessed by three of His apostles † ; (5) by the whole character and tenor of his life and conduct ; (6) by that climax of proof which confirmed the certainty already created, viz., His Resurrection to life, which was proved to demonstration by His apparitions to all classes of men at different seasons, and (7) finally by His admirable Ascension. The accumulation of proof was overwhelming. Still without grace no man could become a Christian. In proportion as belief in Him as a Divine Teacher was established during the course of His ministry, in that proportion did He reveal His various doctrines. Hence He taught more truths to the Apostles than to the disciples or the multitudes ; and He went on progressively even with the Apostles, revealing more sublime mysteries and adding to the number of truths communicated, as they advanced in a firm and rooted belief in Himself as their Divine Teacher. He thus laid the ground or basis of supernatural Faith, viz. : belief in the claim of a Divine Teacher. Observe this, moreover, that He left none of His Divine Truths to be accepted or not according to preference, choice, caprice, or private judgment and reason. His followers must either be with Him *entirely*, or leave Him. There was no "mental and moral freedom" to be urged against the claims of a Divine Teacher. They were free to go away and they were free to stay ; but not free to stay with Him *and* at the same time to disbelieve Him (Jo.

\* *Matt.* xxvi. 54 : *Luke* xxiv. 25, &c. ; *Jo.* v. 39, 46 ; *Matt.* v. 17 ; *Luke* xvi. 16 : *Jo.* i. 17 ; cfr. *Gal.* iii. 23, iv. 4 ; *Eph.* i. 10.

† *Matt.* iii. 16 : xvii. 2 ; *Jo.* xii. 28 ; *II. Pet.* i. 16, &c.

vi.) Each doctrine was to be accepted by mind and heart, with the entire soul, not because it commended itself to *reason* (though it could never *contradict* reason), or to the feelings, or to the refined taste of culture, or to worldly happiness, or to political expediency. No other motive of credibility or submission was put forward or allowed but that of the authority and veracity of the Divine Teacher. Having thus laid down the basis of Faith, He expounded His doctrines; and then provided for their permanent and unbroken tradition through future ages by founding a Church which was to be their Guardian and Interpreter.

#### V.—HIS CHURCH FOUNDED AS A DIVINE TEACHER ON THE SAME PRINCIPLE AND PLAN.

The Church founded by Christ is an organisation composed of a Divine and human element. The human element falls under the cognisance of the senses, and by its perceptible presence the Church becomes a visible institution. Under the human and visible is contained the other element which is Divine. Such is your Faith as to the component parts of the Church.

i. Let us now inquire upon what grounds the Church is described as a *Divine* Teacher, whom all are called upon to obey. *First*, because Christ Himself founded its visible constitution. He created it a true and perfect Society or Kingdom, distinct from the Civil Power and independent of it, with full authority in the triple order (as needful for a perfect kingdom)—legislative, judicial, and coercive. He was Himself the King (*Luke* xxiii. 3). When He withdrew to His

throne above, the constitution remained behind intact. He left a visible Vicar in His place, to be, like Himself, the centre of unity and jurisdiction, to rule and govern, to feed and teach in His name to the end of time.\*

2. *Second*, because Christ was the Founder not only of its constitution and external form, but also of the inward principle upon which it should move and act; that is to say, the relation it was to enter into with the human reason and will. He thus endowed the Church with the same Divine teaching authority which He possessed Himself, and exacted from all men a corresponding obedience to its teaching, just as though it spoke with His own sacred lips.

He spoke of *it* precisely as though it were *Himself*. This is seen (1) in the remarkable fact that the severest threats pronounced by our Lord against the disobedient in Faith were uttered not against those who refused to receive the words that fell from His own lips, but from the lips of His Church. "He that despiseth *you* despiseth Me." "If a man will not hear the *Church*, let him be to thee as a heathen;" he that believeth not the Church's preaching shall be condemned (*Matt.* xviii. 17, *Luke* x. 16, *Mark* xvi. 16).

It would appear as though Jesus Christ looked upon Himself as (what He was indeed) the *extraordinary* Divine Teacher, but upon the Church as the Divine Teacher in *ordinary*. He was therefore mild in His threats upon those disobedient to Himself during the years of His ministry, but terribly explicit in

\* *Matt.* xvi. 18, 19; *Luke* xxii. 31, 32; *John* xxi. 15, 16, 17.



His denunciation of all who should disobey that Divine Teacher which He founded and endowed, as we shall see, and then sent to accompany mankind through the centuries.

It is (2) abundantly clear that the Apostles thoroughly understood their Lord's meaning, and exercised the right of the teaching authority with which He had invested His Church. This comes out in nearly all their writings. For instance: "We have the mind of Christ." "For Christ we are ambassadors, God, as it were, exhorting by us." "*We* are God's coadjutors, you are God's husbandry, you are God's building." "We have received grace and apostleship for obedience to the Faith in all nations." "Though an angel from heaven preach a gospel to you besides that which *we* have preached, let him be anathema." (I. Cor. ii. 16, II. Cor. v. 20, I. Cor. iii. 9, Rom. i. 5, Gal. i. 8, Rom. x. 14, xv. 18, I. Tim. i. 11, Acts i. 8, xv. 7, 8, &c.)

A distinction is to be borne in mind—the Divine Teacher, Christ, revealed his *own* doctrines, whereas the Divine Teacher, His Church, *makes* no revelation, but guards and interprets with infallible truth the doctrines revealed by her Founder. "You shall be my *witnesses* unto the uttermost parts of the earth" (Acts i. 8).

This fundamental principle established by our Lord as the fit and only relation to exist between the Divine Teacher and mankind continues as it began to this day. The Lord did not start upon one system and break off into another. He did not begin upon the principle of Divine Authority on the one side and of

the "obedience of Faith" on the other, and then substitute for Divine Authority human reason and human conscience, and bid every man do that which should seem good to him in his own sight. The Lord is not like to the fickle people that tries on first one system of government, then another; to-day a monarchy, to-morrow an empire, and the day after a republic. The lines upon which He built His system and His Church are permanent, as is proved from Scripture, reason, and tradition.

And now look through all the various systems and forms of worship which torment Christendom, and say in which of them is found the perpetuation of the outward Constitution and of the inward principle we have referred to. So far from being accepted the principle of obedience of Faith to a living Divine Teacher is everywhere rejected with horror, and a favourite statesman of the world denounces it as "the forfeiture of mental and moral freedom." The Catholic Church therefore alone presents to a rebellious world the character and credentials of the Church of Jesus and of the Apostles.

3. *Next*, the Church is Divine not only from having received from her Founder a Commission of Authority which is altogether of a superhuman and divine character, but she is Divine by her twofold divine, essential and constituent element; viz:—(1) the perpetual presence of CHRIST Himself with her teaching and baptizing not merely during the apostolic age but "*all days even to the consummation of the world*" (Matt. xxviii. 20, cfr. Jo. xx. 21, Mark xvi. 15, 16; Matt. xvi. 17, 18, 19, Acts. i. 8); and (2) "the abi-

ding" habitation within her of the HOLY GHOST. "I will ask the Father, and He shall give you another Paraclete, that He may *abide with you for ever*, the Spirit of Truth" (Jo. xiv. 16, cfr. Jo. xiv. 26, xvi. 13).

You will not fail to observe, dear brethren, how instinct the Church was from the very beginning with the consciousness of possessing, literally, substantially, and efficiently these two Divine elements; how her belief was absolute and unshakable in these two stupendous promises made by her Divine Founder—that He Himself would continue WITH her teaching, and that the Holy Spirit of Truth should "COME and ABIDE WITH her FOR EVER."

See too how the early Church fixed its mind upon the inseparable union of this "Divine" *with* the "human" element. Take first the direct and personal relationship of the Church with Christ. It was years after His ascent into Heaven that the Apostle was insisting again and again on this fact:—"Christ is Head over all the Church, which is His body and the fulness of Him" (Eph. c. i.). Again, "Christ is Head of the Church; He is the Saviour of His body. . . He loved the Church and delivered Himself up for it, that He might sanctify it, cleansing it by the laver of water in the word of life, that He might present it to Himself, a glorious Church not having spot or wrinkle, or any such thing, but that it should be holy and without blemish. . . No man hateth his own flesh, but nourisheth and cherisheth it, as also Christ doth the Church, because we are members of His body, of His flesh, and of His bones" (c. v.) (*Cfr.* Col. i. 18; Eph. iv. 4-5; I. Tim. iii. 15; Jo. x. 16, &c., &c.)

4. And *lastly*, take the relationship of the Church with the Holy Ghost, as described in the authentic history of the Church. From the day of Pentecost she has been full and overflowing with the consciousness of His Divine presence "abiding WITH her," and that "FOR EVER." Christ had distinctly and frequently promised that He would send the Person of the Holy Spirit after His Ascension. And then, lo! the Holy Ghost came ten days after the Ascension, (Acts ii. 2; Jo. vii. 38-9; xiv. 16; xv. 26; xvi. 7, 12). He came to discharge His mission (1) of teacher; (2) of strengthener and (3) of sanctifier through a mode of habitation. With Him came into the Church the fulness of infallibility in teaching truth, the power of the seven sacraments, and the permanence of the mysteries of grace and sanctity. What the visible presence of Christ had been to the Apostles, that after the day of Pentecost was the Holy Spirit to be to the Church, not for three years, but to the end of time. He was our Lord's Successor, but His dispensation was more glorious. Hence, if you read the history of the Church after the Feast of Pentecost, as recorded in the Acts of the Apostles, you will be struck with the natural way in which the Holy Ghost is mentioned just in the places and at the times and in the manner in which our Blessed Lord is mentioned in the Gospel. "They were all filled with the Holy Ghost" (Acts ii. 4, iv. 31). "Peter said, why hath Satan tempted thy heart to lie to the Holy Ghost?" (Acts v. 3). "Why have you agreed together to tempt the Spirit of the Lord?" (Acts v. 9). "Look ye out seven men full of the Holy Ghost" (Acts vi. 3). "Stephen, a man full

of the Holy Ghost " (Acts vi. 5). " You always resist the Holy Ghost " (Acts vii. 51). " He being filled with the Holy Ghost, looked up steadfastly to them " (Acts vii. 55). " They prayed for them, that they might receive the Holy Ghost " (Acts viii. 15). " They laid hands upon them, and they received the Holy Ghost " (Acts viii. 17). " Brother Saul, be filled with the Holy Ghost " (Acts ix. 17). " The Church walking in the fear of the Lord, and filled with the consolations of the Holy Ghost " (Acts ix. 31). " The Holy Ghost fell on all them that hear the word " (Acts x. 44). . . .

" The grace of the Holy Ghost was poured out upon the Gentiles also " (Acts x. 45). " The Holy Ghost fell on them as on us in the beginning " (Acts xi. 15). " You shall be baptized with the Holy Ghost " (Acts xi. 15, 16). " The Holy Ghost said to them, separate me Saul and Barnabas. . . . So they being sent by the Holy Ghost, went to Seleucia " (Acts xiii. 2, 4). " And the disciples being filled with joy and the Holy Ghost " (Acts xiii. 52). " God . . . giving unto them the Holy Ghost as well as to us " (Acts xv. 8). " It hath seemed good to the Holy Ghost and to us " (Acts xv. 28). " They were forbidden by the Holy Ghost to preach the word in Asia " (Acts xvi. 6). " And when Paul had imposed hands on them, the Holy Ghost came upon them " (Acts xix. 6). " The Holy Ghost witnesseth in every city to me, saying, &c." (Acts xx. 23). So impressed was the early Church with this truth of the *abiding* presence of the Holy Spirit, that St. Peter declares to Ananias and Sapphira that in telling a lie to him as head of the Church " (Acts v. 3), " they had lied to the Holy Ghost." And at the

General Council of Jerusalem, over which St. Peter presided, the decree passed seemed to run quite naturally in these words:—"It hath seemed good to the Holy Ghost and to us" (Acts xv. 28). And when St. Paul was about to leave the Bishops of Ephesus, he said to them, "take heed to yourselves and to the whole flock over which the *Holy Spirit* hath placed you Bishops to rule the Church of God" (Acts xx. 28).

The presence of the Holy Ghost in the Church is as heavenly fire in an earthly element. So that the Apostle described the Catholic Church with literal exactness as "one body and one Spirit" (Eph. iv. 4).

It would be easy to quote similar allusions from all the Epistles, if we have not yet learned this truth:—that the Apostles seemed to consider no duty more urgent upon them than to keep perpetually and most prominently before the minds of their followers the presence of a Divine Life, animating the Catholic Church; the *human* element seems to pass almost out of mind in the reiterated insistence upon the claim of the Divine.

## VI.—THE ROMAN CATHOLIC AND APOSTOLIC CHURCH THE DIVINE TEACHER.

I. A stranger may fairly inquire for the marks whereby he may know the Church to be the Divine Teacher. It would certainly be to do violence to his reason to call upon him to submit to her authority without convincing proof of her claim to his obedience; and this fact the Church so thoroughly recognizes that she permits no Priest to receive a convert

into the Church unless he is satisfied that he has been *convinced* of her right to his submission. So guarded is the Church on this score, that no Priest can admit an adult into the Church without a *special faculty* from his Bishop for that purpose. And if any one has had experience of the practice in Rome, he will know, perhaps to the cost of his patience, the number of formalities (we believe five in number) to be gone through and of permissions from different quarters to be obtained, before a convert can be admitted into the Church. People judging superficially would say that Rome thus actually puts difficulties into the way of conversion, instead of grasping for converts, as men say she does. The reason of all this is, that the Church must satisfy herself that the catechumen has been *reasonably convinced* of her Divine character. Has the Church, then, any marks whereby you may know her to be the Divine Teacher; and if so, what are they? She has her marks, just as Jesus Christ had His marks. We have already, in an earlier part of this letter, briefly referred to the marks or proofs which our Lord considered sufficient to convince the Jews of His claim to their submission; we must now refer to those of the Church with equal brevity. Your Catechism mentions them most compendiously. "She is One, she is Holy, she is Catholic, and she is Apostolical." Bellarmine gives fifteen marks whereby the reason may be convinced of the authority of the Church. But, you may object that men will deny her marks one after the other. But they equally denied the marks offered by our Lord of His Divinity, one after the other. They denied His most conspicuous

mark or character, that of sanctity & saying by "Beelzebub He casteth out devils;" He "hath a devil;" He "blasphemer," a "deceiver," a "liar," a "sinner:"—the Civil Power even attempted to deny His resurrection, and said that the disciples had stolen away His body whilst the soldiers slept. Be not astonished, therefore, if men deny the proofs of the authority of the Church of God, since they denied the proofs of the authority of Christ. But bear this further point well in mind. You have need to do so: the proofs or marks, though they address themselves to the reason and conscience, will never inspire Divine Faith unless "the Father" also "draw" them\*—"Faith is a gift of God."

2. We can add only one further word on this part of our subject—viz., that the proofs of the Divine character of the Church are more luminous even than those of the Divinity of Christ, because we have, *plus* those of His Divinity (and therefore of His power and veracity), the experience of the fulfilment of His promises to His Church. The history of eighteen centuries of plotting against the Church and of persecution of every kind on the part of the powers of hell and of the world for the purpose of destroying that sacred edifice which He built upon a Rock, is the strongest historical proof of her Divine origin. And if to the evidence of the history of persecution without, you add the history of her life within—the exemplary and unbroken succession of her Pontiffs, the fruits of her sacraments, of her teaching and direction in the saints of every age, her martyrs, her miracles, and even the temporal benefits

\* *Jo.* vi. 44 ; *Eph.* ii. 8.



she has scattered among men, as with queenly grace she proceeds upon her Divine and Spiritual mission,—you will have a *cumulus* of historical proof such as the Christians of the early Church had nothing to compare with, and without which they still became converts, and gladly laid down their lives as a testimony.

The history of the Catholic Church is a fact at least as credible as the history of the world, and its history corroborates the perpetual existence of his *Divine* as well as of its *human* component. Taking in thus the testimony of history, we may say, only with greater precision of Catholicity, that which Butler's *Analogy* (Part II. ch. vii.) says of Christianity, that its evidence is "a long series of things, reaching, as it seems, from the beginning of the world to the present time, of great variety and compass, taking in both the direct and the collateral proofs, and making up all of them together one argument; the conviction arising from which kind of proof may be compared to what they call *the effect* in architecture or other works of art; a result from a great number of things so and so disposed and taken into one view." The evidences for the claim of the Catholic Church to our submission are therefore greater and more numerous to-day than they were when it first issued forth from the Upper Chamber in the morning of the Descent of the Holy Ghost.

#### VII.—INFALLIBILITY OF THE DIVINE TEACHER.

I —It is furthermore clear to us that this Church, this Divine Society, this Spiritual Kingdom, created by Christ and ordained to last to the end of the world,

and to claim the submission of every soul must—in order to accomplish her work without violation of the human reason and conscience,—possess not only a Divine authority, but the endowment also of a teaching infallibility in Faith and Morals.

Look around you, brethren, and see who lay claim to possession of this gift ; positively there is not one but the Roman Catholic and Apostolic Church. She alone claims it as her Divine prerogative.

For 1800 years and more has she taught the doctrine of her supreme authority and doctrinal infallibility ; but never till the Vatican Council did she *define* her infallibility by a *dogmatic decree*. And wherefore this strange long *absence* of a definition of her fundamental character ? For the same reason that the decree passed in the first Council of Jerusalem, occurs in the fifteenth chapter of the Book of *Acts*, and not in the second or the third ; that is to say, for this simple reason, that the Church makes her decrees and definitions according to times and circumstances ; or, in other words, according to the need. She had never defined her infallibility before the Vatican Council, because never had a Catholic, even a Gallican, denied it. Wherefore, then, its definition at the Vatican Council ? Because of a local and transient error, touching the *condition*, not of its existence, but of its exercise. That error maintained that the definitions of the Sovereign Pontiff are indeed infallible, but only after *subjection* to the assent of the Episcopate. This was the Gallican phase of error, which under royal patronage received a form in 1682, and was adhered to by some 33 or 34 Bishops convened by Louis XIV. out of over a hundred

of the French Episcopate. It was at once treated as an error; but it lingered locally, under the patient toleration (*not* approval) of the Pontiffs, till the meeting of the General Council. It was then expunged for ever by a dogmatic decree on Infallibility. That decree, as you are aware, was made by the Pope in General Council (the largest but one ever held) and it is therefore, even upon the most extreme of Gallican theories, binding upon every Catholic, under pain of heresy and damnation. The Catholic Church, then, has once more been declared the Divine Teacher of the world, by the Definition of the Infallibility of her Visible Head.

2. And now, brethren, very briefly, as to the extent of ground covered by the Vicar of Christ's infallibility in Faith and Morals. It is defined that the ground is co-extensive with that covered by the infallibility of the Church herself. It is of Catholic and Divine Faith (that is to say, it is a term of Catholic communion) that it includes the whole deposit of Revelation; and, according to the teaching of theologians, it is theologically certain (and can be also held, as we ourselves hold it, to be of Faith), that it includes all those unrevealed truths which so touch on the deposit of Faith as that Faith and Morals cannot be guarded and infallibly interpreted without an infallible discernment of such truths.

The following is the Definition of the Council:

“Wherefore, faithfully adhering to the tradition received from the beginning of the Christian Faith, for the glory of God our Saviour, the exaltation of the Catholic religion, and the salvation of Christian people, the Sacred Council approving,—we teach and define that it is a dogma divinely revealed, that the Roman

Pontiff when he speaks *ex cathedrâ*,—that is, when in discharge of the office of Pastor and Doctor of all Christians by virtue of his Supreme Apostolic authority, he defines a doctrine regarding Faith or morals to be held by the Universal Church—by the divine assistance promised to him in Blessed Peter, is possessed of that infallibility with which the divine Redeemer willed that His Church should be endowed for defining doctrine regarding Faith or morals: and, therefore, such definitions of the Roman Pontiff are irreformable of themselves, and not from the consent of the Church.

“And if anyone—which may God avert—presume to contradict this our definition; let him be anathema.”

3. As a term of communion, this definition must be interpreted strictly and literally, and, as you will perceive, it refers only to Definitions *ex cathedrâ*; that is to say, it does not include the Pope's utterances as a private Doctor, his opinions as a theologian, or the exercise of his directive, discretionary, and administrative authority in the affairs of individuals or of the Church at large. It refers solely to (1) solemn definitions of *Doctrine*; (2) regarding Faith or Morals; (3) uttered by virtue of his supreme Apostolic authority; (4) in discharge of the office of Pastor and Doctor of all Christians; and (5) with the intention of binding the Universal Church. Bear this definition and its conditions well in mind and you will be able to answer at once nearly all objectors. It is not hard to believe that Jesus Christ, having confided His entire Flock to the care of Peter, should have “confirmed *his* faith” for the sake of the Flock: rather would it be hard to believe that

He had left him without a "divine assistance" in the midst of the powers of earth and hell.

O Vicar of Jesus Christ on earth! thou art then our incomparable Shepherd-King, our Priest and Prophet. The care of the entire Flock of Christ is upon thy soul. On thy placid brow is the triple crown of Charity, Truth, and Power. Upon thy shoulder rest the keys of Heaven. Of all kings, thou alone art by right Divine the first, the highest, and the oldest. All are thy subjects \* within the order over which thou rulest. They may despoil thee of thy earthly trappings, but they can never uncrown thee. They may close upon thee as a prisoner, but they can never reduce thee to their subjection.

4. Be not deceived, dear brethren and children, be not deceived. It is not the Church as a congregation that the world hates with a fiendish hatred. It is not this or that or the other doctrine—the Immaculate Conception, the Invocation of Saints, the Holy Mass, or the Seven Sacraments. The real gravamen is not in these. It is the perpetual presence of a Divine Teacher, teaching with authority and infallibility; preaching penance to a sinful world lest it should perish in eternal flames; rebuking error in every form, as the faithful Guardian of the Law of God.

The Vicar of Christ stands up to the world as Elias

\* A king is "*subjectus ratione peccati, not ratione dominii,*" as Boniface VIII. says, *i.e.*, the morality of all acts, political no less than private, are subject to the Supreme Judge and Guardian of the Divine law. The same Pope also says, "*in nullo volumus usurpare jurisdictionem regis,*" cfr. the Bulls *Ausculta, Fili,* and *Unam Sanctam*; also cfr. *Hist. of Church*, by Döllinger, vol. iv., and *Introd. Lect. on Mod. Hist., Lect. v.*, by Dr. T. Arnold.

“stood up” to Achab. “*I have not troubled Israel,*” said Elias, “but *thou* and thy father’s house who have forsaken the commandments of the Lord” (III. Kings xviii. 18). He corrects and rebukes it for its transgressions as the Baptist condemned the King. The world may call him, as it called Paul, “a pestilent man and raising seditions” (Acts xxiv. 5); it may cast him and those who are with him, like Peter, into prison, for their allegiance to their Divine Redeemer. This is *precisely* our Lord’s forewarning. It is *precisely* on account of your *spiritual allegiance* that “they will lay hands on you and persecute you; delivering you up to synagogues and into prisons; *dragging you before kings and governors for My sake*” (Luke xxi. 12.)

And our Lord added encouragement to the prophecy—“This shall happen unto you for a testimony”—a testimony to the Law of God, and for a crown of eternal life. Wonder not, therefore, if men hate the Vicar of Christ. It is meet they should; they smote Jesus on the cheek and called Him *seditions*, a *blasphemer*, and *possessed by devils*; they crucified Him for His *teaching on the allegiance* due respectively to the Spiritual and Civil Power.

5. And now, dear brethren and children in Christ, we must add a word, which saddens our heart. A heresy has been set up against the Vatican Council, as one was set up against every other Council that the Church has held. It is that of the little sect of Döllingerites, which takes its name from its unhappy founder. As plants are propagated by slips, so has the heresy been brought to England by a slip taken from the parent plant. It is well known that one object of

Mr. Gladstone's pamphlet was to create division among English Catholics and to stimulate the growth of the new heresy. Some three or four Catholics have responded by name to his melancholy invitation. Their names are familiar to us all as having once and again on former occasions spoken in the spirit of rebellion against the Church's authority or her definitions. Only one of these was in any way a spiritual subject of our jurisdiction, and towards him we have acted as it became our duty. Meanwhile we make known to you, beloved children in Jesus Christ, who are our joy, because among you we know of none who has renounced his faith, that any person, be he of high or of low degree, impiously denying the doctrine of the Immaculate Conception of our dear and ever Blessed Virgin Mother, or the definitions of the Vatican Council, has made shipwreck of the Faith, is excommunicated from the Church of God, incapable of receiving the Holy Sacraments, even in the hour of death, unless previously he truly repent in his heart, and promise to repair, as far as he may be able, the scandal which he has given.

#### VIII.—SOME COUNTS OF ACCUSATION.

1. We have hitherto dwelt upon the *Divine* element of the Church. She has also a *human* one. And unless we look this fact well in the face, we shall not be able (1) to give a complete answer to the charge of hostility to mental freedom which Mr. Gladstone has brought against the Church of God, or (2) to expose the worthlessness of the objections raised against infallibility, by

those who collect and catalogue the human sins and errors of some of her children.

First, then, with regard to the charge of mental slavery brought against the Catholic Church, in reference to the truths of religion; for as the natural sciences are not her domain, we need not touch upon her relation to these, further than to say that her children are absolutely free to study them, guided by this self-evident principle, that facts in science can never conflict with revealed truths; and that no theories can be accepted as scientifically true which are clearly contrary to the truths of Revelation. Our God is a God of Truth.

From what has been said about authority, it may be inferred by a non-Catholic that the Church crams her teaching down our throats without reason or explanation of any kind. There could not be a greater misapprehension of the fact. Truth can be received only by the intellect, and therefore the Church invites the keenest attention and action of our intellect to her teaching. Reason is not the *motive* of credibility in Divine Faith, but the Veracity of God revealing and of the Church witnessing to the truths of revelation. We stand in absolute need of a Divine Teacher to secure this *motive*:—this is not a gag to reason or conscience. The certainty of Faith is of a higher kind than the certainty of unillumined or mere natural reason.

To those, then, who assert that our obedience to the Church must necessarily restrain and fetter reason, we reply (1) that we never heard that the axioms and rules of Euclid, or the fixed rules of any science, were considered to fetter the intellect or restrain any reasonable



freedom of discussion and investigation. And it is precisely the same in the science of religion or theology. The decrees and definitions of the Church are the fixed points, without which there could be no certain science of theology. The liberty which the world pleads for in matters of morality and religion is the liberty to put black for white, and light for darkness, according to the inclination or passion of each one; but this is the license of error and the bondage of confusion.

We reply (2) that no science has ever presented a wider field for study and for the operations of human reason than Catholic philosophy and theology. And no science in the whole course of its career can produce an array of intellectual works to be compared for number and variety, for depth of thought, consistency, argument, and interest, to the theology of the Church. When the world, or any of its sects, can produce a S. Augustine, a S. Thomas, a Suarez, and a Bossuet among the writers upon *their* views of the moral and Divine law, it will be time to ask whether submission of mind and heart to a Divine Teacher is a "surrender of mental and moral freedom." It is matter of history that the study of the Catholic Faith has rapturously engaged the reason and heart of the noblest natures and deepest intellects that the world has ever known. Without the golden rules of *sentire cum Ecclesia* and of submission to her infallible definitions, these intellectual giants would have wandered like comets, and have been lost to the Church and to the world. But, following these two rules there is no one, be he layman or priest, who may not devote, and this with the blessing of the Church, all his powers of intellect, all

the resources of his soul, to the examination, elucidation, and development of the truths and mysteries of religion. Nor is there a doctrine taught by the Church on which she does not engage the sublimest intellects of her children. She has no fear of reason. She knows and has defined that Revelation cannot contradict reason, that the truths of the supernatural cannot be in contradiction with those of the natural order.

We reply (3) that the Church has shown her respect for the dignity of human reason by the condemnation of all those theories which, by unduly limiting its power and value, seemed to dishonour and degrade it. She has ever been the jealous guardian of the dignity of human reason.

2. We may here be permitted to make a short digression from the immediate subject of Mr. Gladstone's pamphlet to another, closely connected with it. If we speak of it at all it must be under the heading of the *Human* element of the Church. You know that owing to the Church being compounded of a human as well as of a Divine element, her children often present to the world the spectacle of sins and scandals. One of the twelve Apostles became a thief and a Deicide, and one of the seven Deacons a heresiarch. Differences of smaller moment arose among the Apostles and founders of various churches, as between Paul and Barnabas. In one part of the world you may hear of a nation sunk in corruption, or of a people tinged with rationalism. At times the sins of priests, bishops and even Popes will be a scandal. But none of these human things can shake your faith in an Institution

which is Divine. If they could, it would only prove that you had not based your faith upon its only true and sure foundation.

The Church has been compared to the field sown by "the good man" with wheat, and by "the enemy" with cockle, and to a net gathering in all manner of fishes (*Matt. xiii.*).

Upon this general principle then you will be able to interpret the value of two scandalous letters by Lord Acton, which have been published in *The Times* newspaper in connection with Mr. Gladstone's attack upon the Church. Firstly, then, scandals such as these must come. The noble author assured the world that he was induced to make his historical revelations against S. Pius, Fénelon and others, in the cause of truth. We say nothing of the loyalty or tenderness of a son towards his mother who, upon the occasion of her being grossly and unfairly attacked, should join with her assailants in exposing her frailties. The fact that she possesses an undying life and can bear yet crueller treatment can scarcely mitigate our estimate of the conduct of such a son. He strikes, but professes that he *cannot* kill.

*The Times* has described the charges brought against saintly members of his Church by Lord Acton, as "overwhelming." The *Pall Mall Gazette* could see only "three courses open to Catholics;" to *refute* them (a task it considered Catholics unequal to), or to *deny* the facts by an act of authority (!), or to *approve* them. There is yet a fourth course possible to one who distinguishes between impeccability and infallibility, and that might be to admit and regret them.

This last course, however, is by no means necessary. We are not ourselves capable of the task of refuting the alleged statements, being neither sufficiently versed in obscure history, nor having the sources of history within our reach. But it appears that the refutation of Lord Acton's various charges is forthcoming.\*

Be on your guard, dear brethren, against accepting strange and unknown tales of scandal until they are proved. Ask upon what evidence they rest; whether upon that of eye and ear witnesses, or upon hearsay; whether upon the testimony of men of unimpeachable veracity and disinterestedness, or upon that of intriguers, courtiers, diplomatists, or politicians of more than doubtful character.† Ascertain whether the evidence may not be a forgery or have been tampered with; whether there be not contradictory evidence adducible, which in a Court of justice might cancel the indictment. Let these and similar enquiries be made and answered before you believe in such statements as have been dug out and paraded by Lord Acton.

3. We now pass on to the main practical difficulty which has been suggested to the English people against your allegiance. It is well that you should have an answer to those who question you in good faith.

"What," they say, "if a conflict take place between the Spiritual and Civil Powers—that is, between the

\* See issues of *Tablet*, Nov. 28, Dec. 5, 12, 19, 26, 1874, especially articles on "Lord Acton's evidence," and a letter signed "E.S.K." "Lord Acton and S. Pius V.," "Lord Acton's proofs," and letters signed "W.B.G.J.," "Canon Toole," &c., &c.

† The Duke of Alva characterized Ridolfi, Lord Acton's trusted authority against S. Pius, as "a great babbling."

Church and the Secular Government?—whom should Catholics then obey?

The reply is clear and categoric. (1.) In the matter of the *Divine Law*, we must obey the Divine Teacher—*i. e.*, the Supreme Guardian and Interpreter of the Divine law. The conflict, alas, has often arisen. It arose between the State and Christ, and the State delivered Him up to death; it arose between His Vicar and Nero, and Nero put him to death; it arose between the Church and the Empire, and lasted for three hundred years, and the Empire regularly for three hundred years put the head of the Church to death; and so on in various times and places down to our day, when the martyrs and confessors of the Church are suffering in the Corea, in Tenquin, and Prussia, in testimony to the supremacy of the moral and divine law. The Church is not the maker, but the guardian and interpreter of these laws. She has no discretion but to declare them. She has no power whatever to abrogate them. She must suffer for them to the death.

(2.) If it be in a matter of *purely ecclesiastical law*, the case is different. The Church has always shown herself ready in every age to come to an understanding with the Civil Power, to relax her purely ecclesiastical laws, and sometimes even to repeal them in conformity with State exigencies. All history bears abundant witness to this, and Mr. Gladstone and every statesman who has studied the history of his own time is without excuse if he does not know it. The civil and international law of Christendom from the fourth century to our own has recognized the power of the Church as a contracting party. Witness the concordats freely

entered into at different times with every State in Europe; witness the legates, the nuncios, the plenipotentiaries, and Papal ministers at various Courts. Their mission, their sole *raison d'être*, is to bring about or to continue a mutual, good, and friendly understanding between the Spiritual and Civil Power.

But finally, we are ready to allow that after everything has been said and done, intricacies and entanglements may occasionally occur upon the border land which marks the Spiritual from the Temporal territory. It is so with adjacent States and neighbouring Kingdoms in the same civil order. Human ignorance or human perversity may create a difficulty where the limits meet, and have not been mutually, fully, and clearly agreed upon. To this we reply, that the life and conduct of the Church for eighteen centuries is an ample guarantee for her love of peace and justice. Even where her cause is clearly just, and she cannot without a betrayal of God's cause approve or yield, her appeals are not made to rebellion and the clash of arms, but to the reason and conscience of the human race. Her strength, like that of woman, lies not in physical, but in moral force.

4. Great stress has been laid upon the supposition that the infallibility of the Vicar of Christ forms a political and civil danger.

The Vatican Council, in express words, defines that no *new* prerogative has been made or given. The definition of an *ancient* doctrine,—and Mr. Gladstone himself allows it has been explicitly taught for a thousand years,—cannot create a *new* peril for human society.

Upon this very subject Bishop Milner wrote thus vigorously before the passing of the Act of 1829:—"I was educated in the belief of the Pope's inerrancy. . . . But if the layman, who never fails to ridicule the doctrine in question, is willing fairly to contest it, he knows where to meet an antagonist ready to engage with him. Against one assertion, however, of this writer, which insinuates the *political danger resulting* from the doctrine of *Papal Infallibility*, I will hurl defiance at him; nothing being more easy to show, than that no greater danger can result to the State from admitting the *inerrancy of the Pope* than from admitting *that of the Church itself.*"\*

But Mr. Gladstone cannot fail to have seen and read the Official Letter Cardinal Antonelli addressed in 1870, in answer to a public Statesman on this very point.

"The subjects (these are the words of the Cardinal) treated of (in the Council) are no more than the exposition of the maxims and fundamental principles of the Church; principles repeated over and over in the acts of former general Councils, proclaimed and developed in several Pontifical Constitutions, published in all Catholic States, and particularly in the celebrated dogmatic Bulls beginning '*Unigenitus*' and '*Auctorem Fidei*,' where all the aforesaid doctrines are generally confirmed and sanctioned; principles finally, which have constantly formed the basis of teaching in all periods of the Church, and in all Catholic Schools, and have been defended by an innumerable host of

\* "Ecclesiastical Democracy detected."

Ecclesiastical writers, whose works have served for text in public schools and colleges, government schools as well as others, without any contradiction on the part of the civil authority, but rather, for the most part, with the approbation and encouragement of the same." . . .

"The Church has never intended, nor now intends, to exercise any direct or absolute power over the political rights of the State. Having received from God the lofty mission of guiding men, whether individually or as congregated in society, to a supernatural end, she has by that very fact the authority and the duty to judge concerning the morality and justice of all acts, internal and external, in relation to their conformity with the natural and divine law. And as no action, whether it be ordered by a supreme power, or be freely elicited by an individual, can be exempt from this character of morality and justice ; so it happens, that the judgment of the Church, though falling directly on the morality of the acts, *indirectly* reaches over everything with which that morality is conjoined. But this is not the same thing as to interfere directly in political affairs, which, by the order established by God and by the teaching of the Church herself, appertains to the *temporal* power *without dependence on any other authority.*" . . .

"Whereas no civil society can subsist without a supreme principle regulating the morality of its acts and laws, the Church has received from God this lofty mission, which tends to the happiness of the people, while she in no way embarrasses by the exercise of this her ministry, the free and prompt action of government.



She, in fact, by inculcating the principle of rendering to God that which is God's, and to Cæsar that which is Cæsar's, imposes at the same time upon her children the obligation of obeying the authority of Princes for conscience sake. But these should also recognise that if anywhere a law is made opposed to the principles of eternal justice, to obey would not be a giving to Cæsar that which is Cæsar's, but a taking from God that which is God's."

Another authority, whose words should carry weight, is the late Cardinal Tarquini, a Roman Professor, and canonist of the highest repute, who was employed in the work of the Vatican Council.

In his *Juris Publici Ecclesiastici Institutiones* published in Rome, he speaks as follows:—"In temporal matters, and with respect to a temporal scope, the Church has no authority over the State. This is proved by reason: For whatsoever is done in temporal matters, having in view a temporal end, is outside the object of the Church. Now it is a general rule, that no society hath power beyond its own scope. And again, it is proved from the teaching of the Church. For Pope Gelasius writes to the Emperor Anastasius: 'As far as concerns the order of civil government, the Bishops of the Church obey thy laws, knowing that thou hast from God thine imperial order.' And St. Gregory the Great writes to Leo the Isaurian: 'As the Pontiff has no right to interfere in the affairs of the imperial household, nor in conferring royal dignity, so neither hath the Emperor, &c.' Hence it follows that the State, although composed of Catholics, yet in temporal matters, and from a temporal point of view, is by no means

subordinate to the Church, but quite independent of her. And when all the Fathers speak of the independence of the State from the Church, their sense is plain." It will perhaps add to the significance and value of this passage to note that its eminent author was one of what Protestants call "an extreme school,"—a son of S. Ignatius Loyola. The Church presents no greater danger to the State now than she has done since 1829; our allegiance, and our relation and duties to the State, have been in no way changed or diminished by the Vatican Council.

But if it be urged that the Pope is made absolute and independent, and that this is a grievous danger; we reply that the Pope is bound by the moral and divine law, by the commandments of God, by the rules of the gospel, and by every definition in faith and morals that the Church has ever made. No man is more bound by law than the Pope—a fact plainly known to himself, and to every bishop and priest in Christendom.\* And one of the laws which bind him is the law he has taught by the condemnation of the 63rd proposition in the *Syllabus*, "It is lawful to refuse obedience to legitimate princes and even to rebel against them." And has he not condemned every society that plots against the Civil Power?

We might go further and answer those who taunt us with questions as to our civil allegiance: (I.) by declaring that our allegiance to the Queen is more *entire* than that of Protestants—and to illustrate our meaning, (we hope without disrespect), we might say with

\* See further, Appendices A and B.

confidence, that if our Sovereign were to change her religion to-morrow, the allegiance of Catholics would in no sense be impaired, whatever might be the attitude of extreme Protestants and their appeals to the act of settlement. (2.) We might answer by declaring that our civil allegiance is *firmer* than that of Protestants, because it is based not merely on reason and conscience, or the *private* interpretation of the Bible, but also, and more firmly, on the teaching and authority of a Church which is, as we have shewn, by its institution, Divine. In addition, therefore, to all grounds of allegiance professed by our non-Catholic countrymen, we add another, which is most sacred. Beyond these there are no guarantees for our loyalty and civil allegiance that we can either give or even imagine.

5. We commenced this letter with a statement of our general principles as to the obligations of civil and spiritual allegiance; we have shown the Divine constitution and character of our Church, the binding and unchangeable nature of the Divine Law and of every definition made by the Church. And such, as we have exhibited by proofs and documents, is the nature and character of the Vatican Council, that it has added positively nothing to what existed before, beyond the legal definition of old truths.

But what is the theological purpose and drift of the "political" pamphlet which lies before us? Is it seriously to call in question the civil allegiance of English and Irish Catholics? Avowedly not. Mr. Gladstone is good enough to consider them to be better than their religion, to be loyal to their Queen in spite of its laws and tendency. You cannot, and you do not, accept

this more than doubtful compliment. For the Catholic who should say that he was better than his religion, is not far from practical Apostasy. What then is the theological object of the pamphlet? It is a plot with which others are in collusion, and has a German type and origin—a plot not only to sow dissension among English Catholics, but to encourage disloyalty also towards the Vicar of Christ. “Tell us,” the pamphleteer seems to say, “tell us without fear, tell us openly, tell us without declamation, and without ambiguity of words:—What would you do were the Vicar of Christ to attempt to levy war upon the Queen, to command her death, and to destroy this British Empire? Whom could you obey in a struggle between these two powers, each supreme in its order—between the Spiritual and the Temporal Sovereignities? Speak out like men, whilst we stand by and applaud you.”

And you, dear children in Christ, you may reasonably ask this self-commissioned Inquisitor, by what right, by whose authority he approaches you with these insulting questions in his mouth? Has your civil allegiance been called into doubt in the Cabinet, or in the Legislature, or in the civil tribunals of the country? Then why submit to its being questioned by one who has not even the plea of being a minister of the Crown?

The object is not to strengthen your *civil* allegiance, which needs no tonics, but to weaken your *spiritual* fidelity, or if this cannot be, then your tender reverence, your love and honour for the great Spiritual Father of Christendom. ‘But tell us, he still urges, What would you do, or at least what would you *think*, if Pius IX.

were to invade this island ; or to launch a thunderbolt against your Queen ?'

A faithful Catholic and a loyal subject would resent this political catechizing as though it were publicly inquired of him—What would be his behaviour towards his mother were she to misconduct herself in public?—were she guilty of such and such acts? As we have every natural reason to love the honour of our mother, so have we every supernatural reason to shield the honour of the Vicar of our Lord, and to decline to entertain his enemies with a discussion on the remotest of possibilities, or the foolishest of follies.

But we have another and even a graver answer than this, drawn though this be out of the heart of man. The Apostle Paul shall reply. He shall reply to Mr. Gladstone in words of repeated warning. He has need of them to-day. "Avoid," he says, "foolish questions and contentions and strivings about the law, for they are unprofitable and vain" (*Tit.* iii. 9.) "Avoid foolish and old wives' fables, and exercise thyself unto godliness" (*I. Tim.* iv. 7). All these "profane and vain babblings" "minister questions rather than edification of God which is in faith. Now the end of the commandment is charity from a pure heart and a good conscience and an unfeigned faith, from which things some going astray, are turned aside unto vain babbling ; desiring to be teachers of the law, understanding neither the things they say, nor whereof they affirm. But we know that the law is good if a man use it lawfully" (*I. Tim.* i. 4, 5, 6, 7, 8).

But if Mr. Gladstone shall insist with pertinacity, we will reply to him once more and ask him to point

out the passage in which our Divine Lord cautions men against submission to the Spiritual Power? Did He caution them *against* submission because individuals in authority might make mistakes? Even of the Scribes and Pharisees, hateful as they were in His sight, He said "all things whatsoever they (seated on the chair of Moses) shall say to you, observe and do; but according to their works do ye not" (*Matt. xxiii. 3.*) Is, then, obedience to Spiritual authority a danger to be apprehended now?

And shall we at this hour of the day,—with our Spiritual Father and Teacher in prison, because he has "loved justice and hated iniquity," and remains among the Sovereigns of Europe the only great column of truth and justice, as well as of unfailing charity,—shall we contemplate him as running counter to the Law of God and to the definitions of the Church, in order to gratify Mr. Gladstone and others, whose *end* is neither edification nor our civil allegiance, but "foolish questions and contentions and strivings about the law?"

No, you will be faithful to your Queen and you will be faithful to your Pope. There can be no antagonism between the works of God, unless the sin of man create it.

6. The subject of the deposing power of the Pope has been brought forward again by Mr. Gladstone and others; not, however, as though it formed a practical danger to any existing State, however wicked. The question whether this power comes within the authority bestowed upon St. Peter and his successors is purely speculative. It is no matter of Catholic faith, and is properly relegated to the schools. But this we must

say, to fear the result of this purely speculative question is scarcely consistent with the common sense of a practical people, like the English. It would form as useful and seasonable a subject of discussion at the present day as it would have been at Jerusalem or Rome, had the *quid nuncs* of those days sat down to examine whether Peter, when "sleeping between two soldiers, and bound with two chains" (Acts xii.), could have deposed King Herod; or whether, when he lay in the nethermost prison of the Mamertine, he could have dethroned the infamous Nero. To these passing observations we will add,—

(1). That there is no mention of this power in the *Syllabus* or in the *Enchiridion Symbolorum et Definitio- num Fidei*.

(2). That no one has ever breathed the idea of Pius IX. exercising it, even in the case of King Victor Emmanuel.

(3). That when, in the centuries of undivided Christendom, it was used at the request of the oppressed against their wicked and unjust oppressors; it was used very seldom; with great formality; after fruitless admonitions and invitations to amend; as an act of justice; and finally its execution was left entirely to the people.

When Mr. Gladstone, as Prime Minister of the Crown, introduced a Court of Arbitration to settle international differences, he unconsciously justified this principle, that in the proper constitution of human society there is a need of a Supreme Judge in the cause of justice "by which kings reign."

(4). During this century over thirty Sovereigns have

been violently deposed by factions of their subject populations. Is it a question whether Sovereigns have gained by the exchange of the Supreme Tribunal of the Pope for the supreme tribunal of the mob? or whether civil allegiance is more sacred and inviolable now than when united Christendom carried the Vicar of Christ in triumph as the Supreme Arbiter and Judge of Israel?\*

(5). Lastly, we would respectfully observe that those who are so sensitively tender at the mention of the indirect deposing power of the Pope (though it will never, as we believe, be exercised again), on the ground that religion has no right to trench on the civil authority, would do well to remember, that were the Sovereign of this Empire—including from 9,000,000 to 10,000,000 of Catholics—to change her religion for that of the Catholic Church, she would thereby, *ipso facto*, cease to reign, and be deposed. So that it would appear that the principle of the authority of religion, even in civil matters, is admitted in the British Constitution, which lays down that an English sovereign who does not profess the Protestant religion is unable or unfit to reign.

7 . Does any one object that in consequence of the Vatican Council, or of their Religious Creed, Catholic electors or members of Parliament are not free to vote as they please, or that their political freedom is curtailed by their Church?

Mr. Gladstone has not raised this question in terms, but he has covertly implied it. You, brethren, can give the answer, You are as free as others to follow

\* See Appendix C.



your reason and conscience in the discernment of the moral character of the various political questions which come before you. To say that your conscience and reason are illumined by the general principles of Catholic Faith and morality, is simply to say that you are Catholics. But in their particular application in common political life you are each one of you as free to judge and act as any Protestant. You know, from your own experience, how free you are in all matters of simple politics. When we ourselves think it right to lay before you our view of a political measure, you are neither bound nor expected to adopt our view if your conscience and reason think us mistaken. But is not the Pope brought in on every occasion? This is part of the "great Protestant Tradition" of Exeter Hall, which believes the Pope to be a *Deus ex machina*, and a good Catholic, a knave, or a fool.\*

But at least it will be admitted that the Catholic vote helped to throw out the Gladstone Government.

We fully admit the allegation. It is perfectly true that the Irish Catholic members and many Catholic electors in England indirectly, contributed to the defeat of a Government with which, on most points, they had been in sympathy. They acted, each one freely and upon his own choice, in the application of a Catholic general principle, viz., that Education *must be* Religious. Mr. Gladstone resents their choice in differing from himself,—*hinc illæ lacrymæ*.

8. The Catholic Church is charged with statements made by English and Irish Prelates prior to the pass-

\* See Appendix D,

ing of the Catholic Emancipation Bill; statements which could not, indeed, be made now in all respects, but which Mr. Gladstone tells us "powerfully operated on the open and trustful temper of this [English] people to induce them to grant . . . the great and just concession of 1829." We are perfectly ready to undertake the defence of these Prelates, and that upon the most solid grounds; but it need not be now.

If, however, they be accused of minimising doctrine, what shall we say of the reservation, the minimising of history, practised "on the open and trustful temper of the English people," by Mr. Gladstone, in his "Political Expostulation?" He has been pleased to ignore the real motives upon which the Catholic Emancipation Bill was passed, in order to attach a stigma upon the good faith of the Catholic Church towards the English people. These real motives must have been present to the mind of a Statesman living in the very light of the history of his own time; but they will not be present to the mind of, they will never have been even heard of by, millions among whom this political, "No Popery" pamphlet is being industriously circulated at reduced price.

In order, therefore, that the facts which led to your Emancipation may be present at least to your mind, we venture to lay before you the following extracts from well known historical authorities:—

In the *Memoirs by Sir Robert Peel*, (London, John Murray, 1856), Part I., pp. 365, 366, we read:—

"I do solemnly affirm, . . . that in advising and promoting the measures of 1829, I was swayed by no fear except the fear of public calamity, and that I

acted throughout on a deep conviction that those measures were not only conducive to the general welfare, but that they had become imperatively necessary in order to avert from interests which had a special claim upon my support—the interests of the Church and of institutions connected with the Church—an imminent and increasing danger.”

See also, pp. 360–362, Peel's letter to the Bishop of Limerick, in which he enumerates six reasons for the concession, without a word implying that he was influenced by any statements of Catholics repudiating Papal dictation.

To the same purpose is his memoranda on the question, pp. 284–294, and pp. 300–308.

In *The Greville Memoirs* (Longmans, 1874), Vol. I., p. 133, Chapter 4 [1828], occur the following:—

“The success of the Catholic question depends neither on Whigs nor Tories; the former of whom have not the power, and the latter not the inclination to carry it. The march of time and the state of Ireland will effect it in spite of everything, and its slow but continued advance can neither be retarded by its enemies nor accelerated by its friends.”

P. 168, “It was the Clare election which convinced both him (Peel) and the Duke that it must be done. . . . If the Irish Catholics had not brought matters to this pass by agitation and association, things might have remained as they were for ever, and all these Tories would have voted on till the day of their death against them.” Read the whole of Ch. V., pp. 164–220. See also *Guizot's Memoirs of Sir Robert Peel* (Bentley, 1857).

P. 40, in Sir R. Peel's opening speech, he says:—  
“I yield, therefore, to a moral necessity which I cannot control, unwilling to push resistance to a point which might endanger the establishments that I wish to defend.”

Again, read in the *Life of the Duke of Wellington*, by J. H. Stocqueler, vol. II., (1853,) the speech of Wellington, April, 1829:—

“I call on those who apprehend that danger (viz., to the Established Church) to state clearly whether that danger, on this particular occasion, is more to be expected as resulting from legislation or *from violence*.”

Again, in the *Life and Character of Sir Robert Peel*, by Sir Lawrence Peel, 1860, we have this testimony:—  
“Their conduct has been stigmatised as a concession to violence. . . . Concession of this nature to the demands of an excited people, whether of a whole empire or of a part, will be judged from the nature of the demand and the motives of those who yield to it.”

And lastly, we might refer to the *Life of the Duke of Wellington*. By Sir James Edward Alexander, 1840, Vol. II., Ch. x., pp. 439–471.

In his speech, April 2, 1829, Wellington referred to the prospect of civil war as his chief motive for having brought in the Bill, p. 463:

“If I could avoid, by any sacrifice whatever, even one month of civil war in the country to which I am attached, I would sacrifice my life in order to do it.”  
See again details, in his speech in reply, p. 468.

9. It is manifestly impossible to treat at length of many details within the compass of a Pastoral letter.

But whilst Mr. Gladstone is flooding\* the country with copies of his indictment against your honor and your religion, we must indicate, as it were with the tip of the pen, the character of one more point which is of some importance.

(1.) Mr. Gladstone is as unskilled and unlearned in the scientific and technical language used by the Pastors of the Catholic Church among themselves as he is prejudiced against the Faith itself. Law and Medicine have their own precise terminology and language, and the uninitiated cannot read them. It is so, precisely, with Catholic theology viewed as a science. The Encyclicals and the Syllabus were addressed not to the people, but to the Episcopate, by the Vicar of Christ. Those who have been accustomed to consider Bishops as civil functionaries, religion as an appanage of the State, and to determine doctrine by lay tribunals, may perhaps be pardoned if they forget that, in dealing with the Catholic Church, they have to do with a wholly different order of ideas, and are out of their depth until they have sat under scientific teachers, as Paul at the feet of Gamaliel. It is for the Bishops to expound the true sense of the scientific language of the Catholic Church.†

(2.) While far from saying that the doctrines of the Syllabus are acceptable to the world, or that the world will ever relish them in their entirety until it has been reconverted to the Gospel of Truth, we unhesitatingly

\* It is publicly stated that 73,000 copies have been issued up to the present time.

† See the remarkable Pastoral of the Bishop of Birmingham. *Burns and Oates.*

affirm that Mr. Gladstone has so distorted the meaning of the propositions of the Syllabus as to make it a mockery of the Church's doctrine. We are prepared to show that the propositions which have been most misrepresented and misunderstood are to be found *in principle*, like hard-set mortar, in the deep foundations of the Constitution of England.

#### IX.—CONCLUSION.

From all that has been said we draw these three conclusions :—

1. No human being, or human organization, stands between us and our Civil Sovereign. Conscience, and reason, and the law of God, alone can come between us. A divine, and not a human teacher, interprets for us the law of God. We are not the subjects of a Foreign Power. The Pope, as Vicar of Christ, is to us no more a foreigner than Jesus Christ. Our civil allegiance is undivided and without limit in its own order.

2. They do not "forfeit mental and moral freedom" who are taught by a Divine Teacher. But they are *not* mentally and morally free who, having heard of such a Teacher, do not seek Him, or who having found Him, reject His teaching.

3. Mr. Gladstone "has conjured" up a phantom which it will be well for him if he can "conjure down." On a mistaken plea, and starting on an assumed premise, he endeavours to kindle political and civil hate among the united people of a Great Empire. We do not wish to suppose that he has

done this evil for power or place ; he cannot have done it in the calm of an Imperial Statesman. The judgment of motives we leave to others.

Finally, we feel, dear brethren, no alarm. The discussion of our doctrines, even through contradiction, will further Truth. The English people are not to be duped within a quarter of a century by two Durham Letters. The chief organs of the Press within this Diocese, the men of business in our populous towns, the strength and manhood of a common-sense people, have appreciated the situation. In religion, we are, alas, divided ; but in civil life and mutual confidence we are as *one*. For ourselves and flock we are satisfied to leave the verdict on our allegiance, and on our political and civil conduct to the fair judgment of the English people.

We "*commend you to God and to the word of His Grace.*" (Acts xx. 32.)

"*May the God of hope fill you with all peace and joy in believing ; that you may abound in hope and in the power of the Holy Ghost.*" (Rom. xv. 13.)

"*Walk circumspectly . . . for the days are evil.*" (Eph. v. 15, 16.)

Given at Salford, on the Feast of S. Francis Xavier, December 3rd, 1874, and commanded to be read, in part, in all our Chapels and Churches, and to be circulated, in its entirety, among the members of our Flock.

✠ HERBERT, *Bishop of Salford.*

C. J. GADD, *Secretary.*

## APPENDICES.

## APPENDIX A.

*Dr. von Döllinger on the growth, office, power, limitations and perpetuity of the Papacy.*

Let us hear the matured historical testimony of one whom Mr. Gladstone describes as "the most famous and learned living theologian of the Roman Communion, Dr. von Döllinger,"—although he had already assigned to Dr. Newman the place of "the first living theologian now within the Roman Communion." With Mr. Gladstone it seems that Ecclesiastical History and theology are the same, and that a Church Historian is always a theologian.

In regard to the following valuable extracts, we need only point out the strange absence of purely theological statements and arguments; this absence does not invalidate the Professor's testimony,—it will be accounted by some persons to strengthen it—but it leaves his narrative incomplete, and partially accounts for his recent defection.

In the following pages, then, taken from one of Dr. von Döllinger's last publications, "*The Church and the Churches*," (Hurst & Blackett, 1862,) may be seen what Mr. Gladstone calls "the truth and authority of history and the inestimable value of the historic spirit."



“Let us now approach somewhat nearer to the institution of the Papacy, which is comparable with no other ; and let us cast a glance at its history. Like to all living things, like to the Church itself of which it is the crown and the corner-stone, the Papacy has passed through an historical development full of the most manifold and surprising vicissitudes. But in this its history is the law which lies at the foundation of the Church—the law of continual development—of a growth from within outwards. The Papacy had to pass through all the changes and circumstances of the Church, and to enter with it into every process of construction. Its birth begins with two mighty, significant, and far-extending words of the Lord. He to whom these words were addressed, realised them in his own person and actions, and planted the institution of the infant Church in the central point—at Rome. There it silently grew, *occulto velut arbor aevo* ; and in the oldest time it only showed itself forth on peculiar occasions ; but the outlines of the power and the ecclesiastical authority of the Roman Bishops were ever constantly becoming more evident and more prominent. The Popes were, even in the time of the Roman Emperors, the guardians of the whole Church, exhorting and warning in all directions, disposing and judging, ‘binding and loosing.’ Complaints were not seldom expressed of the use which, in particular cases, Rome had made of its power. Resistance was offered, because the Pope was supposed to have been deceived ; an appeal was preferred to him, when it was believed he had been better informed ; but there was no refusal to obey his commands. In general, his interference in Church affairs

was less necessary; and the reins of Church discipline needed less to be drawn tightly, so long as the general Church, with few exceptions, was found within the limits of the Roman Empire, when it was so firmly kept together by the strong bands of the civil order, that there could neither be occasion nor prospect of success to any reaction on the part of various nationalities, which, on the whole, were broken and kept down by Roman domination." (p. 41.)

"What is now, and in point of fact, the actual function and vocation of the Papacy, and why is the whole existence of the Church at this time, and in future, so inseparably bound up with the existence of the papal authority, and with its free exercise?"

"The Catholic Church is a most opulent, and, at the same time, a most multifarious organism. Its mission is nothing less than to be the teacher and moulder of all nations; and however much it may find itself hampered in this task; however limited may be the sphere of action allowed to it, by this or that government, its task always remains the same, and the Church requires and possesses an abundance of power to attain its purpose; it has a great number of various institutions, all directed to the same end, and with these it is continually creating new. All these powers, these institutions, these spiritual communities, stand in need of a supreme guidance, with a firm and strong hand, in order that they may work harmoniously together; that they may not degenerate, and may not lose sight of their destination; that they may not suicidally turn their capabilities, one against the other, or against the unity and welfare of the Church. It is

only an ecclesiastical primacy can fulfil this mission—it is the Papacy alone that is in a position to keep every member in its own sphere, and to pacify every disturbance that may arise.”

“ Besides this, there is another task, just as difficult as it is important, which it lies upon the Papal See to fulfil.”

“ It is the duty, namely, of the Pope to represent and to defend the rights of individual Churches against the domination of states and monarchs; to watch that the Church be not altered in its character, nor crippled in its power, by becoming interwoven with the State. For this purpose, with the voice and action of the church immediately concerned, the intervention of the Supreme Church authority becomes indispensable; since this stands above and outside of the conflicts, which may possibly arise between any one church and the state; and it solely is capable in its high and inaccessible position, and in possession of the richest experiences, won in centuries of ecclesiastical government, to specify accurately the claims of both parties, and so serve as a stay and support to the weaker—to the one which otherwise must inevitably succumb before the manifold means of compulsion and seduction which lie at the command of modern states.”

“ It is, moreover, a beautiful, sublime, but certainly difficult mission of the Papal See—a mission only to be fulfilled by the strength of an enlightened wisdom and a comprehensive knowledge of mankind—and that is, to be just to the claims of individual nations in the Church; to comprehend their necessities, and restrain their desires within the limits required by the unity of the Church.”

“ For all this there is wanted a power opulently endowed with manifold views and prerogatives. If there were a primacy of dignity and honour, without any real power, the Church would be but badly served. This is not the place to enumerate all the particular rights which the Pope exercises in the ordinary course of his administration over the Church. They may be found in every hand-book of ecclesiastical law. But concerning the measure and extent, the limitation or illimitability of the Papal power, a few words, amid the prevailing confusion of ideas on the subject, cannot be considered as superfluous.”

“ Outside of the Catholic Church it has become almost a common form of speech—to brand the Papal power as being boundless, as being absolutist, as one which recognizes no law capable of controlling it. There is a great deal of talk of ‘ Romish omnipotence,’ or of one at least with a never unceasing pretension to universal dominion. Persons maintain that ‘ Rome never foregoes a claim which she has once put forward ; that she keeps such constantly in view, and upon every favourable opportunity strives to enforce it. All these representations and accusations are untrue and unjust. The Papal power is in one respect the most restricted that can be imagined, for its determinate purpose is manifest to all persons ; and as the Popes themselves have innumerable times openly declared that purpose, ‘ to maintain the laws and ordinances of the Church, and to prevent any infringement of them.’ The Church has long since had its established ordinances and its legislation determined on, even to the most minute points. The Papal See is thus, then, before all others,

called upon to give an example of the most rigid adherence to Church tenets; and it is only upon this condition that it can rely upon obedience to itself on the part of individual churches, or calculate upon the respect of the faithful. Hence every one thoroughly well grounded in a knowledge of ecclesiastical legislation can, in most cases, with certainty anticipate what the Papal decision will be. Besides this, a considerable portion of Church ordinances rests, according to the views of Catholics, on the Divine Commandment, and are consequently for every one, and of course for the Papal power also, not to be tampered with. The Pope cannot dispense with things which are commanded by Divine Law. This is universally acknowledged. What, then, can restrain the Pope? De Maistre says, 'Everything—canons, laws, national customs, monarchs, tribunals, national assemblies, prescription, remonstrances, negotiations, duty, fear, prudence, and especially public opinion, the Queen of the World.'

"In another respect, the Papal authority is certainly truly sovereign and free, one, too, which, according to its nature and purpose for extraordinary accidents and exigencies, must be endowed with an altogether extraordinary power to control every mere human right, and to permit or ordain exceptions to general rules. It may occur that serious embarrassments, new situations of things, may be placed before the Church; and to which existing ecclesiastical ordinances do not extend, and in which a solution can be found only by overstepping the regulations in force. If the necessity of the case requires it, 'the Pope,' as Bossuet says, 'can do

all,\* of course with the exception of what is contrary to the Divine Law." (pp. 44-7.)

"The delusion that the Papal See has arrogated to itself a despotic and absolute power, and exercised it wherever it was not restrained by fear, is so generally diffused, especially in Germany and England—it is so customary to proclaim the boundlessness of that power, and the defencelessness in which individual Churches and persons find themselves when opposed to it, that I cannot refrain from exposing the error by a few decisive testimonies. Let us hear on this matter one who was a pope himself—Pius VII. :—

" 'The Pope,' he says, in an official document drawn up in his name, and having reference to Germany †— 'The Pope is bound by the nature and the institutions of the Catholic Church, whose head he is, within certain limits, which he dare not overstep, without violating his conscience, and abusing that supreme power which Jesus Christ has confided to him to employ for the building up, and not the destruction, of His Church. Inviolable limits for the head of the Church are the dogmas of the Catholic faith, which the Roman bishops may, neither directly nor indirectly, violate; and although in the Catholic Church faith has always been regarded as unalterable, but discipline as alterable, yet the Roman bishops have, with respect even to discipline, in their actual conduct, always held certain limits sacred, although by this means they acknowledge the

\* "Defens. Declar.," 2, 20; *Oeuvres*," vol. xxxiii. p. 354.

† "Esposizione dei sentimenti de Sua Santità," in the treatise, "Die Neuesten Grundlagen der Deutsch-Katholischen Kirchenverfassung." Stuttgart, 1821, p. 334.

obligation never to undertake any novelty in certain things, and also not to subject other parts of discipline to alterations, unless upon the most important and irrefragable grounds. With respect to such principles, the Roman bishops have never thought that they could admit any change in those parts of discipline which are directly ordained of Jesus Christ Himself; or of those which, by their nature, enter into a connection with dogmas; or of those which may have been attacked by erroneous believers to sustain these innovations; or also in those parts on which the Roman bishops, on account of the consequences that might result to the disparagement of religion and of Catholic principles, do not think themselves entitled to admit a change, whatever the advantages might be offered, or whatever the amount of evils might be threatened.

“So far as concerns other parts of Church discipline, which are not comprehended in the classes above-mentioned, the Roman Bishops have felt no hesitation in making many changes; but they have always been grounded on the principles on which every well-ordered society rests; and they have only given their consent to such changes when the need or the welfare of the Church required them.” (pp. 47-9.)

“Cardinal Antonelli, Prefect of the Propaganda (under whom the Irish Bishops are placed), addressed, on the 23rd June, 1791, a Rescript to the Archbishops and Bishops of Ireland, wherein it was said:—‘We must very carefully distinguish between the real rights of the Apostolic See, and what have been, with an inimical intention, in modern times imputed to it.’ The Roman See has never taught that faith was not to be

kept with 'heretics;' or, 'that an oath of allegiance made to kings, in a state of separation from a Catholic community, could be broken;' or, '*that it was allowable for a Pope to interfere with their temporal rights and possessions.*' This Rescript has been often enough printed, and I do not know what could be said more clearly or distinctly." \* (p. 50.)

"Who will pronounce on the immediate future? Do we know what is coming in Germany? Are we in Central Europe not approaching some mighty convulsion? Is not the Mazzini party lurking behind Piedmont to hurl Italy into the throes and tortures of a social and anti-christian revolution? Who can say how much in Italy and elsewhere will meet destruction? One thing, however, is certain. Amidst all wrecks, one Institution will remain erect, will constantly emerge from the flood of revolution—for it is indestructible, immortal—it is the Chair of St. Peter. If I am asked whence I draw this assurance, I may point to the Bible as my answer—'Thou art the Rock,' &c. But I will give another answer, derived from the very nature of the thing itself: The Papal See will not be destroyed, because it is reachable by no human power; because no one on earth is strong and powerful enough to destroy it. If all the Powers of Europe were to unite for its destruction, they could not effect it. All that human power can do is to compel it to make a pilgrimage; and, for a longer or shorter time, to keep its seat away from Rome. And, lastly, this Chair will not be

\* See "Ami de la Religion," vol. xviii.; also in the works of Archbishop Affre of Paris, "Essai sur la Suprematie temp. du Pape," p. 508.



destroyed, because it is indispensable and irreplaceable, for it forms the keystone of the whole building of the Church. '*On ne détruit que ce qu'on remplace.*' That the Papacy can ever be replaced by anything else, no one will seriously maintain. It is the keystone that holds the whole edifice of the Church together, that makes the Church what it is and what it ought to be: a world-Church—the only society that has in earnest fulfilled the given purpose of God—that is, to embrace all humanity, and find room for all nations."

"Should this all-keeping, all-sustaining keystone be taken away, the whole will fall asunder, the Church will be split according to monarchies and nationalities; from the Christian religion will be rent that noble jewel bestowed by her founders; that privilege that stands alone in history—the privilege and the strength to unite all nations in one great whole, yet without injury to them as nations. The faithful throughout the world desire not to belong to a French or a Spanish, a Bavarian or an Austrian Church; they desire to belong to ONE church, THE Church, the only Catholic Church—in other words, all will be subject to the Pope, and will, in community with him, feel and acknowledge themselves as members of 'the Catholic Church.'"

"The Papacy, then, will continue, because God wills it, because every Catholic believes it, because two hundred millions of men in all parts of the world desire it, because everyone who knows the condition of the world acknowledges it. There are enemies—many enemies—of the Temporal Power of the Papacy; but, within the Catholic world, there lives no enemy of the Pope's Spiritual Power, or only such as are at

the same time the enemies of the Christian religion.”  
(p. 470.)

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## APPENDIX B.

*Innocent III.'s limitation of the Papal Power.*

It is difficult to make a selection from the vast number of Papal documents which indicate the scope, and at the same time the limitation of the Roman Pontiff's power. We quote the following, written in 1204, when the Papacy was in the zenith of its prestige and influence, from the famous letter, *Novit Ille*, of Innocent III. to the Bishops of France, in the matter of the dispute between Philip and John, the Kings of France and England.

“No person should imagine that we pretend to disturb or diminish the jurisdiction of the illustrious King of the French, any more than he desires to interfere with ours. . . . We do not pretend to pronounce judgment as to the fief, judgment on this matter belongs to his jurisdiction; but we pronounce *as to the sin*. To censure sin belongs, without doubt, to our office, and we can, and we ought, to exercise this office irrespectively of persons. The Royal dignity should not consider itself slighted by submitting on this subject to the Apostolic judgment, for the Emperor Valentinian said to the Suffragans of Milan, ‘Set up for us a Bishop before whom, we ourselves who govern the Empire, may sincerely bow our head, and from whom we, as men subject to sin, may receive needful advice, as medicine from a physician.’ . . .

Seeing that we do not rest our authority upon a human constitution, but rather upon a Constitution which is Divine,—our authority being not of man, but of God,—every one knows that it is part of our office to administer correction for all grievous sin to every Christian, and to visit with Ecclesiastical censures those who despise correction.”—*Hist. de l’Eglise*, by Rohrbacher, vol. 17, p. 285.

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#### APPENDIX C.

*Curious statistical contrast arising out of “the rights of man,” and the deposing Power of the Popes.*

Mgr. Gaume, in his work on *La Situation*, in 1860, gave some curious statistics, which being corrected down to 1875, now stand as follows:—Since the famous “Rights of man” were proclaimed at the end of last century 45 thrones have been overthrown, 25 royal families driven into exile, 34 Charters or Constitutions drawn up, sworn to, and destroyed. As a vindication of the “Rights of man,” within the span of one human life this is grimly significant. The legal depositions pronounced by Pontiffs through all the centuries scarcely reach a dozen. But then the Pontiffs have always taught the “Duties of man,” and that through their performance are secured his rights.

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#### APPENDIX D.

*On the interference of the Clergy in certain political questions.*

There can be no doubt but that the Sovereign

Pontiff, as Supreme Judge of the moral and divine law, has a right to pass a judgment upon the moral character of civil Constitutions, when he considers that the good of Religion, of human Society, and the law of God demand this of him. Thus, Pius IX. pronounced judgment in 1852 upon the religious portion of the iniquitous Constitution passed by the Government of New Granada, and in 1856 upon a part of that proclaimed by the Juarez Government of Mexico. In like manner he indirectly condemned the godless Colleges in Ireland, by declaring them to be unfit schools for the education of Catholic youth.

A remark will not be out of place here upon a peculiar view which has sometimes been put forward, viz.: that Ecclesiastics have no right to take any part in politics, and that they practically forfeit their civil rights by becoming Priests. There is in this theory one element of truth, and two elements of error. The element of truth is this obvious fact, that it is unfitting that one who has been consecrated to the service of God by the unction of the Priesthood, and has devoted his life to the direct cure of souls, should spend his time and his energies in the purely political arena. Such a course of conduct in one thus placed would lead to neglect of duty, and might involve positive injustice towards the souls of whose care he had accepted the responsibility. But the first element of error comes in when it is asserted that a man by becoming a Priest thereby forfeits the civil and political liberty enjoyed by his fellow countrymen, to think, speak, and write in behalf of civil and political justice. This is to introduce something worse than the system

of castes. It is the mystical abstraction from human things practised by Brahmins. That it is highly desirable that the Clergy should mix as little as possible in simple politics and party warfare, that they should live in a sphere removed from mere earthly and temporal contentions, and thus render their sacred ministry more acceptable and more effective is undeniable. But a second element of error, more mischievous than the first, urges sometimes in the name of religion itself, that, though a political question trench upon the truths of Religion, though the interests of the Divine law and the salvation of souls be directly concerned in a political measure, a clergyman's duty is to remain a silent, passive, and perhaps indifferent spectator, simply because he is a clergyman :—that his voice must be silent in the pulpit and on the platform if the subject in contention have a political as well as a direct religious bearing. This was in reality the theory of the revolutionist, Terenzio Mamiani, when he insolently advised Pius IX. "to inhabit peaceably the serene sphere of dogma," and abandoning all the practical concerns of men, to be satisfied "to pray, to bless, and to pardon." It is the consistent theory of those who seek, or applaud, the destruction of the temporal power.

Putting aside, then, these errors, we may affirm that just as the Sovereign Pontiff speaks, when occasion requires, with supreme authority, upon the morality of political acts, so may it from time to time be the duty of Bishops to speak, and to direct the clergy subject to them to speak, in unambiguous terms on political measures which directly concern the cause

of Divine Truth, Religion, and the salvation of souls. It is certain that a Spiritual Superior does not exceed the province of his authority, if he so far enters into political and temporal matters as to pass judgment upon their conformity with the moral and divine law. This is explicitly taught by S. Thomas. "Potestas saecularis subditur spirituali sicut corpus animae (ut Greg. Naz. dicit Orat. 17) et ideo non est usurpatum iudicium, si spiritualis praelatus se intromittat de temporalibus *quantum ad ea in quibus* subditur ei saecularis potestas, vel quae ei a saeculari potestate relinquuntur." 2a 2ae q. 60. A 6. Ad 3m.

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## APPENDIX E.

### *On the Immaculate Conception, historically.*

In the Note p. 3 of this Letter reference has been made to Mr. Gladstone's assertion that the definition of the Immaculate Conception was "a violent breach with history" and a "deadly blow at the old historic school."

Out of a thousand historical witnesses let us listen to the words of Peter of Celles, writing to Nicholas, Prior of St. Albans, in Hertfordshire, more than 700 years ago:—

"I believe, I say, I maintain, and I swear (these are his words,) that the Most Blessed Virgin was endowed with special privileges in her eternal predestination, nor from the moment of her conception did she suffer the slightest stain, but remained ever and

preserved to the end in spotless integrity ; and as she was blessed beyond human nature, so are her perfections sublime and hidden beyond human thought.”— (“ *Our Lady's Dowry*,” p. 31.)

While our English forefathers were beginning to establish the Festival of the Immaculate Conception without reference to the Holy See, this same Peter of Celles, Abbot of S. Rémi, and afterwards Bishop of Chartres, wrote to the English Prior as follows—and we make the quotation to show that the acts of 1854 and 1870 were not “ a violent breach with history,” but in perfect and harmonious sequence with the early History of the Church in England and France.

“ I would far more willingly open the cataracts of Heaven and the fountains of the deep in honor of the Virgin than close them : nay, if her own Son Jesus—were such a thing possible—had left undone anything for the exaltation of His Mother, I, her servant and her slave, would try to make it up, if not in effect, at least in affection. I would rather have no tongue than use it against Our Lady. I would rather have no soul than diminish anything of the glory of hers. No doubt it was ever lawful and ever will be lawful for the Church, the Spouse of Christ, during her sojourn in the world, according to the changes of times and of persons and of things, to vary her decrees, and to find new remedies for new diseases, and to appoint new festivals for her saints. But gold and silver have a mint in which they must be coined—the Seat of Peter and the Court of Rome, which holds the principality and the keys of Heaven. It belongs to her to open to us, in the dispensation of God, the secrets of God's

counsels, and the oil of grace runs down from the head (Aaron) to the borders of his vestment.

“ This Seat of Peter, in which Moses sits—that is, in which resides ‘ the immaculate law which converts the soul ’—this is the Rock which falls and crushes the gatherings of the heretics, which stops all profane novelties of word, which cuts off what is superfluous and fills up whatever is incomplete. I should then be glad indeed if this Mistress and Directress of Christendom, with the authority of truth, had weighed in the scales of a general consultation [this is precisely the course which was adopted by Pius IX. before the Definition of 1854] and had approved the festival of Our Lady’s Conception, and had propagated it from sea to sea. If the sun, that is the Pope, and the moon, that is the Roman Church, had gone before, then no less quickly than securely would I have walked in their light, without fear of slipping or stumbling.”  
(“ *Our Lady’s Dowry*,” p. 27.)





P A X.

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THE

*Syllabus for the People.*

A REVIEW OF THE PROPOSITIONS

CONDEMNED BY

HIS HOLINESS POPE PIUS IX.,

WITH TEXT OF THE CONDEMNED LIST.

BY

A MONK OF ST. AUGUSTINE'S,

RAMSGATE.

*Author of "The Vatican Decrees and Catholic Allegiance."*

New York:

THE CATHOLIC PUBLICATION SOCIETY,

9 WARREN STREET.

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1875.



# PREFACE.



THE Syllabus of Pius IX. has been the subject of so many misconceptions, that a plain and simple setting forth of its meaning cannot be useless. This is what I have tried to do in the following pages. A vindication or defence of the Syllabus was, of course, out of the question in so small a compass ; but I think more than half the work of defence is done by a simple explanation. During the ten years just completed since its promulgation, much has occurred to shew the wisdom that dictated it. The translation I have given is the one authorized by His Eminence the Cardinal Archbishop of Dublin.

*Ramsgate, Dec. 8th, 1874.*



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# THE SYLLABUS OF PIUS IX.

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## I.

### INTRODUCTION.

**THE** Syllabus of Pius IX. is a series or catalogue of propositions, taken mostly from works of writers in our own century, and condemned by the See of Rome during the Pontificate of his present Holiness. The Syllabus itself was published on the 8th of December, Feast of the Immaculate Conception, in the year 1864; but all the propositions contained in it had been branded with Papal censure in some previous Bull, Brief, or Apostolic Letter, either in the reign of Pius IX. himself, or in that of his immediate predecessor, Gregory XVI. This will be seen from the references at the foot of each condemned thesis in the subjoined translation of the Syllabus, which give the date and title of the official document in which the said proposition had been previously censured. By glancing down the headings of the several classes in which the condemned errors are arranged, the reader will see that while some of them involve abstract doctrines, by far the greater part deal with those principles of Christian morals,



which are developed and applied as the individual comes into contact with society and with the State.

The Syllabus was accompanied by an Encyclical, or circular letter of His Holiness, addressed to "all Patriarchs, Primates, Archbishops and Bishops in communion with the Apostolic See." The tenor of the Encyclical, wherein the Holy Father commands all the children of the Catholic Church to hold every doctrine condemned by the Holy See as unlawful to be upheld or defended, coupled with subsequent declarations, leave Catholics no room to doubt that, in passing censure on each and every one of these propositions, the Pope claims intellectual obedience on the ground of his infallibility.

To explain from proper sources and in as easy a shape as possible, the sense wherein the condemnations were intended to be made, is the object of my present essay. To do this, I shall first give the Syllabus translated in full; next I shall say a word or two on what are called the "minor censures," etc., so as to convey an idea of what the Church means to do when she stamps a proposition with such or such a theological censure; and shall then pass to review the Syllabus in detail. Ignorance of its nature, caused by the most violent misrepresentation, has raised a storm against it in the public mind of our country; but nine-tenths of the condemnations it contains would be as heartily subscribed to by Protestants as by Catholics.

II.

SYLLABUS OF THE PRINCIPAL ERRORS OF OUR TIME,  
WHICH ARE CENSURED IN THE CONSISTORIAL  
ALLOCUTIONS, ENCYCLICAL, AND OTHER APOSTO-  
LICAL LETTERS OF OUR MOST HOLY LORD, POPE  
PIUS IX.

§ I.

*Pantheism, Naturalism, and absolute Rationalism.*

1. There exists no Supreme, all-wise, all-provident divine being, distinct from the universe, and God is identical with the nature of things, and is, therefore, subject to changes. In effect, God is produced in man and in the world, and all things are God and have the very substance of God, and God is one and the same thing with the world, and, therefore, spirit with matter, necessity with liberty, good with evil, justice with injustice.

Allocution *Maxima quidem*, June 9th, 1862.

2. All action of God upon man and the world is to be denied. *Ibid.*

3. Human reason, without any reference whatsoever to God, is the sole arbiter of truth and falsehood, and of good and evil; it is law to itself, and suffices, by its natural force, to secure the welfare of men and of nations. *Ibid.*

4. All the truths of religion proceed from the innate strength of human reason; hence reason is the ultimate

standard by which man can and ought to arrive at the knowledge of all truths of every kind.

*Ibid.*, and Encyclical *Qui pluribus*, Nov. 9th, 1846, etc.

5. Divine revelation is imperfect, and therefore subject to a continual and indefinite progress, corresponding with the advancement of human reason.

*Ibid.*

6. The faith of Christ is in opposition to human reason, and divine revelation not only is not useful, but is even hurtful to the perfection of man.

*Ibid.*

7. The prophecies and miracles set forth and recorded in the sacred Scriptures are the fiction of poets, and the mysteries of the Christian faith the result of philosophical investigations. In the books of the Old and New Testament there are contained mythical inventions, and Jesus Christ is himself a myth.

*Ibid.*

## § II.

### *Moderate Rationalism.*

8. As human reason is placed on a level with religion itself, so theological must be treated in the same manner as philosophical sciences.

Allocution *Singulari quadam*, Dec. 9th, 1854.

9. All the dogmas of the Christian religion are indiscriminately the object of natural science or philosophy; and human reason, enlightened solely in an historical way, is able by its own natural strength and

principles, to attain to the true science of even the most abstruse dogmas; provided only that such dogmas be proposed to reason itself as its object.

Letters to the Archbishop of Munich, Dec. 11th, 1862, and Dec. 21st, 1863.

10. As the philosopher is one thing, and philosophy another, so it is the right and duty of the philosopher to subject himself to the authority which he shall have proved to be true; but philosophy neither can nor ought to submit to any such authority.

*Ibid*, Dec. 11th, 1862.

11. The Church not only ought never to pass judgment on philosophy, but ought to tolerate the errors of philosophy, leaving it to correct itself.

*Ibid*, Dec. 21st, 1863.

12. The decrees of the Apostolic See and of the Roman Congregations impede the true progress of science.

*Ibid*.

13. The method and principles by which the old scholastic doctors cultivated theology are no longer suitable to the demands of our times and to the progress of the sciences.

*Ibid*.

14. Philosophy is to be treated without taking any account of supernatural revelation.

*Ibid*.

N.B.—To the rationalistic system belong in great part the errors of Anthony Günther, condemned in the letter to the Cardinal Archbishop of Cologne, *Eximiam tuam*, June 15th, 1847, and in that to the Bishop of Breslau, *Dolore haud mediocri*, April 30th, 1860.

## § III.

*Indifferentism. Latitudinarianism.*

15. Every man is free to embrace and profess that religion which, guided by the light of reason, he shall consider true.

Allocution *Maxima quidem*, June 9th, 1851.

16. Man may in the observance of any religion whatever, find the way of eternal salvation, and arrive at eternal salvation.

Encyclical *Qui pluribus*, Nov. 9th, 1846.

17. Good hope at least is to be entertained of the eternal salvation of all those who are not at all in the true Church of Christ.

Encyclical *Quanto conficiamur*, August 17th, 1863, etc.

18. Protestantism is nothing more than another form of the same true Christian religion, in which form it is given to please God equally as in the Catholic Church.

Encyclical *Noscitis*, Dec. 8th, 1849.

## § IV.

*Socialism, Communism, Secret Societies, Biblical Societies, Clerico-liberal Societies.*

Pests of this kind are frequently reprobated in the severest terms in the Encyclical *Qui pluribus*, Nov. 9th, 1846; Allocution *Quibus quantisque*, April 20th, 1849; Encyclical *Noscitis et nobiscum*, Dec. 8th, 1849; Allocution *Singulari quadam*, Dec. 9th, 1854; Encyclical *Quanto conficiamur*, August 10th, 1863.

§ V.

*Errors concerning the Church and her rights.*

19. The Church is not a true and perfect Society, entirely free ; nor is she endowed with proper and perpetual rights of her own, conferred upon her by her Divine Founder ; but it appertains to the civil power to define what are the rights of the Church, and the limits within which she may exercise those rights.

Allocution *Singulari quadam*, Dec. 9th, 1854, etc.

20. The ecclesiastical power ought not to exercise its authority without the permission and assent of the Civil Government.

Allocution *Meminit*, Sept. 20th, 1861.

21. The Church has not the power of defining dogmatically that the religion of the Catholic Church is the only true religion.

Apostolic Letter *Multiplices*, June 10th, 1851.

22. The obligation by which Catholic teachers and authors are strictly bound, is confined to those things only which are proposed to universal belief as dogmas of Faith by the infallible judgment of the Church.

Letter to the Archbishop of Munich, Dec. 21st, 1863.

23. Roman Pontiffs and Œcumenical Councils have wandered outside the limits of their powers, have usurped the rights of princes, and have even erred in defining matters of faith and morals.

Apostolic Letter *Multiplices*, June 10th, 1851.

24. The Church has not the power of using force, nor has she any temporal power, direct or indirect.

Apostolic Letter *Ad Apostolicæ*, August 22nd, 1851.

25. Beside the power inherent in the Episcopate, other temporal power has been attributed to it by the civil authority, granted either expressly or tacitly, which on that account is revocable by the civil authority whenever it thinks fit. *Ibid.*

26. The Church has no innate and legitimate right of acquiring and possessing property.

Allocution *Nunquam fore*, Dec. 15th, 1856.

27. The sacred ministers of the Church and the Roman Pontiff are to be absolutely excluded from every charge and dominion over temporal affairs.

Allocution *Maxima quidem*, June 4th, 1862.

28. It is not lawful for bishops to publish even Letters Apostolic without the permission of Government.

Allocution *Nunquam fore*, Dec. 15th, 1856.

29. Favours granted by the Roman Pontiff ought to be considered null, unless they have been sought for through the civil government. *Ibid.*

30. The immunity of the Church and of ecclesiastical persons derived its origin from civil law.

Apostolic Letter *Multiplices*, June 10th, 1851.

31. The ecclesiastical Forum or tribunal for the temporal causes, whether civil or criminal, of clerics, ought by all means to be abolished, even without consulting and against the protest of, the Holy See.

Allocution *Nunquam fore*, Dec. 15th, 1856.

32. The personal immunity by which clerics are exonerated from Military Conscription and service in the Army may be abolished without violation either of natural right or of equity. Its abolition is called for by

civil progress, especially in a society framed on the model of a liberal government.

Letter to the Bishop of Monreale *Singularis*,  
September 29th, 1864.

33. It does not appertain exclusively to the power of ecclesiastical jurisdiction by right, proper and innate, to direct the teaching of theological questions,

Letter to the Archbishop of Munich, Dec. 21st, 1863.

34. The teaching of those who compare the Sovereign Pontiff to a Prince, free, and acting in the universal Church, is a doctrine which prevailed in the middle ages.

Apostolic Letter *Ad Apostolicæ*, August 22nd, 1851.

35. There is nothing to prevent the decree of a General Council, or the act of all peoples, from transferring the Supreme Pontificate from the Bishop and City of Rome to another bishop and another city.

*Ibid.*

36. The definition of a National Council does not admit of any subsequent discussion, and the civil authority can assume this principle as the basis of its acts.

*Ibid.*

37. National Churches, withdrawn from the authority of the Roman Pontiff and altogether separated, can be established.

Allocution *Multis gravibusque*, Dec. 17th, 1860.

38. The Roman Pontiffs have, by their too arbitrary conduct, contributed to the division of the Church into Eastern and Western.

Apostolic Letter *Ad Apostolicæ*, August 22nd, 1851.



## § VI.

*Errors about Civil Society, considered both in itself and in its relation to the Church.*

39. The State, as being the origin and source of all rights, is endowed with a certain right not circumscribed by any limits.

Allocution *Maxima quidem*, June 9th, 1862.

40. The teaching of the Catholic Church is hostile to the well-being and interests of society.

Encyclical *Qui pluribus*, Nov. 9th, 1846.

41. The Civil Government, even when in the hands of an infidel sovereign, has a right to an indirect negative power over religious affairs. It therefore possesses not only the right called that of *exequatur*, but also that of appeal, called *appellatio ab abusu*.

Apostolic Letter, *Ad Apostolicæ*, August 22nd, 1851.

42. In the case of conflicting laws enacted by the two powers, the civil law prevails. *Ibid.*

43. The Secular power has authority to rescind, declare, and render null, solemn Conventions, commonly called *Concordats*, entered into with the Apostolic See, regarding the use of rights appertaining to ecclesiastical immunity, without the consent of the Apostolic See, and even in spite of its protest.

Allocution *Multis gravibusque*, Dec. 17th, 1860, etc.

44. The Civil Authority may interfere in matters relating to religion, morality, and Spiritual Government: hence, it can pass judgment on the instructions issued for the guidance of consciences, conformably with their mission, by the pastors of the Church. Further, it has the right to make enactments regarding the administra-

tion of the Divine Sacraments, and the dispositions necessary for receiving them.

Allocution *In Consistoriali*, Nov. 1st, 1850, etc.

45. The entire government of public schools in which the youth of a Christian State is educated, except (to a certain extent) in the case of episcopal seminaries, may and ought to appertain to the civil power, and belong to it so far that no other authority whatsoever shall be recognized as having any right to interfere in the discipline of the schools, the arrangement of the studies, the conferring of degrees, in the choice or approval of the teachers.

Allocution *Quibus luctuosissimis*, Sept. 5th, 1851.

46. Moreover, even in ecclesiastical seminaries, the method of studies to be adopted is subject to the civil authority.

Allocution *Nunquam fore*, Dec. 15th, 1856.

47. The best theory of civil society requires that popular schools, open to children of every class of the people, and generally, all public institutes intended for instruction in letters and philosophical sciences, and for carrying on the education of youth, should be freed from all ecclesiastical authority, control, and interference, and should be fully subjected to the civil and political power at the pleasure of the rulers, and according to the standard of the prevalent opinions of the age.

Epistle to the Archbishop of Freyburg, July 14th, 1864.

48. Catholics may approve of a system of educating youth, unconnected with Catholic faith and the power of the Church, and which regards the knowledge of

merely natural things, and only, or at least primarily, the ends of earthly social life. *Ibid.*

49. The Civil power may prevent the prelates of the Church and the faithful from communicating freely and mutually with the Roman Pontiff.

Allocution *Maxima quidem*, June 9th, 1862.

50. Lay authority possesses of itself the right of presenting bishops, and may require of them to undertake the administration of the dioceses before they receive canonical institution and the Letters Apostolic from the Holy See.

Allocution *Nunquam fore*, Dec. 15th, 1862.

51. And further, the lay Government has the right of deposing bishops from their pastoral functions, and is not bound to obey the Roman Pontiff in those things which relate to the institution of bishoprics and the appointment of bishops.

Allocution *Acerbissimam*, Sept. 17th, 1852.

52. Government can, by its own right, alter the age prescribed by the Church for the religious profession both of women and men; and may require of all religious orders to admit no person to take solemn vows without its permission.

Allocution *Nunquam fore*, Dec. 15th, 1856.

53. The laws enacted for the protection of religious orders and regarding their rights and duties, ought to be abolished; nay more, Civil Government may lend its assistance to all who desire to renounce the obligation which they had undertaken, of a religious life, and to break their vows. Government may also suppress the said religious orders, as likewise Collegiate Churches and simple benefices, even those of advow-

son, and subject their property and revenues to the administration and pleasure of the Civil power.

Allocation *Acerbissimam*, Sept. 27th, 1852.

54. Kings and princes are not only exempt from the jurisdiction of the Church, but are superior to the Church in deciding questions of jurisdiction.

Apostolic Letter *Multiplices inter*, June 10th, 1851.

55. The Church ought to be separated from the State, and the State from the Church.

Allocation *Acerbissimam*, Sept. 27th, 1852.

§ VII.

*Errors concerning Natural and Christian Ethics.*

56. Moral laws do not stand in need of the Divine sanction, and it is not at all necessary that human laws should be made conformable to the laws of nature, and receive their power of binding from God.

Allocation *Maxima quidem*, June 3rd, 1862.

57. The science of philosophical things and morals, and also civil laws, may and ought to keep aloof from Divine and ecclesiastical authority. *Ibid.*

58. No other forces are to be recognized except those which reside in matter, and all the rectitude and excellence of morality ought to be placed in the accumulation and increase of riches by every possible means, and the gratification of pleasure. *Ibid.*

59. Right consists in the material fact. All human duties are an empty word, and all human facts have the force of right. *Ibid.*

60. Authority is nothing else but numbers and the sum total of material forces. *Ibid.*

61. The injustice of an act when successful, inflicts no injury upon the sanctity of right.

Allocution *Famdudum cernimus*, March 18th, 1861.

62. The principle of non-intervention, as it is called, ought to be proclaimed and observed.

Allocution *Novos*, Sept. 28th, 1860.

63. It is lawful to refuse obedience to legitimate princes, and even to rebel against them.

Encyclical *Qui pluribus*, Nov. 9th, 1864, etc.

64. The violation of any solemn oath, as well as any wicked and flagitious action repugnant to the eternal law, is not only not blameable, but is altogether lawful and worthy of the highest praise, when done through love of country.

Allocution *Quibus quantisque*, April 20th, 1849.

## § VIII.

### *Errors concerning Christian Marriage.*

65. The doctrine that Christ has raised marriage to the dignity of a sacrament cannot be at all tolerated.

Apostolical Letter *Ad Apostolicæ*, August 22nd, 1851.

66. The sacrament of marriage is only a something accessory to the contract and separate from it, and the sacrament itself consists in the nuptial benediction alone. *Ibid.*

67. By the law of nature, the marriage tie is not indissoluble, and in many cases divorce properly so called may be decreed by the civil authority. *Ibid.*

68. The Church has not the power of establishing diriment impediments of marriage, but such a power

belongs to the civil authority, by which existing impediments are to be removed.

Apostolic Letter *Multiplices inter*, June, 1851.

69. In the dark ages the Church began to establish diriment impediments, not by her own right, but by using a power borrowed from the State.

Apostolic Letter *Ad Apostolicæ*, August 22nd, 1851.

70. The Canons of the Council of Trent, which anathematize those who dare to deny to the Church the right of establishing diriment impediments, either are not dogmatic, or must be understood as referring to such borrowed power. *Ibid.*

71. The form of solemnizing marriage prescribed by the Council of Trent, under pain of nullity, does not bind in cases where the civil law lays down another form, and declares that when this new form is used the marriage shall be valid. *Ibid.*

72. Boniface VIII. was the first who declared that the vow of chastity taken at ordination renders marriage void. *Ibid.*

73. In force of a merely civil contract, there may exist between Christians a real marriage, and it is false to say either that the marriage contract between Christians is always a sacrament, or that there is no contract if the sacrament be excluded. *Ibid.*

74. Matrimonial causes and espousals belong by their nature to civil tribunals. *Ibid.*

N.B.—To the preceding questions may be referred two other errors regarding the celibacy of priests and the preference due to the state of marriage over that of virginity. These have been stigmatized: the first

in the Encyclical *Qui pluribus*, Nov. 9th, 1846; the second in the Letters Apostolic *Multiplices inter*, June 10th, 1851.

### § IX.

#### *Errors regarding the Civil Power of the Sovereign Pontiff.*

75. The children of the Christian and Catholic Church are divided amongst themselves about the compatibility of the temporal with the spiritual power.

*Ibid.*

76. The abolition of the temporal power of which the Apostolic See is possessed, would contribute in the greatest degree to the liberty and prosperity of the Church.

Allocution *Quibus quantisque*, April 20th, 1849.

**N. B.**—Besides these errors, explicitly censured, very many others are implicitly condemned by the doctrine propounded and established, which all Catholics are bound most firmly to hold touching the temporal sovereignty of the Roman Pontiff. This doctrine is clearly stated in the Allocutions *Quibus quantisque*, April 20th, 1849, and *Si semper antea*, May 20th, 1850; Letters Apost. *Quum Catholica Ecclesia*, March 26th, 1860; Allocutions *Novos*, Sept. 28th, 1860, *Famduum*, March 18th, 1861, and *Maxime quidem*, June 9th, 1862.

### § X.

#### *Errors having reference to Modern Liberalism.*

77. In the present day it is no longer expedient that the Catholic religion should be held as the only

religion of the State, to the exclusion of all other forms of worship.

Allocution *Nemo vestrum*, July 26th, 1855.

78. Hence it has been wisely provided by law, in some Catholic countries, that persons coming to reside therein shall enjoy the public exercise of their own peculiar worship.

Allocution *Accerbissimam*, Sept. 27th, 1852.

79. Moreover it is false that the civil liberty of every form of worship, and the full power, given to all, of overtly and publicly manifesting any opinions whatsoever and thoughts, conduce more easily to corrupt the morals and minds of the people, and to propagate the pest of indifferentism.

Allocution *Nunquam fore*, Dec. 15th, 1856.

80. The Roman Pontiff can, and ought, to reconcile himself, and come to terms with progress, liberalism, and modern civilization.

Allocution *Famdudum cernimus*, March 18th, 1861.

### III.

#### WHAT IS DEFINED, WHEN THE HOLY SEE CONDEMNS ERRORS OF DOCTRINE?

To get an accurate idea of the nature and intent of theological censures, and to understand what Rome intends to teach or lay down when she brands a proposition with the note of error or falsehood, is a necessary requirement for giving its true value to the Syllabus of Pius IX.



First of all, as Catholic divines tell us, the propositions are intended to be condemned *in sensu auctorem*, to wit, in the sense given to them in the books or writings from which they have been picked out. This point of Catholic doctrine deserves attention. The truest and most wholesome axiom may have a poisonous meaning in the mouth of a wily foe to religion and morals. The Pope condemns it in the baneful sense which the whole tenor of the writing from which it is taken shews to have been intended by the writer, not in the healthful one in which anyone else may utter it. Thus, an English Catholic may well express his satisfaction at the fact that in England, through the non-recognition of Catholicity by the State, we enjoy a religious liberty which Anglicans and Presbyterians may well envy us; yet the same Catholic will heartily condemn and detest the fifty-fifth of the errors enumerated in the Syllabus, to wit: "The Church should be severed from the State, the State from the Church." This assertion, if spoken by a Catholic, would be harmless; in the mouth of the infidel it is simply impious. The Catholic looks on a State in which religion should be the prime mover of all political action, as a dream too bright to be realized. And viewing its realization as a thing not to be hoped for, he prefers isolation from the State to slavery and Cæsarism. But isolation of Church from State and State from Church, in the mouth of the condemned writer, meant that no State should be controlled in its policy by the laws of God or checked by His ministers in its career of unjust aggrandizement. As anyone may see, the utility of the Papal censure would be lost, were the treacherous sen-

tence expressed otherwise than in the identical words of its framer.

The next rule to be borne in mind, in order not to stumble in reading the Syllabus, is one that needs a touch of elementary logic to be understood. It is thus conveyed : " When a proposition is pronounced false, its *contradictory* is declared to be true; its *contrary* may be, or may not be, true." I crave my reader's forbearance for this bit of scholasticism ; one word of explanation will make it as clear as noonday, and I really could not have left it out without loss.

In short ; one sentence is said to be *contradictory* to another when it conveys just as much as is wanted, and no more than is wanted, to affirm the falsehood of the opposite one. For example, if I read this sentence : " All the Catholic members of the House of Commons voted for the disestablishment of the Irish Church ;" its contradictory might be thus formulated : " *Not all* the Catholic members voted for disestablishment." The latter does not state that many members or even that more than one member withheld his vote ; it simply denies that all voted. Between two contradictions there is no medium ; if one is true, the other is false ; and hence when a sentence is condemned as false, its *contradictory* is thereby defined as true.

But it is otherwise with two *contrary* propositions. Propositions are said to be contrary when one not only asserts the falsehood of the other, but affirms more than was necessary to make its opposite false. Thus, these two propositions : " *All* the members voted," " *None* of the members voted," are said to be *contrary* ; the second denies a great deal more than was required to

falsify the former. Between *contraries* there is a medium; it may be that some members did, some did not vote; hence both of two contraries may be false, though both cannot be true. I hope I have made clear what schoolmen mean by the two kinds of opposition in sentences; to wit, contrary and contradictory opposition. Now, why have I intruded logic on my readers? Because, as I said, we cannot get on in the present case without it, and the neglect of the canon stated above, that "the condemnation of an opinion implies the truth of its contradictory, but not that of its contrary," is at the bottom of more than half the misconceptions that have entered the heads even of well meaning people with regard to Pius IX.'s Syllabus.

Take an example: the Pope condemns this proposition (27th of the Syllabus): "The sacred ministers of the Church and the Pontiff are to be excluded from every charge and dominion over temporal affairs." Its contradictory would run thus: "The sacred ministers, etc., are *not* to be excluded from every charge and dominion over temporal affairs." This is defined as true. Ten thousand contraries might be framed, as damnable as the condemned proposition itself; for example: "The sacred ministers and Roman Pontiff should have every charge and dominion over temporal affairs;" or else, "The Roman Pontiff should have charge and dominion over the temporal affairs of the British Crown, and control the expenditure of the Queen's household, and the civil list," etc., etc. Every one of Mr. Gladstone's blunders on the score of condemned propositions proceeds from the Right Honourable gentleman's sub-

stituting contraries instead of contradictions to the condemned propositions.

Let us run down the list of condemnations, supposed to have been taken from the Syllabus, which are contained in pages 16 and 17 of the ex-Premier's celebrated pamphlet. In the very first on the list, he tells us, that the Pope has condemned the "liberty of the press," and again, in the third, that the Holy Father has consigned to everlasting damnation the "liberty of speech." This is coming out strong with a vengeance! What would have been the effect on his readers' nerves, if he had only added the "fearfully energetic epithets in which they were clothed," and which, he tells us, he has considerably omitted to avoid making either himself, or his friends, or his adversaries lose their temper.

Now, a more childish want of the elements of logic was never displayed, and the pamphleteer's talk about the "fearfully energetic epithets" suggests an apt illustration of the narrow line that separates the sublime from the ridiculous. The sentence contradictory to the condemned one might run in this or a similar form: "It is *not* a right belonging to every man, that he should have an uncontrollable license to utter any sentiments" how blasphemous, libellous, or immoral soever. But if we say instead: "The liberty of the press and the liberty of speech are unlawful," and make this out to have been defined by the Pope, either we can lay no claim to British truthfulness, or we do not understand the Pope's latin, (which is easy enough, in all conscience,) or we are in the case of Horace's schoolboy, *sævo dictata reddentem magistro*, saying our

lesson the wrong way, through dread of a brow-beating schoolmaster. Do not substitute contraries for contradictories.

One more example. Mr. Gladstone's seventeenth erroneous sentence (seventy-eighth in the Syllabus) says: "In some Catholic countries, it has been wisely provided by law, that persons coming to reside therein, shall enjoy the public exercise of their own peculiar worship." The contradictory would be: "In the Catholic countries referred to by the condemned author, it has been *un*-wisely enacted that," etc. This is, and always has been, most true, in the case of countries where unity of Faith had never been shattered, and the introduction of new religions produced political convulsions. But if I were to say, "In no Catholic country may liberty of worship ever be allowed to Protestants," I have gone many a mile wide of the mark. Mr. Gladstone's version from the latin is so distorted and untrue, that we cannot form its contradictory without making the Pope say what he never wanted to say. It runs thus: In "Countries called Catholic, the free exercise of other religions may laudably be allowed." Of course, the proposition contradictory to this would run thus: "In countries called Catholic, the free exercise of other religions may *not* laudably be allowed." The ex-Premier left the *quibusdam* untranslated,—it ought to have been, "In *certain* countries"—and has thereby coined a new condemnation for us, never dreamed of by the Pontiff.

One more item and I shall close this chapter. I know many honest Protestants think, that whatever the Church defines, she defines as of faith; that the

eighty condemned propositions are eighty heresies in the eyes of Rome, and the eighty contradictories so many articles of faith. This is a misconception. Opinions may be censured as heretical, or as approaching to heresy, or as dangerous, or as offensive to pious ears, or as erroneous, etc.\* Hence I must say a word or two on the several kinds of definitions and of censures. Of course my non-Catholic friends will not allow that we are right; but I trust they will give us credit for consistency and common sense.

## IV.

## PAPAL INFALLIBILITY AND THE SYLLABUS.

The Catholic Church has ever taught that the deposit of revealed truths received its completion on the day of Pentecost, and that from that hour it can receive neither increase nor diminution. It may be gradually unfolded, as Vincentius of Lerins hath it; the bloom of youth may grow into the vigour of manhood, but the body is one and the same. It may be clothed with the venerable garb of antiquity, may strike deeper and wider roots into the consciousness of mankind, but can lose naught of its fulness, can admit no stain on its youthful purity. The pearls of the heavenly doctrine may receive lustre and grace, borrowed from on high, and may be set in gold or silver. Above all, they may acquire distinctness. The several parts of a fertile and complex principle may, one after another, be brought before the eyes of the faithful.

\* All these censures, except the first, are called minor censures.

That Mary was at every moment of her existence a spotless work of God's hands, was revealed from the beginning ; during these later ages the attention of the faithful has been especially called to the first moment of that existence—the moment of her Immaculate Conception. Nothing new has been revealed, but what was implicitly believed has been in our own times explicitly defined.

Now, it is the belief of Catholics, that those to whose keeping the unalterable deposit was entrusted, were not intended to be mere keepers of the dead letter of revealed doctrine. Their task is, in the language of the early Fathers, to have a care lest any cunning flight of the human intellect should strive to adapt the dogmas of faith to its own shifting and wayward fancies. God gave us His teachers, as St. Paul writeth to the Ephesians, that we may not be swayed by every wind of doctrine. Hence the Church, in our belief, may pass sentence on such philosophical principles, on such opinions of human science, as imperil the purity of dogma ; and can exact intellectual submission to such pronouncements. She may, moreover, pronounce that error is contained in such or such writings, whenever it becomes necessary for the fulfilment of Christ's precept of keeping His sheep from poisoned pastures. But in passing these sentences she is not defining articles of faith ; for assuredly it was not revealed to the Apostles that such heretics as Arius or Abelard, or Luther, or Jansenius, or Döllinger and his followers, were ever to be born, or that such or such a book was ever to be penned. Here we have one class of what are called dogmatic facts, that is, natural truths, not

forming part of the revealed deposit, yet claimed by the Church as a partial object of her infallibility.

I think this will be allowed to be consistent ; history shews that for the last eighteen hundred years the Church has sternly and unflinchingly acted on this principle. Dogmatic facts not contained in the deposit were defined, and obedience to the definition was enforced from the time when Arius was condemned by the Fathers down to our own day ; but it would be beyond my scope to enter on ground so ably trodden by others. The intellectual assent required by the Church to a non-revealed proposition is not, of course, an act of divine faith.

It is not my task to defend the Syllabus against non-Catholics on the ground of Papal Infallibility. I have only aimed in this article at clearing up a popular prejudice. I now ask for a patient hearing, whilst, as simply and briefly as I am able, I shall pass in review the much-maligned series of condemnations. Some of the errors condemned are heresies ; many rest on atheistical principles ; while some are historical falsehoods, coined for the purpose of leading the faithful away from the guidance of the Church of Christ. I now pass to consider, one by one, the errors condemned in the Syllabus, prefixing a few remarks to each section.

V.

REVIEW OF THE PROPOSITIONS CONDEMNED IN THE SYLLABUS.

§ I.—*Errors on Pantheism, Naturalism, and absolute Rationalism.*

Pantheism is not a plant of English growth. Al-



though, as in the case of Coleridge, it may have for a season allured individual minds, it is too misty and vague to be able to gain ground in the practical understanding of Englishmen. It is hard to say to what peculiar morbid development of the human spirit it owes its birth, although its constant reappearance in the schools of thought during the last three thousand years seems to point it out as one of the ills the spirit of fallen man is heir to. Germany is its modern home; and it has cast out sickly offshoots in France and Italy, through such erratic intellects as those of Cousin and Gioberti.

Its main feature is the substitution of the visible world for the God of Christianity. It ascribes His name to the universe which we behold with the eyes of the flesh. Of course, it does away with the supernatural order, and annihilates the idea of faith of revelation, as it denies the existence of their author. On this subject I need dwell no longer, as every Christian will concur with Pius IX. in condemning the errors described in the first section.

The first condemnation, strikes at the impious denial of the existence of Him who said of old "I AM THAT I AM."

The second destroys the impiety of such as deny to God any power to rule the work of His hands.

The third is aimed at such as, with satanic pride, proclaim the understanding of man free from all subjection to the guidance of the Light that enlighteneth every man that cometh into this world.

The fourth is urged against such as make a God of each man's individual reason.

The fifth overthrows the subtle heresy that confounds the Word of the Most High with the intellectual development of mankind.

The sixth condemns the repudiation of Divine faith as hostile to human reason.

The seventh denounces the impious blasphemy of Strauss and his compeers, reducing the Scriptures to a system of mythology.

Such blasphemies can scarce be heard without a shudder. But before dismissing the revolting subject it is well, in a brief digression, if such it be, to unfold something of the daring and impious system condemned in the seventh proposition. Christ, say its supporters, is a myth, like Prometheus. What is a myth? A hero of fiction? Not exactly; the myth will be in most cases an historical being, but whose real character can but faintly be made out through the haze of fable and legend which has thickened round it. So it is with Prometheus; the legend of the god-like son of heaven, whom Vulcan chained to Mount Caucasus in punishment for his philanthropy, is found, in one shape or another, among Greeks, Romans, Hindoos, Chinese, etc. It must have some foundation in truth. But no mortal wisdom can now discern that truth in the troubled water of legends that envelope it. So it is with Christ. He is a myth, like Prometheus. That man, crucified in Judea, doubtless, did exist. But to make out the real Christ from the Christ of the New Testament is beyond the power of criticism.

Such is the blasphemous error here denounced. Its refutation is easy. The age of myths and the age of Christ are separated by many centuries. The latest

myths in Italy belong to the age of Romulus, seven centuries before Christ, if, indeed, Romulus can be called a myth. When the age of written monuments begins, the mythical period ends. Hence the Jewish people cannot properly be said to have ever had myths. And the man who talks of mythical beings in Judea during the reign of Tiberius, may undertake to persuade us that Napoleon III. is a myth. We know the current events of that period, year by year, and month by month. The Annals of Tacitus, the Commentaries of Cæsar, have not, even humanly speaking, the critical evidence in their favour possessed by the Four Gospels.

#### § II.—*Moderate Rationalism.*

The errors of this section are all sprung from the same parent, namely, from the denial of the existence of mysteries, or of truths whose depth is beyond the understanding of man. The basis on which the condemnations contained in the section rest, is, firstly, the recognition of the fact that mysteries do exist, and have been revealed; secondly, the logical principle that the science of Faith, commonly called theology, must be conducted in a different manner from the natural sciences. To show the folly of the propositions herein censured, I ask whether a man would not be crazed who should try to settle the truth of the story of Hengist from Euclid? Of course he would, because he would be applying the principles of a purely abstract science to an historical question, which can only be solved by the testimony of trustworthy witnesses. Yet the absurdity of such an attempt is infinitely less than

that of trying to frame a science of Faith by the same means wherewith chemistry or natural philosophy are to be studied. And now let us briefly review the condemnations that follow.

The eighth and ninth condemn the ridiculous system I have just referred to.

The tenth strikes at the error of implying that a man of science may outwardly accept and inwardly reject the dogmas of Faith, as if the philosopher indeed were subject to God, but human science were independent of the divine intellect.

The eleventh is aimed at the error of those who would fain take from the Church her power of defending the revealed deposit from the dangers that beset it through the abuse of reason.

The twelfth contradicts the insulting assertion that Papal decrees impede the progress of science. It does not touch the question whether, in any particular case, the act or decree of any Pope not speaking *ex cathedra* may have impeded the development of some particular scientific theory, true or otherwise; but condemns, as scores of learned Protestants have done ere now, the sweeping calumny of the enemies of the Holy See.

The thirteenth condemnation displays, even in a human sense, the most consummate wisdom. The author of the censured opinion means to treat faith and reason on the same level; but the full pith of the condemnation can only be felt by those who have fathomed the almost godlike intellectual strength of mediæval divines.

The fourteenth, after what I have said, needs no comment.

§ III.—*Indifferentism. Latitudinarianism.*

Every reader of the Bible must have met, in the writings of the Apostles, with sundry wholesome warnings against heretics, and for example, in the Apocalypse or Revelations of St. John, with fearful predictions of torments reserved for them. Of course we do not style those heretics who have entered the Church by baptism, and have never heard the truth of Catholicity sufficiently proposed for them to be able to embrace it; such as these may well be saved, and belong, as Father Perrone says, to the soul of the Church. But still we hold that there is no salvation for those who belong neither to the body nor to the soul of the Church, and we believe there is but one true Church of Christ. Hence we cannot admit the comfortable doctrines of the present batch of errors.

In the fifteenth condemnation therefore, the Pontiff simply inculcates the principle laid down by St. Paul in the beginning of his Epistle to the Romans, namely, that faith is obedience. There is but one true religion, and every man is bound to embrace it, and in so doing he obeys a Divine command. "He that believeth not, shall be condemned."—*Mark* xvi. 16.

The sixteenth denies that any synagogue of falsehood can be heir to the promises of Christ, and be our guide to life everlasting, according to the privilege of His Church.

The seventeenth censure is directed against the anti-Christian doctrine that communion with the Church is in nowise wanted for salvation.

The force of the eighteenth of the Papal censures

will be seen from the supposition implied in the error condemned.

The supposition is, that denials of a truth are simply different forms of the same truth, and that two antagonistic systems may be equally true, and alike the Word of God.

§ IV.—*Secret Societies, Communism, etc.*

As I find no propositions here, I may pass this heading over in silence. The reign of terror of Parisian Communism has more than justified the Pontifical censure passed on this class of errors.

§ V.—*Errors concerning the Church and her rights.*

§ VI.—*Errors concerning the State considered both in itself and in its relations to the Church.*

I put these two paragraphs together, as my prefatory remarks will apply to both alike. I may have to say over again something already said in a former pamphlet on the "Vatican Decrees," but shall study to be as short as possible. A few words on the Church in herself, and then on the Church in her relation to the State, will be a necessary introduction to my subject.

Is the Church a society, or body politic? If so, is she a perfect or an imperfect society?

First, let us define terms. A society is a body of men conspiring together by united efforts for the attainment of a common end. We have in this definition four elements; the multitude of human beings, their moral union, the means of attainment of the end, and

the end itself. Thus the society called the British Empire consists of all Queen Victoria's subjects, linked together by the observance of the laws of the Empire, for the attainment of temporal prosperity.

Of these elements it is plain that the first three form, as it were, the matter, or vague, undetermined part, and the last, the determining element, or form of the society. The end determines the means and is the vital principle of the whole structure. The means employed by a society whose aim is life everlasting, must be totally different from those made use of by the State, whose end is temporal welfare. The means employed for the attainment of the end of a literary club are not those employed by a railway company. The social means therefore, and, consequently the very nature of a society, are to be determined from its scope.

Now for the distinction between perfect and imperfect societies. I said in a former pamphlet that the State is a perfect, a railway company an imperfect society. The imperfect society aims at a partial attainment of the end of the perfect society; the perfect society contains within itself the imperfect society, and is contained within no other having the same end as itself. There are but two perfect societies—the Church and the State, each, *in its own sphere*, independent and supreme; and every other society must be a part of one or of the other of these two.

But here I have been stating what I wish to prove, to wit, that the Church is a society. Well, let us see whether she has the four elements of the definition.

First, does she consist of a multitude of men? The answer is plain. Was it her Founder's will that these

men should be linked together, so as to tend to a common end? I say it was, and in proving this I have proved the existence of the second, third and fourth elements required in the definition.

Christ said to Peter, that on him He would *build* His Church. The metaphor of *building* conveys the idea of parts bound together so as to form a whole. Apply this metaphor to a multitude of human beings and you have a society. Again, Christ calls His Church in that same text, a *kingdom*—"Upon thee will I build My Church, and to thee will I give the keys of the *kingdom* of heaven." Now a kingdom is a society, and a perfect one. And St. Paul writing to the Ephesians in the fourth chapter, describes the Church as "a body fitly joined together and compacted by that which every joint supplieth, according to the effectual working in the measure of every part," etc. And if these terms do not express the idea of a society, of a body politic, no language supplies words able to convey that idea.

The Church is then a society, and what I have said sufficiently indicates that she is a perfect one. But, moreover, if she be not perfect, then her end must form part of the end of the State. Is it so? Does the State ever aim at the sanctification of its members? Assuredly not. And if I charged the State with being wanting to itself, because, with the help of electric telegraphs and railways, with army and navy, with Royal societies and mechanics' institutes, etc., it has never formed a single saint, a single mortified and holy man, I should be called a fool, and rightly so. The end of the Church is distinct and independent of the



object of the State ; now that society whose end is not included in the end of any other society, is a perfect society ; therefore the Church is a perfect society.

Next, every perfect society must have means for the attainment of its aim. But human passions and private interests, the vagaries of men's minds, and differences of opinion, would keep up a constant whirlwind of confusion, and annihilate all order, were these means not to be imposed on the society for its adoption in an obligatory form. When so imposed they are called laws ; and hence every perfect society must have *legislative* power. But the same causes will perforce bring about disputes as to the way in which the means have to be applied ; to decide such disputes every perfect society must have *judicial* power. To restrain the malevolent, and protect the good, is, unhappily, a necessary function in the government of a body of men ; and hence the necessity in every perfect society of *coercive* power, or the right of using force. This threefold power, *legislative*, *judicial*, and *coercive*, must be allowed to belong to the Church if the Church be, as I have proved above, a perfect society.

Of the relations between Church and State I have written on a former occasion. I need here only repeat that neither may interfere with the other in what is out of its own sphere ; that if (which I do not know if it be even possible) the eternal welfare of the subjects of a State could not be attained without loss of its temporal prosperity, eternal interests must take precedence of earthly ones ; and that the ruler of neither society has a right to obedience when he commands anything out of his own sphere.

On these principles it will be easy for us to see the justice of the condemnations contained in the next two paragraphs.

In condemning the nineteenth error the Pope defines that the Church is a perfect society. He likewise denounces the absurd theory that rights defined by Christ himself should be subject to the revision of the civil power.

The twentieth proposition is censured for making the divinely-instituted society part and parcel of the State.

The twenty-first error supposes that Christ left His Apostles and their successors powerless to tell His true religion from false ones.

The twenty-second denies the Church's power of defining dogmatic facts of which I have spoken elsewhere. To show how inconsistent a Catholic would have to be if his obligation of belief were restricted to dogmas of faith, I put the following case: I believe the Immaculate Conception, because defined by Pius IX.; but if that man, John Mastai Ferretti, be not really Pope, the definition is null. Therefore I must believe that John Mastai Ferretti is really Pope. Now I find nothing in Scripture or Tradition about John Mastai Ferretti, and his election to the Poppedom. Here is a truth which must needs be accepted for the acceptance of a dogmatical definition, yet is not itself an article of faith.

The twenty-second proposition is condemned, especially for its last portion, which is, that Popes and Councils have erred in matters of faith. The assertion that Pontiffs have usurped the rights of princes is false

if it speaks of sentences proceeding from the Pope as guardian of the revealed deposit ; nor is anything here defined by Pius IX. about the private conduct of Popes, historically considered. Take the *contradictory*, not the *contrary* of the condemned error.

The twenty-fourth error is at variance with the principles proved above.

The twenty-fifth, in the sense of its author, was intended to set down powers really spiritual as a gift to the Church from civil society.

The twenty-sixth falsely supposes that the ministers of the Church forfeit their natural rights as men, and are reduced to the state of outlaws.

The same principle is involved in the twenty-seventh error.

The twenty-eighth and twenty-ninth deny the Church to be a perfect and independent society.

The thirtieth is censured as an historical falsehood.

The thirty-first proposition is condemned because it denies to the Church the right inherent to every perfect society of passing judgment in its own courts.

The thirty-second denies the right of the Church, based on the law of nature, that its sacred ministers should be free from burdens incompatible with their calling.

The thirty-third needs no comment after what has been said in the second section.

The thirty-fourth is another historical falsehood. The doctrine of the Pope's spiritual supremacy is the same now as it was in the middle ages.

The thirty-fifth error is opposed to the Catholic doctrine that the authority of St. Peter's successor is

such as the words of Christ define, to wit, monarchical; and to the doctrine that the government of the universal Church is, by God's decree, united with the office of successor of St. Peter in the episcopal See of Rome, so that he who is Bishop of Rome must likewise be Pope of the universal Church.

The thirty-sixth condemned proposition transfers, against the teaching of the Catholic Church, the supreme and ultimate ecclesiastical jurisdiction and power, from the Pope and the whole Hierarchy, to the Bishops of each nation. It forms part of the system of the excommunicate Bishop Nicholas Hontheim, suffragan of Treves, better known under the name of Febronius.

The thirty-seventh is a sequel to the foregoing.

The falsity of the thirty-eighth is but too evident to anyone conversant with the history of the Greek schism.

The thirty-ninth proposition condemned, raises the State to the place of God.

The fortieth offers a sweeping and gratuitous insult to the teaching of the Catholic Church.

In the forty-first, a double exercise of right is claimed for the State, in both cases incompatible with the existence of the Church as a divinely-founded and perfect society. The first claim is that of the right of *exequatur*, which means, that no Papal mandate concerning spiritual matters can be carried out without the consent of the State (*i.e.*, without the signature of Mr. Disraeli or Mr. Gladstone); the second claim is that a rebel priest, for example, if condemned for heresy, may appeal to a lay judge to have the sentence reversed.

. The forty-second implies that Cæsar is above God and His representatives.

The forty-third (one of the craziest of all) will have it that in agreements entered into between the State and the Church, the latter only is bound to abide by them, the State being at liberty to cast them to the winds when its pleases.

The forty-fourth claims for the State the episcopal rights given by Christ to the successors of the Apostles.

The forty-fifth denies the right of parents and the Church to see that the minds of youth under education are not to be tainted with impious or immoral teaching.

The forty-sixth carries the same monstrous pretension a step further.

The forty-seventh and forty-eighth are developments of the same absurdity, and deny to theology her place in the cycle of sciences.

The forty-ninth, fiftieth, and fifty-first, advocate that interference of laymen in the appointment of ecclesiastical rulers, which even Anglicanism has felt most intolerable, and which is one of the curses of the Russo-Greek schism. That the detestation of this offspring of Cæsarism is shared outside the Church of Rome appears from the secession, thirty years ago, of the Free Kirk of Scotland.

The principles upheld in the fifty-second and fifty-third propositions, of interfering with the sacrifice which religious choose to make of themselves to God by vows, surpass in extravagance the wildest accusations ever brought against the Church, of meddling with affairs of the State.

The fifty-fourth gives to Sovereigns the Pontifical power of Pagan Cæsars.

The fifty-fifth, in the intention of its framer, might be fitly embodied thus: Atheism is the only fit religion of State.

§ VII.—*Errors concerning Natural and Christian Ethics.*

The root of the errors of this section is an utter distortion of the true notion of law, of moral obligation, of right and wrong. Catholic philosophers hold, that the Author of all good in that one infinite act of will, wherewith he loves His own infinite Goodness, loves and wills all that is good; and hence issue the multitude of laws and moral obligations. Hence it is that the principles of right and wrong remain unchangeable, as God cannot will anything hostile to His goodness. But the hideous brood of Pantheistic and Rationalistic vagaries that have sprung into life,

As when the potent rod,  
Of Amram's son, in Egypt's evil day  
Waved round the coast, up called a pitchy cloud  
Of locusts, warping on the eastern wind,

place moral goodness, not in this pure emanation of God's essence, but either in pleasure, or in money-making, or in political usefulness, etc.

Hence the fifty-sixth and fifty-seventh shut out the Almighty law-giver from all control over the moral acts of His creatures.

Acting on this blasphemous assertion, the fifty-eighth aims at changing men into unclean animals.

The fifty-ninth, sixtieth, and sixty-first, acknowledge no law in nature but the right of the strongest.

The sixty-second applies to States the degrading principle, which every Englishman loathes and detests, of standing idly by, while the weak are oppressed by the strong, called the principle of non-intervention.

In condemning the sixty-third, the Pontiff shews himself the best preserver of civil allegiance, binding all Catholics throughout the world, under pain of being deprived of the communion of the Church and excluded from all hope of salvation, to condemn and repudiate the doctrine that makes it lawful to refuse obedience to legitimate princes, or to rebel against them.

#### § VIII.—*Errors concerning Christian Marriage.*

The summary of what Catholics believe on the subject of marriage with reference to the opinions herein censured, is this: "Marriage, even in the law of nature, was indissoluble, though not with the more perfect indissolubility it has acquired from Christ in the New Law. He has raised it to the dignity of a sacrament. The contract itself is the sacrament; the latter is not something extrinsical, superadded to the matrimonial contract. As it is an absolute decree of the Redeemer that so it should be, it is out of the power of Christians to evade it. Hence every marriage between baptized Christians, if validly contracted, is, *ipso facto*, a sacrament, although gone through without any exterior religious rite or ceremony. Once raised to the rank of a sacrament, it took its place among the social

contracts of the Church of Christ. She saw in the union of primeval man with the woman formed from his rib, as the Apostle tells us, an image of Herself, issuing from the pierced side of Christ and celebrating Her nuptials with Him on the Cross of our Redemption. And even as the State claims the right of invalidating civil contracts, when it deems it right for the welfare of its members, so the Church claims the right of imposing conditions without whose fulfilment the marriage contract shall be invalid. Wisely has she used her power, without creating confusion among those who do not recognize her authority. Among these conditions, one, which binds in most countries of Europe, is that marriages among Catholics are invalid unless made in presence of the parish priest and two witnesses. The wisdom of the condition is obvious, and the English legislature aims at part of the Church's object, namely the avoiding of secrecy, when it makes the attendance of the registrar compulsory. The absence of the persons required by the laws of the Church constitutes an impediment, called a *diriment* or nullifying impediment, to the validity of the marriage contract, in the countries aforesaid. And, as the Church does not recognize the civil magistrate as authorized to supply the place of the pastor, it follows, that what are called civil marriages, celebrated by Catholics without the assistance of a person authorized by the Church, are held as invalid till they have been subsequently ratified before the priest.

But here it must be carefully borne in mind, firstly, that the Church fully recognizes the binding force of the marriage tie between such as, because unbaptized,



do not belong to her tribunal. In respect to these she only claims the privilege which, as St. Paul teaches, belongs to her of right, namely, that in case of one party embracing the Christian faith, and failing to obtain from the other the free exercise of the Christian religion, an authoritative dissolution of the bond may be obtained. In all other cases she acknowledges the validity of marriage between infidels, as forming part of the law of nature.

I said above, that the Church avoids such use of her power as might beget confusion in the matter of matrimonial contracts among those who, however, unlawfully, ignore her authority. I speak of such as, like Protestants, have the indelible character of Baptism, but have not yet recognized in the Church of Rome the one Catholic Church, which has a right to their submission. Marriage between two Protestants, wherever contracted, is held by Catholic divines to be valid and indissoluble. It is therefore sacramental whether contracted in a church or in a private house; with or without the presence of a sacred minister; with or without witnesses. Nor is it in the power of the contracting parties to divest wedlock of the sacramental essence which Christ has Himself infused into it. In a word the Church leaves the marriage of two non-Catholics free from the impediment of clandestinity.

Another example of the caution used by the See of Rome in exercising the power of binding and loosening, is seen in the fact that, after three centuries, she still allows the decree of Trent, which makes clandestine marriages invalid, to remain unpublished, and therefore not in force, in a large portion of the Catholic

world. Hence marriages, even between Catholics, without witnesses or any sacred rite, are, though unlawful, valid, and, of course, sacramental, in England, Scotland, Denmark, Sweden, Norway, parts of Germany, Switzerland, America, etc.

With these principles before our eyes, a glance will tell us why the errors of this section were censured by Pius IX.

The sixty-fifth and sixty-sixth deny that matrimony is a sacrament.

The three that follow are based on the supposition that matrimony is a civil, not a sacred contract.

The seventieth and seventy-first are an attempt to elude the force of the decree of Trent forbidding and rendering null clandestine marriages.

The seventy-second proposition is condemned as historically false.

The seventy-third and seventy-fourth condemnations were a necessary consequence of the Catholic principles on the sacramental nature of marriage, stated at the head of this section.

§ IX.—*Errors regarding the Civil Power of the Sovereign Pontiff.*

If the States of Europe consulted their own political interests, they would uphold with every nerve and sinew the Temporal Power of the Pope. Nothing could be more odious to Catholics in any State—nothing more calculated to create jealousy and rivalry—than the knowledge that the Pontiff is under the control of a foreign prince. Witness the troubles of

the Avignon Popes. But Italian injustice has ere now shown but too clearly how justly Pius IX. declared that his civil independence and sovereignty were necessary for the due fulfilment of his spiritual power. All true Catholics join in spirit in the words of the Catholic Episcopate addressed to His Holiness on the 9th of June, 1862: "On this subject it scarce becomes us to speak. For thine own voice, Most Holy Father, has proclaimed to the world, that by a singular counsel of God's Providence the Roman Pontiff, whom Christ constituted Head and Centre of the Church, hath attained civil sovereignty."

But let us take the *contradictories* of the two sentences here condemned, and see what the Pope defines.

Seventy-fifth. The children of the Catholic Church are *not* divided about the compatibility of the temporal with the spiritual power.

The abolition of the temporal power would *not* contribute to the liberty and prosperity of the Church.

#### § X.—*Errors having reference to Modern Liberalism.*

In the seventy-seventh censure the Pope denies that the principle of religious unity is less desirable now than it was formerly.

The seventy-eighth censure declares it unwise, where the unity of faith has never been shattered, to excite dissension by authorizing the introduction and public practice of heretical worship.

The condemnation of the seventy-ninth proposition teaches that liberty of publishing any sentiments, how-

ever libellous, blasphemous and immoral they may be, tends to the corruption of morals.

The last condemnation censures the insulting assertion, that the Roman Pontiff either stands in need of reconciling himself with true civilization, or that he ought to join hands with Red Republicanism, covertly implied in the term "liberalism."

I now have but one word to say in conclusion. Non-Catholics will of course find much in the Syllabus which is at variance with their belief, but, I trust, they will not find in it the spectre conjured up by Mr. Gladstone's fancy. They will find in it much with which they will heartily concur, and will allow that the Holy See could not, on Catholic principles, pronounce otherwise than Pius IX. has pronounced.

A few unhappy men have gone out from among us during these last years, rather than accept such acts of the See of Peter as the Syllabus and the definition of Infallibility. If there was any one among them who enjoyed in the bosom of the Church a reputation for great learning and great integrity of life, yet let us bear in mind the words written, fourteen hundred years ago, by Vincentius of Lerins: "In the Church of God, the going astray of the master is the danger of the people; and the more learned he was who hath gone astray, the greater the temptation. But herein is something worthy to be learned and necessary to be borne in mind: that all true Catholics should know, that from the Church they receive their teachers; but do not forsake, with erring teachers, the communion of the Church."





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