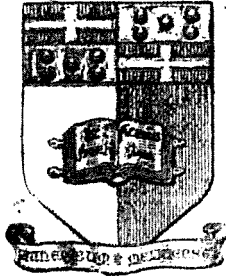


DEUS SCIENTIARUM DOMINUS



MELITA THEOLOGICA

**A REVIEW OF THE
ROYAL UNIVERSITY STUDENTS'
THEOLOGICAL ASSOCIATION**

Vol. I, No. 3.

April, 1948.

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MELITA THEOLOGICA

Vol. I.

No. 3

EDITORIAL

THE cultural activities of our Association are becoming increasingly popular; the monthly lectures never fail to draw a very large and appreciative audience and this year's academic celebrations held in honour of St Thomas Aquinas attracted a gathering that was at once distinguished and representative. Elsewhere in this issue we are publishing some words of appreciation on our review.

EDUCATION AS A SOCIAL FACTOR

We rejoice to see that so many social and cultural activities are being organized by the various students' societies recently formed and that students of one department take an active part in the activities organized by those of another faculty. This is proof enough that a very healthy and inspiring spirit of initiative, leadership and mutual interest exists among the young students of the Alma Mater. Students should be given every possible encouragement and help in this respect and if they are provided with a proper recreational hall for their social activities they will have a better opportunity of drawing the full benefit from the liberal education which a University should afford. The erection of such a hall will help to promote and foster the healthy element so noticeable among the students.

The education to which all students are entitled once they come to the Alma Mater is that which helps them to become worthy citizens. Besides giving that education which fits each for his particular profession, a University should also give that one kind of education which all students of the various faculties should have in common — the education that makes the man. Thus equipped, the University student will not only grace the world in which he lives but through his constant intercourse with the wise and the good, with truth and beauty, he will possess the means of becoming a worthy citizen of the Heavenly Jerusalem, "the City of God."

ROYAL UNIVERSITY FOUNDATION DAY

The Foundation Day of our Alma Mater — 22nd November 1769 — was commemorated for the first time this academic session and it will be commemorated every year in the future. This event is of great significance for it shows consciousness of a fresh awakening. Much needed academic reforms are now being wisely considered and brought into effect so as to raise the academic standard of our University — the oldest institution of higher education in the British Empire. A University is the living symbol of a nation's liberty and a proof of its intellectual progress and maturity, and its main aim is not merely to hand on from generation to generation the already acquired stock of learning but to carry out research work in all branches of learning.

Owing to the deplorable lack of funds in the past to meet the heavy expenses necessarily incurred in building up and equipping laboratories and an adequate research library, progress in achieving the primary aim of the University had to be delayed, but more hopeful prospects are now in view. The Inter-University Council has allotted a substantial grant of £120,000 for the purpose of providing new and improved accommodation and equipment for the University and a further allowance of £5,000 for the University Library.

The Library is now being gradually built up and several indispensable reference works in all branches of learning have been purchased. This is a good start and we feel sure that the near future will witness great advancement in the field of scientific research work. Given an up-to-date library and adequate reading rooms, professors, graduates and students alike will not fail to offer original contributions for the furtherance of learning.

On the occasion of the commemoration of the Royal University Foundation Day held on November 22nd 1947, the degree of Doctor of Science, honoris causa, was conferred for the first time on Prof. R.V. Galea O.B.E., A. & C.E., Vice-Chancellor and Rector Magnificus of the Royal University. We respectfully offer our warmest congratulations to Prof. R.V. Galea for this signal honour conferred on him in recognition of his untiring efforts and devotion in uplifting the prestige of the Royal University during his long term of rectorship.

OUR FACULTY

The Faculty of Theology has been reorganized since 1937 and it has set the example to the other Faculties. The system of theological studies, in so far as it leads to the degrees of licentiate and doctor in divinity, has been brought in line with the general practice in other Universities. The Professors deliver additional lectures on special subjects; students are trained, under the supervision of competent tutors, in the method of scientific research work, while the thesis examination system regulates the conferment of the doctorate.

The recently acquired theological dictionaries and other reference works are being eagerly consulted by professors and students alike. A further large consignment of recent scholarly publications that will enrich the theological section of the University library, is being expected, and we are confident that our Faculty may rightfully boast in the near future of possessing a complete and up-to-date collection of works and periodicals, as well as a separate study room or seminar where students and professors may consult these works.

AD ALTIORA!

We offer our warmest congratulations to the Rt. Rev. Mgr. J. Schembri B.Litt., B.L.Can., D.D., Professor of Latin Literature at the Archiepiscopal Seminary on his elevation to the dignity of Honorary Canon of the Reverend Chapter of the Metropolitan Cathedral Church of Malta. Mgr. Schembri is a great friend of our Association; he composed our hymn "Hymnus Rebus Divinis Studentium" and he is a regular contributor to our review. A cordial "Ad Altiora!"

O u r N o t e b o o k

Since the last issue of "Melita Theologica" the following activities of the R.U.S.T.A. took place.

20th Oct. 1947. — The Annual General Meeting of the Association was held to elect a new Committee for the year 1947-48. Official reports were read. The following gentlemen were elected to form the new Committee:

Hon. President: The Hon. The Rector Magnificus.
 President: Rev. J. Vella Galea, B.A. (Lond.), Lic.D.
 Hon. Secretary: Rev. J. Saliba, B.A., B.D.
 Hon. Treasurer: Rev. G. Zammit, B.A.
 Members: Rev.A. Buontempo and Rev. E. Mifsud.

17th Dec. 1947. — His Lordship Mgr. Prof. E. Galea, B.Litt., J.C.D., D.D., Titular Bishop of Tralles in Asia, Auxiliary Bishop and Vicar General of Malta delivered a lecture on "Actionis Catholicae Fundamentum Scripturiticum."

14th Jan. 1948. — The Very Rev. Fr. E. Caruana, D.D., S.O.E.D., L.S.S., O.C., lectured on "S. Hilarius Pictaviensis testis epistolae ad Hebraeos."

18th Feb. 1948. — The Very Rev. Fr. G. Grech, Ph.B., S.Th.L., D.D., O.P., gave a lecture on "The Predestination of Christ and the Motive of the Incarnation."

8th March 1948. — Academic celebrations in honour of St Thomas Aquinas were held under the distinguished patronage of His Grace the Metropolitan Archbishop and of the Hon. the Rector of the Royal University of Malta. The Very Rev. Prof. S.M. Zarb, O.B.E., S.Th.M., S.S.D., O.P., lectured on "The Authority of St Thomas Aquinas in Theology", and Rev. Fr. J. Lupi, B.L.Can., D.D., delivered a lecture on "The Doctrine of the Mystical Body of Christ in St Thomas Aquinas." The overture "Poet and Peasant" by Suppè and Mendelsshon's "Wings of Melody" and "Spring Song" were played by Mro. M. Cirillo at the piano, with Prof. G. Valente and P. Carabott at the violin and 'cello. The Hymn of the Association was sung by members, and His Grace the Metropolitan Archbishop addressed the audience at the end of the celebrations.

9th April 1948. — The Rt. Rev. Mgr. Prof. P.P. Saydon B.Litt., B.L.Can., D.D., L.S.S., lectured on "Recent Developments in Catholic Old Testament Literary Criticism."

Actionis Catholicae Fundamentum Scripturisticum

By HIS LORDSHIP MGR PROF. E. GALEA,
B.LITT., J.C.D., D.D.

“Simile est regnum caelorum grano sinapis, quod accipiens homo seminavit in agro suo : quod minimum quidem est omnibus seminibus : cum autem creverit, maius est omnibus hoieribus et fit arbor, ita ut volucres caeli veniant et habitent in ramis eius” (Mat. 13, 31-32).

Hac similitudine usus est Christus Dominus ad illustrandam originem quidem humilem, evolutionem autem maximam atque miram praedicationis evangelicae et Ecclesiae quam constituturus erat. Haec enim, quasi semen quod arborem futuram in se latentia continet iam ab ipsa origine in se virtualiter habebat elementa ilius amplissimae gloriae, quam decurrentibus deinde saeculis consecuta est. At facile eadem similitudo extendi potest ad singula instituta quae in ipsa Ecclesia vigent, quae, etsi sero in Ecclesiae historia apparere videantur, tamen, si rem diligentius inspicerimus, conspiciemus ea iam in ipsi Christi praedicatione radicem habere.

Iamvero inter omnes constat Actionem Catholicam his nostris temporibus quam maximam evolutionem accepisse ac in dies magis magisque evolvi. Hinc iure meritoque quaerendum est utrum res sit omnino nova et saeculis antea actis prorsus ignota, an potius, velut semen quoddam, inveniatur iam in ipsis Novi Testamenti revelationis fontibus.

Responsum affirmativum pro hac altera parte tamquam argumentum vobis brevissime exponendum assumpsi; sed cum revelationis fontes, ut ipsi probe scitis, duae sint, ne quemquam vestrum longioris tractationis taedio afficiam, inquisitionem meam ad solum verbum Dei scriptum restringam; nec omnes vel multos textos, qui ad rem faciunt, allaturus sum, sed unum vel alterum, qui rem clare et sufficienter demonstrare mihi videntur.

Res tranctanda, ut arbitror, magni momenti est : primum quidem quia si nondum, ut par est, Actio Catholica ab omnibus in honore, qui sibi debetur, habeatur, id ex hoc praecipue prove-

lit, quod non omnes satis perspectam habent eius connexionem intimam cum principiis dogmaticis quae ad ipsam Ecclesiae constitutionem pertinent; deinde vero quia dubium non est quin multi vestrum si non omnes, futuri sint Actionis Catholice Assistentes Ecclesiastici, et ideo curandum est ut accuratorem et profundiorum huiusmodi instituti scientiam habeatis.

Quibus rebus praemissis, antequam thesim aggrediar, praestat breviter explicare atque perpendere quoniam sint elementa quae Actionem Catholicam constituent, quia de his praecipue agitur, cum nemo eius nomen et hodiernam formam in Evangelio invenire contendat.

Iuxta definitionem, quam classicam vocant, a Pio Papa XI datam, et ab ipso vel ab aliis postea fusius explicata, Actio Catholica est participatio, vel, iuxta alios, conlaboratio, laicorum ad Ecclesiae apostolatum hierarchicum. Quae definitio tria elementa nobis exhibet. Si enim rem in se ipsa inspicimus, Actio Catholica est apostolatus quidam, studet non solum adscriptorum sed etiam aliorum sanctitati et perfectioni. Si inquirimus de subiecto hujus apostolatus, Actio Catholica nobis exhibetur ut opus a laicis praestandum. Si tandem ad modum attendimus quo hic laicorum apostolatus exercetur, Actio Catholica apparet nobis tamquam aliquid subsidiarium et auxiliare, dependens ab iis qui legitime Ecclesiae praesunt; absit enim ut Actio Catholica quidquam commune habeat cum laicismo damnando et pluries ab Ecclesia damnato.

Iamvero nobis non est quaerendum in Evangelio utrum apostolatus debeat esse in Ecclesia, apostolatus est enim anima Ecclesiae, quia etsi Christus ipse eam fundavit, tamen illam **dilatare voluit et ad orbis terrae fines extendi** opera hominum, quibus "Euntes", inquit, "in mundum universum, praedicate evangelium omni creaturae" (Marc. 16, 15). Nec quidquam quaerendum est de tertio Actionis Catholicae elemento, scilicet de dependentia laicorum; nam ex revelatione clarissime patet omnem potestatem in Ecclesia in Apostolis eorumque successoribus positam esse, quos "Spiritus Sanctus posuit episcopos regere Ecclesiam Dei" (Act. 20, 38), et praesertim in beato Petro eiusque successoribus, quibus totum suam gregem Christus credidit pacendum. Unde quicumque in Ecclesia ullam habet potestatem vel quidquam agere valet, oportet ut semper dependeat a hierarchia divinitus constituta.

Ergo, ut quisque sibi persuadeat Actionis Catholicae institutum in Scripturis Novi Testamenti radicem habere, ii praesertim loci adducendi sunt ex quibus constet iuxta verbum Dei laicos posse et debere apostolatium aliquem exercere, quod est alterum ex tribus quae enumeravimus elementum, quamvis et alia duo facile inde constare possint.

Quo tandem res clarius pateat, duo argumentorum genera attingam: alterum quod doctrinale, alterum vero quod historicum appellari potest.

Quae cum ita sint, audiamus ante omnia verba ipsius Magistri Divini. Qui apud Matthaeum (18, 15-17) sic loquitur: "Si peccaverit in te frater tuus, vade et corripe eum inter te et ipsum solum. Si te audierit lucratus eris fratrem tuum. Si autem te non audierit, adhibe tecum adhuc unum vel duos... Quod si non audierit eos, dic ecclesiae. Si autem ecclesiam non audierit: sit tibi sicut ethnicus et publicanus".

In hoc textu omnia elementa quae Actionem Catholicam constituunt continentur. Quaerimus primum cur frater corripiendus sit. Ad quod ita S. Augustinus respondit: "Si amore tui id facis, nihil facis: si amore illius facis, optime facis. Denique in ipsis verbis attende, cuius amore id facere debeas, utrum tui an illius. Si te audierit, inquit, lucratus es fratrem tuum. Ergo propter illum fac, ut lucreris illum". (Ser. 16 de verb. Dni. tom. 10 p. init.). His verbis itaque obligationem Christus imponit curandi aliorum salutem, quod maxime est apostolatus opus.

Quaeramus ulterius cuinam haec obligatio imponatur. Nullo dubio imponitur non Apostolis sed laicis, secus enim non adderet Christus: Dic ecclesiae, quia ipsi Apostoli sunt ecclesia. Unde etiam Theologi qui de re morali agunt ex hoc loco demonstrant generale praeceptum de correctione fraterna, praeunte S. Thoma, qui ita docet: "talis correctio pertinet ad quemlibet caritatem habentem, sive sit subditus, sinve praelatus" (2. 2. q. 33, a. 3).

Sequitur denique tertium elementum scilicet auxilium Ecclesiae Praepositis ferendum. Nam, frustra adhibitis remediis opportunis, Ecclesia potest usque adeo auctoritatem suam interponere ut delinquentem excommunicationis sententia plectat, quod certo locum habere non potest nisi agatur de re gravi quam magnopere ipsorum Praepositorum interest scire. Ergo qui talem delinquentem denuntiat, auxilium validum iis qui praesunt affert, ut possint "eos qui contradicunt arguere" (Tit. 1. 9).

Quam vero Domino cordi sit hoc auxilium a fidelibus praestandum videre licet ex alio textu quo praemia a Christo Domino promittuntur sic facientibus. Sic enim scriptum legimus apud Matthaeum (10, 41): "Qui recipit prophetam in nomine prophetae mercedem prophetae accipiet; et qui recipit iustum in nomine iusti, mercedem iusti accipiet... Et quicumque potum dederit uni ex minimis istis calicem aquae frigidae tantum in nomine discipuli: amen dico vobis, non perdet mercedem suam". Qui sint autem isti minimi de quibus loquitur Christus satis apparet ex loco parallelo apud Marcum (9, 40) ubi Apostolos alloquens dicit: "Quisquis potum dederit vobis calicem aquae in nomine meo, quia Christi estis, amen dico vobis non perdet mercedem suam".

His in locis Dominus loquitur, uti fere semper, de re particulari, de receptione suorum apostolorum, de potu eis dando, sed certe sensus est generalis et facile hoc modo verti potest: "Qui Apostolos meos adiuverint in eorum apostolatus opere, mercedem a me satis ampliam accipient".

Quam aliam, haec validiorem, exhortationem expectabimus pro promovenda Actione Catholica?

Magistri verbis auditis, aures nunc praebeamus eius discipulis et, ne longior fiat oratio, audiamus tantum duos principes apostolorum.

Petrus scribens electis advenis dispersionis Ponti, Galatae, Cappadociae, Asiae et Bithyniae, id est non Pastoribus tantum sed omnibus fidelibus, eosque ad intimam unionem habendam cum Christo exhortans, haec dicit: "Ad quem accedentes lapidem vivum... et ipsi tamquam lapides vivi supraedificamini, domus spiritualis sacerdotium sanctum, offerre spirituales hostias... Vos autem genus electum, regale sacerdotium... ut virtutes annuncietis eius, qui de tenebris vos vocavit in admirabile lumen suum". (Ep. I, 2, 4 sqq.).

Hunc locum, ad Actionis Catholicae opus illustrandum Pius Papa XI adhibuit in sua epistola encyclica "Ubi arcano Dei" diei 23 Decembris 1922, dicens: "Illud porro in Christifidelium mentes revocate, quod cum ij, vobis cleroque vestro auctoribus, in provehenda Christi cognitione et amore publice et privatim inculcando navant operam, tum demum maxime digni sunt qui salutentur *genus electum, regale sacerdotium, gens sancta, populus acquisitionis*".

Iure autem meritoque sic loquitur Summus Pontifex, nam circa hunc textum duo pro certissimis habenda sunt: alterum est id quod haec verba non significant "omnes christianos promiscue Novi Testamenti sacerdotes esse aut omnes pari inter se potestate spirituali praeditos esse", ut habetur in Concilii Tridentini Sess. 23, cap. 4; alterum vero est quos iisdem verbis asseritur omnes in Christo baptizatos habere aliquod sacerdotium sensu lato et metaphorico sumptum, ut omnes concedunt.

Nobis autem demonstrandum est tale sacerdotium includere apostolatam quemdam. Quod patet, ante omnia, ex ipso verbo; nam vocabulum "sacerdos", ex quacumque radice originem sumere dicitur, semper quasi sibi insitam secumfert notionem ministerii cuiusdam non quidem pro se sed pro aliis suscepti. Deinde quale sit hoc sacerdotium laicis tribuendum clarius indicatur ipsis Apostoli verbis. Nam ipse fideles appellat "lapides vivos" eodem modo, quamvis non eodem gradu, quo "lapidem vivum" Christum ipsum appellaverat. Iamvero ubi vita est, ibi est actio. Quasnam actiones laicis praestandis proponit Apostolus? Duas praecipue: dicit primum eos debere offerre salutare hostias, "quo in genere" ait Catechismus Conc. Trid. (De Sac. Ord. n. 23) "bonae omnes et honestae actiones, quae ad Dei gloriam referunt, memorandae sunt". Cum autem haec omnia ad Deum referantur per elevationem mentis ad ipsum, inter spirituales hostias locum primum obtinent orationes. Aliunde autem novimus orationes fidelium habere rationem sacrificii, ut dicitur in Apocalypsi (8, 3): "Et alius Angelus venit et stetit ante altare habens thuribulum aureum: et data sunt illi incensa multa, ut daret de orationibus sanctorum omnium super altare aureum". Ergo fideles omnes debent offerre Deo orationes pro aliis.

Addit praeterea Apostolus fideles debere annuntiare virtutes Dei, id est debent enarrare omnibus sapientiam, bonitatem, potentiam aliaque divina attributa quae tam mirum in modum in opere humanae redemptionis emicuerunt. Ex hoc fideles singuli sibi dictum esse existimare debent illud quod scriptum legitur apud Lucam (8, 39): "Redi in domum tuam et narra quanta tibi fecit Deus". Et singuli pariter sibi faciendum esse existimare debent quod ibidem legitur: "Et abiit per universam civitatem, praedicans quanta illi fecisset Jesus".

Cum autem Petrus fidelibus omnibus ut vidimus orationem et praedicationem commendat, nonne opus maxime apostolicum commendat? Ipsi enim Apostoli, in prima diaconorum institutione, munus suum distincte designare volentes, haec duo sibi propria tribuerunt dicentes: "Nos vero orationi et ministerio verbi instantes erimus" (Act. 6, 4).

Ex S. Paulo, demum, altero Apostolorum principe, argumentum pro Actione Catholica sumimus ex doctrina de Christi Corpore Mystico, quam ipse ex divino ore Jesu Christi haustam prae aliis evoluit.

Expositionem generalem huius doctrinae sumere possumus ex eius Ep. ad Rom. (12, 4-5): "Sicut ...in uno corpore multa membra habemus, omnia autem membra non eundem actum habent: ita multi unum corpus sumus in Christo, singuli autem alter alterius membra".

Omnia haec membra sunt sibi invicem utilia, addit enim: "Non potest oculus dicere manui: Opera tua non indigeo: aut iterum caput pedibus: Non estis mihi necessarii" (1. Cor. 12, 21). Ergo singula membra possunt studere aliorum saluti; quin etiam, quod nostra magis interest, hoc facere debent et ideo docet Apostolus: "Deus temperavit corpus... ut non sit schisma in corpore, sed idipsum pro invicem sollicita sint membra" (1 Cor. 12, 25).

Ne quis autem possit obicere hanc doctrinam, statuendo pari fere modo pro omnibus apostolatus obligationem, delere distinctionem, quam ex iure divino admittimus, inter clericos et laicos, Apostolus ipse respondit haec opera in bonum totius corporis a singulis paestari non aequali modo sed pro rata uniuscuiusque. En eius verba: "Veritatem... facientes in caritate, crescamus in illo per omnia, qui est caput Christus: ex quo totum corpus compactum et connexum per omnem iuncturam subministrationis, *secundum operationem in mensuram uniuscuiusque membri*, augmentum corporis facit in aedificationem sui in caritate". (Ephes. 4, 15-16).

Huic argumento vis additur si in mentem revocatur distinctio, quae inter corpus morale et corpus mysticum intercedit, quamque clare tradit Pius Papa XII in Litteris Encyclicis "Mystici Corporis" (in parte V) diei 29 iunii 1943. Dum enim in corpore morali unitas habetur tantum per simplicem omnium membrorum conspirationem in eundem finem, in corpore mysti-

co huic membrorum conspirationi adiungitur principium in universa compage et in singulis eius partibus reapse existens, quod principium est Divinus Spiritus, qui, ut ait Angelicus, unus et idem numero, totam Ecclesiam replet et unit. Quamobrem in Ecclesia non solum qui sunt membra nobiliora, id est qui pertinent ad sacram hierarchiam, sed etiam infima membra, id est laici, quando ut membra Christi apostolatam de quo loquimur exercent, hoc faciunt ex quadam fere consecratione, quae in Baptismate quidem recipitur in Confirmatione autem perficitur et completur.

Haec satis sint de argumento quod doctrinale vocavimus: nunc aliquid addendum est de altero argumento quod historicum diximus, laicorum participationem ad apostolatam confirmando exemplis allatis ex modo agendi tum ipsius Domini tum ejus Apostolorum. Hic breviores erimus, cum omnes libelli quae de Actione Catholica agunt, satis de hac re loquuntur.

Ad Christum quod attinet in mentem revocemus illa verba: "Messis quidem multa, operarii autem pauci: rogate ergo dominum messis ut mittat operarios in messem suam (Luc. 10, 2). His verbis explicite omnes hortatur ad precem apostolicam et declarat orationem omnium fidelium partem magnam habere debere in propagatione Evangelii.

Praeter orationem, saepe ab Actionis Catholicae membris requiritur ut iactura sua seu sacrificio proprio aliorum saluti studeant; quod quanti faciat Dominus, videmus in sanatione paralytici, quem viri quidam, non sine magno labore, per tegulas sum miserunt. Hoc loco Evangelium dicit (Luc. 5, 18): "quorum fidem ut vidit, dixit: Homo, remittuntur tibi peccata tua". Quod admirans Ambrosius (Lib. 5 in c. 5 Lucae) exclamat: "Magnus Dominus, qui aliorum merito ignoscit aliis; et dum alios probat, aliis relaxat errata".

De auxilio a laicis praestando in praedicatione verbi Dei, mirum documentum nobis ipse Christus dedit in sua gloriosa resurrectione. Cum enim facile posset Apostolis apparere et suam triumphum ipse eis nuntiare, maluit tamen vivum se Mariae Magdalenae praebere eique munus committere praedicandi ipsis Apostolis mysterium hoc, quod merito pro praecipuo habetur inter mysteria nostrae Religionis.

Opus tandem quod non raro ab Actione Catholica exigitur est auxilium quoddam materiale Apostolis exhibendum. De hac re in vita Jesu Christi exemplum habemus apud Lucam (8, 1): "Et

factum est deinceps, et ipse iter faciebat per civitates et castella praedicans et evangelizans regnum Dei : et duodecim cum illo, et mulieres aliquae..... et aliae multae, quae ministrabant ei de facultatibus suis". Circa quem locum sacri commentatores animadverunt apud Haebreos sane mulieres Rabbinis necessaria suppeditare solitas esse, sequi autem eos numquam. Unde mirum est quod Jesus pias mulieres sinit ipsum sequi ac cooperari in Evangelio diffundendo. (Cfr. Sales : La S. Bibbia in h. 1).

Quis fortasse quaerat quamnam probationis vim haec omnia facta habere possint. Respondeo Gregorii verbis : "Dominus et Salvator noster aliquando nos sermonibus, aliquando vero operibus admonet. Ipsa etenim facta eius praecepta sunt; quia dum aliquid tacitus facit, quid agere debeamus innotescit" (Hom. 17 in Evang.).

Ad Apostolorum tempora tandem vertamus oculos. Tunc exempla multiplicantur quae facile legi possunt tum in Actis Apostolorum tum in eorum Epistolis. Haec itaque exempla praetermitto; sed duo facta mihi omittenda non videntur.

Loquor ante omnia de existentia charismatum primis Ecclesiae decenniis. Charismata seu dona, ut scitis, sunt gratiae, quas Theologi vocant gratis datas, quaeque conceduntur non ad privatam utilitatem sed potius ad commune Ecclesiae bonum. Apostolorum temporibus frequenter et passim dabantur, et Apostolus, scribens ad Romanos (12, 6) et ad Chorintios (I. Cor. 12, 8) plura enumerat. Circa haec charismata hoc notandum est pro re nostra, quod a Spiritu Sancto non tantum Apostolis sed etiam laicis dabantur, qui laici mirum in modum eis utebantur in propagatione Evangelii. Ex quo clare apparet laicos a Deo non impediri, quin etiam animum accipere ad annunciandam doctrinam Filii ipsius et eius regnum propagandum. Quod si quis obiciat nunc haec charismata amplius non dari, vel melius rariora esse, respondeo id quod dicitur de miraculis, scilicet quod tunc erant necessaria, quia, ut ait quemadmodum Gregorius, "ut ad fidem cresceret multitudo credentium miraculis fuerat nutrienda" (Hom. 29 in Ev.). Sed addimus praeterea diminutione donorum, quae extraordinaria sunt, non destrui factum historicum, quod scilicet. Deum uti voluit laicorum opera ad ipsos Apostolos adiuvandos.

Alterum quod me dicturum promisi circa Apostolorum tempora est locus desumptus ex Epistola prima ad Timotheum (5, 9) : "Vidua eligatur non minus sexaginta annorum, quae fuerit unius

viri uxor, in operibus bonis testimonium habens, si filios educavit, si hospitio recepit, si sanctorum pedes lavit, si tribulationem patientibus subministravit, si omne opus bonum subsecuta est etc.”.

Hic locus agit non de viduis in genere, sed de quodam genere viduarum, etsi interpretes non conveniunt circa earum munera. Quidam enita putant hunc textum loqui simpliciter de Diaconissis, alii vero de viduis quae inter diaconissas non computabantur sed officio similes eis erant; alii demum existimant rem esse de viduis quae in catalogum referebantur eorum quibus Ecclesia victum suppeditabat. Haec ultima interpretatio praeabilitate carere videtur. quia vix intelligitur viduam, ut Ecclesiae caritate frui posset, debuisse esse plus quam sexagenariam et unius viri uxorem. Ergo agitur de ordine quodam mulierum, quae, modo particulari, servitio Ecclesiae se dabant, aliis verbis de aliqua Actione Catholica.

Hac autem verba Apostoli ad Timotheum, discipulum eundemque Episcopum, ideo prae aliis adducere volui, quia non solum ostendit laicos tunc temporis adiutricem operam Apostolis praestitisse, sed innuit insuper horum laicorum adfuisse etiam tunc aliquam institutionem legibus propriis, ab Apostolis latis, rectam atque temperatam.

Multa alia documenta haud dubie ex fonte Sacrae Scripturae erui possunt, sed haec pauca sufficiunt, ut sibi quisque persuadeat Actionem Catholicam iam inveniri in grano illo sinapis quod Christus seminavit in agro suo, id est in orbe terrarum.

Animadvertant hoc omnes Sacerdotes atque studio Actionem Catholicam diligant, promoveant, foveant. Ostendant laicis tum obligationem qua, iuxta Summorum Pontificum verba, teneantur eam amplectandi, tum etiam bona ordinis supernaturalis quae inde consequuntur. Huic enim apostolatui operam praestantes, et ipsi laici aliquo modo Christi Sacerdotio fungentur in terris, et erunt insuper digni qui in caelis hymnum illum canant: “Dignus es Domine accipere librum et aperire signacula eius; quoniam occisus es et redemisti nos... et fecisti nos Deo nostro regnum et sacerdotes” (Apoc. 5, 9).

Dislocations in the Fourth Gospel with reference to a recent Theory

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THE Fourth Gospel, unlike the Synoptic Gospels, is made up of long discourses and short narratives arranged chronologically and logically according to a definite plan. The Jewish festivals (2, 13, 23; 5, 1; 6, 4; 7, 2, 14; 10, 22; 11, 55; 12, 1; 13, 1) are the main chronological landmarks in Christ's public ministry, while his gradual self-manifestation first to the crowds and then to the Apostles, and the different attitude of the two classes of hearers culminating in the rejection of Christ's doctrine by the crowds and the Apostles' sincere attachment to him divide the theme of the Gospel at 12, 50 into two distinct parts.

But despite this general chronological and logical disposition there are here and there some incongruencies between questions and answers, allusions to recent events which had been mentioned only in a remote context, a certain looseness of thought and other blunt edges which have always been a source of difficulty for the full comprehension of Christ's discourses, their historical setting and the gradual development of Christ's doctrine. Chapters 5 and 6 are a well-known example. The beginning of chapter 6 does not fit in with the end of chapter 5. Christ's words: "Why seek you to kill me?" (7, 20) obviously referring to a recent attempt on his life are, according to 7, 23, an allusion to the events recorded in 5, 5-16 and which, in the present order of the Gospel, had taken place some 18 months before and could no longer be regarded as recent. Chapter 18 should follow immediately chapter 14, and the intervening chapters break the close connexion between those two chapters.

Interpreters have long ago pointed out that the sequence of thought would run smoother if certain sections or chapters were transposed. Thus chapter 6 is read before chapter 5 by Lagrange (1), Jouon (2), Tilmann (3), Durand (4), Braun (5), and

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- (1) *Evangelie selon Saint Jean*; 1927, cxx, 161.
 - (2) *L'Evangelie de Notre-Seigneur Jesus-Christ*; 1930, 483.
 - (3) *Das Johannesevangelium*; 1931, 9, 121.
 - (4) *Evangelie selon Saint Jean*; 1938, 137f.
 - (5) *Evangelie selon Saint Jean in La Sainte Bible*; 1935, 350.

others. Father E. Sutecliffe has tried to explain this inversion by suggesting that chapters 5 and 6 were originally written on separate sheets which were inadvertently misplaced when they were bound together (6).

But the latest and most complete treatment of this question is that by Mr F. R. Hoare who placed the whole problem on an arithmetical basis (7). A similar arithmetical treatment had already been given by J. H. Bernard (8) who, developing a suggestion made by F. Spitta in 1893, proposed the hypothesis that the fourth Gospel was written in codex form with approximately 750 letters to the page or 1500 letters to the leaf. Considering that the disturbing sections carry a number of letters that corresponds roughly to a multiple of 750 J. H. Bernard believes that the disagreement is caused by the displacement of single leaves or groups of leaves. Mr Hoare's theory is more complicated. He thinks that the leaves on which the original fair copy of the Gospel was written were accidentally disarranged before they have been pasted together to form a roll and before any copies had been made (p. vii). Though he admits that in the 1st century of our era books were issued both in roll form and in codex form, "the arithmetic, he says, points to a fair copy written out by the author's secretary on strips of papyrus used on one side only and intended to be pasted together to form a roll". It may be supposed that a pile of such strips, not yet numbered, but otherwise ready for making up into a roll, had fallen to the floor (for example) with the overturning of a table. The general order was preserved, but some strips got out of their place and were afterwards put together in the wrong order (p. 9).

Arithmetical calculations have disclosed that the number of letters in every disturbing section was always roughly a multiple of 397. Hence it has been inferred that the Gospel of St. John, which has a total of 71,579 letters (not counting the abbreviations and contractions), was written on 188 leaves with 397 letters to the leaf. The number of letters was occasionally less than 397

(6) *A Two Year Public Ministry*; London, 1938, pp. 96ff.

(7) *The Original Order and chapters of St. John's Gospel* with an introduction by the Very Rev. Mgr John M. T. Barton D.D.; Burns, Oates and Washbourne, 1944, pp. vii, 160.

(8) *A Critical and Exegetical Commentary on the Gospel according to St. John*; Edinburgh, 1928, pp. xvi-xxx.

by a more or less uniform quantity corresponding to the number of letters of four lines. This led to the conclusion that the original manuscript was divided into sections or chapters which, however, do not correspond to our chapter-division, separated from one another by a blank space of four lines. Another important, and at the same time curious, fact brought out by Mr Hoare's arithmetical computations is that not single leaves but groups of leaves fell out of their order in such a way that the order of the leaves in each group has been preserved.

The non-arithmetical reader will, perhaps, find it difficult and tedious to follow Mr Hoare's line of argument in all its details and will prefer to turn to the last chapter of the book where a reconstruction of the Gospel is given.

An accidental displacement of a leaf or a group of leaves is a possibility and a probability which all will admit. Moreover, the arithmetical method is the most objective way of ascertaining the existence of transpositions and providing the means for recovering the original arrangement of the text. But what is most amazing in Mr Hoare's theory is the fact that out of a total of 21 sections, or segments, as he prefers to call them, only two, the first and the last, are in their proper place while all the rest have been displaced in such a way as to leave hardly any visible trace of their displacement. While J. H. Bernard admits only six transpositions, Hoare extends their number to nineteen. There appears to be something artificial in the way Hoare's theory is worked out and I am afraid very few will accept it.

Let us examine a few cases of these supposed transpositions and see to what extent does the proposed rearrangement improve upon the traditional order.

THE SAMARITAN WOMAN

The episode 4, 3b-43 is placed before chapter 2. The transposition, it is said, renders the topographical and chronological sequence smoother. The words "and went again into Galilee" (4, 3b) are linked up with the last verse of chapter I to which they are the natural sequel. Christ had already inaugurated his public ministry near the Jordan (1, 29-34) and chosen five of his disciples (1, 37-51). He then went to Galilee (4, 3b) passing through Samaria where he remained two days (4, 4-43). On the third day (2, 1) he was in Cana of Galilee where he changed the water into

wine (2, 1-11). After a short stay in Capharnaum (2, 12) he went up to Jerusalem (2, 13), but after some time had to leave Judaea because of the hostility of the Pharisees (4, 1-3a).

The narrative as reconstructed proceeds so smoothly that the transposition seems to be entirely justified. It is doubtful, however, whether it represents the original order. There are no convincing reasons suggesting that the text of chapters 2-4 has been disarranged. Though Christ's return to Galilee from Judaea after his baptism is not explicitly recorded before 4, 3b, it is at least implied in 1, 43. The words "he would go forth into Galilee" do not mean that Christ simply made up his mind or manifested his intention to go to Galilee, but that he actually set out for Galilee. Consequently Philip and Nathanael were called after Christ's departure from Judaea. In other words the events related in 1, 43b-51 took place in Galilee. This being so, the words "and went again into Galilee" (4, 3b) cannot have originally stood immediately after the end of chapter 1.

Moreover the breaking up of 4, 3 into two parts, which is required by arithmetical reasons, and the shifting of each part into a different context creates more difficulties than it claims to solve. Where did Christ go when he quitted Judaea? (4, 3a). In 4, 45 which, according to the proposed order, follows, together with v. 44, 4, 3a, we are told that Christ "came to Galilee". But this topographical indication is by no means complementary to 4, 3a but, as the preceding particle "therefore" (Greek *oun* not reproduced in the Douay Version) clearly shows, a reference to a statement made in v. 43b. St. John is so accurate in describing Christ's movements (see for example 3, 22, 23; 4, 46; 10, 40; 11, 18, 54; 12, 1) that such a vague statement "he left Judaea" (4, 3a) is highly improbable. The two sentences "he left Judaea" and "he went into Galilee" form one indivisible unit belonging, in the present and the original order, to one and the same narrative, and any attempt to separate them and to place them in different contexts would result in the disarrangement of an originally well knit period. The same must be said of the two statements "he went into Galilee" (4, 43) and "when therefore he came to Galilee" (4, 46).

Another objection against the transposition of 4, 3b-43 is John's assertion that Christ went *again* to Galilee. Christ's journey to Galilee through Samaria is described as a return journey

to a place where he had previously been. This description suits well the present order according to which Christ had already been in Galilee (2, 1-11) before the return journey (4, 3b), but it hardly suits the proposed order in which no mention of a sojourn in Galilee occurs in chapter 1. Although the word *palin* "again" is omitted by a number of codices, the balance of manuscript evidence is in its favour, and the word is retained by all editors of the Greek New Testament.

The chronological argument in favour of the transposition of 4, 3b-45 is based upon the close connexion between the two data "after two days" (4, 43) and "the third day" (2, 1). Christ stayed two days in Samaria (4, 40) after which he left for Galilee (4, 43) where the day after, which was the third (2, 1) in relation to the other two, he was a guest at a marriage-feast at Cana.

The argument is more specious than convincing. After the chronological indication "two days" in v. 43 the most natural way of expressing the following day would have been "on the following day" or simply "then" as in 11, 6.7. The expression "on the third day" seems to suggest a two-day interval between the marriage-feast (2, 1) and the last event previously mentioned which, according to the present order, is the call of Philip and Nathanael, while, according to the re-arranged order, the two-day interval is made to start from the beginning of Christ's ministry in Samaria, not, more naturally, from its end. The chronological relation between Christ's *two-day* stay in Samaria and the marriage feast *on the third day* is rather apparent than real and does not, in my opinion, justify the transposition of the Samaritan woman's episode to the end of chapter 1.

CHRIST'S ARGUMENT WITH THE JEWISH DOCTORS, 7, 15-24

This short section is transferred to the end of chapter 5. The inappropriateness of this section in its actual context and its close relation to the episode related in 5, 2-16 is one of the reasons which have made modern interpreters invert the order of chapters 5 and 6 (9). Mr Hoare instead of inverting the two chapters is content with transposing only a small section of chapter 7 thus bringing the allusion to the healing of the paralytic (7, 23) into a closer contact with the account of the healing in 5, 5-16. This is

(9) E. Sutcliffe: *A Two-Year Public Ministry*; pp. 87. See also J. H. Bernard, *The Gospel according to St. John*, p. xix.

unquestionably an obvious advantage over the inversion theory.

But while this transposition removes one difficulty it leaves others unsolved. The unnamed feast of 5, 1 remains unidentified. Christ crosses the lake of Tiberias (6, 1) without any indication of the direction of the crossing being given and without any mention of his departure from Judaea. It is not said whether Christ went up to Jerusalem for the Pasch mentioned in 6, 4. Apparently he did not (7, 1). But then the chronological indication in 6, 4 would be meaningless.

These difficulties are satisfactorily solved if chapter 6 is read before chapter 5. This transposition may be further improved upon by transferring 7, 15-24 or, at least, 7, 19-24 to the end of chapter 5 thus placing Christ's reference to the healing of the paralytic in its proper chronological context.

THE CLOSE OF CHRIST'S PUBLIC MINISTRY

The section 12, 34-50 is transposed to 8, 28a after the words "that I am he" on the grounds of a more logical sequence of ideas. The reference made by the crowd to the "Son of Man" (12, 34) has its proper context in our Lord's words in 8, 28a (Hoare, p. 53). The remark by the crowd "Who is this Son of Man?" (12, 34) comes in very natural after Christ's words "When you shall have lifted up the Son of Man" (8, 28a).

This apparently closer coherence of 12, 34 to 8, 28a is not a sufficient reason for transposing 12, 34-50 to 8, 28a. Throughout the whole section 12, 34-50 there rings a sad note of bitter disappointment. The end is impending. The time has come for Christ to depart this life. He had taught the crowds and wrought miracles, but "they believed not in him" (12, 37), and those that believed lacked the courage to confess their belief publicly (12, 42, 43). This is decidedly a most fitting close of Christ's public ministry. Vv. 44-50 are out of their historical context, but they are rather an afterthought logically connected with Christ's last words in v. 36 and with John's reflection in vv. 37-43 and added by John himself as the pronouncement of the different judgement which will certainly be passed on those who will have believed and on those who will have refused to believe in Christ.

The disruption of chapter 12 spoils the logical development of thought and deprives the narrative of Christ's public ministry of a fitting conclusion. Nor does the transference of 12, 23b-33 to

11, 33 improve in any way the sequence of ideas. The episode of the rising of Lazarus in 11, 33 is hardly an appropriate context for Christ's persistent prediction of his death (vv. 24, 25) and his victory over the unbelieving world and its ruler (v. 31).

CHRIST'S DISCOURSES AFTER THE LAST SUPPER

According to the traditional order of the Fourth Gospel Christ's last discourse is made up of three parts or discourses sharply marked off from one another and covering chapter 14, chapters 15 and 16, and chapter 17 respectively. There are difficulties both against this order and against the structure of the discourses. The end of the first discourse "Arise, let us go hence" (14, 31) has its natural sequel in 18, 1 "When Jesus had said these things, he went forth with his disciples". Chapters 15-17 seem to be interpolated. Moreover there are, especially in the second discourse, a disconnexion of ideas and some inconsistencies which seem at least to suggest that the text has been disarranged. Thus in 16, 5 Christ warns his disciples, seemingly for the first time, of coming persecutions, but he had already made the same warnings a few verses before (15, 18-20). Moreover in 16, 17-18 the Apostles are perplexed about the meaning of Christ's words "a little while and you shall see me no longer, and again a little while and you shall see me", but Christ had already given the explanation in the first discourse (14, 19-25).

Unfortunately Mr Hoare's theory provides no explanation to this disruption of the link between chapters 14-18. The traditional order 14, 15, 16, 17, 18 can hardly be considered original. Besides the exact correspondence of the beginning of chapter 18 to the end of chapter 14 there are other considerations suggesting that chapters 15-17 are out of their original context. Chapter 14 is a farewell speech. Christ was about to part with his disciples. In order to soothe their grief he promised to come back and take them with him. But they had to remain faithful to him by believing in him and keeping his commandments. He also promised to send them "another Paraclete", "the Spirit of truth" who would "abide with them for ever" during his absence (14, 16, 17). He then bids them farewell, "Peace I leave with you, my peace I give unto you" (v. 27), the words being the equivalent of the customary greeting form "Peace be with you". Christ is almost reluctant to leave his beloved disciples; he would like to stay

longer with them to keep up their spirits and to teach them other things about himself and his Father. But the time is up: the end has arrived; Satan, the prince of this world, personified in Juda and his gang, is already at work, and therefore Christ cannot stay any longer with his disciples. He must obey the commandment of his Father. Therefore he solemnly commands: "Arise, let us go hence" (14, 31). Thus Christ's ministry has ended, and the drama of the passion opens up. It is inconceivable that St John should have added other discourses or, in any way, prolonged Christ's ministry after the farewell speech. Chapters 15-17 must be considered as a later addition running through any number of pages of sheets made by John himself who, after the completion of the Gospel, not being satisfied with the short discourse in chapter 14, had added two more discourses of which the first (chapters 15 and 16) is but an expansion of chapter 14. This view is held by many modern writers as M. Lepin (10), Lagrange (11), Braun (12), Durand (13), Sutcliffe (14) and others. Mr Hoare rearranges chapters 13-17 in this order: 13, 1-9; 15, 17-16, 4a; 13, 20-14, 14; 16, 15b-23; 14, 15-24a; 16, 4b-15a; 14, 24b-15, 16; 16, 24 to the end of the Gospel.

In spite of its ingenuity and thorough elaborateness Mr Hoare's theory fails to convince. One can hardly bring oneself to believe that the original copy of the Fourth Gospel has been disarranged to such an extent and in that way which Mr Hoare thinks to have discovered. There is something artificial in this theory which cannot be accounted for as the accidental overturning of a table (p. 9) and the rearrangement of the displaced leaves by a more or less clever scribe. Moreover, a number of the proposed transpositions are not supported by internal evidence and some difficulties, as the insertion of chapters 15-17 between chapters 14 and 18, remain unexplained.

The best and simplest solution of the difficulties inherent in the traditional order of the Fourth Gospel is that connected with the circumstances of the composition of the Gospel itself. It is generally agreed that St John wrote the Gospel in his old age

(10) *La Valeur historique du Quatrième Evangile*; 1910, p. 101.

(11) *Evangile selon Saint Jean*; 1927, p. 397-9.

(12) *Evangile selon Saint Jean*; (Pirrot, *La Sainte Bible*), 1935, p. 433.

(13) *Evangile selon Saint Jean (Verbum Salutis)*; 1938, p. 409f.

(14) *A Two Year Public Ministry*; 1938, p. 104.

some fifty or sixty years after the events narrated. Though the recollection of Christ's discourses was, through prolonged meditation and preaching, still fresh in the Apostle's mind, we have not in the Fourth Gospel a verbatim report of Christ's discourses.

The doctrine is our Lord's, but the wording is, at least in many cases, St John's. Besides condensing our Lord's speeches St John has also, sometimes, added words and sentences which Christ had said on a different occasion. It is also possible that St John has, occasionally, expanded in his own way Christ's words, without however changing Christ's doctrine. It is also probable that St John, after completing his Gospel, has added some chapters inserting them in their chronological, though not in their logical, context. To quote Father J. Donovan S.J. : "That John the Preacher spent a considerable time in the composition of his Gospel, in touching, retouching, and perfecting it; that he added the last chapter as an afterthought—all this may be considered highly probable, if not certain. Again, while giving the finishing touches to the work, it is not improbable that he may have inserted whole chapters, and even altered the order of the original plan—other writers have also worked on these lines. What is, however, absolutely certain is the *identity of mind and hand* behind it all, from its first word to its last" (*The Authorship of St. John's Gospel*; London, 1936, p. 20f).

S. Hilarius Pictaviensis Testis Epistolae ad Hebraeos

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EO quod aliquae sectae Haereticorum, uti Montanistae, Novatiani, epistula ad Hebraeos abusi sunt ad fulciendam eorum perversam doctrinam, haud abfuit quin aliqui Patres et Scriptores ecclesiastici de epistulae genuinitate suspicionem moverent, et conveniens indicatum est illa uti cum multa cautela.

Saeculo III Ariana haeresi orta, Scriptores ecclesiastici epistolam ad Hebraeos adhibere fere numquam ausi sunt, cum ipsi Ariani argumenta pro eorum doctrina ex ipsa epistula ad Hebraeos (c. I, 2-4) trahere nisi sunt.

Verum ante saeculum tertium nullum vestigium dubitationis reperitur. Postea dubia orta sunt. Post saeculum quartum tamen, et praecise post canones Concilii III Carthaginensis, et Decreta Innocentii I et Gelasii Romanorum Pontificum, de origine paulina epistolae ad Hebraeos dubia desierunt.

In Oriente, et quidem Patres Alexandrini, adscribebant S. Paulo epistolam ad Hebraeos, uti Pantenus, Clemens, Origenes⁽¹⁾, Dionysius, S. Petrus Alex., S. Alexander, S. Anthanasius, Dydimus, S. Cyrillus Alex., imo etiam ut videtur ipse Arius⁽²⁾, Concilium Antiochiae (a. 264), Laodiceae (a. 390).

Alii Patres etiam testes sunt ep. ad Hebr. et Apostolo adjuvant, ita S. Gregorius Taumaturgus, S. Cyrillus Hierosolymitanus, Isidorus Pelisiota, S. Epiphanius, S. Basilius, S. Johannes Chrysostomus, Theodorus Mopsuestenus, S. Ephrem, S. Jacobus Nisibenus etc. In Occidente tamen aliter videtur res se evolvisse. Primo saeculo agnoscebatur a Clemente Romano qui ea utitur. Fragmentum Muratorianum, Cajus presbyter tredecim tantum epistulas agnoscunt. Tacent autem S. Irenaeus, S. Hyppolitus, S. Cyprianus. Tertullianus eam attribuit Barna-

(1) Alibi dixit: "soli Deo notum esse, quis hanc epistolam scripserit". Postea vero asserit sententias esse ipsas Pauli, dictionem autem et compositionem verborum esse alterius cuiusdam qui dicta Pauli Apostoli commemorare, et quasi in commentarium redigere voluerit ea quae a Magistro audiverat.

(2) Prat. La Teologia di S. Paolo, vol I, p. 346.

bae. Codex Claromontanus et Mommsenianus e canone excludunt.

Plures tamen ex Latinis eam acceptant, uti Victorinus, Lucifer Calaritanus, Pacianus, Faustinus, Rufinus, Pelagius, S. Ambrosius etc. Quibus omnibus adnumerandus est omni certitudine S. HILARIUS PICTAVIENSIS.

Nam iste Sanctus Doctor haud semel epistolam ad Hebraeos citat, et quidem sub nomine Pauli.

Souter⁽³⁾ quinque tantum citationes recenset, sed plures habentur.

Hae sunt nempe citationes quae in uno alterove libro S. Hilarii occurrunt.

1). Hebr. I. 3 : Agens enim S. Hilarius de consubstantialitate Filii cum Patre ait : "Omnia enim Filius suscepit a Patre, et est Dei forma⁽⁴⁾ et imago substantiae eius"⁽⁵⁾.

2). Hebr. I, 4; 3) Hebr. III, 1; In Libro IV de Trinitate, n. XI citat textus ep. ad Hebr. quibus Ariani abusi sunt ad firmandam eorum doctrinam, quod scilicet Filius non est Deus, sed creatura aliis perfectior. Dicit enim Hilarius de Arianis : "Memorant namque Filium Dei neque ex aliqua subiacente materia genitum esse, quia per eum creata sunt omnia, neque ex Deo esse, quia decedere ex Deo nihil posset, sed esse ex iis quae erant, id est creaturam Dei perfectam, verumtamen non similem ceteris creaturis. Esse autem creaturam quia scriptum sit 'Dominus creavit me in initium viarum saurum' (Prov. VIII, 22). Esse autem creaturam perfectam, sed non similem ceteris facturis; facturam autem per id quod Paulus ad Hebraeos dixit : 'Tanto melior factus Angelis, quanto excellentius ab his possedit nomen' (Hebr. I, 4) et rursum : 'Unde fratres sancti, vocationis caelestis participes, cognoscite Apostolum et principem sacerdotum confessionis nostrae Jesum Christum, qui fidelis est ei qui fecit eum' (Hebr. III, 1)"⁽⁶⁾.

4) Hebr. I, 14 : In commentario ad Psalmum CXXIX De Profundis etc. loquens de spiritualibus virtutibus, seu angelis qui

(3) The Journal of Theological Studies, tom. XVIII, p. 73.

(4) Phil. II, 6.

(5) Bibliotheca Patrum, vol. I, p. 158-159. Alibi de aequalitate Christi cum Patre tractans adhibet verba Pauli ad Colossenses c. I, 15. op. cit. p. 674.

(6) op. cit., p. 181.

ecclesiis praesident, Hilarius citat verba Pauli ad Hebraeos: "Sunt enim efficientes spiritus, in ministerium missi propter eos qui haereditabunt salutem". Concludit deinde ex ultimis verbis "haereditabunt salutem", Angelos missos esse nobis, quibus indiget infirmitas nostra. Deus autem his non indiget (7).

5). Hebr. III, 14: Verba Pauli ad Hebraeos usurpat in commentario ad Psalmum CXVIII ad versum "Particeps sum ego omnium timentium te et custodientium mandata tua". S. Doctor pergit dicens "Apostolum dixisse meminimus 'participes Christi facti sumus', et subiungit Hilarius "sed et in quadagesimo quarto Psalmo quondam participes Dei significatos esse meminimus cum dicitur "unxit te Deus, Deus tuus oleum exultationis prae consortes tuos"; sunt ergo secundum apostolum et secundum prophetam plures Domini Nostri Jesu Christi participes. Et particeps ejus, quisque in iustitia manet, quia ipse iustitia est; particeps ejus erit quisque in veritate persistat, ipse est enim veritas; et quisque in novitate vitae ambulabit, erit particeps ejus, quia ipse est resurrectio" (8).

Videtur hoc loco Doctor Pictaviensis participes Christi nos esse intelligere sicut et ipse Paulus nobis significat. Nam id quod declarat Paulus in ep. ad Hebraeos "participes Christi facti sumus", correspondet ad id quod asserit in ep. ad Colossenses c. I, 12-23, et praesertim ad versum 12 "qui dignos nos fecit in partem sortis sanctorum in lumine." Christus, qui est primogenitus mortuorum, propter suam resurrectionem, dedit nobis novam nativitatem, novum esse, consortium cum sanctis, seu aliis verbis, Christus redivivus fit elementum uniens nos cum ipso qui est caput nostrum nosque membra eius. Igitur resurrectio iuxta Paulum habet momentum salvificum, in Christo enim in quo habitat pleroma, seu tota divinitas, in tota sua plenitudine, in quo indissolubiliter collocata est, assimilavit nos ad ipsum, adducendo nos ad hoc consortium quod ipse Christus habet cum Patre. Ergo "participes Christi facti sumus" idem est ac effecti sumus aliquid de hac plenitudine divinitatis Christi. In tantum enim sumus justificati in quantum sumus cum Christo.

Hanc ideam S. Pauli, quae breviter exprimitur in ep. ad Hebraeos et plenius evolvitur in ep. ad Colossenses, Sanctus

(7) Corpus Scriptorum Ecclesiasticorum Latinorum, tom. XXII, p. 653.

(8) op. cit., p. 432.

Doctor Pictaviensis usurpat, cum dicit: "Erit particeps ejus, quia ipse est resurrectio."

6). Hebr. IV, 12; Hunc textum citat S. Hilarius in Libro II, 6 Tractatus Mysteriorum (9), cum dicit de Domino "qui et verbum acutum est penetrans usque ad divisionem animae."

7). Hebr. VII, 27: In commentario ad Psalmum LIII "Deus in nomine tuo salvum me fac etc.", ad versum "voluntarie sacrificabo tibi", Sanctus Doctor ideam Pauli de sacrificio Christi in cruce evolvit tam ex epist. ad Galatas, quam ex epist. ad Hebraeos c. VII, 12 et seq., ubi Apostolus ostendit excellentiam sacerdotii Christi prae sacerdotio Levitico. Christus non habuit peccata propria expianda, unde lege non tenebatur offerendi sacrificia pro seipso. Nec tenebatur lege offerendi quotidiana sacrificia expiatoria peccatorum populi, quia merito valoris sanguinis suipsius oblationis quod semel obtulit in redemptorium sacrificium pro aliis sub ara crucis, necesse non est ut repeteretur. Hoc enim fecit semel seipsum offerendo.

Hanc doctrinam pariter exponit S. Hilarius innixus allato testimonio ep. ad Hebraeos. Ait enim: "Legis sacrificia, quae in holocaustomatibus et oblationibus hircorum atque taurorum sunt, non habent in se voluntatis professionem, quia maledicti sententia legem sit decreta violantibus. Quisque enim a sacrificiis destitisset, ipse obnoxium se efficiebat esse maledicto. Necesse ergo erat effici, quod fiebat, quia sacrificii negligentiam maledicti non admittebat adiectio. A quo maledicto nos Dominus Noster Jesus Christus exemit, apostolo dicente 'Christus nos exemit de maledicto legis, factus pro omnibus ipse maledictum, quia scriptum est: maledictus omnis qui pendet ex ligno' (Gal. III, 13). Maledictorum se ergo obtulit morti, ut maledictum legis dissolveret, hostiam se ipse Deo Patri voluntarie offerendo, ut per hostiam voluntariam maledictum quod ob hostiae necessariae et intermissae reatum erat additum, solveretur.

(9) op. cit., tom. LXV, p. 33. Tractatus Mysteriorum iam commemoravit S. Hieronymus in "De Viris illustribus", p. 100. Eo quod hoc opus perditum supponebatur, antiqui putabant agi de aliquo Sacramentario. Anno autem 1887 J. F. Gamurrini in Bibliotheca Aretina duo fragmenta notabilia invenit in manuscripto saec. XI. Cfr. Bibliotheca Cassinensis, 1894, t. Vaa; Revue bènédictine, 1910, t. XXVII, p. 12. Examine critico a H. Lindemann facto, authenticitas fragmentorum operis S. Hilarii probata est. Ex quibus fragmentis visum est non agi de liturgia, sed de prophetiis et symbolis Vet. Test.

Cuius sacrificii alio loco meminit in psalmis (XXXIX, 7) hostiam et oblationem noluit, perfecisti autem mihi corpus, Deo Patri legis sacrificia respuenti hostiam placentem suscepti corporis offerendo. Cuius oblationis beatus Apostolus ita meminit: 'Hoc enim fecit seipsum offerens hostiam Deo' (Hebr. VII, 27) omnem humani generis salutem oblatione sanctae hujus et perfectae hostiae redempturus" (10).

8). Hebr. X, 1: In diversis locis, S. Hilarius tractans de factis Veteris Testamenti, ut demonstret ea facta esse typica, figurata, symbolica, seu referri ad aliud factum Novi Testamenti, adhibet dictum Pauli quod nempe lex umbram habet futurorum bonorum.

Ita in commentando Psalmo CXXXVI "Super flumina Babylonis illic sedimus et flevimus cum recordaremur Sion", dicit: "Non dubium autem est omnia quae in patres aut per patres nostros gesta sunt formam futuri in his, quae gesta sunt praetulisse, et idipsum ita esse, his quoque Psalmorum liber festis est. Namque cum in septuagesimo et septimo psalmo omnia quae in Aegypto atque in deserto et in ceteris deinceps locis gesta essent, recenserentur, ea ipsa parabolica esse ita demonstrata sunt; adtende populus meus, in legem meam; inclinate aurem vestram in verba oris mei. Aperiam in parabolam os meum, loquar propositiones ab initio. Per id enim, quod eo parabolae et propositiones sunt, rerum futurarum effectibus comparantur. Apostolus quoque docet ea ipsa, quae gesta sunt in praefigurationem gesta esse, dicens; quia lex umbram habet futurorum bonorum; et omnia in praefigurationem acciderunt his, scripta sunt autem propter nos, in quos fines saeculorum devenerunt. Gesta igitur ipsa illa in exemplum et scripta in doctrinam sunt." (11)

Hanc veritatem saepius exprimit Hilarius. Ita denuo apparet in commentando Psalm. CXVIII, ad litt. 3, et dicit quod ea "quae corporaliter in lege praecepta sunt umbram esse et speculum futurorum". Et particulariter de iis quae fiebant a sacerdotio Mosaico et Aaronico figurabant Christum, qui est Princeps sacerdotum (12).

(10) Corpus Script. Eccl. Latin., t. XXII, p. 145.

(11) op. cit., p. 724.

(12) op. cit., p. 361.

Iterum tertiumque alia eiusdem ideae explanatio S. Hilarii occurrit, et quidem in Libro I, 8 ex Tractatu Mysteriorum⁽¹³⁾.

Figuram futurorum etiam reperit Doctor Pictaviensis in facto de oblatione Cain, qui invidia motus erga fratrem suum, et recte cum non obtulisset, idcirco non habuit communem et participatam oblationem cum Abel, ita etiam oblationes Gentium Deo faciendae ut communionem habeant. Ait ipse: "Rerum itaque in Cain gestarum praefigurationem effectorum fides est consecuta nec secerni possunt a praeformationis exemplo, in quos eiusdem reatus est ultio consecuta, verum etiam in eò quod dictum est; nonne si recte offeras, recte autem non divides, peccasti? praeter rei praesentis effectum futuri quoque species continetur; Deo enim non placent nisi communia et participata et amicata, promissa ergò Dei expectans populus per legem, etiam si cum praeceptorum observantia recte Deo offerat, tamen, nisi hanc ipsam Dei legem, quae umbra est futurorum, cum gentium congregatione communicet, peccavit. Cain namque invidens fratri suo non participaverat sibi conspectae a Deo hostiae gratiam et peccator, quia non recte dividet, constitutus est, quo exemplo, probatas Deo fidelium ex gentibus hostias nisi, qui sub lege sunt, dividant, etiam si lege recte utantur, in crimine sunt."

9). Hebr. XI, 6: In capite XI suae epistulae ad Hebraeos, Paulus fidem magnifice commendat ex actis Patrum, a mundi exordio usque ad David ac prophetas; et in universum quanta patrarint ac passi sunt per fidem; nec tamen adhuc plenam acceperunt retributionem.

In vers. 6 autem dicit: "Sine fide impossibile est placere Deo. Credere enim oportet accedentem ad Deum quia est, et inquiringibus se remunerator sit."

Ad hunc versum alludit S. Hilarius cum dicit: "Igitur Deus justitiae praemiis muneratur creditus ab ignorante quod Deus sit. Atque ob id Abraham fides prima iustificat." (14).

10). Hebr. XII, 22: S. Hilarius in suo Commentario Psalmorum ad Psalm. XIV "Domine quis habitabit in tabernaculo tuo aut quis requiescit in monte sancto tuo", citat etiam ep. ad Hebr.

(13) op. cit., tom. LXV, p. 10.

(14) op. cit., tom. LXV, p. 99.

S. Doctor asserit prophetam hic duo distinguere; habitationem in tabernaculo et requiem in monte, et prior est habitatio in tabernaculo, posterior requies in monte (15).

Quapropter in suo commentario, montis et tabernaculi proprietatem explicat ut habitationis et requiei distantia intelligatur. Videtur per tabernaculum intelligere ecclesiam militantem, et per montem Christum, seu ecclesiam triumphantem.

Hoc lubet invetigare ex tota Hilarii commentatione istius versus: "Oratio est simplex Dominum precantis et optantis ab eo noscere, qui mores, quod studium, quae voluntas sit cohabitaturi cum Deo et in excelsis ejus et caelestibus quietituri. Non est enim humilis cuiusdam animi nec mediocris operis admisceri Deo, mereri eiusdem domicilii communionem. Ergo de quibus quaeritur, statim respondetur, ut, quia arduum est atque difficile haec obtinere, quibus modis id consequendum sit, intelligere". Comparat deinde tabernacula Vet. Test. cum tabernaculis Novi Test. Ait enim: "Moyses populo iussu Dei tabernacula instituit, sed haec erant imaginaria et facta ad exemplum", et pergit dicens haec tabernacula fuisse levia, caduca, arescentia, **ad tempus ex frondibus texta**. Etiam David, subiungit, templum desiderans illumque tabernaculum appellavit cum dicebat in Psalmo CXXXI "Non dabo somnum oculis meis, donec inveniam locum Domino, tabernaculum Deo Jacob."

De Apostolis autem fatetur Hilarius: "Apostoli plurima tabernacula condiderunt et per omnes terrarum partes, quacumque adiri potest, quia etiam ex Oceani insulis habitationes plurimas Deo paraverunt, de quorum gloria testatur Spiritus Sanctus "Quam amabilia sunt tabernacula tua, Domine virtutum, concupiscit et deficit anima mea in atriis Domini" (Ps. LXXXIII, 2). Concludit hic Hilarius, Prophetam non unum tabernaculum sive Moysis frondeum sive Davidis exoptatum, sive Salomonis splendidum desiderare, sed multa et innumerabilia, quia: "etsi in orbe ecclesia una sit, tamen unaquaeque urbs ecclesiam suam obtinet, et una in omnibus est, cum tamen plures sunt, quia una habetur in pluribus". En testimonium S. Hilarii de unitate Ecclesiae Christi.

(15) Iuxta Knabenbauer, propheta quaerit quis possit accedere ad Dominum, ejusque sanctuarium, seu quis possit esse accola, civis theocraticae, vel hospitare apud Jahve. Cfr. Commentarium in Psalmos, p. 62.

Explicat deinde habitationem in hoc tabernaculo de quo loquitur propheta in illoque noctibus diebusque vitam aevi totius agere esse primum et maximum gradum ad caelestia ascendentibus: "Postea in monte Domini quiescendum est..... quia ex eo in monte esset ascensus..... deinde habitatio est temporis laboris". Unde iuxta S. Hilarium hoc tabernaculum vel potius habitatio in hoc tabernaculo est temporalis, ergo quid huius saeculi; ascensio in monte in quo quies habetur est quid stabile "quod in statu suo maneat". In quo autem statu, ex natura rei ipsius quietis, requiei, omnis molestia, inquietitudo carere oportet. Ait autem S. Doctor: "Sed mons Domini nullus in terra est, quia per vitia et peccata hominum maledictis obnoxia est."

Hic autem mons, in quo est requies, est Christus: "Mons autem ejus est illud, quod ex homine corpus adsumpsit, in quo nunc habitat et sublimis et excelsus super omnem principatum et potestatem et omne nomen. Super hunc montem aedificata est civitas, quae non possit abscondi, quia sicut ait apostolus 'Non est aliud fundamentum nisi Christus' (I Cor. III, 11). Ergo quia qui Christi sunt in Christi corpore ante mundi constitutionem electi sunt, et ecclesia corpus est Christi, et fundamentum aedificationis nostrae Christus est, et civitas super montem aedificata; hic ille mons est, in quo quaeritur, quis posset esse quiescens. In alio quidem Psalmo (XXIII, 3) de hoc eodem monte sic legimus 'Quis ascendet in montem Domini, aut quis stabit in loco sancto ejus?' Et Isaias nobis erit testis (II, 2) 'Et erit in novissimis diebus manifestus mons Domini, et dicent; venite ascendamus in montem Domini et in aedem Dei Jacob'. Et rursum Paulus 'Vos accessistis ad Sion montem et ad civitatem Dei viventis Hierusalem' (Hebr. XII, 22)".

Concludit S. Doctor eo quod tota nostra spes requiei in Corpore Christi habetur, nos Ecclesiae membra esse oportere vitamque sanctam agere: "Mons nihil aliud est quam corpus, quod suscepit a nobis, ante quod Deus erat et in quo Deus est et per quod transfiguravit corpus humilitatis nostrae conformatum corpori gloriae ejus, si tamen et nos vitia corporis nostri cruci ejus confixerimus, ut in ejus corpore resurgamus. Ad illud enim post habitationem ecclesiae scanditur, in illo in Domini

sublimitate requiescitur, in illo cum angelorum choris, cum et nos simus Dei civitas, sociabimur" (16).

Ergo habetur in hac explicatione S. Hilarii ecclesiologia, quae est etiam ecclesiologia Paulina. Haec igitur idea ecclesiologica Doctoris Pictaviensis his potest complecti:

a) Ecclesia super Christum seu super Corpus ipsius aedificata est.

b) Ecclesia est Corpus Christi.

c) Fundamentum aedificationis nostrae est Christus.

d) Per Ecclesiam in Christo sociabimur, unimur.

e) Post ingressum in Ecclesiam militantem ascendimus ad Ecclesiam triumphantem, quae est etiam Corpus Christi in quo requiescimus.

Ut patet ex toto contextu, S. Hilarius non est merus eschatologista. Ipse admittit duplicem phasem Ecclesiae, quae est militans hic in terris, et triumphans, caelestis in coelo, modo quo de regno coelorum dicitur, quod non exclusive et unice de regno in caelestibus sermo fit.

S. Doctor clare fatetur nos ad Ecclesiam triumphantem, seu montem qui est Christus, ascendere, in illoque requiescere post habitationem in ecclesia militanti, cum ait: "Ad illud enim post habitationem ecclesiae scanditur."

Id luculentius patet cum iterum citat ad Hebr. XII, 22 in commentario ad Psalmum CXXVIII "Saepe expugnaverunt me a iuventute mea, dicat nunc Israel."

Illam Sion, mons Domini, hoc loco intelligit Ecclesiam et quidem militantem simul et triumphantem.

Ad vers. 5 "Confundantur et revertantur omnes, qui oderunt Sion", S. Doctor ita commentatur: "Frequenter admonuimus Sion montem esse Jerusalem proximum. Sed cum rex Sion, cum filia Sion, cum porta Sion a prophetis nuncupantur; primum ipso nomine oportet intelligi aliud sub Sion significatione monstrari. Sion enim speculationis interpretatio est; quod enim nobiscum speculatio, id hebraice Sion dicitur. Tum deinde dicti Apostolici meminisse nos convenit, ad montem Sion et Jerusalem caelestem accessisse nos, in Dominum Nostrum Jesum Christum credentes in cuius glorificato corpore, quod in caelestem gloriam transformatum est, spei nostrae honorem speculamur, humilitatis nostrae corpore in gloriam corporis sui confor-

(16) Corpus Script. Eccl. Latin., t. XXII, p. 84-88.

mando. Ecclesiam autem esse corpus Christi, cujus invicem membra sumus, Apostolus testis est (Ephes. I, 23) quae ipsa sit Sion mons Domini, regis filia, civitas sancta, vivis lapidibus in fundamento prophetarum et apostolorum aedificata. Hanc ergo Sion quisque odit, odit eum cujus et corpus est" (17).

Ergo ille mons Domini, seu Ecclesia habet fundamentum prophetarum et apostolorum, ut ait Paulus ad Ephesios c. II, 20, quatenus scilicet in doctrina apostolorum et prophetarum fundata est. Hoc autem praecipue Ecclesiae militanti convenit.

Adhuc clarius videtur inspiciendo S. Hilarii explicationem ad Psalmum CXXIV "Qui confidunt in Domino, sicut mons Sion, non commovēbitur in aeternum qui habitat in Jerusalem".

In huius Psalmi commentario, Doctor Pictaviensis adhibet eadem verba Apostoli ad Hebraeos c. XII, 22-23. Mons Sion autem et Ecclesiam militantem et triumphantem intelligit, Ecclesiam praesentem i.e. militantem formam esse dicit futurae i.e. triumphantis.

Ait ipse: "Sequamur Apostolum, sequamur Evangelium, sequamur Prophetam. Confidimus in Domino, ut conformes gloriae Dei simus. Habitemus nunc Ecclesiam caelestem ut non moveamur in aeternum. In hac enim habitantes, habitabimus et in illa; quia haec illius forma est... Sed et haec caelestis, et illa caelestis; et haec Jerusalem est, illa quidem ecclesia angelorum, multitudinis frequentium; sed est ecclesia primitivorum est et ecclesia spirituum in Domino fundatorum" (18).

Patet proinde S. Doctorem non esse merum eschalotogistam, sed agnoscere ecclesiam militantem, quae merito caelestis etiam vocatur, et quae nos ducit ad ecclesiam triumphantem. Ergo admittit duplicem phasem unius ejusdemque ecclesiae.

Non immerito affirmamus S. Hilarium allatum textum epistolae S. Pauli ad Hebraeos recte citare et adhibere.

Nam S. Paulus et de ecclesia militanti et triumphanti in coelis loquitur. Hoc elucet ex toto contextu. Apostolus in cap. XII comparat Vetus Testamentum cum Novo differentias-

(17) op. cit., t. XII, p. 643.

(18) op. cit., t. XXII, p. 600.

que exponit. Vetus comprehendebat legem timoris, Novum legem dilectionis (19).

Characteres essentielles in eo reponuntur quod promulgatio Vet. Test, Hebraeis in Monte Sinai facta, totum populum ipsumque ducem Moysen timore et trencore concussit, igne, turbine, caligine, magna procella verbum Dei comitantibus (20). Ex his omnibus Apostolus ostendit duritiam legis. Ipse deinde docet rem in novo pacto aliter se haberi. Habetur nunc alius populus, christifideles, non amplius Synagoga sed Ecclesia quae est civitas Dei, non Sinai sed Sion, non quid materiale sed quid eminenter caeleste, communicio cum Angelis: "Accessistis ad Montem Sion et ad civitatem Dei viventis, Jerusalem caelestem."

Ex comparatione igitur cum Sinai et Sion eruitur Sion esse illum locum ubi nova lex, lex vitae absque rumoribus promulgata est. Qui locus bene intelligitur Ecclesia militans quae est civitas Dei viventis, habitaculum in quo populus vita divina pascitur et delectatur. Merito autem dicitur Jerusalem caelestis, utpote caelestia communicat atque ad coelum ducit.

Animadvertendum tamen quod S. Paulus loquitur etiam de Ecclesia triumphanti. Audiamus expositionem Johannis Mc. Evilly; "They are come to Mount Sion", i.e. they embraced the religion or church of Christ founded on Mount Sion. This refers to the Church militant. 'And to the City of the living God, the heavenly Jerusalem whereof the earthly Jerusalem was a figure. The Apostle then alludes, in this verse, to the entire Church, militant and triumphant, regarded here as one by him. The Church militant here below, is the entrance to the Church triumphant in heaven which it continually peoples with blessed spirits, between whom and us on earth, there is a constant, increasing communion. They communicate their merits to us, and present our petitions to God, and act as our intercessors with him in heaven" (21).

Ergo S. Hilarius bene usurpat ideam S. Pauli, uterque enim loquitur de ecclesia militanti et de ecclesia triumphanti. Ec-

(19) Idem facit S. Paulus in ep. ad Galatas c. IV, 21-31 exponens duo testamenta sub figuris Agar et Sa:ra, opponit inter statum servitutis in Synagoga et statum libertatis in Ecclesia, inter Sinai et Jerusalem. Cfr. Rom. c. VIII.

(20) Exod. c. XX.

(21) John Mc.Evilly: An exposition in the Epistles of St Paul. Dublin. 1875, p. 240.

clesia autem militans est ingressus ad Ecclesiam triumphantem. Recordamur dictum S. Hilarii "Ad illud (i.e. mons, seu corpus Christi, ecclesia triumphans) post habitationem ecclesiae scanditur."

Ex his omnibus concludimus Sanctum Doctorem Pictaviensem merito habendum esse testem epistolae ad Hebraeos, testem quidem authenticitatis et genuinitatis. Ipse enim, ut ostensum est, non semel illam citat et quidem sub nomine Pauli vel Apostoli, sensumque Paulinum etiam diserte exponit.

ACKNOWLEDGEMENTS

Rivista del Clero Italiano, Anno XXIX, Gennaio, Febbraio, Marzo, Aprile, 1948.

Melita Theologica

By the RT REV. MGR J. SCHEMBRI,

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Quid est "Melita Theologica"
Est libellus praestantissimus,
Quo videres esse maximū
Sacra studia pretii.

Multos iuvat quidquid dogmatis
Disputatur profundissime:
Res morales placent aliis,
Illis ius canonicum.

Ecce Sancti afflatu Spiritus
Libri Mundo pretiosissimi,
Quibus modis recentioribus
Protegantur optime.

Sive Ecclesiae de Scriptoribus
Seu de doctis agit Patribus
Omnia prosunt Verbo Tradito
Divae Fulcro Fidei.

Gratias Vobis, sacri Juvenes,
Qui libellum nobis editis,
Gratias pares et Scriptoribus
Agit Parens Melita.

The Programme of Studies in the Faculty of Theology enforced by the Magisterial Chirograph of 1771

By the RT REV. MGR PROF. A. BONNICI,
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After completing successfully a course in Literature and Philosophy and obtaining the Mastership in Arts, the student of the newly-founded University could join any of the three Academical Courses of Theology, Law and Medicine.

The studies in the Faculty of Theology, at least as regards the subjects studied, were the same as they are today, after the reform carried out lately in accordance with the Pontifical Constitution "Deus Scientiarum Dominus".

The second part of the Statutes enforced by Grand Master Pinto in 1771 (1), deals with the syllabus, so to call it, of the studies to be followed throughout the Theological Course, which lasted five years. Successful candidates obtained the degree of Bachelor after the second year, the degree of Licentiate at the end of the fourth year and that of Doctor (Laurea) at the end of the fifth year (2).

The programme of studies included Holy Scripture, Speculative Theology, Moral Theology, Canon Law and Church History (3). Holy Scripture (4) was considered as the noblest among the several branches of theological studies, because the Bible is the source of the Divine Science, and because it is "the book of everlasting life." This supernatural life is acquired by him who complies with the precepts therein contained and who shapes his life in imitation of that of Christ and of the Saints of both the Old and the New Testament.

(1) A.O.M. (Archive of the Order—Malta): MS 575, *Liber Bullarum*, ff. 479v.—482.

(2) *Ibid.*, Tit. XXVII., ff. 492v.-493.

(3) This is the order of the subjects as mentioned in the Constitution, but in other places Church History is mentioned before Canon Law (cfr. f. 497v, 498v).

(4) *Ibid.*, Tit. XIII., ff. 479v-480.

The Professor of Holy Scripture had to start his lectures with an introduction on the importance of the study of this subject. Then he had to deal with the texts and versions of the Bible and to explain the methods by which the books could be recognized as Canonical. Next, he had to explain in detail the Holy Books, dictating now and again, the more important rules that help to give a right interpretation of the Scriptures.

The Professor had to deal also with incidental questions and to solve doubts about the apparent antilogies and thwarted applications of some expressions. On account of the sore need of the knowledge of the Greek and Hebrew languages for the right interpretation of the Divine Books, the Professor of Holy Scripture had the task to teach these two languages.

Dogmatic Theology (5) was deemed as "the true and perfect knowledge." The Professor of this subject had to speak of the nobility of dogmatic studies, and it was his duty to enlighten the minds and to kindle the hearts of his students with this knowledge. He had to lecture on such matters as the sources of this branch of theological studies, the authenticity of the Canonical Books, the legality of Catholic Tradition and Papal supremacy and Infallibility. Controversial points arising from the study of Comparative religions were to be raised and objections were to be solved in class, so as to make the students feel a keen interest in, and appreciate the more Catholic belief.

Besides these fundamental treatises, other topics had to be dealt with according to the programme for each year (6). In the solution of controversies the Professor was to adhere religiously to the doctrine and principles of St. Augustine and of his faithful interpreter, St. Thomas Aquinas. The scholastic form was excluded from the method of teaching "because of its useless subtleties and sophisms." The Professor had to touch lightly on certain scholastic questions but he was expected to dwell at greater length on the exposition of dogma and on the confuta-

(5) *Ibid.*, Tit. XIV., ff. 480, 480v.

Speculative Theology was taught by two Professors. It might be that Fundamental Theology was distinct from Dogmatic Theology. (Cfr. Diploma given to the Cleric Paschal Grima in 1741).

(6) This programme or syllabus was called "*rotulo*" (Cfr. Tit. XIX, f. 484).

tion of dogmatic errors. Students were shown, with the help of examples, which were the true and reliable sources of Catholic doctrine, the errors which the Church had to face throughout her life and the decisions she had deemed fit to take in order to safeguard the Divine Truths.

Moral Theology (7) was the next thoroughly taught subject in the Course of Theology, because this branch was held to be "necessary for the acquaintance of the right rules of Christian life, in accordance with the spirit of the Gospel and of Ecclesiastical Canons."

There seems to have been in some Catholic Universities of those times Professors of Moral Theology who gave notes on this subject that were at variance with the teaching of the Church. The use of any written text was prohibited by the Constitution and the prescribed textbook was the "Theologia Moralis" by the Jesuit Father Paolo Gabriele Antoine, reprinted at Rome in 1757 by order of the learned Pope Benedict XIV (8). In order to train the students in making good sacramental confessions and to become good confessors in their future priestly career, every week a "casus conscientiae" was proposed by the Professor for the students to discuss. This was a very wise measure because casuistry is merely the reasoned application of the law to concrete cases and it determines with all possible exactitude the limitations of law or the bearings of the law in particular cases.

As a help to Moral Theology in its purpose of leading man to everlasting life, the study of Canon Law was prescribed by the Statutes (9). At the time there was no Code of Canon Law as we know it today. Canonical studies were carried on the

(7) Ibid., Tit. XV., ff. 480v-481.

(8) This text-book of Moral Theology had a second reprint in 1764, and it was annotated by a Conventual Friar Minor. It contained 6 Tomes distributed into 2 volumes.

(9) Ibid., Tit. XVI., ff. 481.

various collections of canons and of decrees which were compiled from time to time (10).

The Professor of Canon Law had to lecture on the "Institutiones" (11), to compare the various collections, both of the East and West and to show the degree of their authority. He had consequently "to explain the five books, inserting in their proper place the titles of the sixth, the Extravagantes, the Decree of Gratian and what had been later on decreed by the Councils and by the Roman Pontiffs and particularly by the Council of Trent."

The study of Church History was prescribed (12) with the purpose of showing "the divinity of the Founder of the Church through her wonderful origin and miraculous development, thanks to the labours of Christ and of His Apostles, and of proving the veracity and the holiness of the same Church through the victories she gained over her enemies in persecutions and in heresies." The aims of the study of this subject were to inculcate in the hearts of the faithful a deep gratitude for their being members of the Church and to make them cherish her salutary teachings.

The Professor of this subject dealt with the life and work of Christ and of the Apostles, with the early persecutions of the Church, with heretics and their erroneous doctrines, with the Councils that condemned these errors and with the life and work of the Popes. To him was also entrusted the task of lecturing on Patrology (or better Patristics) and on Liturgy.

(10) The first official, though not thoroughly authentic collection was that of Gratian (1140-1150), known by the name "*Decretum Gratiani*". Later on this Collection was supplemented by other five collections, Pope Gregory IX in 1234 compiled all the canons and decrees contained in these collections in one comprehensive work divided in five books—the "*Quinque Decretalium Libri*". Pope Boniface VIII in 1298 added a sixth book known as the "*Secunda*". In 1317 Pope John XXII published the Constitutions of his Predecessor Clement V under the name of "*Clementinae*". Later on, other Papal Decretals were published under the title of "*Extravagantes*" because they were outside the abovementioned Collections approved by the Popes. The Acts of the Council of Trent (1545-63) could be reckoned as a most outstanding collection of canons regarding faith and morals.

(11) The "*Institutiones*" were treatises dealing with the principles and general elements of law.

(12) *Ibid.*, Tit. XVII, ff. 481v-482.

This is clearly shown in art. VI of the paragraph dealing with Church History, which runs as follows: "And lastly, after acquainting (his students) with the Holy Fathers and their works, and the other famous writers of the Church, (the Professor) will conclude with a treatise on Holy Liturgy, by teaching the young students a particular way how to partake of the spirit of the Holy Rites prescribed by the Church."

From other documents preserved in the same "*Liber Bullarum*", we know that lectures were delivered, most likely to theological students, on the history of the Order (*Istoria Gerosolimitana*). As a matter of fact a list of appointments of Professors and Lecturers of the University speaks of a Lecturer in Ecclesiastical History who had to teach temporarily the "*Istoria Gerosolimitana*" (13). In a paylist of salaries given to Professors mention is made of a Professor of Ecclesiastical History and of the History of the Order (14).

In the first section of the Statute, several details about the delivering of lectures in the Course of Theology are given; however, the information afforded is not exhaustive. We learn from it that lectures in theology began on the 3rd of November and ended by the feastday of St John the Baptist. Examinations were held in the period dating from this feast to the middle of July. Throughout the academic year lectures were delivered daily excepting Thursdays, Sundays and other Public Holidays. Saturdays were reserved for practical exercises ("*exercitationes*") which were held in the lecture halls (15).

Practical exercises were repeated every month in a semi-official way, before a limited audience. Every year however, a public and thoroughly official exercise was held by one or two candidates (16).

Holy Scripture was taught from 8 to 9 a.m.; Speculative Theology from 9 to 10 a.m.; Moral Theology from 2 to 3 p.m.; Ecclesiastical History from 10 to 11 a.m. and from 3 to 4 p.m.; Canon Law from 8 to 10 a.m. and Hebrew and Greek in the

(13) *Ibid.*, f. 498v.

(14) *Ibid.*, f. 501.

(15) *Ibid.*, Tit. XVIII., ff. 482-483. *Mass* was said both at the opening and at the closing of the academic year (f. 482v).

(16) *Ibid.*, l.c.

afternoon (17). From the overlapping of hours such as those for Canon Law and Dogmatic Theology it can be deduced that either lectures were not held daily on each subject or that lectures on certain subjects were held in one year and those on other subjects in another year. The syllabus and the time-table for each year were drawn by the Rector and were made known to each Professor by means of the "rotulo" drawn up by the Secretary of the University (18).

(17) *Ibid.*, ff. 497-497v. The afternoon time-table was postponed by one hour during the months of March and April, and by two hours during those of May and June.

(18) *Ibid.*, Tit. XXI f. 488v.

The Church and the Rise of Universities *

By REV. PH. CALLUS, B.A., B.D.

THE earliest universities which are generally recognised as those of Bologna and Paris, as we have seen, grew "ex consuetudine". They were not founded in virtue of a papal or imperial charter. Out of these others developed, by migration, or by formal establishment. As the universities, at first, had no buildings like our modern halls and laboratories, it was very easy for the students and professors, when they found fault with one "studium", to go and seek another. Conflicts between the "studium" and the townsmen, or the City Commune often led to such migrations: hence the exodus from Bologna to Vicenza in 1204 and to Arezzo in 1213. In 1222, a similar dispute with the citizens of Bologna led to the departure of nearly all the teachers and scholars to Padua, where there was already a small school. Of these "conflicts between town and gown" we have also the "great dispersion" from Paris (1229), and the migration from Oxford to Cambridge in 1209. Moreover, disputes among the students led to the migration of a body, and sometimes a professor took offence for some reason or other and withdrew with his supporters to another centre of learning. But causes of a less violent sort were not lacking. The special privileges bestowed upon the first universities were a great inducement to other cities to seek similar advantages in order to keep their own students at home, and at the same time attract scholars from all over Europe. Paris and Bologna served as models for the new institutions, and the privileges were earnestly sought from pope or king. Oxford and Cambridge in England, and St. Andrews and Aberdeen in Scotland, were for the most part modelled on the Parisian university, and Glasgow on that of Bologna. Likewise, the system of the earliest German universities of Prague, Vienna, Erfurt and Heidelberg was conformed to that of Paris. Similar causes can be traced in the origin of the other universities which rose up all over Europe in the Middle Ages.

But now one may ask: "What was the part played by the Church in the rise and development of universities?" Remembering that the history of Europe cannot be severed from the

(*) The first part of this article appeared in Vol. 1, No. 2.

history of the Catholic Church during the first fifteen centuries of the Christian era, we are prepared to find the Church taking an active part in the foundation of these great universities of Europe. The Church which has always fostered the cultivation and development of the higher human faculties contributed greatly to the institution and development of the medieval universities. This action on the part of the Church consists in her share in the foundation of these centres of learning and in her noble contribution to the development and progress of the same.

With regard to the foundation of medieval universities there has been an endless discussion and controversy. On the one hand, it has been maintained that only the pope could establish a university, on the other hand, it has been held that the institution of universities was the exclusive right of emperor or king. In point of fact, however, these are extreme views and they are evidently based on a study of particular universities. And what is more, they reveal an utter failure to realise the relations of Church and State in the Middle Ages (1). From these opposite views erroneous conclusions have been drawn with regard to the origin of universities and the policy of the papacy towards these institutions. Because, once it is maintained that a university could be founded only by the pope, it is quite easily inferred that any similar centre of learning instituted by emperor or king, or any initiative taken by a City Commune was a symptom of hostility to the Holy See and a step towards that secularization of universities, which eventually came to pass with the Reformation. Likewise, it is interpreted that the popes felt resentment at the granting of charters by the civil authority, and opposed all endeavours on the part of the universities to free themselves from ecclesiastical supervision. To understand the falsity of these views and to see the origin of the universities in its true light, it is sufficient to consider the various modes of foundation. Up to the Reformation 81 universities were founded in all. Of these 13 had neither papal nor imperial charter; they grew spontaneously. "ex consuetudine", as some historians put it; 33 had only the papal charter; 15 were founded by emperor or king and 20 were established by both papal and imperial bulls.

(1) Cfr. E. Pacc, The Cath. Enc. (special ed. 1921), art. "Universities", p. 191.

When the earliest universities, especially Paris and Bologna, had grown to reputation and prestige so that their graduates had the "ius ubique docendi", the notion began to prevail among the jurists that the very essence of the "studium generale" was this "ius" or "licentia", and that no new "studium" could acquire that position without an imperial or papal bull. Thus St. Thomas says: "Ordinare de studio pertinet ad eum qui praeest reipublicae, et praecipue ad auctoritatem apostolicae sedis qua universalis ecclesia gubernatur, cui per generale studium providetur" (2). The reason for this papal or imperial authorization is the very nature of the "studium generale". This institution was intended for the students of all Christendom; it was a place of instruction for all. It was not of a merely local or even national character but its teachings and degrees were to be recognized by all the Christian states. Therefore, the universities because of their international character, so to say, sought the authorization of the supreme authority, i.e. of the pope as head of the Church or of the emperor as protector of all Christendom.

It cannot be at all maintained, then, that the Holy See only could found a university, and that the founding of universities by the civil power was a sign of antagonism to the Church. We have seen that it was not the exclusive prerogative of the popes, that the emperor could, in virtue of his position as temporal head of the Christian world, grant charters for the founding of universities and, in fact, did exercise this right, as the various universities established by imperial authority amply show. But to demonstrate how far it is from the truth to say that the popes resented the action of the emperor, it is sufficient to observe that the imperial charters were recognised and fully approved and that, whenever necessary, additional privileges were conferred. By way of illustration, the Emperor Charles IV, at the petition of the citizens of Siena, granted a charter to the "studium" in that city in 1357. It was founded as a "studium generale" in law, arts and medicine. The imperial charter was confirmed by Pope Gregory XII in 1408. Likewise, the foundation of the university of Prague shows clearly that the relation between Church and State in the Middle Ages was one of cooperation in a common cause.

With regard to the foundation of universities on the part of kings one must realize that the kings had not the same rights as

(2) St. Thomas, Op. contra inapug. relig., c. iii.

the emperor. They could, indeed, found a university, nominate a chancellor, and grant him the right to confer degrees, but they could not establish a "studium generale" in the true sense of the term. The "studium" they founded was merely a university, so to say, "respectu regni", i.e. the degrees it conferred were recognised only within their kingdom. The establishment of these "studia" was far from being a sign of hostility to the Holy See, and an attempt at emancipation from Spiritual Authority. So much so that the kings fully realizing their limited powers in this respect, asked for the papal sanction in order to raise their "studia" to the rank of Paris, Bologna and other privileged universities. The popes, on the other hand, far from resenting this royal action, recognised the royal charters and elevated these centres of learning to true "studia generalia". Thus King Alfonso of Leon transformed the "studium" of Salamanca to a university and some years later it was granted a bull by Pope Alexander IV.

In some cases the papal authorization was required and sought, not merely to sanction what the king had founded, but to save and give life to the university. We see this papal intervention to revive universities in the measures taken by Honorius III for Palencia in 1220, and by Julius II for Huesca in 1464. These "studia" founded by royal charters made no headway and were in no way progressive until the pope gave them his support and aid.

The power of the City Communes was, naturally, still more limited. They could, indeed, take the initiative themselves, but sooner or later they had to seek the papal authorization. This was the case in Italy where free and prosperous cities as Treviso, Pisa, Florence and Siena, on the example of Bologna, attempted to found universities of their own. At Siena, it seemed, at first, that the attempt to dispense with a papal or imperial charter would be successful, yet in 1325 the "studium" well-nigh collapsed and its very existence was saved by special privileges granted by Charles IV in 1357 and by grants from Pope Gregory XII in 1404.

Facts, therefore, do not accord with the views of those who maintain that the founding of universities by civil power was a sign of hostility to the papacy and that it was resented by the Holy See. On the contrary, they sufficiently prove that the popes fully supported the designs of the State and cooperated wholeheartedly with it in the development of these centres of learning.

We have said above that 33 universities were founded in virtue of a papal charter. We now, therefore, try to enumerate the chief universities which owed their institution to the pope. The university of Toulouse is to be noted as the first founded in any country by a papal charter. It was founded to suppress the Albigensian heresy which was widespread in Southern France. It acquired its full privileges as a "studium generale" in virtue of a charter given by Gregory IX. The "Studium" of Piacenza obtained from Pope Innocent IV a bull, which raised it to the privileged rank of Paris and Bologna. It is considered by Denifle as the earliest university in Italy founded by a papal charter. The university of Rome knew its foundation to Boniface VIII (1303) and was specially designed for the benefit of poor foreign students in the capital. The university of Perugia received its charter as a "studium generale" from Clement V in 1308. And so with those of Avignon, Grenoble and others founded by the granting of a papal charter.

Moreover, the origin of some universities can clearly be traced back to the cathedral and monastic schools which preserved classical literature and promoted learning and study. In these schools which attained such a high degree of influence and reputation in the Middle Ages, we find the germ of some of the future universities. On the authority of Denifle the cradle of the University of Paris was the cathedral-school of Notre-Dame. The University of Cambridge had its rise in the "studium" which was gradually developed by the canons of the Church of St. Giles. Likewise, the "Studium Generale" of Angers in France, clearly goes back to the cathedral-school of the 11th century, founded by Fulbert, bishop of Chartres.

Besides authorizing the establishment of universities by the granting of charters, the popes contributed in various ways to the development and progress of the "studia generalia". They granted great privileges to the professors and scholars. Clerics who had benefices were dispensed from the obligation of residence if they absented themselves to attend the universities. Both lay and ecclesiastical students enjoyed special privileges. Thus they were exempted from taxation, from military service and from the jurisdiction of ordinary law-courts. The pope always appointed a Conservator Apostolic, usually a bishop, an archbishop or some other prelate whose duty was to see that these immunities and

privileges were duly respected. Hence we find Innocent III in 1212 checking the chancellor of the University of Paris, when he claimed from the masters the oath of obedience to himself, and his powers were consequently restricted by the action of later popes.

The popes, in several cases, found it necessary to intervene to defend the scholars in their conflicts with the civil authorities. In 1220, by way of example, we find the students of Bologna appealing to Honorius III in a dispute with the authorities of the City. The Pope took up their side against the authorities who had drawn up statutes that encroached on their rights. So, Nicholas IV in 1288 threatened to dissolve the university of Padua unless the authorities repealed the ordinances they had formulated against the interests of the teachers and students. Hence it became quite usual for the universities to appeal to and lay their grievances before the Holy See, and in this they were generally successful.

The popes, besides, always granted the universities ecclesiastical benefices for the maintenance of professors and scholars. In many cases, especially in Germany, the universities were endowed for the greater part, if not entirely, with the revenues of chapters and monasteries. The emperor or the king in like manner granted financial aid to these institutions, but, generally, the first endowment was drawn from ecclesiastical benefices (3). In the University of Salamanca the payment of its professors was, at first, so poor that in 1298, they suspended their lectures, in consequence of their scanty remuneration. A remedy for this difficulty was provided by the appropriation of some ecclesiastical revenues of the diocese for the purpose of increasing the professors' salaries. In nearly all the German universities the professors were partly remunerated by the appropriation of prebends of neighbouring churches. The popes for the sake of peace intervened on several occasions and insisted on the payment of salaries to the professors: Boniface VIII (1301) and Clement V (1313) at Salamanca, Clement VI (1346) at Valladolid, and Gregory IX at Toulouse, where Count Raymond had refused to pay the salaries.

The action of the Church is also seen in the institution and endowment of "colleges". At first no provision was made for the

(3) Cfr. E. Brück, *Manuale di Storia Ecclesiastica*, (Italian translation by C. Castelletti), 5th edition, p. 458.

maintenance and discipline of the students who resorted in great numbers to the centres of learning for the purposes of study. To remedy this deficiency, or rather to help and protect the poor foreign students residing in these centres and to preserve all from the dangers of university life, houses of residence were established. Thus Robert of Sorbonne, chaplain to Louis IX, founded at Paris the establishment named after him—the College of Sorbonne. Of similar character was that instituted by Zoen, Bishop of Avignon, in 1256. From these houses of residence which became, in time, the chief financial support of the universities, developed later the college-system of the university. And here also, as we have said, one sees the beneficial hand of the Church. The popes themselves set the example of endowing these colleges, and revenues of monasteries and chapters were appropriated to serve for the same purpose. As for the part played by churchmen in the institution of these colleges, besides the already mentioned famous **College of Sorbonne**, which, in the words of F. X. Funk, “in course of time achieved such fame that it became identified at first with the faculty of theology, and finally with the whole university” (4), we may mention: the College of Brescia founded by William of Brescia, archdeacon of Bologna, in 1326; the foundation at Cambridge by Hugh de Balsham, Bishop of Ely, in which we see the origin of Peterhouse, its oldest college; the institution of New College by William of Wykeham, bishop of Winchester, and the famous College of Spain founded by Egidio Albornoz, Cardinal Archbishop of Toledo.

Finally, in our appreciation of the work of the Church in the development of medieval universities, we cannot fail to bring into relief the contribution of the Religious Orders to the entire life of the university. The ideal of the friar as contrasted with that of a monk was that instead of withdrawing from the ordinary life of men, he should take part in their pursuits and activities and thereby sanctify them. Accordingly, the friars began at once to share in the “fever of learning” which marked the beginning of the 13th century. The Franciscans were early to be found among the hearers at the “studia” and presently among the masters. So the Dominicans whose ideal was, above all, intellectual activity, were soon to be found in every great centre of Europe attending

(4)F. X. Funk, *A History of the Church* (English translation by C. Perciballi) Vol. I, p. 422.

the "studia" as listeners and disputants. In Italy where the friars had, for a long time, been recognised as teachers of theology, the professors and the majority of students were drawn, for the greater part, from the newly-founded Orders, when the faculty of theology was established at Bologna in 1260. The Dominicans had from the first attended the lectures in theology at Paris, so that when St. Albert and his illustrious pupil went there, the one to teach and the other to continue his studies for the licentiate, the connection of the Order of Preachers with the University of Paris was of long standing. At Cambridge and Oxford the religious orders were admitted to degrees, a privilege which until the year 1337, was granted to them at no other university, save that of Paris. Hence, J. B. Mullinger concludes: "Their interest in and influence at these three centres was consequently **proportionably great**" (5). The friars, therefore, especially the Dominicans and Franciscans who were the most active promoters of learning at the time, were an important element in the student-body and in the teaching-body of the universities and distinguished themselves as scholars and teachers.

The part played by the Church, therefore, in the foundation and development of universities was great and generous. Through her initiative, support, aid and protection She led the universities to that height of splendour and dignity in learning which characterizes medieval Europe. For the medieval university was an important factor in the enlightenment and social progress of the times. Its studies and training elevated the human mind and at the same time recognised reason as the handmaid of faith. It was the centre in which the philosophy of the ancients and the **jurisprudence of the Romans** were revived and developed to meet the requirements and demands of the times. "From it the **modern university** has inherited the essential elements of corporate teaching, faculty organization, courses of study and academic degrees" (6). So that we do not wonder at all at the lofty claim made by Bl. Jordanus of Saxony, fourth Master-General of the Order of Preachers, who saw in the Papacy, the Empire and the Universities a "trinity of mysterious virtue" whose co-operation sustained the temporal and spiritual well-being of the people of Christendom."

(5) J. B. Mullinger, The Enc. Brit. (11th ed.) art. "Universities", p. 755.

(6) E. Pacc, The Cath. Enc., i.e., p. 194.

QUAESTIONES

de re Morali—Canonica—Liturgica

CASUS MORALES:

Felix destruxit horologium valde pretiosum Carmeli, quod ipse credebat firmiter pertinere ad Laurentium, suum adversarium, et dicebat confessario imponenti sibi munus reddendi se iniuriam non Carmelo sed Laurentio intellexisse inferre. "Si tu damnificatum Carmelum non vis resarcire inabsolutum te mitam" dixit confessarius poenitenti Felici. Felix accepit et absolutus dimissus est.

Quaeritur :

Primo: Quomodo explicas conditionem "Theologicae culpabilis causa" ad damnum reparandum necessaria cum ista sit iniusta et efficax?

Secundo: Ad quid tenetur qui obligationem certam imponit, si de ea certo non constet?

Tertio: Utrum Felix aliquam iniuriam Carmelo intulerit?

Quarto: Ad quid tenetur confessarius qui errat ex deficientia doctrinae?

AD PRIMUM QUAESITUM RESPONDEO :

Culpa Theologica idem sonat ac peccatum formale; eam igitur removet quicquid a peccato formali excusat, puta ignorantia, inadvertentia, vis etc. Nullum ergo damnum theologicè culpabile esse potest quin saltem in confuso praevisum fuerit, iuxta adagium: "Nil volitum quin praecognitum." Et ideo sicut quis non tenetur sarcire damnum quod alteri intulit e.g. : grando, aut fera nullius, ita nec tenetur damni quod ille intulit praeter voluntatem. Nec dicas damnificatorem, etsi de facto non praeviderit, praevidere debuisse, et consequenter teneri damni, quia ista ratio in idem incideret, et quaeri potest et debet utrum de facto ad obligationem praevidendi ille praeviderit, seu utrum ad obligationem praevidendi ille voluntarie non adverterit. Culpa ergo theologica ita dicitur, ut bene aliqui auctores adnotant, non praecise in quantum importat offensam Dei, sed potius in quantum actio damnificativa procedit a libera voluntate agentis, et ideo agenti imputabilis; dicitur ergo theologica ut a culpa civili distinguatur.

AD SECUNDUM :

Adest principium pro praxi nullo modo controversum inter theologos ; nempe : non est imponenda obligatio nisi de ea certo constet. Hujus principii applicatio occurrere facile potest in tribunali poenitentiae ex parte confessarii in materia restitutionis. Ideo confessarius qui sciens et volens positive imponit poenitenti, uti certam, obligationem restituendi, dum de eius certitudine non certe constat, tenetur corrigere errorem et quidem ex iustitia aliquando cum gravi proprio incommodo. Confessarius enim in casu est causa efficax et iniusta damni ipsius poenitentis. Et si culpabiliter correctio negligatur, trahit secum onus restitutionis ex secunda radice. Error corrigi seu reparari debet quantum fieri potest in confessione si poenitens rediturus speratur et non adest periculum in mora ; secus petita prius et obtenta licentia poenitentis, tenetur confessarius errorem extra confessionem corrigere. Ex hoc vero non semper sequitur confessarium, etsi culpabiliter erraverit, imposita poenitenti incerta obligatione restituendi ad restitutionem teneri. Nam obligatio corrigendi errorem ex parte confessarii, per restitutionem ab ipso confessario faciendam, debet esse certa, quia in casu iterum principium in praxi recidit, seu non adest obligatio certa restituendi nisi de ea certo constet, quod valere potest et valet etiam pro ipso confessario, tanquam damnificatore in poenitentem. Ita ex. gr. : si confessarius imponat poenitenti obligationem restituendi, ductus ex opinione probabili, antequam obligetur ad restituendum, videndum est utrum ipsa opinio quam secutus est confessarius, etsi non certa, satis sit communis et in praxi sequenda, etsi opinio contraria non careat probabilitate tum intrinseca tum extrinseca. Non desunt enim doctores qui in hoc casu non obligent confessarium ad restitutionem. Ita Lehmkühl quem secutus est Arregui, qui ait "ut vero confessarius tunc iniuste poenitenti damnum intulisse dicatur, usus **opinionem severiore** in onus et incommodum poenitentis, videtur requiri ut obligaverit poenitentem contra eam opinionem, quae communis est vel communiter ut practice sequenda statuitur..... equidem non auderem confessarium iniustitiae reum pronuntiare."

AD TERTIUM :

Celebris quaestio est, seu fuit iuxta aliquos, inter theologos utrum scilicet error in personam ita faciat ut deesse possit for-

malitas in actione damnificativa.

Prima sententia docet damni non teneri eum qui alium pro alio laesit errore invincibili. Et auctores hujus sententiae ita arguunt — ad onus restitutionis ratione damnificationis non sufficit sola actio materialis iniusta sed insuper requiritur actio formaliter seu voluntarie iniuriosa in alterum qui laeditur. Haec autem actio iniuriosa deest voluntaria in casu erroris in persona, cum accidat actio praeter voluntatem, quae non est alicui formaliter iniuriosa: si enim intendo, ex. gr. tantum laedere Titium et quemcumque alium excludo, tunc neminem voluntarie offendo: non Titium quia de facto is non laeditur, non alterum quia respectu istius, mea actio est prorsus involuntaria et ideo error est circa substantiam.

Secunda sententia docet eum qui errore invincibili alium pro alio laesit, damni sarcindi obligatione teneri. Et qui eam tenent, ita arguunt—ratio culpaeficere potest quidem quoad aliquas circumstantias delicti substantiae extrinsecas, et quoad consecutaria earum circumstantiarum, non vero quoad delicti substantiam et quoad consecutaria ipsius substantiae. In casu autem nostro deficit offensa, quatenus deest malus laedentis animus erga personam particularem, quae tamen non impedit quominus substantia iniuriae sit dolosa et iniusta ac plane voluntaria.

Quidquid sit, secunda sententia hodiernis temporibus evadit communis et satis probabilis et mihi videtur verior immo in praxi sequenda. Non desunt enim auctores recentes qui distinctionem inter iniuriam formalem et iniuriam materiale deducunt simpliciter ex errore in personam, vocant meram subtilitatem. Ergo ad quaesitum respondeo: iuxta communem sententiam quam aliqui auctores negant, probabiliter Felix in destruendo horologio Carmeli, etsi intenderit damnificare tantum Laurentium, iniuria in Carmelum non est immunis, et quidem formali, et ideo Felix tenetur sarcire damnum Carmelo et tantum quantum saltem in confuso praevidit. Quoad confessarium nostrum qui in casu imposuit onus restituendi poenitenti sub denegata absolute, male se gessit, quia in praxi confessarius debet esse semper potius benignus quam rigidus, quod fieri potest, sed ad restitutionem erga Felicem damnare non audeo confessarium, quia, cum secutus esset sententiam probabilem et satis communem, de ista obligatione non satis constat.

AD QUARTUM :

Tenetur imprimis, et patet, aut sibi comparare scientiam, et quidem sub gravi, sufficientem qua casus ordinarie contingentes percipere et resolvere possit, et saltem in casibus difficilioribus prudenter dubitare sciat, aut statim desistere ab audientibus fidelium confessionibus. Si ergo sciens et volens se exponit ad periculum errandi, et ideo saltem in confuso praevideat se erraturum, iam peccat graviter, cum iam dispositus est ad errandum, et si de facto errat, cum voluerit causam censetur voluisse effectum, tenetur subire omnia incommoda quae oriri possunt ex ista deficientia scientiae. Ad quae incommoda ipse teneri potest aliquando ex iustitia et quidem sub gravi et cum proprio gravi incommodo, et aliquando ex caritate tantum, quod pendet ex genere errorum et ex circumstantiis in errando.

* * *

Clara puella valde morigerata et nubilis, apud confessarium confessionem sacramentalem instituit, in qua declaravit, se adhuc puellam absque ulla malitia sed in simplicitate constitutam a quodam confessario in actu sacramentalis confessionis ad turpia sollicitatam fuisse. Confessarius obligavit eam ad denuntiationem faciendam, ipsa autem renuit ob sequentes rationes: (i) Quia iam notabile tempus effluxit a die sollicitationis, (ii) Quia ipsa erit in simplicitate constituta quando sollicitata fuit, (iii) Quia ipsa est nubilis et non potest denuntiare absque periculo infamiae, (iv) Quia confessarius sollicitans perfectus est in regionem longinquam et ipsa nescit quo se contulerit, (v) Quia ipse est superior, benefactor sui et consanguineus ipsius Clarae, (vi) Quia ipse audivit confessarium sollicitantem esse mortuum.

Quaeritur :

Primo: An obligatio denuntiationis contra sollicitantes sit de iure ecclesiastico.

Secundo: An grave incommodum excuset ab hac obligatione.

Tertio: An valeant rationes allatae a Clara.

AD PRIMUM QUAESITUM RESPONDEO :

Finis praecepti positivi ecclesiastici iuxta canonem 904, non solum est emendatio personae particularis, sed potius securitas publica sacramenti et animarum, ex certa castigatione sceleris et ex metu indeclinabili confessariorum obtinenda; quod facile evinci potest ex ipso verborum tenore quibus Summi Pontifices

in diversis constitutionibus usi sunt, necnon ex diversis decretis et responsionibus S. Congregationis S. Officii. Hinc obligatio gravis denuntiationis adest non solum specialis ex lege positiva ecclesiastica, et quidem sub poena excommunicationis latae sententiae nemini reservatae, sed etiam generalis ex lege naturae, qua omnes ad hoc tenentur, si necesse sit ad damnum fidelium removendum, dummodo denuntiatio sit medium necessarium: et efficax et sine proportionato incommodo fieri possit. Hinc obligatio denuntiationis contra sollicitantes non est tantum de iure ecclesiastico, sed etiam de iure naturae. Ex his sequitur quod inter personas sollicitatas et alios qui delictum cognoverint, hoc datur descrimen: illae tenentur denuntiare ex utroque iure, et ex solo iure ecclesiastico intra mensem sub poena excommunicationis, latae sententiae nemini reservatae; hae teneri possunt aliquando ex solo iure naturae at sine dicta sanctione poenali.

AD SECUNDUM:

Agitur de obligatione ex lege positiva orta et ideo ex iusta causa sollicitatus a denunciatiōne faciēda excusatur: hoc enim praeceptum, licet gravissimum, quandoque est solum praeceptum positivum ecclesiae, quod cum gravissimo incommodo non obligat. Si tamen denuntiatio simul faciēda sit ex lege naturae, ubi nempe sollicitatio inducit publicum scandalum vel damnum commune, ab ea faciēda nec, iuxta omnes, gravissimum quidem incommodum privatum deobligat. Bonum enim publicum privato bono praevalere debet.

AD TERTIUM:

Distinguendum est: Nam Clara poenitens sollicitata in actu confessionis adduxit plures rationes, non eiusdem gravitatis quibus se exoneratam in conscientia esse ab obligatione denunciandi confessarium putabat. Prima ratio allata, aliis verbis, ex eo quod iam notabile tempus effluxit a die sollicitationis, non valet, et ratio patet. Constat enim ex verbis constitutionis Benedicti XIV.

Secunda ratio, quia scilicet ipsa erat in simplicitate constituta quando sollicitata fuit, nec etiam valere potest, quia ut constituatur crimen sollicitationis et ideo denuntiandum, non requiritur nec malitia in persona sollicitata, nec quidem adver-

tentia ad malitiam. Hoc constat ea decreto S. Officii 11 Maji 1707.

Tertia ratio, id est quia ipsa est nubilus et non potest denuntiare absque periculo infamiae, valere potest, dummodo agatur de vero periculo seu aliis verbis, dummodo adsit timor fundatus gravis damni in bono famae ipsius Clarae. Dixi dummodo vere periculum adsit, nam periculum infamiae pro persona denuntiante per se nunquam censetur causa legitima excusans, quia tot ac tantae cautelae adhibentur, ut vix infamia ipsi obvenire queat, et ideo raro adesse potest in poenitente periculum diffamandi seipsum, quia persona sollicitata de consensu praestito non interrogatur neque interrogari potest, et si fuerit interrogata, quod nefas est, potest negare — Hinc, nec etiam in casu valet ratio quia est nubilus, quando nullum periculum in bonum fortunae adesse potest; si vero in aliquo casu particulari, hujusmodi infamia haberi posset, excusaret ut dixi in responsione ad secundum.

Quarta ratio: seu quia confessarius sollicitans profectus est in regionem longinquam et ipsa nescit quo se contulerit.

Ista ratio non valet, et patet, quia secus lex esset inutilis; quod constat ex ipsa natura obligationis denuntiationis.

Quinta ratio, seu quia ipse est superior, benefactor sui et consanguineus ipsius Clarae.

Quia confessarius sollicitans est superior, non debet valere ratio, et ideo per se denuntiandus est: si est vero ipse ordinarius loci controvertitur inter theologos, quia si ipse ordinarius loci est iudex, non videtur cur sit quoque reus denuntiandus. Sed sententia contraria longe probabilior est, et ea tenenda. S. Officium enim urget denuntiationem et in casu denuntiatio fieri debet S. Congregationi S. Officii.

Quia est benefactor, videndum est utrum confessarius sollicitans Claram fuerit tam insignis benefactor eius, a quo ipsa Clara extraordinarium et necessarium subsidium accipiebat, quia iuxta omnes theologos, si agatur de tanto benefactore et propter denuntiationem, tanta beneficia poenitens amitteret, videtur excusari posse, nisi vero agatur de gravi malo communi avertendo.

Quia est consanguineus; iuxta omnes ista ratio potest excusare poenitentem ab obligatione denuntiationis, dummodo vero agatur de consanguineo proximo coniuncto vel de affine.

Sexta ratio, quia ipsa audivit confessarium sollicitantem esse mortuum. Si poenitens certo noverit confessarium sollicitantem defunctum esse, certum est obligationem cessare, quia cessat finis legis—quod colligitur ex decreto S. Poenitentiariae, 24 aprilis 1884. In dubio vero poenitens tenetur et ratio patet.

* * *

Lucia marsupium invenit ad limen Virginiae, et laeta aperuit illum in domo sua coram marito suo inhianti. Multa praetiosa, praeter nummos multos aureos, erant in marsupio, quae omnia uno consensu sua fecerunt maritus et uxor. Marsupium erat Virginiae, nec Lucia poterat dubitare quia audiebat eam referentem omnia singillatim et minutatim in marsupio collecta. Vae tibi, dixit maritus uxori suae Luciae, si tu verbum facis de his bonis, cum ipsa ei animum manifestavisset reddendi ex iustitia quod invenerat. Confessarius, audita confessione Luciae, perplexus de pravo animo et forti mariti ejusdem, et de iure stricto posito in his circumstantiis, et praesertim de vitae Luciae periculo, hanc fecit conclusionem dicens: Quiesce, filia, respondeat maritus tuus coram Deo; capta vero occasione, tu magna cum prudentia redde domino quod suum est.

Quaeritur :

Primo: Peccatne qui omittit voluntarie colligere aliquid pretiosum quod quis ignotus amisit?

Secundo: Qui rem inventam suscipit ad quid tenetur?

Tertio: Lucia potuitne iudicari posita in extrema necessitate ob minas mariti?

Quarto: Quid de modo agendi confessarii?

AD PRIMUM QUAESITUM RESPONDEO :

Res inventae sunt quadruplicis generis: thesauri, res vacantes, res derelictae, res amissae. Quando, spectatis adiunctis, nulla amplius spes adest inveniendi dominum, ex illius dominio excidisse censetur, et pro derelicta habetur. Inventor rem inventam in suo loco relinquere potest, quod omnes theologi admittunt; ordinarie tamen existit obligatio, non quidem iustitiae sed caritatis, eam secum ferendi. Non existit obligatio iustitiae quia secluso speciali contractu, nemo ex officio tenetur rem alienam secum ferre; potest autem existere obligatio caritatis et ratio patet quia tenemur damna a proximo avertere,

si commode fieri potest. Hinc, si alias dominus rem suam non recuperaret, et si spes adsit dominum detegendi, urget obligatio rem assumendi, nisi incommodum excuset; quae quidem obligatio eo maior est, quo maius est detrimentum, quod dominus ex re amissa patitur.

AD SECUNDUM :

Qui rem inventam assumpsit, tenetur non tantum ex caritate, immo etiam ex iustitia dominum inquirere, non suis sed domini expensis, et interdum eam deligenter custodire. Ratio patet quia qui rem inventam assumit, implicite ex iure naturae contrahit obligationem strictam inquirendi dominum, quia eo ipso rem alienam sponte in suam custodiam recipit, et qui autem rem alienam in sua custodia habet, cum res amissa non amittat dominum, non potest ea uti, si usu deterior fit, sed tenetur eam diligenter domino conservare eamque reddere, et si dominus ignotus sit, aptis mediis eum quaerere.

Quomodo vero, ista inquisitio facienda est? Certus modus dominum inquirendi lege naturae quidem non praecipitur, sed quilibet sufficit qui ad finem idoneus reputetur; lege positiva autem modus investigandi dominum accurate determinatur; si res inventa non est minoris momenti, modus investigandi dominum a lege praescriptus, generatim in conscientia servandus est: dixi generatim quia privata inquisitio non censetur modus aptus et sufficiens medium inveniendi dominum. Qui ergo statuta legis positivae sciens et volens non observat, non fit rei inventae dominus, nec per praescriptionem quidem quia ei non assistit bona fides, nec in casu dominus haberi irrationabiliter invitus potest. Tamen, uti aiunt complures doctores, non videtur iniustitia arguendus qui omissis his quae a lege praescripta sunt, aliis utitur mediis aequae aptis ad inveniendum dominum. Verum modus a lege positiva definitus est securior et facilior et ideo generatim consuliendus. Dispositiones iuris civilis in nostra regione statuuntur clare et praecise: Vide Ordinanza VII del 1868 art. 259-261, scilicet "Chi trova una cosa mobile che non sia tesoro, deve restituirla al precedente possessore; e se non lo conosce deve senza ritardo consegnarla alla Polizia. La Polizia rende nota la consegna per mezzo di un avviso da essere almeno due volte pubblicato nella Gazzetta di Governo. Passato un anno dal giorno della pubblicazione del secondo avviso,

senza che si sia presentato il proprietario, la cosa, ovvero, in caso che le circostanze ne abbiano reso spedito la vendita, il suo prezzo apparterrà al ritrovatore. Tanto il proprietario quanto il ritrovatore, riprendendo la cosa o il prezzo devono pagare le spese occorse. Il proprietario che riprende la cosa deve pagare al ritrovatore un premio regolato secondo le circostanze, e non eccedente il decimo del valore della cosa trovata.”—Praeterea in corpore iuris criminalis statuitur in capite Tertio art. 341, parag. 3. “Coloro che ritrovando cose altrui comunque smarrite o perdute, non ne facessero rivelo fra tre giorni alla Polizia esecutiva saranno imputabili di contravvenzione contro la proprietà.”

Praeterea in nostra regione ab antiquitus invaluit usus deponendi rem inventam apud Parochum loci in quo res invenitur. Parochus peragit publicationes, et inutiliter tempore a lege definito elapso, parochus tradit rem inventori qui tuta conscientia eam retinere potest. Hic usus cum vi apud legem careat, non videtur esse sufficienter securus, et ideo Parochi, etiam si res in ecclesia invenitur, securius agerent si rem statim deferant custodi civili, et si aliquod praeiudicium ipsi inventori qui rem omisit deponere intra tres dies, afferre possint, possunt tuta conscientia declarare sibi rem in loco confessionis traditam fuisse, tacito nomine inventoris. Elapso tempore statuto a lege, dominus censetur amittere dominium in rem suam. Hinc qui culpabiliter dominum investigare negligit, a fortiori dicendus, si rem inventam de industria abscondit, quando existit spes reperiendi dominium, causa est, cur dominus rem suam recuperare non possit, et ideo fit iniustus possessor rei alienae, eamque retinere non potest, sed, si dominus non compareat, in pauperes vel in usus pios erogare debet, quod est sententia communis, quia nemo sibi afferat commodum ex propria iniquitate.

AD TERTIUM:

Causae a restitutione excusantes enumerantur quatuor: a) condonatio creditoris, b) impotentia debitoris, c) cessio bonorum, d) compositio. Ex istis causis, impotentia et cessio bonorum solum ad tempus excusant, seu potius suspendunt obligationem restituendi, quamdiu durat causa. Harum causarum principium commune est: ex parte debitoris excusant ea omnia quae efficiunt, ut creditor non possit esse rationabiliter invitatus,

QUAESTIONES DE RE MORALI-CANONICA-LITURGICA 61

etsi re ipsa invitus sit. Creditor autem tunc non potest esse rationabiliter invitus, cum debitor restituendo subiret incommodum notabiliter maius quam sit incommodum creditoris ex restitutione non percepta. Quodsi dominus omisa restitutione aequale incommodum pateretur ac debitor, hic a facienda restitutione non excusatur. Impotentia dicitur moralis quando restitutio fieri non potest sine gravi damno, quod exinde debitori vel tertio oriretur. Omnes auctores admittunt quod obligatio restituendi suspenditur, si restitutio fieri nequit sine gravi damno in bonis alterius ordinis. Ergo attenda narratione casus, Lucia videtur inveniri in vera impotentia morali. Nec vero requiritur ut Lucia inveniatur in periculo amittendi vitam quam minatus est vir eius, sed sufficit etiam si inveniatur in periculo amittendi pacem domesticam seu conjugalem. Ista vero causa non eximit Luciam ab obligatione faciendi quod in ea est ut opportune suadeat viro de eius stricta obligatione.

AD QUARTUM:

Confessarius in exonerando Luciam ab obligatione restituendi, manente cause iusta deobligante, non videtur reprehendendus, immo laudandus. Sed male se gessit si omiserit accusare Luciam de peccato furti interne commisso quia ipsa statuit eius consensu cum marito, sibi facere marsupium ut narratur in casu.

QUAESTIONES CANONICAE:

Utrum actio poenalis sicut actio criminalis subsit praescriptioni?

Resp. Non idem sentiunt canonistae. Qui negant asserunt terminologiam Codicis non esse tam claram ut erui possit. cfr. Can. 1702, 2210, 1340. Qui adfirmant adducunt rationes iuridicas quae valent pro crimine praescripto et ideo valere possunt et debent pro ipsa poena praescribenda. Secunda sententia videtur verior et practice sequenda.

* * *

Quid influant obreptio et subreptio in rescripta S. Sedis.

Cum in omnibus rescriptis subintelligenda sit, etsi non expressa, conditio (essentialis ad valorem) "si preces veritate nitantur" (Can. 40), necesse est ut supplex libellus subreptionis vel obseptionis vitio in essentialibus non laboret. Iuxta canonem

42 p. 1 ne rescripta, praesertim S. Sedis, ob subreptionem sint invalida, debent exponi ea omnia quae ex iure vel de stylo Curiae sunt ad validitatem exprimenda. — Juxta can. 42. p. 2 ne obreptione rescriptum vitietur sufficit ut una causa motiva sit vera, licet aliae falsae sint, vel falsae sint causae impulsivae. In fine iuxta can. 42 p. 3 vitium obreptionis vel subreptionis in una tantum parte rescripti, aliam non infirmat, si una simul plures gratiae per rescriptum concedantur.

* * *

Quid agendum in matrimonio cum adest dubium de alterius contrahentis baptismates?

In casu quo adsit dubium de baptismo alterius partis, nec ullo modo deponi possit, ad matrimonium contrahendum necesse est vel ut renovetur baptismus sub conditione (quod tamen non licet nisi pars dubie baptizata consentiat in baptismo et velit ad fidem catholicam converti, si eam antea non profitebatur) vel ut dispensetur ad cautelam super impedimentum disparitatis cultus. In dubio facti ipse ordinarius potest dispensare ad normam canonis 15. Ad dubium illud de baptismo depellendum, Parochus cui competit, servet normas can. 1031 par. 1. simul attendens ad praescriptum can. 779. "Ad collatum baptismum comprobandum, si nemini fiat praeiudicium, satis est unus testis omni exceptione maior, vel ipsius baptizati iusiurandum si ipse in adulta aetate baptismum receperit."

QUAESTIONES LITURGICAE:

Quid in casu, quo denegata sepultura ecclesiastica, aliquod damnum imminet?

Resp. Habemus duas responsiones Cong. S. Officii.

13 Julii, 1609. Quando, ex negata sepultura ecclesiastica, aliquod damnum tranquillitati fidelium merito timeretur, tolerari posse, dummodo absit contemptus religionis et scandalum fidelium.

30 Martii, 1859. Tolerari posse ut consanguinei acatholici inferantur sepulchro gentilicio catholicarum familiarum ad maiora mala vitanda.

Utrum Sabbatum Sanctum connumeretur inter dies liturgicos.

Resp. Neg: Sabbatum Sanctum connumeratur inter dies aliturgicos etiam in ritu latino. Quod si ea die missa conventualis celebratur, hoc non fit nisi per anticipationem illius missae, quae antiquitus noctu in vigilia offeratur in memoriam Dominicae Resurrectionis. Vide l'Ojetti, Synopsis rerum moralium et iuris Pontificii—Vol. III.

Quaenam distantia tenenda sit inter sepulera et altare?

Resp: Can. 1202. p. 2: "Subtus altare nullum sit reconditum cadaver; cadavera autem quae prope altare sepulta forte sunt, distent ab eo saltim spatio unius metri; secus Missam in altari celebrare non licet, donec cadaver removeatur."

Book Reviews

THE OLD TESTAMENT AND THE FUTURE LIFE (Ed.

F. Sutcliffe, S.J.) — (The Bellarmine Series No. 8),
Burns Oates and Washbourne, 1946; 16s.

Man's lot in the hereafter is a matter that has affected mankind throughout all ages. The Egyptians and the Babylonians, the two most cultured people of the Ancient Near East, had their own conceptions concerning future life and retribution, their funeral rituals and their prayers to their gods for a happy life in this world or in the other. The Israelites too, the People of the Promise and the depository of revelation, had their own system of beliefs reflecting, on the one hand, their racial affinities with the Babylonians and, on the other, God's providence in the religious and moral upbringing of his people.

In this book, which contains a course of lectures given at Heythrop College in the scholastic year 1942-1943, we are presented with a thorough and scholarly investigation of the problem of the Israelites' belief in future life, retribution and the resurrection of the body. The main conclusions may be briefly summarized thus: The early Israelites believed in the survival of the soul after the dissolution of the body, but had no definite ideas of retribution beyond the grave; punishments and rewards were meted out in this life (pp. 19-29). At the time of *Ecclesiasticus* (4th or 3rd century B.C.) retribution was still believed to be restricted to this world (pp. 29-36), "the views of the author on the future state being fundamentally the same as those that are reflected in the Pentateuch" (p. 36). Hence the inference is drawn that during the intervening centuries the Israelites had no idea of future rewards and punishments and that, consequently, all passages in the Psalms and other books that seem to express a higher conception of retribution must be interpreted in the sense of temporal retribution (pp. 69-81). But at the same time, a more developed doctrine of personal responsibility and the many anxious searchings of heart caused by the apparent contrast between God's justice and the prosperity of the wicked and the suffering of the righteous were gradually leading to a loftier conception of retribution (pp. 81-109) which is clearly set out in the book of Wisdom (pp. 109-115). The doctrine of the resurrection of the body is ex-

pressly taught in the book of Daniel (12, 2) and in the second book of Maccabees (pp. 138-147); there is no reference to resurrection in Job 19, 25-27.

These conclusions are, in the main admitted by one and all. There is, however, one slight remark which I should like to make. That the Israelites had no definite ideas of future retribution before the 2nd or 1st century B.C. I am willing to admit. But how are we to explain the sudden appearance of a fully developed doctrine in the book of Wisdom written in the 1st century or towards the end of the 2nd century B.C.? Father Sutcliffe replies: "It may be that Ecclesiasticus was written three or four generations before this time..... It may also be that the new ideas did not spread at once throughout the nation" (p. 193). I should rather say that divine providence **had long been preparing** the people for the fuller development of the doctrine by permitting the righteous to suffer and directing their hopes of reward beyond this world. If God was just, as they firmly believed, righteousness could not go unrewarded nor sin unpunished. If temporal retribution was inadequate, was it not natural that the Israelites should hope at least for **some sort of retribution** after death? This even Father Sutcliffe admits (p. 192), but he does not seem to give it the importance it deserves.

If we admit that long before the book of Wisdom was written the Israelites, or at least the more spiritually-minded, had the germ of the true doctrine of retribution which they expressed as a confident hope and an ardent desire, certain passages of the books of Psalms and Proverbs cannot be forced into the narrow limits of exclusive temporal retribution. David's words: "Because thou wilt not leave my soul in hell (Sheol); nor wilt thou give thy holy one to see corruption" (Ps. 15, 10) can hardly be interpreted as "expressing the confident hope that God will deliver him from present danger and save him from death" (p. 80) even if this deliverance is considered as the type of Christ's resurrection. David is in reality professing his unshaken faith in Yahweh and expressing the hope that the joy which he is feeling as the effect of his fellowship with God will not end with death, but will continue beyond the grave in an eternal life with God.

This however is only a point of detail which does not detract from the value of the book. The discussion is based on sound biblical exegesis. There is hardly a single relevant passage in the books of the Old Testament which is not quoted, explained and discussed. The book is a valuable addition to the existing treatises on Old Testament Theology and will be greatly appreciated by students of Theology and biblical scholars alike.

P. P. SAYDON.

KTIEB GOB maqlub mil-Lhudi u mfisser minn Dun P.P. Saydon; Malta, The Empire Press, 1947, pp. xi+77.

Within a few months after the publication of *Ester* Prof. Saydon has given us the 14th volume of the translation of the Bible. The book of Job is one of the greatest masterpieces of world-literature going back hundreds of years before Christ antedating most of the Greco-Roman classics.

Job is a very difficult book to translate both from a textual and from a linguistic point of view. The Massoretic text in some cases, as in the famous passage which seems to speak of the resurrection of the body (19, 25-27) is corrupt beyond emendation. The LXX raises more than one textual problem (Swete, *Intr. to the Greek O.T.*, p. 256) and affords little help for the recovery of the original Hebrew. Moreover the meaning of many words must be determined by means of their Aramaic, Arabic or Assyrian equivalents (P. Dhorme, *Le Livre de Job*, pp. cxl-cxliii). Lastly the book is written in verse and deals with a very difficult problem, and therefore the translator first of all must transplant himself with his imagination back into those times before Christ and identify himself with the author to feel and think like him and only then to attempt to give expression to those feelings and thoughts in another language without in any way indulging in a free translation.

In our view the translator has tackled these problems in a masterly way. Even a cursory reading of the whole book would make one feel its modernness in conformity with the best and latest commentaries on this book. The Hebrew text is never slavishly translated, although there is a strict adherence to the original. The meaning of words is always determined according to the best established results of recent linguistic research.

As to its literary merits we outrightly say that it is one of the best contributions to our ever growing Maltese literature; it is the best that Prof. Saydon, already a well-known Maltese writer, has given us so far. He succeeded in reproducing the rhythmic movement of the original with all its oriental atmosphere and *nuances*. This is not an easy task, notwithstanding that our Mother tongue is near and akin to Hebrew (1). Read for example Job's curse of the day of his birth (ch. 3), God's speeches in chs. 38ff, especially the description of the war-steed (39, 19-25) of the hyppopotamus (40, 15-24), and of the crocodile (40, 25-41, 26).

The notes are more extensive than in the other books; it is desirable that more notes would accompany the text, but this perhaps would make the work look more like a commentary than a translation. We hope that the public would not be indifferent to the enormous task which Prof. Saydon has undertaken. Prof. Saydon is laying the foundations for future Maltese Biblical Literature; we encourage him to carry on imperturbed by any fear or lack of interest on the part of those who should know better that as a biblical scholar he has done his duty to his Church and his Country in giving the people the Bible in their mother tongue in conformity with the wishes of H.H. Pope Pius XII as expressed in the latest Encyclical *Divino afflante Spiritu* (*Acta Apost. Sedis*, XXXV, 1943, 297-326).

K. SANT.

(1)Il Rev. P. P. Saydon, già alunno del nostro Istituto ed ora Professore di S. Scrittura nell'Università di Malta sua patria, da un decennio viene pubblicando una sua propria versione dei Sacri Libri dai testi originali nella sua lingua materna con sobrie note ed illustrazioni, per rendere accessibile al suo popolo la divina parola e fargliela meglio gustare quasi in fonte. Infatti il Maltese, colla struttura delle lingue semitiche e la spontaneità della parlata popolare, è meravigliosamente adatto a riprodurre insieme col senso anche il colore e tutte le sfumature dell'originale ebraico; e sotto questo aspetto la traduzione di quel profondo conoscitore delle due lingue, che è l'esimio Professore di Malta può interessare anche il filologo. Essendo inoltre la prima versione integrale di tutta la Bibbia in Maltese, può chiamarsi a buon diritto un vero avvenimento letterario. L'opera intrapresa dal Prof. Saydon con eccellente preparazione e pari coraggio, procede celeramente, ed auguriamo di gran cuore che sia condotta felicemente a termine (A. Vaccari, *Biblica*, 1929, 435).

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