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THE HOMILY

THE TERM ὁμιλία generally means 'intercourse', namely an interchange of thoughts and feelings by words.¹ In Xenophon² it is used to indicate the instruction given by a philosopher to his pupils during familiar conversation, and in this meaning it has passed into Christian usage. The first Christian writer who probably first used the term ὁμιλία in this meaning is Origen: the talks on select chapters or passages of the Bible, which Origen delivered in liturgical assemblies have come down to us under the title 'Ὁμιλίαι; if Origen himself has given them this title, he must have derived it from the schools of philosophy. The nature of Origen's 'Ὁμιλίαι is that of a familiar talk to impart spiritual edification: the author's intention is mainly the care of souls, the conversational tone is predominant, there is no trace of rhetorical elaboration, and the outline disposition and external form are simple.

We find the term in St. Luke in the sense of 'speaking with',³ but in Acts 20, 11 St. Luke uses the word ὁμιλήσας of the same address he had previously described by the word διαλεγόμενος – for the first time the word is here used in connection with the breaking of bread, for St. Luke is referring to what was evidently an informal discourse or exposition of doctrine, as we are told that St. Paul 'talked a long time... until daylight.'

According to Photius⁴ the discourses of St. John Chrysostom were properly speaking not λόγοι but ὁμιλίαι as they were simple in style, without any artificiality and delivered in a style rather conversational

¹In this sense it is used in I Cor. 15, 33.

²Memorabilia, I, ii, 6 and 15.

³In Lk. 24, 14 we find the word ὁμιλοῦν and in Acts 24, 26 the word ὁμιλεῖ both in the sense of 'speaking with.'

⁴Bibl. 174, 4. The statement would apply to those homilies which have reached us as taken down by the stenographers, and not to those which were written for publication.

than formal, while the λόγοι were constructed according to the rules of art, and with a certain dignity and elevation of style.

The first time we find the term used in its technical sense of a sermon preached by a celebrant during the liturgical assembly is in the decrees of the Council of Ancyra (A.D. 314), which forbade presbyters who had sacrificed to idols προσφέρειν ἢ ὀμιλεῖν ἢ ὄλωσ λειτουργεῖν.⁵

In the West it seems that the term was not in common use before the fifth century, for we find St. Augustine saying that the Greeks use the term ὀμιλίας to indicate the 'sermones qui proferuntur in populis',⁶ and in several instances he supplies examples that such sermons were intentionally colloquial in style.⁷

From the earliest times the sermon followed immediately the reading of the Gospels. 'After the reader had finished his task,' St. Justin tells us,⁸ 'the one presiding gives an address, urgently admonishing his hearers to practise these beautiful teachings in their lives.' The sermon in fact belongs to the pre-Christian elements of the Liturgy: the Sabbath Bible reading in the synagogue had, according to rigid custom, to be followed by a clarifying explanation, and this was for Our Lord the main opportunity for proclaiming his kingdom.⁹ We find also St. Paul and St. Barnabas at Antioch in Pisidia being invited by the head of the synagogue to address words of encouragement to the assembly.¹⁰

It stands to reason therefore to suppose that in Christian worship the homily was from the start intimately connected with the readings from the Scriptures, and must be considered as an indispensable part of public worship. This took place on Sunday 'on the day which is called

⁵ can. I.

⁶ Enarr. in Ps. 118, proemium.

⁷ Sermo 37, c. 10, n. 14: 'Dummodo omnes instruantur, grammatici ne timeantur.'

Sermo 299, in natali Apostolorum, n. 6: 'Nec quaerant grammatici quam sit Latinum, sed Christiani quam verum. Salus enim Latinum nomen est. Salvare et Salvator non fuerant haec Latina antequam veniret Salvator: quando ad Latinos venit, et haec Latina fecit.'

Enarr. in Ps. 138, n. 20: 'Non est absconditum os meum a te: quod fecisti in abscondito. Os suum dicit quod vulgo dicitur ossum, Latine os dicitur. Hoc in Graeco invenitur. Nam possumus hic putare os esse ab eo quod sunt ora; non os correpte, ab eo quod sunt ossa. Non est ergo absconditum, inquit, os meum a te, quod fecisti in abscondito. Habeo in abscondito quoddam ossum. Sic enim potius loquamur: melius est reprehendant nos grammatici, quam non intellegant populi.'

⁸ Apol. c. 67.

⁹ Lk. 4, 16; Mk. 1, 21 and parallel passages.

¹⁰ Acts 13, 15.

after the sun';¹¹ but Sundays were not the only days on which homilies were delivered, for Christians did not meet together for the liturgical service only on Sundays.

At the time of Tertullian, Wednesdays and Fridays were 'station' days¹² and Holy Communion was received on such days, for Tertullian remarks that many did not receive Holy Communion on such days not to break their fast:¹³ such days might have been occasions for delivering a homily.

Homilies were certainly delivered on the 'natalitia' of the martyrs: several are extant among the writings of the Fathers, and in one such homily St. John Chrysostom remarks that the whole city had gone forth to celebrate the memory of the martyrs at their tomb.¹⁴

The great festivals and fasts of the Christian year were likewise naturally occasions for the delivery of a homily. In Lent it was customary to preach every day; the homilies of St. John Chrysostom, on the book of Genesis, for example, are a Lenten course of this kind.

It was also a general custom to preach in the afternoon on occasion of particular devotion, v.g. vigils. In several discourses of St. John Chrysostom there are clear references that he is preaching in the afternoon;¹⁵ St. Augustine several times makes it clear by the expressions he uses that he was wont to preach both in the morning and in the afternoon;¹⁶ three of St. Basil's discourses on the Hexaemeron were certainly delivered in the afternoon.¹⁷ It is quite evident that when this happened the morning and afternoon sermons could not have both been delivered

¹¹ Justin, *Apol.* c. 67; Pliny in his letter to the emperor Trajan says that Christians were accustomed to meet on a fixed day: 'stato die ante lucem convenire'.

¹² *De Ieiunio* 12, 2: 'cur stationibus quartam et sextam sabbati dicamus et ieiuniis parasceven.' Cfr. also *ib.* 10, 5.

¹³ *De Oratione*, 19, 1: 'de stationum diebus non putant plerique sacrificiorum orationibus interveniendum, quod statio solvenda sit accepto corpore Domini.'

¹⁴ In *Martyres homilia*: 'Quis enim hodierno die non coetum nostrum miretur splendidum istud theatrum, caritatem ferventem, affectum ardentem, indomitum amorem? Ita tota propemodum civitas huc commoravit.' Then he says it would be ridiculous to go home and get drunk 'post huiusmodi conventum, post vigiliae, post sacrarum auditionem Scripturarum, post divinarum participationem mysteriorum, et post spiritualement largitionem.'

¹⁵ V.g. *Homilia X ad pop. Antiochenum*: 'arbitror enim multos iam pransos esse.'

¹⁶ V.g. *Enarr. in Ps. 88*, sermo 2: 'Ad reliqua psalmi, de quo in matutino locuti sumus'.

¹⁷ *Sermo 2*: 'mane in paucis explicandis verbis immorati...'; *Sermo 7*: 'ea quae tum matutina tum vespertina oratione explevi...'; *Sermo 9*: 'qualis vobis matutina sermonum mensa visa est...'

during the Mass. In fact there is abundant evidence that homilies were preached on every occasion that the faithful assembled together in church for a liturgical service: the readings of the Scriptures during the service were followed by a homily. Later on these homilies were substituted by readings from the homilies of the Fathers and this still takes place during our office of Matins.

The homily followed immediately the reading of the Gospel without any further intermediary or any special introductory prayer.¹⁸ The preacher addressed the congregation with the usual greeting and started the sermon. The most common greeting was 'Peace be with you', and the congregation would reply 'And with your spirit.'

Towards the end of the Middle Ages, it was the practice of the preacher to begin with an *Ave Maria* while everybody knelt: this custom is probably traceable to the mendicant preachers, and it is prescribed in the *Caeremoniale Episcoporum*.²⁰ It seems to have been in use for a long time within the Mass. Alongside the *Ave Maria*, also the *Veni sancte Spiritus* and the Lord's Prayer were permitted.²¹ But this belongs to a period when a great change had come over the homily. Towards the end of the Patristic period the homily had degenerated and there was even a time when hardly any preaching was done at all. During the height of the Middle Ages the sermon is again revived, but it loses its homiletic character and becomes separated from the Liturgy, though we still find instances of sermons preached during the Mass. The preacher moves away from the altar, though his stand, which in many languages still indicates the sermon's connection with the Mass, is still on the so-called Gospel side of the Church — this also shows the connection of the sermon with the readings from the Scriptures.²² The preacher's stand

¹⁸ It was not uncommon to say a short prayer before beginning the homily, but there was no prescribed form for this. As examples of such prayers we quote St. Augustine, Enarr. in Ps. 91: 'Attendite ad psalmum: det nobis Dominus aperire mysteria quae hic continentur'; Enarr. in Ps. 139: 'Iusserunt Domini fratres, et in ipsis Dominus omnium ut istum psalmum afferam ad vos intellegendum quantum Dominus donat. Adiuvet orationibus vestris ut ea quae dicam oportet me dicere, et vos audire.'

¹⁹ This was called in Greek *προσφησις* the address or salutation Cfr. Smith-Cheetham, Dictionary of Christian Antiquities, vol. II, Preaching.

²⁰ 1, 22, 3, 'Capite detecto, signat se signo crucis, et genuflexus recitat Salutationem Angelicam, non *Regina coeli*, etiam Tempore Paschali, voce intelligibili et devota.'

²¹ Jungmann, Missarum Solemnia, vol. I, part III, c. 7.

²² In France it takes the name of *chaire* from *cathedra*, while in Germany it

becomes a high pulpit, towering above the heads of his listeners: this is the result of the impassioned oratorical form which the sermon takes on, a form more appropriate to profane speaking than to the proclamation of God's Good News to the world.

The Council of Trent²³ insisted on the duty of pastors to preach to the faithful on the readings of the Mass often, but especially on Sundays and feast-days; we find the same obligation in the Code of Canon Law.²⁴ But the decree of the Council of Trent and the Code of Canon Law, though ordering a sermon during Mass, do not impose any obligation that the sermon should be intimately connected with the Mass itself and with the Liturgical mystery which is being celebrated. And so we find that although sometimes a sermon is preached at Mass, often its subject-matter is altogether unconnected with the Mass itself, or it is just an explanation of the Gospel without any reference at all to the rest of the Mass, or it is just a catechetical instruction, or worse still an 'apologia' of the person celebrating the Mass. There were also instances when the sermon was preached while the celebrant continued to say Mass, in such a way that the sermon ended with the end of the Mass so as not to keep the people too long in church!!! All this could happen only because we had lost all notion of what the homily actually is.

The Constitution on the Sacred Liturgy, approved at the end of the second Session of the Second Vatican Council (4th December 1963), has given the homily its former place in the Liturgy, while the Instruction issued by the Congregation of Rites to implement the Constitution clearly states what the homily really is.²⁵ The Constitution also stresses the

takes its name from the ambo as an extension of the chancel (*Kanzel*), Jungmann, l.c.

²³ Sessio XXII (17 sept. 1562): 'Doctrina et canones de sanctissimo Missae sacrificio, c. VIII: '...ne oves Christi esuriant, neve parvuli panem petant et non sit, qui frangat eis; mandat sancta synodus pastoribus et singulis curam animarum gerentibus, ut frequenter inter missarum celebrationem vel per se vel per alios ex his qui in missa leguntur, aliquid exponant atque inter cetera sanctissimi huius sacrificii mysterium aliquod declaret, diebus praesertim dominicis et festis.'

²⁴ can. 1345: 'Optandum ut in missis quae, fidelibus adstantibus, diebus festis de praecepto in omnibus ecclesiis vel oratoribus publicis celebrantur, brevis Evangelii aut alicuius partis doctrinae christianae explicatio fiat.'

²⁵ Instructio ad executionem Const. de S. Lit. recte ordinandam, A.A.S. 56 (1964) p. 89i.

n. 54 Nomine homiliae ex textu sacro faciendae intelligitur explicatio aut alicuius aspectus lectionum Sacrae Scripturae aut alterius textus ex Ordinario vel Proprio Missae diei, ratione habita sive mysterii qui celebratur sive peculia-

grave obligation of preaching a homily on Sundays and feast-days; the obligation is such that the Bishop himself cannot dispense from it even 'iusta de causa,'²⁶

The homily ended with a doxology or a short prayer to which the people answered 'Amen':²⁷ this was a fixed rule similar to that which required that the liturgical prayer should end with a doxology. Towards the ninth century in Germany it was customary to recite a formula of general confession, preceded by the Lord's Prayer and the Creed and followed by a prayer of absolution: later on the rite was adopted by Rome and is still extant in the *Caeremoniale Episcoporum*.²⁸

It would be an exaggeration to say that all Church preaching should be limited to the framework of the Mass, for, even in the early Church we also meet with a type of preaching which is not homiletical, namely the catechetical instructions given to catechumens during Lent in preparation for their Baptism. But we must never forget the characteristic nature of homiletic preaching; the homily is not an *instruction*, but an *initiation*, that is, an introduction into the *mysterium*: it is a talk about the Word of God which has been proclaimed in the readings, a talk which is not meant to stifle the Word of God but to apply it to the actual needs of the congregation – it is the application of the Scriptures just read, to everyday life. The homily does not imply the whole preaching of the Church, but it is the living word of the Church in the Liturgy witnessing to the higher world in which it lives and into which it enters after being renewed by the Sacred Mysteries.

The hierarchical character of the homily is clearly visible both in the manner in which it is delivered and as regards the person who delivers it.

As a rule the bishop, to whom preaching was reserved in Christian antiquity, spoke from his *catbedra*, and, as an expression of his author-

rium necessitatum auditorum.

n. 55 Si schemata praedicationis intra Missam habendae pro aliquibus temporibus proponuntur, intimus nexus cum praecipuis saltem temporibus et festis anni liturgici seu cum mysterio Redemptionis harmonice servandus est; homilia enim est pars Liturgiae diei.

²⁶ Constitutio de Sacra Liturgia, Commentarium in Eph. Lit. vol. 78 (1964), p. 274.

²⁷ Sometimes the doxology was substituted by a concluding prayer, examples of which may be found, v.g. in St. Augustine's serm. 34; and 67.

²⁸ II, 8, 50: 'Expleto sermone, Diaconus, qui cantavit Evangelium, stans ad sinistram episcopi, aliquantulum inclinatus, faciet Confessionem ante episcopum... qua finita... episcopus... legit absolutionem, videlicet *Precibus et meritis etc.* et... dat benedictionem.'

ity, he was seated, or else standing on the steps that lead to the cathedra, though St. John Chrysostom preferred the ambo to the more distant cathedra for the convenience of the audience.²⁹ The people remained standing, and this troubled St. Augustine, who praises the custom existing in certain parts of Italy of providing seats for the congregation,³⁰ although St. Caesarius of Arles would permit only the infirm to be seated,³¹ most probably on the floor. Only clerics were generally provided with seats in those days,³² the faithful helping themselves with canes on which to lean:³³ pews in churches belong to modern times, and came into use first in Protestant countries.

While delivering the homily, the preacher held the book of the Scriptures in his hand:³⁴ this was a right which belonged to the bishop alone, according to a rule of the Egyptian church.

We have already said that in Christian antiquity the preaching of the homily was reserved to the bishop. St. John Chrysostom, commenting on the phrase of St. Paul, 'a bishop must be apt to teach,' refers to this as especially required of the bishop.³⁵ He fully develops the theme in the fourth book of his treatise on the priesthood. Cyril of Alexandria speaks of the episcopal office as ἀξιωμα διδασκαλικού,³⁶ and Ambrose complains that, although not versed in theology, as bishop of Milan, he had to preach to the faithful.³⁷ We find the same thing in Africa: Cyprian's

²⁹Jungmann, l.c.

³⁰De catech. rudibus, 19: 'Quod ubi senserimus... aut oblata sessione succurrere, quamquam sine dubitatione melius fit, ubi decenter fieri potest, ut a principio sedens audiat; longe consultius in quibusdam ecclesiis transmarinis non solum antistites sedentes loquuntur ad populum sed ipsi etiam populo sedilia subiacent.'

³¹Sermo 78, 1: 'Ante aliquot dies propter eos, qui aut pedes dolent, aut aliqua corporis inaequalitate laborant... consilium dedi... qui stare non possunt, humiliter et cum silentio sedentes, attentis auribus audiant quae leguntur.'

³²Ordo Romanus I, 24 (ed. Andrieu): 'sedentes in presbiterio, episcopi quidem ad sinistram intransibus, presbiteri vero in dexteram.'

³³These canes were laid aside during the reading of the Gospel. Canes of this sort are still in use among the Abyssinian clergy.

³⁴V.g. St. Augustine, Tract. 40 in Ioan., I: 'De sancto evangelio secundum Ioannem, quod gestare nos videtis.'

³⁵Hom. X in I Tim., 1: doctorem... maxime omnium desideratur in eo, cui hoc officium creditum fuit.'

³⁶Ep. ad Monach. in Conc. Eph.

³⁷De Off. Ministr. I, 1, 4: 'Ergo enim raptus de tribunalibus atque administratio-nibus infulis ad sacerdotium, docere vos coepi quod ipse non didici. Itaque factum est ut prius docere inciperem, quam discere.'

letters frequently use phrases as *me tractante* and *tractante episcopo*, which imply that the duty of preaching was wholly reserved to the bishop; and Possidius in his *Vita Augustini*, says that when Valerius permitted Augustine to preach, this was a marked departure from common use.³⁸

If it was possible to reserve to the bishop the duty of preaching in Italy and Africa, this could not be so in Gaul, for the Gallican dioceses were much larger than those of Italy and Africa, where each small town had its own bishop. And so we have the Council of Vaison (A.D. 529), presided over by St. Caesarius of Arles, giving permission to priests to preach both in the city and in the countryside.³⁹

In the Eastern churches priests could more easily preach in Mass, in fact Possidius tells us that Valerius had derived the idea of permitting Augustine preach from the knowledge of this fact, and so ignored the outcry raised against him.⁴⁰ St. Jerome stigmatizes the custom of not permitting priests to preach before the bishop as a very bad custom in certain churches.⁴¹ On the other hand Socrates⁴² asserts that after the incidents provoked by Arius in 318, the patriarch did no longer permit priests to preach at Alexandria, though Socrates later on also records that at Constantinople Atticus often preached before being chosen as patriarch of the city.⁴³ We also know that St. John Chrysostom preached

³⁸ III, iv, 6: 'Erat tum in more institutoque positum Ecclesiae Africanae, ut presbyteri verbum Dei aut numquam praedicarent... aut saltem coram Episcopis illud in ecclesia non tractarent'.

³⁹ can. 2: '... pro aedificatione omnium ecclesiarum et pro utilitate totius populi nobis placuit, ut non solum in civitatibus, sed etiam in omnibus paroeiciis verbum faciendi daremus presbyteris potestatem ita ut, si presbyter... aliqua infirmitate prohibente per se ipsum non potuerit praedicare, sanctorum patrum homiliae a diaconibus recitentur; si enim digni sunt diaconi, quod Christus in evangelio locutus est, legere, quare indigni iudicentur sanctorum patrum expositiones publice recitare?'

⁴⁰ Vita Aug. III, iv, 6: 'Valerius... cum in orientalibus ecclesiis presbyteros coram episcopis ex usu recepto populum ducere non ignorarent, Africanum illum morem solvere non est veritus... Id nonnulli carperunt episcopi, sed venerabilis ille senex minorem putavit habendam esse obtreptantium linguarum rationem quam ipsius utilitatis et fructus quem ecclesiae suae per ministerium presbyteri eam erudientis... procurabat.'

⁴¹ Ep. 52 ad Nepotianum, n. 7: 'Pessimae consuetudinis est in quibusdam ecclesiis, tacere presbyteros et praesentibus episcopis non loqui, quasi aut invideant aut non dignentur audire.'

⁴² Hist. v, 22.

⁴³ Hist. vii, 2.

for several years at Antioch before being chosen patriarch of Constantinople, and many of the homilies he preached as a priest are still extant.

At Rome priests were not allowed to preach, and Pope Celestine I disapproved the decision of the bishop of Arles to permit his priests to preach, as, in this way, he had given them occasion to express dangerous opinions on Grace.⁴⁴

Sozomen⁴⁵ makes a remarkable statement about the Church of Rome, saying that at Rome neither the Pope nor any priest was known to preach publicly to the people. This fact is mentioned by Cassiodorus in his *Historia Tripartita*, without hinting that it is incorrect, and Valesius, commenting on Sozomen's passage, says that no sermons of any bishop of Rome are extant before St. Leo the Great.⁴⁶ There is an oration delivered by Pope Liberius in St. Peter's on the feast of the Navidity when Ambrose's sister, Marcellina, took the veil, but this sermon, rather than a homily, is an exhortation to Marcellina.⁴⁷ Sozomen's statement must be exaggerated, as St. Leo himself makes references to the sermons of his predecessor Sixtus III,⁴⁸ and the poet Prudentius, who visited Rome in 401, describing the basilica of St. Hippolytus' mentions the ambo from which the pope preached.⁴⁹ Probably Sozomen's statement only meant that Rome had not adopted the formal sermons which had become common in the East where the rhetoric of the schools had completely made its way into the church and brilliant Christian orators like St. Basil, the two Gregories and St. John Chrysostom flourished. Preaching in Rome may still have been of a familiar character and therefore not worthy of being considered a rhetorical composition: in fact Rome produced no great preachers comparable to the great Easterns, before Leo the Great.

We can therefore conclude that the power and duty of preaching in the early Church belonged primarily to the bishop, who could and usually

⁴⁴ Righetti, *Storia Liturgica*, vol. III, sez. ii, c. 2, n. 6.

⁴⁵ *Hist.* vii, 19.

⁴⁶ Smith-Cheetham, *Dictionary of Christian Antiquities*, vol. 2, Preaching, p. 1687.

⁴⁷ The discourse is found in St. Ambrose's *De Virginibus*, book III, c. 1-3.

⁴⁸ He says of him that he was a great builder of churches, but that he was greater still as a builder of souls: 'ut in ipso frueretur devota posteritas et habitando quod condidit et faciendo quod docuit' (Cfr. Righetti, *Storia Liturgica*, l. c.)

⁴⁹ 'Fronte sub adversa gradibus sublime tribunal

Tollitur, antistes praedicet unde Deum.' (Peristeph., xi)

did authorize priests who were capable of discharging this duty, to do it.

The power of preaching was not committed to deacons in the early church: the duty of deacons during the Liturgy was to call the congregation to prayer, to call the attention of the faithful to the various parts of the Liturgy, and such like.⁵⁰ Nevertheless several sermons and discourses of St. Ephraem, who was only a deacon, are still extant, and there is nothing to prove that they were never preached. The Council of Vaison (A.D. 529) permitted deacons to read the homilies of the Fathers when the priest was prevented by sickness from preaching, and in the life of Caesarius of Arles we read that when he was no longer able to preach through sickness and old age, he committed the duty of preaching not only to his priests but also to his deacons, but the whole context shows that they only read the homilies of the Fathers.⁵¹

We must therefore conclude that the preaching by deacons during the Mass was a very rare exception, as rare as that of laymen and monks preaching during the Liturgy. Eusebius⁵² relates the well-known case of Origen, who, still a layman, was requested by Alexander, bishop of Jerusalem, to preach before him; Alexander defended himself by saying that it was a well-known practice for a layman to preach if he was well qualified and quoting other instances, otherwise unknown to us.

Such a custom never existed in the West and Pope Leo the Great in an epistle to Maximus of Antioch says that monks and other laymen, however learned, should not usurp the right of teaching and preaching as this belonged to the priests of the Lord. It may be that in monastic establishments of the East, monks capable of preaching and expounding the Scriptures, might have habitually preached to their communities, though this did not please Jerome who felt that a monk's duty is not to teach but to weep. Such preaching would not have taken place during

⁵⁰ Smith-Cheetham l.c.p. 1686.

⁵¹ They were to deliver the homilies or discourses 'Ambrosii, Augustini, seu parvitatibus meae vel quorumcunque doctorum Catholicorum' (Smith-Cheetham l.c.)

⁵² Hist. eccl. vi, 19: 'Eusebius quotes the letter of Alexander of Jerusalem and Theocistus of Caesarea to Demetrius of Alexandria who had protested because these bishops had permitted Origen to explain the Scriptures in church when still a layman: 'Quod vero in litteris tuis adiecisti, numquam antea visum nec factum fuisse, ut, praesentibus episcopis, laici concionarentur, in eo nescio quomodo a veritate longissime aberrasti. Nam sicubi reperiuntur qui fratribus prodesse possunt, eos sancti episcopi ultro adhortantur ut ad populos conciones habeant. Sic Tulpeus Saraudis rogatus est a Neone, Paulinus Iconii a Celso, Theodorus apud Synnoda ab Attico, fratribus nostris beatissimis. Idque etiam alibi fieri credibile est, quamvis nos ignoremus.'

the Liturgy, and therefore there is no question of monks or laymen delivering homilies, although there's still Origen's case, for Origen at Jerusalem did not preach as a catechist but as a preacher.⁵³

Another custom of the early Church was that of having several sermons preached one after the other to the same assemble, the bishop, if there was one present, or the person of greatest dignity, coming last. This is clearly stated in the Apostolic Constitutions,⁵⁴ in the *Peregrinatio Etheriae*,⁵⁵ and by St. John Chrysostom.⁵⁶ St. Augustine approves such a custom existing at Carthage,⁵⁷ and he himself often invited one of his priests to deliver the sermon after he had spoken to the congregation for a few minutes.⁵⁸

We have already made reference to canon 2 of the Council of Vaison, which permitted deacons to read the homilies of the Fathers. This custom arose at a comparatively early period for we find Augustine already suggesting that those who had a good delivery but no power of composition should adopt the sermons of others,⁵⁹ and Caesarius of Arles is said to have composed homilies which he sent to various bishops in Frankish territories so that they could have preached them in their churches.

The constant habit of using sermons of others, in the process of time led to the formation of collections of homilies, with which those who were unable or unwilling to compose homilies could avail themselves. There must have been many collections of homilies during the eighth century, but many of these collections laboured under great defects, as

⁵³ Smith-Cheetham, l.c.

⁵⁴ II, 57: 'When the Gospel is read, let the presbyters, one by one, but not all, speak the word of exhortation to the people, and last of all the bishop, who is the governor or pilot of the ship.'

⁵⁵ II, 25: 'Sane quia hic consuetudo est, ut de omnibus presbyteris qui sedent, quanti volunt, praedicent, et post illos omnes episcopus praedicat.'

⁵⁶ V.g. in his Hom. in illud Vidi Dominum de verbis Isaiae, preached at Antioch when still a priest: 'Sit igitur nobis tempus tacendi, qui detur et praeceptoris tempus loquendi.' (Hom. 2, 3.)

⁵⁷ Ep. 41, 1: 'Impletum est gaudio os nostrum... praecipue de sermone presbyterorum qui te praesente populo infunditur.'

⁵⁸ Sermo 20, 5: 'Exhortamur charitatem vestram ut impigre et vigilanter verba Dei ministrantibus presbyteris, vos audire non pigeat.'

⁵⁹ De Doctr. Chr. 4, 62: 'Sunt sane quidam, qui bene pronuntiare possunt, qui autem pronuntiant excogitare non possunt. Quod si ab aliis sumant eloquenter sapienterque conscriptum memoriaeque commendent atque populum proferant, si eam personam gerunt, non improbe faciunt.'

in many cases they were written by men of no authority, full of errors of style, and utterly uncritical, accepting indiscriminately historic truth and the most crude and incredible legends; on the other hand they also displayed considerable knowledge of the letter of the Scriptures, care and acuteness in reasoning upon it, an ardent and simple piety, considerable spiritual insight, and remarkable earnestness and beauty. The many defects of the *Homiliaria* of his time induced Charlemagne to commission Paul Warnefrid to draw up a collection of homilies from the Fathers which would be free from faults: this *homiliarium* quickly succeeded in supplanting all others, and from it a considerable part of the homilies in the Breviary are derived.⁶⁰

From what we have said, it is quite evident that homilies were generally written, but one can also quote examples of extempore sermons. Eusebius⁶¹ tells us that Origen only when sixty years old permitted stenographers to take down the unwritten sermons which he preached in church, while Sozomen relates that St. John Chrysostom returning from banishment was obliged to enter the great church and preach to the people there and then.⁶²

When the language of the people was slowly changing from Latin, the Church began insisting with the bishops that they should use the language of the people in their homilies. In 813 the Council of Rheims enjoined bishops to preach the sermons of the Fathers in the dialect of their several dioceses, so that all might understand. In the same year the Council of Tours ordered that every bishop should have homilies prepared containing needful admonitions for the use of those under them and that each should endeavour to translate into the Rustic-Roman and Teutonic tongue so that all might easily understand the things spoken; the same thing was imposed by the Council of Mayence in 847.⁶³

But as early as the third century we find traces of the Church's pre-occupation that the Word of God be fully understood by the faithful. The Euchologion of Serapion of Thmuis has a prayer — *pro episcopo et ec-*

⁶⁰ The commission given by Charlemagne to Paul Warnefrid or Paulus Diaconus one of the most erudite and famous monks of Monte Cassino was 'ut studiose catholicorum patrum dicta percurrens, veluti e latissimis eorum pratis certosquosque flosculos legeret, et in unum quaque essent utilia quasi sertum aptaret.'

⁶¹ Hist. eccl. 6. 36.

⁶² Hist. 8, 18.

⁶³ can. 17 of the Council of Tours says: 'in rusticam Romanam linguam aut Theoticam quo facilius cuncti possint intellegere quae dicuntur.'

clesia – in which mention is made of the *lectores* and the *interpretes*: these were those who translated the liturgical passages for the benefit of the faithful. These interpreters are also mentioned in Etheria's *Peregrinatio*.⁶⁴

Translations are not the best solution to bring the Word of God to the people: we have already referred to St. Augustine's insistence to make himself understood by the people rather than please the *grammatici*. St. Gregory of Tours and St. Caesarius of Arles purposely used the popular Latin in their sermons to be understood by their faithful. The inscription on the tomb of Pope Gregory V (+999) makes reference to his sermons in the vulgar tongue.⁶⁵ Briefly it was the duty of the preacher to find above all through his own efforts the proper medium between the language of the people and the pretensions of the highly educated.

The sermon during Mass has passed through many vicissitudes during the centuries. In the early Church there was little scope for the rhetorical arts of the orator: one spoke *ex abundantia cordis et plenitudine intima charitatis*. At a later period, when the burden of doctrinal teaching and polemical discussion was thrown upon a far more cultured and leisured class of clergy, the typical discourses of the age became more elaborate and literary in character, even while the great bulk of popular preaching remained comparatively unchanged. By the end of the 4th century the rhetoric of the schools had completely made its way into the Church and in the brilliant group of Christian orators who flourished in this period, St. John Chrysostom, St. Basil the Great, St. Gregory of Nyssa and St. Gregory of Nazianzus, we have the typical examples of a greatly altered style of Christian preaching. The custom of applauding the preacher with the clapping of hands and stamping of feet had by degrees extended itself in the churches, and this shows the great change that had come over the habits of Christians. Rhetoric had in fact speedily passed into mere unreal and fictitious artifice and the sermon sunk to

⁶⁴ '... episcopus, licet siriste noverit, tamen semper graece loquitur et numquam siriste: itaque ergo stat semper presbyter, qui, episcopo graece dicente, siriste interpretatur, ut omnes audiant quae exponuntur. Lectiones etiam, quaecumque in ecclesia leguntur, quia necesse est graece legi, semper stat qui siriste interpretatur propter populum, ut semper discant. Sane quicumque hic latini sunt, id est qui nec siriste nec graece noverunt, ne contristentur, et ipsis exponitur eis, quia sunt alii fratres et sorores graecolatini, qui latine exponunt eis.'

⁶⁵ 'Usus francisca, vulgari et voce latina, Instituit populus eloquio triplici.' (apud Righetti, I.c.)

be little higher than an intellectual exercise. The prevalent secularity of time may have been one of the causes which brought about a disuse of preaching: the little preaching there may have been in the eighth and ninth centuries shows a singular mixture of piety and dense ignorance.

A new blossoming was brought about by the Mendicant orders, but now the sermon is slowly separated from the Liturgy, and at a later stage it will be regarded as an interpolation in the course of the Liturgy, rather than a step forward in its progress.

The Second Vatican Council in the Constitution on the Sacred Liturgy has again given the homily its original character and its lawful place in the Liturgy, for the homily is now again an exposition of the mysteries of faith and the guiding principle of Christian life during the Liturgical year from the sacred texts read at Mass; in simple and familiar language it proclaims the fulfilment of the mystery of the Redemption *hic et nunc* in each one of those assembled together as God's own people; it is in a way the summit of a building up which slowly takes place every time the Liturgy of the Word is celebrated; the first step is the reading of the lessons and of the epistle by the lector; then follows the Gradual psalm which actually is the assembled congregation's response to the lessons proclaimed to them; then comes the solemn proclamation of the Gospel by the deacon; finally the celebrant himself, the one presiding the liturgical assembly, 'breaks the bread of the Word', so that the Scripture which has been proclaimed to the assembly is assimilated by all and by each one according to his measure, before it finds its echo in the bidding prayers which conclude the Liturgy of the Word, and its fulfilment in the active participation in the Eucharistic sacrifice.

J. LUPI

QUID VENIT NOMINE 'INDULGENTIAE'

Quoad nomen: Indulgentia clementiam seu remissionem significat.

Quoad rem datur definitio in Codice Iuris Canonici in canone 911: Omnes magni faciant indulgentias seu remissionem coram Deo poenae temporalis debitae pro peccatis, ad culpam quod attinet iam deletis, quam ecclesiastica auctoritas ex thesauro Ecclesiae concedit pro vivis per modum absolutionis, pro defunctis per modum suffragii.

Habemus in canone 911 completam et accuratam notionem indulgentiae quae proinde his elementis constat:

1. *remissione poenae*, non culpae, quia culpa, etiamsi venialis sit, per indulgentiam deleri numquam potest. Ad culpae enim remissionem, sive mortalis sive venialis, vel formalis vel saltem virtualis actus detestationis eius qui peccavit infallibiliter requiritur.¹

2. *poenae temporalis*, nam poena aeterna solum per absolutionem sacramentalem vel per contritionem perfectam remittitur.

Sic Sanctus Paulus in Epistola ad Romanos ait: 'Nihil ergo nunc damnationis est iis, qui sunt in Christo Jesu... Quicumque enim spiritu Dei aguntur, ii sunt filii Dei'.² Ergo illi, quibus remissa sunt peccata, habent in se Spiritum Dei et sunt filii Dei, quod non essent si remaneret in eis reatum seu debitum poenae aeternae. Insuper explicite docet Concilium Tridentinum 'satisfactionem non deberi pro poena aeterna, quippe quae vel sacramento vel sacramenti voto una cum culpa remittitur'.³ Et iterum docet poenam temporalem expiandam in hoc mundo vel in purgatorio per poenitentias, orationes et praesertim per indulgentias.⁴

Tandem remissio culpae est actus iustitiae, dum indulgentia est actus gratiae seu indulgentia datur ex misericordia et benignitate Ecclesiae.

Sed non semper tota poena temporalis remittitur una cum poena aeterna. Nam constat ex variis locis Sacrae Scripturae Deum peccatoribus, culpa iam remissa, mala temporalia in poenam illius infligere. Sic propheta Nathan ad David: 'Deus transtulit peccatum tuum, sed filius morte morietur'.⁵ Mors filii, iuxta commentatores, erat poena temporalis pro peccato

¹ Cfr. WERNZ-VIDAL., *Jus Canonicum*, Romae 1934, Romus IV, p. 172

² Rom. VIII, 1. 14.

³ Concilium Tridentinum, Sess. VI, cap. 14.

⁴ Concilium Tridentinum, Sess. XIV, can. 12. - Cfr. Bulla 'Exsurge Domine' Leonis X, 15 iun. 1520, prop. 17 Lutheri damnata.

⁵ Regum II, 12. 14.

David. Insuper tota doctrina circa existentiam purgatorii fundatur in praesupposito principio quod de peccatis seu culpis iam remissis adhuc maneat expiatio poenae temporalis persolvenda. Haec veritas ex traditione et Patribus confirmatur. Sanctus Augustinus triginta annos post mortem matris suae Sanctae Monicae orationem scripsit eamque saepissime recitavit pro solutione poenae temporalis matris per modum suffragii.

3. *coram Deo* et non solum coram Ecclesia, scilicet non in foro Ecclesiae tantum, sed etiam in foro Dei fit remissio poenae temporalis. Iam multi, praesertim vero Lutherus, circa hanc veritatem erraverunt, remissionem per indulgentiam acceptam in solo foro Ecclesiae effectum habere existimantes. Quae doctrina damnata fuit a Papa Leone X in Constitutione 'Exsurge Domine', die 15 iunii 1520. Aliquando dicitur culpam seu peccatum per indulgentiam remitti. Hoc ita intelligi debet, quod poena peccati remittitur non vero ipsum peccatum seu ipsa culpa.⁶

4. *ex thesauro Ecclesiae*. Thesaurus Ecclesiae est cumulus seu depositum potissimum satisfactionum meritorumque Christi, secundo Beatae Mariae Virginis, Sanctorum ferventiumque animarum.⁷

Indulgentiae distribuuntur ex isto thesauro; ergo indulgentia non est tantum actus iurisdictionis remittentis poenam ex potestate divina, sed est etiam solutio seu exhibitio alicuius pretii et praestatio satisfactionis loco illius satisfactioni, quam persolvere debet ille cui indulgentia conceditur. Ecclesia sumit merita et satisfactiones Christi et offert ea Deo pro remissione poenae, quam fideles subire debent. Solum Ecclesia potest dare indulgentias, quia sola Ecclesia est meritorum Christi administratrix.

5. *pro vivis*, per modum absolutionis seu per verum actum iurisdictionis. Propter hoc requiritur semper subiectum capax, i.e. membrum Ecclesiae, quia potestas iurisdictionis in solos subditos exerceri potest, ac proinde arcentur ab indulgentiis obtinendis tam infideles quam ii omnes qui non participant cum communione Sanctorum propter aliquod impedimentum v.g. excommunicationis vel apostasiae.⁸

6. *pro mortuis*, per modum suffragii et non absolutionis, quia defuncti subiecti iurisdictionis Ecclesiae non sunt, ideoque indulgentia ipsis applicatur tantum per modum suffragii, i.e. Deo deprecando pro ipsis, et hoc fieri potest quia defuncti participes sunt in communione Sanctorum

⁶ CAPPELLO F., *De Sacramentis*, Vol. II, p. 661, n. 638

⁷ REGATILLO E., *Ius Sacramentalium*, p. 387, n. 692.

⁸ WERNZ-VIDAL, *Ius Canonicum*, Tomus IV, p. 174, n. 150.

cum adhuc membra Ecclesiae patientis sint.⁹

Tria elementa reperiuntur in indulgentia viventi concessa:

1. *absolutio*, totalis vel partialis, a poenis;
2. *solutio* debiti ex thesauro Ecclesiae;
3. *opus bonum praestandum*, quod est tamquam conditio.¹⁰

Notandum est in iure antiquo, praesertim vero in iure Decretalium raro fit usus verbi 'indulgentia', sed fere semper verbi 'remissio'.¹¹

Differentia absolutionem inter et solutionem haec est: absolutio est remissio culpae vel poenae per actum iurisdictionis ab auctoritate competenti facta, dum solutio est exhibitio pretii.

Tandem indulgentia est plenaria vel partialis. Plenaria totam poenam, remittit, iuxta intentionem concedentis, sed potest tantum partialiter obtineri secundum dispositionem subiecti. Partialis indulgentia conceditur cum designatione temporis, scilicet dierum vel annorum.

Sancta Sedes per hanc designationem non intendit poenam purgatorii tamdiu breviari, sed iuxta omnes auctores per indulgentiam partialem, v.g. unius anni, condonari tantum poenae quantum per antiquas poenitentias canonicas uno anno protractas condonabatur.

P. ODORICUS DE'MARIA, O.F.M. CAP.

⁹ opere citato, p. 175, n. 152.

¹⁰ CAPPELLO F., *De Sacramentis*, Vol. II, p. 662, n. 639.

¹¹ WERNZ-VIDAL, o.c. p. 178.

BIBLICAL THEMES IN THE CONSTITUTION LUMEN GENTIUM

THE Second Vatican Council was convoked by Pope John to find ways and means for the pastoral needs of modern society in a state of an ever-going change in the social, cultural, economic, political and spiritual spheres. Such a programme presupposes a deep insight into the nature and mission of the Church such as we find in the Constitution *De Ecclesia; Lumen Gentium* which provides the basic theological principles for a healthy, efficient and effective pastoral action as envisaged by the Council Fathers.

The constitution is a serious attempt to enlarge upon and work out all the implications of the definition or description of the mystery of the Church as the sacrament or sign and instrument for the intimate union between God and men. It is divided into eight chapters; the first chapter deals with the *mystery of the Church* as the work of the Holy Trinity; the second with the *people of God*; the third with the *Hierarchy, especially the Bishops*; the fourth with *laymen*; the fifth with the *call for holiness*; the sixth with *Religious* and the seventh with the *eschatological character of the Church*; the eighth and final one with *Our Lady* in her relations with the mystery of Christ and the Church.

It is not the purpose of this paper to outline the history of this important document, useful as it may be for its correct understanding and assessment in its true historical perspective; we are rather concerned with the finished product and only under certain aspects, namely, in its relation to the Bible. Even a cursory reading would make one realise the deep influence of modern biblical research on the conception and formulation of this constitution: every other line one meets some biblical reminiscence, idiom, concept or whole quotations, direct or indirect. Also, here we are rather selective, that is, we propose to speak of four basic themes, namely, the *mystery of the Church*, the *people of God*, the *hierarchy or collegiality* of the Bishops, and finally the *eschatological nature of the Church*.

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THE MYSTERY OF THE CHURCH

The Church is called a mystery because it was hidden in the depths of the Deity from all eternity, and was made manifest in these last days through the prophets, Christ and his apostles: 'To me the least of all the saints, is given this grace, to preach among the gentiles, the unsearchable riches of Christ, and to enlighten all men, that they may see what is the *dispensation of the mystery* which hath been hidden from eternity in God who created all things' (Eph. 3,8.9). It is this mystery that the Council Fathers open before us, in so far as it is possible to fathom the mysteries of God, at its source in the three Persons of the Holy Trinity: namely the Father who elects, the Son who saves, and the Holy Spirit who sanctifies.

Redemption starts with an act of the will of the Father: it is he who decreed that all would be restored in his Son: 'Giving thanks to God the Father, who hath made us worthy to be partakers of the lot of the saints in light: who hath delivered us from the power of darkness, and hath translated us into the kingdom of the Son of his love, in whom we have redemption through his blood, the remission of sins' (Col. 1,12-14). Add to this Rom. 8,29: For whom he foreknew, he also predestinated to be made conformable to the image of his son; that he might be the firstborn amongst many brethren.

This doctrine of election runs through the whole Bible, Old and New Testament, revealing itself not through theoretical exposition but through history: Abraham, Isaac, Jacob, Moses, Aaron, Judges, Samuel, Prophets John the Baptist, Mary, the Apostles, the individual Christians, are all elected and called by God the Father to conform to the image of his Son.

This divine plan of salvation was executed by the Son, who became man and shed his own blood for men. Through him men become the adopted sons of the Father: 'Thus Christ, declares the Council, in order to fulfil the will of the Father, has inaugurated on earth the kingdom of heaven and revealed to us this *mystery* and through his obedience he worked out our redemption'. The Church, that is, the kingdom of Christ is a mystery, made visible in the world through the power of Christ. Each time the sacrifice of Christ is offered on our altars, the work of our redemption is renewed. All men are united thereby with Christ: 'For we, being many, are one bread, one body all that partake of one bread' (1 Cor. 10,17).

When the Son had completed his mission in this world in a 'visible manner' and was glorified by the Father in heaven, the Holy Spirit was

outpoured upon us all to sanctify the Church and move the believers in Christ from within: 'But I tell you the truth: it is expedient to you that I go: for if I go not, the paraclete will not come to you: but if I go I will send him to you', (Jh. 16,7). This Spirit dwells in the Church as if in a temple (cf. 1 Cor. 3,16; 6,19); He prays in and through them (cf. Gal. 4, 6; Rom. 8,15-16).

Thus the Church is a people, in the words of St. Cyprian, gathered into the union of the Father, of the Son and of the Holy Ghost. This mystery of the Church is made manifest right up from its foundation through Christ's preaching, deeds and above all through his presence: the Son of God, who came into this world not to be served but to serve and give his life for the redemption of many (Cf. Mk. 10,45). After his death and, resurrection he appeared as the Lord, the Saviour and the Priest of the New people of God (Cf. Hebr. 5,6; 7,17-21).

Throughout the whole Bible one finds several different figures to illustrate one or more aspects of this mystery of the Church: it is the sheepfold of God (Jh. 10,1-10); the flock predicted by the prophets (Cf. Ez. 34, 11ff; Is. 40,11); Jesus is the good shepherd who gave his life for his sheep (cf. Jh. 10,11-15; 1 Pt. 5,4). It is the vineyard planted by God (1 Cor. 3,9; Mt. 21,33-43; Is. 5,1); Christ is the vine of which the Christians are the branches (Jh. 15,1-5). It is the building of God (1 Cor. 3,9); Christ is the corner stone, rejected by the builders, but chosen by the Father (Cf. Acts 4,11; 1 Pt. 2,7; Ps. 117,22); it is built on the foundation of the Apostles (cf. 1 Cor. 3,11). It is the heavenly Jerusalem (Gal. 4, 26), and our heavenly mother (Apoc. 12,17). It is the immaculate bride of Christ (Eph. 5,25-26). Above all it is the body of Christ (1 Cor. 12,27; Rom. 12,5).

Thus the Church is in a way a prolongation of the mystery of the Incarnation; Christ is carrying on his mission even now through her as his visible organ through which he radiates truth and grace on all mankind. This Church carries out her mission through humiliations as her Divine Founder (Phil. 2,6-7; 2 Cor. 8,9).

THE PEOPLE OF GOD

The Church in chapter two is considered as a people in its relations to God. This is a thoroughly Scriptural concept, which has been steadily gaining ground in contemporary theology. The Pope himself in his allocution to the Non-Catholic Observers, Oct. 17, 1963 said: 'Your hope, that a theology will be developed that is both concrete and historical

and centred on Salvation history is one which we gladly support. We believe that this suggestion deserves to be studied in depth'. Modern theologians want to go beyond the strict juridical concept of the Church; they have discovered a dynamic historical concept based on the fundamental fact that God *calls* and man *responds*; and since the response of man is not static, but is subject to human free endeavour, with all its limitations and ups and downs, we see unfolding before us what is known as the salvation history of the people of God, until God's salvific plans are fully carried out. To call the Church the people of God is to link it with the Old Testament people of Israel and to transfer all that was positive and of permanent value to the New Israel of the New Testament.

There are five biblical texts each marking a progressive step in the execution of God's plan:

1. The Call of Abraham: 'And he (God) brought him (Abraham) forth abroad and said to him: look up to heaven and number the stars, if thou canst. And he said to him: so shall thy seed be. Abram believed God and it was reputed to him unto justice' (Gn. 15, 5-6).

2. The call of the whole people of Israel in the desert of Sinai: 'If you will hear my voice, and keep my covenant, you shall be my peculiar possession above all people... you shall be to me a priestly kingdom and a holy nation' (Ex. 19, 4-6). The people accepted the pact of Sinai, which was ratified by the sprinkling of the blood of the victims offered to God by Moses, who sprinkled the people with their blood saying: 'This is the blood of the covenant which the Lord hath made with you concerning all these words' (Ex. 24, 8).

3. Jeremiah 31, 31-34: 'Behold the days shall come, saith the Lord, and I will make a new covenant with the house of Israel, and with the house of Judah not according to the covenant which I made with their fathers, in the day that I took them by hand to bring them out of the land of Egypt: the covenant which they made void and I had dominion over them, saith the Lord. But this shall be the covenant that I will make with the house of Israel after these days, saith the Lord: I will give my law in their bowels, and I will write it in their heart: and I will be their God and they shall be my people'.

4. Our Lord, passing on the consecrated wine to the Apostles at the last Supper, said: 'This is the chalice, the new testament in my blood, which shall be shed for you' (Lk. 22, 20).

5. And finally St. Peter writes to the Christians in Asia Minor: 'But you are a chosen generation, a kingly priesthood, a holy nation, a pur-

chased people: that you may declare his virtues, who hath called you out of darkness into his marvellous light' (Pt. 2,9-10).

The line of development is quite clear: Abraham is *elected*, and promised to be a father of a numerous posterity and to possess the land of Canaan; Israel is bound to God by the pact at Sinai, Moses being the mediator, membership is restricted to the descendants of Abraham; Jeremiah foretells a future covenant written not on stone tablets but in the hearts of the new people; Jesus then just a few hours before his supreme sacrifice, making an express allusion to the Old Alliance, declares the immediate institution of the New one; Peter then transfers all the titles, prerogatives and mission of the Old People to the New. This new community is open to all those who would believe in the Name of the Lord Jesus Christ. This brings us to another important point, namely that henceforth membership is no more restricted to the descendants of Abraham in the flesh but to all who would make an act of faith in Christ; thus one returns to the basic reason for Israel's election; the faith of Abraham in the promises, that is the future Christ. It is not an automatic election, but depends on man's own response to God's call.

Peter's transference of prerogatives and titles of Israel to the Church of Christ shows us that what was positive in the old dispensation, shorn of its imperfections and limitations, is applicable to the New Christian Community '*quae iam ab origine mundi praefigurata, in historia populi Israel ac foedere antiquo mirabiliter praeparata, in novissimis temporibus constituta*' (De Ecclesia § 2). The Israel community was a 'model' to what was to follow; just as the model is to the sculptor or painter, so Israel was to God for the institution of the church. A consideration of one aspect of the Church makes this clear.

The people of Israel are called the people of God; their interrelations are illustrated by the relations between the bridegroom and the bride: but there is never an identification between Israel and God, just as there is when the Church is called the body of Christ, which implies something more than the bride of Christ. There was not a preparation for this concept, except for the idea of the Servant of the Lord, who at times is identified with the whole community of Israel (cf. Is. 42, 1; 44, 1-3; 49, 3) and the Son of Man in Dan 7, identified with the people of the saints (cf. Dan. 7, 13-27). Paul identifies the *semen* in Gen. 12, indicating the whole posterity of Abraham, with Christ (Gal. 3, 16. 26-29). The titles in Romans 1, 6-7: elected, beloved, saints, are the same ones applied to Christ by Paul in Galatians; 'Blessed be the God and Father of Our Jesus

Christ, who hath blessed us with spiritual blessings in heavenly places in Christ: as he chose us in him before the foundation of the world, that we should be holy and unspotted in his sight in charity, who hath predestined us with the adoption of children through Jesus Christ unto himself according to the purpose of his will' (1,3-5).

We are his sons because we are united with Christ. The same is implied in St. John's figure of the vine — a figure with its prototype in Isaiah's metaphor of the vineyard and Ezechiel's image of the temple (Ez. 40-48) whence the living water flows to enliven the whole land of the new people of God.

This dignity is due to a purely gratuitous election by God: 'Not because you surpass all nations in number, is the Lord joined unto you, and hath chosen you, for you are the fewest of any people, but because the Lord hath loved you, and hath kept his oath, which he swore to your fathers: and hath brought you out with a strong hand, and redeemed you from the house of bondage, out of the hand of Pharaoh, the king of Egypt (Dt. 7,7-8). This doctrine of election runs through the biblical history as the woof and the web of the whole cloth on which salvation history is embroidered. And what is said in this respect about the community as a whole is applicable to all the individuals who had some effective contribution to make in the evolution of this history: Abraham, Moses, the prophets, John the Baptist, the Apostles. (Cf. Ex. 6,2-8; Dt. 7, 7; Jos. 24,3; Gal. 3,15-18; Gen. 15,6; Rom. 4). Faith was the only condition required in these men of God.

This predilection brings with it a number of important responsibilities: this people is the firstborn of God (Ex. 4,22), hence they must obey the orders of the Father; as consecrated people, they must be separated from other people (Cf. Act 10,28); as a priestly people, they must serve God by the observance of the Law, through which they are constituted a kingly people (Ex. 19,5; 24,4-8; Dt. 4,1-40; Jos. 24,2-28. All in all, their life is summed up in the service of God, animated by a deep faith in his all embracing love and power.

This means that the people of Israel, notwithstanding its connexions with a definite race and a definite place, yet remain a religious people, because their very existence depends on a free act of election on the part of God; in fact Ismael and Esau, both descendants of Abraham, himself freely elected by God, were excluded from this people. God is the chief mover in this history, moving the people towards higher perfection; their history becomes a symbol pointing towards a higher real-

ity that was to come; their history is educative and prophetic; Law, cult public institutions, and everything else point towards more perfect institutions in the future dispensation. For this reason did the Apostles and the first Christians consider themselves as the true heirs of the promises of the Old Testament; they were one with their forefathers; Abraham, Isaac, Jacob, David, were their fathers. They were convinced that in Christ Israel reached its culminating heights. He was the end of the Old Economy and the beginning of the New, both eras and both Churches were united into one single whole through the basic act of God, that is, divine election and the response of the people to this divine initiative. Only those who believe can share the blessings of this divine plan of salvation.

COLLEGIALITY

This people however is not an amorphous mass of individuals bound together by a common faith and mutual love; they are organised into a visible institution in which there are various grades and diverse offices as Israel of Old was before Christ. The basic structure is the episcopacy under the headship of the Roman Pontiff, the successor of Peter, himself chosen by Christ to be the head of the Apostolic college. The problem arises as to the definition of the relations between the Pope and the Bishops his brethren. Vatican Council I defined the primacy and the infallibility of the Pope; Vatican II had to complete this definition by defining the position of the Bishops in relation to him. Hence the theory of the Collegiality of the Bishops in union with the Supreme Pontiff, formulated in these words: The bishops successors of the Apostles, together with the successor of St Peter, Vicar of Christ, and visible head of the whole Church, rule the house of the living God. In the same way as one finds the 70 elders with Moses in the Old Testament, so the 12 Apostles with Peter are in the New.

The question arises: did the Apostles really act together as a body in the apostolic period? This fundamental point was the storm centre during the hectic days of the great debate. Let us have a look at a selection of texts in the Acts and in the Epistles of Paul.

The first collegial act is the election of St. Matthias to replace Judas who betrayed the Master, as reported in Acts 1,15-26. They show themselves deeply concerned with retaining the original number of twelve, chosen by Jesus himself on the model of the twelve tribes of Israel (Mk. 3,13-14; Lk. 6, 12-13; Jh. 6,71). The election is presented as a divine election, but the initiative is taken by the apostles together.

After Pentecost Peter is consistently presented acting as the head of *the twelve*, who are shown to act together no less than twenty times, as the ruling body of the whole church. These examples bear us out:

a) Peter is the spokesman of the twelve in the Gospels (Mt. 16,13-17; Jh. 6,67; Acts 1,15-22; 2,14-36; 4,8-12.19; 15,7-11).

b) The election of the seven deacons is attributed to the *twelve apostles*, the name of Peter is absent: 'Then the twelve calling together the multitude of the disciples said: It is not reason that we should leave the word of God, and serve tables. (Acts 6,2).

c) The Council of Jerusalem, recorded in Acts 15, 6-29 and Galatians 2,2-10, in spite of a number of obscure and debatable points, definitely shows that the vital problem of the conditions for the admission of pagans into the Church was thoroughly discussed, studied and decided upon by the whole Church under the direction of the Twelve Apostles under the guidance of Peter.

d) St. Paul is ever anxious, in spite of his independent character and spirit of initiative, to have his Gospel approved by the twelve in Jerusalem (Gal. 2,7-10; 1 Cor. 15, 1-11).

This evidence, necessarily selective in this context, points unmistakably to the fact that in the primitive Church one finds the supreme authority of Peter as the head of the Apostolic College; the action of the Twelve as a controlling body of the Church; also the action of the individual persons entrusted with specific missions for the guidance and rule of particular churches as in the case of St. Paul. Thus one finds a balance between the primacy of Peter and the collective authority of the twelve, and add to this, individual initiative in particular churches is in no way crowded out.

ESCHATOLOGY

Another biblical theme in this decree is the doctrine of the eschatological nature of the Church, namely that this Christian community is steadily moving forward towards the final restoration of all things in Christ; it is not a static organisation anxious to retain the status quo within itself or a given social order, be it spiritual or temporal. It is rather a dynamic body moving towards its final perfection until it finds final consummation in the restoration of all things in Christ (Cf. Eph. 1, 10; Col. 1, 16-20; 2 Pt. 3,10-13).

This process has been already in action as from the glorification of Christ through the Resurrection and the outpouring of the Holy Spirit on

the whole Church on the first Pentecost. St. Paul takes the figure of the mother in travail to illustrate this truth: 'For we know that every creature groaneth and travaileth in pain, even till now. And not only it, but ourselves also, who have the first fruits of the Spirit even we ourselves groan within ourselves waiting for the adoption of the sons of God, the redemption of our bodies. For we are saved by hope'. (Rom. 8,21-24).

We are the adoptive sons of God, and not yet sharing in the glory of the Son; in the meantime we are struggling to free ourselves from the serfdom of sin and its consequences especially death. We are working out our salvation, with the help of the spirit of Christ dwelling in us waiting for the blessed hope and glorious manifestation of our God and saviour Jesus Christ (cf. Titus 2, 13).

Thus the whole Church in the various stadia of this upward progress – the Church militant in this world, the Church in a state of purification in purgatory and the glorious church in heaven – is one church, one body of Christ living of one spirit. They are all members of one another, able to help one another until all are living in the future city that is awaiting us all (cf. Heb. 13,14; 11,10).

This doctrine or concept of a forward-looking moving Church has its roots in the Old Testament messianism preached so insistently and uncompromisingly by the prophets; they did not look backwards except to find inspiration and encouragement to work hard and keep on the main track for the final restoration of all things in the person of the future Messiah: the day of the Lord, of which the Incarnation is the beginning; we are already in the 'last days'.

Thus in the Constitution *De Ecclesia* one finds four main biblical themes: the initiative of God for the Salvation of mankind: the call from the Father, the revelation and the execution of the salvific plan by the Son and the sanctification of mankind by the dwelling of the Holy Spirit in the souls of men. The Church is the visible sign for the constant reminding of men of this basic mystery once hidden in the infinite depth of God and an instrument for the salvation of men, until all are gathered and glorified in heaven in union with the Son. This Church is the new people of God, of which all believers and baptised in Christ, are members, sharing in the same dignity and having the same responsibilities before any distinction amongst them arising out of status or office. This people however is an organised body governed and guided by the Episcopal body or college in union with the Pope, the successor of Peter, the Vicar of Christ; he is the visible head of the Church. This

whole body of Christ is steadily advancing towards perfection and reserved for all true believers in Christ, by whom they will be glorified with that same glory of his Resurrection.

The practical consequences of these principles or truths are far reaching. We just point them out:

a) The Church is placed in the concrete historical reality of the whole human race; it has a definite part to play in the history of men. It becomes the servant of men helping them to reach their final goal, in sanctifying the whole human endeavour in all spheres of life here on earth; hence the permanent need for reform, or to use a more traditional term, for striving for the restoration of man.

b) as the Church is formed of men who responded generously to the call of God, these men sanctify themselves and are moved by their indwelling spiritual gifts – charisms – for the good of others; the basis for catholic lay action whereby the Church sanctifies the world.

c) the concept of the people of God organised under and ruled by the bishops under and in union with the Pope makes it possible to affirm both the equality of the faithful in Christian dignity and the organic or functional inequality of its members, much as the Old Israel was structured in the three orders of kings, priests and prophets. It is the people of God built in this way, which continues the mission and represents in the world the sign of salvation that God established in Christ: *in Christo et in ecclesia*;

d) the local churches gathered around their bishop gain in importance and strengthen their personality as centres for the radiation of Christian truth and life throughout the world:

e) this concept of the people of God helps to encounter our brethren in Christ outside our Catholic communion, the Protestants and the Orthodox especially.

C. SANT

CASUS CANONICO-MORALIS

DE QUIBUSDAM OFICIIS PAROCHI

TUBULLUS, parochus

1- absolvit a peccatis Ordinario proprio reservatis quando, extra dioecesim, confessionem subditorum suorum audit;

2- nescit quomodo se gerere debeat cum concubinario moribundo filios habente;

3- Missarum stipendia congerit et funerum taxas saepe auget;

4- sanctam communionem illis qui, propter dolorum capitis ieiunium praescriptum servare non possunt, non permittit;

5- Titiae, religiosae infirmae, ultima sacramenta administrat, illamque mortuam elevat et ad coemeterium comitatur;

6- absolutionem Beatriæ negat propter censuram ab ipsa, nesciente, ob procuracionem abortus incursum;

QUAERITUR: Quid de TUBULLO, in istis casibus, sentiendum.

AD 1 – Quoad potestatem quam habet parochus absolvendi suos subditos ubique terrarum nemo est qui dubitat. Parochus enim potestate ordinaria gaudet¹. Sed utrum parochus possit absolvere suos subditos a peccatis proprio Ordinario reservatis, etsi extra dioecesim est alia quaestio. Reservatio enim peccatorum nil aliud est nisi avocatio seu revocatio aliquorum peccatorum ad superioris iudicium limitando in inferioribus potestatem absolvendi². Igitur quando Episcopus sibi reservat peccata in dioecesi, limitat potestatem absolvendi omnibus confessoribus, religiosis exemptis non exclusis. Ab hac lege, ipso iure, eximitur tantum Canonicus Poenitentarius sive ecclesiae cathedralis sive collegialis, et habitualiter impertitur saltem vicariis foraneis, addita facultate subdelegandi ad normam canonis 899 § 2. Parocho vero, salva utique speciali facultate, haec eadem potestas conceditur tantum toto tempore ad praecipuum paschale adimplendum utili.³

Neque dicendum quod 'Quaevis reservatio omni vi caret... extra ter-

¹ Cfr. Can. 881, § 2 cum Can. 873, § 1 dicente: '...parochus aliique qui loco parochi sunt', uti vicarius oeconomus, substitutus, adiutor etc.

² Can. 893, § 1 et 2.

³ Can. 899, § 3. Eadem facultas conceditur etiam singulis missionariis pro tempore quo missiones ad populum dant. Can. cit. § 3.

ritorium reservantis'⁴, quia hoc directe poenitentem tangit qui absolvi poterit ab omni confessario illius loci in quo actu invenitur dummodo tamen eadem peccata ibi reservata non sint, quia et peregrini tenentur reservationibus loci in quo sint.⁵ Parochus vero, de quo in casu, non est confessarius loci in quo poenitentes, hic et nunc, inveniuntur. Ergo ut parochus absolvere possit a peccatis in propria dioecesi reservatis, obtinere debet facultatem audiendi confessiones ab Ordinario loci in quo ipse et poenitentes actu inveniuntur. Tunc parochus absolverit vi jurisdictionis hujus Ordinarii et non vi jurisdictionis Ordinarii proprii qui jam facultatem parochi ante limitavit.

Neque iterum recurrendum est ad Can. 2247, § 2, quo dicitur: 'Reservatio censurae in particulari territorio vim suam extra illius territorii fines non exerit, etiamsi censuratus ad absolutionem obtinendam ~~e territorio fines non exerit, etiamsi censuratus ad absolutionem obtinendam~~ e territorio egrediatur', quia hoc in Canone de *censura* et non de *peccati* reservatione agitur. Censura vero est poena quae directe poenitentem tangit et non confessarium uti accidit in reservatione peccatorum. Et praecise propter hoc reservatio censurae, si non est ab homine, cessat extra territorium delinquentis, dum reservatio peccati, vel limitatio iurisdictionis perseverat etiam extra territorium reservantis.

Ad summum parochus potest absolvere poenitentes, de quibus in casu, si ab una dioecesi ad alteram se transfert itinere maritimo vel aereo, quam facultatem, uti coeteri sacerdotes, obtinet a Codice, ipso facto, quia jam ab Ordinario proprio facultatem confessiones audiendi acceperat, sed itinere durante tantum.⁶

Ad 2 — Parochus infirmo dicere debet aut matrimonium contrahere cum concubina aut separationem ab ipsa facere et quidem cum seria promissione non relabendi cum illa. Prima solutio, quando possibilis, praefenda est, hocque in casu parochus uti potest facultatibus sibi concessis a Canone 1044, h.e. dispensare super forma matrimonii et omnibus impedimentis iuris ecclesiastici, duobus exceptis, provenientibus ex sacro presbyteratus ordine et ex affinitate in linea recta, consummato matrimonio.

In casu contrario separatio ab invicem exigenda est quae aliquando revera difficilis atque dolorosa evadit. Hocce in casu, antequam absol-

⁴ Can. 960.

⁵ Comm. Pont. ad canones authentice interpretandos, die 24 Nov., 1930. AAS 1920, p. 575.

⁶ Cfr. Can. 883 et M.P. diei 16 Dec. 1947 in AAS, 1948, p. 17.

vat, parochus curat ut moribundus coram ipso parochi et aliis etiam praesentibus poenitentem se ostendat et promittat se, si convalescat, scandalum esse reparaturum. Curat amplius parochus ne concubina se illic sistat sed alio vadat, imo et ejus effigiem, si prope est, removeat.

Si concubinum sensibus destitutum parochus invenit, illum absolvit *sub conditione* et infirmorum unctionem *absolute* confert, nisi usque ad ipsam sensuum destitutionem sacerdotem recipere expresse recusaverit.

Tandem si concubinatus est occultus, in mortis periculo, generatim concubinus statim absolvitur, sed parochus ne omittat praescribere apta remedia ad praecavendum relapsum.⁷

AD 3 — Ad rem Can. 835: 'Nemini licet tot Missarum onera per se celebrandarum recipere quibus intra annum satisfacere nequeat'. Parochus igitur non tantum graviter peccat contra iustitiam quoties Missas tempore ab ablatoribus expresse vel equivalenter definito non celebrat, sed etiam, si de magno stipendiorum numero agitur, quoties Missarum celebrationem per duos saltem menses differt.⁸ Et quamvis ipsi oblatores Missarum celebrationem ejus arbitrio commiserint, parochus stipendia sibi retinere non potest intra annum a die obligationis susceptae; stipendia Missarum non celebratarum suo Ordinario tradere debet, secus peccat et graviter quidem nisi agatur de parvo numero stipendiorum et stipendiis secus carere debet, salvaque diversa offerentium voluntate.⁹

Quoad augmentum taxarum funerum, in re gravi, uti patet, parochus per se peccat graviter contra iustitiam. Igitur augmentum receptum parochus restituere debet damnun passis; si hoc impossibile evadit, augmentum tradat vel pauperibus aut piis operibus.

AD 4 — Male agit parochus quia dolor capitis est infirmitas. Ita etiam dicendum de malo stomachi. Igitur si per has infirmitates fideles communicaturi verum incommodum patiantur, rompere possunt ieiunium praescriptum medicinis aut alio liquido. Non requiritur infirmitas permanens aut habitualis. Sufficit infirmitas unius noctis, quia Mater Ecclesia mavult facilius reddere communionem aut Missae auditionem quam, infirmitatis causa, has omittere.

Imo et hoc licitum est et illis qui vomitu laborant et ideo et hi sumere possunt medicinam sive liquidam sive solidam necessariam ad simile incommodum, ex ieiunio praescripto proveniens, auferendum.¹⁰

⁷ TER HAAR F., Casus conscientiae. DE... OCCASIONIBUS, Taurini-Romae, 1934 p. 144.

⁸ VERMEERSCH R., Theologiae Moralis Principia etc., Romae, 1923, III, n. 298, 4

⁹ Can. 841.

AD 5 — In domibus *Monialium*¹¹ ad confessarium ordinarium spectat jus et officium administrandi SS. Viaticum et Infirmorum Unctionem non tantum Monialibus infirmis sed et earum novitiis necnon et aliis in religiosa domo diu noctuque degentibus causa famulatus aut educationis aut hospitii aut infirmæ valetudinis.¹²

In domibus vero *Sororum*, idem jus et officium generatim spectat ad parochum loci in quo domus sita est. Dico *generatim* quia Ordinarius loci potest sorores, justa et gravi de causa, a parochi cura subducere,¹³ dando eis cappellanum cum jurisdictione parochiali vel quasi parochiali. Hoc in casu administratio SS. Viatici et Infirmorum Unctionis ad hunc cappellanum spectat.¹⁴

Quoad vero sepulturam religiosarum hæc dicenda sunt. Jus et officium cappellani est exsequias peragere religiosarum et novitarum defunctarum in domo religiosa, quando agitur de religiosis jurisdictioni parochi non obnoxiiis. In casu, aliae religiosae defunctam deferant ad clausurae limen et inde cappellanus illam comitatur ad ecclesiam aut oratorium domus religiosae et ibi exsequias peragit.¹⁵ Expletisque exsequiis, ipsa cappellanus comitatur cadaver ad locum sepulturae,¹⁶ transeundo, cum stola et cruce elevata, per territorium alienum etiam sine parochi vel Ordinarii loci licentia.¹⁷

Si vero agitur de aliis religiosis a jurisdictione parochi non exemptis, hoc jus funerandi ad parochum spectat.¹⁸

His dictis clare patet utrum parochus, de quo in casu, bene egerit necne.¹⁹

AD 6 — 'Procurantes abortum, matre non excepta, incurrunt, effectu secuto, in excommunicationem latae sententiae Ordinario reservatam; et si

¹⁰ *Perfice Munus*, 1954, p. 32.

¹¹ *Monialium* nomine veniunt religiosae votorum sollemnum, v.g. Benedictinae *Sororum* nomine veniunt religiosae votorum simplicium illae nempe quae ex instituto non habent vota sollemnia. Can. 488, n. 7.

¹² Can. 514, § 3 et 2.

¹³ Can. 464, § 2.

¹⁴ Can. 514, § 3.

¹⁵ Can. 1230, § 5. Ante Codicem hoc jus et officium ad confessarium ordinarium spectabat.

¹⁶ Can. 1231.

¹⁷ Can. 1232, § 1.

¹⁸ Can. 1230, § 5.

¹⁹ Cfr. etiam *Cappellano e funerali di Religiose* ab A. TABONE, in LUCERNA Luglio-Agosto, 1954, p. 190-192.

sint clerici, praeterea deponantur'.²⁰

Attamen ad incurrendam quamlibet censuram requiritur delictum grave cum contumacia coniunctum. Quidquid igitur gravitatem delicti vel contumaciam aufert, ab incurrenda censura excusat. Causae excusantes potissimum enumerantur: ignorantia, ebrietas, omissio debitae diligentiae, mentis debilitas, impetus passionis, metus gravis.²¹

In casu nostro potius agitur de prima causa, i.e. de ignorantia. Quoad hanc ignorantiam dicendum quod a) si ignorantia est affectata, sive legis sive solius poenae, certo haec non excusat a poenis.

b) Si ignorantia est crassa vel supina, excusat a poenis latae sententiae si lex habeat verba: *praesumpserit, ausus fuerit, scienter, studiose, temerarie, consulto egerit* aliave similia quae plenam cognitionem ac deliberationem exigunt. Si lex haec verba non habeat, non excusat.

c) Ignorantia simplex ab incurrenda censura semper excusat, non autem a poenis vindicativis latae sententiae. In praxi valde difficile erit distinguere inter ignorantiam crassam et simplicem graviter tamen culpabilem; *practice* statui potest solam ignorantiam quae non sit graviter culpabilis, *semper* excusare ab incurrenda censura.²²

His dictis dicendum est ignorantiam matris de qua in casu, esse potius vel totaliter invincibilem vel ad summum simpliciter vincibilem. Ergo mater non incurrit excommunicationem quamvis scivisset abortum prohibitum esse lege divina, imo etiam lege ecclesiastica. Quilibet ergo confessarius, suppositis aliis supponendis, illam monitam absolvere poterat. Cur parochus non?²³

A. TABONE

²⁰ Can. 2350, § 1. Iidem procurantes abortum omnesque cooperatores ad illum effectum secuto, evadunt etiam irregulares ex delicto. Can. 985, m. 4.

²¹ Can. 2229, § 3.

²² NOLDIN H.: *De censuris*, Ed. 24, Oeniponte, 1931, n. 23. 24.

²³ Vide etiam si vis ABORTION by Prof. TABONE, in SCIENTIA, 1945, January-March, p. 27-37.