

Archbishop of Baltimore, by whom he was consecrated in the historic Cathedral of this metropolitan city November 4, 1888. There were present at this magnificent ceremony more than 100 priests, six monsignors, nineteen Bishops, three Archbishops and a lay delegation of twenty of the prominent citizens of Detroit. Among the priests present were nearly all the pastors of the churches of Detroit. The sermon was preached by the Most Rev. Archbishop Ryan, of Philadelphia.

It was claimed at the time that this grand ceremony had a dual signification; that while the Cardinal Archbishop thus manifested his high esteem for his protégé, Bishop and diocese shared the honors.

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## SAINT ENNODIUS AND THE PAPAL SUPREMACY.

### II.

THE murderous riots, which were organized by the disappointed factionists, were the immediate occasion of King Theodoric's visit, but the cautious conqueror of Italy had been long awaiting a plausible opportunity that circumstances might spontaneously offer to take formal possession of the old capital of the empire, and to strengthen the foundations of his throne by resting it on the cheerful support of the Roman Senate and on the solid attachment of all the people, nobility and democracy. He surrounded himself with all that pomp and magnificence, gorgeously equipped cavalry and splendid chariots, which the old Romans loved and admired so much; and, like their conquering heroes of happier days, he halted at the city walls, where he was met and accorded a princely reception by the Consuls and proud Senators in their rich official robes. The orator selected to act as spokesman, representing Senate and people, was the most distinguished Roman of his day, Bœtius, the author of the well-known work, "The Consolation of Philosophy." On his father's side he belonged to the ancient and renowned stock of Manlius Torquatus, and on his mother's to that of the Severini. His illustrious birth, his brilliant eloquence, his sterling character and his abilities as a statesman raised him to the highest honors and dignities that the city and the King could bestow. Eventually his unflinching assertion of his fidelity to the Church won for him the crown of martyrdom. His address of welcome to Theodoric, called a panegyric as Greek pronouncements of such a

character were designated, was worthy of the historic occasion and of the illustrious monarch. In him and in Avienus, one of the Consuls for that year and a former pupil of Ennodius, the Pope possessed two warm and uncompromising supporters. No sooner had the royal visitor been received within the walls than he proceeded to pay his respects to the Roman Pontiff. During his prolonged sojourn of six months in the Holy City the flames of strife were smothered; only, however, to break out more violently than ever as soon as his intimidating presence was removed. It is scarcely necessary to remark that the agents of dissension left no scheme untried to secure the King's favor during his long stay in the city; but their outrageous conduct repelled his sympathy, while their hollow protestations failed to shake his just convictions.

The renewed outbreak of riot and violence following the withdrawal of the King and his numerous retinue of soldiers caused the peace-loving Pontiff to offer spontaneously to submit to the judgment of a duly convened council of his brother bishops the whole question of the incriminations fabricated against him. With a view, therefore, to terminate the tumult and scandal, even at the expense of humiliating himself in the most self-sacrificing manner, he wrote, as already explained, begging the King to summon the bishops to Rome and promising to place no obstacle in the way of their fully and freely deliberating and arriving at a definite decision. It will be readily understood how much more conveniently and effectively the King could call together all the prelates than could the Pope in the existing circumstances; but, of course, the convocation was due to the Papal authority and initiative.

From the acts of this third Council we gather that the first session was held in August, 501, when Pope Symmachus presented himself at the very opening and explained that the assembly had been canonically convened, since the King, whom he thanked most cordially, had acted in strict conformity with his request. Two points, however, he would insist upon preliminary to a judicial hearing of the charges brought against him: first, that the Visitor should at once and permanently withdraw, since the existence and presence of such an official were manifestly uncanonical; secondly, that he himself should be reinstated in the possession of all the property and treasure of which the intrigues and violence of his enemies had deprived him. Both these demands were applauded warmly by the great majority of the assembly; but for the sake of peace and with the hope of ending the unseemly business once and forever, it was agreed to send deputies to solicit the King's advice in the matter. Theodoric was reported by the messengers to have decided that the Pope ought to await the restitution of his property until the investigation of the

charges preferred against him would have first concluded. Obviously the criminal despoilers of church property were not in a position to bring forward accusations against anybody; nor was there any guarantee that, if their insidious efforts to compass the deposition of the Pope ended in failure, as they were doomed to end, such reckless miscreants could be made amenable to the authority of Council or Pope. This first session had been held in the Julian Basilica; but the second took place in the Jerusalem Basilica, after an interval of some weeks.

When the deputation that had been commissioned to obtain the King's decision on the principal point raised by the Pope had delivered their message some of the Antipope's partisans proposed that the assembly should now proceed to formulate their judgment, as the King had given the deputation this order in virtue of his conviction, duly and maturely arrived at in Rome, that Symmachus was guilty of the crimes imputed to him. This allegation was at once met with the objection that if the King had judicially investigated the case and found the Pontiff guilty, why did he entreat them to try to arrive at a decision without even suggesting that he himself had examined the charges at all, much less formed a clear and decisive judgment of the guilt of the accused? The falsity of this statement was too obvious to provoke any lengthened debate; but when that difficulty was removed another was raised. The factionists demanded that the Pope should deliver up his slaves, who, they alleged, were material witnesses in the most damaging of the incriminations. Both the canon and civil law prohibited the admission of the evidence of slaves unless they were subjected to torture—*assertio servilis innocenti examine non probanda*—and even then their testimony would not be sufficient to justify either acquittal or condemnation unless other reliable witnesses were forthcoming. There is no proof that the Pontiff himself refused to give up the slaves *to the Council*; everything points to his readiness to comply with any conditions exacted, however humiliating. But, as Ennodius argues, the oath of a slave without the application of torture was inadmissible in any court; to apply torture was against the spirit of the Church and so cruel a relic of barbarism that the bishops could not for a moment entertain the idea of resorting to it; the accusers must, therefore, see that this evidence is utterly excluded, and it is clear they are not *bona fide* in their unheard-of demand. It is hardly necessary to caution the reader against regarding the existence of *slaves* in the Papal household as anything extraordinary in those days; Christianity had lightened the yoke of slavery, but did not at once entirely abolish this ancient institution. The final extinction of slavery in the countries dominated by the spiritual sway of the

Latin Church was only effected by the famous edict of Pope Alexander III. in the twelfth century. We read of St. Symmachus in the *Liber Pontificalis*: "Episcopis Africanis exulibus pecuniam et vestes singulis annis mittebat; captivos per diversas provincias pecunia redemit, et dona multiplicavit et dimisit."

In the meantime, while these animated discussions were engaging the attention of the assembled bishops, the venerable Pontiff, bending under the terrible weight of humiliation and heart-bleeding grief for his poor flock, who were being scandalized and torn from their loving shepherd, set out from St. Peter's to confront his clamorous and conscienceless accusers. But it was not in vain that the blood of the two great apostles and of countless holy martyrs had consecrated and endeared the old city to the Sacred Heart of the Redeemer. If the Christian sentiment of Rome had not rebelled against the infernal savagery with which its revered Bishop and spiritual Father was being persecuted, "the very stones would rise in mutiny." Such scenes of wild indignation had not been witnessed in the city of Seven Hills since the soul-stirring and tragic event of Virginia, a thousand years before. Ladies of noblest birth contended with ragged beggar-women, proud senators with the pious plebeians, in their efforts to show their sympathy for their beloved Pontiff by crowding around him, and consoling him by their prayers and tears on his way to the hall, where the synod was being held. These manifestations of heartfelt love and piety maddened the hostile party, who were strangers to every feeling of religion or public decency; a hired mob assailed the sad and peaceful procession with indiscriminating fury, smiting everybody who came in their way, wounding hundreds of the defenseless multitude, and murdering numbers of persons, lay and cleric, without distinction and without mercy. The *Liber Pontificalis* presents a sickening picture of the outrages committed: "Caedes et homicidia in clero ex invidia fiebant. Qui vero communicabant beato Symmacho juste, publice qui inventi fuissent intra urbem gladio occidebantur. Etiam et sanctimoniales mulieres et virgines deponentes de monasteriis vel de habitaculis suis, denudantes sexum feminineum coedibus plagarum afflictas vulnerabant, et omni die pugnas contra ecclesiam in medio civitatis gerebant. Etiam multos sacerdotes occiderunt inter quos Dignissimum et Gordianum presbyteros et multos alios Christianos."

The malignant accusers, possessing no legal or trustworthy evidence and seeing the current of justice and sympathy irresistible, abandoned the Council and devoted themselves to the more congenial work of stimulating brutal assault and promiscuous violence. From the very opening of the assembly the sweeping majority of the

bishops had strenuously opposed the hearing of the charges at all, inasmuch as they were incompetent to deal with them judicially, the Holy See being entirely above their jurisdiction. Common prudence, however, and the good of the Church demanded that they should comply with the wishes of the King as far as was consistent with the canons; and since he had so urgently impressed upon them to settle the matter definitely before they would break up they remained in the city and forwarded to him an exhaustive report of the sessions they had held and of the tumultuous sequel to their deliberations. Naturally enough Symmachus declined to leave the precincts of his palace again, as his life would be exposed to extreme peril, and all who would venture to show sympathy or to extend protection would incur similar risk. On the previous occasion three officers of the King had sworn to protect him, and, faithful to their oaths, they succeeded in rescuing himself, but could make no attempt to defend his helpless followers. Theodoric's reply to the message of the prelates requesting him to relieve them from their perplexity is a most marvelous document from whatever standpoint we may view it. Having premised that if he had considered this trial a matter in which he could interfere, he felt quite convinced that himself and his chief magistrates could have judicially examined all the bearings of the case and have long since arrived at an impartial and just decision; he adds: "It is a matter entirely resting with you under God's guidance, and if you regard it as wrong to take cognisance of the charges, then adopt some other means of quelling sedition and riot" — "*Qualiter vultis ordinate, sive discussa sive indiscussa causa, proferte sententiam, de qua estis rationem divino iudicio reddituri.*" The unconscious testimony of secular princes and of men of transcendent genius, even outside the pale of her communion, to the divine commission of the Church, has been both frequent and striking, but we question whether a more remarkable instance of it is recorded than that which the conduct and correspondence of the enlightened Arian Theodoric furnished during this controversy.

The bishops reassemble on the 6th of November and decide that *in the eyes of men* Pope Symmachus is free from crime and stain; but that the question of his culpability or innocence in the sight of heaven must be reserved to God, who alone has jurisdiction to judge the Vicar of Christ. They pronounced him "free from every alleged incrimination and outside the reach of legal pursuit in all things that regarded men, reestablished in full jurisdiction over all churches dependent on the Holy See and entitled to all the ecclesiastical rights of Sovereign Pontiff within and without the city of Rome. Let no Christian, therefore, in those churches hesitate to communicate with him or to receive Holy Communion at his hands" — "*Totam causam*

Dei judicio reservantes, universos hortamur, ut sacram communionem (sicut respostulat) ab eo percipiant."

Just at the moment when the Church seemed almost strangled by sedition her voice rings out clearly, to be carried down through the centuries on the winds of time, her unchanging and infallible accents. It was a decree of colossal importance, at once solidifying and entrenching the Papal supremacy, while it thrust back in confusion and impotence the powers of hell that had charged with such desperate ferocity. *Digitus Dei est hic*; undoubtedly, but humanly viewed the brunt of the fight was borne cheerfully and well by the material resources, the tact, the ability and the Christian fortitude of Ennodius, powerfully supported by the Senator Faustus. The faithful and illustrious Bishop of Milan, the warm friend and zealous fellow-worker of Ennodius in this holy cause, is the first to append his name, and the form of his subscription excludes the possibility of doubt as to the meaning of the decision: "Ego, Laurentius, Episcopus ecclesiae Mediolanensis, subscripsi huic sententiae a nobis latae quâ tota causa judicio Dei relata est." Pardon is extended to the bishops and clergy who had taken part in this disgraceful campaign of calumny and violence, on condition of their immediate return to the bosom of the Church and the renunciation of the calamitous career they had been following. The Senate had already decreed to follow the sage and inspired example of non-interference so admirably set them by the King. And now everything appeared settled and tranquillity once more returned to the streets and churches of the sacred city; but the calm was only on the surface. There were still raging ugly undercurrents of discontent, and murmurs of indignation at the alleged miscarriage of justice were sedulously propagated by a contemptible and rapidly dwindling clique. These secret whisperings soon found expression in a cleverly written, insidious pamphlet entitled "Adversus Synodum Absolutionis Incongruae," which Ennodius rightly designates an "opus foetidum."

One hundred and fifteen bishops had attended the first session of this famous Council, but many of them had retired to their respective sees during the riots and lengthened interruptions. Sixty-seven names are appended to the decrees. The heads of the Church in Gaul had in the meantime learned that their brother prelates in Italy had assembled to judge the recognized Supreme Pontiff of the Universal Church, and being unaware that the proceedings were initiated by the Pope himself, they were astounded beyond measure that anybody had dared to sit in judgment on the highest earthly judge. When the decree of acquittal was received by them they assembled in council under the presidency of Saint Avitus, Bishop of Vienne, grandson of the Emperor Avitus and an illustrious

Roman Senator as well as a cultured and zealous ecclesiastic. They addressed a memorable letter to the chief men among the Senate: "When we perused the decree bearing on the subject of the Pontiff we were seized with the deepest alarm, being persuaded, as we are still, that the whole episcopal fabric is shaken when its foundation and source of strength is attacked. We cannot conceive what law there is that could confer on inferiors the right to judge their superior. If anything is considered irregular or unlawful in the conduct of other prelates, there is their common Head, the Roman Pontiff, to pronounce judgment and to demand reformation; but when the authority of the Roman Pontiff himself is impugned, then it is not an individual bishop, but the whole episcopacy that is placed in peril. When the sailors meet and attack the captain of the ship, is it right to encourage the mutineers? That supreme shepherd who is at the head of the flock of our Lord must render an account of his conduct, but it is the Sovereign Judge, and not the flock, that can exact from him that account. We find some consolation in the fact that the assembled prelates have referred the judgment to Almighty God and have attested before the world that neither they nor King Theodoric have discovered any evidence in support of the accusations preferred." This unmistakable and emphatic assertion of the traditional teaching of the Church on the question of the Papal supremacy is not merely the expression of the deep-rooted belief of the Bishops of Gaul; it is, furthermore, a strong and a bright link in the golden chain of unity in faith and in allegiance that then as now bound the Catholic churches of all nations to the Holy See, "the mother and the mistress of all the churches."

The *Liber Pontificalis* informs us that one happy result of the groundless arraignment and honorable acquittal was to restore thoroughly the high prestige of the Roman Pontiff and to enhance his personal reputation and popularity. But the work was incomplete as long as the foul breath of calumny was allowed to taint the atmosphere. Falsehoods and base insinuations were the last ramparts of the ignoble vanquished, and even these had to be demolished. Hitherto the organizer of victory kept in the rearguard of the fight; now it was necessary that he should be placed in the very forefront. A fourth council was convened, and it is generally affirmed by historians that the prelates who had come from very distant parts remained in the Holy City by desire of the Pope during the interval of close on twelve months between the issue of their historic judgment and this fourth council. This hypothesis is grounded on the identity of names and the slowness and other difficulties attending locomotion in those days; and its probability is much increased when we consider the constant signs manifested of a recrudescence of the

sedition and scandal. The assembly now convened for the autumn of 502 is known in history as the "Synodus Palmaris," from the name of the hall where the bishops met in deliberation. The opening address of the Roman Pontiff, who of course presided, confirms the opinion of Baronius, who regards this synod merely as a continuation or the concluding sessions of the third council. "*This venerable assembly,*" says His Holiness, "faithful to the observance of the ecclesiastical laws and with a becoming fear of the wrath of God, has rightly decreed everything it was their duty or privilege to determine, and thereby discharged the debt of justice with scrupulous exactitude. Your decision has provided for all contingencies; there is nothing to be added to it, more particularly as regards those ecclesiastics whose ambition for power has broken the yoke of canonical discipline."

It has been already stated that one of the indictments brought against Pope Symmachus was the alleged reckless expenditure of public funds of which he was merely the administrator and not the proprietor. The manuscript of Verona gives great prominence to this charge; hence it is manifest that his accusers made the most effective use of it that facts and a wilfully wrong interpretation of what was meant by Canon Law of binding force enabled them to make. To the charge of scandalous conduct Symmachus had already given an answer more weighty and crushing than any defense in words. He had induced the bishops to enact that every ecclesiastic bound by a vow of chastity should have always near him, day and night, a *syncellanus*, who could testify to the purity of his life if exigencies required. Even Ennodius expends on this point very little of his impassioned eloquence; he quotes Cicero for the self-evident dictum that accusation is one thing, but calumny quite another; adduces some telling citations from Scripture, and then justly upbraids the maligners with the total absence of proof. But being now reinstated in power and restored to liberty of action and of speech, the Pontiff himself brings before the synod the alleged mismanagement of Church funds and secures important legislation on the subject. Here, again, we have the plainest evidence of the intimate connection between the two councils; what is introduced as an impeachment before the first assembly is fully answered and the matter legislated upon in the second. In language of just indignation His Holiness exclaims in his introductory address: "In omnes, quos in me vanus furor excitavit, agnoscant me nihil magis studere, quam ut salvum esse possit quod mihi est a Deo sub dispensatione commissum."

The particular statute which the Pontiff was charged with infringing was designated the Law of Odoacer, from the circumstances

in which it was sought to have it imposed upon the Church in the name of that monarch. Six days after the death of Pope Simplicius, in 483, the clergy, Senate and people assembled in St. Peter's to elect a successor, according to the custom that then prevailed. Before the proceedings had concluded the patrician Basilius presented himself in presence of the assembly as the accredited representative of the King, Odoacer. Having first complained that the election should not have been undertaken without the sanction of the King, he proclaimed aloud there and then the enactment in question, having neither asked nor obtained the concurrence or fiat of any ecclesiastical authority. It ran thus: "That the Pontiff about to be elected and his successors forever are hereby forbidden to alienate to any other purpose or to the use of any other building than those named by the donor, any possessions or goods, immovable or movable, that have been presented to or acquired by the Church, whether in the city or outside its walls. Any sale or conveyance in contravention of this law shall be null and void, and the person attempting such conveyance shall by that very act incur anathema. A similar penalty and censure shall be entailed by the purchaser as well as by his heirs in actual possession of the property, whether immediate or mediate, and so forth."

In the Acts of the Council we find a clear and exhaustive statement of the position in which the Roman Pontiff stood in reference to this pronouncement of a purely secular authority. "Suppose the priests of a diocese apart from their bishop or the bishops of a province in defiance of their metropolitan were to assemble and to attempt to pass a law that would be binding on the said bishop or said metropolitan, would such pretended legislation have the binding force of a statute? And if not, with how much greater reason must we regard as utterly null and void the so-called laws that secular authorities, laics, have presumed to dictate to the Apostolic See? There was even at the time no existing Roman Pontiff who alone in virtue of the supremacy derived from St. Peter could give force and sanction to such a statute. Such decrees can in no sense be reckoned among the number of canonical laws." The "law of Odoacer" was, therefore, declared uncanonical and nugatory, but a synodal statute was now passed embodying many of its provisions. Thus was Symmachus exonerated and the domains and other property of the Church at the same time protected against destruction or alienation. Nothing further remained to be transacted by this Council except the question of dealing with the vile and dangerous pamphlet that assailed so insidiously the legality and motives of the Synodus Palmaris. A commission is formally given to Ennodius in the name and by the authority of the Council to embody the views

of the assembly and the arguments supplied by the Canon Law, with which he was known to be so intimately conversant, in an orderly and exhaustive reply to all the enemy's statements of law and fact. Some writers are of opinion that this order was issued by the fifth Council; that Ennodius happened to be at Rome, as indeed we may fairly assume, and that a few days sufficed to enable this brilliant and ready expert in pleading to prepare his famous "Apologia." It matters little from which assembly he received the command; both possessed the same supreme authority under the presidency of the Pope, and even in personnel there is not any notable difference. The opening address supplies the date, "after the consulship of Avienus," or 503, and proceeds to announce the object for which the synod was convened, namely, to hear the "Apologia" composed by Ennodius read by that eminent ecclesiastic and to approve of it as embodying the principles of true doctrine and right discipline. We have already given numerous quotations from this wonderful document as the subject-matter appeared to demand, and hence we shall here confine our attention to a few points that seem to need further elucidation.

Mere allegations of fact do not touch the question of Papal supremacy at all save in a remote or accidental manner, and it is with this aspect of the case that we are mainly concerned. On comparing the acts of the various Councils with the "Apologia" we cannot fail to be struck with the remarkable agreement of the tone and general aim of the assembled bishops and of the "Apologist." Was it merely by chance, for instance, or with a view to assert the said supremacy of the Apostolic See that such a marked divergence of form was observed by Symmachus, the Roman Pontiff, and by Laurence of Milan and the rest of the prelates in the signatures of the acts of the fourth Council? "I, Coelius Symmachus, Bishop of the Church of Rome, have signed this constitution *made by Us,*" and "I, Coelius Laurence, Bishop of the Holy Church of Milan, have signed this constitution *made by the venerable Pope Symmachus.*"

Every argument and every specious allegation that ingenuity could suggest were resorted to in order to weaken the deadly effect on the schismatics of the crushing judgment of the "Synodus Palmaris," or as they indignantly designated it, the "Synodus Absolutionis Incongruae." The first and most obvious of their objections has been already solved by anticipation, where it was explained that many of the bishops attending the early sessions of the third Council had been taken themselves to their respective homes before the proceedings, retarded by long interruptions, had reached the happy termination so ardently wished for. But the pamphlet suggests that there were many prelates in Rome who absented themselves from

the final session and in no way endorsed the judgment impugned. Though Ennodius had warned his illustrious audience, in his exordium, that all ornaments of style were to be carefully avoided in his effort to present unvarnished narrative and plain arguments, yet he here dashes forth into the sublimest flights of oratory. "No doubt there were some black sheep in the flock; they hid themselves in the obscurity that became them; they had loved to plot and plan and intrigue in secret. Will they feel grateful to their friends for dragging them into the light?" Naturally enough, when the factionists found themselves in such a wretched minority, and saw no prospect of being able even to create a riot of respectable dimensions, owing to the presence of three high military functionaries of Theodoric at the synod, they discreetly withdrew.

Here it may not be out of place to remark that it would be at once unjust and untrue to represent *all* the opponents of Pope Symmachus as utterly devoid of personal sanctity. On occasions of the kind there are invariably some unfortunate dupes that allow themselves to be swayed by private predilections or to be misled by false appearances. Conspicuous as an example of that class was the exemplary and saintly Paschasius, of whom Saint Gregory narrates that although he had done great penance and died a holy death, he was detained in Purgatory for a considerable time on account solely of the part he took in the schism, though his error was not fully deliberate or malicious. Thirty Masses had been ordered by St. Gregory to be celebrated for his soul on so many consecutive days, and at the conclusion of that time, though Gregory had quite forgotten the instructions he had given, Paschasius appeared to a companion to return thanks for the Masses and to say that it was the efficacy of the Holy Sacrifice so constantly offered that had satisfied even then for his already forgiven crime against the Holy See.

There is one portion of the "Apologia" that appears at first sight overweighted with hyperbole, but on closer examination it becomes manifest that the strict limits of fact and logical reasoning are fairly well observed. Even friendly critics sometimes admit that the language is somewhat too strong, but plead that the exaggeration is at once natural and pardonable. No doubt isolated sentences smack of exaggeration, but viewed in the context the statements and deductions are truthful and legitimate. The writers who have sought to place the Papal authority on a level inferior to that of an Œcumenical Council labor this point with disgusting excess and subtlety. They affirm roundly that the doctrine conveyed by Ennodius may be enunciated in these terms: Every successor of St. Peter is either already impeccable or his elevation to the Papacy renders him so; and they base the sweeping inference they wish to be deduced from

this false proposition on the well-worn axiom of philosophy, "*Qui nimis probat, nil probat.*" Take, for instance, the following passage, and see whether it supposes the Roman Pontiff incapable of sinning: "I have searched carefully and probed to the very bottom the alleged irregularities of Symmachus. I am not the man to wish that this See, on which so many distinguished Popes have shed the lustre of their learning and sanctity, should now be dishonored; fear not that I have failed to make the most exhaustive investigation. If Pope Symmachus is guilty, believe me, the judgment of God will fall heavy upon him at the close of his brief and troubled career. In the balance of that all-seeing and all-just Judge the scale of chastisement or the scale of reward will incline by the infallible test of merit."

It is perfectly needless to multiply quotations. These few sentences abundantly show that Ennodius neither believed nor asserted that the Pope is impeccable. To be exalted above the jurisdiction of earthly tribunals is one thing, as Ennodius well knew, and to be raised above human frailty and the liability to sin is quite another. But the orator very justly observes that such instances of vicious habits or of gross crimes on the part of the Roman Pontiffs have been neither so frequent nor so glaring as to break notably the continuity of strong virtue as well as faith transmitted from St. Peter untarnished through the long line of his unimpeachable successors. This immunity of the Holy See from grave blemishes, as a general rule, is the result of two causes principally. First, the extreme care and numerous precautions employed in the selection of a suitable man to elevate to that highest of all dignities in this world is in itself an important guarantee that his future life will be as edifying at least as his past career is known to have been. Again, the weighty responsibility and the ever-present consciousness of what is expected from him, even humanly speaking, steady the wavering efforts of nature and strengthen the healthy influence of self-respect. Lastly but chiefly, the supernatural aids merited by personal holiness and good works or obtained through the intercession and sufferings of the first Pope, St. Peter, who cannot cease to watch over the spotlessness of the tiara, and of the many illustrious Pontiffs, saints and martyrs whose powerful prayers are unceasingly offered before the throne of God for the latest successor in their imperishable dynasty.

"Saint Peter, of glorious memory, has transmitted to his successors an undying heritage of merits as well as of sanctity. What he himself gained by the abundant and lustrous excellence of his works is communicated to them, in some measure, as associated with him in the same dignity. For who can doubt the holiness of that bishop who has the grace of holiness supplied to him in abundance by the

example and merits of his predecessors, even though he had not been himself remarkable in the past for personal sanctity in any extraordinary degree? In a word, either St. Peter raises to that honor such persons only as are illuminated with the grace of God, or he procures for them that illuminating grace at their elevation; for he is singularly in a position to appreciate what is needful for the foundation on which the fabric of the Universal Church is to be supported."

This passage presents the head and front of his offending, and yet when viewed in conjunction with and in the light of the entire context, no impartial reader will detect in it such undue exaggeration as can detract in the slightest from his estimation of the cogent reasoning and excellent discernment of the orator. The various forms of support that combine to secure the successor of Peter against the assaults of Satan and a wicked world are enumerated, and among them the special protection and intercession of the first great Vicar of Christ; but the infallibility of the Pope in his teaching capacity rests on the divine promises alone: "Thou art Peter (Rock), and upon *this* Rock I will build my Church, and the gates of Hell shall not prevail against it." "I have asked on thy behalf that thy faith fail not, and do thou, being once converted, confirm thy brethren." The infallibility of the Church is a different element of unfailling immunity from error vested in the corporate body as well as in the head, and indicated in the texts: "Behold I am with you all days even to the consummation of the world;" "He that hears you hears me," and so forth. Whereas impeccability, either in regard to personal righteousness or official freedom from faults other than doctrinal, is nowhere promised in the Sacred Writings, and has never been claimed by either the Prince of the Apostles or any of his successors. Unfortunately, history proves but too conclusively that an unworthy aspirant may succeed in reaching that sublime dignity and that his elevation does not necessarily change him into an angel. The same Divine Redeemer who permitted an unworthy follower to be enrolled and to remain to the end in the sacred community of the Apostles has permitted also, for the same inscrutable motives, an ambitious or simoniacal ecclesiastic to fill the chair of Peter, from time to time, but the infallibility ever emerges unsmirched from such searching tests.

"But," demanded the adversaries of Symmachus, "if the Roman Pontiff and the majority of the bishops, as you maintain, believed consistently from the beginning that no earthly power can sit in judgment on the Pope, why did they allow the Council to be convened for that express purpose? And, secondly, if the Council thus assembled were right in their much applauded decision that they had

absolutely no jurisdiction in the case—*qualitas negotii transit audituros*—then surely their acquittal of the accused cannot claim any value or respect.” It is on this last point of alleged inconsistency that the title of the pamphlet is based, “*Adversus Synodum Absolutionis Incongruae.*”

In reply to the first objection here advanced, Ennodius quotes a decree of the Council of Carthage, which prescribes special procedure in regard to accusations that emanate from individuals belonging to the household of the person arraigned. Obviously private hatred, wounded pride, disappointed ambition, grasping avarice or some such malignant motive may naturally be suspected to have prompted such incriminations. Now, if the bishops remained away each in his own cathedral town, they could take no collective action or make no proper inquiry into the origin of these charges, and would necessarily run the risk of allowing an innocent man to suffer, a fair reputation to be blighted and the Head of the Church to be unjustly and cruelly calumniated, to the ineffable scandal of all the faithful. Besides, the King repeatedly points out in his letters what was also in the minds of the assembled prelates the dominant reason why they were called to Rome and detained there until they would arrive at a final decision; namely, to restore tranquillity to Church and State, *causa discussa aut indiscussa.*

The obvious answer to the second point of inconsistency alleged is that even a “court of first instance,” that possesses no jurisdiction to mark punishment, can undoubtedly declare that the case against the accused is unsustainable and, as the English jurists express it, find “no bill,” that is, declare there is no *primâ facie* credible evidence of guilt. Before a criminal charge is submitted to a Judge of Assize the heads of the available testimony in support of it are examined by the “grand jury,” and by finding a “true bill” or “no bill” they send the case for trial or scout it out of court. The Scottish legal phrase “not proven” expresses still more precisely the meaning of the sentence pronounced in favor of Symmachus.

But supposing the evidence had been both abundant and convincing against Pope Symmachus, what course remained open to the bishops while discharging their conscientious duty on the one hand and respecting the Papal supremacy, as they were bound, on the other? Any reader acquainted with ecclesiastical history will recall the remarkable story of the condemnation of Pope Marcellinus, which rightly interprets the spirit of the Church and accurately conveys the traditional teaching from the earliest ages. It was during the persecution of Diocletian, and Marcellinus is said, by many writers mostly on the authority of Donatists, to have been frightened into an open act of apostasy by swinging a censer before an idol.

Three hundred bishops and thirty priests, it is stated, assembled at Sinnessa Pometia to hold an indignation meeting and to publicly dissociate themselves from such a scandalous betrayal of his high trust. The acts of this Council inform us that the unanimous decision of the assembly was expressed in these words, which the Pope was summoned and duly presented himself to hear: "Tu eris iudex; ex te enim damnaberis et ex et justificaberis, tamen in nostra presentia." Marcellinus publicly confessed his scandalous abjuration of the faith and pronounced judgment upon himself according to the terrible penances prescribed in those days. Then the bishop who was to affix his signature first, Helciades, arose and declared in a solemn tone: "Iuste condemnatus est ore suo, et ore suo anathema in se suscepit; nemo enim unquam iudicavit Pontificem, quoniam prima Sedes non iudicabitur a quopiam."

The long-sustained plaudits accorded by the august assembly to the eloquent deacon of Milan were echoed throughout the wide expanse of Christendom; for the "Apologia" was stamped by the Pope and Council with the seal of approval and ordered to be incorporated with the official acts. This was an unprecedented honor; but it was not to enhance his own fame that he labored. Had he been ambitious, the dignities of the Church were at his acceptance, for his merit and qualifications were unquestionable. It was eight long years afterwards that he was prevailed upon to exchange the humble and laborious post of teacher and deacon for the higher and more responsible dignity of Bishop of Pavia. His life-long friend and enthusiastic admirer, Pope Hormisdas, employed him afterwards, on two different occasions, to execute a mission of supreme importance and of trying delicacy to the imperial court of Constantinople. The hardships and perils so heroically endured on the second trip shattered his constitution and contributed largely to his early and lamented death. His bones rest in his beloved Pavia, near those of the great Saint Augustine, after whose illustrious example he had patterned his life and works.

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