

Re A Ø 34

- 20 sheets

- I may have disturbed
the order of the last 5
sheets. - Sorry.

Needed: a careful study of "contents."

- I suspect ~~that~~ the sheets
were not in proper order
from the beginning.

F.E.C.

02-13-97

Theoria iuridivini: potestas directe a Deo, praeter conditiones
Potestas: contract between people + sovereign - contractus formalis ^{good rule: Andine}

Leo XIII: No gov't [no matter what its constitution or intentions of the legislators] is
immutable and inephrable de jure

May
~~Can~~ an usurper gain the right to rule by prescription?

1° Sovereignty in tali case est "res nullius": Leo XIII

2° It is a "res nullius"; it may be "res populi"

3° It is sovereignty, unlike things obtained by usurpation, is not destined for individuals

2° Distinguish the possession + the exercise of sovereignty

possession remains with the people; letters goes to gov't

Usurper may be tolerated as a less evil than another revolution

then if he maintains his position by force + despite continuous opposition

he remains an usurper

But if he is tolerated without opposition, then he seems right

But this is why prescription lost by popular consent

Is sovereignty indivisible or not?

Powers "justi divini" secular immediate monarch or mediate through people.

Laws I: King & secular & ecclesiastical authority: directly from God.

if people not satisfied, even give injuries, pray & do penance.

Catholics: admit limits to Kingly power — Leo XIII says "non
repugnat potestati conditionibus & a populo, Deus dat regi auctoritatem."

3 May 1892 - letter - not denying common opinion of theologians

Constitution of Austria: "jura veniunt a populo."

Switzerland 1929: art. 48

Yugoslavia 1931: Titulo: Rexader gentium diu et voluntate populi rex

Spain 1931: art. 1. Potestas a populo, art 59

Mexico : sovereignty essentially originally from people

Panama, Paraguay.

States ^{sovereign} populi: illimitata: comparable to man's absolute dominion of self.

no restraint circa contra legem. // plura: more intrinsic rights

Heff: status ad potentia absoluta in terra: jura annis juris; aliud jus non potest competere. ^{independent of post-inland.}

status est voluntas divina manifestata in modo concreto.

Why then can not the law say that boundaries dividing is good

Limits 1° Natural law: State cannot override natural law; rights of individuals possible
State cannot override faith & morals

2° The end of the state

Supreme potestas - delegatio ad gubernandum a populo ad tempus; ad libitum revocabiles

1° Romanus requirit sibi superiorum don

2° Romanus populus requirit aliam suam voluntatem que est principium regum

3° Una potestas requirit aliam sequentes

Non agitur de sibi constituendo superiorum aut de eliminando voluntatem; aut de efformando
nationem, faciendo societatem jam existentia

Differences on Catholicism: History study improved - Positive theology.
Enlightenment did not touch rank & file - faith preserved & embraced by women - in
Germany by ^{Heister} Heister in 18th century - same excellent feminine views.
superficial religion = naturalism too much - 18th century

Anti-religious Enlightenment: Diderot in England: then kept to higher social circle -
by Bolingbroke - France: ^{Denis} Bayle 1700 - Voltaire '74-'78 the conscience of 18th century
abroad critic of his age throughout Europe.

Letters to French: Down to spread sterility: one to destroy it. There is there
prince like Ford II to see through imposture of ^{full codes of all evils} superstitions. Denies
immortality of soul. Superstition. True marks of debility and character.
Christology. Deposition the contradictory of deicide.

Method: multa brevia - so tons as nothing - fly sheets - nothing abstract, just points;
Voltaire wanted state to be our social power. Wished to attain absolutism. Equality, liberty,
Christianity. Enlightenment not for the mass - la paille est stupide.

La Rochelle: full of fanaticism - hated - worst of all a chaplain - means
'55 denied authorship - a publisher published it under his own name
many not many boys had put forth worse works.

Encyclopedists: ~~the~~ Bolbach's work.

Ford II: "of Encyclopedists began to withdraw from movement: what he wanted
was to be rid of a church that was independent of state: his
idea was *desecratio est in mensa Domini* - considered people to need religion.

Political theorists: had no acquaintance with real politics; [Toqueville makes much of this]
Machiavelli: ^{much} good but only his criticisms read - Physicists large propaganda -
favor strong central government & equal citizens - opposed to property - communism
equality of all but not liberty - what is being put into practice by Soviets -
got significative & crown - looked for rapid & renovation of state.

Rousseau - utilitarianist - *l'etat naturel* (agricultural times - city was corrupt) - "Contract Social"
had great influence but no meaning - success due to attack on monarchic ideas.

Critique of anti-religious movement - effects still palpable - Irignville said that outside France
the masses were not affected by infidelity - Political tracts read in U.S. but with anti-religious
tracts - In France the high class had dropped part of the masses into infidelity
What was wanted was a new state based on reason alone. Thus church was
the bulwark of the monarchy. The revolution was consequently fierce against church.
From 1750 appreciation of supernatural hard to find - anti-religious minds common
D'Alembert says disdain of religion was what more than all else made revolution horrible.
Anti-religion created a human fervor. Foreigners admired state of France, its progress
but French only occupied in criticism. Revolution with a matter of improvement
but absolute liberty. Liguier: foundations of state already gone; men accept
philosophers' right to make their own laws and to rule, to begin rule by
destruction of the past.

Church - paid for elementary & middle education (30,000,000 years) - against mass with a word said.

Opp. all abbes [revolution got abbots: got high clergy] 150; hardly 12 seemed unworthy;
40 surplus mediocrity, intellect & workman; large number incompetent: power to inhibit;
Dominic de Brienne sample of bps. given too much to social improvement, forming methods
2 great evils: opposition between rich & noble high clergy and lower ^{indigent, poor} clergy
& abbes: large number, benefices not retained - immoral of Richard; de la Force

[Sunday not observed before revolution; not enough preaching; literature needed; some bps 18 yrs office not yet arrived in
Public debt of no importance 10,000,000 livres - clergy offered to pay it - revolution ^{opposed} wished to destroy its influence

Does it attribute his Declaration of Rights of Man to 18th century writer Montesquieu / Rousseau
Others attribute it to Protestantism and ideas of USA colonies

Best example of U.S.A. Creed, Declaration of Rights of Man - Lafayette

1776 Ordinance for the colonies: one has rights: human, have labor, own property, quality
Thomas More's "Utopia": freedom of religion, public reverence of God; constantly good must be learned to
be eligible for office - No union between church & state - no state church

1780s - James Oglethorpe & others who gave religious freedom, wrote constitution
for Georgia, was a Quaker & believed all religions should have same rights;

liberty of conscience is with liberty of speech - atheism anti-social,
excluded from citizenship religious individuals that do not recognize supremacy of state

doctrine is practically U.S.A. system - southern states were Anglican established -
Northern were Protestant Puritan ^{type of} intolerance - Maryland first free & Catholic, ^{from}
later dominated by Puritans - Pietism & illumination but especially immigration, ^{with}
weakened Puritan intolerance in 18th century

All real points of Declaration in English "Common Law" "Magna Carta" "Habeas corpus"
American Declaration of Independence was declaration of tradition & indictment of
King to justify rebellion - Freedom of religion contained only "in religious"
American Constitution art 6. No obligation to religious oath. No public
support of religion of sect

'86-'89 Importance of accidents in accounting for course of public events.

'86 one of most important of reforms in whole history: decentralization also ordered & carried out. most beneficial. Parliament opposed to crown & had support of nobility & 3rd Est. Stagnation of higher stratum.

Convocation: leads to unpeace conflict of estates - first since - question of procedure: votes in classes or individual - Question discussed at reform but equality nobility.

3rd Est checked indirectly; crown directly; other clergy inc. bps indirectly

Greatest distance opposition between clergy & nobility

clergy 296: 47 bps, 12 canons, 6 vicars general; 23 abbots, 200 curies

Estates → National Assembly: 3 Est suggests that distinction of Estates be dropped and all vote together. Wks of debate. Nobility opposed, 133 clergy, 98 3rd Est declared it was the National Assembly - beginning of Revolution

30 June - Oath in jeu de paume to write a constitution

Majority of clergy join National Assembly - recognized by King

When King dismissed Necker, people in arms - foundation of revolution

Attack on Bastille. 14 July opposition moved to nobility bond of revolution.

Real power now in National Assembly.

Abolition of privilege. 4-5 Aug. National session. Ests decreed. Repealing Tithes abolished. Importance was principle bona ecclesiastica sunt status non exhaerent Salaries assigned clergy; these subordinated to state.

Rights of man. ^{prelude to constitution} Catholicism was still the religion of state - 26 Aug. decreed.

The natural and inalienable rights of man - born free; social distinctions conventional;

liberty, equality, security, opposition to oppression.

Power ultimately in hands of people.

Liberty is doing freely what does not harm others

Rights in detail determined by laws. All have right to legislate indirectly. all eligible for office except what written No one to be without religion. Freedom of press & speech.

of opposition in favour of Jacobinism against both or against Brown.

Prerogatives in parliament were hereditary, laws not valid unless inscribed by Parliament; right of refusal; crown could force Parliament but this step was obviously a last resort.

Conflicts: against privilege of nobles & clergy - against all new taxes - out for popular approval - maintained everything stable: a weapon against King. These conflicts greatly weakened King. Louis XVI had suppressed Parliament. Louis XVI made mistake of restoring it.

Louis XII 1643-1715 Regent.

of E. Med. : Madame Elizabeth

Louis XV 1715-1774

Louis XVI 1774-1793 || Louis XVIII -1824 - Carl X -1830 1836 - Elizabeth

+ Marie Antoinette

Marie Thérèse

Duchess 1789

Louis XVIII

Felix

1778-1854

1795

Louis XVI with ^{incapax} diminished influence of first ministers not good - influence of Pompadour had in religion good for state - de Bonvic a whole thoroughly had influence

Louis XVI worst at beginning of revolution he would never suppress by shedding blood of his people
bons et sbris intellects - clear sighted - but with the advisers of 17th

Internal policy: le soulagement du peuple

Marie Antoinette 19 yrs - someone intelligent - amiable person - drawn to her wife and mother - Louis XVI could not correspond - first child after 8 yrs.

But popular report very bad - people against M. Antoinette because Austria, England and money
Water foul - to Mark Lane at 1,600,000 made by French families for de Bonvic -
Louis XVI died - M. A. refused neckker - a warship needed.

When piqued against Antoinette's criticism of his loose living. La Motte approached
When

Expenses of court since - possible reduction of 20,000,000
200,000,000

Nobility 140,000 - 1 family in 100 -

Court nobles - rich but not very - real wealth with mercantile & industrialists

Rural nobles - corrupt - fought for privilege of exemption to be able to live.

Chergy 12,000 ^{cuis} ~~francs~~ - 60,000 vicars. 22,000 reg 37,000 monks

Nuns for superior to reg in virtue

cheyt unions 28,000 - 6,000 5,000 canonici collegia - 150 dioceses.

France has 20-25 millions - Economy to day same number of Catholics

150 dioc. 20,000 cur. 12,000 reg 81,000 monks

Privileges: honori, - collegia publici = state religion, freedom from taxation but every

tenth year give the stuff freely to saint - Niches ^{they paid} as much as any

house of 180,000,000 - Much but church did much.

lower clergy really poor of 300 - 1/2000 Palates to rich 1/10 000 - 1/10,000,000

800 "in commendam" - philosophers depend upon them & so did with clergy then

Bourgeoisie: uncastile commercial interests - his.

Land 10% clergy 30% bourgeois 20% Bourgeois 40% for Peasants - deh fundis all but a known

Moulins in Europe was the peasant so much a proprietor

Inequitable attributes revolution in France to the large liberty of the peasants

Wage earners in industry poorly paid - Craftsmen better off than a curé

Bourgeoisie the cultural equals of nobility but no intercourse

Flow from country to the town, esp. to Paris - in revolution Paris set the pace for whole of France.

Finance Louis XVI left in bad state - Card. Fleury '28-'43 set in order -

Taxes: heavy but cannot be compared to those of today. Taille changed only: due to injustice

Chergy with tax free. All fixed capital in industry tax free

Treaty of Paris 1763 - following change of policy with Austria's agent England - great cause of Revolution

American war of independence - promise to France but not right idea

May 25 ships in time of Louis XVI - much were provided them in time of Napoleon - ruined by revolution

Cabiers: universal cry of complaint - Dec. Feb 1799 - 3/4 of population illiterate - those in favor of revolution

were standard forms. all with genuine - most probably genuine

Archives of France 18th century quite contrary

1789-1815

- I Destruction of Feudalism - hierarchical state division of people ^{absolutism follows}
Replaced by centralised government and egalitarianism
French Revolution did this in France and prepared way for it in Europe & America
- II Church hardly distinct from state under feudal regime - clergy one of the
political corporations of France - in Germany bishops as princes, own
10% of territory, firmer basis of Imperial Crown.
French Revolution changed all this everywhere [especially in Spain]
Church clearly distinct from state, has to protect its rights by action of its members
- confiscation of Church goods & deposition of prince bishops in Germany
- III Modern Catholics can make use of Political liberalism to defend Catholic
moral principles & rights of Catholic Church - eg. democracy - Le Bon
- IV Revolution guided by & propagated the rationalist philosophy of 18th century
This liberalism (cultural & religious) not necessarily connected to political liberal
ism
- V Released - immediately - nationalism: the state is the king -
Stalin revolution & modification of Pope's status.
Pope's effective authority from 1790-1800 is at a minimum.
- VI Revolution - by captivity of Pius VI - by restoration of absolute papal
de iure authority - [most terrific act of jurisdiction in history] - captivity of
Pius VII: real letters of bull to Napoleon; justice & liberty of Church the
all balanced authority of pope - Especially: the removal of
the support of the state directed every bishop to find
support and guidance at Holy See - in Germany from 1803

Causa of Revolution - the determinant's proportionate to effects. ^{attribution} spec. of Church
vs economic, political - or cultural & religion - by abuses in which order.

I Conditions economic & political in 18th century

II Religious & cultural conditions

III History of years '86-189

who XVI-XVII some have work
Taine des Origines de la Révolution
of Tocqueville France in 18th Century

Quinn's analysis tries to deny the earlier time: France did it
in the grand style

I Economic Political

a Organisation of Govt of Louis XV XVI Marie L'Etat

Revolution did not create but perfected + in its way purified [did also liberate]
& centralism - King did not rule in ability - but in authority of
ministers - Louis XV set ball going for exclusion of nobles from government

France had had a decentralised gov't - designed a patchwork
and his districts practically autonomous - in 18th century states

in opposition to nobles; power in hands of King & his 32 intendants
who are omnipotent in their district - 15 yrs before revolution
everyone of 32 was honourable & scrupulous - not brilliant of course -

They were not nobles - but bourgeois (jurists) - yet did not rank in
high society, intimidated by nobles - nobles as effective power - those who should be

Revolution destroyed nobles who had no office - completed centralisation & gave power to
King Louis XV change from feudal to centralised state prepared Revolution

No basis for any charge of despotism - Ultra de ultra reactionaries

Reactionaries found in Bastille - Young claimed that France's gov't was as
Poor as that in England - in fact a whole criticism of gov't then in any 17th century monarchy

Had a multitude of obsolete laws still on statute books - conflict of gov't + parliament.
Jurisdiction in France better than elsewhere - freedom of appeal etc. - 12 supreme courts + parliaments
1/3 of France under Parlement of Paris which was first in rank - This parliament was centre

Wolsey wished power to settle marriage case in England

Henry VIII sought dispensation; but attributed to petition of Henry VIII

> Reason peace England & Spain

3

4 Isabella died

5

6 Dispensation for a heterosexual consummation

7

None of these reasons invalidated dispensation

Wolsey wished nullification of marriage if one of these reasons valid -

" " power to settle case in England - but wrongers to Rome who
entered daily into long discussions in Rome

Pope in his face's studiosus - threat of schism - did not yield to Wolsey
gave Bulla commissoria entrusting affair to Wolsey in England with

no appeal to Pope from Spain or England - Pope did not say one reason

would invalidate dispensation nor did he undertake to recognize English verdict

Wolsey & Campygio would have bound their conclusions to Rome Pope would
pronounce

Wolsey considered this Bulla insufficient - sought another by which

Pope could not intervene - Wolsey at Henry's agent had been explicitly by his father

Wolsey said he would not execute Bulla only wished to have them to King

Campygio came in a Bulla. He was sworn with King Henry Wolsey Pope & Campygio

1 Bull to remain secret

2 To be burnt if Wolsey or Henry saw it

3 Case was to be tried according to its own ~~terms~~ ~~conditions~~ on King's right

Campygio showed them it. Wolsey not satisfied. Examination of Campygio's baggage finally

Clement VII severely ill. Wolsey had ambitious aspirations. Clement beyond.
Wolsey tried again for powers unsuccessfully - settled to business.
Catherine appeared twice in court to protest & appeal.

Mortified in consistency if bigamy might be allowed - Negative
Clement's policy to wait till King changed his mind ⁱⁿ 1534
declaration of validity of marriage

Cromwell Lutheran - married - but to do King's pleasure

[Debate of Cromwell's Bishop against Wolsey - summoned to trial - died -]

Universities favored King all in England ^{from the pope's} some in France - Protestant - Erasmus

January 1531 - Bill to have King head of Church in England

1° Clerus accusavit in quantum lex Christi promissit - hoc contractu

2° Paulus post report hanc sententiam sed servavit

King declares invalidity & marries Anne Boleyn -

Fisher: matrimonium validum sed recessum in Anno plene agnovit

1534 English people objected to "Oath of Supremacy"
accepted by all except Fisher, More, Franciscan, ^{Thomas} Cuthbert
though no restriction as to text: - writing in Gospel to allow for a ^{human} bishop
a higher jurisdiction in England than an English Bishop.

Reason: Fear.

Henry sought relations with Luther.

'36 10 Articles - Lutheran - 3 sacraments - justification - against indulgences

'39 6 Articles - brought it back to pure schism - Eucharist transubstantiation
communion 1 species - matrimony indissoluble - vows perpetual
idol - private mass - Friday abstinence. sub poena mortis

'38 Act of Communion.

Plunder of monasteries - financial benefit. Right King on schism
Lutheran gave Pope hope

c1118

opus Reformationum - 57 H. de Calvin - ed. in 57' tomis universae Bibliographiae
R.T.C. IV ed 1377-1422 - art Calvin.

Deuergue - Paris 1899 - Jean Calvin - (Calvinist point of view; best in English table)

Kampschulte - Goetz - (Catholic point of view) - author "Ola Catholica"

1509 at Noyon - noble connections - was a popular figure - restrained, solid -
good moral character - studied at Univ. Paris - 1522-27 - certain with Lutherans.

'27 Mersiers canonization '33 not canonized

Institutio Religionis Christianae 1536. Latine illa constitutio idae Calviniana. Not changed.

Principium praecepi fidei - Fides - S. Script. - Cognoscitur: litteris -
Hinc extra libere & voluntate separantur.

Voluntas libera non est - nisi ad hominem nisi gratia per solas electos datur.

Opera infidelium non se optine sunt peccata

Opera justorum sunt peccata sed gratia imputantur

Omnia eodem modo

Indefinitae sunt meritoria humana

Legitur: Deum velle nullum est ad damnationem praedestinari

Justificatio procedit poenitentiam & causa effectum

Reprobatio est quod homini in stato lapsa comparatur

Peccatum Adae est opus Dei: Vocantur omnes evangelio sed vocatis

reprobis est major causa damnationis - Voluntas est ultima ratio.

Deus potest convertere homines. Cur non? Quia non vult.

Retinet Bapt. & Euchar. det. Elementum & signum 2. Aliter - gratia pro solis electis

Ecclesia pro se visibilis - organisatio aristocratica - democratica - sine est visibilis

ubi Calvinista in majoritate - civili status subordinatur auctoritate

Calvinus ecclesiam apostolicam

Recessit in libertate reformationis Quingiana

Zwingli 1484 - Chris. - humanist above all else - summe intelligentes but with profundity -

non in his morum

Non assensu sed assensu datur - Patheticus datur in naturalibus

Nullus symbolicus reformis + non sectarum - Church & State non +

Calvin non vult hinc of any communication with Rome - the only one - ^{simul} _{most}

Henry VIII '07 - popular because of his talents + qualities but proud + grasping
Thomas More - as his line became conscious of his strength, then became

Wrote de septem sacramentis agist luther D.F.

Policies in '15 vs Charles against Pope - threatened schism as a political weapon

1509 Married Cath after coming age 23 years

Esms 2 daughters - all died except Mary Tudor.

Catherine bdy but early lost charm + beauty - sickly - not much hope of heir

Henry exceptionally sensual, covetous, passionate - very escapades.

1524 Suspends marriage relations, denys her incest

Henry VIII 1485-1509 First Tudor

1 Arthur + 1502 - Cath

2 Henry VIII + 47

3 Margaret - Jac IV

- Catharin

Maria Katharina '53-'58

- Anne Boleyn

Elizabeth '58-'63

- Jane Seymour

Edward VI '47-'53

Jacob I

Mary Stuart

James VI (I Ang)

1603-'25

Condition of Church in England c. 1500

- Henry VIII's marriage problem

3 " " Schism

+ Calvin + Calvinism

5 Anglicanism under Henry + Elizabeth

Bibli. of CM Hist II - Constant II p. 111 - 4 York III 529 - Pastor IV 2

Letters + Papers of Henry VIII - 20 vols. - Calendars (foreign correspondence)

Baron. Hist. of Reform. - Chaplain Constant II - Ang. Hist. - ed Pocock - Turle

Esses - Catholic Rome - Vatican documents on H's marriage

Diam. Hist Church Eng. - High Church

Wheat - Life of Henry VIII

Wife - York - IX marriage of Henry - Pastor - Constant

Religious heresies in England c. 1500

Problem: how could King change religion in short time? in parliamentary state?

① Commons: gentry & city representatives

Lords: higher nobility, bishops, archbishops.

Highest tribunal - grants taxes - abrogates laws

② Reformation, ① Alternative from 16th cen since 100 years was Protestantism 1353

King's scheme the culmination of this.

defects c. 1500 English relations = 16th cen better than before.

2° Political condition - relation of Church & State within England

Plantagenets till 1400 - York ^{White} rose - Lancaster red rose.

Lancaster succeeded to throne & maintained it till by war. When war failed,

York's nobility fought war of roses (counter-revolution) against Lancaster.

A noble's war - city life unaffected.

York held throne - patriarchy alienated in '83 - new war.

Richard III King Tudor of Richmond -

Gentry & people in York and Henry - higher nobility all but exterminated

Henry fought in House of Lords ^{upper} his followers - bishops nominated by King

House of Commons had real power & opposed King but not in religious matters

Why was Commons in King.

Charles I. Carolus - undoctus & immorales sapere regna -

Magna pars superiorum temporum supplicia mereretur ejecta from throne

Bishops King's appointees in few exceptions

[Henry's loss of York & Westminster since in common law 1570s due to a part

→ born of merchant class

Red hatred of Catholicism (not of Holy See) in House of Commons 1575 Henry had

Humanism had influence (in this class) as support for

Economic change '15-'50 from agriculture to industry Henry's

Calvinism - Church independent of state which leads only with "Sovereign"
Church is *regnum dei* & its real mission on earth - human theology, the poss.
separation of church and state as soon as Calvinists a minority.
New England first an ideal Calvinist state - when this was possible later, then full separation.

Reformation - 1^o crisis in Germany ^{in unsophisticated} *prophetic* *anarchy* was sought.
2^o quasi Soc. Cath. movement post-Constantine clashes with Reformation
& in 1517 in Germany field began to rise
3^o Protestantism the way path to modern incredulity and paganism -
Up to 1800, ideas Protestantism were unshaken - esp. during generally unshaken
epoch about a God, divinity of X^t, etc.; followed Catholic theology;
in 18th century Aufklärung
in 19th century Protestantism often rationalism accepted good
values adhaer non sanavit
these point back of fixed & certain faith - human paganism.

Calvinism

- 1° Holiness of Rome
- 2° Calvin's personality
- 3° Independence of state

Old Swiss ^{as churches} left constitution of church unchanged
Reformation fundamentally attacked constitution of church } Protestantism

- 1° A tolerancia ad intolerantiam
- 2° A ecclesiasticis ad isocraticum et civili potestate subjectam
- 3° Protestantism under influence of "De jure naturali"
- 4°

1° Potest sacerdotum universale - Minus immediate auctoritate independentes.
Luther a complete abolition - later Calvinism had to conform to his own independence

2° Potest ecclesiarum universales ab his constitutum - non baptisma et/et
Eucharistia esse critica - other, prayer, singing - etc. finally gave
jurisdiction to state or left it mentally agreed with that of state.
Princes appointed colleges or consistories which were agreeably subservient

3° De jure naturali 1° Jus et status facti non jure vel de statu
2° Statu utiliter ut altius regere non

Ecclesia manet potestas in interna - quocumque externa statui subjecta.
Utique protestant princeps claim right upon Catholic church.

4° Up to 1800 Monarchs with either Catholic or Protestant subjects
Revolution - Napoleon was rampant all - Luther nothing for this state
1/2 Absolute monarches → constitutional → republic [another Parisian revolution]

Ximenes 1426-1516 studied law - Archbishop of Toledo - Cardinal - governed Spain in absence of Ferdinand & Isabella
 Reformed his chapter. Restored discipline and ^{on long term} ~~was~~ ^{was} made such laws. Required of his parishes a
 exposition of Gospel every Sunday & feast. Register of Baptisms & Confessions. Had parishes report.
 Was imitated by many bishops. Census of families in each parish. Set laws against ambitious clerics.
 Real success in his reforms: "houses reformed". Reformed Franciscans in all Spain: success.
 About 1000 Franciscans apostolized to Mexico. Lived by Romanism, localities, Augustinian;
 Good Shepherd work for ^{spirit} girls "fratres in caritate". 3 years with hints for church work in his period.
 Ximenes in Spain succeeded while others in other countries failed - His work general sup. Relig. Orders - Religion
 Orders not so far gone in Spain.
 Spain as a Catholic country had a big work on hand then - Canada - America. New world men.
 New eremitism: New devotion from Belgium: The Ark, Louis Branda, Teresa, School Cross;
 cultum mysticæ vitæ: Quæstus;
 Nominalism in schools - Francis Victoria, Dominicus Soto, Melchior Cano, Sebastianus, Suarez -
 Univ Paris also contributed - Council of Trent otherwise inapplicable.

New Religious Orders increase latter part.

under Alex VI - confederates - servants, prayers, works of charity to prepare for reform & attract others
 eg. Genoa - Oratoria Divini Amoris c.1495 - c.1517 Oratorium Romanum - 40 men
 several others founded in various cities - comparable to 3rd order of St Francis in 13th
 S. Cajetanus - Vincent - various auxiliaries - Caraffa: ^{Neapolitan} volumens ad excessum - Paul III
 Caraffa - at Papal court, relations in England & Spain -

Realism

Did not imitate old orders in external - were looked down upon by people
 Strict Poverty - Missionaries at home - too strict to be numerous or of great effect - supplied Bishops
 Simulacra: ^{locality} ^{work of excellent bishops in their dioceses; individuals from Mexico.}
 Lapachina: ^{Reformed Franciscans from active effort in field} Melchior de Basilio, founder; begins in return to old habit; 1525 was Pope; preaching to single
 Franciscan general agents; many Franciscans go over to Lapachina;
 1590 Jp; no thought of Protest; subjects & sentimentality papal; monarchs strict & untrusting;
 scholastic libertas pro individualis in vita et opere; univ salto actibus - precipitatio: school at educator

Counter-Reformation Protestantism

Restoration E. etc. ^{tantum} reformationem Antichristianam development, esp. in Spain. Reformation with a Providential Act for ambivalence of Church - a Hebraic view. First fruits antedate reformation and appear in Spain & Italy, reformation of Church undertaken by Pope in middle 16th and in full flower in closing 16th. Church would certainly have recaptured 3/4 of Germany were it not for political squabbles and 30 yrs war. At end of war 7/8 protestant, lasts till present time. In England 1560-1570 the crisis. Work of missionaries after beginning in 1570 (very 3 priests a martyr) only saved those who were not already lost. Protestant lasted for 2 centuries. Scandinavia entirely lost. Poland ground of Calvinism. Hungary ^{Prague} kept faith despite Turkish domination - missionary work (Jesuits) unavailing.

I

Delors: "IX + XVII ad manus altiorum occidentalis Hispania devota: hinc et Traditioni mediae aevi". In Spain Renaissance + Middle Ages not in conflict. Spain's faith ^{renewed} with diminished despite knowledge of ~~how~~ abuse + corruption of Rome. Spain's clergy no better than elsewhere - of Spain

1^o Misia devotiva - Arch. Toledo 80000 ducats - enormous, fabulous

2^o Misia in politica occupatio - of noble birth - plan for natural sons - ex. Fonseca required his Archbishopric for in favour of Alfonso's natural son - all bishops were nominees. Ximenes, for all his culture, led his troops to battle

3^o Abundantia cleri undocti et non vocati - retrovia divitum - Excubitor

Restoration d. Isabella p. Ximenes y Duxto moderna et monarchica independens a Isabella

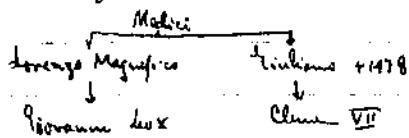
Isabella veritas sancta. reformationem episcoporum vult - vult dignos - effusa est resursum inducant ^{sibi} probatum nonnandi episcopos - sancti Sede non hinc per potuit non obstant hinc inter potestatis regis in episcopos

1513 Leo X 1534 Paul II 53 Paul II Council of Trent ends 1564
 1524 Adrian VI 1549 Julius III 59 Pius IV
 1523 Clement VII 1555 Marcellus II 65

Leo X: 1513-22; pious 2^o Lorenzo de Medici; not opposed to reform, but given to pleasure; son of Renaissance
 not distinguished in his pleasure by thought of Turk or heretic; always a ally

Adrian VI 21-23: French is thorough answer to Rome & educational rule; No support in England or in Bishops

Clement VII



Ingenious, voracious, indefatigable; inter optimos papas - tamen pastor "permissivissimus"
 Timidus - mutabilis in politicis sed in more Renaissance - nulla ei fides.

Period of Reformation

Paul III ^{Alfonso} - France - took his way by beauty of his wife who attracted Alexander VI - had 3 sons and 1 daughter
 Hospitius & illis altum non ingratum - vicissimus in politicis & diplomaticis - pavidus schism in East-Belgium
 sed in antea vitam non Renaissance - pro superstitibus pro pueris agit - vita et more velis Renaissance
 sed in centralia omnia destructionis.

Invocavit collegium cardinalium - confirmavit S.I. - convocavit Concilium Tridentinum

↳ First class man - favores humanists but also required religious spirit. Grafta later in Roman
 transformed it in 6 years into an efficient and working body - More so many excellent men in college

Julius III Nec superba avarus - religiosissimus but as usual a fourth of feet & animals - Letter of humanism
 can carry an essential work

Marcellus II Aps Romanus - post 22 die mortuus

Pius IV [Grafta] 79 yrs on election - impulsive - pertinacis - Astutus - had medieval ideas on legal authority
 liked Grafta as pupils and subjects - nepotism - appointed Grafta as head of legal state - brought
 Ppe into alliance in France against Spain - disastrous - Helas restorationis viam - contra abusus
 intractatos ipsos occidentalis memorias - personally looked it on the head

Pius IV ^{Medici} Most interesting cardinal in history of Church [Grafta at bottom pt; wished to practically
 shut Ppe and so secure power] Medici of Milan with Florence - not positive ingratum - had children
 before cardinalate - some nepotism but ok. : mostly in favour of Grafta Bononius
 Policy of conciliation with all - strictly kept up reforms achieved - closed & confirmed Council of Trent
 Many practical reforms - heliography - Fiscal - Pataria

Missions

Spain, dominant in military, political, economic sphere

Economic territory - from Old Mexico to Patagonia - all a Spanish state - no parallel.

Coincidence of victory over Moors with discovery of America. Crusade

in '86, '94, Spanish crown then gain control of bishoprics - bishops in

Church gave Crown 1/3 of papal tithe in Granada & Spain

Hence New World not counted as colony but part of Spanish state - bishops under appointment

of field pro Granada - missionary work - Crown ruled ecclesiastical elements in New World

Alex VI Julius II granted all this to King.

not in Spanish rule & patronage extended to Granada, so extended to New World. ^{every} _{hereditary}

Missions a New Crusade under the King - their legal status - granted by Pope

Vicariates Hapsburgs Charles V Philip II III IV Charles II Patronates pro evangelization and

was shown patronates and certain vicariates papae sunt pro novis terris; expenses

succeeded returns. Procuratio est factum. Diferencia: 1° curia bishop & priest

instituta a rege - primitive 2° _{versus consuetudine ut in Hispania} 3° no curia apostolica

4° Pope sends to N.W. through Spain

Good beginning, End at End; unbalanced?

McClintock miss printers would have Cong. Prop. Fid.

Send priests who had worked in Spain - all priests sent by Crown.

Nation clergy? Election of bishops

From Mexican boundary to Patagonia [exclude Brazil] 600,000 of which 200,000 Catholics

Dec 1545 - June 1546 - Littera exigua - counting 400 legats 37 - were 1/3 of Cath. bishops present
1 way from Germany - French legats of Francis came in Jan.

Bishops rather democratic - like Paul IV vetoed any discussion of Primacy.

Did abbots have a vote - the 3 given one vote to represent order - same for other orders.

Was it a question of dogma or of practical reform - Pope insisted on both should be done.

1st session arrangements 2nd, 3rd

4th, 5th 18th - 1st - 2nd - 3rd - 4th - 5th - 6th - 7th - 8th - 9th - 10th - 11th - 12th - 13th - 14th - 15th - 16th - 17th - 18th - 19th - 20th - 21th - 22th - 23th - 24th - 25th - 26th - 27th - 28th - 29th - 30th - 31st

Politics - thought Charles V do much power - Trent threatened by German war

Jan 47 - Dec 6th - 7th Justification Most famous of all sessions of all councils

Disputes so numerous that doctors called in - heads plucked - magnificent

discuss - Justification 1^o supernatural 2^o intrinsic 3^o non solus ipse sed non 1^o non secundum se

10 Theological commissions and opinions of doctors & balances had on 2^o intrinsic.

Council moves to Bologna 16th 3rd year of Charles' power.

Dispensations: No small danger of schism between Pope & bishops at Bologna and Charles to bishops at Trent

Julius III - Council resumed at Trent - Cardinals went to Trent from Rome and Bologna

Conference to gain his family Parma & Piacenza aged Charles intrigues in France.

Henry II of France recalled legats, begged to Turk, threatened National Council in Hungary.

By occasion said situation.

Lessons on Eucharist into protestation

Council military action

Dispensations - German Protestant Victory - Protestants had sent delegates shortly before - probably to

Paulus IV left Council suspended - regarded it as rather futile - when war of documents

also looked on Council as a rival this power.

Pius IV resumed council. Difficulties 1^o Philip II wanted a free field for despoils in Elizabeth.

2^o Ferdinand I had his eye on Protestants 3^o France with King Hungary: danger of

national council - which continuous even approbation at advent of universal participation

Peace of absolute monarchs. - France objected to Trent, suggested Constantine - wanted a

new council at a continuation of Trent - how Trent would be nullified. Philip II

said 1^o Peace first to settled. 2^o was place 3^o Reformation's protest of schism - scandalous

1^o Protestants present and heard - Philip II for Trent continuation

Task - greatest & most permanent work under greatest difficulties
Soc. Germanica - ed. Elser hist. enc. - Pallavicini - 4 Plat 7 vols.

II Antecedents. 1535 Vergili set forth to Pope while condition in Germany

1535 January - Council sent to Spain France Germany about council

National council would only increase confusion if not bring all to Reformation

Spain + France would agree to attend council in Germany

author said council unnecessary - Protestants agreed council convened by Pope.

Francis I against council - it would fix up things in Germany & so increase Charles' power

Protestants wanted a lay council / a third party to arbitrate between Charles & France

III Paul III had subject up. 1537 Convocation to Mantua - Convocation formula modified to

show greatest indulgence to Germans - No success - Schmalckaldic's unparalleled contempt to

Council in Germany - no war between Charles & Francis - 1538 Peace but little good Council

Francis Gonzaga - Duke of Mantua - demanded an armed guard for Council - too expensive

& destroy liberty - then at Milan proposal but no bishops came

Italian politics in Germany.

IV 1541 Paul III & Charles at Lucca - proposed treaty - Moorne

Date set for 1 Nov 1542 - to anticipate national councils of France & Germany

Francis I protested against treaty as Charles' - refused bishops permission

Italian bishops financially dependent on Pope attended

Suspended till 6 Jul 1543

V Charles & Francis made permanent peace - Date March 1545

Nepotism prince forbade attendance of bishops - author wrote previously against Pope.

Calvin also published dangerous attack - Charles I planning a war against Protestants

initial council after war - but wanted "he borrowed ready cash from Pope.

Henry VIII 1572 Sixtus V 1585-90

1540-1541

1614-1629 1629 Hypothesis at peak of power. 1648 peace Westphalia
Protestant + Catholic princes equalis iuris - in informandi sedem
normam status 1624 vigentis
etc as 1555 Burgundiana pace

- 1° Defects more extraordinary of Henry
- 2° Peace and of which

1° Catholic reorganized

1570 - illegal parliament destroyed Catholicism - his translation

1558-1603 - on Protestant to 100 letters on Eliz. accession

1570 all lost - Catholic the rest

Elizabeth's foreign policy the height of astuteness

Change of religion & possible to gradual

Catholics excluded from any form of public life

to " with leaders, organization, support.

1570 Pius V's Bull excommunicating & deposing Elizabeth with any ground
Political effort. 1° Bull - should have been pending 1 year by admission -

should have abstracted from question of Elizabeth's legitimate right to throne -

∴ Bull brought invalid by Catholics - Catholics bound not to obey to

Elizabeth: they could not help themselves; this was changed in a few years -

1588 shipped out armada taken by superior ability, missing vessels vs. 1° Pius

Rule of the Spanish expedition ∴ Belgium - English work America under Philip

Prohibere unquam compromissa concessiones

Convocation Nov 1560 - France would refuse if Ferdinand would do same - Ferdinand found
unprofitable invasion - Pius II stuck to his guns. Justified by want. France with
represented but had not formally protested: Philip II + Spanish bishops offended by
consulting tone of Convocation prologue.

Restrictions were for months with addition and stipendum.

Residentia juris divini - 15 months disputation - Philip II decides issue by
bidding his bishops proceed from question - Lamez: *ius divini*: status
+ ordo 2^o *jurisdictionis episcopalis* a des not sed a homo Pontifici collata est a se ipso potest.
Final result of canon 8 was 22

Ferdinand's: *libertas de reformatione* - French - Quarterly National churches -
Morse dispatched to Ferdinand

Practical forms 1^o *thesis* 2^o Bishops 3^o *Cura Pastoralis* 4^o *Beneficia* 5^o *Familiar thesauri*
6^o *Canonici* 7^o *Capitula Canoniarum* 8^o *dyocesis* 9^o *Ecl. Tribunal*
10^o *Præsentia* 11^o *Matrimonium* 12^o *Præcipuo. vers 25c20*
1^o choice β *life, y. thesauri*

Middle Ages. 1^o Bishops too decentralized - chapters almost independent -
divided into archdeacons - with only orders but contra/patronate
except - Treat with his.
2^o Greater part of vice royal energy from bishopric with work.
fixed bishopric look disappearing

Philip II wanted Trent to continue - a link - end favored by French/Ferdinand

Acaustis 1521 - Compensum Augsburg 1530

1521 Saxonia

1525 Albert Brandenburg

1526 Philip Ansbach

Latentis victoriae litterae

1° Provisio Lutheri et collaboratorum sibiendi mutationem substantiam

Especially advocated by Luther & Melancthon ^{sp} Mass in external
which at first not changed. "Put on as many surplises and have
as many processions a day as you please" Luther
Luther's force sent burned in Brandenburg

2° Lingua religiosa Lutheri et praedicatoris - i.e. Explicatio Patris Martini
Lutheri Magnificat a Lutheris secundum verbum doctrinae modernae
[Myatius deus est insufficient of Bolekensis] Luther does not follow out
his theology in doctrinal works

Non multi qui praevisio Lutheri postea Catholicis confiterentur se
allectos a doctrina Lutherana - bonafide adherent

Provisio ubi nonis Catholicis in bono stabant.

3° Modus propagationis - Opera Lutheri immensa - facinorosa.

4° Libertas moralis a Lutheris propagata - "Pocum juncendum
non jam ejundum, celebrandum etc. - celibatus -
bonis costis vivere oportet - ad matrimonium et posteritatem
multis in dies et monasteriis non sine oratione

5° Explicatio monasteriorum

6° Vis abhinc - non per principem abhincit contra unitatem
Nulla idea Protestantis - Luther "Maledicti veris; falsae et persequenda"

Sanctus non dicitur in principio

7° Sanctitas les III ex Bolekensis, doctrinarius, clero Cordi V

Chicago, optime vir, ad comitia missus ut conciliaret et
non videtur pernam ecclesiae proponendam propositum

"Nos omnes prole et clerici a nra potestate derogamus" papa
Protestantes confirmantur hoc confessionem. Animi visum turbati quam ut ediant
Republicae. Hapsburg vs France. '21 Captus of Francis I; '26 peace of
vini prae per Fran I - no intention to divorce - prophanus ait
non vobis.

Relatio inter Imp et papam difficilis

Clavis in hanc - finis resuscitatio ibi

pac de Cambrai

Imperator de hanc per nihil curam potest.

Luther depended on princely power - prince of people

" Omnia auctoritate ecclesiae et civilis in populo (!)

bellum vestitorium Bavia

Ordinarius revolutionarius excessus - Luther devotus velut repressione

Omnes dicunt Lutheri magnam esse culpam hujus revolutionis

Luther's diatribes against authorities - Pope Eug. puerus.

Ex hoc tempore Luther non jam caput motus popularis sed universitatis
don with princely patronage

Religio Lutheri non esset - all in power of princes

Doge quid sit

Constitutio Augustana.

Confessio Augustana, nullo modo theologia Lutherana, magis accedit ad Cath

Extremis ad Catholicos - theologia - compromissio

Luther

Protestants: those who protested against the baptism of infants since it was idolatry
 Luther: Baptism - a rite to seal faith which just. pers. did not attempt to change practice
 of infant baptism - Anabaptists pointed out consequences - Luther struck by miracle

Luther's Books & System of Religion

Insunt oppositionis inaudita et inconciliabiles.

Donis magnificis et intellectus et cordis praeditus aequalis omnium vult

Feste amicus intus, erat h. homo religiosus in sensu primis annis. sic Tansens, Erizar

Amable of popular eloquence, very expressive, singularly tractable, heart felt & moving orator
 large & profound religious culture & development

of Rome II pp 232-244

Polymath & indefatigable at it - also preaching, teaching - generous to poor - ipse

paucos contentos - nuncius propandum T. Bone - in extra marital excesses known

divus, Trinity, Incarnation, Baptism, Eucharist, Virginity of Mary, till 27 immaculate conceptio

superius ad immunitatem, Mores indelicatos et duri iudicium, se super omnes episcopos et populum

abhorrens athen in suo sermone - nulle mensura - secret. of letters to Albrechtus

Mores rixarum - detractor - will to dominate all

Systema

Principium formale - Reuletores ut quae quisque experitur - Disagrees, her adversary inspirally divit

Scriptura pro se ipsa loquitur - requirit epistolam Iacobi - Antiquum: illuminatus auctoritate

Principium materiale - fides fiducialis - quae bona eius effectus est: necessary correction

Receptio fidei ad credendum - sed data fide fiduciali, peccatum non nocuum

Realeque a civil ut a divinae laus.

Ubi dicit Rom 2²⁸ 9¹⁵ 3²⁸ he legem cogitavit peccati 4¹⁵ Be iram propter: hinc inhibitione

iram 3²⁸ pro fide sine spe legis 3¹⁵ pro peccationem - vestra vram justitiam.

Ubi nunt ab hunc inhibitione - contra Erasmus - qui ad 1524 hinc Dependit

Ubi dicit dicit ut dicit absconditis in peccationem. Deus vult peccatum et curat

Melanchthon worked out a theory of cooperation against Luther.

Mors. naturalis cetero - vita cordis probabilitate - plura testimonii de morte

Tended to an introspective study of his experience to discover if anything of the idealistic

Practically a symbol of faith & a rule

Sacraments - symbols for winning faith - Usus sacramentorum ad lib. pro fructu.

Consubstantiation - Xus Eucharisticus nihil est quam ^{essent} communicatio Dei.

Sacerdotium universale - omnes sacerdotes - negat ordines - negat sacrificium missae

↳ Incide perit eucharistia

Haec acerba contra missam quam contra Papam.

eg. circ. 26 "maxima et humilis abominatio" missa

Zelus animarum per subingitur ad eos qui religione excitati - "Eant ad diabolum alteri"

Non credere perit filii papam et patres missae de fide - Multis impulsos de heresia fidei

Ex quod homo agit nequit deus misericorditer: epulum necessarium: mulieribus aut ad
matrimonium aut ad fornicationem utendum est; devotum perfectum ex
adultis - polygami commisit - 24 Philip. prim: virtutum reges - polygami commisit
- de Matrimonio nimis libera - uti iura non digna fundatoris religionis - Table Talk

Que Xiani minus abigitur ad strictam puritatem - Qua cur sociale debet providere pro familia
heligis separata a vita sociali - id quod pronavit.

Obium in Papam. calumnias - etc. - avarum in dicitur - "Non possumus quin Papae unedicamus"

"Papa abominatio delectationis in hoc saeculo" - Scripta sunt Libris plurissima

Proximus morti exclamavit "Morior in odio Papae" -

Luther's indignity of language with regard to the Pope - it would be the best of the work of
of contra Henry VIII 1522 & rep. contra Papam 1575

Kindness of language & contentment of anguish of scruples. [agoniam vocat]

Had a complex that he was persecuted by devil.

All his confessions suffered from his melancholic moods.

In 1575 Luther wanted to become a mendicant wandering till death

Mali minoris principum legitime appellatum
 Fandi...
 Indignus catholici...
 Maxima libertas apostolica...
 in fide...

Conditionis unionis in Tridentum a patribus Patre esse
 ostenderunt de ipsa fide essentialique religione agit

Papa suspensit concilium Bononiae ne fiat schisma
 Carolus duxit rem religiosam se ipsam componi in harmonia
 et pacem iuravit non politicam.

Etiam si rem religiosam transirent tractant componere C.
 ex proci oppositione harmonica in vitam elucet jam
 intrasse protestantismum ita ut in nihil conuenire possent.

52 Completa victoria protestantica militaris

Auditis calthorum pavorum - apud imperator - decant principis
 catholici - principis protestantis cum militibus advenit
 utique mirantes se atrocissimum bellum redintegrantes

53 Iura aequalia pro utraque religione - pro principibus
 Cuius religio eius religio

20 Exceptis atrocibus imperialibus - quippe auctoritas apud civis
 30 Forma ecclesiastica anno 52 mansura

40 Non vult iurisdictionis ecclesiasticae

liberum sit ad omnem episcopum vel principem ad
 reformationem transire - liberum sit protestantibus
 in territoriis catholicis ut religionem protestantiam
 Quod protulatum a rege Ferdinando notatum ut in territoriis
 ecclesiasticis hanc libertatem esset protestantibus

Etiam episcopus apostata amittit dignitatem protulatum etc
 mutatio a protestantibus non agitur

Fructus erat bellum centum annorum
 Nulla libertas introducta

Schnalkalden: locus in lya per metu defensionis p[er]sionem into
principes Germanos post rogationem imperialem de fid
imp. necessitate a postulationibus -
contra Carolum V - Franciscus I - Post-Ottomana - Schnalkaldenica
Catholici - parum uniti - magis inclinant Hapsburgos quam Protestantes
35 Bilem
36-38 "

Clément VII 1522-34 Paulus III 1535-49

Protestant principis non bene ecclesiae abrupte dederunt libertatem

Populatio 1^a Worms

Carolus inclinat secessionem non contra Catholicam sed ultra - a f. i. v.
in compositionem. usque ad '48 ita non cognovit. Postea habet
Antea adinventionem petrius componi.
Victoria Marckburg non sine auxiliis militibus et financiis huiusmodi
tantum dedit Caroli potestatem quantum contra imperatorem habet
per unum post plura secula.
Semper papae difficultat Carolus quippe qui favorem in Bilem habuit

Indultum conceptum '45 ex causa pro bellum Caroli -
Carolus non tenet concilium quam imperialis comitia habuit Tridentinum
Concilium translatum in Bologniam quae non sunt sub imperio
Cardinalis imperio non sunt Tridentini - schemis hinc inde

Luther p. 3.

Optima in instructionem in theologia existimabat et adibat d.

concedunt omnes miroriam esse d. theol., mirandam quantum
novit. "Profundit opus naturaliter bonum et supernaturaliter miroriam"
Luther be teaches distinction for first time - distinction common to Pelagius
"bonae scientiae ~~non~~ ^{de} meritibus non ut non sit sed ut non imputetur" fully
attributed to Augustin - profundit gratiam ut virtutum socialium et ut
gratiam sanctificantem in electionibus & catholicis -

→ aut ignorans aut non verax aut utrumque d.

from reading of mystics: Reads into them a doctrine of quietism & faith

This theology (1515) was regarded as "insaudita", "animos movet"

Luther pupil

Stapitz satisfied w/ d's success

criticism reformationis

non ex causa indulgentiarum

non ex idea reformandae ecclesiae corruptae de qua nihil audimus

non ex tormentis ei in monasterio inflictis

non ex desiderio invidendi deum propitium Rom, 15, 16-17

"iustitia dei in evangelio revelatur" non torquetur - omnis theologia ita docuit - inquit d.

Deifle examined all commentaries from Patristic to Luther's time including humanists
& Luther himself. Affirms that with exception all explain his verse as deum propitium.

Deifle affirms that the idea of God as merciful & generous predominant at that time.

Harvard says Luther revealed "Ego solus vestra sum" - humk

Deifle points out of two currents of 15th century - the corrupt clergy flowed
into wrath of pope principles about impossibility of charity - the good made

for counter-reformation - Luther changed from one to the other - wrong:

Luther not humble enough to confess & do penance - thought out theology too far.

A reader of his commentary on Romans gets impression Luther defending self.

His messages had influence around '30 - question of sound '15 - insano.

Luther. n. 10 Nov '83 Eisleben (59. 9. 1546, Carl Rothemann)

Sicut eo, thronus VIII non amove esset et separari

Tota doctrina Calvini de Calvino

Institutio eius defuturis?

Punitio matris et magistri

Magister [Essenach [Elizabeth]] schola machina f. f. vite communis

Non audimus de malis eius; ex ipso de bonis; similitudine cum sacerdotibus

Missa quotidiana

Non auditus cum interfuisset clerici praves; dixit postea se talia non suspicari

Juvenes a corruptione intactos videtur

Conjunctio articuli humanisticis - mag. hanc catholicis - amice utbat

humanismo posteriori (catholico)

Conditiones verba inter studentes malos; ipse videtur esse videtur

6 Jul '05 ingressus ordinem Augustinianum

quia se desperant - vitam vixit temperate non voravit

in monasterio contentus diligens - voritius non difficultates sensit

'07 ordinatus - '08 prof. magister - gauderet bona fama

→ 1^o Sacerd. Prot. ut deum propitium habuit hunc pro externa

monachalia in se sumptu - jejunium - officium - etc.

quae vitae internae novarent ita ut hunc ea respicit

→ Ipse Lutherus Chap. 30 explicat eum - exaggerant quod fecerat

- Tamen omnes auctores illius anni asservunt naturam supplementi

et subordinatum vigiliarum, jejunium, etc. - cum mensura

et discretione, prudentia adhibenda.

- Regula auctori Stapitz - valde rationalis et mitis. Si peccaverunt

superiores pot. minus indulgenda.

- Amos mag. nov. - laudatur postea a Luth.

- Bonus et umbrosus religiosus. - Stapitz multum eum amavit

- Stapitz minus Luth. urgebat ad successus externos.

Ante illum annum nunquam talia dixit sed de peccatis et gratia

→ 2^o Ideis humanisticis minus scholasticis parum speram debet

Morbi psychici - aspectu crevit -

Prov. ei dicit - Non desit sed tu deo nascere - bona dexte

valde superbus et hinc non peccavit - iracundus, mundus

Scripta et dicta hujus temporis catholica

Romae versatus est - missus ut prepararet unum observantium et

Falsum impressionis Romae quo dicitur eadem Reformationis

Romae ab observantia ad non observantiam transit - p cepit

Illius remanere videtur - facultas negata quia promissio ea summa

Letter pt
Indulgentia

N. Paulus - 2 DA. II 720 f

1514 Alberto - Reguntinus

fee for confirmation of appointment of plerum 14000 ducats [x 50 line x 6 value
in addition end of 24 to have 2 archdeacons 10000 ducats for ^{extraordinary price} ~~communion~~ ^{price}
to avoid denomy 10000 not paid to lateris - 10 year indulgence to begin
with installation - 10000 to accrue to Rome for favour of indulgence
out of letters (part) of proceeds of indulgence

Leo X did not want to have anything to do with whole business

May '14 approval of appointments, March '15 promulgated indulgence

Bank immediately paid 10000 ducats

1541 in opore polemico L. negat se scire quid sit indulgentia

Jul. 1516 Summa de indulgentiis - utilis quamquam abusus - omnia in manu Papae: licet
↑ melius & clarius scribi non potest - inquit Licher

Karlstadt

Tetzel - when the money hits the till, the soul flies off to heaven.

L. non tam abusus quam indulgentiarum doctrinam advertebat in hisibus

Pastor: humanis more anti-catholicus, imitatio naturalis
et revolutio religiosa in hac disputatione despicina concurrebant

Licher: ad institutionem Xianam - "regit lectorem et in Ludie"

Omnes Xianis sacerdotibus Xianis si minus non exant

Omnes subant jurisdictioni civili

Omnes legant S.S. script. Apostolic. Fests - Fests - Religio - humanis
Ecclesiastical abuses played - Money - Money - Money - Money - Money - Money - Money - Money

Receptione Babylonica Ecclesiae

Sacraments - Eph 5:22 (Marriage) Catholic argument

Pope = anti-Xt

Fides pleuralis - Rom 117 Reverts in abusu

2 his about theology of length

to 100 of her propertus in sequente fide pleuralis

D 741 s.

Bishops afraid of people; did not publish bill

Labori brevis - Profusa - Superbia - Praedicata
 Non ordinario successu - in omnium admiratione - studentes etc
 labor non relinquit tempus ad exercitia spiritalia - Missam expressim mittit
 Quos tentationis iracundia superbia castitatis.
 Confessio^{ne} quia non contritionem perpetam elicit
 Verba contra alios acerbia et superba

GRATIAE SYSTEMA

- I Doctrina de concupiscentia - ante 1513 sicut alibi - post 1513¹⁵¹³ identifiat peccatum originale cum concupiscentia - Concupiscentia non peccatum sed poena quae non sine difficultate homo potest obedire mandatis - Baptismus non auferat peccatum originale sed tantum auferat imputationem
- II Natura lapsa non tantum debilitata sed perversa et corrupta - quippe si peccatum originale est concupiscentia saepe usurpabilis
- III Cum concupiscentia in omni peccato - omnis peccatum graue
- IV Gratia et peccatum simul in eodem homine esse possunt
- V Gratia non in se verificata sed externe imputat iustificationem
- VI Negatio liberi arbitrii et doctrina de praedestinatione sequuntur
- VII In peccato simul in peccato est iustitia - componi simul castitas et libido.

1513 in summo - Iustus simul in peccato est iustus - componi simul castitas et libido.
 in homine? Deus hominem ad peccatum necesse est
 Deus non dat omnibus gratiam sed cui vult et omnibus non vult - sine
 culpa ergo damnantur
 Voluntas Dei est summum bonum ergo bonum exsequi voluntatem Dei
 non 9^o [Quae agunt de electione et reprobatione Iudeorum ut populi]
 hinc "Solus misericordiae est Dei et singuli saluati etc"
 Quislibet in peccato sunt non habent liberum arbitrium
 "Toti sunt iusti quos Deus iustos reputat; pessima ergo deperit Arist.
 multa Occami profiteratur Lutherus - multum legit Gabriel Biel
 Invenit multum quod repudiabat, multum quod ei placebat et extrema forma affirmata
 sola sacra scriptura - nimis rationalis in scholasticis - Reus voluit veram
 contradictionem in philosophia - nimis naturam peccati gratiae - [et omni
 Occamita naturam sufficere regant] - Deus absconditus positivè cognosci nequit -
 Occamita docent internam justificationem sed tenent pro Deum iustificari
 hominem sola externa et processa iustitia.
 Occamita tenent transubstantiam - pro consubstantiam - hinc esse consubstantiam.
 de sola Augustinensi fununt elementa quae auctorem hinc debent
 revocari ad Augustinum sed non eum intellexit -

F. Revolution

1. Dominium of state over church - found all over Europe - of Charles ^{Gallicanism}: *Oppressio potestatis ecclesiae a laico et summi pontificis a laico* - 18th century heresy was not church had nothing much to do least fall to state: everything visible under the state: church and state.

Pithou: *lex Galliae a Papa independens et sine consensu.*

of Protestants & varieties of Spanish Crown

In Germany, Catholic princes wanted to run church the way Protestant princes ran theirs.

Austria, Joseph II, 1780-90 - system: King's power extended to Bishop's letters: new divorce w/ reference to Holy See or no censures at his permission - education of clergy under him

Everything visible under the state & under no one else: :: No ecclesiastical property

4. Wholesale confiscation in Germany of church property w/ any scruple: the most pious minister in Bavaria only by an afterthought had a scruple.

16. Only state could determine divinent impediments to marriage: canon jurists agreed. Similarly, liturgical matters as number of candles, to be determined by state.

of Clement XIII XIV Pius VI of Pastor's 1800 pages on the issue.

Seizure of all Jesuit property by grants w/ any permission of Pope & w/ intention on his part ^{possible}

Gallicanism ecclesiasticus - *episcopatus in Gallia melior 1750-1800 quam 1700-1750*

Then no jansenist bishops, + few bishops admitted jansenist priests

Mary jansenists in parliament of 1813² Council above Pope - Pope's

pronouncements w/ inflexible - subject to approval of church

1763 Auxiliary Bp. of Tournai? Hontheim put nominis Fabronius - *poterit retractat*

to find a way for bringing back Protestants: restrict Pope's power - Much read

Ribbe French jurist 1700 dubia Gerson Bossuet Claude Fleury Puffendorf

Bishops all equal - Pope primum inter pares - no more power than necessary -

German bishops opposed Hontheim: he appealed to people

at Vatican council 7/8 French bishops for infallibility - only 4 German Bps for infallibility

Jansenism: historically is Calvinism brought into Church: extreme rigorism esp. documents
Battle of Jansen: Bp. vs. Bp. in same territory; exhausted intellectual efforts; bitter esp. rationalist
Hardly anyone escaped its influence entirely: from priests to people - lasted till c. 1850

Jansenism: according to Gallicanism - state power - curia's descendants of 72 disciple
power of passing laws lies in universal faithful. [procurator] privilegium

First Jansenists support & supported by Bps. When they appoint anti-Jansenist Bps they turn to Richer.
proculus habet ~~privilegium~~ ^{privilegium} contra a deo

Rousseau

Rousseau: with a complete system - was more rationalist

homo: ratio intentio desiderium quam plerumque secundum rationem ordinandi sine
respectu ad historiam, etc. Never was history less known

practically more positive, emanationem juris civilis, scholasticum, national theatre, history

Such doctrines always preached but with practical

Intellectualism super modicum; critical of church; un-understanding prod.

It is the movement that atheism widespread & bases secular state

Enlightenment: very difficult to indicate; at least 1^o Mathematical science

[esp. math., phys., astron., geology, chemistry] 18th century ideas still dominant

Science undertook to solve the problem of life. Supernatural, original sin, etc.,

became incredible. Man intoxicated in his discoveries. Even same conception:

man a molecule in vast machine. Natural science had first place in 18th

century - Church had put itself in the wrong over Galileo -

2^o Rationalism: Protestant reformation had negative effect - a) schism b) led

way for disputing church c) religion wars d) protestants divide among

sects. Consequent type of man: sought a higher synthesis above particulars.

cf. sp. Coornhert (Dutchman, very imp., 16th), Bodinus, [natural religion sufficient]

∴ Man's good [liberalism] Reason is the measure of all things. Mystery of faith

± H.C.F. Religion is sufficient 3^o Subjectivism: = Utilitarianism: what is beyond of it

= Anthropology (Golden Rule)

Never Ruptured in Protestantism: Tradition vs. Liberalism