

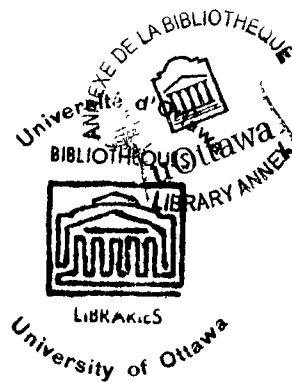
MEANING AND CONSEQUENCES
OF CANON 974, I, n.2

By

Rev. J. Elliott MacGuigan, S.J.

[D.D.C.]

1941



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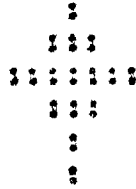


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A. M. D. G.

IN HONOREM BEATISSIMAE VIRGINIS MARIAE,
MATRIS PIETATIS ET REGINAE SACERDOTUM



**"Quid est cito manus imponere, nisi ante
aetatem maturitatis, ante tempus examinis,
ante meritum obedientiae, ante experientiam
disciplinae sacerdotalem honorem tribuere non
probetis? Et quid est communicare peccatis
alienis nisi et talem effici ordinantem,
qualis est ille qui non meruit ordinari?"**

St. Leo, Magnus. Ex Epis. "Cum de Ordinationibus"

**"Ecclesia nihil fortasse magis, per saeculorum
decursum, aetuose maternaque sollicitudine
provexit, quam idoneam suorum conformationem
sacerdotum."**

**Pius XI, Litt. Encycl. Ad Catholici Sacerdotii,
20 dec. 1935**

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INTRODUCTION

INTRODUCTION

We have chosen canon 974:1:n.2. as the subject of our thesis. This section of canon 974 reads as follows: "ut quis licite ordinari possit, requirantur mores ordini recipiendo congruentes". We have chosen this portion only of the canon, for an inquiry into the whole canon would entail a book. It was our original intention to treat of n.2 and 3. that is to say, of "mores" and "scientia". But as our work progressed, we discovered that we had more than sufficient material in the part dealing with mores. Our canon is one of those dealing with the requirements for Holy Orders and it is well to note here that we are dealing with all orders, minor as well as major. In other words, we are not limited to discussion of the priesthood alone. The importance of keeping this well in mind will be apparent as we proceed.

We are dealing with church legislation on Holy Orders. We find in consulting the Index, P.II of the code, that Chap. II treats of "De subjecto sacree Ordinationis" and this is in turn divided into two sections; Art. No. 1 dealing with De requisitis

in subjecto sacrae ordinationis and Art. No. 2, De irregularitatibus aliisque impedimentis. In other words, Art. 1 deals positively with conditions required, while Art. 2 stresses the negative aspect.

It may seem strange, at first sight, that there is sufficient material in the subject we have chosen, to give rise to a thesis. By the casual reader of the canon, the impression might be gleaned that you could say all that is to be said or written on the subject in a page or two. For after all is said and done, does it not mean that we should have fit and capable subjects for ordination? And when you have said that, have you not said all? But, seemingly simple though the canon may appear to be, it is most complex and it is precisely the burden of our song that too many have been misled by its apparent simplicity, to the detriment of canon law. Our canon has many ramifications and makes its presence felt throughout the whole text of the codex. And what surprised us most in our investigation was the neglect of this canon by canonists, for, really, it is one of the most important in the whole code of canon law. Frankly, we are a bit amazed that so little space is devoted to it. It is a canon bristling with difficulties, and poses many problems to which an answer must be given. And yet to a great many of these questions no satisfactory answer has yet been given.

One has but to read the ordinary commentaries to be convinced of the vagueness and looseness accorded to the subject.

Who is there who can deny the importance and pertinency of the canon under discussion? In a world gone mad, and one which gives us the impression of tottering, as though an inverted pyramid; at a time when all truths and values are being questioned, doubted, denied; when in the current maelstrom of human passions, and greed and lust for power, there is need to banish our idols and bring men's hearts and minds back to Christ; at a time when criticism and opposition to our clergy is so rife;--surely it is clear that the church is facing not only a crucial life and death struggle, but also a glorious opportunity--and how can we better face the future than by an even greater care and diligence in the selection and training of our candidates for Holy Orders, in our testing them? And the answer and solution is found in the correct interpretation of our canon. For if all our candidates for Holy Orders were imbued with the "mores congruentes" demanded by the canon, then we need have no fear. A priesthood trained and chosen according to the principles laid down in our canon, would give us security. The importance, then, of knowing what qualities are

required in our clergy, is paramount and cannot be minimized.

This canon makes its presence felt throughout the five books of the code. It is intimately related with many of the other canons and has repercussions throughout the whole field of canon law. Legislation on vocation, training, and preparation, seminaries, admission and expulsion, missions, etc., these are but a few of the problems associated with the canon under investigation.

We think that our thesis attempts to solve a problem not hitherto solved--chiefly because the problem itself was not noted and recognized as such and because there was too slavish a disposition to repeat what the canonists who wrote prior to the code had said on the subject. We think that we are on ground which is new, at least in method of approach and point of departure. We think that there has been a neglect of this topic, with the result that we have a canonical lacuna. This is proven by the doubts and confusion existing in the minds of so many Bishops and Directors and confessors on this all important matter. And doubt is to be excluded according to Canon Law. (Cf. C. 973: n.3.)

Why has this canon not been treated as it deserved and deserves? We have already suggested that

the seeming simplicity of the canon has been one reason. But it is our humble opinion that the main and chief reason for neglect was that moralists, pastoral and ascetical writers were allowed too much freedom with a problem that fundamentally remains a canonical one. Moralists invaded the field of canon law and we lost the approach of the canonist. True, the problems were felt, but it was not realized that the answer lay in a canonical explanation of the matter.

We realize that moral theology must enter into our canon. We admit that there is a moral point of view to the canon. We know that there are canons in the code that are dogmatic; others that are ascetical; others that are moral, and liturgical. For example, we have instances of canons 218, 329, 737 as being primarily dogmatic canons. C. 1269:n.4; c. 747, 134, 737 are moral in outlook: c. 593, 755, 814, 1268; 2, 1271 are liturgical in feeling. We are the first to admit that you cannot treat all the canons from the canonical point of view alone. But we do insist that there is a canonical angle and this should not be lost sight of in the complexity of the issue. For, as canonists, our main problem and concern should be to discover the canonical bearing.

We think it advisable before proceeding any further in our study to recall the fundamental difference in the approach of Moral Theology and Pastoral Theology and Canon Law. This is well to do at the outset, for in this thesis as canonists we wish to prescind from the moral and ascetical points of view as much as we can. We, in treating of the qualities required for Holy Orders, are not concerned with the question of sin, nor on the other hand with the counsels of perfection. What we wish to discover, is what does the church require in her legislation regarding candidates for Orders. That is our sole concern. Let the moralist treat of the sin involved; let the pastoral writer urge all candidates to an ever-increasing holiness. That is their business. We wish to know what is the standard required by the church in her legislation. And this legislation is felt in her code of Canon Law.

"Haec est inter jus canonicum et theologiam moralem differentia quod Theologia moralis actiones humanas dirigit et de earum licetate aut illicetate iudicat in relatione ad finis ultimi consecutionem; jus vero canonicum regit actiones externas fidelium intendens servari ordinem sociale per observationem legum ecclesiasticarum." (1)

(1) Coronata, Instit. Jur. Can. I. p.7

"Jus canonicum continet leges quae (debitis conditionibus vestitis) obligent in conscientia. Quae propter Theologia Moralis debet attendere recteque explicare obligationes morales ortas ex legibus ecclesiasticis. Theologia Pastoralis est instructio de cura animarum recte exercenda et quae proinde agit de officio pastoris animarum." (2) So we see that Ascetical Theology really deals with the spiritual life and means to perfection. It is concerned with the maximum ideal and attainment.

"Theologia Moralis considerat actus humanos in ordine ad beatitudinem supernaturalem consequendam. Theologia Ascetica spectat id quod est perfectionis, quo plenius et securius finis ultimus attingatur, non autem, ut Th. Moralis, id quod est omnino necessarium ne quis a fine ultimo recedat. Theologia Pastoralis et Th. Moralis et Asceticae deducit practicum methodum quae pastor animas sibi creditas ad salutem et perfectionem ducere debet, Jus Canonicum est scientia quae versatur circa leges quibus ordo externus Ecclesiae determinatur et actiones fidelium dirigantur ad finem Ecclesiae ultimum proprium. Spectat igitur Jus Canonicum directe, forum externum; Th. Moralis, forum internum." (3)

(2) Prümmer, Manuale Th. Mor. I. p.4

(3) Genicot, Th. Moralis Instit., I. p.11

This gives us a better idea of what is to be our goal, and also will explain what we meant when we said that we thought that our canon had suffered from an overdose of Moral Theology. We are not concerned with the quantum of the "sin" in those who are ordained without the necessary qualities, nor are we concerned with their endeavours to attain perfection so that they may be other Christs. Sin is in the domain of Moral, and perfection in the realm of the Ascetical. Here is the question we are going to answer: "What does the Church in her canonical legislation about conditions required for Orders mean by *mores congruentes*?" What, to begin with, are "*mores*"? What are *mores congruentes*? *Congruentes* to what? What is to be the basis of comparison, for the word "*congruentes*" supposes a relation and reference to some norms and standard? We admit sin in one unworthily ordained, but our concern is, what was it that prevented the candidate from having *mores congruentes*? We agree that our candidates should ever be striving for greater holiness, but here we seek only to establish what is the minimum contained in *mores congruentes*.

We shall see that most authors do not tell us what is contained in the word "*mores*" and that they are even more vague in their treatment of "*congruentes*", so

much so, that for a great number of them, there does not even appear to have been noted that the word expresses a relation, a standard of comparison. And among those who realize that there is to be such a standard, how many of them give the one that the code teaches--ordini recipiendo? And yet it is clear as the noon-day sun that the code is definitely assigning a measure, a rule of thumb, a standard which is not changeable, but fixed. How much confusion would disappear and how many difficulties would solve themselves and how fewer the scandals would be, if this canon were understood in its canonical aspect. When Canon Law gives way to devotional standards and to a rule of mortal sin or not, need we be surprised at the resulting confusion?

"Aussi une étude canonique sur les conditions et qualités requises pour l'admission aux saints ordres n'intéresse-t-elle pas seulement les directeurs des séminaires et les évêques; elle peut encore guider les curés, auxquels incombe la grave mission de choisir et de préparer des sujets, ou d'assurer le recrutement du clergé." (4)

Picture our joy when just before the completion of our thesis we came across the following in the *Canoniste Contemporain*: "Les traites ascétiques sur

(4) *Le Canoniste Contemporain* VII. p. 253

L'admission aux saints ordres ne manquent certes pas; mais les traités canoniques, incomparablement utiles, au point de vue qui nous occupe, font presque totalement défaut; dans les premiers, il s'agit uniquement de la grandeur du sacerdoce." (5)

Canon Law does not primarily deal with the grandeur of the priesthood. Such is not its purpose. Much more prosaic is its aim. We are seeking the minimum required so that it can be said that a candidate for Holy Orders has those "mores" which in the eyes of the church make him "idoneus" and worthy. What virtues must we have to result in "mores congruentes" and what grade is required in each virtue? We concede that there is bound to be from the nature of the case some elasticity and latitude. It is not always easy to separate the line of duty from the counsel of perfection. And maximum sanctity is not assignable. But it is to be noted that the question we ask is not so much "Is the candidate free from this?" as "Is he possessed of these qualities?" And this positive factor has all too commonly been overlooked. It is not so much "Seis illos non esse indignos" as "Seis illos esse dignos". True, an irregularity will sometimes be enough to disqualify the candidate. That is a negative test. But not all free

(5) Le Canoniste Contemporain, VII, p.285

from irregularities and impediments are eo ipso possessed of mores congruentes--and without these mores, you cannot be licitly ordained.

Is it not clear that the Bishop cannot judge in the external forum nor the confessor in the internal, if they do not know what are the qualities necessary for mores congruentes? And if they do not know, then will there not be as many different standards as there are Bishops and confessors. When we hear, as we do, that such a seminary has a different standard from another, that the seminary here is much easier than there, what does that prove but that the canon we are considering has never been grasped in all its meaning and implications. Our canon, properly understood, would remove most of this confusion, a uniform standard would result, and there would be fewer scandals. Scandals there will always be--true. But if our canon were understood and put into practice, the margin of error on the part of Superiors would be reduced to a minimum and the scandals would be attributed solely to the candidates themselves and not laid at the door of those who neglected our canon and allowed unworthy subjects to present themselves for orders. Hence the necessity of all Bishops and Superiors and confessors knowing what our canon means and demands. If we know what is demanded by "mores congruentes" then

we can say, "Has Mr. A. these qualities or not? If he has, he may go on; if not, he should be turned away." If there is doubt, then, too, he must be sent away.

But it is not too easy to decide on what is demanded by *mores congruentes*. If we but consider a few of the questions raised, we shall discover the complexity of the canon and the maze of difficulties into which we are led. For instance, can we establish a minimum, a sort of Least Common Denominator of the virtues needed? How many standards may there be? If candidate has *mores congruentes*, has he a right to orders? If he has *mores congruentes* and is *dignus*, does it follow that he should be accepted? If he has the qualities now but there is danger of his losing them in the future, may we turn him away? Must we? How many standards are there? Should there be one for each order, for tonsure and the minors, one for the Sub-diaconate and the Diaconate? Is the standard today higher than it was? Should it be higher in the future? If so, how reconcile this with the canon?

If the measure is to be the "*ordo recipiendus*" how can we speak of changing standards and why do the Popes say, as they do, that the clergy need to be even better now than before? Can we have different standards in different countries? Different ages? Are we to exact the same standards of our priests on the missions as at

home? What of the native clergy? Are they to be treated more strictly? Are the standards to be raised or lowered for them? When we speak of morals and mores, do we mean, does the code mean natural virtues as well as supernatural? When the war is over and there will be a shortage of priests, may we canonically lower the standards? When seminarians, who are now called to the colours, return, must we use the same measure for them? What virtues are essential? What supplementary? What grade of perfection in each virtue must the candidate have? Do we apply the same principles in the internal as in the external forum? Is it possible to reach a uniform level of suitability? Is it desirable? What has been the history of our canon? Has its practice always been equal to its theory? Has our canon been confirmed by other legislation since the publication of the code? What is the tenor of recent pontifical documents? Can we say that there has been even more strictness asked since the code? What is the difference between vocation and mores congruentes? Can we say "this much and no more"? Can we say "this and so much more"? Will there ever be a conflict between theory and practice? Need there be? Shall we treat religious clerics the same as secular? What is our attitude to apostolic schools? This gives us some idea of the difficulties inherent in our canon. And many more questions could be asked.

"Nous admettons donc qu'il y a une certaine latitude dans le degré de perfection requis, et qu'on peut être, dans le cas de pénurie de prêtres plus indulgent, soit par rapport aux défauts naturels ou viciaux naturels, soit par rapport à quelques vices moraux incomplètement dominés; ainsi on tolère un degré d'humilité, de zèle, de détachement, de charité, de piété, etc. mais nous ne pouvons pas admettre que les nécessités réelles ou prétendues des diocèses puissent entrer en ligne de compte quand il s'agit de la chasteté." (6)

We give this quotation without saying now whether we are in agreement with it or not. But we have chosen it as a good example of some of the problems raised and to which an answer must be given. And the answer will depend on the interpretation we give to the canon that is the subject of our study and investigation.

It will be noted that to date we have insisted on using the clumsy and unwieldy term "mores congruentes" without attempting to give an English equivalent. And this we have done deliberately. For we did not wish to prejudge the case. For one of the most difficult aspects of our problem is precisely to get the meaning of "mores

(6) Le Canoniste Contemporain, VIII, p.8

congruentes", since on this will depend to a great extent the solving of our many problems. To give a translation now would be to beg the question. We shall adopt an English dress for the phrase in our first chapter, but it will be an assumed one which we hope to prove as we progress in our investigation. It has been due to a failure to give a good translation that a great number did not know what the canon meant. Its real significance escaped them often, even when they gave a verbal translation. And the *Fontes Juris Canonici* do not help us very much for they refer to the whole canon and do not assign particular references to each section of canon 974.

Briefly, this is how we intend to treat our subject. We shall deal first of all with the qualities necessary for the licit ordaining of a candidate as taught by pre-code authors. We shall begin with Gratian and the Decretals, the *Corpus Juris*, and then examine the commentators from that time down to the Council of Trent; then we shall study them from Trent, down to the publication of the Code.

Then we shall study the teaching of the Code, directly and indirectly. Whence we shall proceed to a consideration of the legislation since the time of the Code, and thus bring our study up to the present day. Thus, by studying the authors before the Code and those

after it, we shall better be enabled to note the development and vicissitudes of our Canon. And we hope by then to have a general idea of the qualities needed for a candidate to receive orders licitly.

Since Chastity is the most important virtue of all and since it presents special difficulties, we shall devote a chapter to it. For Celibacy is one of the obligations springing from major orders. And may we repeat that here we are not concerned with chastity in its relation to sin nor with its remedies. It is the canonical aspect, as applied to Orders, that we seek. We are concerned with the candidate's capability, not with his absolution or sorrow.

In the following pages, we shall deal with irregularities. But we shall treat of them only as far as from a study of them we can arrive negatively at what is contained in the phrase "mores congruentes". Illegitimacy, for instance, has a connection with mores for there is danger of transmitting moral weakness and thus heredity enters in. So this leads us to what is positively required, namely, purity. Irregularities and impediments that have no bearing on the attainment of the necessary mores do not come within the compass of our thesis.

From a consideration then of the positive and negative qualities, we should be able to obtain a fairly definite and conclusive idea as to what the requirements

are. We shall have answered the question, "What is required when the canon postulates the possession by the candidate of *mores congruentes*?" But since we are also concerned with the acquiring and preserving of these same *mores*, a further question arises as to the most suitable means for doing this. And this leads us to treat of seminaries. Once again, we insist, we are not writing a thesis on seminaries. That is outside our scope. We shall deal with them only in as much as they affect *mores congruentes*. There will arise discussion of admission to and expulsion from seminaries due to the having or not having the qualities demanded. And we shall have something to say about Superiors and confessors, about holidays and apostolic schools. We shall also study the founders of Seminaries and see what their teaching was about *mores* in the candidates, but we shall treat these writers as canonists and not as spiritual or ascetical guides. When we quote them it will be after a cold analysis of their pages to discover what they have to say on the minimum required in the subject for Holy Orders.

The chapter following that on Seminaries will turn to the priest on the mission. This included priests sent to the mission field and the native clergy as well. Who does not see that there are entirely different problems to be faced here? There are dangers and trials and

temptations that do not crop up in more civilized countries--or, at least, not to the same extent. Selection of a native clergy gives rise to further difficulties and then there are the associated questions of their training, where it should be given, and a host of other questions. And yet how often the missions are looked upon as the burying ground for failures and scandal-givers?

In our final chapter we shall draw our conclusions, state what we think to be the qualities demanded by Canon 974 when it asks for *mores congruentes*, show in what we differ from others, and call attention to what we think to be necessary remedies as well as to point out some solutions to present vexing problems. We shall deduce from our previous study what we take to be the genuine interpretation of the canon we undertook to study in this dissertation.

We are not so bold as to hold that our thesis will suddenly remedy all evils, nor do we say that there will not remain some difficulties. The very nature of the Canon prevents this, for we are dealing with human beings--who are subject to change--and with a probable future. Still we all must admit that the closer we approach to an impersonal, objective standard, the better. There have been too many subjective standards in the past. And too many Moralists have treated the

Canon from the moral point of view, with the result that a great number of canonists copied them and forgot the canonical approach. We admit that we cannot know the future with certainty so that there always remains the possibility of lapses and falls and scandals. True. But all we are bound to do is to argue from *ex ordinariis contingentibus*. And this we do from the candidates antecedents. So if we can establish a uniform and common standard, as we think we shall, then it will be easy to solve most cases, and in cases of doubt we shall always say that the candidate is not to be sent on for Orders. Superiors must judge in the external forum and they can be deceived. Candidates can be deceivers and concealers. But a proper understanding and application of our Canon would reduce to a minimum the chances of these getting by. And when they do, then they (not the Superiors) are the guilty ones. For with a fixed standard and rule of measuring, our seminary training will "*quasi ex opere operato*" remove from its walls the undesirables and the cheaters. And then we shall be obedient to Canon Law for it enjoins on us that we do not ordain those who are not worthy. It is our hope that when this thesis has been read, it will be evident that we have contributed somewhat to the obedience and reverence due to Canon Law.

CHAPTER I

PRE-CODE CANONISTS

CHAPTER I

In this first chapter we intend to show what the early authors, especially canonists, held with regard to *mores congruentes*. This study will bring us to the eve of the promulgation of the codex. And when these authors do not speak explicitly of *mores*, we shall seek to learn what they had to say regarding the qualities requisite in one aspiring to Holy Orders.

Before we do this, however, it will be advisable to give an *a priori* definition or better, description, of the Latin words "*mores congruentes*". This is our suggestion: "To be licitly ordained a candidate should have a character suited to the order he is about to receive." In other words, he must have a character suited to the particular order, be it minor or be it major. His character must be suitable, adapted. The rest of the thesis is meant to prove that this translation is the best one, and the one that meets the demands of the Canon.

What qualities, then, are included in a suitable character? This is the question we are to answer. And we shall seek to discover the answer in the pre-code and post-code writers; ask ourselves if they are too exhaustive, too limited; find if they discuss some qualities to the

detriment of others; see if the same virtues keep cropping up in all, so that we can deduce some common qualities. If after all this we are still unsatisfied, and if we think that the answer has not been given completely and adequately, then we shall suggest what we think to be the "missing qualities" necessary for a suitable character.

Latin dictionaries give the following renditions of the elastic and hard to translate "mores": Manners, character, disposition, morals, quality, nature, manner, usage, wont, etc. And in the authors we are to study, we shall see how different can be the meaning. The Fontes do not help us, for as I said before, they are given for the canon in its entirety and are not assigned to each part of it.

If we study the use of the word in the code itself, what do we find? Let us examine some of the places in the code where the word "mores" is used.

We read: "Fideles omnes ita sunt a pueritia instituendi ut non solum nihil eis tradatur quod catholice religioni MORUMQUE honestati adversetur etc." Here the meaning would seem to be "morals". (7)

Again--"generaliter scripta in quibus aliquid sit quod religionis ac MORUM honestatis peculiariter intersit." Here it seems to mean "morals" as above. (8)

(7) C.1372, n.1
(8) C.1335, 1, n.2

Again--"In diariis vero, foliis vel libellis periodicis qui religionem catholicam aut bonos MORES impetere solent etc." (9)

Again--"Libri qui religionem aut bonos MORES, data opera, impetunt." (10)

Here in these canons dealing with books, the idea seems to be that "mores" is associated with "religio" to give us our English "Faith and Morals".

Again--"Ordinariis locorum jus et officium est vigilandi ne in quibusvis scholis sui territorii quidquam contra fidem vel bonos MORES tradatur aut fiat." (11)

Again--".....nisi prius constet de ejus bonis MORIBUS et de sufficienti doctrina etc." (12)

Here in speaking of the qualities demanded of preachers before they may be given permission to teach, we find an approach to the meaning of our canon. Here it would seem to mean the character and disposition of the preacher.

And our final example will also serve as a use of the word in somewhat the same sense as used in our canon. "Infamia facti contrahitur, quando quis, ob patratum delictum vel ob prevos MORES, bonam existimationem etc." (13)

(9) C. 1336, n.2

(10) C. 1399, n.3

(11) C. 1381, n.2

(12) C. 1340, n.1

(13) C. 2293, n.3

And in Book 5 of the code, Titulus 14, we read as the general heading of the title "De delictis contra vitam, libertatem, proprietatem, bonam famam ac bonos MORES. And in the canon dealing with expulsion from seminaries, we read "E seminario dimittatur.....ii qui ob MORES atque indolem ad statum ecclesiasticum idonei non videantur.....praesertim vero statim dimittantur qui forte contra bonos MORES aut fidem deliquerint." (14) In these last examples the use of "Mores" seems to mean chastity and purity--at least as the main constituent.

Does the code in canon 974 wish to restrict the meaning of the word to chastity alone? We think not. First of all because of the interpretation given this canon by most authors; and again, because we have other canons dealing with the celibacy and chastity of clerics and priests, (C.132) and finally because it would not make much sense to read that for licit ordination the candidate should have chastity which is suitable to the order to be received. The word is taken in a broader sense and wishes to express the character rather than any one quality. Though we admit readily enough that chastity is the quality most to be sought after in the subject. But it is not the only one, for we could have chaste subjects without their being acceptable for Holy Orders. Chastity alone is not sufficient. Chastity might be coupled with such pride, with such a lack

of obedience and submission, that there could be no question of admitting the Candidate to Orders.

For the word "congruentes" we find that we are given the meanings: suited, suitable, adapted, convenient, congruous, consonant, etc.

We shall endeavour as far as possible to study these authors in the order in which they wrote so that from the chronological sequence we may note the progress and change, if any. We shall first of all quote from the Corpus Juris of Gratian and the Decretals; then pre-Trent writers; then Trent itself; and finally post-Trent up to 1918, the year of the code.

CORPUS JURIS. D.24-90. In these Distinctions from 24 to 90 inclusive, we find treated the text of St. Paul (15) with some of the documents commenting on each point. There are many quotations, so we take only a few for the most of them are concerned with testing and probation. But even these will show that not all candidates are to be received and that they must have certain qualities before they may be admitted to Orders.

"Nullus ordinetur clericus nisi probatus fuerit vel examine episcoporum vel populari testimonio." (16)
We here see a reference to the early custom of the people having a say in the choosing and election of the clergy.

(15) I Tim. III, 2 -- Tit. I, 7
(16) C. 2, D. XXIV

".....et ideo, frater carissime, si de ejus vita vel moribus nil est quod contra canonum veniunt statuta." (17)
 We shall find this phrase "vita et moribus" occurring often in the early authors.

"Qui plurimo tempore probantur tam verbo fidei quam rectae conversationis exemplo." (18) Here we have the necessity of Fides insisted upon. And we meet for the first time a word "Conversatio" which is used frequently and whose meaning is like that of "mores"--hard to pin down to any one meaning. The key is usually to that of chastity.

".....Ipsi autem quibus cura committitur cavere debent ne aut favoris gratia aut cujuscunque muneris cupiditate illecti a vero deviant ut indignum et minus idoneum ad sacros gradus suscipiendos episcopi manus applicent...." (19) and then follows the punishments for those Bishops who ordain the unfit and the unworthy. We also note here the use of the words, "idoneus" and "indignum".

"Nomine autem criminis quodlibet peccatum intelligitur unde in eadem epistola S. Hieronimus dicit res contra naturam paene est ut sine peccato quis sit sed talis eligatur cujus comperatione ceteri grex dicentur.....quod autem sine crimine jubetur esse, qui in episcopum eligitur, non ante baptismum sed post baptismum intelligendus est ut a tempore videlicet baptismatis nullius criminis conscientia mentem ejus remordeat."(20)

- (17) C. 3, D. XXIV
- (18) C. 4, D. XXIV
- (19) C. 5, D. XXIV
- (20) C. 3, D. XXV

"Nullum facere subdiaconum episcopi nisi qui se caste victurum promiserit quia nullus ad ministerium altaris accedere debet nisi cujus castitas ante susceptum ministerium fuerit approbata." (21)

"Episcopi aut presbyteri aut diaconi aleae atque ebrietati deserviens, aut desinat aut certe damnetur. Subdiaconus autem, aut Lector aut Cantor similia faciens aut desinat aut communione privetur." (22)

"Luxuriosa res est vinum, est contumeliosa ebrietas." (23)

"Luxuriam facit et nutrit vini perceptionimia, non natura." (24)

"Ante omnia clericis vetat ebrietas quae omnium vitiorum fomes ac nutrix est." (25)

In these selections we note that the evils of drink in clerics are called to our attention and the connection made between drink and impurity.

For those wishing to read the teaching on those other qualities mentioned by St. Paul in the text referred to above, we shall give the references:--

D. 36--Prudentem; D. 40--Ornatum; D. 43--Pudicum et Doctorem;
D. 44--Vinolentum; D. 47--Non cupidum.

"Presbyterorum filios a sacris ministeriis removemus nisi aut in coenobiis aut in canonis religiose probati fuerint

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| (21) | | D. XXVIII |
| (22) | C. 1, | D. XXXV |
| (23) | C. 3, | D. XXXV |
| (24) | C. 5, | D. XXXV |
| (25) | C. 7, | D. XXXV |

conversati. Sed hoc intelligendum est de illis qui paternae incontinentiae imitatores fuerint. Verum si morum honestas eos commendabiles foverit exemplis et auctoritatibus non solum sacerdotes sed etiam summi sacerdotes fieri possunt." (26)

Here we have a reference to the dangers of inheriting moral weaknesses from parents and the necessity of a long and severe probation and testing before admission to Orders. And we find that the quality that is feared may be transmitted is weakness in purity. How true and how well known even to those who lived hundreds of years ago. And in canon 9 of this same Distinction we read, ".....vitis parentum etiam ad posteros transferantur."

"In sacerdotibus eligendis vel ordinandis cure oportet esse perspicuus. Longa debet vitam suam probatione monstrare cui gubernacula committuntur ecclesiae." (27)

"quis est cito manus imponere nisi ante maturitatem aetatis, ante tempus examinis, ante tempus emeritum obedientiae, ante experientiam disciplinae sacerdotalem honorem tribuere non comprobatis? Et quid est communicare peccatis alienis nisi talem effici voluntate qualis est, qui non meruit ordinari? (28) This is the famous quotation of St. Leo and we find it confirmed in the canon law of today. The "manus cito imponere" phrase, is, of course, that borrowed from St. Paul. And we note that

- (26) C. 1, D. LVI
- (27) C. 2, D. LXI
- (28) C. 3, D. LXI

another quality brought to our attention above was that of obedience.

For those desiring further references, we shall give the places where they can be found.

Rubricae Decretalium Titulorum

Lib. 1.--Tit. 11. De Temp. ordinationum et qualitate ordinandorum.

Tit. 12. De scrutinio in ordine faciundo.

Tit. 14. De aetate et qualitate et ordine praeficiendorum.

Tit. 17. De filiis presbyterorum ordinandis vel non.

Tit. 21. De bigamis non ordinandis.

Lib. 3.--Tit. 1. De vite et honestate clericorum.

Tit. 2. De cohabitatione clericorum et mulierum.

Lib. 5.--Tit. 24. De clerico venatore.

Tit. 25. De clerico percussore.

Tit. 29. De clerico per saltum ordinato.

These references will be very useful in the study of all those pre-code canonists who followed the order of the Corpus and usually entitled their works as Commentaries in quinque libros Decretalium.

And we see in passing that the qualities required and the irregularities are mixed up together. Even the irregularities and impediments are not given under one general rubric, but are scattered throughout the Decretalistas.

Before proceeding to the teachings of the Council of Trent, we shall give the ideas of HALLIER since he wrote prior to the decrees of Reformation promulgated by Trent. Hallier is one of those who first attempted to solve what a vocation was, and we shall have more to say of him when we come to treat that topic in its relations to our subject and in its assigning of certain qualities. "Præindeque non sine sedula inquisitione, non sine diligenti examine ullus eligi debet qui ad Ecclesiae gubernacula.....admittitur." (29) Here we have stressed the necessity of testing and trial. We shall meet with this note often, and indirectly it is a proof for the candidate's having a suitable character. But it is not explicit enough, for it is too general. This is a common fault of most of these authors and it is a fault which persisted even after the code.

"Quam absurdum pariter est terrenos homines totosque luteos et terrenis cogitationibus occupatos in eorum ordinem referre" "Pudeat nos nostrorum morumque tam vile sacerdotium habeamus ut cum mundana officia imperitis et minus exploratae vitae credi graviter et iniquo animo feramus indignos e contra a sacerdotio rejici conqueramur, et exactam ministrorum ecclesiasticorum probationem odio ac fastidio habeamus." (30)

(29) Hallier, De Sacris Electionibus et Ordinationibus
Pers Ia, Sectio Ia, C.1.

(30) Hallier, Op. Cit. Ia, Sectio Ia, C.1. SS.

".....non fidei integritas, non morum probitas ventilatur; non de institutione, educatione, doctrina, vite, aetate, natalibus, corporis animique dotibus quæstio diligens instituitur."

Sed in omni ordinatione provide satagendum est ne aut falsa pietatis species fallat aut defectus aliquis ordinandi lateat. Immo ad tonsuram quoque recipiendi probatione indigent inquisitione et examine." (31)

We note that Fides is again stressed and we meet a phrase which comes close to the mores congruentes of the code-morum probitas. And in the inquiries regarding Vite, moribus, natalibus, we prepare ourselves for words that will appear often, and which will be used in the Tridentine decrees regarding the scrutinium to be made before the reception of Orders.

"Utinam nemo nisi in minoribus tentatus ad maiora festinet, nemi nisi diuturna conversatione probatus ad sacerdotium asperet." (32)

"Qui ergo in habitu sæculari vitiosi exstiterint non statim ad clericalem professionem admittendi sunt sed in eo prius probandi." Reference here seems to be to impure habits and to drink.

"Nil, meo quidem iudice, Ecclesiae Dei adeo noxium, adeo pestiferum fuit quam tonsurae clericalis et ordinum

(31) Hallier. Op. Cit. XXA

(32) Hallier. Op. Cit. Ch.2, IX; Ch.3, AII

minorum neglectus, quam eorum graduum obaque diligenti examine distributio; quis enim pudicos hypodisconos, industrios disconos, pios sacerdotes se ordinaturum sperare potest nisi quorum in minoribus ordinibus devotionem acuerit, excitavit virtutem, obedientiam expertus fuerit, pietatis igniculos accenderit....."(33) Here we have attention called to "devotio, pietas, and obedientia."

".....tum mores, seu ordinandi inclinatio, pro- pensioque naturalis, habitus, ante acta vite, modestia, verecundia et modestia, et prudentia." (34) This is the best explanation to date of what should make for a suitable character. We see that chastity is the chief quality stressed but there are others with it. And we see that by mores, Hallier means "ordinandi inclinatio." We ask our readers to keep this last citation in mind.

We also find that Hallier has something to say on the idea of suitability, for he speaks of qualities required in the candidates for the various orders, implying that there is a different standard for some, at least, of the orders. ".....ut ab iis qui sacerdotio initieri volunt, hæc studiose sigillatim requirentur: an pie ac fideliter in ministeriis antea actis se gesserint, an spectata pietate atque castis moribus, an præclarum bonorum operum exemplum et vitæ documents ab iis expectari possunt." (35) We see then that

(33) Hallier, Op. Cit. Pars. Ia, Sect. IIe, Cap. I, VI

(34) Hallier, Op. Cit. Pars. Ia, Sect. IIe, Cap. . III, 2

(35) " " " " " " " " " 7,9.

Conc. Mediol. V, Constit. Pars 3, 33.

he stresses an advance in virtue as preparation is made for the next order to be received.

Finally, Hallier gives the following signs of a divine vocation. He recalled that he was one of the first to attempt a scientific approach to the question of vocation. And we shall see that for a great number of these authors, it was the same thing to speak of the signs of a vocation as to speak of the mores required for orders. And in this they were not too far from the truth. For there is an overlapping. Though it was left for later writers to make a distinction between the two. To the question: "*quænam divinæ vocationis sint indicia* " Hallier gives the following: "*Puritas conscientiae-antecessæ vitæ innocentis-intentionis rectitudo et inculpatus ad ecclesiasticum statum ingressus.*"(36) It is well to note in passing that among the early writers and in the early days of the church, much stress was laid on this question of innocence of life and freedom from all sin.

Some, who were very rigid, held the view that sin committed after Baptism was an obstacle to any one becoming a priest and we find instances of this teaching scattered throughout the Corpus Juris and in the early commentators in the five books of the Decretals. Others held that the meaning was that if one had been forced to do public penance as a result of sin, it was only then that an obstacle was put in the way of his going on for Holy Orders. The truth of the matter seems to be that both views prevailed at different

(36) Hallier, Op. Cit. Pars. Ia, Sect. III, Cap. II

periods in church history but that the rigid teaching was not of long duration. We shall say more of this later.

TRENT We now come to the teaching of the Council of Trent and we shall give only those decrees and canons that have a bearing on our subject and that will throw some light on our endeavour to discover what was the early teaching regarding a suitable character for orders.

We read in Session 13 at the head of a chapter, "Episcopi prudenter moribus castis informandis invigilent". Note the word "mores". Here it seems to have the same meaning of "character". (Sess. XIII, De Ref. Cap. I)

In the 14th Session we read: "cum proprie Episcoporum munus sit, subditorum omnium vitis redarguere; hoc illis praecipue cavendum erit ne clerici praesertim ad animarum curam constituti, criminosi sint, neve inhonestam vitam ipsis conniventibus, ducant; nam si eos pravis et corruptis MORIBUS esse permittant, quo pacto laevis de ipsorum vitis redarguent qui uno ab eis sermone convinci possent, quod clericos ipsos patientur esse deteriores? etc. (37)

"Si Episcopi quoscunque ordines contulerit sibi non subdito, etiam familiari, sine expresso proprii praelati consensu, uterque decretae poenae subiaceat." (38) Here we have a reference to the abuse of clerici vagi and the ordaining of these by Bishops who knew nothing of their past life nor of

(37) Sess. XIV. De Ref. Proemium

(38) Sess. XIV. De Ref. Cap. 2

their suitability for orders. In the following chapter, the Council speaks of the necessity of Testimonial letters. These letters are meant to be an aid in discovering whether or no the candidate has the necessary qualities for Ordination. Therefore, there is an indirect connection with *mores congruentes*.

In Session 22 we are getting to the real problem for now the Tridentine Fathers are tackling the reform of the clergy and wish to remove the abuses of the past. In Chapter I we find the heading "*Canones de vita et honestate clericorum innoventur.*"

"Nil est quod alios magis ad pietatem et Dei cultum assidue instruat quam eorum vita et exemplum qui se divino ministerio dediderunt; cum enim a rebus saeculi in altioram sublato locum conspiciantur, in eos, tamquam in speculum, reliqui oculos conjiciunt ex hisque sumunt quod imitentur. Quapropter sic decet omnino clericos in sortem Domini vocatos vitam moresque suos omnes componere ut habitu, gestu, incessu, sermone aliisque omnibus rebus nil nisi grave, moderatum ac religione plenum prae se ferant; levia enim delicta, quae in ipsis maxima essent, effugiant ut eorum actiones cunctis offerant venerationem." (39)

"Prima tonsura non initientur qui sacramentum confirmationis non susceperint et fidei rudimenta edocti non fuerint; quique legere et scribere nesciant; et de quibus

probabilis conjectura non sit, eos non saecularis iudicii fugiendi fraude, sed ut Deo fideli cultum praestent, hoc vitae genus eligisse." (40)

"Ad minores ordines promovendi, bonum e parochio et magistro scholae in quo educantur, testimonium habeant. Hi vero, qui ad singulos majores erunt assumendi, per mensem ante ordinationem episcopum adeant, qui parochio aut alteri cui magis expedire videbitur, committet, ut nominibus ac desiderio eorum qui volunt promoveri publice in ecclesia propositis, de ipsorum ordinandorum natalibus, aetate, moribus et vita, a fide dignis diligenter inquirent, et litteras testimoniales, ipsam inquisitionem factam continentes, ad ipsum episcopum quam primum transmittet." (41)

"We remark in passing, the use of what seems at that time to have been a consecrated phrase--vita et mores--.

"..ut eo accuratius quantum sit hujus disciplinae pondus possit edoceri, ac in unoquoque munere se exercent v.....atque ita de gradu in gradum ascendant ut in eis cum aetate vitae meritum et doctrinae major accrescat; quod et bonorum morum exemplum et assiduum in ecclesia ministerium, atque major erga episcopos et superiores ordines reverentia maxime comprobarunt." (42) It is quite clear from this last citation that there were to be several standards and that the same virtue that sufficed for the minor Orders would not do for the majors. So we have here an echo of what the code says

- (40) Sess. XXIII, De Ref. Cap. 4
- (41) Sess. XXIII, De Ref. Cap. 5
- (42) Sess. XXIII, De Ref. Cap. 11

when it states that the term of measure is to be "ordo recipiendus". This point is worth noting here.

"Nullus in posterum ad subdiaconatus ordinem ante vicesimum secundum, ad diaconatus ante vigesimum tertium, ad presbyteratus ante vigesimum quintum aetatis suae annum promoveatur. Sciunt tamen Episcopi non singulos in ea aetate constitutos debere ad hos ordines assumi sed dignis dumtaxat et quorum probata vite senectus sit." (43) This Tridentine phrase which is an echo of the Old Testament has come down the ages and the probata vite senectus refers above all to the virtue of purity. "Subdiaconi et Diaconi ordinentur habentes bonum testimonium et in minoribus ordinibus jam probati; qui sperent se, Deo auctore, continere posse?" (44) This is an important quotation for it seems to prove that there is to be one standard for the subdiaconate and the diaconate. So this would make two standards and implicitly, three. We are to have one standard for all in minor orders, a second for the subdeacons and deacons, and a third for the priesthood. So that when the code says "mores ordini recipiendo congruentes", it may mean that there are three orders to be received that change the severity of the suitability of character, and we shall later on see if the code is but repeating this teaching of the Council of Trent. If so, and we think it is, then we shall wonder why, when the solution was there, past ages had so much trouble. Had it been understood as it should have been, the lot of the church would have been a better one.

(43) Sess. XXIII, De Ref. Cap. 12

(44) Sess. XXIII, De Ref. Cap. 13

Let us now study what Trent set as its standard for the priesthood. "qui pie ac fideliter in ministeriis anteactis se gesserint, et ad presbyteratus ordinem assumuntur, bonum habeant testimonium.....etque ita pietate ac castis moribus conspicui, ut praeclarum bonorum operum exemplum et vitae monite ab eis expectari possint." (45) We see that the two qualities of piety and chastity are stressed for the priests. And we must not miss the significance of the specially chosen words "conspicui" and "praeclarum".

Then Trent mindful of the role that minor Orders played in the early church, and fully conscious of the abuse that had crept in of neglecting these minor Orders entirely, legislates accordingly. "Ut sanctorum ordinum a diaconatu ad ostiarietum functiones, ab Apostolorum temporibus in Ecclesiis laudabiliter receptae, et pluribus in locis aliquamdiu intermissae, in usum juxta sacros canones revocentur...." (46) For the Fathers knew full well that the best preparation and novitiate for major orders was the minor orders, and that it was during the time of minor orders that they could judge the fitness or unsuitability of the subjects. Thus we see from the combined legislation of the various scrutinies to be made, of the question of age, of the interstices, of the titulus to be required, of the dimissorial and testimonial letters, on the refusal to ordain clerici vagi, what the mind of the Council was, and how it aimed at assuring a worthy priesthood. There were lacunae in the legislation, as future

(45) Sess. XXIII, De Ref. Cap. 14

(46) Sess. XXIII, De Ref. Cap. 17

chapters will show, but when we recall the task that faced the Fathers at Trent we should be thankful to God that they legislated so wisely and with such foresight. In their teaching we find that they demand a suitable character for Orders and the virtues they single out are those of chastity and faith and obedience. The Fathers also knew that there was to be a standard for judging the fitness of the candidates and that this standard was to be of a three-fold severity. The requirements were to be more exacting for a Sub-deacon and a Deacon than for those taking minor orders; and even more exacting for a priest than for a Deacon and Sub-Deacon. And this means implicitly that the standard was to be one taken from the order to be received and not one that depended on external circumstances of time and place and the vicissitudes of life. Let us bear this well in mind.

All this legislation took place about the years 1555-1565. We shall now see what the post-Tridentine writers, canonists especially, thought on this point, ask whether they followed the teaching of Trent, whether they taught other norms, what they added to the existing legislation, or whether they missed the significance of the Council's teaching.

THOMASSINUS. He has very little to say regarding the positive qualities demanded. And he is a typical example of most pre-code authors who speak only of the negative aspect--

that is to say, irregularities. That is enough for him. The rest he takes for granted. (47)

BARBOSA. "In ordinationibus quando interrogatur an ordinandus sit dignus et Archidiaconus respondit esse dignum quantum humana fragilitas petitur, peccat nisi de indignitate ordinandi ipsi constiterit, ad verificandum enim dictum illud sufficit si ipse nesciat ordinandum esse indignum." (48) What a world of difference between this teaching of Barbosa and the present teaching of the code. From this citation we can see that the emphasis was placed on the negative and not on the positive aspect. For Barbosa, it is enough if the candidate has nothing wrong with him, and there does not trouble him as to the further question, "But has he these positive qualities?" This teaching is contrary to the code and there is no question of a candidate going on for Orders unless there are positive signs of his fitness. And there must be certainty of these. Not as Barbosa says later on: "Notetur quod illum praesumere dignum debemus quem nescimus indignum." Yet to be fair to our author, we must say that he can also write: "Ad regimen ecclesiae non est instituendus nisi qui scientia moribus et aetate polleat." Again: "Clerici habentes beneficia, si nolint promoveri ad sacros ordines, dicentes se propter occulte peccata promoveri non posse, imo si impediti ad sacros ordines suscipiendos non sint admodum utiles in

(47) Ancienne et Nouvelle discipline de l'Eglise

Cf. I. Ch.29-33; Ch.21-26

II. Ch.60-61; 67-70

III. Ch. 2-6; Lib. I. p.181

(48) In Jus Pontificium Universum; In Lib.I.Decret.Tit.XII,p.181

must be present positive qualities. He says that many are needed, but his closest approach to being specific is to say that the candidates must be chaste, sober and prudent. We find in him the germ of the truth that the standard required is not the same for all the orders, for does he not say that some of these virtues are common to all the orders, while others are peculiar and proper to each one. And while he does not say what these are and how many standards there must be, still he has the idea in germ. After all, the code itself does not tell us how many of the "ordines recipiendae" require a special norm. And Barbosa wrote almost 250 years before the code.

RIGNANTIUS. He says nothing of positive qualities. He touches the point indirectly in treating of the age required for orders and of the dimissorial letters, for here there is question of inquiries being made and of good testimony being given as to character of candidate. But it all rests as general as this. And so we get no hint as to what will constitute a character suited for Holy Orders. (52)

MONACELLI. He writes of "De collatione ordinum et requisitis." We think it well to give a synopsis of the qualities he demands, for we shall see that he understands there are to be higher demands made when the order to be received is higher. Thus there is in his teaching the note of suitability in accordance with the order to be received. For prima

tonsura he demands: "Examen testium super legitimis natalibus, vite et moribus; fides parochi de vite et moribus; examen et approbatio." For minor orders: "Fides parochi de vite, moribus; habitus clericalis gestatione, et frequenti receptione communionis; examen et approbatio." For the subdiaconate: "fides parochi de vite et moribus, de doctrina christiana; de frequentatione communionis." (53) For deacons it is to be the same as for the subdeacons, and for priests the same as for subdeacons and deacons. On this last point we do not agree, for we think that there is to be a higher standard for the priesthood than for the other major orders. However, it is well to note that Monacelli did recognize the need of more than one standard and also that he chose his norm, not from an external source but from the order to be received. And this makes him an exception to the general rule.

It is also interesting to note in the list of those who should not be promoted to Holy Orders, that Monacelli mingles qualities with irregularities and impediments. For him, "promovendi non possunt; non baptizati, illegitimi, minores natu, non confirmati, neophyti, uxorati, bigami, criminosi, infames, servi, eunuchi, amentes, furiosi, peregrini, ignoti, ebrietati et gulæ dediti, etc." (54)

One last quotation from Monacelli: "Signa veræ vocationis illorum qui ad ordines promoveri cupiunt. Honestas vitæ et morum probitas; desiderium serviendi Deo; delectatio

(53) *Formularium Legale Practicum*, I. Tit.III, p.60

(54) *Op. Cit.* IV, p.5

functionum ecclesiae; si non se ingerent malis artibus et via indirecte ut ingrediantur in ecclesiam." We think that Monacelli is one of the most helpful of pre-code Canonists.

REIFFENSTUEL. In treating of the positive qualities required, our author gives three: aetatis maturitas, gravitas morum, et litterarum scientia. We note that with the others we have seen, he mentions "mores". For some it is "vita et mores"; for him it is "gravitas morum". But what does this mean? Let us hear our author: "Quaeritur tertio; quoniam aliae qualitates ac praesertim concernentes gravitatem morum requirantur ex parte eligendorum?" He answers in brief, "Thorus legitimus; status clericalis; absentia censurae et irregularitatis; vera fides, ut non sit infamis." (55) Here again we see the confusion of qualities and irregularities. The only quality we have mentioned is "fides".

Further on he writes: "Ut ordo licite, absque peccato ac rite secundum constitutionem ecclesiae recipiatur, plura requiruntur ex parte recipientis seu ordinandi. Status gratiae; Huc reduci potest exterior vita, morumque probitus, de qua diligens examen circa ordinandos praemitti jubetur." "Ut sit legitime natus; ut nullo censura seu irregularitate vel alio canonico impedimento sit impeditus; animus clericandi; confirmatio; aetas legitima; debita scientia; titulus." (56)

Our next quotation will be an interesting one for

(55) Jus. Canonium. Lib. I. Decret. Tit.VI. n.9

(56) Op.Cit. I. Tit.XI, de temp. Ord. et qualitate Ordin.

it will be a refutation of an opinion previously given by Barbosa. Reiffrenstuel puts the question: "Utrum is qui ordinari desiderat in dubio praesumatur dignus atque idoneus vel potius tenetur probare suam idoneitatem? Haec quaestio procedit quoad omnes illas qualitates ad legitimam receptionem sacrorum ordinum requisitas, de quibus scrutinium institui potest ac debet, utpote quoad genus et an quis sit legitime natus;.....etc. quoad mores. Ratio dubitandi ac pro praesumptione idoneitatis militans desumitur....(57)" then he gives some reasons for this opinion. To which: "Resp. I. Ordinandorum idoneitas in dubio non praesumitur sed est probanda. Ita communis et patet ex ipsa ecclesiae praxi tam serio praevisum ordinandorum scrutinium atque inquisitionem circa morum probitatem, etc. Regula de praesumptione fallit ubi agitur de praepjudicio tertii. Atque in collatione ordinum agitur de magno praepjudicio tertii, nempe, ecclesiae; Ergo. Deinde regula illa de praesumptione idoneitatis potissimum procedit quoad intrinsecas qualitates cum quibus homo nascitur, scilicet, quod aliquis sit castus pacificus, sobrius, etc.; talem quippe idoneitatem praesumitur quis habere donec contrarium probetur.....secus dicendum est de idoneitate extrinseca sive ubi agitur de scientia, arte contendendi et hujusmodi qualitatibus quae accidentaliter provenerint et non insunt homini a natura, nam talia non praesumuntur nisi probentur. Unde si quaeretur de promovendis ad beneficia vel ordines sive de personis ad officia sublimandis, ille, qui talia petit, dignus non praesumitur nisi probetur; nam

they do, it usually refers to intemperence after ordination. Of drink in the candidates for Holy Orders, they say next to nothing. We shall deal with this in a later chapter.

"Inter alia quae vitam honestatemque clericorum vel maxime commaculant est vitium avaritiae." This is his answer to the question of what else is required or to be guarded against. Avarice, is his answer.

To sum up: Reiffenstuel demands gravitas morum, vere fides; warns against drink and avarice; distinguishes internal and external qualities; and dwells on the absence of irregularities. But he does not fully answer the question as to what positive qualities are required. Nor do we find in him reference to the fact that there should be a stricter standard dependent on the order to be received. Thus we see in him, who is probably the greatest pre-code canonist, that too much is taken for granted. But we must not be too harsh, for he was writing in a time when the negative aspect of irregularities was prominent; and when so many of our present day canonists with the code before them do no better, who are we to criticize the great Reiffenstuel who, more than any other, prepared the way for our code of today?

REIGER. Our author in answering the question: "Quis honestas vitae?" says: ".....sicut in officiis negligentis turpitudine, ita in iis excolendis sine vitae est honestas omnis. Ad haec autem quum legibus adigemur, non inepte eam definies habitum quandam practicum, justas non modo leges animis custodiendi, sed etiam laudabiliter vivendo exterius illas

exsequendi." (80)

And to the query "quotuplex illa honestas?" he answers: "descriptio haec sponte sua in duas partes abit; prior honestatem internam, altera externam complectitur. Illa agentis voluntate conficitur, ista, decore, quod vocam externo."

"Supra diximus honestatis internae radices in voluntate figi. Missis demonstrationibus abagibus, id quod certum est omnibus nunc deducimus; ab illa videlicet requiri vitiorum fugam et ardentissimum universae virtutis studium."

"Novit Ecclesia habitu non fieri monachum nec vitae sanctimoniam cum vestibus indui. Ad honestatem clericalem quam maxime spectat vitae aedificatio seu morum innocentie quam incontinentie, ebrietas, scurrilitas destruunt; quae vitia sicut in omni homine christiano, ita singulari ratione in clerico minime toleranda sunt."

Here again in this writer we notice the distinction drawn between the interior and the exterior. His requirements are rather general, for he asks for flight from all vice and a desire for all virtues. He singles out innocence of life or chastity, and the vices he warns us against are impurity, drink, and that word so difficult to translate--scurrilites. We do note that he treats more than irregularities--and that is something--even though he is not too clear about what virtues in particular are demanded for the candidates.

(80) Jurisprudentiae Ecol. Institutiones. II, p.235

III, p.2, n.3,4,9,18

BENEDICT 15TH. Sane hoc primum negari nequit
cujuscumque gradus dignitatem ex magno numero eorum quibus
confertur, vilescere."

"Constat hunc semper Ecclesiae spiritum etque
constantem illius mentem fuisse paucos ut potius, sed bonos
habere ministros, quam multos inutiles et prevos. Non aliunde
quam ex magno eorum qui ordinantur multitudine evinire dicendum
est ut in senotuerium irrumpant qui eo ingrediendi digni non
erant."

Then he quotes from Bellarmine: "neque admittantur
in clerum nisi qui et merito et requisitis qualitatibus
praediti, et divina vocatione, quantum hominis fas est de
interioribus judicare, ad ecclesiastica ministeria appellati
esse dignoscantur. Primum et potior est Episcopi vigilantia
in eorum vitam et mores."

"Auctores multi hanc putant canonicae disciplinae
legem usque ad saeculum undecimum inviolabiliter servatam
esse ut qui post Baptismum conscientiam suam lethali aliquo
crimine ac praesertim incontinentiae peccato maculasset, ab
omni spe ingrediendi in clericalem ordinem perpetuo exclusi
menerent." (61)

We see in these statements that attention is called
to the heresy of quantity rather than quality and we are urged
to have few good priests rather than many mediocre or bad ones.

(61) De Synodo Diocesana. XI, 2
V, 3

Hebert, De Ordine, T.7, Lib. III, Cap. 3

HUTH.-- As usual with the pre-code canonists, he devotes most space to the question of irregularities. He does say that clerics must have honestas morum, but he does not say what is meant by this. Or rather he does, but his explanation does not add much to his general terms. "Quaeritur, Honestas clericorum in quibus consistit? Resp. I. In vitae ac morum integritate sive honestate quae duplex est; alia interna, alia externa." So once again, we have the distinction between interior and external qualities.

"Quid de vitae clericalis honestate interna dicendum? Resp. I. Requirit haec rectitudinis intentionem, puritatem conscientiae."

"In quo consistat vitae clericalis honestas externae? Resp. I. Ut clerici caste vivant; ut abstineant a crapula; ut avaritiam quam maxime fugiant." (62)

From Huth we have the same idea given before, of the division between internal and external qualities. It is worth noting that he calls our attention to three points that we met with before; we might call these the big three: chastity, and freedom from intemperance and avarice.

SCHWALZGRUBER.-- This author, and Reiffenstuel, are probably the two most important canonists who wrote before the code and so their opinions are of great value to us. The present author in speaking of what is required for a licit ordination, lays down the following conditions:--

"major septennio; capax rationis; non neophytus; confirmatio; caelebs; litteratus; nulli culpa mortali scienter obnoxius; nulla censura vel irregularitate irritatus; bonae vitae et existimationis publicae; subditus ordinanti." (63)

For us who have the clear distinction made by the code between irregularities, impediments and what is required positively, the mingling of all three in the author amazes us. But it does show us where progress has been made and how ancient authors neglected the positive side of the candidate's suitability in their endeavour to clear him of all irregularities and obstacles. The question that most of these writers ask in so many words is this: "Are there any obstacles to the candidate's reception of Orders?" Today we have this question too, but it is not enough. For more important still is the added question: "But has he the positive qualities demanded for the receiving of Orders?"

Further on the author wishes to tell us what he means by *morum probitas* and *vitae honestas*. "Resp. Ad haec tria requiruntur; ut promovendus non sit criminosus; ut non laboret infamiae sive juris sive facti; ut non sit censura aliqua ligatus, vel irregularis." Here again we note the negative aspect dominant. Our author, too, has the distinction between *honestas interna* et *externa*. "Vitae clericalis honestas interna tria exposcit: maxime rectitudinem intentionis, animae et conscientiae; puritatem;

et reliquas virtutes tum theologicas tum morales." (64)

This gives us a definite advance on preceding teaching and we note the growth in clearness of aim and purpose. "Rectitudo intentionis consistit in eo ut clericus ad ordines se promoveri curet non tam consequendi alicujus emolumenti temporalis sed obeundi officii sui spiritualis et gloriæ divinæ promovendæ gratiæ." The next bit is interesting. "Intentio hæc suscipiendi presbyteratum non debet necessario esse absoluta sed sufficit etiam conditionata; e.g., nisi ante sacrum ordinem susceptum clericalis status minus convenire videtur, nisi primogenitus filius morietur sine herede, nisi opulentum et ad familiam conservandam opportunum matrimonium sese offerat, etc." (65)

"Quæritur, quante in clerico requiratur animi et conscientiæ puritas? Resp. Hanc oportet esse maximam ita ut ab omni labe seu culpa graviore immunes sint; et hoc merito ob triplicem rationem; 1. ob sublimitatem status; 2. ob finem quem sibi præfixum habent; 3. ob sanctitatem functionum....."

"Externe vitæ clericalis honestas etiam ipsa præcipue tria exposcit; 1. morum ac conversationis integritatem; 2. decentiam habitus externum; 3. exercitium munerum ac officiorum convenientium statui clericali."

"Quæritur in quo consistat morum ac vitæ integritas juxta sanctos canones in clericis requisita. Resp. Hæc maxime in tribus consistit; 1. ut præsertim si in sacris sint

(64) Op. Cit. Pars III, Tit. XIV, p. 68

(65) Op. Cit. Pars V, Tit. I, n. 1, 2

constituti, non solum continenter et caste vivant sed etiam
 ita caste ut extra omnem suspicionem incontinentiae et in-
 temperantis animi sint.....multo magis iisdem clericis
 vitanda est familiaritas cum aliis feminis; tritum namque
 adagium est: mare, ignis et mulier tria mala; sed tamen nimis
 tempestuosum est mare, ignis nimis inflammat, in mulieri omnia
 nocent. 2. Fugienda est clericis crapula et ebrietas quae
 omnium vitiorum fomes et nutrix est; mentis aciem hebetat,
 ejus exilium inducat et libidinis est incentivum. 3. Clerici
 ab omni avaritia maxime alieni sint, oportet; nam qui festinat
 ditari, non erit innocens." (66)

Little need be said, for the meaning is clear. Once
 again we have the big three--chastity, freedom from drink and
 avarice. These seemed to be the qualities most desirable in
 candidates for Orders: that they should be chaste, temperate
 and free from greed.

PURGING. We come to another of the important
 canonists in the old order of things. What has he to say?
 "Ad morum vitaeque probitatem quod attinet, promovendus
 criminosus esse non debet neque reus criminis cujuscunque
 gravis, publice noti; ob quod delinquens aliorum offensionum
 incurrit, si tale delictum nondum publice emendatum sit.
 Secundo non debet esse infamis juris aut facti, cum infamibus
 portae dignitatum non pateant. Tertio, nulle censura aut

irregularitate notorius vel impeditus esse debet." And further on he says: "Castitas, sobrietas, absentia avaritiae" are the qualities to be looked for. (67) Pirhing stresses the negative aspect and points to purity, and freedom from drink and greed as necessary requirements.

PHILLIPS. ".....les évêques ont été chargés par l'église d'enrôler les jeunes soldats de la militia spiritualis et ceux-ci ne peuvent ceindre les armes ecclésiastiques qu'autant qu'ils ont atteint au moins le minimum d'une certaine taille spirituelle, fixée même à une hauteur considérable. Il faut de plus qu'ils soient sains de corps et d'esprit, robustes dans le foi, doux de coeur, irréprochables dans leur naissance et dans leur réputation, innocents de toute action criminelle." (68) This bears out our contention that for suitability of character, there should be an objective standard with an assignable minimum. And the qualities singled out for special attention are a strong and robust faith, sweetness of disposition, and freedom from all censures and crime.

Toutes ces prescriptions des lois canoniques, dont la strict application exclureit un nombre considérable d'ordinands de la collation des saints ordres, émanent de la divine sagesse qui dirige l'église; et l'on ne peut former qu'un voeu à cet égard; c'est qu'elles fussent toujours et partout observées dans la pratique; il n'y avait alors que des hommes vraiment dignes et capables qui pussent être

(67) SS. Canonum Doctrina, Lib. III, Tit. I

(68) Droit Ecclesiastique, Chap. VII, n.vi

admis dans l'état ecclésiastique. Sans doute, vu l'imperfection de la nature humaine, il n'est personne ici-bas qui soit entièrement digne d'un état aussi saint mais c'est qui est au moins indispensable, c'est d'exiger une perfection relative et d'admettre absolument que ceux qui justifient de certaines qualités dont la possession seule peut d'être un titre d'élection et de capacité." This thought cannot be improved upon. It expresses our thoughts exactly. We only regret that this opinion was not held and put into practice. The relative perfection of which the author speaks is the key to the whole problem for with it we shall be assured of a character suited to the order to be received.

"Le zèle de la dignité sacerdotale et l'expérience des abus d'une trop grande facilité dans l'admission des ordinands ont depuis les temps les plus anciens déterminé les législateurs et la jurisprudence de l'église à se montrer fort sévères sur la question des examens des clercs."

Further on the author says that there must be absence of certain defects, and the presence of certain qualities. These qualities, he writes, are rooted in the teaching of St. Paul but they must be developed and explained. Then he describes how in the early days of the church all the orders up to and inclusive of the sub-diaconate were a novitiate for the other orders. And that while the tonsure was given to those quite young, yet it was only at a much later age that they were made deacons, and that there was an interval of five years between the diaconate and the priesthood.

"La force et la maturité de la foi constituent, aux yeux de l'église, une des conditions essentielles de l'administration aux saints ordres." And in speaking of fides, he points out that there must be great care exercised in admitting to orders those recently converted for, he says, these are often proud and think that the church has need of them. How true! (69)

DE CAMILLIS. He speaks of positive and negative qualities. But the only definite information he gives is to say that the candidate should have a "certa pietas". (70)

DE RIVIERES. "Il faut éloigner de l'ordination ceux qui on prévoit ne pouvoir mériter de recevoir les ordres supérieures.ne pas admettre aux derniers ordres mineurs ceux qui dans les premiers n'ont pas été zèles pour leur saint emploi; ceux qui ne fréquentent pas les sacrements; ceux qui ne portent pas habituellement l'habit et la tonsure ecclésiastique.

"qu'on éloigne des ordres sacrés ceux qui ont fui et fait lâchement le service de l'église qui leur était prescrit par les ordres inférieurs; ceux qui aiment le luxe et la bonne chère; ceux qui ont sur leurs lèvres des conversations et des propos inconvenients; ceux qui, jeunes encore, ont des rapports trop intimes avec les femmes auxquelles aucun lien de parenté ne les unit." (71)

(69) Op. Cit. p. 329, 333 ss.

(70) Instit. Jur. Can. II, Sec. III, Cap.V, p. 86, 95

(71) Mémorial des lois canoniques et disciplinaires.
Chap. VIII, p. 33; p. 369-377.

DE ANGELIS. Among the eight qualities he lays down as required for a licit ordination are these three: "1. ut sit celebs; 2. ut quovis censura et irregularitate careat; 3. ut nulli culpe mortali sit scienter obnoxius."

(72) And we note the combination of the negative with the positive without any elaboration of what positive qualities are needed. This is his closest approach to the positive: "Requiruntur morum probitas quae importat: ut promovendus non sit criminosus; ut non laboret infamia juris aut facti; ut non sit aliquae censuræ innotatus." (73) But we see that his morum probitas is made up really of three negatives.

CRAISSON. "Conditiones ad receptionem requisitae aliae sunt negativae, aliae positivae. Negativae sunt exemptiones ab iis quae receptionem vel exercitium ordinum impedirent.....Positivae vero sunt ea quae requiruntur ad dignam receptionem.Non tantum a vitis aut variis impedimentis immunes esse debent qui cupiunt ad ordines promoveri sed etiam plures alias adimplere debent conditiones sive internas sive externas. Conditiones internas sunt praesertim vocatio divina, vitae probitas, seu sanctitas praecellens recte intentio. Quoad conditiones externas quinque potissimum requiruntur in promovendis ad ordines; 1. ut a proprio episcopo ordinentur; 2. titulus; 3. non per saltus; 4. interstitia servata; 5. scrutinia et proclamationes." (74)

(72) Praelectiones Jur. Can. I. Lib.I, Tit.XI, p.224

(73) Op. Cit. Lib. I, Tit. XIV, p. 260

(74) Manuale Totius Juris Canonici, I, Lib.I, Cap.III, Art.II, n. II, Lib.I, Cap.II.

This author really makes an attempt to deal with the positive demands. But he does not tell us just what virtues go to make up the probitas morum or the sanctitas praececellens that is needed in the subjects for orders.

ANONYME. "Promoveantur ad statum clericalem qui immunes sunt ab irregularitatibus, et habent signa vocationis divinae quae illos sacris ministeriis idoneos effecit." (75)

GASPARRI. Cardinal Gasparri's book "De sacra Ordinatione" is a golden book and for anyone desirous of knowing the history and development of clerical discipline and formation, it is indispensable. All matters connected with irregularities are treated most fully and along with Vernz, one has all he needs. We shall quote from our author and give a criticism at the end. It is interesting to note that there is found in his list of irregularities ex defectu the following: "defectus fidei, morbi physico-morales." (76) In explaining "sine crimine" he says, "Hinc ecclesia statuit poenitentes publicos sicuti ceteroquin hereticos et schismaticos conversos, etiam expleta poenitentia, non posse ad statum clericalem promoveri, seu ipsos declarari irregulares. Publice poenitentia in desuetudinem abiit. Ut disciplina quae poenitentem a clero prohibebat jam relaxari coepit. Sed notandum, abolita publice solenni poenitentia, non ideo omnes criminosos, obtenta etiam absolutione, admissos fuisse ad clerum. Nam multa delicta, si sunt publica, injurunt infamiam

(75) Praelectiones Juris Canonici, I, Pars II, Sect. II, p. 15

(76) De Sacra Ordinatione, I, Chap. III, p. 111

facti, quae dum perduret, erant a statu clericali. etc. (77)

In the section which deals with defectus requisitae sanctitatis, he states that for a licit ordination we must have gratiae sanctificans and vitae bonitatis habitualis major quam in laicis. Then, "At facile patet non eundem sanctitatis gradum exigi pro omnibus ordinibus. Sanctitas necessaria pro prima tonsura recipienda, satis erit etiam pro ordinibus minoribus; sed certe non sufficit pro subdiaconatu et aliis ordinibus majoribus; item sanctitatis requisita pro subdiaconatu videtur sufficere etiam pro diaconatu et presbyteratu." (78) He develops this idea and quotes Trent to support his view. "Prima tonsura jam supponit aliqualem vitae tum internae tum externae perfectionem et aliqualem zelum gloriae Dei et salutis proximi; secus enim conjectura probabilis non haberetur ab episcopo." "In ordinibus minoribus jam probati indicant probationem probitatis externae sed quatenus est indicium probitatis internae cum concilium utramque requireret." And later on: "Ex his concluditur ad subdiaconatum juxta sacrorum canonum normam requiri magnam et praecellentem vitae sanctitatem quia subdiaconus proprius accedit ad altaris ministerium et gravissimas perpetuasque contrahit obligationes.Pro Diaconatu ea quae supra diximus a fortiori repetenda sunt..... Igitur subdiaconus qui vult ad Diaconatum accedere, non solum debet bonitate eximia pollere sed insuper expedit ut adjutus gratia recepta in ordinatione, subdiaconatus tempore interstitiorum

(77) Op. Cit. I, Chap. III, p. 113

(78) Op. Cit. p. 367, 88.

sacrum ignem amoris Dei et proximi magis magisque in semet-
ipso accendat.Pro presbyteratu Et sane cum sacerdos
aliis esse debet dux et magister ad salutem, et maxime cum
debent divinum sacrificium offerre, nunquam satis sanctus
esse potest." Later on in speaking of the reasons for the
various scrutinies, he writes: ".....tum maxime de idoneitate
ejusdem candidati; et eo accuratius hoc scrutinium debet esse
quo altior est gradus conferendus." And he gives the follow-
ing meaning for a phrase we have met frequently--"Vita et
mores". For him this means "num promotioni optatae con-
venient?"

The point that strikes us most in the teaching of
Cardinal Gasparri is the light he throws on the true meaning
of the words "congruentes ordini recipiendo". And we shall
do well to bear this in mind for we all know the major role
played by the Cardinal in the compilation of the new code.
For him there are to be two standards, one for the minor
orders and one for the major ones; though he seems a bit
doubtful that the standard used for subdeacons and deacons
should also be applied for those to receive the priesthood.
And if one were to ask what qualities he stresses most in
the make-up of mores, we should say chastity and faith and
holiness. We hope to show later that the idea of having a
different norm of holiness for a different order can be
traced from Trent to Gasparri to the Code. We call our
readers' attention to the important place this great can-
onist claims. His views are never to be carelessly passed
over.

PILLET. Mentions only that positive and negative qualities are required. (79)

DESHAYES. In speaking of requisita positiva: "mira confusio et equivocatio vocabulorum apud auctores in hac perdifficili materia. Impedimentum canonicum ordinationis, lata significatione, omne illud est quod quocumque modo licetati aut validitati ejus obsistit. Jamvero positive requiruntur (utroque jure, naturali et positivo) qualitates quaedam; e contra, quasi negative, defectus quidam, morales et physici, propter reverentiam status clericalis, debent removeri; ita ut ordinationis subjectum non modo intrinsece realique perfectione idoneum esse debeat, sed etiam insuper purgatum mendis, a specialibus canonicis prohibitionibus alienum et certis quibusdam determinatis gravioribusque defectibus exemptum." (80) And yet, despite his clear grasp of what was needed, no explanation is given of what is contained in the vague phrase "positive qualities".

MOCCHIGLIANI. "Debet esse immunis a quocumque impedimento canonico."

"Requiritur probitas vite ita ut nonnisi digni maxime ad ordines majores assumentur; illi scilicet, qui divinae vocationi fideliter respondentes pignus prebent futuree perseverantiae." (81)

WERNL-VIDAL. We have here a work (82) which bears the stamp of both pre-code and post-code influence, but since

(79) Jus Can. Generale, Tract.II, Lib.I, Cap.VIII, p.218

(80) Memento Juris Eccl. p. 273

(81) Jurisprudentie Ecclesiastica, I, Lib.VIII, Cap.I, p.450

(82) Jus Canonium, De rebus. 4, p.259

Wernz was the main author and wrote before the code, we quote the text here among the pre-code canonists. The book is very clear on the various divisions of qualities. More to the point. "Qualitates negativae non sufficiunt. Praeter immunitatem a peccatis gravibus, censuris, irregularitatibus, etc., necesse est ut ordinandus positive vitae honestate praestet quae virtute probata et animi constantia commendetur. Quae virtus probata sese maxime manifestet necesse est in vitae puritate.....Celibatus obligatio quae ordinibus sacris est connexa, profecto accurate et constanter non facile servabitur si vita lasciva sacrae ordinationi immediate praecesserit." "Boni vel mali mores sunt res partim ad forum externum, partim vero ad forum internum pertinentes." (83)

"Mores ordini congruentes intelligendi sunt boni mores seu vitae probata ratio secundum ea quae dicta sunt de necessitate vocationis ad statum clericalem." (84)

This is really all our author has to say on this point. We shall get indirect assistance from him when we see his views later on regarding the various scrutinies and his treatment of irregularities.

BOUDINHON. "L'étude relative au sujet des ordinations comprend l'important traité des irrégularités; les généralisations y ont produit une grande confusion. Notre auteur (Gasparri) dit que c'est la partie la plus difficile du droit canon." (85) And this is one reason why the writers devote so much time to it to the detriment of the positive

(83) Op. Cit. p. 270

(84) Op. Cit. p. 273

(85) Le Canoniste Contemporain, XVII, p. 145

side. There were so many different explanations and enumerations of irregularities and so many disputes as to whether in such circumstances the impediment was present or not, that most took it for granted that positive qualities should be had by the subject and left it at that.

"Le confesseur rencontrera même des difficultés spéciales que les scrutateurs épiscopaux n'ont pas à résoudre; il aura à juger des faits multiples qui restent purement internes et néanmoins ont une connexion rigoureuse avec la vocation; il devra examiner en particulier si la probité de vie est suffisante, s'il n'y aurait pas quelques irrégularités ou absolument secrètes ou restées inconnues aux scrutateurs, etc.Une seule question nous occupe ici: celle de la probité de la vie ou plutôt de la chasteté qui est requise pour aspirer légitimement aux saints ordres. La probité de vie n'est autre chose que l'état de grace conservé par l'exemption de toute faute mortelle. Elle se prend donc par opposition à tous les vices, à tous les genres de fautes qui pourraient faire perdre la grace sanctifiante. C'est pourquoi il faut exclure des saints ordres non seulement les habitueti in materia sexti mais encore ceux qui seraient adonnés à l'intempérance, à l'avarice, à l'orgueil, à la détraction, à la dissipation d'esprit et du coeur, etc. Tout vice qui domine au point de faire troubler fréquemment dans le péché mortel, est sans aucune doute une cause d'exclusion." (86)

(86) Le Canoniste Contemporain, VIII, p. 8

"Nous parlons uniquement ici de la chasteté requise pour recevoir les saints ordres. On pourrait examiner de vertu de tempérance prise universellement mais la propension à l'ivrognerie, etc. rentre aussi dans l'examen extérieur; et il est très difficile de discerner chez les jeunes gens qui fréquentent les séminaires les propensions au vice de ce genre, lors même qu'elles seraient très réelles."

Boudinhon says quite explicitly that mores congruentes are a condicio sine qua non of ordination, and he maintains that this character should be a stable one and not only a suitability that is hoped for in future. There should be habitual dominion over passion and victory over temptation. And in his explanation of the word "mores" which is found in the questions of the scrutinium, he gives the following: "de toute la vie antérieure, des fréquentations, des habitudes, des instincts manifestes ou des tendances, et surtout de la réputation du postulant."

ST. ALPHONSUS LIGOURI. We think that it will throw some light on our problem if we study the works of St. Alphonsus. We admit that he is by profession a Moral Theologian and not a canonist. But in the days when he wrote, there was not the same specialization and limited field of study as there is today and there was a great deal of overlapping. This in part is an explanation why the moral theologians held the field in this question of mores and why our canon has not received sufficient attention from

the canonical point of view. It is undoubtedly a moral-canonical canon but that is no reason why the interpretation should be solely moral. Furthermore, St. Alphonsus was greatly interested in the formation and selection of a worthy clergy and his words will have a lesson for us. (87) He quotes the canon of St. Leo (whose echo we have in the code today): ".....ad hanc autem probationem ab episcopo exquirendam, non quidem sufficit quod ipse nil mali noverit de ordinando sed debet esse certus de ejus positiva probitate". St. Alphonsus then writes: "Qua de re Episcopi in hac probatione expetenda non debent esse contenti simplici attestazione parrochorum; qui humanis ducti respectibus, in hujus modi attestacionibus concedendis facile clericis indulgent, ne in se attrahant ipsorum odium eorumque propinquorum. Sed insuper ab aliis fide dignis, capta secreta informatione, certi fieri debent, non solum quod initiandus non fuerit malus, (nempe quod non fuerit rixosus, non dederit scandalum, frequentando ludos, pravas conversationes, etc.,) sed etiam quod ille sit positive bonus.Quod si praelatus sciverit clericum alicujus scandali publici noti intinctum fuisse, tunc non satis erit plurium annorum experientiae emendationem ejus comprobare, juste enim tunc metuere debet ne ille pietatem affectet ut ad ordines perveniat, quibus susceptis, ad pristinam redibit pravitatem." Then he quotes Scotus. "Enimvero quoniam per sacramentum ordinis homo non solum gratiam accipit sed ad sublimiorem

status conscendit, requiritur in eo morus honestas et virtutum claritas." (88) Then Sanchez. "In promovendo ad ordines requiritur bonitas vite; quod non est intelligendum de generali bonitate. Id est, ut careat peccato mortali; hoc enim ad omnia sacramenta requiritur. Quis enim per hoc sacramentum homo ad sublimiorem statum conscendit, requiritur in eo morus honestas, scilicet, ut sit sobrius, castus." (89) We shall return to St. Alphonsus when we treat of chastity.

ST. THOMAS. "Ad tertium dicendum quod ad idoneam executionem ordinum non sufficit bonitas qualiscunque sed requiritur bonitas excellens; ut sicut illi qui ordines suscipiunt, super plebem constituuntur gradu ordinis, ita et superiores sint merito sanctitatis. Et ideo preexigitur gratio que sufficiat ad hoc quod digne connumerentur in plebe Christi." (90) And again: ".....unde cum in quolibet ordine aliquis constituitur dux aliis in rebus divinis, quasi presumptuosus mortaliter peccat qui cum conscientie peccati mortalis ad ordines accedit. Et ideo sanctitas vite requiritur ad ordinem de necessitate precepti sed non de necessitate sacramenti." (91)

"Ad primum ergo dicendum quod Deus nunquam ita deserit ecclesiam suam quin inveniantur idonei ministri sufficientes ad necessitatem plebis, si digni promoverentur et indigni repellerentur." "Et si non possunt tot ministri

(88) In 4 Sentent. dist. 25, q. 1, Art. 4, Concl. 1, et 4.

(89) Consilii Moralis, Lib. VII, Cap. 1, dub. 46, n. 1

(90) Supp. qu. XXIV, c. 1, ad 3 um (p. 23)

(91) Supp. qu. XXVI, Art. 1, 4

inveniri quot modo sunt, melius esset habere paucos ministros bonos quam multos malos." (92)

"Ad tertium dicendum quod ad minus hoc requiritur quod nesciat ordinans aliquid contrarium sanctitati in ordinando esse; sed etiam exigitur amplius ut secundum mensuram ordinis vel officii injungendi diligentior cura apponatur ut habeatur certitudo de qualitate promovendorum, saltem ex testimonio aliorum." (93)

"Ad tertium dicendum quod sicut supra dictum est ordines sacri praeexigunt sanctitatem; sed status religionis est exercitium quoddam ad sanctitatem assequendam. Unde pondus ordinum non--imponendum est parietibus jam per sanctitatem desiccatis; sed pondus religionis desiccet parietes, id est, homines, ab humore vitiorum." (94)

This testimony of St. Thomas is of prime importance. Some of his sentences are almost the same as those of the canons dealing with orders. And he does teach explicitly that there are to be different standards of excellence and that what might suffice for an exorcist will not do for a deacon or a priest. He does not tell us how many standards we are to have, but he has quite plainly the truth that the character of the candidate should be suitable to the order he is to receive. And he insists again and again on the fact that negative goodness is not enough and that unless the ordaining Bishop has very definite proof of the candidate's positive goodness, he is not to ordain him.

(92) Supp.Qu. XXVI, Art.IV, ad Ium

(93) " " " Art.IV, ad 3um

(94) II IIae, Qu, 189, Art.I ad 3um

SCAVINI. He is a moralist but we take him as an example of what they had to say on the point. He demands bonitas positiva and mentions "ardens caritas, sacrorum studium, castitatis amor, rerum divinarum cura." (95)

BILLUART. He devotes a great number of pages to a study of censures and irregularities and while he states that probitas morum is required, all he does to explain this is to quote Trent. (96)

CHARDON. Speaking of early strictness of church discipline: "Tant l'on a été persuadé que l'on ne doit pas faire cleres les premiers venus, mais les choisir entre les chrétiens les plus parfaits" ".....On se relâché depuis cinq ou six cents ans de cette pratique. Il y a eu des temps misérables où les évêques ont été obligés de se contenter des sujets les moins indignes plutôt que de laisser les églises abandonnées.....cependant il faut avouer que dans les derniers siècles, on s'est souvent contenté pour les ordinations, qu'il n'y eut point d'irrégularités formelles. On a même trouvé le moyen de faire que les irrégularités ne fussent pas des obstacles invincibles..."(97)

We see here what happened when the standard of fitness was changed from the ordo recipiendus to the needs of the time and to meet the lowered morals of the period, and this is exactly what the canon we are studying is meant to prevent. As long as there exists a non-stable and changing

(95) Theologia Moralis Universalis, IV, p. 275, SS.

(96) Summa S. Thomae, Tom.VII, Diss.II, Art.IV de irreg.p.264
Tractatus de Sacramento Ordinis, Diss.I, Art.III, p.340,34

(97) Histoire des Sacraments, Ligne XX (Cursus Theologicus)
1ere Partie, Chap.IV, p. 806; Chap.VIII, p.842

Cf. also p.784. S.S. for history of various Orders

measure of suitability, so long, will there be mediocre priests contrary to the canon law legislation. And this is bound to happen if we do not understand what the canon means. Knowledge precedes action.

LE CATECHISME POULAIN. "On ne doit imposer témérairement à personne le fardeau d'un si grand ministère, mais seulement à ceux qui peuvent le soutenir par la sainteté de leur vie, par leur science, leur foi, et leur prudence."
 "La première qualité qui doit briller dans celui qu'on veut ordonner prêtre, c'est la pureté de la vie et des mœurs." (98)

CATECHISME DU CONCILE DE TRINTE. "Sequitur nunc ut explicetur quinar ad hoc sacramentum, imprimisque ad sacerdotalem ordinem apti sunt, et quae in eis potissimum requirantur. Ex hoc enim difficile non erit statuere quid in aliis ordinibus dandis pro cujuscumque officio et dignitate observare oporteat." (99) Here we see the idea that one common standard for all orders is not sufficient. And the argument is that if we know what is demanded for priesthood, then we can work backwards to the other orders.

BARGILLIAT. Gives as necessary for a licit ordinationem: "Vocatio divina, status gratiae, morum innocentia, and immunitas a censuris et irregularitatibus." (100)

Then he gives a citation from "inter Multiplices" of Pope Pius IX who is bemoaning the fact that due to the shortage of priests, there is too much work for those who are priests

(98) Bareille--Tom.IV, deuxième partie, p.497,575,614.
 Ceth. Rom. P.II, De Ordin. Sacr. n.53-56

(99) Dassence

(100) Bargilliat, RR. PP. Decreta de Instit. Clericorum, p.4
 Praelectiones Juris Canonici, Tract.III, Cap.II

and that this overwork has its special difficulties. "Quod quidem utiliter facere non possunt nisi animam gerant tenacem, abstinentem, incorruptam, caritate flagrantem."

Here are some other well-known canonists and writers who treat only of irregularities and do not help us in our aim to discover what is contained in mores congruentes: Suarez (101); Gonzales (102); Gignac (103); Antonelli (104); Todeschi (105); Vecchiotti (106); Litelli (107); Huguenin (108); Mercanti (109); Devoti (110); Bouix (111); Many (112); Vering (113); De Lugo (114); Veermersch (115).

We shall now quote from papal documents in order that these may aid us in our inquiry. We realize that these are often pastoral and morel in tone, but we intend to select those only which, in our eyes, have a canonical lesson. And our aim is to find out what qualities these documents expect in the candidates for Orders. All the documents from which we are to quote are written before the code. And we shall do our best

- (101) Opera Omnia. t.XX, Lu. LXIV, Art.X, Sect. I
- (101) t.XVII bis. Disp.XL
- (102) Commentaria in 5 libros Decretalium, L. p.32, 332, 362
- (103) Compendium Jur.Can.I, pars I, Cap.I, Art.III, p.59, 33.
- (104) De Juribus et Oneribus Clericorum, Lib.II, p. 111
- (105) Manuel du droit Canonique, p. 40
- (106) Institutiones Canonicae, I, Cap. VI, p. 392
- III, Cap. IX, p. 17
- (107) Apparatus Juris Eccl. Cap.VI, Art.1, p. 194, 382
- (108) Expositio Jur. Can. I, Diss.II, Cap.II, p. 162
- (109) Compendio di diritto Canonico Lib.I, Tit.II, Sez.I.
- (110) Institutionum Canonicarum Lib.I, Tit.IV, Sect.II, p.249
- Lib.II, Tit.XI, p.659
- (111) Instit. Jur. Can. De Episcopo. p. 156, 33.
- (112) Praelectiones Canonicae de Sacra Ordinatione, Ch.IV, p.150
- Ch. V, p.176
- Cf. also p. 203, 223, 234
- (113) Bibliothèque Théologique, Ch.II, p.23
- (114) Disp.Scholasticae et Morales, Tom.III, Tract. de Sacr.
- in genere, Disp. IX, p.523
- (115) De Religiosis, I, Pars IV, p. 75, 106, 193
- II, Supp. 3um, p. 20, 132, 150

to give them in chronological order:--

1. From St. Leo s.444.--"Examinentur diligentius, et per longam vitae tramitem disciplinis ecclesiasticis qui ordinandi fuerint, imbuantur." (116)

2. St. Leo s.444.--".....nec posset de ejus provectione dubitari cui pro laboribus multis, pro castis moribus, pro actibus strenuis, celsioris loci praemium deberetur." (117)

3. S. Gregory I.591.--".....episcopis omnibus dicuntur, ut nullam facere subdiaconum praesumant, nisi qui se victurum caste promiserit.....et nullus debet ad ministerium accedere nisi cujus castitas ante susceptum ministerium fuerit approbata." (118)

4. Paulus III. 1534.--"Primus abusus in hac parte est ordinatio clericorum, et praesertim presbyterorum, in qua nulla adhibetur diligentia; quos passim quicumque sint, imperitissimi sint, vilissimo genere orti, sint malis moribus orneti, etc." (119)

5. Innocent XIII. 1723.--"Porro, ad sertam tectamque servandam ecclesiasticam disciplinam, non minus momenti habet quod eidem militiae nomen dare non permittatur iis qui haud satis idonei sint, quam quod eidem militiae jam edscripti laudabilem vivendi rationem sectentur, eamque morum exhibeant innocentiam quae sanctitati suscepti instituti respondeat, etc."(12

(116) S. Leo I. Enchiridion Clericorum, n. 27

(117) S. Leo I. Enchiridion Clericorum, n. 29

(118) S. Greg. I. " " n. 63

(119) Paulus III. " " n. 93

(120) Innocent XIII. " " n. 190

6. Benedict XIV. 1742.--"Non essendovi cose, che coll'assistenza dell'aiuto Divino più conferisce alla pace fra la podestà ecclesiastica e la podestà secolare, che la vite innocente degli ecclesiastici, e conferendo molto a questo intento il tener gli occhi aperti, come anche vien prescritto da'ssori canonici, allora che si tratta di ammettere qualcuno al chiericato, come pure che gli ammessi al chiericato vivono in un modo, che si rendano degni de'privilegi chiericali, e di ascendere agli ordini superiori; si prescrivono in questo e nel seguente paragrafo alcune regole da essersersi inviolabilmente dai vescovi e ordinarii de'luoghi." (121)

7. Clement XIII. 1758.--".....quanta vite innocentie, quanta morum integritas, quanta castitas, justitia, pietas, religio, etc." (122)

8. Leo XIII. 1882.--"Causae profecto graves et omnium aetatum communes decore virtutum multe et magne in sacerdotibus postulant; verumtamen nostra haec aetas plura quoque et majore admodum flagitat." But does the age determine the norms? "Similiter cum hodie magne sit et ad plures diffusa corruptela morum, singularem prorsus oportet in sacerdotibus esse virtutis constantiaeque praesentia." (124)

9. Leo XIII. 1885.--"Cum autem alumni ad eam aetatem pervenerint, quae ad ordines sacros suscipiendos necessaria est, non statim nec nimis facilitate illis manus imponent; et

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| (121) | Benedict XIV. Enchiridion Clericorum, | n. 238 |
| (122) | Clement XIII. | n. 242 |
| (123) | Greg. XVI. | n. 235 |
| (124) | Margilliet, De Instit. Clericorum, | p. 2 |

prae oculis habeant ea quae synodus butchuensis (c.VIII) eloquitur, nimirum ut nemo ad sacerdotii dignitatem assumatur qui per longum tempus non fuerit probatus, et iterum: nemo ad ordines sacros assumatur nisi quem post longum in seminario probationem, celestis sapientiae, probi mores, diuturna iustitiae et castitatis observantia,commendent. Et si necesse sit, sacram ordinationem ultra communem annorum terminum, n. annos 24 absolute, retardare pro sua prudentia non dubitent." (125)

10. Leo XIII. 1899.--"Plusque jamais les jours ou nous sommes réclament le concours et le dévouement de prêtres exemplaires, pleins de foi, de discrétion, de zèle, qui, s'inspirant de la douceur et de l'énergie de Jésus-Christ..."

"Il ne faudrait pas davantage vanter outre mesure les vertus naturelles comme répondant mieux aux moeurs et aux besoins de notre temps." "Qui nova sectari adament naturales virtutes praeter modum efferunt, quasi haec praesentis aetatis moribus ac necessitatibus respondeant aptius, iisque exornari praestet, quod hominem peratorem ad agendum et strenuiorem faciant..... Sicut enim praesidio gratiae naturae hominis.....ita etiam virtutes quae non solis viribus naturae, sed ejusdem ope gratiae exercentur, et foecundae fiunt beatitudinis perpetuo mansurae, et solidiores et firmiores existunt." (126)

(125) Leo XIII, Enchiridion Clericorum, n. 450

(126) Bergillist, Op. Cit. p. 3, 153, 159, 197

11.--"Consultum erit sacram ordinationem differe vel etiam prorsus denegare iis qui, quod Deus avertat, neotericis erroribus imbuti essent, quos non ex animo reprobarent atque rejicerent.A sacris ordinationibus Ordinarii adolescentes excludant qui vel minimum dubitationis injiciant doctrinas se consecrari damnales novitates que maleficas."

12.--"La piété envers Dieu est cette disposition de l'âme qui la porte à remplir les devoirs de la créature raisonnable envers son créateur, surtout en lui rendant un culte plein d'amour et de dévotion. Elle embrasse par conséquent tout l'homme et le dirige vers sa fin surnaturelle en élevant son esprit, en affirmant sa volonté, en donnant de la noblesse aux affections de son cœur, en l'excitant et en le soutenant dans la pratique de toutes les vertus."

13.--Pius X. 1904.--".....nisi habeant unde plane constet de honeste acta vite, de prono in pietatem ingenio, de animo ad obediendum parato, etc." (127)

14.--Pius X. 1904.-- "Io non vi faccio che una sola raccomandazione: vegliate sui seminari e sugli aspiranti al sacerdozio; voi lo sapete: troppo spira sul mondo un soffio d'indipendenza mortifero per le anime, e queste indipendenze si e introdotte anche nel santuario; indipendenze non solo riguardo all'autorità, ma altresì riguardo alla dottrina.

....."Se mai avete nei seminari uno di questi sapienti di nuovo conio, liberatevene prestamente, e a nessun costo imponetegli le mani. Voi ve ne ripentirete sempre di averlo ordinato, non fosse che uno solo; non mai di averlo escluso."(128)

15. Pius X. 1910.--"Videant ergo moderatores discipline ac pietatis, quam de se quisque spem injiciant alumni, introspiciantque singulorum quae sit indoles; utrum suo ingenio plus seque indulgeant, aut spiritus profanis videantur sumere; sintne ad perendum dociles, in pietatem prони, de se non alte sentientes, discipline retinentes; recte sibi fine proposito ac humanis ducti rationibus ad sacerdotii dignitatem contendant; utrum denique convenienti vitae sanctimonia doctrinaque polleant;.....haud enim facile creditur, domesticae discipline contemptorem a publicis ecclesiae legibus minime discessurum. Hoc animo comperatum si quem deprehenderit sacri ephebei moderator, et si semel iterumque praemonitum, experimento facto per annum, intellexerit a consuetudine sua non recedere, eum sic expellat, ut neque a se neque ab ullo episcopo sit in posterum recipiendus." (129)

16. Pius X. 1910.--"Im primis igitur, quod ad disciplinam morum attinet, gravis es et auster, vobis instantibus, ibi dominetur; alumnique sacrorum iis virtutibus conformentur penitus, quae sacerdotis maxime sunt, pietate, castimonia, animarum sollicitudine, christianaque humilitate, quae ceterarum est fundamentum virtutum." (130)

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|-------|---------|-------------------------|--------|
| (128) | Pius X, | Enchiridion Clericorum, | n. 735 |
| (129) | Pius X, | " " | n. 833 |
| (130) | Pius X, | " " | n. 848 |

And may we in closing, quote briefly the words of the Pontificale Romanum when it addresses the Deacons and Priests. To the Deacons, it says: "Abundet in eis totius forme virtutis, auctoritas modesta, pudor constans, innocentie puritas, et spiritualis observantie discipline. In moribus eorum precepta tue fulgeant, ut sue castitatis exemplo imitationem sanctam plebs sequeret."

And to the priests: "Cum magno timore ad tantum gradum ascendendum est, ac providendum ut coelestis sapientia, probi mores et diuturna justitie observatio ad id electos commendet.....Sit odor vite vestree delectamentum Ecclesie Christi, ut predicatione et exemplo edificetis domum, id est familiam Dei.Imitemini quod tractatis....."

We thus see that from the papal documents above quoted, we obtain much more specific information regarding the qualities that go to form a suitable character for the reception of orders. The qualities that appear most often are these: castitas, innocentie vite, fides, observantie discipline, absentia spiritus independentie, justitia, pietas, obedientia, prudentia, humilitas, constantia, zelus, recte intentio.

We have studied the Corpus Juris, the pre-Tridentine authors, the teachings of the Council of Trent and then the canonists who wrote after the Council, but before the publication of the code. Then we saw a few of the other great authors, for we know that in those days the distinction

between a canonist and a moralist and a Dogmatic theologian was not as marked as today, for those men wrote about practically everything. We then took the papal documents and extracted from them what we judged to be canonical legislation on the requirements for the worthy reception of Holy Orders.

We do not wish at this part of our thesis to give our own position and views, but we do say that the explanation seen thus far, of what mores should be, is not satisfactory, for it is either too full or not sufficiently exhaustive. Before beginning our next chapter, we wish to answer in a few lines the question: What are the conclusions to be drawn from the pre-code authors regarding the history and development of the canon that we have chosen as the subject of our investigation? They are these:

1. Most authors mention the need of "mores" and often use the word in conjunction with the other word "vite".
2. Very few amplify further or give a meaning for the qualities contained in the word "mores". Those who do, assert the following: *Pietas, obedientia, prudentia, castitas, constantia, fides, recta intentio, vocatio, zelus.*
3. The two that appear most often would seem to be *castitas* and *fides*.
4. Some speak of positive and negative qualities.
5. Most limit their discussion to the negative aspect and write only of irregularities.

6. The idea of suitability is present in the better-known authors. And the norms they choose are the "ordo recipiendus". We think that Trent and Gasparri are the two sources for the words of the canon "Mores congruentes ordini recipiendo". It is interesting to note that the first instance we have found of the words "mores congruentes" occurring together, is in the Council of Milan (Conc. Medio. IV, p.4). We read: "Eosdemque preeteres cum antea cum etiam imprimis post susceptam clericalem tonsuram ac deinceps minoribus ordinibus adscriptos pro paternae caritatis studio, optimis moribus clericali religioni congruentibus informet."

7. Gasparri is the only one who attempts to determine the number of the standards necessary, and he inclines towards two, with a probable leaning to three; that is to say, he wishes one norm for the minor orders and a second for the major ones. However, he is not too certain on the latter point and implies that there might be need for a third standard peculiar to the priesthood alone.

In concluding this chapter, we should like to stress the fact that we are not trying to read history backwards. We do not give the words of the canon we are studying and then expect to find the canon interpreted fully by those writers, who wrote hundreds of years before the code was published. That would be unfair. We have a right to find the canon explained in those authors who wrote after the code. But in

the pre-code authors whom we are quoting in this first chapter, we are tracing the origin and history of the canon as it is today. Therefore, we should not be surprised if there is much left unsaid. They were writing according to their age and period and we should be grateful to them for pushing the knowledge and study of canon law as far ahead as they did. It is only after many disputes and much investigation that we can arrive at a full development of an idea or a canon. So it was with the qualities for the priesthood and with the idea of what constituted a vocation.

The whole point, then, of this chapter is to show the growth, if any, towards the present day legislation; to show the difference of opinion in different authors, to note the points stressed most, and to watch the doctrine unfold from century to century. And that also will explain why we can bring in St. Thomas, St. Alphonsus, Lugo, and many others who were not strictly canonists. For in those days the distinction was not always clear-cut between the various divisions of theological knowledge.

We feel that if we can show the use of the words of our canon in early writers, we have gone a long way towards the discovery of what is meant by them. Then in the light of past teaching and in the light of recent legislation and documents, we can arrive at certain conclusions. And so it is most interesting to note the varying fortunes and changes in doctrine and to watch the birth and growth of an idea to its

full maturity. This will be evident to the reader when he has read the chapters dealing with the post-code authors and then compares them with the writers we have just seen in this first chapter.

CHAPTER II

POST-CODE CANONISTS

CHAPTER II

In the preceding chapter we have seen what was taught by the pre-code authors in regard to the canon under discussion. But in this we do not mean that we are falling into the trap of reading history backwards. What we do mean is that we have tried to show the connection between our canon and the pre-code teaching. We can see the history and development. In this present chapter we intend to study the code itself and then we shall inquire what the commentators who have written since 1918 have to say of it by way of explanation. However, before beginning to quote the authors who have dealt with our canon in their works, we think it advisable to see if any light can be thrown on canon 974 by other canons. So we shall deal with canons that are germane and cognate to it and by this means we may be able to ascertain by what rules we are to interpret our canon and with what strictness of interpretation.

"Ordo ex Christi institutione clericos a laicis in ecclesia distinguit ad fidelium regimen et cultus divini ministerium." (C.948)

"In canonibus qui sequuntur, nomine ordinum majorum vel sacrorum intelliguntur presbyteratus, diaconatus, subdiaconatus; minorum vero acolythatus, lectoratus, exorcistatus, ostiarius." (C.949)

"In jure verba: ordinare, ordo, ordinatio, sacra ordinatio, comprehendunt praeter consecrationem episcopalem, ordines enumeratos in Can.949 et ipsam primam tonsuram, nisi aliud ex nature rei vel ex contextu verborum eruat." (C.950)

"Qui in ecclesiasticam hierarchiam cooptantur, non ex populi vel potestatis saecularis consensu vel vocatione adleguntur; sed in gradibus potestatis ordinis constituuntur sacra ordinatione; etc." (C.109)

"Omnes fideles debent clericis, pro diversis eorum gradibus et muneribus, reverentiam, etc." (C.119)

"Clerici debent sanctiorem prae laicis vitam interioram et exterioram ducere eisque virtute et recte factis in exemplum excellere." (C.124)

"Omnes clerici, praesertim vero presbyteri, speciali obligatione tenentur suo quisque ordinario reverentiam et obedientiam exhibendi." (C.127)

"Quoties et quandiu id, iudicio proprio ordinarii, exigat ecclesiae necessitas, ac nisi legitimum impedimentum excuset, suscipiendum est clericis ac fideliter implendum munus quod ipsis fuerit ab episcopo commissum." (C.128)

"Clerici in maioribus ordinibus constituti a nuptiis arcentur et servandae castitatis obligatione ita tenentur, ut contra eandem peccantes sacrilegii quoque sint rei, salvo praescripto can. 214. n.1." (C.132, n.1.)

"Caveant clerici ne mulieres, de quibus suspicio esse possit apud se retineant aut quoque modo frequentent. etc. (C.133 n.1.)

"Clerici ab iis omnibus quae statum suum dedecent, prorsus abstineant; etc." (C.138)

"Ea etiam quae; licet non indecora, a clericali tamen statu aliena sunt, vitent." (C.139)

"quemlibet clericum oportet esse vel alicui dioecesi vel alicui religioni adscriptum, ita ut clerici vagi nullatenus admittantur." (C.111)

It will be helpful to read the canons beginning with canon 542 which deal with admission to the novitiate. This will be especially helpful where the religious life leads to the priesthood as well. Canon 544. n.6 is important, too, for if we read through the constitutions of some of these clerical religious bodies, we shall see that often they add to what is demanded by canon law and from the conditions they add to canon law, we can get a good idea as to what in their minds are the qualities requisite for a suitable character.

The canons also that treat of dismissal from the religious life can help us in our inquiry, for from the reasons advanced for expulsion and dismissal we can deduce what types of character are not wished, and by taking the opposites of these vices we can arrive at a knowledge of what positive qualities they expect in the subject. We shall have more to say of this in our chapter dealing with seminaries.

Let us single out canon 545. n.4. "In suis litteris testimonialibus, postquam diligentem inquisitionem, etiam per secretas notitias, instituerint, referre debent, graviter

onerata eorum conscientia super veritate expositorum, de aspirantis natalibus, moribus, ingenio, vita, fama conditione, scientia; sitne inquisitus, aliquae censura, irregularitate aut alio canonico impedimento irretitus,..... et tandem, si agatur de illis qui in seminario, collegio, aut alius religionis postulatu aut novitiatu fuerint, quam de causa dimissi sint vel sponte discesserint."

"In casu gravis scandali exterioris vel gravissimi nocuenti communitati imminentie, religiosus statim potest a Superiore majore cum consensu sui consilii vel etiam si periculum sit in mora et tempus non adsit, ad eundem Superiorem majorem.....ad saeculum remitti"

We now approach those canons dealing with Orders and that section in particular which treats of the Subject of Holy Orders. Let us first note what canon 968 has to say: "Sacram ordinationem valide recipit solus vir baptizatus; licite autem, qui ad normam sacrorum canonum debitae qualitatibus, iudicio proprio ordinarii, praeditus sit, neque ulla detineatur irregularitate aliove impedimento." In this canon we have both the negative and positive angles noted. And we see that the judgment as to suitability rests ultimately with the Ordinary.

"Nemo ex saecularibus ordinetur, qui iudicio proprii Episcopi non sit necessarius vel utilis ecclesiae diocesis." (C.969) This canon is taken from Trent and the aim is to do away with clerici vagi. The hypothetical case is possible then where we could have a candidate with a

vocation and with a suitable character and yet not be ordained due to a diocese sufficiently well staffed. And on the other hand, it does not follow that when there is need for priests those can be ordained to fill the void who have not the character demanded by canon law. Canon 970 makes this quite clear. "Proprius Episcopus vel superior religiosus major potest suis clericis ex quavis canonica causa, occulta quoque, etiam extrajudicialiter, ascensum ad ordines interdicere, etc."

Let us see what is laid down in the code regarding the conditions demanded for the different orders. "Præ tonsura et ordines illis tantum conferendi sunt qui propositum habeant ascendendi ad presbyteratum et quos merito conjicere liceat aliquando dignos futuros esse presbyteros." (C.973) We note from the word "conjicere" that allowance is made for human error and that despite all our best efforts, scandals will inevitably occur. And we also see that there is allowance made for a change for the better and for improvement between the time of the tonsure and the priesthood. How else explain the word "aliquando"? In canon 973. n.3 we see that the gravest of responsibilities rests with the Bishop. "Episcopus sacros ordines nemini conferat quin ex positivis argumentis moraliter certus sit de ejus canonica idoneitate; secus non solum gravissime peccat, sed etiam periculo sese committit alienis communicandi peccatis." These are very strong words and make crystal clear the mind of the code. No exceptions are to be made. All must be fit and worthy.

More negative goodness will not suffice. It will not do if the Bishop knows there are no impediments in the way; he must have positive proofs of goodness. There must be evidence of positive goodness and suitability and if these are not present he cannot ordain. If there is any doubt, he must not ordain for he must be morally certain. From all these words, "nemini, moraliter certus, positivis argumentis," the code leaves no possible shadow of doubt as to the gravity and importance of ensuring canonical suitability before ordaining. Any carelessness or negligence in this matter means that the Bishop, or Superiors who act for him, share the guilt and they are responsible for future sins of the unworthy candidate whom they sent forward to Orders, when they should have expelled him or further tried him and tested him. This is really one of the most terrifying canons in the whole code and rarely does the code use such stern and vigorous language. There is no escaping the consequences. To us, the most important word in the canon is "positivis". This is the crux of the problem. In practice these positive arguments are based on the possession of those "mores" which are suitable for the order to be received. Freedom from irregularities and other canonical impediments is necessary; but it is not enough by itself. And in case of doubt the Church gets the benefit of the doubt, not the candidate. Doubt as to his qualifications is equivalent to his dismissal, to his non-reception of Orders. Either he is to be sent away as unfit, or the doubt is to be

removed by a period of probation in which the candidate will give proofs of his suitability to such an extent that they will enable the Bishop to say with moral certainty that the subject is now worthy.

In the canons following this, we have treated the questions of age, interstitia, saltus, titulus, etc. When we reflect on all the existing legislation on age and dissonial and testimonial letters, and on a space of time between the reception of various orders, and the need for a title and the proclamation of the ordination banns, etc., we begin to see the why of all this legislation. It all points to the Church's intention to use all possible means to ensure a worthy clergy and it all aids to give that moral certainty that is asked for in the Bishop.

We know from Church history that the age limit has varied with different periods. The sole purpose in having an age limit at all is to ensure that the candidate has sufficient knowledge to be sware of his vocation, of the step he is taking, and to see to it that he is conscious of his obligations and duties. For mere innocence from ignorance is not enough. Further, an added motive is that the idea of testing and probation also enters in, and hence we must have a determined age. And the prohibition of ordination per saltus has a like end in view. The minor orders, in the mind of the Church, are meant to be a time of probation and a preparation and novitiate for the major ones. And there is supposed to be a continual increase in holiness

so that there will be no doubt of a suitable character for the various grades. This also explains the legislation on the "interstitia". And we have already seen that the title was meant to banish from the reception of Orders those who were "clerici vagi" and who, when refused ordination by one Bishop, wandered about until they found one who would grant them Orders--and this to the detriment of the Church.

Titulus. "Clerici in hierarchiam Ordinis accepti ex natura rei ad bonum commune ecclesiae promovendum non ad privatam utilitatem assumantur. Hinc suprema lex in determinando numero clericorum est necessitas vel utilitas ecclesiae. (Cf. Trent, Sess.23, cap.16, II, 4, de Ref.) qua lege supposita ad arcendos vagos et dissolutos clericos inde a primis saeculis tantum ii sunt ordinati qui ex iudicio Episcopi servitio ecclesiae et cultui divino in determinata ecclesia sive certo titulo vel loco ecclesiastico erant necessarii vel utiles etque perpetuo mancipati; ...ergo Titulus erat norma optissima ad impediendum inutilium clericorum multiplicationem." (131)

"Omnes tum saeculares tum religiosi ad ordines promovendi per se ipsi vel per alios Episcopo alive qui Episcopi haec in re vices gerat, suum propositum ante ordinationem opportuno tempore aperiant." (C.992)

"Testimonium Rectoris Seminarii, aut sacerdotis cui candidatus extra seminarium commendatus fuerit, de bonis ejusdem candidati moribus." (C.993. n.3)

(131) C.1. D.70; D.77,88; C.10. D.61; C.1, 2, D.59.
C. XVI. Q.1; C.10. D.61; C.2. D.77.
Many, n. 107; Hallier, P.II, Sect. 7.

"Testimoniales litteras Ordinarii loci in quo promovendus tantum temporis moratus est ut canonicum impedimentum contrahere ibi potuerit." (C. 993. n.4)

And in the following canon we see the pains taken to discover the presence of any impediment. Then come canons dealing with the examination on the various orders to be received and the publication of the ordination banns. "Omnes fideles obligatione tenentur impedimenta ad sacros ordines, si que norint, Ordinario vel parrocho ante sacram ordinationem revelandi." (C.999)

"Parrocho qui publicationem peragit, et etiam alii, si id expedire videatur, Ordinarius committat ut de ordinandorum moribus et vite a fide dignis diligenter exquirat, et litteras testimoniales, ipsam investigationem et publicationem referentes, ad curiam transmittat." (C.1000)

"Idem Ordinarius alias percontationes etiam privatas, si id necessarium aut opportunum judicaverit, facere ne omittat."

"Nefas est quemquam, quovis modo, ob quamlibet rationem, ad statum clericalem cogere, vel canonice idoneum ab eodem avertere." (C.971)

"Curandum ut ad sacros ordines adspirantes inde a teneris annis in seminario recipiantur; sed omnes ibidem commorari saltem per integrum sacrae theologiae curriculum, nisi Ordinarius in casibus particularibus, gravi de causa onerata ejus conscientia, dispensaverit." (C.972. n.1)

"Qui ad ordines adspirant et extra seminarium legitime morantur, commendantur pio et idoneo sacerdoti, qui eis invigilet

eosque ad pietatem informet." (C.972. n.2)

"Deat operam sacerdotes, praesertim parochi, ut pueros, qui indicia praebent ecclesiastici vocationis, peculiaribus curis a saeculi contagionibus arceant, ad pietatem informant, primis litterarum studiis imbuant divinaeque in eis vocationis germen foveant." (C.1353)

We shall treat these canons more fully in a later chapter.

We also gain an insight into our canon from a consideration of the penalties set down in the code for various infractions and breaches. For instance, in canon 2352 we find punishment set down against those who force a person, (be it male or female), to embrace Holy Orders or the religious life against his will.

"Clericus vero qui aliquod delictum commiserit de quibus in N. I. (qui fuerit legitime damnatus ob delictum homicidii, raptus impuborum alterutrius sexus, venditionis hominis in servituten vel alium malum finem, usurae, rapinae, furti qualificati vel non qualificati in re notabili, incendii vel malitiose ac valde notabilis rerum destructionis, gravis mutilationis vel vulnerationis vel violentiae) a tribunali ecclesiastico puniatur, pro diverse reatus gravitate, etc." (C. 2354, n.2)

"Clerici in minoribus ordinibus constituti, rei alicujus delicti contra sexti decalogi praeceptum, pro gravitate culpe puniantur etiam dimissione e statu clericali, si delicti adjuncta id suadeant, etc." (C. 2358)

"Clerici in sacris sive saeculares sive religiosi concubinerii reprobatione inutiliter praemissa, cogentur ab illicito contubernio recedere et scandalum reparare suspensione a divinis etc." (C. 2359)

"Qui sine litteris vel cum falsis dimissoriis litteris, vel ante canonicam aetatem, vel per saltum malitiose ad ordines accesserit, est ipso facto a recepto ordine suspensus; qui autem sine litteris testimonialibus vel detentus aliqua censura, irregularitate aliove impedimento, gravibus poenis secundum rerum adjuncta puniatur." (C. 2374)

We shall have more to say on some of these canons when we treat of expulsion from seminaries. Our aim here has been to put together all the canons that affect, indirectly or directly, the canon we have chosen as the subject of our inquiries. And the combination of so many cognate canons will, at least, impress us with the utter importance of our canon and on the value set by the Church on the necessity of a character suited to the reception of Orders.

We have seen how most of the pre-code authors stressed the freedom from all irregularities and impediments as being of prime importance in the discovery of the fitness of a candidate for the priesthood. We also saw that too many of the writers who treated of canon 974 after the code, paid more attention to the negative aspect to the detriment of the positive. And this is contrary to canon law, for mere negative goodness of character does not suffice since the Bishop must have

morel certitude gleaned from positive arguments. One thing to note about irregularities is that they do not necessarily imply that there have been faults and sins. Some of them have their origin solely in the reverence and dignity due to the priesthood.

In the preceding legislation not all the irregularities were enumerated under one title and "fontes juris particularis" were used to prove the irregularities commonly recognized. The origin of them is to be found in the precepts of St. Paul, in the Constit. Apos. and in the early history of the Church. The word "irregularitas" is used for the first time in the 12th century. It is well to note that there is no special section in the Corpus Juris and in Jure Decretalium for them and the different irregularities are found under various headings and in different places throughout the work.

There was confusion between irregularities and suspension and other ecclesiastical punishments. This would be a further reason why attention would come to be placed on the negative rather than the positive aspect of the candidate's fitness for Orders.

From the earliest days of the Church, the practice was that *criminosi* were refused admission to Orders. "*Exclusio locum habuit ob certa delicta graviora et publica et probata atque post baptismum et ante ordinationem commissa.*" The real reason here seems to have been more the fact of public penance than the crimes themselves.

"Rigor antiquae disciplinae ex saeculo octavo emolliri coepit." And why? Chiefly because public penance was generally abolished and private penance became more common. And so only public penitents were irregular now.

After the 12th century, only those were irregular who even after public penance "manerent nota vel infamia manifeste respersi".

We have already seen the Church's motive in setting up illegitimacy as an irregularity. And we saw one of the reasons was that there is danger of the son inheriting and imitating the paternal incontinency. Here there is the dignity of the order received to be considered, even though there be no guilt on the part of the candidate himself.

It is somewhat the same with "bigamy" for there is the danger that there may be difficulties from the angle of chastity. And even a suspicion on this point is enough to give pause. There is also the fact that Christ has but one spouse--His Church. This is the first motive behind this irregularity today, though in earlier times the first one mentioned above was the more common.

So with "Filii hereticorum."-- "Ratio videtur esse periculi praesumptio ne hujusmodi mutant in fide, a qua deseiscunt parentes et ita homines suspectae fidei sacris addicentur ministeriis." And Cappello: "Ratio prohibitionis est quia eorum constantis in fide adhuc incerta est."

Ex militari servitio.--Nam vite militaris facile mores corrumpat.

Neophyti.--Nam nuper plantatus. Igitur tener et debilis.

And with regard to "fides", we have this Instruction of the Holy Office: "Consultum erit sacram ordinationem differre vel etiam prorsus denegare iis qui quod Deus avertat, neotericis erroribus imbuti essent, quod non ex animo reprobarent atque rejicerent.Pari vigilantie et severitatis ii sunt cognoscendi ac deligendi qui sacris initiari postulent. Procul esto a sacro ordine novitatum amor; superbos et contumaces animos odit Deus."

"A sacris ordinibus (Ordinarii) excludant adolescentes qui vel minimum dubitationis injiciant doctrinas se consecrari damnetas novitatesque maleficas."

And for a practical application of this, we have the following actual case of the Action Française:--

"Quelle conduite l'évêque ou les Supérieurs de séminaires devront ils avoir vis à vis des séminaristes demeurant attachés à l'action Française ostensiblement ou en secret?" To which the S. Penitentiaria replied: "Si moniti non se emendaverint et scandalum, ad Superiorum prescriptum, congrue non reparaverint; in foro interno, non absolvantur; in foro externo, ad tramitem can. 1371, dimittantur tamquam dyscoli et statui ecclesiastici non idonei."

Cf. A.A.S. XIX, p.158.

Now that we see the canons connected with and bearing on the canon of our inquiry, we can proceed to a study of those canonists who wrote after the code. Here, at least, we should expect to find a more adequate treatment of the subject since the code had written into its laws our special canon exacting a character suitable to the Order to be received. And from the cognate canons studied above, we have seen that there was no doubt left as to the positive qualities expected in addition to freedom from all irregularities and other canonical impediments. As in our treatment of the pre-code canonists, so now we shall take our authors in chronological order.

EMARD.-- All he gives us is a translation of the canon: "Mener une conduite conforme a l'ordre que l'on doit recevoir." (132)

WOYWOOD.-- He gives the following translation of the canon: "good moral character concordant with the order to be received." That is all and it is not even good English. (133)

GARIEPY.-- He gives the same translation as Emard: "Mener une conduite conforme a l'ordre que l'on doit recevoir". Then he advances a reason for this, "car les ordres exigent la saintete dans ceux qui les recoivent." And that is all. (134)

FERRERES.-- Nothing to add. (135)

(132) Emard, J. M. Le Code de droit canonique.

(133) Woywood, O.F.M. The New Canon Law, p.195

(134) Gariepy, Nouveau Code de droit canonique, p.172

(135) Institutiones Canonice, II, p.126, 310

MOTHON.-- "Nul ne doit entrer dans le cléricature et être promu aux ordres si par la pureté de ses moeurs, la pratique des vertus chrétiennes et son esprit de piété, il ne donne pas la preuve qui est appelée à la sainteté propre à l'état sacerdotal." So he give us as his commentary on the canon, the need for purity, piety and the practice of all the Christian virtues. At least this is a beginning. (136)

COCCHI.-- All we can learn from him is found where he is discussing reasons for dismissal from the seminary. For "dysscoli" he tells us that this word means "disciplinae intolerantes"; and "incorrigibiles" are "qui nolunt vel nequeunt monitis obtemperare"; "seditiosi" are "foventes rebellionem." (137)

BLAT.-- With him, too, we find help in those places where he deals with dismissal from the seminary. "Severior est odiosis disciplina juri praecedenti conformis ac majis determinata. E seminario dimittantur sola facti veritate inspecta: 1. dysscoli ob convictus difficultatem; 2. incorrigibiles ob non retentam disciplinam; 3. seditiosi seu promoveutes insubordinationem; 4. ii qui ob mores atque indolem ad statum ecclesiasticum non idonei videantur; circe quos sic edocemur a Pio X in Motu Proprio 'Sacerorum Antistitum'."

"Virtutum quae diximus defectum, (et quae sunt ad parendum docilitas, in pietatem pronitas, de se non alte sentire, disciplinae retinentis, finis sibi propositi rectitudo)

(136) Institutions Canoniques, II, p. 252

(137) Commentarium in Codicem Juris Canonici, VI, de rebus, p. 11

eito produnt et religionis officio riecto animo persoluta, et servata metus cause, non conscientia voce, disciplina. Quam qui servili timore retineant, aut animi levitate contemptuque franget, is a spe sacerdotii sancte fungendi abest quam longissime.....hoc animo comparatum si quem deprehenderit sacri ephebei moderator, et semel iterumve praemonitum experimento facto per annum, intellexerit a consuetudine non recedere, eum sic expellat, ut neque a se neque ab alio Episcopo sit in posterum recipiendus."

"Quod etiam nunc laudabiliter servatur. Praesertim vero dimittantur statim quod prius non fuerit dictum, qui forte contra bonos mores ut in Titulo XIV, Lib. V. praecipue contra sexti decalogi praeeptum; aut fidem deliquerint proprie ad normam can. 2195, n.l. quae posteriora delicta ex Tit. XI ejusdem libri nosci queant."

With regard to our canon this is what he has to say: "Mores congruentes ordini recipiendo; sic dicitur, omissis aliis determinationibus juris veteris, unde videtur id relictum iudicio proprii ordinarii ad normam can. 968, n.l., qui ut normas saltem directivas consulere potest capite Conc. Trid. II ad XI ad XIV sessions. XXIII de ref. et quoad discanos in epistola I B. Pauli ad Tim. Cap.II, v. 8-10." (138)

AUGUSTINE.-- His translation is this: "Their conduct must be conformable to the order they wish to receive." Then he writes: "These points call for no comment here as

(138) Commentarium Textus Codicis Juris Canonici, III, de rebus,² p.317,351

most of them will be explained in connection with the following canon." Yet we know that the following canon treats of irregularities, so once again we are back to the negative idea of the pre-code days. (139)

AYRINHAC.-- He translates "mores congruentes" as "becoming habits of life". "Each order," he writes, "supposes certain virtues, a certain degree of Christian and ecclesiastical perfection, internal and also external, which the candidate ought to acquire before promotion." Then he quotes Trent. Later he writes: "Present conditions may require other qualifications besides the ones mentioned by the Council. The code does not enter into any details in this matter, but leaves it to the appreciation of the Ordinary, who will find other directions also in the decrees of various synods, instructions of the Roman Pontiffs and the writings of the saints." This is ambiguous, to say the least, and seems to suppose a standard of judgment other than "ordo recipiendus".

This author seems to have seen the problems presented to us by the canon and he has noted the vagueness of the canon. He judges that the canon owes its origin to Trent and refers us to it. But he adds that today there is need of adding to the qualities laid down by the Council, for even the Council is not too explicit as regards the particular virtues required. And he leaves it to the judgment of the Ordinary. But we do not think this is enough, for the Ordinaries should have some fixed standard. We do not wish to have as many stan-

dards as there are Bishops. And after all it is not a character suitable to the ordaining Bishop, but a character suited to the Order to be received. Again, since the judgment of the Bishop is almost always that of the Superiors of the Seminary, we must have a uniform standard so that they can follow some definite guide. Otherwise, there is bound to be chaos and confusion. The result will be "tot normae, quot superiores".

This author is helpful inasmuch as he notes the difficulty and shows that the canon itself needs further interpretation. But his solution is much too general and does not solve the difficulties. (140)

CANCE.-- All he gives is a translation of the canon. "Avoir une conduite en rapport avec l'ordre a recevoir." (141)

BOUAAERT-SIMENON.-- Speaking of De ordine, he writes: "Ad licitam vero receptionem requiruntur: 1. quaedam qualitates positivae a jure ecclesiastico determinatae; 2. absentia omnis irregularitatis aut impedimenti." More directly, speaking of our canon, he writes: "Mores ordini congruentes non exponuntur a codice qui judicium de his relinquit Ordinario." And then he quotes from the Council of Trent. But, we ask, what precisely is to guide the Bishop in his ideas on a suitable character? (142)

VERMEERSCH-GREUSEN.-- "Ut aliquis sit idoneus, exigimus praeter ingenii dotes et scientiam congruam, ipsam

(140) Legislation on the Sacraments in the New Code of Canon Law, p. 330, 334, 382

(141) Le Code de droit Canonique, II, p. 383

(142) Manuale Juris Canonici, II, p.168; III, p.118, 125

jam praesentem vitae sanctitatem." And in dealing with our canon, this is what they say: "Quinam mores requirantur, supra jam expositum est." The reference is to the section dealing with vocation. But this is not too satisfactory; for there is a difference between vocation and a suitable character. (143)

CAPPELLO.-- He writes at great length on the history and the teaching of vocation. When he treats more intimately of our canon he does not say much except to refer to what he has written on vocation. However, he does give attention to the words "congruentes ordini recipiendo" and his meaning seems to be this: that the standard is to be one of apostolicity. In other words, the reason that certain Orders require a higher grade of sanctity is due to the functions and ministry associated with them in the mind of the Church. He also says that in addition to this, there might be demands made for something extra and this would be judged by the external circumstances. "Mores ordini congruentes requiruntur tum ex lege positiva Ecclesiae tum ex ipsa lege divina, id est, ex sanctitate atque excellentia status ecclesiastici; ideoque probitas vitae positiva. Haec ea probata virtus intelligitur quae et oneri perpetuae castitatis sustinendo et sanctissimis muneribus digne fungenda et fidelibus exemplo virtutum dando per sit candidatus, ut praecipit gravissimis verbis Trid. Synodus. Proinde necesse omnino

est ut ordinandus vitam agat spiritualem, sit assiduus in ecclesia, sacramenta frequentet, orationi vacet, caste religioseque vivat." (144)

We shall see in a later chapter what are the authors' views on the chastity necessary and sufficient in a candidate for the priesthood.

CARBONE.-- "Quinam judicandi sunt perperam ad ordines accedere?

Resp.--Perperam judicandi sunt ad ordines accedere, tum qui causa questus ad clericalem vivendi rationem se convertunt ut quae ad victum vestitumque sunt necessaria, sibi parent; tum qui honorum cupiditate ac ambitione militiae ecclesiasticae se addicunt; tum, qui ut divitiis effluant et laborem diuturnum vitent, initiari volunt, tum dein qui ut placitis ac intempestivis pressibus parentum indulgeant, ad sacram ordinationem procedant.

Quenam praerequisitae sunt qualitates in tonsurendis?

Resp.--Tonsurendi oportet ut habeant divinam vocationem, ut sacramentum confirmationis susceperint, ut rectam sibi intentionem vindicent divino servitio se perpetuo mancipandi.

Quenam sunt virtutes ostiarietui respondentes?

Resp.--Prae ceteris, sunt zelus domus Dei, et zelus animarum ut ex officiis ejus propriis est facile eruere.

Quenam virtutes a lectoribus excolendae?

R.--Scripturarum amor et studium et zelus ad homines sanctificandos.

Qua vitae integritate fulgere debent exorcistae?

R.-Ea qua multimodam daemonum nequitiam superare et vitiis imperare valeant. Siquidem virtutes eorum propriae sunt mundities cordis et passionum mortificatio.

Quid Acolythatus servare debet ut suo munere satisfaciat?

R.-Debet esse sollicitus in omni justitie bonitate, et veritate ut ita possit proximum illuminare, et per castam vitam ac bona opera se tamquam sacrificium Deo offerre.

Quasnam praerequiruntur in eo qui ordinandus est subdiaconus?

R.-Inter alia jam notata, praesertim vitae sanctitates.

In mores quorum se formare Diaconi debent?

R.-Diaconi se formare debent in mores sanctorum Stephani, Laurentii et Vincentii, quorum primus docebit scripturarum scientiam; alter vero amorem et zelum divinae gloriae et tertius invictam fortitudinem in malis omnibus perferendis pro Christi fide; quae quidem tres sunt necessariae diaconorum dotes.

Quasnam maxime recensentur virtutes a diaconis excolendae?

R.-Tres praesertim ex praeconio Episcopi ordinantis eruuntur; perpetuus castitas, quae potior in illis exquiritur quam in subdiaconis; zelus ad evangelium praedicandum; devotio erga spiritum sanctum.

Quibus virtutibus ornatum se sacerdos praebere debet?

R.-Sacerdos omnibus virtutibus debet esse ornatus

sum alter sit Christus.....gravitate actuum et censura
vivendi praebeant se seniores.....justitiam, constantiam,
misericordiam, fortitudinem, ceterosque virtutes in se
ostendant." (145)

This author, whose work is a handbook and manual
in most seminaries, is most helpful and he does bring out
the point that different Orders require a higher degree of
holiness and the acquisition of certain special virtues.
And he is much more specific in assigning definite virtues
to the various Orders and does not content himself, as do
so many others, with vague and general statements to the
effect that clerics and priests should be very holy. Carbone
will be one of the authors whose opinions we shall combine
in our conclusions.

HEUTE.-- "Idoneitas quae consistit in naturalibus
dotibus et supernaturalibus auxiliis quibus ordinandus aptus
efficitur ad digne et competenter explenda munera sacri
ministerii.....ut sit instructus divinae gratiae dotibus,
scil. sanctitate vitae et moribus congruis probatisque et
immunis ab iis ad minimum vitiosis et pravis moribus quae illum
sacerdotii dignitati indignum reddunt. Quare, qui habitum
peccandi, praesertim contra castitatem, illaqueati sunt,
tamdiu ab ordinibus debent arceri quamdiu per diuturnum
exercitium virtutum sese non emendaverint et spem solide
fundatam dederint se non esse amplius in eadem vitio relap-
suros." (146)

(145) Praxis Ordinandorum, p. 8, 25, et passim

(146) Introductio in Codicem, p. 517, 525, 669

And commenting on the words of our canon he writes: "mores eo spectabiliore sint oportet quo proprius candidati accedunt ad sacerdotium. Judicium de hoc re relinquitur ordinario." So we note here that he has grasped the idea of several standards dependent on what Order is to be received by the candidate. But in writing that the judgment rests with the Bishop, he only pushes the problems back another step. For we can immediately ask, and with reason: "What is to guide the Bishop in his considerations of what constitutes a suitable character?" Is each Bishop to have his own measures and ideas and to act independently of all other Bishops? If this is so, then would it not follow that a candidate considered in Diocese A. to have a suitable character, might conceivably be turned down in Diocese B. for not having a suitable character. Surely the Church means there to be some objective, unvarying standard not subject to the whim and caprice of each Bishop. Unless we have one, uniform measure and rule, we shall have a host of evils as the natural and inevitable aftermath of subjectivism in judgment.

CORONATA.-- Since our author does not write directly on the sacraments from the canonical point of view, we cannot get any definite teaching from him on our canon. All we can gather from him is indirectly when he is treating of dismissal from seminaries. We shall see this teaching later on in our chapter on seminaries. (147)

We shall now give a few quotations from moralists to see their mind on the subject under discussion.

PRÜMMER.-- "Signa vocationis clericalis. Inter alia; virtus probata et animi constantia. Hinc omnes docent non sufficere ut ordinandus post sinceram contritionem sit absolutus a gravibus peccatis commissis, sed etiam ut per diuturnum exercitium virtutum praeberit moralem certitudinem de constanti vita virtuosa." (148)

MERKELBACK.-- Speaking of "vitae probitas" he quotes from Trent and St. Thomas. Then later: "qui vitam honestam non habet sufficientem probatam, prohibendus est ab ordinibus sacris" --rather general teaching.

And writing of "mores congruentes", he says: "quae ex probitate vitae innatescant ita ut prudenter expectari possit ordinandum digne ordinem exercere etque fore dignum sacerdotem." Once again, too general. If the norm is too general and elastic, the unworthy will slip through to Orders. (149)

AERTNYS.-- "Mores ordini recipiendo congruentes requirantur; ideoque probitas vitae positiva qua ea probata virtus intelligitur quae et oneri perpetuae castitatis sustinendo et sanctissimis muneribus digne fungendo, et populo vere virtutis exempla dando per sit." (150)

TANQUERREY.-- "Idoneitas in eo consistit ut quis

(148) Manuale Theologiae Moralis, III, p. 431

(149) Summa Theologiae Moralis, III, p. 714

(150) Theologia Moralis, II, p. 408

tum ex parte animi tum ex parte corporis immunis sit a vitiis quae eum inhabilem reddunt ad ecclesiastica munera, etc."

Janvero inter vitia quaedam sunt congenita vel tam penitus radicata ut vix corrigi possunt, ideoque aliquem ineptum reddunt ad sacerdotalia munera. Talia sunt; ingenium obtusum et plumbeum; agrestis et ferox indoles; levis et instabilis indoles, mollis et ignava; iracunda et ebriosa;"

"Alia autem sunt vitia quae aliquem indignum quidem reddunt sacris ordinibus, quamdiu perseverant, sed, quia corrigi possunt, utpote voluntaria, non in perpetuo a sacerdotio arcent; talia sunt peccata contra castitatem aliasque virtutes; videlicet, qui ea commiserunt debent tandiu probari quamdiu necesse est ut fundata spes habeatur eos in eadem vitia non esse relapsuros."

And writing of our canon: "Mores ordini recipiendo congruentes- quibus deficientibus deficeret ipse idoneitas ad veram vocationem requisita, nec posset ordinandus sanctiorem ducere prae laicis vitam interiorem et exterioram. Ut autem facilius aspirantes ad sacros ordines congruos mores induant 'curandum est ut in seminario' etc." (151)

This author makes a good distinction between defects which can be corrected and those which cannot be, without superhuman efforts. This is important, for no candidate could ever have a character free from all blemish and defect. However, as we hope to show in our final chapter, there are

(151) Synopsis Th. Moralis et Pastoralis, I, p. 694, etc.

some major virtues which, if not present, are a clear indication that the subject is not suited for Orders.

Now that we have seen what the authors think of our canon, we shall do what we did in the preceding chapter --that is to say, we shall give some of the documentary evidence from the teachings of the Popes. And as we have seen, a great number of the writers suggest that our canon is to receive development from the teaching of the Popes and from the documents of the various Roman Congregations.

PIUS XI. 1928-- Anzi tutto, è necessario fare un'accurata e coscienziosa scelta fra quanti domandano di essere ricevuti in seminario.Perciò quei postulanti, che non presentassero disposizioni e qualità da far concepire tale speranza, ma dessero ad intravedere, essi o i parenti, di avere altre mire,--di essere mossi dall'attrattiva di vantaggi economici e morali, che lo stato ecclesiastico può anche oggi presentare,--di profittare della generosità delle Chiese per compiere gli studi e prepararsi con minore stipendio ad uffici umani: questi non possono e non debbono essere ammessi nel luogo santo." (152)

S. C. de Semin. et Stud. Univ. 1935.-- "Ante omnia maxima cura adhibenda est in primo juvenum delectu, qui seminarium petunt; ab ordinariis ne admittantur nisi filii legitimi quorum indoles ac voluntas spem afferant eos, cum fructu ecclesiasticis ministeriis in perpetuum inservituros. Quod sperare

non licet nisi iidem, secundum ipsius Summi Pontificis mentem, exhibeant: morum integritatem; voluntatem bonam, pietatem peculiarem atque erga Ecclesiam sacrasque res proclivem animum." (153)

Thus we note that once again we have the two qualities of chastity and piety mentioned. There are other texts we could cite, but some of them we shall see later on when we are treating of seminaries. And the other texts but repeat what we have already seen.

However, we could not well omit some of those passages from the famous encyclical of Pope Pius XI on the Catholic Priesthood, for it is a masterpiece and contains much that is of direct help to us in our inquiry into the qualities that form a suitable character for the reception of Orders. But it is better to consider the two Instructions issued from Rome before this Encyclical, since they are of an earlier date.

So far we have seen the early pre-code teaching on the qualities required for the reception of Orders. Then we saw its growth and development in succeeding legislation. And Canon 974 is the result. We studied the canon in itself and in its relation to other canons. We saw what the best-known authors since the promulgation of the code had to say by way of explanation. But the question arises as to whether there have been any other declarations from the Holy See that would throw some light on the point. Have there been any

documents to aid us or has the legislation since 1918 remained static? Is there anything to suggest that the code was not explicit enough and that there was need for filling in its teaching on certain points? Can we find something which will give us an index as to what the Holy See meant when it wrote "mores ordini recipiendo congruentes"?

To this question we answer "yes" and we have in mind the two most important Instructions which were given us. While it is true that these Instructions are to a certain extent but the synthesis and summing-up of preceding legislation, still there is much that is new and much that clarifies what has gone before.

The remarkable thing about these Instructions is that they should have been written at all. The first one was written in 1930 and the second in 1931. (154) This means that these two Instructions were given to us but twelve years after the publication of the code. We admit there will always be need of new canon law legislation due to new problems and new circumstances. And we must also admit that in a canon you cannot put all the teaching about it. That is left to the approved authors, and to new answers given to questions as they are submitted. A canon of its very nature must be short and concentrated. And it has been seen that the canon we are studying is written in very general terms for the word "mores" is most elastic and we may well ask what qualities are included in it. So in these

(154) A.A.S. XXIII (1931) p.120-129
A.A.S. XXIV (1932) p. 74-81

Instructions we find a new emphasis given to old teaching as well as a development of what hitherto was rather vague and general. It looks as though Rome was not satisfied with the practical aspect of our Canon and decided to clarify it and to make its teaching more concrete.

It is not so much that Canon 974 was faulty. Rather, this Instruction was meant to bolster up the practice and the application of the Canon. These Instructions are more to give uniformity to the practice of the theory laid down by our Canon. And we note that these Instructions come from the same Pope Pius XI who was so interested in a worthy clergy, who took such an interest in seminaries and native clergy, and who, a few years after these Instructions were written, would write his magnificent Encyclical on the Catholic priesthood.

The occasion of the first Instruction given to all the Bishops the world over seems to have been the number of cases sent to Rome by priests who were trying to have their ordinations declared null because of fear, or due to ignorance of the obligations involved. This is evident from the fact that the Instruction is given by the S. C. de Sacramentis. "Haec Sacra Congregatio.....res, ut plurimum, esse animadvertit de sacerdotibus querelam moventibus adversus sacram ordinationem, qui, etsi probare non possent se vi aut gravi metu fuisse adactos ad sacros ordines suscipiendos, tamen ex iis quae in actis deducuntur, aperte ostendunt, se fuisse

praepostero modo in sacram militiam adlectos, seu non satis fuisse exploratum vocacionem, nec libere et spontanea voluntate sacros ordines suscepisse." Note well: "fuisse praepostero modo in sacram militiam adlectos".

From this we see that the Congregation, while it admits there is no case for nullity, does point out that Bishops and Superiors have been remiss in their duty (they quote canon 973) in not taking sufficient care to exact those positive proofs that canon law demands, and in not turning away, or testing for a longer period, those whose character is not as yet suited to the reception of orders. Thus we see that while the general theory was correct, still it was not sufficiently specific and concrete, with the result that we had the evils that the Instruction sets out to cure. This Instruction, then, is meant to make the theory a bit clearer, more detailed, so that the practice will be raised to a higher level. It is difficult to find fault with all Superiors for their carelessness, for we must admit that the canon was never developed along positive lines by the majority of canonists and there was too slavish a repetition of the pre-code idea that negative goodness sufficed. Thus, more emphasis was to be placed on the inquiry into the absence of irregularities and impediments than into the presence of positive virtues and qualities sufficient to give the Bishop moral certainty of the candidate's worth and fitness.

Directly, then, the Instructions aim to prevent the

occurrence of cases of nullity in Holy Orders. And the remedy provided is to have an extra scrutiny. This is evident from the title of the Instruction: "De scrutinio Alumnorum peragendo antequam ad ordines promoveantur".

In n.2, attention is called to the need for positive qualities in conformity with the canon law legislation. "Uti semineriorum alumni, iis qualitatibus se ornatos exhibeant, quae ad rite, sancte, ac fructuose ministerium sacerdotale exercendum hodie requiruntur." And only later is attention called to the inquiry to be made regarding impediments and irregularities. It is interesting to note the use of the word "hodie" in the quotation above. It seems to say that the standard of judgment varies with the times and that today the standard is to be higher than before. If this is the meaning, then how can we say that this does not contradict the canon when it lays down that the standard is not to be external circumstances of time and place, but rather "ordini recipiendo"? We shall attempt an answer to this in our final chapter.

In n.3, the Instruction hits the nail on the head. It goes directly to the root of the trouble. Those have not been dismissed, who should have been dismissed. "Episcopus in perscrutandis moribus eorum qui adscribi volunt petunt sacrae militiae, prae oculis habere oportet, maxime interesse ut a limine ejiciantur, seu ne ad tonsuram et ordines minores admittantur ii, qui sacerdotio fungendo non sint apti." The

difficulty and fault had been that dismissal was put off too late or rendered too difficult due to motives of human respect, etc. Therefore the Instruction insists on timely dismissal, for it is unfair to carry a candidate on until the end of Theology and then tell him that he is not to continue. The Instruction will come back again on this point of timely dismissal. It is our opinion that this abuse which is the subject of the Congregation's complaint is due often to not knowing precisely what our canon means. If a person does not know what "mores ordini recipiendo congruentes" are, if he does not realize that the norm of judgment is to be the order to be received, if he does not know what grade of virtue is to be demanded, then we see what will take place. The candidates will be carried on and false charity will win the day. And all because Canon Law was not understood. For if it be not known, how can it be practised?

In n. 4, the Congregation returns to the reasons commonly adduced by those who are trying to prove that their ordination was null. "*De veram voluntatem non habuisse recipiendi sacram ordinationem, aut saltem se submitendi gravibus sacrae ordinationi adnexis obligationibus. Hae rationes sunt aliae ipsis assertoribus intimae seu extrinsecae, veluti cupiditas commodiori clericali vitae, uti vulgaris opinio est, indulgendi, etc.Extrinseca ratio ipsi postulanti et veluti classica in his causis, est metus gravis, sive absolutus, sive relativus,.....*"

And then we are given one sentence which states with clarity the purpose of the Instruction: "Itaque haec Sacra Congregatio, quo facilius Rmi locorum Ordinarii praescriptis sacrorum canonum obtemperare valeant, sequentes tradit normas...etc." Note the appeal to the fundamental reason of Canon Law, and this proves that the congregation was not satisfied with the way in which canon 974 was being practised.

Now we come to the scrutiny to be made before first tonsure and minor orders. This is meant to be the source whence "veritas hauriri possit". For without this "veritas", the Bishop cannot know from positive arguments and with moral certainty that the candidate has a character suited to the reception of Holy Orders.

In Section two, n. 2 and 4, we read of "idoneitas" and "qualitates". And in n. 5, "Seminarii Moderator DILIGENTISSIME notitiam de promovendis exquirere debet ab alumnorum praefectis, etc.,de singularibus signis vocationalis, uti sunt pietas, modestia, castitas, de propensione ad sacras functiones, de bonis moribus, etc." It is important to note here the qualities singled out for special mention. We see that the Instruction stresses piety, modesty, purity, and zeal. And we have an indication that "mores" means more than chastity, for in addition to modesty and chastity, we have distinct mention made of "bonis moribus". So that "mores" would seem to mean the combination of all the special qualities needed.

In n. 6, "Ad rem autem intimius in singulis casibus perscrutandam Episcopus, alumnorum, eorumque familiae parrocho praeterea mandabit sedulo exquirere non modo de vocationis signis promovendorum, deque eorum virtutibus, seu pietate, sed etiam de antea ipsorum vitae ratione et de praesenti; ac maxime percontabitur quomodo se gesserint feriarum tempore, an videlicet quandam animi levitatem ostenderit, vel profanis rebus indulserit; et quatenus, sit publica eorum fama. Insuper num candidatorum parentes bene gaudeant existimatione, etc." Thus we see that an inquiry must be made into the family history to discover if heredity would play a part in the moral formation of the candidate. Then there are given at the end of this number, various questions to test the proper intention of the subject. In some countries there is much more danger on this point than in others. And a great deal will also depend on the type of training given and the age at which candidates are accepted. We shall have more to say on this point when we come to our final chapter.

In n. 7, we have a further stressing of the fact that we can not be too careful in getting the past history of the family so that there will be no danger of family moral weaknesses cropping up. "Num aliquod abnorme ex parentibus in candidatum manasse conjici aut suspicari fas sit, ac praecipue num corporis habitus ad libidinem sit proclivis, quod atavismum sapiat."

How refreshing to see this point recalled to mind and how in step it is with the most recent medical and

pastoral conclusions. This point would be of particular importance in those instances where a candidate would keep from sin, yet whose whole bent would be towards sex. There is the mental side of chastity to consider as well as the actual freedom of the body from vice and sin.

At the end of n. 8, we see that as long as doubt about the candidate's fitness exists, there can be no question of ordination. And unless through further inquiry and the enlisting of information from other trustworthy sources, certitude is thus obtained, Orders cannot be given to the subject.

Next comes the second scrutiny which is to take place before major Orders. "*Sed antequam subdiaconatus conferatur, candidati mores iterum perscrutetur oportet, Interest vero semper inquirere de alumni moribus eisque moralibus qualitatibus.....*"

In n. 2, we read an interesting and helpful paragraph: "*Si vero res eo ducatur ut clare pateat subdiaconum ad diaconatum promovendum, vel sacram vocationem reapse nunquam habuisse, aut eandem ipsis corruptis moribus emisisse, tunc res erit intimius perscrutanda,.....*"

N. 3 gives us something which is radically new in Canon Law legislation; for the first time in print we have the Holy See telling us that it will dispense from the obligations consequent on the reception of the subdiaconate and the diaconate. "*Quoties Episcopus, antequam quis ad diaconatum aut ad sacerdotium initiatur, pro certo habet*

ex promovendi confessionibus aut ex aliis certis indicis et probationibus susceptis, ipsum sacra vero vocatione esse destitutum, 3. Sedem adire non omittat, candidè et plane referens rerum statum, seu arguments, quibus vehemens dubium fovetur de subdiaconi vel diaconi idoneitate ad onera majore digne et fideliter perferenda. Res quidem agitur tanti momenti ut Ordinariorum conscientia graviter onerata maneat de hac obligatione, ut periculum amoveatur manus imponendi diacono vel presbytero, qui gravissimo Ordinum sacrorum oneri sustinendo impar sit."

How much is contained in that last quotation. And who is there who does not see the gravity of the Canon Law legislation and the utter necessity of having clear ideas on the points involved?

And this doctrine is confirmed for us when we read the commentary on this Instruction written by Cardinal Jorio who was Secretary of the Congregation when this Instruction was first published. In his classical work--a book which is not nearly as well known as it should be--I refer to "Sacerdos, Alter Christus", he gives us two concrete cases where a deacon and subdeacon were let off their obligations and returned to the world. And we are surprised to see that the reasons do not strike us as being too serious. One we know was for levity during the holidays. It does not seem as though any grievous sin had been committed and yet the candidate is released. Better to have such a one in the world than to take a chance when there was not positive proof sufficient

to establish moral certitude of his fitness.

In n. 9, the Congregation renews its solemn warning with regard to timely dismissal, for it does not wish the discovery of non-fitness to be made when the candidate is a deacon or subdeacon, though there will be times when it will be impossible to make the discovery any sooner. "Sunt alii qui bona fide minores ordines et sacros susceperunt, sed antequam presbyteratum consequantur, experiuntur se imperes esse oneribus sacrae ordinationis sustinendis, aut se vitiis vel moribus saecularibus implicarunt;....."

In the *Inquisitio ope Parochorum peragenda* we are given some very direct and pertinent questions and these help us to see what qualities in particular are sought after by the Congregation. They can be reduced to two: chastity and piety. Also worthy of note is question 13, "Num se proclivem exhibeat ad vitae commoda, ad copiosum hauriendum vinum, ad liquores sumendos, atque ad profana oblectamenta capienda?"

And in the "*Interrogatorium aliis personis probis proponendum*" we are shown the necessity of a faith that is tried and worthy. "An familiariter utatur cum iis qui in suspicionem veniant de fidei carentia, vel de malis moribus".

And in the Declaration to be signed by each candidate prior to the reception of each sacred order, we read: "Denique sincere fide spondeo jugiter me fore obtemperaturum ad normam ss. canonum obsequentissime iis omnibus, quae mei praecipient Praepositi, et Ecclesiae discipline exiget, etc..."

So from this Instruction we see that the virtues to be looked for in the candidate for Holy Orders are these three: Chastity, Piety and Obedience.

The history of the scrutinies in Canon Law legislation is very interesting. First of all, there was the scrutiny contained in the actual Ordination ceremonies. Then came the two added scrutinies demanded by the Council of Trent. One of these was to be made prior to the reception of minor Orders and prior to major Orders. And the second, four days before the Ordination. And now in these Instructions we have a fourth scrutiny. So we see that Rome has taken all possible means to ensure a worthy clergy. The Holy See has made its mind clear and all that remains is for us to understand it and put it into practice. (155)

The second Instruction, issued almost a year later to Religious Superiors, covers much the same ground as the first, but the mere fact that there was a second, shows the importance set upon the matter in Rome by the authorities there. We note a difference in the title--or better, an addition. It reads: "De formatione clericali et religiosorum alumnorum ad sacerdotium vocatorum, deque scrutiny ante ordinum susceptionem peragendo."

And the occasion would seem to be much the same as for the first Instruction. "Re quidem vera, non desunt graves

(155) Cf. N. R. Th. 1932, p. 547 (Creusen, S.J.)
 N. R. Th. 1931, p. 529
 Periodica, 1931, p. 255, 55.
 Cappello, De Sac. Vol. II, Pars III.

desertionum casus, nedum a statu religioso, verum etiam ab ipsa sacra militia, in quam per ordinum susceptionem fuerant viri religiosi cooptati."

And the importance of it: "Sacra haec Congregatio Religiosorum, ut muneri suo satisfaciat, facto verbo cum Sanctissimo ac de Ipsius speciali mandato, haec quae sequuntur, etc."

In n. 6, we read: "Nimirum in candidatis ad sacerdotium designandis, communis vocationis religiosae indicia minime sufficiunt, sed requiruntur praeterea signa specialia clericorum statui propria."

N. 14: "Superiores vero quemquam ad ordines ascendere ne sinent, quamdiu de ejusdem moribus, pietate, modestia, castitate, ad statum clericalem propensione, necnon religiosa disciplina, sibi per accuratum scrutinium non constiterit." Thus we see that the same qualities are stressed here as were singled out in the previous Instruction.

N. 20: "Hoc in casu (qui potest faciat dubiam ad sacerdotium vocationem, vel nullam prorsus demonstrat) per scrutationem perquam diligenter peracta, novi ordinis susceptionem penitus interdicens, remque ad hanc Sacram Congregationem referent, a qua, pro singulis casibus, quod opportunius in Domino visum fuerit, decernetur." Here we see again the mind of the Holy See and its desire to release from their obligations, Deacons and Subdeacons, rather than allow those not suited to continue.

PIUS XI. AD CATHOLICI SACERDOTII.-- In this wonderful encyclical letter on the Catholic priesthood, Pope Pius XI tells first of the interest he has taken in all priests since he first ascended to the throne of Peter. "Quod quidem de sacris ordinis viris pastorem sollicitudinem nostram ea luculenter testantur seminario non paucis, quae vel ubi deerant, inibi excitavimus, vel angustioribus ingentibus impensis sumptibus-novis amplioribusque sedibus ditavimus, itaque omni ope instruximus, ut dignius aptiusque id quod conantur, assequi possent."

And later he tells us why despite all that he did for the priesthood, and despite all the legislation on the problems connected with the priestly life, he sees fit to write an encyclical letter on the subject. And when we recall the two Instructions issued a few years before, we cannot but be struck by the emphasis that was placed on this question by the Pope. "Jamvero id quod in praesens nobis propositum est, tanti est ponderis tantaeque gravitatis ut hac de re has litteras ex consulto agere opportunum nobis videatur.....ita eadem etiam videtur nobis sollemnis edita praecepta perficere, iisdemque veluti coronam imponere. " So in his mind this letter sets the seal on all that he has previously written and crowns all the preceding work.

The Pope then goes on to speak of the dignity of the priesthood, tells of the enemies of the priests, traces the history of the priesthood in the Old and New Testament, and then treats of the power of the priest in the true and

Mystical Body of Christ.

In the second section of the letter, he dwells on the sanctity conformable to the high dignity of the office undertaken. "Amplissima igitur est sacerdotalis dignitas; neque hujus altissimae splendori officiant quorundam etsi lamentabilis et miseranda, ob humanam infirmitatem admissa; eodemque modo haec ipsa paucorum admissa praecelaras tot sacerdotum laudes in oblivionem adducere non possunt."

"Perspicuum tamen est ejusmodi dignitatem, in iis omnibus qui eadem insigniti sunt, illam excelsitatem mentis, animi munditiam morumque integritatem postulare; quae sacerdotalis muneris majestati sanctitatisque respondeant."

"At si omnium virtutum chorus in sacerdotali animo virescat oportet, sunt tamen quaedam quae peculiari modo sacros ministros addeceant. Imprimisque Pietas....ac quoniam pietas 'ad omnia utilis est', eadem est potissimum ad sacerdotale munus necessaria.Pietas, de qua loquimur, non levis illa est atque externa quae etsi collibet atque blanditur animo, non eum tamen nutrit, neque ad sanctimoniam assequendam compellit; at solidam illam potius intelligi volumus, quae, sensibus aestibus non obnoxia, ita certissimae doctrinae principiis firmoque animi judicio innititur, ut qui ea polleat, ingruentibus illecebrarum motibus obsistere queat. etc."

"Morum castimonia.--Praeclarissimum illud, pietatisque conjunctissimum, catholici sacerdotii ornamentum est eorum castimonia....." Then he gives the history of celibacy and the reasons for it.

"Terrenerum rerum continentia. Ac praeterea terrenarum rerum continentia haud minus quam castitatis amore, secretorum administrari excellent.

Non rei nummariae sed animarum emolumenta quærant, non suam ipsorum sed Dei gloriam affectent atque expetant." Then he speaks of avarice as the root of all evils.

"Animarum zelus et amor. Itaque sacri ordinis viri, ab ejusmodi vinculis expeditus, quæ eum nimio arctius cum terrenis rebus devincerent, ab propriae nempe vinculis familiae suarumque utilitatum nexibus--satius profecto celesti illo amoris igne inflammabitur, animarum dicimus amorem..... Hunc divinae gloriae hominumque salutis ardorem ecclesiae administrum urere ac veluti consumere oportet."

"Obedientiae studium. At vero ex hoc ipso quod catholicus sacerdos promptus est strenuusque miles, necessitate consequitur ut is disciplinae spiritu, immo etiam--ut christiano more loquimur--obedientiae studio imbuetur."

Then he writes of the care to be shown in choosing and accepting the candidates for the priesthood. "Hoc verumtamen, quod laudabiliter eo nititur, ut secretorum alumni quam rectissime instituantur, parum sane profectus pepererit, si eorum delectus, quorum causa seminaria existant, haud consentanea diligentia fiat."

Then speaking of the canon which warns the Bishop that the final decision rests with him, and his consequent responsibility, the Pope writes of the severity which is really kindness to the candidate and to the Church. "Hæc

in cause, nimise austeritatis invidiam, quae facile oritur, posthabentes, ita concedito vobis jure officioque utamini, ut hanc experimentis cognoscendam probitatem in antecessum exoptuletis, ac, si quid dubii relictum fuerit, ad aliud tempus sacrorum ordinum collationem prolatetis."

So then, Pope Pius XI considers these virtues as those most necessary in a priest: Piety, Chastity, Detachment, Zeal for Souls, and Obedience. It is well to keep these five in mind. This teaching of the Pope has great importance, since it can well be said that he aimed to make more specific what a suitable character meant and contained. And if we link up our canon with the two Instructions and this Encyclical, we shall have gone far in the discovery of what is the Church's mind on a character suited to Orders.

CHAPTER III

CHASTITY

CHAPTER III

We have seen that all the writers of the pre-code and post-code periods were unanimous in stressing the absolute need of chastity as one of the requirements for Orders. And this should be clear from the legislation on the celibate life that those in major Orders must accept. (156) So all admit that of the virtues required, chastity is the most necessary and without it there is to be no promotion to Orders. However, chastity is really wider and deeper than is celibacy. For chastity means more than actual non-marriage. It is regard to chastity that most doubts arise. And confusion often exists in the minds of those who are to pass judgment on the fitness of the candidate who presents himself. We have deemed it advisable, therefore, to devote a special chapter to the consideration of chastity and purity. We do not wish to magnify or exaggerate the role of chastity, but it is the virtue whose absence is a sure index that the subject has not the character suitable for Ordination. It is clear that most of the scandals can be traced to lack of this virtue and that most of the dirty pages in our Church history are caused by violation of purity. And it is not all as easy as the difference between black and white. For there is question of coming to purity from impurity; and there is the danger also of losing it. It goes much deeper than the non-marriage of

the clergy. After all, non-marriage is, at the best, a negative thing--though meant to be positive in motive. But not all bachelors are suited to be priests.

Doubts as to the presence of other virtues necessary for a suitable character will exist, but these are more easily solved and there is not the same danger as in this question of purity. Let it be noted again that we are not concerned with the moral aspect of absolution. We said in our introduction that while our canon was a moral-canonical one, we aimed as far as possible to deal with it from the canonical point of view. So that even when we are quoting from moralists, we are seeking to extract canonical teaching from them. Our aim is to obtain the end and purpose of the Church, and not the *finis ultimus hominis*, that is to say, the salvation of his soul. We are more interested in the attainment of the Church's end and in the proper interpretation of legislation she enacts to bring this about.

We shall give the teaching of the authors under separate headings. For thus by seeing the author's teaching in its entirety, we shall better be able to compare it with the views of those who agree or are opposed to his teaching. In our opinion, nothing better has been written on this topic than by Ter Haar and Vermeersch. So we shall study them at some length. We shall reserve our criticisms and views until later.

VERMEERSCH deals quite thoroughly with the problem in the *Periodica* of 1928. (157) It is well to notice the

title of the article, "*Partes confessorii in dijudicanda virtute necessaria ad sacros ordines.*" We omit from it all that is concerned solely with the giving or refusal of absolution, for we are trying to get an insight into what degree of chastity is needed, what is the minimum--if there be a minimum--and what are the problems to be faced. In other words, we are trying to discover what chastity is requisite before we can say that we have a character suited to Orders. And the confessor is meant to know his Canon Law so that he can admit or refuse as far as it lies in his power. We know that the final decision rests with the Bishop and his judgment must be given in the external forum and his judgment is based on the external, though rooted in the interior.

Vermeersch says, "*definire officium confessorii est quidpiam gravissimum, lubricum et anceps, recens examini propositum.*" "*Gravissimum--tum quia recte rei definitio magnopere interest ad commune ecclesiae bonum, quae idoneis ministris extreme opus habet, tum quia agitur tota vite praesens, immo quoadtenus vite futura poenitentis cujus causa dirimitur; statuitur enim quodnam vitae curriculum emetiendum sit a persona quae confessorio velut medico spirituali se committit.*"

He says it is "lubricum" for the writers do not agree among themselves and do not write clearly. Again the future must be guessed at, and conjecture, based on the past, is to be used as an index and guide for the future. And it is "recens" for nobody before the time of St. Alphonsus really

treated the question at all adequately.

Vermeersch next divides his article into two main headings: reasons for receiving orders; and reasons against. "Argumenta dicuntur 'contra' quatenus inclinent animum ad negandum ascensum; pro, quatenus benigniorem responsionem susceant, nam plura simul componenda sunt et ratio habenda experimenti." Note the word "inclinant". Therefore, there will always remain the possibility of error.

-- CONTRA ASCENSUM --

A.-- "Peccatum completum in re venerea, si completum fuerit cum complice, praesertim ejusdem sexus, et post 13 aut 14 aetatis annum, vel si nimiam propensionem ad vitium revelaverit.

Completum, etiam ex modo, id est, non mere per tactus externos. Tale, etiam sine habitu, susceptionem ordinis sacri jam serio impeditiorem efficit."

Such is his first conclusion. We see that in this case admission is usually to be denied though he does allow for the exceptional case.

B.-- Here the author takes up the point of "habitus pravus" and he makes a number of necessary distinctions.

1.-- "Ex intensitate. Mensilis; hebdomadarius; quotidianus." And his conclusion: "quo gravior, eo magis ordinationi obstat, vel diuturniorem probationem imponit.

2.- Ex origine. Nativus; acquisitus;

Nativus est propter quosdam nervorum affectiones; acquisitus, vel ex causa extrinseca-accidentalis; e.g., malus socius; vel intrinseca; e.g., pigritia." Conclusion is: "Pejor est nativus habitus et is qui ex causa intrinseca est acquisitus."

3.- "Ex tempore. Praesens vel praeteritus; anterior proposito vitae sacerdotalis, ingressui in seminarium, ordini sacro jam suscepto, vel his posterior;" His conclusion: "Praesens maxime obstat. Pejor est qui est vel fuit posterior proposito vitae sacerdotalis, ingressui in seminarium, ordini jam suscepto."

4.- Ex objecto. Terminatur ad phantasias, aspectus, actiones vel solitarias vel cum alia persona, sive alterius sive ejusdem sexus.

Hic attendendum est ad substitutiones. Deficiente vero suo objecto, fit ut naturalis propensio ad alterum sexum terminetur ad alia. L. G. Amicitiae particulares, vitium solitarium sine gaudio, etc."

Conclusion:--Pessimus est habitus inclinans ad actiones cum persona ejusdem sexus et difficilius eradicatur."

Pejor quam solitarius est vitium quo peccatur cum alia persona idque etiam propter scandalum."

-- PRO SUSCEPTIONE --

A.-- "Amor vitae sacerdotalis.

B.-- "Talenta, dotes subjecti.

Cave a superbis et a periculo majoris scandali si in

altiore loco sunt corrupti.

- C.-- Necessitas Ecclesiae, laborantis penuria sacerdotum.
- D.-- Difficultas mutandi statum.
- E.-- Condicio manentis in saeculo--vel ad illud redeuntis;
pericula fidei, moribus, etc.
- F.-- Experimentum servatae castitatis.

-- NORMAE PRACTICAE

- A.-- Semper prohibendus est immediatus ascensus illi qui in praesenti laborat malo habitu hebdomadario, etiam solitario.
- B.-- Moraliter semper prohibendus est immediatus ascensus illi qui quolibet habitu praesenti infectus est, nisi extraordinario conversio fiat.
Si habitus est cum aliis persona, semper experimentum est imponendum.
- C.-- Dehortendus est ascensus illi:

- 1.- qui habitudinem habuerit peccandi cum aliis persona;
- 2.- qui laboraverit habitu hebdomadario etiam vitii solitarii (propter periculum novae crisis);
- 3.- qui nimis ad vitium propensus sit. Etiam si hic et nunc non peccatur."

This "propensio ad vitium" cannot be recognized by all, but it can be by those skilled in such matters. The principle underlying this third formula is that extraordinary means are necessary to ensure victory and great violence must be used. But "violente non durat". Ergo it is better to advise against the reception of Order

D.-- Hortandus non est is cujus praevidentur relapsus accidentales; i.e., qui non jam ex habitu sed ex causa accidentali manent.

De actione eorum qui externae gubernationi Seminarii praeficiuntur paucissima.

A.-- Ad tria potissimum attendendum est; ad superbiam (quae se prodat gravior et vix corrigibilis), ad luxuriam, et ad ebrietatem.

B.-- Qui in primo anno seminarii, ubi multa nova media supernaturalia praesto sunt, habitum non deposuerit, experientiae teste, a fortiori in sequentibus annis manet habitu ligatus; quare dimittendus est.

C.-- Qui in ferilis habitudinem habuerit peccandi cum alia persona, iterum, teste experientia, prohibendus est ab ascensu.

Then the writer devotes some space to proving that we must have moral certainty before we can allow the candidate to proceed safely and canonically. He quotes from Frassinetti: "Il confessore del chierico abituato non si lasci smuovere ne per promesse, ne per proteste, ne per lagrime, e scongiuri dalla necessaria inflessibilita di negergli l'assobezione, se prima d'una prova di stabile e sicuro ravvedimento pretende di passare al suddiacono."

So much for the article of Father Vermeersch. It is excellent and we have surely seen that it is of great value to us in our inquiry, since he treats of that problem which most vexes those called upon to pass sentence in the

external forum on the suitability of character in those presenting themselves for Orders. And it is well to note that when the confessor is given rules for dismissal or delay, the principles hold equally well for others called upon to judge and we do get an idea of what degree of purity is necessary. For the problem is far from being simple and there is need of a great number of distinctions. And we should be very grateful to the writer for being one of the first to make these needed distinctions. We are aiming at an objective and uniform standard of judgment and what is exacted by the confessor should also be exacted by those judging in the external forum if the truth is known to them. The chief reason why this article was written to help confessors is because the difficulties and lapses in the virtue of purity often remain unknown in the external forum. This is a general rule, for if there is question of an accomplice and scandal, then the lapses can be judged in the external forum also. But the point is, that whether it be by the confessor or by the Superiors and the Bishop, the standard should be the same and the principles that apply to one should apply to the other.

We know that there will always remain some borderline cases and that these will be difficult to solve. But not if we but recall our Canon Law and know that in case of doubt, the candidate should be either sent away or given a lengthy period of probation to prove himself and satisfy his

judges. For instance, we saw that the author would advise dismissal of a candidate who, even though he has never fallen into any sins against the virtue of purity, through heredity or disposition is strongly inclined to impurity. How sensible! And the reason he gives is that "violente non daret". Experience proves this. Hence we see that in addition to having the virtue now, there must also be a well-grounded hope that it will be preserved in the future. And the fact that a candidate is "hic et nunc dignus" does not necessarily mean that he is "idoneus" for the priestly life. A person's whole mentality could be occupied with sex and yet there might well be no sin. But it would be an indication that the life of the priesthood was not for him. There is a mental side which is no less important than the bodily one--and one that is all too frequently overlooked. Purity of mind is equally important. A man acts as he thinks.

We have also seen how the writer pointed out the danger of pride. This gives us an added virtue in our list, for we can deduce the need of humility from the obligation of being free from pride. And the other vice to which our attention was called in the enumeration of the three vices to be guarded against, was drink. So we see the need of temperance and self-control.

We should like to call the reader's attention once again to the title of the article. It is, "Partes Confessarii in dijudicanda virtute necessaria ad sacros ordines." Therefore, we are not interested in the confessor as one who is to

give or refuse absolution, but in the confessor as a guide.

"Statuitur enim quodnam vitæ curriculum emetendum sit a personis quæ confessorio velut medico spirituali se committit."

Thus the basis of the author's inquiry is to discover for the confessor what virtue is necessary in the candidate for the reception of Holy Orders. And this is more of a canonical problem than a moral one and it is to be solved from an understanding of what our canon means and expects.

Our author's distinction of solitary habits under the headings of intensity and origin and frequency are of great importance and must always be taken into account. If there is any fault to be found with the author's conclusions, it would be on the point of his not assigning any definite time of probation and testing. But this is a vexing problem and we shall see something about it later on.

For our author there are four categories of candidates who have difficulties from impurity. Some of these are to be absolutely sent away with no extra period of probation; others are to be tested further; others are to be persuaded to leave with no obligation being placed on them, at least for the moment; and lastly, there are those who are not to be urged or encouraged to continue.

We think that Father Vermeersch leaves himself open to attack--be it said in all humility--when he gives among his "arguments pro susceptione ordinum" the following: "Necessitas Ecclesie laborantis penuria sacerdotum" and "difficultas mutandi statum". We do not think that these reasons should

enter in at all. After all, the argument drawn from shortage of priests resolves itself into the appeal to quantity and not quality. And while we feel most keenly for the difficulty of the dismissed seminarian taking up his roots and transplanting himself anew into the world, still if he has no vocation, or if he has lost it, or if he has given reasons for being sent away--even though he is close to the actual day of priesthood--we think that to keep him and ordain him would be to act against Canon Law as expressed in our canon and also against the best interests of the candidate himself. False charity can be the greatest cruelty. To say that by sending the subject into the world he will run a risk of losing his soul, and that he will be better able to live a good life where the aids and protections are greater and more numerous is no good reason for holding on to a subject who has no vocation or who has shown that he cannot present a character suited to the reception of Holy Orders. Better to send him away. The seminary is not a school of correction. There might be some reason for keeping him were he a member of a religious Order or Congregation; though even then we think it better to send him away as unfit. I refer, of course, to his being a member of a clerical Order or Congregation in which, were he to continue, he would one day be ordained.

To be quite just to Father Vermeersch it is well to recall what he wrote in his introduction: "Argumenta dicuntur 'pro' quatenus benigniorem responsionem suadeant et 'contre' quatenus inclinant animum ad negandum ascensum; nam plura

simul componenda sunt et ratio habendi experimenti." Still, we feel that the reasons as they stand are capable of a faulty interpretation and as arguments they do not hold. They might have some force were they taken along with other much more cogent and weighty reasons.

In another article Father Vermeersch deals with the virtue to be demanded from a religious. (158) While this is not exactly connected with our thesis, still there is an indirect link inasmuch as those who are religious may become priests too. Here are a few of the conclusions drawn by the writer:--

- A.-- Quia status religiosus est schola perfectionis non tenetur quidem qui accipere cupiant jam actu habere mores ita castigatos quales professio religiosa postulat, dummodo cum voluntate sese emendandi fundatam saltem emendationis spem prudenter conjungere queat.
- B.-- Sub finem vero novitiatus omnem pravam consuetudinem deponuisse debet, ita ut nulla culpa gravis praevideatur nisi, non jam ex praeteriti habitus reliquiis sed ex sola accidentali fragilitate manere queat.
- C.-- For those not going on for the priesthood, but who wish to be lay religious, there does not seem to be demanded the same standard of chastity. "Itaque nisi nimis fuerit periculum scandali exterioris damnosi suo Institute obligari non poterit ad quaerendam dispensationem. Sed

estne istum consilium dandum? Id pendet ex prudenter libretis adjunctis. Potissimum examinandum est quatenam spes vitae christianae et purae affulgeat reduci in saeculum post vitae religiosae experimentum. In qua re consilium medici probi et periti neglegendum non est. Matrimonium potest esse remedium aliis, aliis autem ruina.Nec istud omittendum est veram ad matrimonium aptitudinem componi variis qualitatibus sine quibus modica spes fuerit conjugii felicitatis."

D.-- "Accidit tamen quempiam respirari adeo jugi impatientem et adeo eventem vitae in qua sit sui juris ut ne ingressus quidem ei permittendum est,..... Propensio ad superbiam et obstinationem si conjungatur cum propensione ad praevarios actus, bene ratio esse potest cur superior ad ulteriora vota non admittat religiosum quem si solam spectes castitatem, satis emendatum judicavit. Id praesertim attendendum est ubi non agitur de secreta habitudine solitaria sed de culpa graviore, etiam semel tantum cum alia persona commissae. Etsi nunc sincera poenitentia culpam deleverit, relapsus magis in obstinato et superbo quem a miti et docili formidandus est."

So briefly we have seen the very helpful articles of Father Vermeersch.

Our next consideration will be a most interesting and informative article by Father Vromant. The title is, "De signis negativis vocationis sacerdotalis et religiosae." (159)

(159) Periodica, XXII (1933) 187^x ss.

De signis negativis vocationis sacerdotalis et religiosae. In his introduction, the writer states that his aim is to help towards a clarification of what is meant by "moralis idoneitas requisite"; so it is clear that the author recognizes the incompleteness of the canon we are studying and its need for a fuller explanation and development. This is interesting to note for we shall see that within the past ten years some efforts have been made to face the difficulties. At least it is a help if the difficulty is noted. What is surprising is that the Canon Law text-books have not aided very much. We shall now give a brief synopsis of the article and show what principles the author adopts and recommends.

I. Quoad Sensualitatem

A.-- "Arcendi ab ordinibus.

Qui propensionem violentam fovant ad delectationes sensuales vel ad amores sensibiles.

B.-- Arcendi ab seminario.

1. Etiam unicus casus fornicationis deliberati admissi post pubertatem. Exceptio si fraude ac dolo alieno ad peccandum fuerit inductus.
2. Consuetudo puellas studiose perquirendi durantibus ultimis annis antequam seminarium majus ingreditur etiamsi peccata gravis non commiserit.
3. Numerosa peccata pollutionis solitariae plane voluntarie, protrahitio usque ad tempus studii philosophici incipiendi.

C.-- Dimittendi a seminario.

1. Studiosa disquisitio cum puellis conversandi etiamsi peccata gravia non admisit.
2. Pollutio graviter peccaminosa, perdurantibus pluribus mensibus, singulis fere hebdomadis voluntarie perpetrata.

Semper est arcendus qui praevideatur in peccata gravia esse prolapsurum. Memorandum est tempus magis periculosum non esse juventutis sed plene maturitatis, nempe, circa annos aetatis 30-40.

In dubio, potius in partes severiores. Nam moralis aptitudo est probanda.

II. Quaedam Defectus Physiologici

Ab ordinibus removeantur hysterici etiam levissimi laborantes.

III. Quaedam Defectus Spiritus et Iudicii

- A.-- Ab ordinibus arceantur candidati quorum imaginatio inordinata et incompressa iudicium notabiliter perturbat, quique temperamentum parum libretum ostendunt, uti sunt qui perperam ratiocinantes nequeant temperate discernere verum a falso, ac generatim proprio iudicio obstinate adhaereant.
- B.-- Ab ordinibus arceantur qui solidam pietatem et praxim mortificationis christianae in despectum habent.
- C.-- Ab ordinibus arceantur qui externa sua conversatione, absque spe probabilis emendationis, alienos assidue scandalizant.

IV. Quoad Indolis Defectus

A.-- Qui nimia sensibilitate atque violenti passionum impetu, odio, ira, abripiuntur.

B.-- Sicque ad alios postea regendos inhabiles probantur.

1. Qui propter misanthropiam insociabiles apparent.
2. Qui indolem ferunt superbam, elatam, et obstin-
entem.
3. Qui a scrupulis notabiliter excessivis curari
non valent.
4. Qui propter inconstantiam aut levitatem, propter
ignavam et mollem indolem, nullam perfectionis formam
consectantur, nullum animi vigorem vel excelsitatem
pre se ferunt.
5. Qui lectionibus lascivis indulget.

V. Quoad Influxum Atavismi

Warns against the omission of these inquiries.

"Neque hujusmodi filii (ebrietati, opii abusui, dediti,
etc.) in seminarium admittantur nisi sano judicio, volun-
tate firma, solide virtute et probata pietate omnino et
aperte excellent."

Though the aim of this writer is to give us negative signs of non-fitness, we can also use these signs in a positive way and arrive positively at what must be had by the candidate. For the writer himself says that his aim was to clarify what is meant by "morelis idoneitas".

We think that the writer is a bit too severe in his

early principles. We do not think he makes sufficient allowance for the reform that the seminary training and the grace of God can bring about. We are in full agreement with him when he gives his principles for those who are actually in the seminary, but we tend to think that his conditions for admission are a bit too severe. His principles here would bear a less severe interpretation, perhaps, if we recall the distinctions made by Father Vermeersch in this matter. When he says: "*Sanper est arcendus qui praevideatur in peccata gravis prolapsurum*"; and "*In dubio, potius in partes severiores*" we agree whole-heartedly. For the Church, and not the candidate, gets the benefit of the doubt.

Other qualities demanded by the writer are: Piety, mortification, self-control, adaptability, humility, obedience and fortitude.

Our only criticism of him would be , then, that he is somewhat too severe in his refusal to admit to the seminary. We think it better to admit and test than to be over severe. For the seminary training will weed out those not suited.

And we should like to stress the principle he sets down as applicable to those candidates who are children of parents addicted to drink or drugs: "*Neque hujusmodi filii in seminarium admittentur nisi sano iudicio, voluntate firma, solida virtute et probata pietate omnino et aperte excellent.*" For these candidates, then, we are to set the standards even higher and to be most severe in their application. When we

note the use of the words "sana, firme, probata, omnino et aperte", we see the importance the writer wishes placed on this point.

CORONATA.-- Delinquentes contra bonos mores non sunt statim dijudicandi illi qui forte semel vel bis solitarie contra puritatem deliquerint seu potius occulte peccaverint; quodsi culpa etiam occulta non emendetur, prudens confesserius poenitentem monere debet de obligatione statum clericalem relinquendi.

Quodsi agatur de gravi externa in mores transgressionem, alumnus immediate expellatur juxta rectam hanc de re sententiam Sancti Alphonsi." (160)

MERKLEBACH.-- "qui vitam honestam non habet sufficienter probatam vel habitus in vitio turpi, puta luxurie, nondum sufficienter est emendatus, prohibendus est ab ordinibus sacris etiam sub poena denegatae absolutionis; etc." (161)

CAPPELLO.-- This author puts the question thus: "An licite suscipere possit ordines sacros sine diuturno experimento castitatis servandae, qui luxurie habitum contraxerit?" He says this is a "gravis controversia inter doctores". Then he goes on to give his opinion: "Sententia communior et verior et omnino tenenda negat. Ratio est, quia non licet tali candidato vitae statum tenere amplecti qui positivam exigit probitatem cum periculo proximo graviter

(160) Instit. Juris Canonici, II, p. 298

(161) Summa Theologiae Moralis, III, p. 714

violandi obligationes huic statui adnexas et gravi scandalum aliis preebendi. Atqui tali probitate caret candidatus praedictus. Ergo non potest licite ad sacros ordines ascendere." (162)

And later on in speaking of the length of time that is required before the subject can be said to have been really tested and to have shown his worth, he writes, "Juxta veriorum et communiorum sententiam requiritur, regulariter loquendo, experimentum sex circiter mensium."

It is interesting to note what he writes about the difference between the chastity needed for the priestly life and for the religious life. "Status religionis per se non requirit probitatem positivam neque habet obligationes ita graves sibi adnexas ut ordo sacerdotalis. Immo status religiosus assumi potest tanquam medium se liberandi a peccatis."

"Quod diximus de vitio luxuriae dicendum quoque est de alio vitio, praesertim de eo, a quo (ut est e.g., ebrietas) difficilior plena emendatio haberi solet."

BARBOSA.-- "Clericus in minoribus constituti, qui incontinententer vixit, poterit arbitrio Episcopi (ut continentiae vinculo alligetur) ad sacros ordines promoveri; praesertim vero si ejus aetatis sit quae futurae incontinentiae auferat suspicionem." (163) This teaching could scarcely be upheld today. And even if it bears a true sense, there is need of several distinctions before we could reduce it to practice.

(162) De Sacr. Vol. II, Pars III, p. 386

(163) In Jus Pontificium Universum, Tom. IX, Lib. I, Cap. XXXIII, p. 344

ST. ALPHONBUS.-- His title is, "De clerico habituato in vitio turpi, cupiente statim initiari in sacris."
(164)

He writes first of the debate on this matter that was then taking place in Naples and says that very little had been written on the point by previous moralists and others. He then gives some quotations to show that there are two extreme views commonly held and that he does not hold with either of them. He sums up his views in two principles:--

- 1.- "Quod hodierna et antiquae Ecclesiae lex semper constans obstringit tam Episcopos quam confessarios et promovendos, ut cum aliquis clericus habitus in vitio carnis ad sacrum ordinem ascendere cupit, quamvis sincere sit conversus et ideo possit statim absolvi, non tamen poterit sacrum ordinem suscipere nisi aliquamdiu operam det ad pravam habitum extirpendum.
- 2.- Quod potest tamen dari casus quo Deus donet poenitenti tantam extraordinariam gratiam compunctionis quae reddat eum adeo probatum, ut ipse statim possit sacrum ordinem assumere.

"Et hic notandum est quod id quod est dictum de vitio luxuriae, idem dicendum est de quocum alio, nimirum ebrietatis, avaritiae, blasphemiae, odii, etc."

And with regard to those who seem to have extraordinary signs of grief and sorrow, he advises: "Ceterum fateor,

(164) Theologia Moralis, Lib.VI, Tract.I, Cap.II,
Dub.II, Dissertatio, p. 49
Homo Apostolicus, p. 82, 83.

magnam adhibendam esse cautelam in hujusmodi clericis absolvendis qui.....nulli enim dubium quod horum frequenter malus exitus deploratur, etc."

We do not think that the author allows sufficient time for testing in the first principle he gives above. The time should be long enough for supernatural motives, not natural ones, to get credit for the victory over evil habits and vice.

GURY.-- Gives case of a subdeacon "qui versatur in prava consuetudine peccandi; To question: "An habitus in turpi vitio ad sacros ordines admitti possit si emendationem seriam promittet," he answers, "Negative, nisi signa extraordinaria." (165)

LEHMKUHL.-- Quare quoad eos qui habitus sunt in peccato turpi, fortiter incumbi debet ut jam in seminario minore vitium deponant; quod nisi factum sit sed vitium jam per annos protractum neque notabilis emendatio fuerit secuta, Ordinarie ab ingressu majoris seminerii arcendi sunt." We agree entirely.

"Longe etiam severius insistendum est in emendationem si quis in seminerium majus jam receptus invenietur vitiosus; vix unquam ad sacros ordines admitti potest. Idque valet imprimis ante suscipiendum subdiaconatum sed etiam omnino ante presbyteratum. Nam etsi nova obligatio in presbyteratu non assumitur, multiplicandi sacrilegis periculum omnino multum augetur." (166)

(165) Casus Conscientiae, II, p. 23

(166) Casus Conscientiae, II, p. 398

GENICOT.-- Gives same answer. "Generatim melius erit ut ille militiæ clericali genitus valedicat. Nam quando propensio ad venereas in ipsa indole physice altas radices habet, ut contingit fere semper iis qui inter seminarii latebres, vitio turpi innodati manent, vix potest sperari perfecta emendatio.

"E peccatorum alius speciei consuetudine generatim non exsurget obligatio differendi ordinum susceptionem. Ex-
cipiende tantum foret consuetudo prorsus inolite ebrietatis; nam hæc periode ac peccatorum frequentia luxurie hominem vinculis vix abruptendis constringit et scandalis, toti ordine clericali maxime nocituris, latam viam pandit." (167)

BOUDIGNON.-- "Nous parlons uniquement ici de la chasteté requise pour recevoir les saints ordres. On pourrait examiner la vertu de tempérance prise universellement mais la propension à l'ivrognerie, etc., rentre aussi dans l'examen extérieur; et il est très difficile de discerner chez les jeunes gens qui fréquentent les séminaires les propensions au vice de ce genre lors même qu'elles seraient très réelles.

"Il faut à cet égard se renseigner avec soin soit touchant la sobriété plus ou moins parfaite observée pendant le temps de vacances, soit touchant les habitudes et traditions de famille; il importe d'examiner s'il y n'y a pas eu quelques tentatives pour introduire au séminaire des boissons alcooliques; c'est tout ce que les directeurs au for extérieur

peuvent faire à cet égard.

"D'autre part les preuves d'amendement exigées de la part des habitus in vitio turpi doivent produire la certitude morale et aucune circonstance de temps, de lieu, aucune nécessité diocésane, etc. ne saurait changer la qualité de ces preuves.

"Les anciens docteurs ne traitent pas d'une manière spéciale la question présente; ils se bornent à dire en général, soit avec St. Thomas que l'admission exige 'bonitas excellens' soit avec le concile de Trente que ceux-là peuvent 'ad ordines majores assumi.....quorum probata vita sanctus sit.' Ils ajoutent encore qu'il faut avoir la certitude que cette bonté est acquise." (168)

GASPARRI.-- He has much to say on the need of tried and proven purity as the most important virtue in the make-up of a priest. First of all, when he is explaining the irregularity which springs from illegitimacy, he writes: "Secundo, quia periculum est ne filius incontinentiam patris imitetur, ut experientia non raro docet. Clausula illi 'dummodo paternae incontinentiae imitator non sit' in litteris dispensationis appositae, non aliter per episcopum satisfieri potest quam inquirendo quod nil bonis moribus indignum compererit; quod si integro decennio dispensandus probe vixit, debere exsequi litteras dispensationis quamvis prius incontinentiae nomine suspectus esset; sed in hoc casu debere Episcopum accuratius inquirere ad diluendam prioris vitae suspicionem." This is a

quotation which he has borrowed from Benedict XIV.

"Præterea, scolythus habitus in vitio turpi recipiens subdiaconatum sese exponit periculo perpetrandi sacrilegii absque ulla morali compensatione, si ita loqui fas est; dum novitius emittens professionem, ex una parte sese exponit periculo committendi sacrilegii, sed ex alia se ponit in ea conditione que rarius cadet et facilius se a vitio liberabit quam in sæculo. 'Aliquando bonus monachus vix bonus facit clericus'."

Quod si ageretur de candidato ad tonsuram aut minores ordines pariter habituato in peccato, hic adeptus absolutionem propter ordinariæ signæ poenitentiae et sperans Dei auxilio se emendaturum ante ordinationes in sacris non peccat illos ordines recipiens; quia pro illis gradibus non eadem sanctitas requiritur ac pro aliis ordinibus, et insuper promotus non tenetur lege ecclesiastica aut voto continentiae et ad sæculum redire potest."

Time of probation will be different in each case, he says. "Prudens igitur confessorius, omnibus perpensis, iudicabit quandoque radices mali habitus eradicatae sunt et humores vitiorum desiccati. Insuper, si in diocesi non est necessitas ministrorum, et ordinatio retardari sine magno incommodo potest, erit difficilior; secus erit facilius, salva tamen reverentia debite ordinationi. Tandem, si candidatus violentam habet inclinationem in res venereas non ex causa transitoria, sed ex physica constitutione, etsi modo emendatus se continet ob specialia auxilia quae habentur in seminario,

confessarius prudens eget eidem suadens conjugium potius quam ordines.

This is corollarium of the author. "Si quis est recidivus et habitustus in aliquo peccato, etiam occulto; e.g., luxurie, non est dignus ordine sacro, licet hic et nunc præstiterit simplicia contritionis signa, ideoque cepex sit absolutionis, quia longe diversum est esse simpliciter in statu gratie, et magnam bonitatem possidere.

"Necesse igitur est ut antequam ad sacros ordines ascendant, efficiantur digni, habitum malum prius evellendo et convenientem probationem exhibendo. Excipe si habet extraordinariam contritionis gratiam. Id in praxi difficultates pariet quia poenitens semper affirmabit se habere talem contritionem.

"Quod si candidatus mere ex fragilitate cedit absque habitu vitioso per se non est ratio cur ordinatio impediri aut retardari debeat." (169)

One fact this author brings out quite well is that there can be stages in the advance towards chastity and that the various orders to be received make different demands. We think, though, that this writer has fallen into the same error as others in conditioning the reception of Orders to the need for priests: "Si in diocesi non est necessitas ministrorum". The author himself seems to have felt the weakness of this argument for he adds: "Salva tamen reverentia debite ordinationi". Our opinion is that the necessity and utility of

the diocese can be used to refuse ordination, but not to grant it to those who have not a character suited to the priesthood.

Father Balsmans has a very interesting article in the *Nouvelle Revue Theologique* on "Vocation et chasteté". (170) He agrees with what we have seen in the other authors. "C'est la doctrine commune des moralistes: un consuetudinaire in peccato turpi, quelle que soit sa bonne volonté présente, ne peut sans faute grave recevoir les ordres majeures." Then the writer calls our attention to the change made on this point in the text of Genicot who in the editions prior to the 12th taught that it was enough for the Bishop to have probability of the candidate's fitness. (171)

"Le saint Siège semble disposé à accorder la dispense, plutôt que de laisser monter au sacerdoce un ordinand probablement incapable des obligations des ordres majeures.

"Quand l'approche des saints ordres n'a pas mis fin à une mauvaise habitude, il est clair que l'esprit de foi ou la fermeté de volonté fait défaut, ou qu'une propension physiologique intense porte à la luxure; de pareilles dispositions se guérissent difficilement ou tout au plus à la longue; même une recrudescence est à craindre une fois les ordres recus, parcequ'on sera moins porté à se surveiller.

"Il est évident que les religieux destinés à la prêtrise ont, par rapport aux saints ordres, une obligation

(170) N. R. Th. 1933, p. 401; also 1931, p. 544; 1922, p. 46

(171) Th. Moralis, II, n. 26

Ballerini-Palmieri, (ed. 1891) IV, p. 178

de probata castitas tout aussi rigoureuse." In fact the religious would hold out less hope for he has fewer temptations, more aids and a longer training; so that if he is subject to falls, there is less possibility of his overcoming.

Father De Sinety is one of the authorities on the psychology of direction and on the pathological weaknesses of candidates for the religious and priestly life. We shall find much profit in the reading of his book but here due to lack of space, we must content ourselves with a brief resume and take only those passages that will enlighten us in our set task. He has one most interesting chapter entitled, "Les Prodrômes de psychopathies chez les candidats au sacerdoce."

He is wise enough to warn against over-exaggeration in these matters and against brutal eliminations and dismissals from the seminaries and religious houses by those who do not know the difference between real sources of trouble and their counterfeits. He tells us that if we go back two or three generations in each candidate, we shall usually find "quelque tare en relation avec des troubles psychologiques; i.e., syphile, alcool, etc. This is especially true in candidates drawn from a certain class or a certain milieu.

He issues a second warning in telling us that there can be "certaines anomalies physiques bénignes qui peuvent fort bien s'allier à une santé mentale largement suffisante."

After these warnings, he lays down some conclusions

as an aid to Superiors.

"Lorsqu'un sujet a une hérédité inquiétante, principalement au point de vue de l'intoxication alcoolique de l'un des ascendants au premier ou au second degré, il faudra pour l'admettre au sacerdoce qu'il présente personnellement un parfait équilibre mental. De légers troubles, qui chez un autre n'auraient rien de significatif, doivent faire craindre chez lui un retour d'une maladie atavique. Même si son jugement est sain et son bon sens intact, une nervosité, une impressionnabilité excessives, accompagnées d'impulsions, d'obsessions nettement morbides, telles que de tics, de doutes, des scrupules torturants, devraient grandement faire hésiter. Si un tel sujet présente au point de vue intellectuel et moral une éminente supériorité; s'il est docile, profondément pieux et religieux, s'il a surmonté victorieusement les crises dangereuses de la puberté, on pourra l'admettre au sacerdoce. Si, au contraire, il est médiocre à ces divers points de vue, il est plus prudent de l'écarter.Au fait, le plus souvent, le déchet vient surtout du côté des sujets qui ayant les mêmes tares héréditaires, donnent déjà dans leur adolescence les signes qui nous ont dit de leur débilité psychique. Il ne faut oublier que les fautes charnelles solitaires sont souvent l'indice avertisseur plus que la cause d'un état nerveux pathique.La pratique des directeurs qui écartent résolument du sacerdoce des jeunes gens n'ayant pas remporté

sur ce point les nécessaires victoires, est donc aussi fondée au point du vue psychiatrique qu'au point de vue moral.

As an aid and guide to Superiors, the author then gives seven types of temperaments so that we may be able to see the weaknesses of each. This is meant to show us where there is danger and when there is need of consulting a skilled specialist.

- 1.-- Constitution emotive. This is common today. Akin to acquired neurasthenia. Refusal to admit him will depend on the control exercised by candidate.
- 2.-- Constitution psychesténique. Une constitution autonome, origine des scruples, des obsessions, des phobies, etc. Un état faible psychesténique ne saurait être considéré comme incompatible avec le sacerdoce." He says that these people can be used but not in the active ministry. Could be accepted as religious, but not as priests.
- 3.-- Constitution mythoménique. "Une tendance à mentir sans aucun intérêt visible.Son manque de sincérité et de sérieux est fait pour déconsidérer son ministère.
- 4.-- Constitution paranoïaque. Les premiers indices de cet état morbide sont un orgueil exagéré et une tendance à la domination avec mélange de méfiance. Sont sujets difficiles, égoïstes, soupçonneux, ayant une confiance anormale en eux mêmes, convaincus de l'excellence de leurs idées, portés à se croire persécutés, voyant partout des ennemis, ne supportant ni la contradiction ni le blâme.toute tendance de ce genre est

évidemment une contre-indication formelle pour une vocation sacerdotale.Lorsqu'on se trouve en présence d'un sujet qui ne se soumet au jugement de ses supérieurs, il y a lieu, d'être extrêmement circonspect avant de l'admettre au sacerdoce..... Il sera indocile, brouillon, imprudent, querelleur, pratiquement ingouvernable.

5.-- Constitution cyclothymique. Oscillations incessantes de l'activité. Moody. No cause can be given for sudden changes. "Elle est sans doute un peu alarmante mais il semble que lorsque l'hérédité du sujet n'est pas chargée elle peut être tolérée chez un candidat au sacerdoce."

6.-- Constitution schizoïde. Celle-ci consiste dans ses formes graves, en une sorte de perte de contact vital avec la réalité ou dans une discordance entre les divers éléments de la vie psychique..... Here we find "certain esprits philosophiques bizarres, constructeurs de systèmes, toujours absorbés dans des rêveries métaphysiques--plus ou moins cohérentes, inadaptées aux menues circonstances de la vie pratique...." Le moindre idée délirante, le plus petit signe de manque de synthèse mentale détourner le sujet qui les présenterait de la vie sacerdotale.

7.-- Constitution perverse. These could scarcely get into the Seminary or religious house. Inclination to hysteria

present. "Il est évident qu'une pareille tare de santé, presque toujours, sinon toujours, liée à une hérédité plus ou moins chargée, devrait faire écarter sans hésitation un tel candidat du sacerdoce. (172)

We are grateful to this author for exploring a field of inquiry hitherto scarcely touched. And it is our view that often when we are surprised at what seem to be collapses in adult priestly life, it is only because we did not make the proper inquiries at the time the candidate submitted himself for examination.

Of all the authors who have written on the question of chastity in clerics, we think that Ter Haar is the best. He gives us a rather complete and clear discussion of the problem in all its bearings. And his book in which this problem is tackled is but six years old. We should be greatly indebted to him for all that he has done and while we may not agree with him on all points, it is clear that he has tried to summarize some principles of judgment in this virtue that bristles with difficulties. It is true that he treats the problem as a moralist, but from what we have said before, it is clear how it can aid us to reach canonical conclusions as to what is required in the candidates to give them a character suited to the reception of Holy Orders. (173)

Ter Haar complains that there has been no uniformity in our standards, and notes that the candidate who experiences

(172) *Psycho-pathologie et direction*, Chap.VII, p.239

(173) *Casus Conscientiae de praecipuis hujus aetatis vitiis*, p. 110 SS.

difficulty with purity dashes about from confessor to confessor until he gets someone who will tell him that he may go on to the priesthood. If we knew what the code expected from us, would there be this divergence of opinion? And if the confessors knew that there was a definite standard, would we have this running from confessor to confessor by the candidates. The reason we have so-called kind and cruel confessors is just because the canonical requirements are not known and not sufficiently attended to. Subjectivism reigns.

While the author writes chiefly of "Vitium pollutionis" in the candidates, he also treats other problems connected with the virtue of chastity. We think it wise to give some of his general teaching before beginning with the actual point under discussion. We must draw a clear distinction between the contrition necessary for absolution and fitness for the priesthood. When a candidate is subject to impurity, the refusal of absolution is due usually not to his lack of the necessary contrition, but rather to his desire to continue in a way of life for which he is not fitted and whose burdens he is not capable of bearing.

And while this is true of the internal forum, still the principles hold equally true for the external forum too. For in addition to asking ourselves the question: "Is he disposed for absolution?" we can also ask: "Is he worthy to continue on the road to the priesthood?" So it is quite possible to admit that the candidate has sufficient and more than sufficient contrition for absolution, but it does not

follow from this that he is eo ipso fit to continue. It is his suitability of character with which we are concerned and not with his contrition. It is not his sorrow but his capacity for Orders that is the crux.

The author distinguishes between "habitus" and "passio". "Habitus peccandi, juxta mentem S. Thomae et S. Alphonsi, est qualitas permanens, quae quis quasi naturaliter inclinatur ad peccandum, ita ut frequenter, prompte, et facile et sine ulla fere resistantia labatur. Passio autem est motus appetitus sensitivi a principio exteriori oriens et cito transiens. Prorsus igitur distinguendus est peccans ex habitu et peccans ex mera passione. Prior rationem et voluntatem quasi naturaliter et permanentem ad malum finem ordinatum habet, posterior ordinariæ ad bonum finem, et transeunter solum malum finem appetit. Ille peccat motus a principio intrinseco et ex malitia; i.e., ex mera voluntate; hic impulsus et victus a principio extrinseco, etque adeo ex debilitate, ex voluntate infirma. Ille, sponte, facile et prompte peccat, ex levi etiam concupiscentiae tentatione, et nullam quasi resistantiam praebet; hic cum difficultate peccat, gravi concupiscentiae motu abreptus, et post serium resistendi conatum.

"Ad habitum constituendum certa quaedam actuum frequentia requiritur quae juxta varia adjuncta variet et alia est pro variis peccatis. Ut generale quoddam saltem principium de hac frequentia formetur, haec dici possunt: in peccatis operis solitarii (e.g., pollutionis, ebrietatis,)

sufficere possunt quinque lapsus quolibet mense per aliquod tempus notabile modo inter lapsus aliquod intervallum intercedat; in peccatis operis cum aliis commissis; e.g., fornicationis, sufficere potest lapsus semel in mense per annum; ...". (174)

In his general chapter dealing with the causes and the effects of pollution, the author writes: "Accedit quoque hereditas. Nostris quippe temporibus, maxime in civitatibus, parentes, mundi spiritu afflati vel saepe onenistice in matrimonio viventes, prolem sibi similem progignere solent, nervis imprimis debiliorem et neurasthenia laborantem, quae quidem valida est ad vitia carnalis praedispositio." Once again we see the emphasis placed on heredity and the consequent need for an inquiry into the family history of the candidate. (175)

For those interested in the causes, effects and remedies, they will do well to consult our author. It does not fall within our scope as canonists to deal here with these points. (176) We also recommend the teaching of Father Hirth, S.J. (177)

"Inveniuntur autem interdum huiusmodi qui edeo nervis laborant tamque vehementi venereorum passione abripiuntur et quasi compelluntur, ut confesserius jure dubitare possit, num sufficiens in frequentibus eorum lapsibus fuerit mentis advertentia, edoque voluntatis libertas. Hi psychopathici

(174) Op. Cit. p. 33

(175) Op. Cit. p. 95

(176) Op. Cit. p. 97

(177) Psychologia Sexualis

certe miserandi sunt, etc." Thus we see that even when there is no sin, there can be the strictest obligation to say "no" to the candidate. The point is not whether he is sinning all the time or not, but rather whether he has the character suited to Orders. He might not be sinning formally and yet be entirely unsuited for the priesthood. This cannot be over-emphasized.

Later on the author makes a digression, "De candidato sacerdotii vitio turpi dedito. ...Casus qui frequentius occurrunt spectant ad vitium pollutionis solitarie, cui candidatus plus minusve deditus est Idcirco casui precipue intento de vitio pollutionis solitariae, alios quoque casus practicos ad castitatem spectantes adjungemus." And the writer calls our attention to the fact that he has deliberately chosen the word "deditus" in the title of the article in preference to "habituatus", "quia vox 'habituati' ambigua est et facile statum questionis adulterare potest." For we recall that not all authors are agreed as to when we have a "habituatus" or not and how many times a sinner must fall before we can say that the habit has begun. So the choice of "deditus".

In his early remarks the writer gives reasons why the sanctity required for the priest is so great. And after having quoted our canon as a proof of his views, he writes: ".....nequaquam igitur de hac idoneitate in materia morum sufficiunt argumenta negativa, quod scilicet nil grave contra

candidati mores notum est; neque etiam sufficit ea de re dubium positivum, quo nempe pro utraque parte contradictionis gravis habetur probabilitas; nam Ecclesia expresse requirit, ut Episcopus hac de re habeat moralem certitudinem, qua videlicet, etsi non omnis erroris formido exulet, excludatur tamen prudens dubium, ita ut Episcopo omnibus sedulo perpensis, certe et notabiliter probabilius videatur, candidatum postea castitatem statui sacerdotalem congruentem serveturum esse. Si secus est valet principium: 'In dubiis pars tutior est sequenda' id est, dimissio a seminario.

"Regulae particulares praesertim circa circumstantias aetatis." (And the author states that the rules which he is about to give are the result not only of his study, but also of the experience of a skilled doctor and psychiatrist.)

1.--"Qui a tenera jam aetate (puta 6-12 annorum) constantem quasi habuit consuetudinem se impudice tangendi cum voluntaria delectatione sensuali vel partim sexuali, sed postea quasi numquam in pollutiones voluntarias lapsus est, certe ut candidatus sacerdotii admitti potest. Sin autem post tempus pubertatis hanc consuetudinem, licet aliquoties interruptam, per plures annos deliberatis pollutionibus continuavit, generatim a statu clericali amplectendo dehortandus est; quia praecox ille diuturnaue consuetudo organismum valde disposuit ad excessus sexuales; unde postea conatus quasi heroici requirerentur ad eam extirpandam vel

constanter superendam. Talis autem virtus heroica per totam vitam in candidato ordinario supponi nequit, sed juxta communiter contingentia de futuro judicandum est.

2.-- Qui aetate pubertatis (13-16 annorum) per aliquod tempus etiam consuetudinem se voluntarie polluendi habuit, nequaquam ideo a sacerdotio prohibendus est, modo nunc habeat fortasse emendandi voluntatem.....quod quidem, praesertim in seminario minore vel collegio religioso, intra unum annum jam expectari potest, etiamsi forte annis proxime sequentibus unus alterve lapsus ob circumstantiam particularem adhuc occurrat.

3.-- Si quis per ultimos seminarii annos (17-19) adhuc frequenter relabatur, puta semel vel bis singulis mensibus, sine notabili emendatione, generatim anxie hortendus est ut a proposito sacerdotii desistat;" And why? Because with age the faults are becoming more serious and there will be more difficulty to get him to leave the seminary later on.

4.--"Si quis nihilominus, ultimis annis seminarii minoris ita frequenter lapsus, majus seminarium aut noviciatum instituti religiosi est ingressus, fieri quidem potest, et interdum quoque fit, ut ob vitae altioris novitatem, ob mediis abundantiora, etc., pravam consuetudinem vere superet quo in casu tuto procedere potest.

5.-- Atvero si quis deinde post aliquod continentiae tempus, puta unius anni, iterum recidit, non una alterave vice, sed frequenter; e.g., singulis fere mensibus, idque per

notabile plurium annorum tempus, vix adest spes solida futuree continentiae per totam vitam." For if with all the supernatural aids of the seminary he is still so weak willed, there is little hope for him in the future when there will be no seminary walls and when the temptations will be so much greater. ".....Unde deest de illo illa moralis de idoneitate certitudo quam sacri canones et ipse lex naturalis postulant ad licitam ordinationem.

6.-- "Atvero preeter lapsuum frequentiam, alie quoque hec in re sunt consideranda adjuncta personalia. Videlicet: utrum candidatus ex quodam stavismo vel ex corporis constitutione admodum nervosus et psychopathicus valde et quasi assidue propensus sit ad actus luxuriosos; utrum fortem infreestamque habeat voluntatem an potius indolem habeat mollem, debilem, sensibilem, potiusque melancholicam, etsi alioquin bonus, pius, et regularis videatur utrum studiis seriisque occupationes fastidiat, sueque solatie in rebus mundenis, lectionibus frivolis, etc. quaseratutrum in seminario quidem satis caste vivat sed in feriis extra seminarium peractis regulariter secum ipso peccare solet."

Each case is an individual one to be judged and the more we have the circumstances above mentioned entering in, the greater need is there for a timely dismissal. The standard is to be the same and if all the Superiors were to adopt these

principles and were to know them, there would be a better observance of Canon Law. And more and better priests.

The author then turns his attention to other questions associated with chastity and considers other cases that can and do turn up. We shall give his conclusions briefly. *Hic de candidatibus qui cum aliis peccant.*

"Sunt nimirum seminaristae qui singularem prorsus experiuntur propensionem sensibilem vel etiam carnalem erga alias personas juniores sive ejusdem sive praesertim diversi sexus eamque saepe externe manifestant. Hujusmodi in seminario jam amores et amicitias particulares cum aliis sodalibus fovere conantur; maxime in feriis saepe familiarius agunt cum puellis grandioribus, eisque specialia signa amoris et affectus ostendere quserunt: quae signa, licet saepenumero ad peccati mortalis malitiam non certo pertingat, nihilominus in materia castitatis animum produnt valde levem et statui ecclesiastico minime congruentem, imo admodum periculosum. Si hujusmodi candidati praevis illis inclinationibus non viriliter resistunt, sed, etsi, saepe numero admoniti, facile eis cedunt, jam a seminario minore removendi sunt, quippe inepti ad sacerdotium, quod probabiliter postea culpis certe gravibus inquinebunt.

"Gravior est casus, si quis per actus impudicos graviter cum complice peccavit; quod haud raro occurrit, tum in ipso seminario minore vel majore, tum extra seminarium per ferias cum personis alterius sive ejusdem sexus. Qua

de re notandum est, perversam illam et abnormalem propensionem veneream erga eundem sexum esse quidem rariorem (multo), sed in se periculosiorem et pertinaciorē quam pravam affectum erga sexum diversum.Confessarius merito poenitentem qui tale factum cum complice secreto commissum in confessione accuset, non solum serio monendum esse, sed etiam, si altera idem contigerit, ordinarie sub gravi esse obligandum ut ipsemet tamquam non idoneus, sub aliquo pretextu e seminario recedat. Cum hisce enim semper timendum est ne fiant aliorum plurimorum contagionis causa.in conflictu bonum commune privato bono preferre.

"Multo gravior erit casus, si forte peccatum etiam fuerit completum per copulam. Hoc casu certe frequens lapsus nequaquam requiritur, sed unus actus copulae, tempore seminarii aut minoris aut majoris, etiam per ferias admissus, ordinarie sufficiet, ut detur consilium abundi; imo si postea etiam altera vice talis lapsus acciderit, nostro iudicio gravis obligatio e seminario recedendi omnino imponatur oportet. Nam animum vilem nimisque inverecondum prodit, et vehementer disponit ad iterato easdem delectationes quærendas, ita ut semper dubium prudens de future castitate sacerdotali permaneat."

The author now gives a special section to those cases when doubts as to suitability of character arise after the candidate has received the subdiaconate or the diaconate. Then he gives the teaching of the Instructions and writes: "Est hoc, quod scimus, primus S. Sedis documentum publicum

circa dispensationem a lege coelibatus pro iis qui jam subdiaconi aut diaconi ordinati sunt."

May we quote the words of Cardinal Jorio on this point: "Studeant Ordinarii diligentissime inquirere de candidati moribus, quod viro prudenti difficile non erit, et quatenus aliquid in eis contra castitatem invenerint, etiam si quis eorum sit in sacris, ad ascensum candidato viam precludere satagent; et S. C. consentientem et providentem jure meritoque invenient." Et postea: "Dubium debet esse positivum seu rationibus suffultum, etsi rationes in contrarium militent, non quoad factum, quod exhibitis inquisitionis mediis certum supponitur, sed circa candidati vocationem," Then the Cardinal speaks of two cases, one of a subdeacon, the other of a deacon, ".....qui per ferias levitatem familiaritatesque inhonestas ostenderant" who were then dispensed from the law of celibacy and reduced to the lay state. "Sunt candidati qui, esto bonae fide, usque ad limen presbyteratus perveniunt, sed vel quia imperes sunt ad sustinenda onera se credunt, vel quia vitiis aut moribus saecularibus se implicarunt, preces admovent, ut ad statum laicalem Apostolica Sedes eorum misericorditer reducat. Et hoc quidem consilium inierunt ad majus malum Ecclesiae sibi prae-
cavendum; unde sunt valde laudandi." (178)

"Nil refert, frequentes lapsus non ex habitu proprie dicto sed ex sola fragilitate et passione provenisse, sufficit liberam ejus voluntatem adeo infirmam esse, ut absit certitudo

moralis servandi in sacerdotio perpetuam castitatem. quantum tempus et quantum lapsuum frequentis ad hoc requiritur, pendet ex adjunctis. Sufficit jam non haberi neque prudenter expectari posse morelem certitudinem de ejus idoneitate ad statum sacerdotalem. Id quod generatim accidit, si quis post plurimos lapsus in juventute adhuc in seminario major per plures annos singulis fere mensibus relapsus fuerit. Brevi, requiritur, ut prava consuetudo jam a longo tempore sit plane deviata, neque adsit timor ejus reviviscentiae in reliqua vite." (179)

There is much confusion and much difference of opinion regarding the length of time necessary for testing the candidate so that he can be said with moral certainty to have conquered himself and to be now suited in character for the reception of further Orders. Most say six months are sufficient; for instance, Cappello. And in this they follow St. Alphonsus. But it is well to note that St. Alphonsus wrote, "saltem sex menses" and therefore his implied statement was that sometimes this time would not be enough. And we must remember that in his time most of the candidates for the priesthood lived at their own homes and that often they had no care of souls even after their ordination. (180) We agree, therefore, with Ter Haar when he writes: "Ubi vero, ut nostra aetate communiter, agitur de candidatis qui intra moenia seminerii a mundo quasi segregati per multos annos ad sacerdotium se preperant, ut postea in

(179) Op. Cit. p.123

(180) Sacerdos, Alter Christus, p. 157

medio hujus saeculi periculis confesserii aliqua vitae pastoralis officia obeant, generatim pro vitio turpi assuetis probatio castitatis per sex solum menses sufficere non videtur ut habestur moralis illa de servanda in sacerdotio vita casta certitudo, quae postulatur.Pro hisce probatio unius anni saltem, saepe etiam diuturnior, necessaria nobis videtur. And how true is the sentence of Jorio: "Mutantur condiciones: quapropter tempus probationis produci debet, exacto ad hoc convenienti temporis spatio extra seminarium transigendo; non enim emendatus censetur fur, dum in carcere poenam eluit."

And then Ter Haar speaks of advice given him by his medical friend, also a psychiatrist, who collaborated with him in this work: "Medicus ille psychiastre in casibus etiam ordinariis postulabat duos saltem annos intermissae pravae consuetudinis, ut quid tuto ad subdiaconatum procedere possit. Si accedebant alia adjuncta aggravantis, praesertim psychologice etiam citius concludebant candidatum ad sacerdotium idoneum non esse."

We think that these principles are most sound and we note how this author in his second and fourth rules is less severe with those who have had trouble with impurity and who now wish to enter the seminary. These rules are not as strict as those we noted in Father Vermeersch. We think that Ter Haar is right.

May we end our study of Ter Haar with the golden words he quotes from Cardinal Jorio who was secretary of the Congregation which gave us the Instruction on the scrutiny to

be made before Orders: "Studeant Ordinarii diligentissime inquirere de candidati moribus, quod viro prudenti difficile non erit, et quatenus aliquid in eis contra castitatem invenerint, etiam si quis eorum sit in sacris, ad ascensum candidato viam praecludere satagent; et S. C. CONSENTIENTEM ET PROVIDENTEM JURE MERITOQUE INVENERINT."

We do not think that sufficient attention has been paid in past years to the psychological aspect of the problem of chastity. There are so many factors entering into this complex affair that it is not always easy to make the necessary distinctions and to remember that on this point of chastity there is need of a different approach to almost each candidate. By this I do not mean that there are to be different standards--this is exactly what we are crusading against--but we do mean that we are to have different attitudes towards those who have difficulty in preserving or regaining this virtue. And we have seen that recent authors go to some pains to show that even absence of sin in this virtue is sometimes not a sufficient guarantee in itself and that it is wiser at times to send away those who have preserved their purity, but whose whole mental make-up inclines them to sex. For the more difficult period will come with later years and with the temptations that are peculiar to and inherent in the ministry.

We think that attention should be called to the difference between bodily and mental sexual maturity. We incline to think that some of our seminarians and religious may reach the age of thirty or more and yet not be mentally

sexually mature. From primary schools into High schools, thence to seminary--and behold they are ordained before the full realization of what obligations they have undertaken gets under the surface of their soul. We do not wish to exaggerate; and we know that with the recent instructions this attempt to be dispensed from the obligations of the priesthood is removed; yet we do think that there still remains the danger even in those who sign the document in which they state that they are fully conscious of the obligations they are about to embrace. We shall have more to say on this point when we come to our final chapter, but we do wish to call attention here to the possibility of having the bodies of men and the mentality of adolescents. Physical age can be no indication sometimes of mental adolescence.

"This is not the place for us to inquire why so large a number of people today have lost their balance..... what primarily concerns us is the fact that this type corresponds to a transitional phase of human development; for the period of adolescence exhibits a similar line of conduct and attitude. It could be said with some reason that our epoch suffers from a kind of fixation at the juvenile level. It shows a shortage of people who are fully adult." (181)

And while we do not hold that knowledge is necessarily virtue, still we think that there is the other extreme which does just as much harm. And it is our hope that the

- Allers, Psychology of Character, p.252
 (181) Bless, *Traité de Psychiatrie*, p. 154, 183
 Jurbled, *La Morale dans ses rapports avec la Médecine et l'hygiène*
 Martindale, *The Difficult Commandment*
 Gemelli, *Ne Moecheberis*
 Hoornaert, G. J.J., *Le Combat de la pureté*

principles we have seen will be a guide in the future and that thus, confusion and discrepancy of judgment will be reduced to a minimum. For it is the virtue of chastity that does present the biggest problems and difficulties for those who are called upon to pass judgment as to fitness for Orders or not. And even the confessor is concerned with more than absolution. And the better understanding he has of the canonical importance and teaching of our canon, the better director will he be. For Canon Law is a question, not of theory but of life. We live it.

CHAPTER IV

QUALITIES OF MISSIONARIES AND NATIVE CLERGY

CHAPTER IV

We have already seen in some detail what are the requirements for suitability of character in one aspiring to Holy Orders. We have studied the teaching of the pre-code and post-code authors. But a very difficult and practical problem at once presents itself. It is this: must we have the same qualities and in the same degree for those of our Catholic priests who are either sent to the missions or who are native-born clergy. The problem is complex. It concerns first of all those priests who are sent from Europe or America to the foreign missions, and it also concerns the choice and training of the native clergy. Are we to exact stricter standards? Are we to train less strictly? When our canon speaks of "*mores ordinis recipiendo*" does it have in mind those only who are what is called the "home clergy"? Since there is less danger of scandal sometimes on the missions, can we send those who are not fitted for work at home, those who have got into trouble or difficulties? Can the missions be looked upon as a graveyard for European misfits and failures? Since the "*ordo recipiendus*" is the same on the missions as at home, do we expect the same qualities? If so, is there question of having these qualities in a greater or lesser degree? Does canon 974 apply to the missions, too?

When we consider the difficulties and the peculiar

life that is the missionary's, it looks as though we should demand even more qualities. And when we consider the past history of the native clergy and their families, and when we think of the milieu in which they live, is it not evident that we are faced with a question that is of the utmost importance and one that must be solved--for it is quite clear how emphatic the Holy See has been regarding the establishment of a native clergy. And today when so many countries are engaged in war, and when national feelings run so high, we are not surprised to note that in several mission countries our missionaries have been sent away, and Bishops and superiors chosen from the local clergy. Japan is but one example of this. This condition is likely to last for some time and in fact may develop even more after peace has been signed. For rancour and hatred will remain.

And then again there is the further question of where the missionary is best to be trained. This applies to the one being sent, as well as to the native clergy. Are they to be trained in Europe or on the missions? Our aim is to fulfil the requirements of Canon Law and see to it that they have the character suited to the reception of Holy Orders. Can this be done better at home than away? Can this be better done for the native clergy by training them at the mission or by sending them to Europe to receive their training?

So we see that there are some special problems that arise when we treat of our mission priests. In a number of places, and for too long a time, the opinion has prevailed

that the missions were for the second best, for those who were failures at home, for those who got into trouble at home, for those who were not too intelligent. Too often there was a complete failure to understand the problem--for it is one--and the principle--there was one; it was felt that somehow, in some way, things would turn out for the best and the Holy Ghost would be there to repair all scandals and shortcomings. How stupid and short-sighted a policy!

In a true sense, it may be said that a vocation to the mission field is a special vocation, a vocation within a vocation. Not all called to be priests are fitted for the missions. Many a priest may be quite virtuous and intelligent and otherwise gifted, but he would be a complete failure if he were sent to the missions. And many who can come through with flying colours at home would fail lamentably if sent to the missions. The conclusion is that here, even more so than in the home seminaries, great care must be shown in the selection of candidates and the testing of them should be more thorough.

One difficulty is that the missionary life is sometimes too much played up and publicized. It is made much too dramatic, too romantic, and a wrong idea is given. Even some of our Catholic missionary periodicals fail in this respect. It is "roses, roses, all the way" and the true picture is not painted. We get only one side--and that not true to reality.

It may all appear most romantic at a distance of several thousand miles but the missionary could not last very long on romance, and sentimentality will never be able to replace zeal. There is much more prose than poetry in the missionary's life. And pious imaginings and illusions will not last long under the arduous life and special trials of a missionary life. We have but to hearken to the warning of St. Francis Xavier who warned against accepting imaginative ones whose zeal for the missions ceased as soon as they got on the boat and became sea-sick. How true! It will be quite true to say that the arrival at the mission field does not work a transformation for good and fill up what is lacking to suitability of character. The opposite is much more likely. That is to say, that there is more danger of a decline from good to bad than of a rise from mediocrity or badness to goodness. Candidates will be on the mission what they were at home. Faults in character will bring the same or greater griefs.

Therefore, we cannot too strongly condemn the prejudiced opinion of those who claim that a missionary need not be as capable as the average priest at home. And we condemn much more strongly those who look upon the missions as the reform school and house of correction for recalcitrant clergy. Only those of the highest type should be sent.

"Erreur donc de croire que pour être missionnaire il suffise d'être 'un débrouillard', que l'article missionnaire peut

etre 'un article d'exportation', que l'on peut réserver aux missions les capacités médiocres ou même inférieures." (182)

It would be most interesting to make a study of the conditions set down for missionaries since the impetus was first given to missionary zeal and endeavour. This study would lead us too far afield. But we must note that conditions in the missions themselves have changed greatly and are being changed as we write. In recent years we have seen the results of the teaching of the equality of all races, the aspirations in many mission countries for national self-sufficiency; colonization has also changed the face of many countries and in the world of ideas, tremendous changes have taken place. Much more adaptability is needed in the missionary of today.

Yet, despite all these changes wrought by the years and the interchange of ideas and the impact of new methods of life, the general qualities needed by a missionary remain much the same as they were before. The life of a missionary is a most difficult one; there are often stronger temptations; the whole life is calculated to weaken one's moral fibre; the toll taken on the body is great and then the soul is affected, too; special natural qualities are necessary that could be dispensed with in the easier life of the priest at home.

When we think of the terrible loneliness and isolation, of the atmosphere and surroundings; of the morals or lack of them in the people he is sent to save; of the constant fatigue and work; of the cold and heat, and lack of food or

strange unpalatable foods; of the ingratitude of the natives, of their fickleness and unsympathetic manners; of their corruption and filth; of the ease and non-detection were the priest to succumb to temptation;—when we think of all this, is it not clear that a very strong character, spiritually and naturally, is required for such an arduous and perilous life? (183)

"La solitude la plus complète. Et cette solitude absolue est peut-être ce qui pèse le plus au missionnaire, qui a tant besoin de s'épancher, de se confier, de prendre conseil, et qui ne peut jamais se lier, pas même avec ses néophytes, ni se fier complètement à eux."

"Ces pauvres natures païennes, doublement corrompues, et par le penchant au mal que nous portons tous en nous, et par cette autre tare locale qui tient à un long stavisme d'inconduite et d'immoralité." It is well to remember this for it also plays a determining factor in the choice of a native clergy. There, much more than at home, are we to lay special stress on the history of the family and on the danger of inheriting moral weaknesses and proclivities. (184)

"La souffrance qui accable le missionnaire et lui fait parfois redire le 'tsedet vitse' de St. Paul et St. Francois Xavier, n'est point celle qui vient de la surabondance de la moisson à recueillir, c'est celle qui provient

- (183) Cf. Duhaussais, O.M.I., Mid Snow and Ice, Chap.VII
 Ortolan, O.M.I., Les Oblats de Marie Immaculée
 Schmidlin, Catholic Mission Theory, p.187-88
 Joyal, O.M.I., Excursion sacerdotale, p.39-53
 (184) Piolet, Nos Missions et nos Missionnaires, p.21, 23

des difficultés et des lenteurs requises pour faire d'un fils de Satan un fils de Dieu." (185)

"Et même attendez vous à voir croître ces misères; la fatigue, la surcharge de travail, le climat enervant, concourent à exasperer vos défauts; ils peuvent vous jeter même en de très délicates et très graves tentations." (186) We know that diversity of climate and great exertions and privations do effect the spiritual life. This is always to be kept in mind. Often there is no friendship, no priest to whom one can confess--with all the difficulties that follow.

"Dangers plus généraux de la vie missionnaire; dangers spirituels de l'isolement du surmenage, de la vie trop extérieure; du découragement, des déceptions." (187)

"La vie du missionnaire est très pauvre, très pénible, remplie de travaux, de privations, de tristesse, et d'insuccès.Et cette solitude absolue est peut-être ce qui pèse le plus au missionnaire.

"Voilà donc ce qu'est la vie du missionnaire; une vie tout entière de dévouement, d'abnégation, de souffrances, d'obscurité, d'humbles travaux que personne ici-bas n'apprécie et ne récompense, de services rendus à des gens qui ne lui en auront aucune reconnaissance." (188)

We have seen in brief some of the many difficulties, material and spiritual, that a missionary must face in his daily life. Now that we have some understanding of these.

(185) Hugon, S.J., *Le Missionnaire*, p. 8

(186) *Op. Cit.* p. 15

(187) Dubois, *Op. Cit.* p. 108

(188) Piolet, *Op. Cit.* p. 18

difficulties and the problems that must be faced, we can ask what qualities are to be expected and what goes to make up in a missionary a suitable character. We know that there are needed natural qualities as well as the supernatural ones. We think that the chief natural ones would be a cheerful disposition and, above all, adaptability. Let us see what some of the authors have to say on the qualities required before we draw any conclusions.

ACOSTA.-- "Verum nusquam aeque necessaria commonefecio, a nemine magis illis excellentiis flagitanda, quam ab eo qui animas verbo Dei lucrificandas Christo suscepit, et animas infidelium, hoc est ubi adiumento habiturus sit paucis imo impedimenta quem plurima; ubi quo praeclarius opus aggreditur, tanto in majore periculo versatur, ne dum quærit alios ipse perest, imo vero ne et se et alios perdat" (189)

In the fourth book, Acosta analyzes the qualities that should distinguish the missionary. His writings cast many gloomy sidelights on the moral and religious conditions prevailing among the mission clergy of the time; greed and incontinency are denounced as the failings of missionaries, while piety, honesty, purity, charity and kindness are inculcated as the chief virtues. He points out the danger to purity from the fact that, shut off from civilized life, the missionary sins unpunished and unseen. With the added difficulty of not having a confessor near, there is great danger

of habit being formed. The lonely missionary thrown on his own resources and surrounded by a degraded society needs a very special power of resistance and strength of character. Ascoste stresses that even the suspicion of impurity is to be avoided. "The most important question arising in connection with mission priests is that of vocation. To the missions may be applied particularly the statement that only those who are called should enter. For if there is any vocation that makes many and stringent demands on the personal soundness and fitness of every candidate, it is the missionary calling. At home individual members are merged in the whole and hence there is not so much profit or loss. The exposed mission fields, however, make extraordinarily heavy demands on individual initiative. There are special difficulties and complicated tasks.On the other hand, we must not make the standards too high. Still, vocation signs here must be more positive than elsewhere. Usual signs are: inclination and readiness to engage in missionary work, to accept sacrifices, purity of intention,must have religious and moral character of interior innocence and strength."

"Qu'on ne se figure pas qu'il en soit de la vertu nécessaire aux missionnaires comme d'un manteau que l'on peut revêtir en un instant, lorsque le moment est venu de partir pour un voyage."

HUGON.-- Hugon lists these as the qualities most needed: ".....un bon sens moral marqué; un esprit solide,

un caractère ferme et élevé; esprit d'adaptation; la douceur; la bonne humeur" which he calls "qualité classique". (190)

After warning that we must not confuse vocation for the missions with a love of adventure, he writes: "Les sujets à envoyer ne doivent pas être des têtes chaudes, des exaltés, des eccentricques, de gens qui ont le manie de ne pouvoir faire comme les autres, des gens à idées noires, des esprits portés au scrupules'il fallait choisir, je préférerais un sujet trop timide et trop insouciant à un exalté; celui-là en effet, s'il ne fait que peu de bien, ne fera pas des misères, ou en fera beaucoup moins."

Then he gives his "qualités morales et surnaturelles:

"L'esprit de prière. L'énergie et désintéressement. Idonei qui robusti corpore, constantes in fide, probati virtute, semper irreprehensibiliter conversati. qui ad exteras et infideles nationes pro Christi legatione apostolice functuri sunt, tali vite sanctitate et animarum zelo nitere debent, ut vel ipsis silentibus religionis quam profitentur paritatem ac divinitatem preesseferant."

Bishop Bonjean of Jaffne in his *Traetatus de dotibus boni missionarii* gives the following qualities: "Fides, abnegatio sui, otium fugiendum, humilitas, patientia, castitas, fortitudo, dejectione resistendum, secretus mentis, zelus apostolicus, pietas, etc." (191)

(190) Op. Cit. p.16

(191) Schmidlin, Op. Cit. p.200

"Le missionnaire idéal, tel que les vicaires apostoliques aiment à les voir arriver dans leurs territoires et tel qu'il faut le former avant son départ, est un être d'enthousiasme et de renoncement, un homme de jugement et de ressources universelles. Je dis un être d'enthousiasme, mais d'un enthousiasme réfléchi dont il peut perdre un peu chaque jour sans en manquer jamais complètement. Tandis que l'enthousiasme bien compris est nécessairement durable et générateur de dévouement, l'illusion est passagère et conduit, une fois tombée, au découragement ou à l'indifférence. mais le vrai renoncement celui qui coûte davantage il n'est pas encore là, il est d'ordre plus intime. Je le placerai dans la solitude du cœur, le sacrifice de ses idées et de sa mentalité, dans l'état d'infériorité ou l'on se trouve souvent placé. À côté de ces qualités de l'intelligence, le missionnaire doit posséder les qualités du cœur qui en font un homme d'affection tendre et surnaturelle." (192)

Practically all writers stress the utter importance of the missionary having in a very marked degree the virtues of purity, patience, faith and hope. He must have solidity of temperament and must be able to bear sufferings, physical and moral. All say that a cheerful and lively disposition is needed. Naturally, he must be intrepid and resolute and must combine strength and gentleness. The Synod of the Congo mentions zeal and piety; that of Cochin, patience and dignity and benevolence; South Burma, holiness and zeal; others, meekness and perseverance.

(192) Semaine d'Études Missionnaires, Ottawa, 1934, p.175, .

We now come to treat of a carefully-chosen native clergy. It is not our purpose in this thesis to prove the need and advisability of having a native clergy. We refer our readers to the numerous Pontifical documents on this point. Of recent years there have been many such pronouncements. We realize today when a terrible war is raging, how much the far-sighted policy of a native clergy was justified. For when various mission countries are expelling so-called "foreigners" due to racial and nationalistic motives, the situation and outlook would be much more grave and fraught with danger were it not for the Herculean efforts made in recent years to have a chosen native clergy from which even the Bishops and Superiors would be chosen. And even granted that after the war, European and other priests will be allowed to return to their former mission places, still there are bound to be difficulties due to a shortage of priests.

But while the need and advisability of a native clergy is evident, still there are greater difficulties in selection and training than at home. For but consider the environment in which the native clergy live. From our preceding pages it is clear that they have a double burden of corruption and often their hereditary tares and weaknesses will blossom forth. Frequently their whole mentality needs to be readjusted. If they have been converts for but a short time, or if their families have not been Catholics for some generations, who is there who does not see that there could be grave danger to their faith and that they might be a source

of scandal to others. There is need for extreme care in choosing; for a longer period of probation and testing; for longer intervals between the various orders to be received; and for more severity in expulsion and in dismissal. We grant that a great deal will depend also on the country and the race and tribe and on other circumstances. But we must not be led away by motives of expediency. On the missions, as at home, the candidate must have a character suited to the Order to be received. Canon Law is for the missions as well as for home, on such an important matter as this. The whole success of missionary endeavour will depend on a strict and careful observance of the canon we are subjecting to our investigation in this thesis.

"Auxiliaires indigènes sont choisis sur place par le Père, parmi les meilleures familles de chrétiens.....il faut beaucoup de tact, de réserve, beaucoup de discrétion et de circonspection, beaucoup de sage lenteur dans ces choix, et dans cette formation. Il ne faudrait pas cependant, exagérer outre mesure la défiance et les précautions. Il y a, en effet, particulièrement en Extrême-Orient, en Chine, et en Indo-Chine, de ces familles, chrétiens depuis déjà deux ou trois générations, dont les enfants sont parfaitement aptes à devenir d'excellents prêtres, très sûrs, très fidèles, sinon très zélés." (193)

"A higher and more difficult stage of native collaboration in the work of the church and missions is

the establishment of a native clergy. Catholicism assigns to the priest on the mission, because of Ordination, a position so high and so fundamentally distinct from that of other mission services that the initiation of mission subjects into the priesthood constitutes an entirely distinct aim and problem of the pagan missions. Yet, according to the Instruction of Benedict XV, the missionaries' work is incomplete if enough native priests are not available. (194)

This problem was easier solved in Apostolic times, for Jewish and pagan Christendom supplied persons qualified without long and systematic preparation.

Medieval missions aimed at a native clergy. We have but to recall the Instructions of Gregory the Great and his attempt to attract Anglo-Saxon youths to Rome prior to dispatching missionaries to England.

But on the threshold of the modern period, this task became more difficult. In consequence of great discoveries, peoples entirely different in race and on an incomparably lower cultural level were brought within the horizon of the missions. In South and Central America there was no native clergy for a century, and ordinations of Indians were forbidden. Later they were allowed, but there were frequent complaints against the opposite extreme of excessive carelessness in admission of half-breeds, etc. Native clergy were rigidly excluded also in North America. There was the caste system, degradation, abuses resulting from an improper

selection. In English-speaking America there was but one full-blooded Indian and two half-breeds ordained in one hundred years.

From the quotation given above we can see that especially among certain peoples, and during the early stages of missionary work, there are numerous and grave obstacles to the choosing of a native clergy. For in many instances there would be no hope of their having a character suited to the Order to be received. If we but consider the obligation of celibacy, we shall see at once what an obstacle it is--an almost insurmountable one among primitives. So in addition to the ordinary difficulties, there are others that arise chiefly from the requirements and obligations associated with the priesthood. Not even the native-born clergy of pagan lands are exempted from the obligation of celibacy. And we have but to reflect on the milieu and the warped ideas on chastity to realize that this is often a stumbling block to the obtaining of a native clergy. The tendency then is to lower the standard and it is this aspect of the problem that we are treating. We must ask if our canon is to be applied in all its severity even to those on the missions. It is a difficult question for it looks as though we are caught between two fires. We are told that we must have a native clergy (for artificial restoratives and nourishment which are always dependent on outside reinforcements, represent only a passing or transitional stage of the missions), and on the other hand, we see the great obstacles to the getting

a native clergy that will satisfy the requirements of Canon Law. (195)

It does not solve our problem to know that a native clergy will be better adapted to climate and local conditions that they are more conversant with the language and customs; that they can be more intimate and free with their people; that they will be more trusted since the sent missionary will always remain, more or less, a foreigner to those he has come to save. We know this. But this is not enough. And the result has been, at times, that the desire for a native clergy has been too hasty and the unfit have been rushed through. Once again, it is the heresy of numbers; of quantity rather than quality.

Yet, we must not be too severe and more canonical than the code. "Il y a certainement des jeunes gens sur lesquels on ne peut avoir le moindre doute (croyances si extraordinaires et leurs mœurs si relâchées) mais on ne peut nier le cas contraire, surtout si on ne les retire pas de milieu où ils sont nés et où ils ont vécu dans leur jeunesse. C'est cette crainte qui a poussé certains Vicaires Apostoliques à envoyer en Europe les candidats au sacerdoce afin de les arracher à l'ambiance de leur pays, de leur faire voir la vie et les idées sous un aspect différent."

"Un point très important pour tout ecclésiastique et plus encore pour le prêtre indigène; la vie domestique.

Car si le prêtre Européen est en lutte à de nombreux périls en pays infidèles, le prêtre indigène y sera encore plus exposé, ne pouvant généralement pas vivre en communauté." (196)

"Il me demandait si nous avions dans notre vicariat de Fernando Poo des seminaristes indigènes. Je lui dis que nous en avions sept, mais que beaucoup de personnes pensaient qu'il était inutile de dépenser du temps et de l'argent pour les former, car, vu leur inconstance, ils pourraient bien tout abandonner au moment où on y penserait le moins. Alors Monseigneur Bianchi, sursautant, me répondit avec grande vivacité; Eh bien, ceux-là je les ferai venir à la Sacrée Congrégation des Religieux et je leur montrerai la quantité de demandes pour dispenses de vœux, faites, non par les indigènes de couleur, mais par les Européens." (197)

We shall give a few Pontifical documents not so much to prove the necessity and utility of having a native clergy, but rather to point out what qualities are to be demanded from them and what testing they are to receive prior to their being given Orders.

"Omnino providendum esse ut qui ex Indis fuerint magis habiles, post diligentem et exactam eorum instructionem, morumque eorundem per aliquot annos probationem, et in pietate christianaeque religionis functionibus exercitationem, ad sacros ordines usque ad sacerdotium inclusive promoveantur." Then there follow reasons for this. (198)

(196) Semaine de Missiologie, Louvain, 1929, p.42

(197) " " " " " p.35

(198) Coll. S. Congreg. de S. F. Romae, 1893, p. 80

"Pro ordinatione Indorum, curandum ut sacerdotum nationalium numerus inibi et in omnibus regionibus instituetur et promoveatur, ut per totam regionem et per domesticas domos diffusi, fides firmiter agat radices, etc."

"Cum autem alumni ad eam aetatem pervenerint, quae ad sacros ordines suscipiendos necessaria est, non statim nec nimis facilitate eis manus imponent; et prae oculis habeant ea quae Synodus Dutchuensis eloquitur; nimirum ut nemo ad sacerdotii dignitatem assumatur qui per LONGUM TEMPUS non fuerit probatus, et iterum: nemo ad ordines sacros assumatur nisi quem post longam in seminario probationem, celestis sapientia, probi mores, diuturna iustitiae et castitatis observantia, competentisque scientiae acquisitio commendent. Et, si necesse sit, sacram ordinationem ultra communem annorum terminum, n. 24 absolutos, retardare pro sua prudentia non dubitent." (199)

This shows that there is greater care needed and that there is need for a longer period of probation. And we note in this quotation the implied teaching that Superiors must take into consideration not only the candidate's present but also his future. There is question of "mores congruentes conservandi" as well as "habendi hic et nunc".

"Jam vero clerum indigenam, ut speratos fructus afferat, omnino necesse est bene conformare et fingere. At nequaquam satis erit ad hoc institutio quaedam inchoata et

rudis, talis scilicet ut quis ad sacerdotium ineundum evedat idoneus, sed plene debet esse perfectaue et numeris omnibus absoluta, qualis sacerdotibus cultarum gentium tradi solet." And for anyone desiring the mind of the Holy See regarding a native clergy, we refer them to this splendid letter of Benedict XV.

"Hoc vobis imprimis curandum est ut inter plurimos magno studio perquiratis ac secerneatis viros aetate ac corporis valetudine sustinendis laboribus idoneos; tum vero, quod plaris est, non mediocri caritate ac prudentia insignitos; quae virtutes, non aliorum iudicium ac conjectura, sed diuturnus rerum usus et experientia aliis in muneribus cum laude peractis probaverit; qui secretorum sint oepas tenaces custodes, qui gravitate morum, comitate, mansuetudine humilitate patientia et omni virtutum exemplo, christianae fidei, quam oprofitentur, opere adstipulentur; qui denique ad evangelicae caritatis normam efformati aliorum sese ingenio ac moribus accomodantes, nec sociis quibuscum vixerint graves, nec exter inuisi ingratiue reddentur, sed cum apostolo fiant omnia omnibus." (200)

This is a splendid quotation for it gives us in a very concrete fashion those qualities that are most needed by a missionary. And we note that there are virtues stressed here that were not stressed when we were asking what qualities can be dispensed with--but some of them are much more important for missionaries than for those at home. The citation

we have given above tells us of a severe testing, of the need of a great patience and of adaptability. Greater zeal is also urged.

".....Quod si, ex una parte, omnis diligentia adhibenda est ut idonei sacerdotes saeculares et animarum rectores inter indigenas eligantur; ex altera, in eodem clero gubernando ita procedi debet ut naturalis ejus gentis indoles, nimis ad ambitionem et turbas prona, quod se extolli videt, novos inde stimulos non accipiat." (201)

"Ad mores quod pertinent sacerdotum Vicariatus tui, si tales revera fuerint quales describuntur, eos multa reformatione indigere negari non poterit.Ne vero novus qui exsurget clerus in hoc vicariatu talis sit qualis esse videtur qui nunc est, sed talis futurus sit qualem divina et ecclesiastica jura esse volunt, et S. C. vehementer exoptat; prae oculis habere debetis illud Apostoli monitum: manus nemini cito imposueris." (202)

"Sacra Congregatio.....districte praecepit ne deinceps religiosos suos Generales ad Indias mittant nisi illis sufficienter constiterit quod viri sint fide, morum probitate, doctrina, regulari observantia, ac zelo propagandae fidei catholici praediti." (203)

"Voluit nimirum Pontifex ille Maximus ut in Urbe totius catholici orbis principe adolescentibus cujuscumque regionis et quocumque idiomate loquentibus adminicula omnia

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| (201) | Coll. | S. Congreg. | de P. F., | p. 89 |
| (202) | " | " | " " " | p. 82 |
| (203) | " | " | " " " | p.102 |

praesto essentet ad sinceram germanamque pietatem informarentur, ut apti idoneique efficerentur." And later on when speaking of admission, there is said to be need for "congruus morum sanctimonie" and subjects are told that they must be "dociles, habentes omnes virtutes, sancti." (204)

"Nemo ad ullum (minorem licet) ordinem promoveri potuerit nisi prius luculentum pietatis industriaeque suae specimen praebuerit."

"Verum priusquam in Alumnos excipiantur, per quatuor aut sex menses in probatione manebunt quo tempore officium sit superiorum de moribus, indole, ingenio et vocatione sedulo inquirere ut si quis minus idoneus reperietur, statim dimittatur." (205)

"Verbum Dei non his artibus sed caritate, rerum humanarum contemptu, modestia, patientia, et oratione..... disseminandum est.

"Imo optimus foret consilium ut cum quis admitti in seminarium peteret, vel fortasse missionarii idoneum putarent, ipsi eum in servitio alteris per unum aut duos annos saltem exerceant, vel etiam, si fieri possit, apud se retineant, illius propensionem, mores, docilitatem probaturi Quippe maximi interest attente sinensium natura, adolescentulos ipsos, quos, primum fieri potest, sub cura missionariorum ipsiusque ecclesiae versari, de eorum indole diligenter inquire, neque eos admitti nisi vere spes affulgeat

(204) Bullarium Pontificium J.C. de P.F. Romae, 1841, V. I

(205) " " " " " II, p. 298

eos ecclesiasticis ministeriis perpetuo et sancte inservituros." (206)

One other question remains to be discussed, for it concerns the suitability of the native clergy for Holy Orders. In fact, it is a larger issue than for the native clergy alone. We wish to discover whether it is more advisable for the native clergy to be formed and prepared for the priesthood in the mission country or whether it is better to send them for their training to Europe. And again, is it better for those at home who are training for the foreign missions to have all their training at home or should some of it--or all of it--be given in the mission country? And when we ask these questions, the end we have in view is not so much physical and intellectual formation as spiritual. In other words, will the candidate find it easier to develop that character suited to Orders at home or on the missions? And will the native candidates be better enabled to present "mores congruentes" by remaining in the pagan country or will they be better formed if they are sent to Europe for their seminary days?

It is not possible to give a uniform answer to this question. The answer will depend on the mission country itself, on the tribe or race of people from which the candidate comes, on the effect of external and foreign ideas on their mentality, on the gain in having them sent away from their own surroundings. For some it will be a definite gain to be sent to Europe; for others it would mean a loss, and for others it would mean shipwreck of their vocation. And

on the other hand, some training on the missions may well sift true vocations from false and winnow the chaff from the wheat.

Dubois treats of this question at some length. He asks himself this question: "Où se fera cette préparation?" And he answers that there are three possible solutions and methods. (207)

The first is: Envoi des sujets directement aux missions dès le noviciat.

Avantages: Attire pour les vocations. Ceux qui désirent être missionnaires ont peine à accepter les longues attentes.

Inconvénients: Embellissements et illusions juvéniles.

Difficultés pour la formation religieuse à cause des libertés plus grandes. Perte de contact avec la vie Européenne. Dans certaines missions autre danger plus grave d'un milieu trop brutalement corrompu, qui rend moralement impossible l'envoi de tout jeunes gens.

The second method is: Envoi de sujets complètement formés après les études.

Avantages: Vocation plus mûrie et caractère plus formé et tout ce qui s'en suit.

Inconvénients: Difficultés de climat, langues, etc.

The third method is this: "Système intermédiaire qui partage le temps de formation entre ici et là-bas." This

means, for example, that the subject would spend some time on the missions before the priesthood and then return to Europe for studies. Another variation of this would be to have some studies at home and to finish on the mission. So there are really two divisions of the third method.

For those who go on the mission and return for study, there are the advantages of the first method given above. But there are disadvantages, such as loss of vocation for the missions, since often the subjects will not return to the missions. But this can be an advantage too. Better a timely discovery than a tardy one of no vocation to the mission life.

For those who do some of their studies at home and finish then on the missions, there are these advantages: "Le candidat est encore jeune au départ; la vocation a eu le temps d'être examinée et mûrie; moins de dangers de côté moral.

"Il y a certainement des jeunes gens sur lesquels on ne peut avoir le moindre doute mais on ne peut nier le cas contraire, surtout si on ne les retire pas du milieu où ils sont nés et où ils ont vécu dans leur jeunesse. C'est cette crainte qui a poussé certains Vicaires Apostoliques à envoyer en Europe les candidats au sacerdoce, afin de les arracher à l'ambiance de leur pays, de leur faire

voir la vie et les idées sous un aspect différent."

(208)

Here we see the other side shown and the advantages to be gained in sending the native seminarians to Europe for their training. But the author realizing the danger, adds: "Il faudra réfléchir avec circonspection sur l'endroit où devront être placés les indigènes aspirants au sacerdoce, car les conséquences pourraient en être plus funestes que leur séjour en Viceriat."

We know of the setting up of national schools and seminaries for the natives in Europe. "The tragic collapse of the vast majority of these attempts demonstrated that such a transplantation of exotic plants into an entirely strange soil is, as a rule, doomed to failure, primarily because of hygienic dangers of climate, but also because students are all too liable to suffer serious spiritual harm as the result of artificial Europeanization and a consequent estrangement from their nationality and loss of their special racial gifts. Seminaries for their training must be established in the mission territories themselves." (209)

This is strong and emphatic language and the author takes the view that generally speaking it is a serious mistake to send the native students to Europe for their training as it too often results in their losing or not getting that

(208) Semaine d'Études Missionnaires, p.42

(209) Schmidlin, Op. Cit. p. 420, fn.

For General Works Cf.: Brou, S.J., St. Francois Xavier
Goyau, Missions et Missionnaires

" L'Eglise en Marche

Instructiones Missionum Ordinis Carmelitarum

For Papal Documents, Cf. Schmidlin, p.322

character suited for the reception of Orders. However, we must not be too positive on this point for even today we have in Europe--in Rome itself--schools and seminaries for the native students. But we do agree with Schmidlin that there is danger and that we should examine the candidates before sending them from their native land.

We have given evidence on previous pages of the desire to give these candidates a longer period of training and of testing them most thoroughly. We have also seen the advice given that the young candidates should be taken from their own homes and taken into the priests' homes, if that is at all possible. It is also clear from pontifical documents and from experience that the best beginnings are made from the schools of catechists. Here is an ideal recruiting ground for native clergy. These schools for catechists will be as nurseries. And there is the further advantage that the subjects will thus be better tested. Schmidlin is quite opposed, in general, to the native seminarians going to Europe for their training. He says that hygiene, finances and pedagogy are against this method of formation and that they will be better trained if they stay in the pagan country. For him this mechanical transplanting of European methods and hermetic seclusion from the outer world is not always the best method. And this applies equally well in his mind when seminaries in the mission countries imitate too slavishly the European seminaries. According to the Decrees of Synod for Japan and Korea, candidates are to devote two months of their summer

vacation not merely to recreation but also to testing their vocation outside the seminary--if possible in the circle of their own families or otherwise, at the house of a priest who will give testimony of them at the end of the summer.

What then are the qualities necessary in a missionary in order that he may be said to have a character suited to the reception of Orders? We think that they are adaptability, patience, zeal, interior life, and chastity. These are the absolute minimum and without them a subject could not be said to be fit for Orders.

In our chapter dealing with chastity, we saw that there was danger of sin at times due to what we call "compensation". This is more true of those sent to the mission field. For often the surroundings make the preservation of this virtue most difficult. Then there is the difficulty of getting a confessor, and the ease of concealing sin. Loneliness, fear, discouragement, climate, all these factors make chastity more difficult than for those at home. And this is why we think that only those of a cheerful and optimistic temperament should be sent, for with a tendency to gloom and discouragement, there will be a temptation to seek relief and release and to ensure compensations for all privations and misery. There is a close and intimate connection between loneliness and chastity, between fear and chastity; between climate, health, and chastity. All these factors must be taken into consideration.

It can well be that a candidate, if he remains at home, will do great work and will bring no scandals to the priesthood. Whereas were he to be sent to the missions, he would sin and fall and be a disgrace to the priesthood. We must always remember that grace is built on nature. At home there are more aids and protections and there is a wall of public opinion which helps immensely. These removed, many a man would fall. Therefore, on the missions we demand a character that can run from within, with a deepened interior life, with a strong will; one who can carry on even when the bulwark of public opinion is absent. It is evident then that we must make a close scrutiny of the subject's family and past history. And we should be quite reluctant to send on the missions those who have suffered lapses of chastity in the past, even though they have overcome the habit. The loneliness, isolation, absence of companions, need for recreation, trials and fatigues, would all combine to make a recurrence of the old trouble easier. We shall have more to say of this in our final chapter where we shall speak of the difference in degree of virtue that we expect from the home and missionary priest.

If this is true of the priest sent to the missions, how much more true of the native clergy with their background of sin and disease and their whole mentality. Schmidlin seems to doubt that the obligation of celibacy for all the native clergy is a wise step and suggests that things might be better were the native clergy allowed to marry. True, celibacy is

the great obstacle to a numerous and holy native clergy. Personally, we do not think that celibacy should be relaxed for them. First of all, the sacrifice entailed brings down God's blessing and if the priest's life is meant to be anything, it is meant to be one of sacrifice.

Again, there is the power of example and the lessons inculcated. For the triumph of grace over nature will be evident and will be a sermon itself that will be most powerful. Still, the fact that there is questioned the advisability of urging celibacy on the native clergy shows the difficulties that must be faced. Were the law of celibacy to be withdrawn on the missions, then we should have two standards of chastity--one for the home clergy and another for the missions.

For this reason is such stress put on a longer period of probation and testing of the native candidates. For often it will be a number of years before a candidate may be said to have a character suited to the reception of Orders.

Another entertaining subject would be for us in America to ask how and why it is that we have so few Indian and Negro priests in our countries. As far as we can discover there is but one native Indian priest in Canada. And the number of Negro priests is very few and nothing at all commensurate with the need. We know the mind of the Holy See regarding the choosing of a native clergy. We have very few. What conclusion must be drawn? It would seem to be that our Indians and Negroes are such that they cannot show

that character suited to the priesthood. In other words, our Indians and Negroes cannot fulfil the requirements of canon 973, n.4.

But is this true? We think it can be said to be true of the Indians, for experience has shown that they will not persevere and that the life of a priest makes too many demands upon them. Their chief difficulty seems to be instability and fickleness. They will work towards a goal, but when it is obtained, they grow lax and restless. We have tried several out and have found this to be true. Even in the religious life when there is to be no priesthood, our experience has been that they do not persevere and that they cannot live the life over a period of years. With our knowledge of Indians, we know that for them the keeping of chastity is beyond them, generally speaking. But we must not underestimate the efficacy of grace and the love of God. But heredity and a long history of excesses have given the body a definite bent with the result that the struggle ordinarily, would be too much for them.

We do not think that the same applies to the Negroes and the Eskimos. Still, it is worth while, at least, to be conscious of the problem and to debate whether a concession of marriage to them as priests would help in a solution of our having a native clergy for them in America. For us, we are completely opposed to this concession. And we feel that the good foreseen is but an imagined good.

CHAPTER V

SEMINARIES--MEANS TO THE END

CHAPTER V

So far we have seen what qualities should be had by those aspiring to Orders. We have studied what the pre-code and post-code writers had to say on this point. And in our last chapter we asked whether or no we are to exact the same high requirements from the mission priests and native clergy as from those at home. All this was in our endeavour to discover what qualities are expected by the code when it postulates in the candidates for Orders a character suited to the Order to be received.

But this suitable character is not to be plucked casually from the ether nor is it something that we don and doff at our will. There must be a training for it. We have but to consider the dignity of the priesthood to reflect that we should not rush into such an honour rashly and without preparation. To obtain the consummation so devoutly to be wished --a suitable character--there must be a means. And the means sanctioned by Canon Law today is the Seminary.

Many books and theses have been written on seminaries and so it is not our intention to cover the same ground. We aim to consider seminaries from but one limited point of view; namely, in as much as they are a means to the acquiring and retaining of that character suited to Orders. So far we have been asking, what constitutes a suitable character? Now

we are asking: How can this character be obtained and safeguarded? The seminary is the normal means sanctioned and canonized by church legislation. "Curandum ut ad sacros ordines adspirantes inde a teneris annis in seminario recipiantur; sed omnes ibidem commorari tenentur saltem per integrum sacrae theologiae curriculum, nisi Ordinarius in casibus particularibus, gravi de causa, onerata ejus conscientia, dispenseverit." (C.972. n.1)

"qui ad ordines adpirent et extra seminerium legitime morantur, commendentur pio et idoneo sacerdoti, qui eis invigilet eosque ad pietatem informet." (C.972, n.2)

That the Church views this means as being of great importance is clear from the canon above quoted and from the words: "gravi de causa, onerata ejus conscientia, tenentur, saltem,". The seminary, then, is the normal means of formation for fostering and protecting a character suited to Orders. It is the clerical novitiate. Training of clerics outside the seminary is to be the exception as we saw above. Were we to think of our Church without seminaries, we should quickly realize what a void there would be, how the difficulties in getting a worthy clergy would be increased and how sorely tried would be our Bishops and other Superiors in their efforts to discover the true character of their candidates.

"Institutio Seminariorum praebuit Episcopis medium simplicissimum et efficacissimum exsequendi supradictum decretum Tridentinum de examine Ordinandorum." (210)

"Sunt igitur ex potissimum de causa seminariorum erecta ut in eis boni strenuique operarii ad curationem animarum instituantur et ii quidem adolescentes qui ob aetatem, cum tenere sit et proclivis ad voluptates, et flexibilis etiam ad bonarum rerum impressiones admittendas, in operibus virtutum erudiri debent, ut eam vitae perfectionem adipiscantur quae in eiselucere debet." (211)

"Ce que fait le séminaire, ce n'est pas uniquement l'étude des sciences ecclésiastiques. C'est encore la vie en commun, à l'abri de dangers du monde dans la pratique des vertus chrétiennes et dans les habitudes de piété, sans la direction de ceux qui sont capables de discerner les âmes sacerdotales de celles qu'il faut écarter du sanctuaire." (212)

That the Church has a right to seminaries is clear from canon 1352: "Ecclesiae ius est proprium et exclusivum eos instituendi qui ecclesiasticis ministeriis sese devovere cupiunt." (213)

It was the decree of Trent establishing seminaries in each diocese that, more than any other cause, reformed the Church from within and rooted out existing abuses. Without seminaries it would be very difficult to ensure the actual working out in practice of the canon we are studying. 10

(211) Tronson, Oeuvres Complètes (Migne) I & II, p.154

(212) Coste, Monsieur Vincent, I, p.294

(213) Denzinger, N.1733, 1745-46

shudder to think of what would happen were all seminaries to close their doors. We have but to think of those countries over-run by a barbarous foe to realize what happens when seminaries are shut.

In a certain sense seminaries have always existed, from the time that the Church came forth from the catacombs. This training was not as organized as today and the word "seminary" was not used, but the thing was there. From its very nature the form and method of education for the clergy must evolve and develop. But it was always understood that a special training was necessary for priests. The Church has always given her clergy training though the length of formation has varied. We intend to give very briefly the history of seminaries, to discuss the qualities demanded for admission to them, the reasons for dismissal and expulsion, because all this will be of aid to us in our study of the canon we have chosen as the subject of this thesis. It is evident that if there were no seminaries and if the Bishop had to have moral certainty of the candidate's fitness for Orders (as he must, from positive arguments) it would be a well-nigh impossible task. With the seminaries and with all the supervision of Superiors and teachers and spiritual fathers etc., the Bishop can always feel that in accepting their advice, he cannot go wrong. Though he can always find out for himself, if he is not satisfied, or doubts.

We find traces of a special training of the clergy in the life of St. Athanasius who, as a boy, was taken by the

Bishop of Alexandria and given over to ecclesiastical tutors. St. Augustine is usually looked upon as being the founder of seminaries for he gathered around him in his palace the young aspirants to the priesthood. Before his time there had been individual training given by various Bishops. (214)

"Quamvis enim monasterium clericorum ab ipso Augustino fundatum quoad vitam religiosam potius esset conventus clericorum regularium, tamen evidenter a coenobio monachorum fuit distinctum et per introductionem vitae cujusdam communis cum conversatione clerici digna et per praeclarum ordinem studiorum futura semina optime praeformavit." (215)

"De his quos volentes parentum a primis infantiae annis clericatus officio manciparit, statuimus observandum ut mox quam detonsi vel ministerio lectorum contraditi fuerint, in domo ecclesiae, sub Episcopi praesentia, a Praeposito debeant erudiri." (216)

".....ut in sedibus Ecclesiae proximis juniores clerici educentur sub cura sanctissimi senis, ejus oculos nec ad momentum effugiant.Prone est omnis aetas ab adolescentie in malum....ob hoc constituendum oportuit, ut si qui in clero puberes, aut adolescentes existunt, omnes in uno conclavi atrii commorentur ut lubricae aetatis annos non in luxuria sed in disciplinis ecclesiae agent, deputati probatissimo viro quem magistrum doctrinae et testem vitae habeant." (217)

(214) Benedict XIV, De synodo Diocesana, Lib.V, Cap.II, p.137

Lib.XI, 2,

Cf. also C.3 D77; C.5 D 28; C.1 C XII, g.1

(215) Fernz-Vidal, Jus Canonicaum, De rebus, 42, n.689, 88.

(216) Concil. Tolet II (531), Harduin, II, Col. 1139

(217) " " IV (633), " " " 1105

In the sixth and seventh centuries there was no education in the country districts, with the result that ordinarily a good Christian was chosen to be a priest. Often he was a serf from one of the castles. Education was much better in the eighth and ninth centuries. In the tenth, it was not as good, but in the eleventh to the fourteenth centuries there sprang up the Episcopal and monastic schools, and in the thirteenth century the great era of universities began to flourish. "Pendant les onze premières siècles c'est dans l'entourage immédiat des évêques ou des curés de campagne que les clercs se préparaient à l'exercice des fonctions sacrées. Ce séjour sera assez prolongé pour que l'on puisse connaître ses moeurs et sa conduite et ce n'est qu'après qu'il pourra être promu au sacerdoce, s'il en est digne." (218)

Rome in the eighth century. "Le clergé Romain se recrutait par deux voies, suivant la condition sociale des aspirants. Ceux de la classe populaire étaient élevés dans une sorte de séminaire, le schola cantorum; les enfants de classe noble entraient au palais pontifical." (219)

In later centuries, there is not much mention of these Episcopal schools. Some attribute this to the erection of colleges for clerics in monasteries. In these monasteries there were usually two types of schools: *claustralis*, *pro monachis ipsis*; and *externa*, *pro saecularibus*. After a

(218) Magnin, *l'Eglise Insegnée*, p. 49

(219) Duchesne, *Les premiers temps de l'Etat pontifical*, Ch. VI, p. 103, etc.

time the fervour of piety was chilled by learning, and the close relation with and dependence on Bishops by monks and monasteries was lessened. Then they began to think of what could take the place of these schools. (220)

"C'est que la piété n'a pas fait les mêmes progrès que les sciences dans les universités.....ce n'a été qu'afin que la piété suivît de près la science, que le concile de Trente a rétabli les séminaires et l'exercice des ordres mineurs.Les degrés de universités, par l'abus étaient devenus l'attrait de l'avarice ou de l'ambition de plusieurs ecclésiastiques affamés de bénéfices et la matière d'une infinité des procès. S'il restait quelques écoles dans les monastères, elles servaient uniquement à peupler de bons religieux ces ordres réguliers, non pas à donner au clergé des sujets choisis pour les fonctions cléricales." (221)

So we see that after the time of Augustine we had the various stages of Episcopal and monastic schools, later to be followed by the universities. The universities failed, chiefly because there was no segregation between the clerics and the ordinary lay students. So there was no training peculiar to the clergy with the inevitable results.

We shall now consider briefly the pre-Trent scene and see what was done by the Council to rectify matters and to start reformation from within. There is no need to deny

(220) Degert, Histoire des Séminaires Français jusqu'à la Révolution, I and II, Paris, 1912

(220) Thomassinus, Ancienne et Nouvelle discipline, t.2, par.3, p.596

(221) Thomassinus, Op. Cit. Vol. IV, Ch. 1, p. 181

the pitiful state of the Church at the time. When we consider the history of the times and reflect on the existing evils, we are not surprised to know that the clergy fell, in too many instances, into the same evils. The Black Death and other plagues had so decimated the population that there was need to choose priests from the best people in the country and towns. With no special training for this life, we are not surprised at the scandals. With the transition of the clerical training from the Episcopal schools and the monasteries to the universities, the last chance for a worthy priesthood went. Bishops complained of the ease with which subjects could be ordained by going to Rome after they had been turned down by their own Bishops. No wonder, then, that a great many of the Fathers at the Council of Trent wished to put the decree on seminaries in the first place among the decrees dealing with reform. The decree "Cum Adolescentium Aetas" is a turning point in Church history.

"Les abus qu'on reprochait si fort à l'église ne sont, dans les décrets de réforme, ni contestés ne épargnés. La première phrase du premier décret concède déjà sans circonlocutions que la discipline ecclésiastique était gravement déchuée et que les mœurs du clergé et du peuple étaient corrompues. (Sess. VI, de ref. c.I.) Mais avec une sainte gravité et un saint zèle, qui brille dans chaque décret et pour ainsi dire dans chaque phrase, les pères du Concile se levèrent pour parer à la corruption et rétablir partout la pureté primitive..... Ils ne cèdent pas au conseil de prévenir du moins,

par le mariage des prêtres, les infractions les plus grossières d'un clergé dégénéré. (Jess. XXIV. De Ref. C. 9) (222)

In fact, one of the things that most impresses us is that the Council was so strict and so anxious to preserve the primitive celibacy of the clergy. There was no compromise and the teaching of the Church was reasserted in all its vigour. No more would the church be "le refuge des cadets sans fortune et souvent sans piété" "Écoutant une plainte portée dès le début, le Concile défendit d'ordonner un sujet contre la volonté de l'Ordinaire.Le Concile ne crut pas devoir céder à l'exemple donné par les Protestants et aux demandes des princes en reconnaissant la validité de mariage des prêtres." (223)

"Mais c'étaient surtout la conduite et les mœurs des clercs qui excitaient les inquiètes sollicitudes des Pères. Ils ne parlaient de rien moins que de revenir aux dispositions des anciens canons sur la durée de l'épreuve à imposer à tous les candidats aux saints ordres. Trois ou quatre mois ne leur paraissaient pas suffire pour une pareille épreuve, surtout en matière de continence. Ils appelaient à leur aide les anciennes prescriptions de Vienne, ils entendent même qu'il soit interdit à tout séculier, fût-il âgé de plus de 25 ans, de monter en moins de trois ans des ordres mineurs à la prêtrise, sauf le cas d'aptitudes évidentes reconnues par l'Évêque." (224)

(222) Pastor, Histoire des Papes (Poizart et Berteval)
Vol. XV, p. 317-323

(223) DesLandres, Le Concile de Trente et la réforme du
Clergé Catholique au XVI^e siècle, p. 35, 36.

(224) Degert, Op. Cit.

Trent really changed nothing regarding the conditions for Holy Orders. Trent did legislate for conditions necessary for entrance into seminaries. The candidate was to be twelve years of age, able to read and write, and he must give hope of being some day an able minister of the Church. And this is all. We must remember that the Fathers knew that if the proper means were taken, the Church would again have good priests. It was the means that concerned the Fathers most--and the means they chose was the seminary. (225)

It is not our aim here to develop the role played by St. Ignatius and Cardinal Pole. They both had a profound influence on the Fathers of the Council and St. Ignatius was looked upon as a new Augustine.

"Le Cardinal Polus, dressant les articles de la réformation du clergé d'Angleterre en 1556, y ébaucha la première peinture des séminaires. Cette image est si semblable à celle qu'en dresse le Concile de Trente en 1563 qu'il faut nécessairement que l'une tienne beaucoup à l'autre et que si le Cardinal Polus n'a pas travaillé sur les projets du Concile de Trente il faut que le Concile ait mis la dernière main à ce que le Cardinal Polus avait ébauché. Mais on peut dire que St. Charles doit passer pour le père et le patron de tous les séminaires, parce qu'il les a portés à toute l'exacitude et à toute la perfection dont ils étaient capables." (226)

(225) Trent, Sess. XXIII, C. XVIII

(226) Thomassinus, Op. Cit. p. 182

"Collegium Germanicum a S. Ignatio in Urbe 1552 fundatum Patribus Tridentinis fuit occasio et exemplum ad normam illam et sapientissimum legem de seminariis."

So much for the magnificent work of the Council in its decree establishing seminaries. But the pity of it was that despite this decree there were many obstacles and one of these came from the Council itself. For though it introduced seminaries, it did not make attendance there obligatory and thus a great deal of the good work went for naught. "Nihilominus in disciplina ante codicem vigente determinatum quoddam tempus in seminario clericali transigendum juri communi non erat prescriptum antequam quis ad ipsos ordines promoveretur. Complurium autem diocesum statutis sapienter cautum erat ne cui saltem ordines sacri conferrentur nisi post definitum tempus aliquot annorum vel mensium in seminario clericali transactum." (227)

So despite the splendid work of the Fathers of the Council and despite their institution of seminaries, there was a great lacuna in their teaching and this omission was greatly to blame for the fact that it was over a century following the Council before seminaries really got under way--and then only because there arose a St. Vincent de Paul. The omission was this: while the Fathers legislated regarding the setting-up of seminaries, they did not bind clerics to attend them.

It is clear that if there was obligation to attend, then a great many would stay away--as they did. A great number looked on these seminaries as secular convents and prisons and again there was repugnance on the part of many to religious having the direction of seminaries. It is only with the Code that attendance at the seminary is made the ordinary condition for the reception of Orders.

A second difficulty, and a great one, was the narrow and incorrect interpretation given to the decree of the Council by those who had the interests of a worthy clergy at heart. "Mais la principale cause fut l'interprétation inexacte que l'on donna au décret du Concile, en réunissant dans une même maison et sous une même règle tous les clercs.....

All wished seminaries and admitted their utility and need; every Council passed resolutions praising them, but nothing much was done; they thought seminaries fine in theory, but impractical, and when they tried them and they failed (due to their incorrect interpretation) they were convinced that it was all but a pleasant dream. The Roman College begun by Gregory XIII developed into an Academy. St. Charles Borromeo seems to have been the only one who succeeded for some time in making a success of them. A great number shared the views of St. Francis de Sales: "J'avoue et je suis très persuadé qu'il n'y a rien de plus nécessaire dans l'église; mais après avoir travaillé moi-même pendant dix-sept ans à former trois prêtres tels que je les souhaitais pour m'aider à

réformer le clergé de mon diocèse, je n'ai pu en former qu'un et demi". (228)

It was St. Vincent who saved the day. At first he interested himself solely in giving retreats to priests, but he saw that too often it was a case of locking the door after the horse was stolen. So he then turned his attention to those who were preparing for the priesthood. And it was only after trial and error he made the important discovery that the mistake was made in having all the seminarians together, the older and younger under the same roof. "La grande innovation du XVII^e siècle dans l'oeuvre des séminaires en France n'a pas été précisément de séparer les uns des autres en les groupant dans des établissements distincts les grands et les petits seminaristes, mais bien d'ouvrir les portes des séminaires aux ecclésiastiques alors que précédemment seuls les enfants y entraient. La séparation des séminaires n'a été qu'une conséquence de cette réforme." (229)

"Canon 1354 est la consécration définitive de l'usage Français et la condamnation de l'interprétation étroite du Concile de Trente qui voyait dans l'emploi du mot collège, au singulier, l'interdiction de dédoubler le séminaire, interprétation que B. C. Borromée lui-même n'avait pas suivie." (230)

And so today as we look back on the pages of history

- (228) Bougeud, Histoire de St. Vincent de Paul, I, p.176
- (229) Coste, Op. Cit. I, p.304
- (230) Magnin, Op. Cit., p. 56

we feel a great debt of gratitude to the Fathers of the Council of Trent who gave us a means, so beneficial, and a means which today is reaping a rich harvest all over the world.

How better can the candidate's character be discovered than in the seminary? Even there, there can be deceit but the seminary does give us that means which will meet with the best results. The only alternative would be for the candidate to live with the Bishop and be trained by him. And that is impossible today for many reasons. After all, if the candidate passes at least four years in the seminary as Canon Law obliges him to do, and if the Superiors, teachers and spiritual Fathers know their business, as they should, then it will be possible to weed out the undesirables and to send them away in good time. Where the candidates have passed into a Little Seminary, this weeding out process is facilitated. There should be frequent meetings between the Superiors and teachers to discuss the character of the students. This does not fall within the scope of our thesis, but we refer our readers to several good books on the point.(231) And may we mention the letter written by Pope Pius XI on Seminaries. There the various officials will find in print what their obligations are.

We shall now pass to a further point in this chapter. We shall see what qualities are to be expected in the seminaries. And in asking this question, we are really asking what is re-

(231) Micheletti, (1) Constit. Semin. Clericorum

(2) e. Instit. Clericorum in Sacris Seminariis
Lehitton, La Vocation sacerdotale, p. 278, 28.

quired for the various Orders, since the seminary is the training school for them. Thus the bearing of seminaries on our canon is clear. We shall write briefly on vocation, on dismissal and expulsion. The reasons for dismissal will be a guide to us as to what positive qualities are expected. And all this will aid us in our inquiry into what constitutes a character suited to Orders.

The study of the question of vocation is a most interesting and provocative one. Vocation, however, enters but indirectly into our thesis. The second canon dealing with seminaries reads thus: "Dent operam sacerdotibus, praesertim parochis, ut pueros, qui indicia praebent ecclesiasticae vocationis, peculiaribus curis a saeculi contagiis arceant, ad pietatem informant, primis litterarum studiis imbuent divinaeque in eis vocationis germen foveant." (232)

But the codex very wisely refrains from giving a definition of what a vocation is. The closest approach is had in canon 538: "In religionem admitti potest quilibet catholicus qui nullo legitimo detineatur impedimento rectaeque intentione moveatur, et ad religionis onera ferenda sit idoneus."

Some thirty years ago there was quite a furore regarding this question of vocation and the matter finally had to be settled by the Holy See. For those interested in the subject, we shall give the references. (233) The occasion of the controversy was a book written by Canon Lahitton. And for

(232) C. 1353

(233) Lahitton, La Vocation Sacerdotale

A.A. S. 15 Oct. 1909

A.A. S. 15 July, 1912

S.30 June, 1913

those who wish to see both aspects of the problem we shall refer our readers to the early pages of Hurtaud's book where he gives the teachings of the two schools, Lehitton and Bransheresau. (234)

Prior to 1600 there was little or nothing written on the subject. And those who did write, wrote only of vocation to the religious life. St. Alphonsus wondered why the question of priestly vocation was so little studied and he quotes only Habert and Concina. The early writers are not at all clear as to what is desirable for vocation and what is indispenseable. One reason we treat the subject here is that while we admit the connection between vocation and mores congruentes, still, we wish to point out that they are not the same. A suitable character is but one of the elements making up a vocation. We can picture a person with a suitable character and yet not called to be a priest. A man might have a noble character and yet not have sufficient health, the right intention. Again, a man might have a right intention and fine health and yet not have the character necessary for a priest. So it is not correct to identify them completely as some writers do. From our early chapters we recall that some canonists referred us to their remarks on vocation as an explanation of the canon we are studying. This is an error. The teaching of the Middle Ages is very terse. For a great number, including St. Thomas, it was

(234) Hurtaud, La Vocation au Sacerdote, p. 1-11

enough to have a life morally good and sufficient knowledge. Trent does not set down any more. We have not found any of the early writers who treated the possibility of sending away good persons who lacked a vocation. Even in the rules that St. Charles Borromeo drew up, the teaching on vocation is not too clear. St. Ignatius demands nothing more but good conduct and a moral formation for the students in his German College. The Councils stress the intention of serving the Church and the absence of impediments.

Later, when the Ordinandi spent only the time of retreat prior to Ordination in the seminary, there was need to formulate a series of questions for the scrutiny and thus we find all qualities listed under the heading of vocation. Lehitton claims that the word was always used in the active sense by the Fathers. He also says that the word itself was not used until the seventeenth century: "On ne parlait que des dispositions requises." He claims that interest was aroused in the study of vocation after the decree of the Council of Trent regarding seminaries. "L'état ecclésiastique était un métier, et le plus facile des métiers; y entraient qui voulaient, sans vocation, et sans préparation. Sans vocation, car l'appât des bénéfices et la volonté des parents remplaçaient presque toujours l'appel de Dieu; c'était la règle dans les familles nobles, que l'aîné, s'il était disgracié par la nature, devenait homme d'église, et s'il était normal, laissait cette carrière au cadet.

Sans preparation car les décrets du Concile de Trente n'étaient pas encore appliquées." (235)

And so the study of vocation really owes its origin to the abuses in France. There was a reaction against all the existing abuses in the clergy and there was a real desire to apply the decrees of the Council. Therefore they wished to rid France of these unworthy priests. Thus the idea of vocation was brought in with the added notion of "attrexit". Hitherto, most had been content with a general teaching that would demand the candidates to be "dignos, idoneos, aptos, probos" etc. as we saw in our first chapter. Hallier is one of those who really paved the way for future discussion, as his work was written some twenty years prior to the decrees of the Council.

This is all we intend to write on this topic as we are satisfied to point out the distinction between a vocation and a character suited to the priesthood. *Mores congruentes* would be a part of a vocation but not entirely identified with it. Many a man is living a good life and yet has no vocation. But we do admit that there is a connection and it was for this reason that we treated the question. It is evident that those who treat of vocation will give reasons for and against admission to seminaries; they will treat of the qualities needed; and so they give indirect testimony to our thesis when we say that the candidate must have a suitable character.

We shall now treat of the qualities needed by the seminarians. As a matter of fact, all that we have said in former chapters about the qualities that go to make up a suitable character, apply equally well here. But in those chapters we were voicing the opinions of canonists. In this chapter we intend to give the views of those who are Directors or guides of seminaries. We shall take from their teachings what we judge to have a canonical bearing and leave for others their pastoral and ascetical teaching.

We think it well to quote one author at some length and we have chosen Icard. He calls our attention to the difference between a person with a bad character and a person of bad humour.

He asks for "pureté de foi, sainteté de mœurs, la modestie, zèle pour la gloire de Dieu et salut des âmes. . Il faut que les seminaristes comprennent bien que les temps actuels demandent d'eux des vertus plus éprouvées et portées à un degré qui pouvait être moins nécessaire dans les siècles passés. Le milieu où ils sont appelés à exercer le saint ministère exige beaucoup plus..... avec des vertus médiocres ce ne serait pas moralement possible." We think that the author is mistaken here for he seems to imply that the standard is one dependent on circumstances of time and place. Since he wrote before the code, however, he is but one of many who made the same error.

Icard insists on the possession of solid virtues and wishes to see more than the surface of the soul touched. The

seminarian's life should be more than a set of external practices. "Nous devons en dire autant de quelques défauts de caractères portés à un certain degré qu'on n'espère pas pouvoir corriger et qui sont une autre sorte d'obstacle: le caractère léger et inconstant, dur, irascible, emporté; mou, indolent; un penchant prononcé pour les passions déréglées, l'impureté, l'avarice, etc. Ceux en qui l'on remarque ces défauts ne sont pas propres au service de l'église il y a de ces défauts dont on ne triompherait que par une grande vertu et des efforts soutenus." (236)

And speaking of the inquiry to be made regarding "mores", he writes: "Ceci demande une attention particulière; car il y a certains désordres de conduite comme l'ivresse, le penchant déréglé à la boisson, des inclinations ignominieuses qui ne se corrigent que très difficilement et qui reparaissent dans la suite. Nous parlons des habitudes de la vie et non de quelques traits accidentales de mauvaise humeur ni de certaines infractions des règles, qui ont moins de gravité. Deux jeunes gens peuvent commettre la même faute sans qu'elle ait la même portée, la même moralité dans l'un et l'autre." This last sentence can lead to wrong conclusions. For it is not a question of the sin so much as of fitness for Orders. It is true that all sin will necessarily be an indication of fitness or non-fitness; but it is wrong to make this the only standard. As we said before there could be a candidate who, formally, would not be sinning and yet who

(236) Icard, Traditions de la Compagnie des Prêtres de St. Sulpice, p. 93, 276, 294, 335

was in no wise suited for the priestly life. So we must be on our guard against such sentences as the above. They are ambiguous, to say the least.

"Celui qui a été sujet à certaines passions ignominieuses, doit être ordinairement écarté de la cléricature alors même qu'il paraît sincèrement contrit, parce qu'il est à craindre que ces maudits penchants, reprimés pendant un certain temps par les exercices du séminaire, ne reprennent plus tard leur empire.

"On croirait pouvoir appeler à la tonsure à la fin d'une première année, le jeune homme qui par séduction ou par faiblesse, se serait laissé aller à des désordres de mœurs, dont il aurait contracté l'habitude, s'il s'était converti et s'il avait commencé à mener une vie chrétienne avant d'entrer au séminaire, et qu'il se fût comporté en bon séminariste, qu'il eût habituellement rempli ses devoirs. Mais s'il était demeuré dans ses mauvaises habitudes jusqu'à son entrée au séminaire, on différerait son appel.

"S'il s'agit du sous-diacre, l'épreuve doit être plus longue. Peut-être fermerait-on les yeux, sur une chute particulière accidentale, secrète, occasionnée par une violente tentation, surtout s'il avait résisté longtemps et s'était relevé promptement.dans ces épreuves le temps est bien assurément un élément considérable; mais nous tenons compte aussi de la manière dont cette épreuve est subie, de la nature des chutes passées, des causes qui les ont amenés, de la ferveur ou de la lâcheté du sujet.

"D'après la nature et les causes diverses des rechutes, l'épreuve devra se faire dans le monde ou bien elle pourra se faire aussi dans le séminaire; quoique un certain temps passé dans le monde soit toujours utile, pour voir si, quand le jeune homme est livré à lui-même, il demeure fidèle aux exercices qui doivent le protéger contre ses faiblesses.

"Ce ne sont pas seulement les fautes et les habitudes contre la pureté qui demandent une épreuve pour le sous-diaconat. Il y a d'autres penchants très dangereux et qui doivent être l'objet de la sollicitude. Ainsi voit-on des hommes qui, n'ayant rien de grave à se reprocher du côté de la pureté, manquent d'énergie pour l'accomplissement d'autres devoirs essentiels. Ils paraissent indifférents pour le bien, ne le pratiquent que quand ils y sont poussés, l'abandonnent quand ils sont rendus à eux-mêmes; ces hommes, s'ils ne changent pas, ne sont propres à l'état ecclésiastique, qui n'exige pas seulement qu'on soit exemptés de vices mais que de plus on ait ces vertus solides. Disons le même, et à plus forte raison, des hommes mondains, des paresseux, de ceux qui sont adonnés à l'abus de la boisson.

"L'ivrognerie est un penchant abject, qui n'est pas moins difficile à corriger que l'habitude de la impureté. Celui qui aurait contracté autrefois ce vice lorsqu'il était dans le monde, pourra bien n'y pas retomber pendant son séminaire; mais le directeur ne peut pas être rassuré sur son avenir, s'il ne

passé un temps notable dans le monde d'une manière irréprochable.Si le pénitent, partagé entre la passion et la crainte, est dans une espèce de compression morale, redoutant une faute moins par l'amour de Dieu que par l'apprehension d'un plus long délai, il n'y aurait qu'une faible garantie de sa persévérance.

"Le sous-diaconé qui depuis son ordination serait retombé dans des fautes graves et qui se présente pour le diaconat, doit subir les mêmes épreuves; elles seraient même plus sévères à raison de l'abus qu'il a fait de la grâce." If the falls are from habit, then; "On exigerait que le coupable eut passé un ou deux ans d'une vie régulière et pénitente avant de lui promettre d'avancer.

"La situation devient plus délicate et plus grave quand il s'agit de la promotion au sacerdoce.Il faut bien pourtant que l'intérêt de l'église et des âmes triomphe de ces difficultés humaines, et, sous aucun prétexte, il ne lui sera permis de recevoir le sacerdoce."

DEGERT.-- "L'esprit de foi inspirait son activité, le zèle, le stimulait, la dignité de vie, les vertus et la piété recommandaient son ministère auprès des âmes." (237)

"Illa maxima cautio adhibenda est in eo praecipue ut idonei clerici in seminario recipientur.sed multo magis morum ac disciplinae in singulis ratio habeatur. Quales enim ii fuerint qui admittentur, tales prorsus a seminario

fructus existent.Unde non recipientur nisi bonis moribus et indole praediti, non asperi nec duri, domesticae disciplinae libentius obtemperantes."

TRONSON.-- ".....Je trouve six sortes d'esprits qui sont contraires à l'esprit du séminaire: l'esprit séculier, singulier, écolier, railleur, critique, de cabale." (238)

"Spiritual training does not consist merely in the acquisition of goodness and moral honesty; it embraces also all that group of virtues by means of which the priest ought to become a living image of our Saviour.....it is not enough that the disciplinary rules of the seminary be observed well, that the common religious exercises be attended by all..... All this is necessary. These matters, however, are presupposed in a well-organized and well-governed seminary. What is just as important--and to this we call your special attention--is that in every seminary there be one who will make it his special office to look after the spiritual formation of the students." (239)

LAHITTON.-- Says that in case of indecision the candidate should usually be let go. He stresses the testing of the right intention. Says that this will be more necessary in some countries than in others. And from the Papal documents we know that this is so and that in some European countries there is more danger of people joining the seminary to avoid work, and to seek a life of ease, etc.

(238) Oeuvres Complètes, I, p. 10

(239) Bouscaren, Canon Law Digest, I, p. 647, 33.

When he speaks of the different types of seminarians, he mentions those with "l'esprit bonné". These are to be sent away early on, says our author. Lehitton points out that the virtues given by St. Paul are mostly natural ones. And he shows that this is quite correct for natural honesty is the basis of priestly holiness. The best support and protection of the supernatural virtues are the natural ones for grace is built on nature. He then quotes from Mgr. Le Camus:

"Ma conviction bien arrêtée est que cette honnêteté naturelle doit être inscrite la première sur le certificat de celui qu'on vous présente pour le séminaire car si elle n'est pas innée, il sera difficile de l'acquérir et on risque fort de multiplier dans le sanctuaire la race détestable et dangereuse des rusés, des intriguants, des surnois et des trompeurs.quand l'âme du candidat séminariste ne rend pas d'abord le son de l'honnêteté, fermez-lui le porte. si vous voyez dans le coeur du séminariste, même le plus régulier, le plus fervent, le plus intelligent, des éléments qui vous fassent craindre pour son honnêteté future, dites-lui avec douleur, mais sans hésitation, qu'il n'est pas pour l'église."

HURTAUD.-- "que dire de l'intempérance et de la honte qui s'attache à ce vice dégradant. Tous les moralistes sont d'accord avec l'expérience commune qui nous dit que le caractère propre de ce vice est d'être inamissible. qui a bu, boira."(240)

What we have written will give us an idea of what qualities we are to demand from our clerics and what vices and defects are to be guarded against. And these vices and defects lead us naturally to treat of dismissal from the seminary.

"E seminario dimittantur dysscoli, incorrigibiles, seditiosi, ii qui ob mores atque indolem ad statum ecclesiasticum idonei non videantur; itemque qui in studiis adeo parum proficiunt ut spes non effulgeat eos sufficientem doctrinam fore assecuturos; praesertim vero statim dimittantur qui forte contra bonos mores aut fidem deliquerint." (241)

So much for the canon giving the reasons for dismissal from the seminary. Before we study it, we wish to quote another canon: "Licet lex nullam sanctionem oppositam habeat, legitimus tamen Superior potest illius transgressionem, etiam sine praevia poenae comminatione, aliquo justa poena punire, si scandalum forte datum aut specialis transgressionis gravitas id ferat; secus reus puniri nequit, nisi prius monitus fuerit cum comminatione poenae, etc.

"Pariter idem legitimus Superior, licet probabile tantum sit delictum fuisse commissum aut delicti certi commissi poenalis actio praescripta sit, non solum jus, sed etiam officium habet non promovendi clericum de cujus idoneitate non constat, et, ad scandalum vitandum prohibendi clerico, etc." (242)

(241) C. 1371

(242) C. 2222

And let us recall the words of the Council of Trent in its decree on seminaries: ".....Dyscolos, et incorrigibiles, ac malorum morum seminatores acriter punient; eos etiam, si opus fuerit, expellendo: omniaque impedimenta auferentes quaecumque ad conservandum et augendum tam pium et sanctum institutum pertinere videbuntur, diligenter curebunt."

So we see the origin of the canon as it is found today in the codex. Trent suggests that there be warnings given and that there be time given the candidate to reform his ways; he is not to be dismissed right away but is to be punished severely "acriter punient" and tested further. However, Trent admits that there will be occasions when there will be need of rather summary dismissal: "si opus fuerit, expellendo".

Before proceeding any further, we think it well to define the terms used in the canon such as "dyscolos, incorrigibiles, etc." The very word "incorrigibiles" teaches us that the candidate has been given time for reform, and yet has not improved.

"Dyscoli sunt qui disciplinae vix aut aegre se subiciunt; incorrigibiles, qui monitis et correctionibus obtemperare nolunt vel nequeunt; seditiosi, qui rebellionem instigant vel fovant." (243)

"Dyscoli, seu disciplinae intolerantes; incorrigibiles, qui vel nolunt vel nequeunt monitis obtemperare; seditiosi, seu foventes rebellionem." (244)

(243) Beste, *Introductio in Codicem*, p. 669

(244) Cocchi, *Comm.* in *Codicem Juris Canonici*, VI, de rebus, p.1

"Dyscoli sunt indiscreti, indole difficiles, qui duram prae se ferunt cervicem, quique difficillime, etiam cum de re evidenti agitur, suae opinioni renuntiare valent. Incorrigibiles habendi sunt illi qui neglectis studiosis et opportunis monitis, nullam spem referunt sese ad meliorem frugem recipiendi; seditiosi vero sunt illi qui suo malo exemplo alios ad defectiones, transgressiones et arrogantiam excitent.

"Delinquentes contra bonos mores non sunt statim dijudicandi illi qui forte semel vel bis solitarie contra puritatem deliquerint seu potius occulte peccaverint; quodsi culpa etiam occulta non emendetur, prudens confessorius monere debet de obligatione status clericalem relinquendi.....Quodsi agitur de externa gravi in mores transgressionem alumnus immediate expellatur juxta rectam hac de re sententiam S. Alphonsi." (245)

"On renverra donc les incorrigibles, c'est à dire ceux qui après des admonitions paternelles et des corrections opportunes, ne laissent pas espérer d'amendement; et l'on renverra de même ceux qui sont une cause de scandale en excitent les autres à la revolte, à la transgression du règlement et au manque de respect.

"Les fautes graves contraires à la morale seront punis par l'expulsion immédiate du séminaire, conformément au judicieux principe de S. Alphonse: 'Tutius consilium est eum statim e seminario expellere, quia talis ovis inquinata contagione petens est totum seminarium corrumpere'." (246)

(245) Coronata, Instit. Juris Canonici, II, p. 298

(246) Bergilliat, De Institutione Clericorum, p. 210

"On doit renvoyer ceux qui ont l'humeur trop difficile, les incorrigibles, ceux qui suscitent les cabales, et ceux dont les mœurs et le caractère ne conviennent pas à l'état ecclésiastique."

So much as regards the interpretation of the causes leading to dismissal.

It would be most interesting to study the reasons for dismissal from religion and from the seminary. Such a comparative study would aid us, too. But space does not allow us to do it here. It would also be interesting to compare the binding force of the religious Order or Congregation to their subjects before vows, after temporary vows, after perpetual vows, etc.: and the link binding the seminary, if any, to the seminarian before Orders, after the Minors, after the Sub-Priests, etc.

A great number of the reasons for dismissal from a religious body would not apply to the seminarian--for instance, charity is much more important in a religious than in a seminarian, for the religious is to live with other religious by profession, whereas a seminarian will be leaving the seminary after some years. This does not mean that we should not exact charity from the seminarists, but there is no need for the same high degree as in the religious body.

In canon 647 we read that loss of the religious spirit is a sufficient reason for dismissal of those with temporary vows. Could we say that this applies in a cer-

tain sense, *ceteris paribus*, to the seminarians? It is our opinion that evidence can point to the loss of the "priestly spirit" and that this would be a reason for sending the candidate away from the seminary.

And when canon 1371 teaches that "*statim dimittantur qui forte contra bonos mores aut fidem deliquerint*", we think that here the words "bonos mores" refer particularly to chastity. In the first part of the same canon, we have the more general meaning of "mores" as we are treating it in this thesis: "*si qui ob mores atque indolem ad statum ecclesiasticum idonei non videantur*". One conclusion we can draw from the canon is that the two most important qualities are purity and faith. From what we have said in our chapter on chastity, it will be clear that not all sins against chastity will merit instant expulsion. We refer our readers to that chapter for further details. Here there would seem to be question of an external sin against chastity with others or in the presence of others. Or it could also be for what happened during the holidays if sufficient proof is had of the crime and the scandal given.

"In dimissione enim religiosorum non solum attenditur ad bonum ipsius delinquentis--quod Ecclesia numquam negligit.....sed et primario modo intenditur bonum ipsius Instituti, ne membra putria, tamquam pecudes morbidæ, contagione pestifera plurimos perdant, neque, scandalo eorum, religionis bonæ fæmæ et honori detrimentum efferant." (247)

"Ad defectus morales quod attinet, advertendum est uti jam diximus, quod non requiruntur vera et propria delicta, sed sufficiunt illae causae quae defectum spiritus religiosi patefaciuntsi est molestus, qui arrepta quavis etiam sibi praestituta occasione, excandescat contra proximum, ei convinciatur, injuriis provocet, famam ejus aut eorum aut clam proscindat; aut sit linguosus qui quae ab uno audit ad alium referat saepe saepius in alium sensum detorque, et semper aucta, ejus causae rixae, odia et similitates orientur.si causa discordiae, si murmurationibus, detractionibus, maxime contra Superiores probosque religiosos domum perturbet; aut mandatis Superioris localis sat coloratis praetextibus obedire et munera domus sat excusatione impotentiae ex ficta aegritudine subire recuset." (248)

One last question before we end this chapter on seminaries as a means to acquiring the character suited to the reception of Orders. Today, in many countries, seminarians have been called to the colours and are fighting on many battlefields. And even in peace-time, seminarians in many places are subject to military training. This flouting of Canon Law by these rulers who call up the clerical students to arms and to training presents many a problem. Vocations can be, and, sad to say, are lost. Others return to the seminary after training or war and prepare to continue their

(248) Palombo, Op. Cit. p. 178

Vermeersch-Creusen, -- Epitome, I, p. 598

Comm. Pro Religiosis, -- 1930-1933 (Tabers)

studies for the priesthood.

The question is this: "Are we to demand the same from them as from those not called to arms or to training?" Has Canon Law anything to say on the point? Would it allow our lowering the standard for those who have had to face all the temptations of the barracks, the camps, and of army life in general? If their character has undergone a change and they are not as moral as they were before leaving, are we to be extra-merciful to them, and allow ourselves to be led away by false motives and false patriotism and recall only their character before they left? If after experiment, they do not improve, must we send them away as not fitted for the priestly life? Are we to ask them to leave and take new roots in a world outside for which they have no special qualifications?

Put as they are, these questions seem cruel. But we must apply our principle of Canon Law. With a heart, of course, but not allowing the heart to rule the principle. It makes no difference who the candidate is, or how hard his path may have been. The seminary is not meant to be a decoration for military service nor is the priesthood a reward for valour and patriotism. It is hard to say it,--but it must be said--no one is to go on to Orders unless he can show that he has a suitable character. The most we could do for the poor unfortunates who have lost their former zeal and fervour is to be even more gentle, patient, understanding with them and to give them a longer period of time in which to prove themselves. And why this seeming severity? Because the norm for

judging whether the character is suitable or not, is not a subjective one, but an objective one and hence the same for all, in all places, and at all times. This is our Canon in practice.

"Un séminariste ne saurait donc se croire admissible, parce qu'il pourrait dire--que peut-on me reprocher? Redisons-le; il ne suffit pas que rien de reprehensible n'ait été constaté dans la conduite morale de celui qui demande sa ré-intégration; il est nécessaire qu'il se présente avec les garanties positives de parfaite intégrité morale, de piété solide conservée, et de pratiques religieuses non interrompues et dignes d'un élève du sanctuaire." (249)

Canon Law demands that the candidates for Orders have a character suited to the Order they are to receive. The Church has chosen the seminary as that method of preparation best adapted to ensure that her clerics will gain and preserve that requisite character. And history proves that the means chosen was a wise one. The fact that the enemies of the Church dispute her right to seminaries, and the fact that they destroy them whenever the opportunity presents itself, is sufficient evidence of the Seminary's worth and efficacy. For the end the Fathers of the Council of Trent had in view has been, and is being fulfilled the world over. Let us listen to them across the centuries: "Cum adolescentium aetas, nisi recte instituat, prone sit ad mundi voluptates sequendas; et nisi a teneris annis

ad pietatem et religionem informetur antequam vitiorum habitus totos homines possideat, numquam perfecte, ac sine maximo ac singulari propemodum Dei Omnipotentis auxilio, in disciplina ecclesiastica perseveret: Sancto Synodus statuit, etc." (250)

(250) Concil Trid. Sess. XXIII, Cap. XVIII

Regarding Seminaries, Cf.:--

Pouan, De Seminario Clericorum, p.1, 24, 60, 92, 136, 259

Themistor, L'Instruction et l'éducation du Clergé,
p. 59, 84, 141, 194, 325

Coronata, Instit. Jur. Can. II, p. 276, 33.

Thomassinus, Ancienne et Nouvelle discipline de
l'église, I, p.526; III, p.466, 33; IV, p.172

Godeau, Traité sur les Séminaires

Theiner, Histoire des Institutions d'éducation
ecclesiastique

Revue du Clergé Français, t.20, p.53

Mandements des Evêques de Quebec, I, p.44, 95; II, p.427

Acta et Decreta Conc. Prov. Marienopolitani Primi, p.216

Acta et Decreta Concil. Plen. Quebecensis Primi,
p.189, 192, 197, 210, 218

Regarding Vocation, Cf.:--

Vermeersch, Religious and Ecclesiastical Vocation

Hurtaud, La Vocation au Sacerdoce

Lahitton, La Vocation sacerdotale

Cappello, De Sacr. II, pars III, p. 328

Habert, Theologia dogmatica et moralis, t.7, p.459

Wernz-Vidal, De rebus, 4^l, p. 272

Jombart, Le sacrement de l'Ordre

N. R. Th. 51, p. 47
55, p. 444

Recrutement Sacerdotal

Analecta Juris Pontificii, t. 1, p. 653

Revue des Communautés religieuses, IV, p. 130, 164

Comm. Pro Religiosis, 1934, p. 359 (Larraona)

CONCLUSION

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Now that we have studied our canon at some length, traced its development, noted changes in its interpretation, seen its vicissitudes, we can see the truth of the remark we made in the Introduction; namely, that this Canon was not as simple and clear as it seemed and that it gave us quite a number of problems to solve.

It has been most interesting to study the pre-code canonists and to compare them with those who wrote after the publication of the code. We found common to all of them the idea of the dignity of the priesthood. On this point there is no dispute. A second idea, too, was common to all. It was this. No candidate for the priesthood can ever be sufficiently worthy of the high honour and privilege to be his. On these two points all canonists are in perfect agreement.

But in reflecting on the authors we have seen, we think that there were two grave omissions in their writings. First, they did not draw a clear distinction between what was necessary and what was desirable for the reception of Orders. They put down all virtues as desirable--and rightly so. But at the same time there must be a canonical minimum and it is precisely this that we are seeking in this thesis. Failure to distinguish between what was necessary and what was desirable gave rise to many evils and indirectly was

responsible for unworthy candidates receiving Orders. To have an ideal of all possible virtues was splendid. But in practice the loss of any clear perception as to what was the minimum led to abuses. Practice could not cope with theory and the result was that later the theory was pulled down to meet the demands of life. Had there been a knowledge of what was absolutely necessary, this could have been obviated to a great extent. One of our claims is that a true understanding of our Canon will raise the level of practice as closely as can be to the level of theory.

And this is made all the clearer when we recall the related Canon which stresses the obligations of the Bishops and warns them that they must have moral certainty, from positive arguments, of the candidate's fitness, before they can ordain him. This canonical demand from the Bishops is not exactly new teaching, for we can find the same idea in an Augustine and in a St. Alphonsus of Ligouri. However, though the idea existed, it was not common, and after a time was submerged by a system which stressed more the negative side than the positive.

Thus it will be clear from the past chapters how timely was the insertion of the true teaching in the Code. For we saw in our study of the pre-code canonists that for them the all-important question was: "Has the candidate any irregularities and impediments?" For them it was sufficient that he had none. It was more a matter of finding no obstacles

in him then of seeking for positive goodness. And there is a world of difference between "not being evil" and "being good".

Another factor leading to confusion and error was that the teaching on vocation was vague and hesitant, and the distinction between ecclesiastical penalties and irregularities was not too clear and well-defined.

The Code was published in 1918 and reaffirms the early teaching of the Church. But, sad to say, the significance of the Church's hearkening back to the primitive teaching, escaped a great number of the post-code commentators. Most of them had studied Canon Law before 1918 and they had the pre-code mentality. Not that we have anything but the highest praise for them and for the pre-code discipline. And we admit the wisdom of Canon 6 which tells us that whenever possible we should interpret the Code in the light of the past. But it is equally true that the Code modified and changed some pre-code legislation. And sometimes this escaped our canonists. They failed to note that the Code was pleading for a return to something lost sight of by canonists. And secondly, they were led astray by the moral theology outlook which is fine when applied to its proper field, but which can be an intruder into Canon Law.

The Code is quite definite that in examining a candidate for fitness, there are two aspects to be considered, the negative and the positive. It makes a clear-cut distinction between positive demands and irregularities. And

the Code also has the answer to a second objection that could be raised against some of the recent canonists. They seem to identify too completely suitability of character for Orders and vocation. This is wrong, and gives a false picture. True, a suitable character is one of the elements making up a vocation--but there are others. You cannot explain fully the part by the whole. And in reality, those authors who in commenting on "*mores congruentes*" refer us back to what they have said on vocation, are begging the question. It is only pushing the problem back a further step, for could we not reasonably ask: "What qualities are demanded for a vocation?"

However, to be quite fair to those canonists writing after the publication of the Code, we admit that there is some excuse for their making the mistake they did. The Canon we are studying is not too clear as it stands--or better, it is much too general. To say simply that the candidate should have "*mores congruentes*" without any further elaboration is unsatisfactory. For the question immediately leaps forward: "But what qualities are they that make up these '*mores congruentes*'?" And again, "What are positive proofs?"

And yet we can see how difficult it would have been for the Code to go into more details. The very nature of a Code is against such detail. So we are faced with the following picture: on the one hand you have the Code making its mind quite clear as to its break from the teaching of the past and then leaving it to the canonists to fill in the

picture; on the other hand, you have the canonists with their pre-code mentality, and affected by the moral outlook rather than the canonical, failing to note that the Code is pointing the way to a new order. No wonder then that there exists confusion.

It is our opinion that our view is confirmed if we but recall all the teaching and legislation of Rome in the past twenty-three years. The cumulative effect of this should not be lost on us. When we consider all the letters and teaching on Seminaries, native clergy, the missions; when we recall those two Instructions with their intention; when we read what Cardinal Jorio wrote in his famous Commentary on these same Instructions; when we recall the Holy See stating that it will dispense Sub-deacons and Deacons rather than send on to the priesthood those not suited; when we weigh all this and think of the new teaching regarding "complicitas" and "sacerdos concubinerius" etc., we cannot but be struck with the importance of this problem. And it would seem that all this legislation is Rome's own commentary on the Canon we are studying. We think it can be said in a certain sense that all this legislation can be looked upon as an "interpretatio declarativa" of our canon. (251)

To come to our conclusions. What, then, in our opinion, are the qualities that are essential, the absolute minimum, in order to have a character suited to the reception of Orders?

(251) Cf. A.A.S. 1919, p. 122; 1920, p. 57, 585

Our answer is that there are two natural, and four supernatural qualities that make up the list of those necessary. The natural ones are: honesty and adaptability; the supernatural ones are: chastity, faith, obedience and piety. It is our contention that with these a candidate has a suitable character and that without them, he is not fitted for Orders. In fact, if even one of these supernatural qualities is lacking, he should be sent away from the seminary as one not having a suitable character. Needless to say, we agree whole-heartedly that the more virtues the candidate has, the better. But we are concerned as canonists with the minimum. We are not writing as Pastoral or Ascetical theology writers. Charity, humility, patience, etc., are excellent virtues, but we do not think they should rank with our "big four".

We have seen that the early canonists commenting on the works of Gratian and the Corpus Juris, developed at some length the texts of St. Paul and as we have seen elsewhere, the virtues singled out in his texts are almost all natural ones. All combine to give the cleric that self-control which is so necessary to him. Of honesty, we have spoken in a preceding chapter. Its necessity needs no proof. And so with adaptability. It is St. Paul's "omnia omnibus". We cannot insist too strongly that grace is built on nature and that often, especially today, the priest will be judged as a man before the spiritual can enter. The natural virtues are often a passport to a soul.

All are agreed as to the necessity of chastity for

it is implicit in the obligation of celibacy imposed on those in major Orders. The big difficulty has been that not much attempt was made until recently to solve a host of canonical problems that arise in this matter. We have attempted to give principles for conduct in our chapter devoted to a study of this virtue.

The virtue of Faith is equally indispensable. We have seen the special dangers and problems that arise on the mission field, in our chapter devoted to the missions.

We have chosen Obedience as our third quality because it is so important in the efficient administration of a diocese, and secondly, because lack of it is usually an index to the candidate's character, inasmuch as it betrays other weaknesses. With lack of Obedience is associated pride, insubordination, false independence and a spirit of criticism that results in discord and division.

Piety is difficult to define. By it we mean "the priestly spirit". And just as the loss of the religious spirit is given as a reason for the dismissal of a religious, so we think that the loss of the priestly spirit should be a reason for dismissal from the seminary. The word "piety" really includes the interior life, a spirit of prayer, and zeal for the glory of God and the salvation of souls.(252)

So much for the qualities we think necessary for a character suited to the reception of Holy Orders. Immediately, two further questions arise and they must be answered

(252) Vermeersch-Creusen, Epitome, I, p. 598

if we are to do justice to our canon. These questions are most important and we think that they have not yet been answered at all adequately. The first question is: "How many standards are there to be when the canon reads, 'Mores congruentes ORDINI RACIPIENDO'?" And the second question, associated with the first, is this: "What degree do we demand in the qualities we have chosen as necessary?"

Canon 6 tells us that when possible we are to retain the pre-code interpretation and to explain the Code in its light. Is there then any pre-code teaching regarding the number of standards we are to have? Is there to be a different standard for each Order, minor as well as major? After all, the "Ordo recipiendus" can be many. It is almost impossible to get any certain teaching from the early writers for most do not even treat the question and those who do, give no uniform reply. What we lack in unanimity, we make up for in quality. The Council of Trent teaches quite clearly the idea of a suitability according to the Order to be received, though it sets down no number of norms. And Cardinal Gasparri is no less clear in his teaching that there are to be several standards. He gives two--one for the minor Orders, and another for the major ones. But he hesitates and leaves room for a third one; e.g., for the priesthood as distinct from the subdiaconate and diaconate. So, realizing the influence of Trent on our Canon and knowing the role played by Cardinal Gasparri in the publication of the Code, we elect to retain their teaching as far as it goes. Therefore, we say that there are to be

three standards and that when the canon reads "congruentes ordini recipiendo" the meaning is that three Orders to be received will make different demands on the candidate. There will be one norm for the minor orders, a second for the sub-diaconate and the diaconate, and a third for the priesthood.

It is true that the obligation of celibacy is the same for all the major Orders, but from what we have seen already, we think that with regard to purity there is a higher degree demanded from the priesthood than from the other major Orders. So with Obedience and the priestly spirit. The whole point of the legislation on the "interstitia" is precisely to ensure that there will be an increase in virtue from Order to Order.

Our second question concerns the degree of virtue required. This has been indirectly answered in the previous paragraphs. Chastity is demanded for all the Orders but allowance can be made for some falls and lapses in the minor Orders stage. For the priesthood, chastity must be one hundred per cent. So with Faith. The minimum, then for Chastity and Faith in the priesthood is no less than perfection.

It is more difficult to assign a definite level for Obedience. But it must be found normally: continued pride, insubordination and independence would merit dismissal. Obedience on all major matters should be well-nigh perfect.

And so with Piety or the priestly spirit. There should be a constant increase in this virtue as the day of Ordination approaches. Worldliness, avarice, lack of the

interior life, no spirit of prayer, lack of zeal, all these would be an indication that the candidate should be sent away from the seminary as unfit.

With regard to other virtues that we have not set down as necessary in our minimum list, they are to be desired. Weaknesses and imperfections there will always be, but the conquering and rooting out of these pertain to the realm of perfection and not of the canonical Least Common Denominator. These faults and lack of other virtues would not ordinarily be a reason for dismissal. At least not taken in themselves.

We conclude this section then of our conclusion by stressing the difference we make between the ideal and the minimum. Above the level of the minimum we have the ideal; below it, we have dismissal. This makes clear a distinction between the necessary and the desirable.

Bearing this distinction in mind, we can give an orthodox interpretation to all those writers who speak and write as though they made the standard of suitability of character dependent on time and place and external circumstances.

They write, then, as though the norm were a subjective one and not the "Ordo Recipiendus" as set down by Canon Law. We think they can be understood in the sense that they are speaking of the "ideal" and not of the "minimum". What is "necessary" would always remain constant; what is "desirable" could change from age to age and from place to place. Circumstances would demand more at a given

time and in a given country. This would explain the Popes writing such sentences as these: "Today more than ever the priest needs, etc.". It is to be regretted that these canonists were confusing and ambiguous, for they certainly give the impression that the "Ordo recipiendus" is not to be the norm. In fact, they seem to be completely oblivious of the fact that the words appear in the Canon. For then the Canon reads: "Ut quis licite ordinari possit, requiruntur mores". But the Canon tells us that these mores should be "Ordini recipiendo congruentes". No wonder then that we have different standards used by Bishop A and Bishop B; by Seminary A and Seminary B; by Confessor A and Confessor B; by spiritual Fathers A and B. Having a canonical minimum, a necessity as distinct from the desirable, ensures that we shall have a common, uniform yardstick applicable at all times, in all places, because the Canon makes no exceptions.

Therefore, for the missions, all that we have said above holds. The standard is to be the same. This is important. However, there is a distinction to be made. While the standard is to be the same for the missionaries and the native clergy, we think that the testing should be more severe and searching and that the minimum should be possessed over a longer period of time. We hope that the distinction is clear. The standard is the same but the testing, proof, and probation can be different. It is clear from our Canon and from the teaching about the Bishop's responsibility that there is to be moral certainty of the candidate's preserving the suitable character he is now presumed to have. For this reason there

will be circumstances which will demand that we make extra sure of the future. Missions and native clergy fall under this category. And there is also the question of limiting the external field of temptation. All this does not mean, however, that we are changing the standard. Far from it.

Canon Law says that our candidates are to have a suitable character. The norm of suitability is to be the "Ordo Recipiendus". We say that this includes four qualities: chastity, faith, obedience and piety, as a canonical minimum.

It will be well to bear in mind what we have written, for today and tomorrow there will be a great temptation to lower the standards and to adopt a subjective norm. This war will bring many evils in its wake. We have spoken in a former chapter of those seminarians who will return to the seminary after the war and after military training. Superiors of seminaries and religious houses will testify today to the difficulties they meet with in present-day candidates who were the war-babies of the 1914-1918 period. Nerves have been affected and most Superiors will agree that candidates for the secular priesthood and the religious life experience special difficulty with the virtue of chastity. Bodily and mental health does affect the higher part of the soul. If this were true of the last war, it will be much more true of this when we think of the bombing, etc. The post-war period will breed independence, lack of morals; we must be prepared for this. There will be a shortage of priests. Are we to lower the standard? If the candidate does not fit, are we to stretch

him till he does or are we to shrink the standard until he does? We must know what we should do canonically. Another danger today is that some candidates will enter with the motive of avoiding conscription or war service. So there must be a more searching inquiry into the intention and there must be a more severe testing of the subjects to prove them.

The true canonist has one point in common with the poet--he must look before and after. So looking before and after, are there any suggestions we recommend in connection with the canon we are studying in this thesis? Yes, we have four.

Our first suggestion would be to lengthen the "interstitium" or period of delay between the diaconate and the priesthood. We think that it would be a splendid idea if the Deacons, after they had finished the year at the seminary, were to be sent out for a year in the ministry. There are quite a number of things that they could do to help out in the parish activity. The advantages would be that they would realize from practical experience what a priest's life is; they would see the trials and special temptations to which a priest is subject; being absent from the seminary would give them a better chance of knowing what they are letting themselves in for if they go on to the priesthood. The great danger in seminary training is that it is too much of a hot-house atmosphere, that it is too artificial a life, and that human respect and routine can become the motives for conduct there. A year

spent as a Deacon under the care of some priest would make them see life steadily and see it whole. It would mature them more quickly than several years in the seminary. How often we hear it said of young priests, "Why they are just boys". And there is the fear that our priests can go from school to college to the seminary and be ordained and yet remain no better than sublimated school-boys.

Another advantage of such a year spent as a Deacon in the active ministry would be that it would weed out the hesitant and doubtful and would lessen the number of bad priests. Is it not better to have Deacons dispensed from their obligations (and we have seen the mind of Rome on this point) than to have bad priests?

This recommendation is not as revolutionary as it sounds and is firmly rooted in tradition. We have seen that in the early days of the Church, candidates remained Deacons for as long as five years before being ordained priests. We realize that a number of objections can be raised against our plan, but we think that on analysis most of these will be found to be rooted in the heresy of quantity rather than quality. But mere numbers do not spread the Kingdom of God. At the present time it might not be wise to put the plan into operation but the sooner, the better. After all, once the cycle got under way, there would be the same number of priests coming out each year. The scarcity would only be in the intervening year. (253)

(253) Thomassinus, Op. Cit. I, Chapters 29-33
 II, " 60, 67-70

A consequence of this plan would be that the age limit would be raised. And this in our opinion would be a good thing. The reader will recall our remarks on bodily age outstripping mental maturity.

A variation of this recommendation would be found in the giving each Deacon a Holy Year or a Novitiate or a Tertianship, after their regular course in the seminary had been finished. Then at the end of this Holy Year they could be ordained. We understand that Pope Pius X was very keen on this idea.

Our second suggestion has the same motive as the first and could be used to reinforce it. It concerns holidays. We think that at least part of the holidays should be spent at home by the candidates. We can see the advantages of spending part of them together with the other seminarians, but to do this for the full vacation period can, we think, be improved upon. By spending part of their holidays at home, they will have an opportunity of testing their vocation. And when we recall from our own experience the number of those who do not return to the seminary after the holidays, we can see the wisdom of such a step. The holidays are a great sifting time. It is folly and wrong spirituality and zeal to wish to railroad candidates through the seminary, to completely divorce them from reality, and to think that they can go through life wrapped up in cellophane. That is not level-headed sanctity. The best test of chastity will be the holiday time and from the testimonies to be

written by the candidate's parish priest after the holidays, a fine check-up is had. But we insist that the parish priest should know what Canon 974 means--otherwise he will not be able to write the testimonial properly. The holidays thus give an insight into the hope placed in the candidate that he will be able to keep and preserve a character suited to the reception of Orders.

Our third recommendation concerns Apostolic schools. Frankly, we are not at all keen on them. By Apostolic schools we mean those institutions where boys are taken after having been practically snatched from the cradle. We mean boys from the age of eight to sixteen. We do not refer to Little Seminaries which have the approval and authorization of the Holy See. The main reason for our objection to these schools is that at the back of them all is the idea, "This is the only way we can get vocations and supply the needs". But is not this our old bogey of numbers again? Is it not a stressing of quantity and not quality? We claim that a great number of these institutions are a direct denial of the canon we are studying. Not that we are questioning the zeal and the good faith of those who direct them. We are attacking the principle of the thing, not persons. And we think that these youngsters live an artificial life and that the tendency is to narrow and to limit their horizon to that of a five-cent piece. If this is the only way to get vocations, we think it better to go without. God will take care of the need, not men. And He will do the calling, extend the invitation,

without His secondary agents acting as conscription officers. We do not believe that these institutions can ever take the place of a good Catholic home. And for those who should be removed from the dangers of a bad Catholic home, there can be found other institutions for them where the idea of vocation will not be attached as a clear or implied stipulation. Even when the education given is broad-minded and sensible, we still think that these candidates would have been better priests had they not been taken away so young. Good results can happen "despite" as well as "because of". (254)

We know that in some countries in the last war these boys who had been trained in the Apostolic schools were not allowed to take the examinations for officers when they were called to the colours. And what was the reason given? Because they would not return to the seminary afterwards. To us that answer is a sufficient indictment of the whole system. It proves the fallacy of numbers and the lack of the right intention. In other countries the seminarians were often leading officers and most of them came back to the seminaries. And those who did not, were better away. We think it true to say that these Apostolic schools flourish most where the priests are looked down upon by the better class and looked up to by the lower class as a sinecure and release from work and poverty. We think that our opinion is confirmed by the number of defections among those who are taken from their homes at such a tender age and placed in

these Apostolic schools. We do not agree to a regimented renunciation. And we feel that a candidate should know what he is to renounce before he renounces. Else we are inviting trouble. For when they are ordained and sent out, they will rebel and will feel that they have been cheated and duped and led into a contract under false pretences.

Our fourth and final suggestion would be that there be held annual seminars and meetings of Bishops, Superiors, Spiritual Fathers and confessors to discuss the problems raised in this thesis and to adopt a uniform system. They can do this if they understand what our Canon means. In practice there are a great number of cases that will arise and a free discussion of these by those who are meant to judge the character of the candidates would be of inestimable help towards a standard and uniform solution.

So much for our suggestions. We are not blind to the fact that there are difficulties that can be urged against them and obstacles in the way of their adoption. But we think if the long view is taken, and if the Church's mind is kept in view, that many advantages would result from the putting into practice of these recommendations. Even their discussion will result in good, for the first step towards action is to recognize the problems and to see possible solutions.

The importance of the question we have studied in this thesis is evident. Our Canon fully understood and acted upon will result in a good clergy, and with a good clergy there is hope that a good laity will result. And the

importance of a worthy clergy is especially true today and will be more so after the war. Fore-warned is fore-armed and the answer to a host of problems will be found in the understanding and proper interpretation of our Canon. With the application of it, the heresy of numbers to the detriment of quality will be removed; and St. Paul's warning not to impose hands on the candidates too quickly will be heeded.

We read in St. Mark: "And going up into a mountain, Jesus called unto Him whom He would Himself.....and He made that the twelve should be with Him and that He might send them to preach" (Chapter III, v.13-14). If our Canon is not observed, then we shall be sending those whom He did not choose to be with Him and they will not bear fruit. Those will bear fruit who have been licitly ordained because they had "*mores congruentes ordini recipiendo*"; because they had a "character suited to the reception of Orders".

L. D. S. et A. I.

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De Censura Librorum	-----C.1383-1394.
De Excommunicatione	-----C.2257-2267.

*p 148 - subnatural
- sterile ^{may} exist on
the very beginning*