

NATURAL LAW AND
ENLIGHTENMENT CLASSICS



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Spiritual Authority*

On Laymen or Secular People

On the Temporal Power of the Pope.
Against William Barclay

On the Primary Duty of the
Supreme Pontiff

Robert Bellarmine

Edited and with an Introduction
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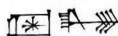
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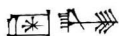
Political Writings of Robert Bellarmine



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ON TEMPORAL AND SPIRITUAL AUTHORITY

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Robert Bellarmine

INTRODUCTION

Overview

Robert Bellarmine was one of the most influential theologians and political theorists in post-Reformation Europe.¹ Born in 1542, Bellarmine entered the Society of Jesus in 1560 and began his studies at the Roman College. In 1569 he was sent to Louvain, where he divided his time between preaching and teaching theology, acquiring a distinguished reputation for both. In 1576 he was called back to Rome to the chair of *Controversiae*, that is, to teach the course on the leading theological controversies between Protestants and Catholics, at the Roman College, of which he became rector in 1592. The lectures soon grew into one of Bellarmine's major works, the *Disputationes de controversiis Christianae fidei*, or simply *Controversiae*.² Here the doctrine of the pope's authority to intervene indirectly in temporal matters when those touched spiritual issues (*potestas papalis indirecta*) found its first and fullest development, even though Bellarmine later modified specific points several times.³

Bellarmino's intellectual efforts gained him a more central position within the Roman Curia but he also encountered dangerous setbacks. In 1587 he became a member of the Congregation of the Index and in 1598

1. For more details on Bellarmine's biography see Brodrick, *Robert Bellarmine*; Godman, *Saint as Censor*; Motta, *Bellarmino*; Tutino, *Empire of Souls*. In 1613 Bellarmine wrote an autobiography, whose manuscript copy can be found in APUG 1460 and which was printed posthumously in Rome in 1675.

2. Three volumes, Ingolstadt, 1586–89; there were several revised editions during Bellarmine's life.

3. For a complete list of Bellarmine's published works and their different editions, see Sommervogel, *Bibliothèque*, vol. 1, cols. 1151–1254.

became one of the *consultores* of the Inquisition.⁴ Meanwhile, the implications of the doctrine of *potestas indirecta* angered Pope Sixtus V, who often opposed the Society of Jesus because he thought the Society's doctrines diminished the authority of the bishop of Rome.⁵ In 1589–90 Sixtus moved to put volume 1 of *Controversiae* on the Index of Prohibited Books while Bellarmine was in France on a diplomatic mission.⁶ However, the Congregation of the Index and, later, the Society of Jesus resisted this. In 1590 Sixtus died, and with him the project of the Sistine Index also died.⁷

After the death of Sixtus, Bellarmine's star rose higher and higher, especially during the pontificate of Clement VIII. In 1599 he was appointed cardinal and soon after became one of the pope's main advisers on the so-called controversy *de auxiliis*. This most delicate controversy of the early modern Catholic Church began in 1588 with the publication of the Spanish Jesuit Luis de Molina's *Concordia liberi arbitrii cum gratiae donis* [The Concordance of Free Will with the Gifts of Grace], considered by many theologians, and especially Dominicans, to have a Pelagian flavor.⁸ The controversy caused a dangerous breach within the Church concerning the role of grace in human salvation, a key doctrinal division between Protestants and Catholics. The controversy ended only in 1607, when Pope Paul V avoided an official decision and commanded Jesuits and Dominicans to remain in "internal" theological debates and to avoid further public contention. During the long debate Bellarmine demonstrated his skills of intellectual and political diplomacy: despite being a Jesuit, he did not side completely with Molina and worked to avoid the scandal

4. On Bellarmine's role in the Congregations of the Inquisition and of the Index, see Godman, *Saint as Censor*, and Frajese, *La nascita dell'Indice*, pp. 127ff.

5. On some of these controversies see Pastor, *History of the Popes*, vol. 21, pp. 145–78. Also see Mostaccio, "Gerarchie," pp. 109–27.

6. See Le Bachelet, "Bellarmine à l'Index," pp. 227–46, which, however, does not take into account sources in the Archive of the Congregation of the Index that were not yet open at the time of his research. Some of the documents from the Index have been published by Godman, *Saint as Censor*, pp. 435ff. *passim*.

7. The main documentary evidence of the affair involving Bellarmine and the Index can be found in ACDF, Index, Diarii I, fols. 39r–v; ACDF, Index, Protocolli B, fol. 152r; ACDF, Index Protocolli DDD, fols. 423r–424v; ACDF, Index, Diarii I, fols. 39v–42v. Cf. Godman, *Saint as Censor*, pp. 134–36, and Frajese, *La nascita dell'Indice*, pp. 131–33.

8. See "Pelagius" in Biographical Notes.

that an open, authoritative condemnation of either position would have caused the Catholic Church.⁹ His relationship with Clement VIII was not smooth, however, and certain implications of Bellarmine's political theory put him at odds with the pope, as the third text of this selection shows.

The beginning of the seventeenth century marked a shift in Bellarmine's intellectual interests from theory to political dynamics. The cardinal was increasingly engaged in some of the most important political controversies, all linked to his theological views. Bellarmine contributed to the controversy of the Republic of Venice versus the Roman See. This concerned the *Interdetto*, that is, excommunication ordered by Pope Paul V in 1606 against Venice as an act of retaliation for a series of laws issued in 1604–5. Those laws attacked clerical exemption from civil jurisdiction by claiming that two clergymen guilty of secular crimes should be put on trial in a civil tribunal and forbade churches from being built and ecclesiastical properties from being alienated without the Venetian Senate's approval.¹⁰ Aside from the specific legislative measures, the issue at stake was the extent of the jurisdictions of the secular state of Venice and of the Roman See.

The authors who wrote in defense of Venice, especially Paolo Sarpi, who was probably the most effective supporter of the cause of the Republic, often mentioned Bellarmine as an author whose doctrine would indeed support the Venetian laws, as it was Bellarmine who, after all, had written against the direct power of the pope in temporal affairs.¹¹ The Jesuit cardinal responded in a number of pamphlets defending his own doctrine, for example *Risposta di Bellarmino alle opposizioni di F. Paolo Sarpi Servita* and *Risposta del Card. Bellarmino al Trattato delli sette theologi di Venezia* (both Rome, 1606).

Another noteworthy element in this controversy is that Bellarmine's position again caused problems in Rome, where some theologians thought it more effective to reply to the Venetian controversy not by stressing the

9. For more details on Bellarmine's role in the controversy *de auxiliis*, see Motta, *Bellarmino*, pp. 441ff.

10. See Bouwsma, *Venice and Republican Liberty*; Cozzi, *Paolo Sarpi*, pp. 235–81; Wootton, *Paolo Sarpi*; Frajese, *Sarpi Scettico*, especially pp. 247ff.

11. On the specific arguments used by Sarpi against Bellarmine out of the cardinal's own doctrine, see Frajese, "Regno ecclesiastico e Stato moderno," pp. 273–339.

indirect power of the pope in temporal matters, but by reinforcing the plenitude of power of the papacy *tout court*, in temporal as well as in spiritual matters.¹² Indeed, in 1607 Bellarmine decided to publish a revision of his own published works in order to clarify certain points of his doctrine, including the exemption of the clergy, which he thought had been misinterpreted by people like Sarpi and used against the Roman See.

In those years another political controversy involved Bellarmine's doctrine of the *indirecta potestas* even more profoundly, namely the debate over the Oath of Allegiance, promulgated by James VI and I in 1606 after the Gunpowder Plot. The oath was offered to the king's Catholic subjects to test their loyalty in temporal matters, but it also laid a heavy mortgage on the profession of their faith, namely to renounce as "impious and heretical" the Catholic doctrine that the pope could depose a heretical sovereign and absolve his subjects from their duties of obedience. This mixture of a declaration of political loyalty with a theological statement rejecting the pope's power in temporal matters was intended to extend James's temporal jurisdiction over his Catholic subjects a little beyond simple political obedience. This struck at the heart of Bellarmine's doctrine, which was introduced precisely to extend the pope's spiritual jurisdiction beyond simple spiritual authority, and indirectly into political matters. Bellarmine published numerous responses to James, Lancelot Andrewes, and William Barclay: his work against the last of these is the second and major text of this selection.¹³ Once again, his intervention caused much controversy in both the Protestant and the Catholic worlds, as we will see.

By the second half of the 1610s it was clear that the doctrine of Bellarmine, perhaps the most visible theologian in Rome, was becoming very problematic. On the one hand, many considered it the ultimate bulwark of papal authority in temporal matters, affecting not only Protestant monarchies like England, but also, and more dangerously from the point of

12. On this different approach to the Venetian question, see Tauci, *Intorno alle lettere*, pp. 96ff.

13. On the controversy over the Oath of Allegiance and the roles of Barclay and Bellarmine, see, among others, Sommerville, "Jacobean Political Thought"; Questier, "Loyalty, Religion and State Power," pp. 311–29; Höpfel, *Jesuit Political Thought*, pp. 321ff.; and Tutino, *Law and Conscience*.

view of the Roman See, Catholic monarchies with a tradition of strong secular authority, such as those of France. On the other hand, many in Rome thought Bellarmine's doctrine insufficiently papalist by rendering the temporal authority of the pope only an indirect one. For these reasons, in the last year of his life the cardinal avoided the political arena and concentrated on his role as censor of books and opinions, a role that nevertheless kept him in the spotlight. For example, in 1616 he wrote the precept prohibiting Galileo Galilei from publicly teaching Copernicanism, the central accusation against Galileo during the second phase of his trial in 1632–33.¹⁴ Bellarmine also maintained his impressive scholarly production.

In 1621 Bellarmine participated in the conclave that elected Gregory XV. However, his health was rapidly deteriorating, and in September of that year the cardinal died. Bellarmine was not canonized until 1931, although attempts at canonization started as early as 1627 and were re-proposed throughout the seventeenth, eighteenth, and nineteenth centuries. This long delay reflects both the complexity of Bellarmine's views and the complexity of the context in which they were discussed.

On Laymen

The first text in this edition is one of the *Controversiae*, *On Laymen*, part of the *Controversia de Ecclesia militante*, *On the Militant Church*, that is, the Church on earth. This work has three parts: on laymen, on the clergy, and on monks. It was part of the first volume of the *Controversiae*, the one that Sixtus V wanted to include in the Index.

The controversy on laymen presents a crucial theoretical basis for Bellarmine's theory of the *potestas indirecta*. His arguments supporting the indirect power of the pope in temporal matters were a theoretical and historical response to the growing strength of both the Protestant territorial churches and the early modern states. They hinge on two ideas. The first is that political government is firmly grounded in natural and divine law and thus to an extent autonomous with respect to the Catholic Church.

14. The literature on the relationship between Bellarmine and Galileo is plentiful. A good starting point that focuses on Bellarmine's role is Godman, *Saint as Censor*, pp. 214ff.

In other words, the political authority of sovereigns of the pre-Christian and non-Christian world was as legitimate as that of Christian princes. If this were not the case and if the Christian commonwealth were identical with the political commonwealth, the pope would have direct control not only over the souls but also over the bodies of Christians, who would be both political subjects and members of the Church of Rome.

The second key idea is that political government is not completely separate from the Christian Church: there is a point where the temporal and the spiritual spheres merge. That point is humanity's ultimate end, the attainment of eternal life. This is a spiritual matter entrusted to the pope for the sake of which the temporal sovereign of a Christian realm must obey the pope as a superior, since in this respect the sovereign needs the spiritual counsel of the pope, just as his subjects do. Otherwise, temporal and spiritual authority would be completely separate and the pope would have no authority at all over Christian princes in temporal matters.

A large part of the controversy on laymen is devoted to the first of these premises: that political authority derives from natural and divine law. This doctrine had constituted one of the main arguments of the neo-Thomist School of Salamanca (the "Second Scholastic"), led by the Dominican Francisco de Vitoria. Vitoria and his pupils argued that government came from the law of God in order to refute the Protestant view that the legitimacy of government depended on God's grace. The neo-Thomists rejected a Protestant reading of Augustine, according to which government was both the punishment and the remedy for humankind after the fall. On the contrary, for them the tendency to live in society was "natural," proceeding from the law of nature, which was both the expression of God's will and the manifestation of human rationality.¹⁵

An important corollary is that not only pagan princes, but even "wicked men," as Bellarmine puts it in chapter 8, can hold legitimate political authority. It would be unfortunate to assume the contrary, that legitimate authority resides only in sovereigns graced by God: "Since grace and jus-

15. For an introduction to the political views of the neo-Thomists, see Giacon, *La seconda scolastica*, and Skinner, *Foundations*, vol. 2, pp. 135ff. On Vitoria's political theories, see the introduction in Vitoria, *Political Writings*.

tice are entirely secret. . . . if grace were the title to sovereignty, it would follow that no sovereignty would be certain.” Another corollary is that every sovereign, including heretics and pagans, issues civil laws that are binding in conscience (*On Laymen*, chap. 11).

Despite differences, sometimes very significant, Bellarmine’s account of the origin of temporal authority agrees with Vitoria’s arguments; in fact, both doctrines were supposed to be on the Sistine Index. The reason why Sixtus V saw them as dangerous can be found, for example, in chapter 17. In that chapter Bellarmine wrote that once we ground political authority in natural law and affirm that political laws made by any sovereign are binding in conscience, “three errors” may arise. The first is one made by those who, “attributing too much to the magistrates,” argue that kings should be “not only the protectors and defenders of religion but also its judges and teachers.” Against this error, and referring the reader to his *Controversia de summo Pontifice*—which the pope also wanted to place on the Index—Bellarmine responded that “kings have the first place among Christians as Christian men, that is, as citizens of the earthly city, not as fellow citizens among the saints and servants of God, nor as members of the Church. For in this last respect the bishops have the first place, and the chief is the Supreme Pontiff.” While this response was a denial that the Christian Church and the political government were absolutely separate, it allowed a degree of autonomy to the latter with respect to the former and therefore, according to Sixtus, was not forceful enough in defending the pope’s supremacy and his *plenitudo potestatis*.

When Bellarmine, by contrast, discussed the other two errors, that the prince should not interfere in religion at all, and that the prince should seek peace and concord between Catholic and Protestant subjects rather than defending the one true religion, he offered responses that the Roman hierarchy did not question but instead embraced as very effective tools in the fight against the heretics.¹⁶ For example, Bellarmine stated strongly not only that no concord can be found or should ever be fostered among Protestants and Catholics (chap. 19), but also that heretical books must be

16. For example, when the Society of Jesus wanted to defend Bellarmine to avoid inclusion of his works in the Index, it used precisely the argument of his effectiveness against heretics: see ACDF, Index, Protocolli DDD, fols. 424r–v at fol. 424v.

eliminated (chap. 20) and that heretics themselves can and should receive spiritual as well as corporeal punishments, including death (chap. 21).

In a sense, then, the controversy on laymen demonstrates both how powerful Bellarmine's theory of the indirect power of the popes was as an argument against heretics and, at the same time, how high a price the political and theological structure of post-Tridentine Catholicism would have to pay to adopt this argument.

On the Temporal Power of the Pope

King James's Oath of Allegiance of 1606 is an extraordinarily important document. It was certainly meant to split the English Catholic community by separating good loyalist Catholics from traitors, but it also had implications in a much wider context. James's attempt to shift the boundaries of sovereign authority was, in fact, a useful way to strengthen a Protestant king's power over his Catholic subjects. Additionally it could be a handy weapon to strengthen the power of any king, including Catholic ones, against the influence of the pope. James understood the cross-confessional implications of his act, and in the second edition of his *Triplici nodo triplex cuneus*, a defense of his oath, he added a dedicatory epistle to all the sovereigns of Christendom, both Protestant and Catholic.¹⁷ The long and complex controversy over the Oath of Allegiance presented texts that defended or attacked the king from both English and European perspectives, but probably no text had as much impact in Europe as William Barclay's *De potestate Papae*, published posthumously in 1609.

Barclay was a well-known jurist who was born in Scotland in 1546 and lived there until 1571, when he moved to France and remained there until his death in 1608.¹⁸ Barclay's most famous work is the treatise *De regno et regali potestate*, in which he polemicizes against George Buchanan's

17. *A premonition to all most mightie monarches, kings, free princes and states of Christendome* (1st ed. of *Triplici nodo* was published in 1608, even though the date of publication appeared as 1607; 2nd ed., which included the *Premonition*, appeared in 1609). See James VI and I, *Political Works of James I*.

18. For a biography of Barclay see *Oxford Dictionary of National Biography*, s.v. Barclay, William.

theories of the right to resistance, especially rejecting the legitimacy of tyrannicide defended by the *monarchomachs*, a term Barclay coined.¹⁹ For this contribution Barclay was cited by John Locke as the main champion of the divine right of kings.²⁰

Barclay's *De potestate Papae* was dedicated to Pope Clement VIII, and Barclay insisted that his criticism came from within the Church. He attacked Bellarmine's fundamental argument that political authority and ecclesiastical authority were at once separate and united in the Christian commonwealth. The separation that Bellarmine had introduced was not at all limited, Barclay suggested, nor had the historical advent of Christianity merged what used to be separate. Indeed, the separation between ecclesiastical and political authority had never been and could never be bridged by the pope's authority because it was of divine law: "One needs to know that those two authorities by which the world is kept in order, that is, the ecclesiastical and the political, are *iure divino* separated and distinguished, so that even if both come from God, each is confined within its own boundaries, and the one cannot legitimately invade the other's territory."²¹ No one can dispense in matters of divine law, and not even the pope should presume to transgress boundaries set up by this law. While the primacy of the pope's supreme spiritual authority was not questioned, such authority could not intervene in politics even for the sake of consciences and the attainment of eternal life, for which spiritual punishments and censures were more than enough.

Bellarmino's *On the Temporal Power of the Pope. Against William Barclay* (Rome, 1610) is important for many reasons. First, it elucidates the development of the cardinal's thinking on papal authority in temporal matters and its complex implications. Faced with Barclay's arguments, Bellarmine needed to defend the pope's temporal authority, both direct and indirect,

19. *Monarchomachs* (literally, those who fight against monarchs) was a term used pejoratively by Barclay to describe a group of Calvinist political theorists who opposed monarchical absolutism and maintained that a sovereign who had become a tyrant may in certain cases be resisted and even removed. On Barclay's role in the debate against the monarchomachs, see J. H. Burns, "George Buchanan and the Anti-Monarchomachs," in Philipson and Skinner, eds., *Political Discourse*, pp. 3–22.

20. Locke, *Two Treatises of Government*, pp. 419–35.

21. Barclay, *De potestate Papae*, pp. 5–6.

as the one true Catholic doctrine, showing that, despite some disagreement on how this authority played out, Catholic theorists were unanimous in defending its existence. At the same time, however, Bellarmine needed to defend and restate his own views on the indirect character of papal authority against both Barclay and the Catholic theologians who supported the pope's direct authority in temporal matters. Bellarmine needed to do this without undermining the unity that he claimed the Catholic world presented in maintaining that the pope had some authority in the temporal sphere. For this reason, he also needed to clarify and, in certain cases, to modify and retract earlier statements that could open the way for Barclay's antipapalism, as had happened a few years before with Sarpi. Thus, on the one hand Bellarmine retained his theoretical cornerstone regarding the relationship between political and ecclesiastical authority. As he wrote in chapter 7, "The spiritual or ecclesiastical commonwealth and the temporal or political commonwealth are both two and one: two parts, one total, just as the spirit and the flesh joined together at the same time constitute one man, indeed they are one man." On the other hand, pushed by Barclay, Bellarmine was forced, for example, to restate his own opinion on the exemption of the clergy in a more clearly "papalist" sense.²²

The treatise against Barclay is not only important for an understanding of the evolution of Bellarmine's thinking and its implications for Catholic political theory and theology, but also for the considerations it contains on many theoretical and historical issues that are crucial to seventeenth-century debates over the relationship between the Christian Church and the Christian commonwealth. For example, if Bellarmine was right in stating that the Christian commonwealth merged political and ecclesiastical authority, albeit only partly, why did not Christ himself exercise any political influence? Why did the primitive Church tolerate so many persecutions by heretical emperors if it could depose them? Why would any

22. For example, in the *Controversia de clericis*, one of the three parts of the *Controversia de ecclesia militante*, Bellarmine had written that clergymen's exemption from the princes' jurisdiction was not *iure divino* and that the apostles were *de iure* and *de facto* subject to the Roman emperors. He had already modified this opinion in 1599 starting from the Venice edition of the *Controversiae* and again in the 1607 *Recognitio*. In chapter 3 of his treatise against Barclay he was obliged to go over the issue once more by admitting the past mistake and declaring that the apostles were solely *de facto* subject to the Roman rulers, as they had been exempted *de iure* from their jurisdiction.

prince want to become Christian, thus submitting himself to another authority? What was the relation between the pope's spiritual authority and his role as sovereign of a temporal realm? Such questions arise from the core issues of early modern political thought: what is the origin of temporal government, and what is its relationship to spiritual authority? These issues cut across confessional boundaries and override the Catholic/Protestant dichotomy. In this respect, Bellarmine's treatise against Barclay was both the catalyst for and the expression of a series of dramatic events in the political history of Europe that involved precisely the process of theoretical definition and historical development of the early modern nation-states.

Bellarmino's *On the Temporal Power of the Pope. Against William Barclay* appeared soon after the publication of Barclay's treatise, and it caused a great stir not only in Britain but also in the Catholic world, especially in France. The situation of the Catholic Church in France was already difficult owing to strong Gallican and antipapalist influences, but it deteriorated dramatically after King Henri IV of Navarre was murdered on May 14, 1610, by a French Catholic zealot, François Ravailac. The assassination of the king, moreover, hardened the anti-Jesuit sentiments that were already prominent following the Society's expulsion by Henri in 1594, and these sentiments had not softened after the order's rehabilitation in 1603.²³ Thus Bellarmine's book immediately became a paradigm of the dangers that the supporters of papal authority, especially the Jesuits, represented for the French monarchy in the wake of the assassination of Henri IV. That is why the book was subject to the unusual and potentially dangerous humiliation of being condemned by a sudden and unexpected *arrêt* (ruling) of the Parlement de Paris in the fall of 1610.²⁴

On the Primary Duty of the Supreme Pontiff

The division within the Catholic camp that Bellarmine's theory provoked is indeed one of the clearest indicators of its relevance in early modern Eu-

23. On the relationship between the Society of Jesus and the French monarchy in this period, see Nelson, *The Jesuits and the Monarchy*.

24. The engrossing and fast-moving crisis of the fall of 1610 can be followed in the diplomatic dispatches from the Papal Nuncio in Paris to Rome, in ASV, Segreteria di Stato, Francia 54, fols. 147r and following.