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The Catholic Church and peace
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The Catholic Church and Peace Efforts

By William F. Roemer, Ph.D.
John Tracy Ellis, Ph.D.
and The History Committee

PART I

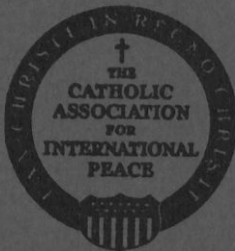
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A Report of the History Committee



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THE CATHOLIC CHURCH AND PEACE EFFORTS

Study Presented

to

The Catholic Association for International Peace

by

THE HISTORY COMMITTEE

Price 10 cents

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THIS is a Report from the History Committee of the Catholic Association for International Peace. It was presented and discussed at the regular annual meeting of the organization. The entire Committee coöperated in the final form of the Report and the passages involving moral judgments were presented to the members of the Ethics Committee for their consideration. It was then submitted to the Executive Committee which ordered it published. As the process indicates, this Report, being the report of a Committee only, is not a statement from the whole Association.



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THE CATHOLIC CHURCH AND PEACE EFFORTS

THE Catholic Church is found to possess a moral program of international justice and peace. Her ethical system is well known to all who care to examine her doctrine. Those principles of morality which especially relate to the rights of States as moral persons, together with some of the inferences drawn by her most representative spokesmen relative to peace and war, have been ably summarized in the pronouncements of the Committee on Ethics of the Catholic Association for International Peace.

The purpose of the History Committee in submitting to the public this introductory report is to assist inquiring students of world peace to discover whether or not the practical administration of the Church has in the past adhered to those pacific principles which common sense and reason accept as the ultimate basis of a safe and honest peace. It is by no means intended to propagate an exaggerated theory regarding the future influence of the Church upon the State. We propose to present facts which reveal that an influence for peace has quite generally resulted from her divine doctrine and her actual practice. Neglect of these facts in any study of peace would prove grievously shortsighted indeed.

The findings of the several members of our Committee will be presented separately under the title of each individual's authorship. In the initial part of this report, we offer:

- I. An expression of the scope of the studies that are being made by the members of the Committee; the subject matter of these studies is limited by a Christian philosophy of peace.
- II. A general retrospect of the progressive advance in the social influence manifested by the Church during the first centuries of her existence.
- III. A brief enumeration of some of the Catholic publicists whose studies in the philosophy of law have disclosed the essentially ethical framework of an international law.

PART I

BY

WILLIAM F. ROEMER, PH.D.

I

THE SCOPE OF THIS STUDY DETERMINED BY A CHRISTIAN
PHILOSOPHY OF PEACE

In searching among the charts and records of history for the most direct and practical ways to peace, we are not unaware that care is to be exercised in the interpretation that is placed upon events in relation to their causes. One often hears it said that "everything is true but history." What is meant by this, doubtless, is that the motives and theories of historians very easily distort the real sequences, and interchange the major and minor influences which are ever at play in the drama of social life. If history is to be truth it must be imbued with the life of true philosophy and with a theory that is not biased and untrue.

The philosophy that guides and motivates this study is that which may be called the Christian philosophy of peace. It is the conviction that true peace, like true law, must have a moral basis in justice, and not be based merely upon the physical foundation of force.

Any profound reflection on the problem of maintaining international peace and of "outlawing" international war brings to light the contradictory character of international war and international law. Despite this recognition on the part of intellectual students who approach the problem speculatively, the fact is often overlooked that the work of establishing the reign of law between nations can of necessity be accomplished only by the joint influence of many dynamic forces. Among these may be mentioned that rather intangible and changeable public opinion which has periodically discovered the fallacy of aggressive war, only to forget it under the passion of economic and political nationalism of the extreme type. Perhaps the most potent influence for law is the moral power of those people who fear God and practice religion. On the other hand, atheism and its devotees constitute one of the foes of a safe and permanent international law since they attempt to destroy the theistic and ethical basis of law.

Out of this conflict of forces, theistic and atheistic, the ques-

tion arises: To what extent does religion—all forms of religion—affect the political peace of nations? To what extent has the Catholic Church in particular been an influence for political peace between organized communities, cities, and states? The question is not directed exclusively to an examination of the moral constitution of the Church, although her doctrine evidently guides her activities. It demands an answer regarding the practical devotion to the ideals of Christian peace by Catholics themselves.

Let us assume here that the divinity of Christ is a proven fact and that the Church was therefore founded by God, Who proved His love for peace among men of good will, in word and deed. He submitted to death at the hands of His enemies, rather than call upon many legions of soldiers to wage war for His cause. While it is well to recognize the fact that the Church was established by her Founder not merely to promote or maintain temporal peace, one may remark that the Son of God chose to come upon the earth when "All the world was at peace," and that His habitual greeting was "Peace be to you." While justice and truth were His primary concern, and not peace alone—for He was willing at times, as He said, to set brother against brother—nevertheless Christ's conquest was to be won by pacific means. Although in the constitution of the Church there has always been preserved the military characteristics of an army whose destiny is to propagate directive principles of faith and morals without compromise, at the same time she is expected to enter her domain in peace and not at the sword's point.

For the Church is primarily interested in the individual and his eternal salvation; with political groups and their temporal peace, she is interested secondarily, but none the less intensely. And she is interested above all in personal morality to the end that in the kingdom of another world each man may be eternally at peace with his Creator. Accordingly, the Church's doctrine, which is Christ's doctrine, a divine revelation, does not require for its support that its followers adopt any definite type of political government. The Church is therefore truly an international agency, unconfined within the limits of any State. It is only in a negative way, that the Church would limit the forms of political sovereignty. For example, she is opposed to the extreme nationalism which makes the nation an end in itself,

which makes nationalism a fetish and a quasi-religion that is a contradiction of Christianity and Catholicism. (Such a nationalism is not here to be confounded with true patriotism which is, in the temporal sphere, a necessary loyalty. Thus there is no contradiction in being at once a loyal Catholic and a loyal citizen.)¹

Christ has taught us to "Render to Cæsar the things that are Cæsar's and to God the things that are God's." The Catholic Church continues to stand on this principle. Favoring all duly constituted authority, she favors no one state. Her vehement denial of the absolute sovereignty of the State and of the divine right of individual kings to perpetuate their family dynasties puts the Church on record in the past, the present, and the future as opposed to a needless conflict of nationalities, within her communion. It is possible to find instances where the limitation of tolerance is the source of friction. For whoever stands on the anti-nationalistic principle is not at peace with those who oppose that principle. Nevertheless the Church's defense of her principles does not imply any intrinsic threat to international peace. To think so is poor logic. For the Church is uniquely adapted to be "all to all" nations.

It is deemed appropriate that this introductory report of our History Committee present first a general view of the Church's influence as an agency for peace. The influence that we shall speak of is not of a directly political nature. We find that it would be difficult to enumerate the multiple peace-time interests which are stimulated by the Church. The influence of Catholicism upon the cultivation of the peaceful arts and sciences, of agriculture, and of education is not to be denied. The universities of the old world and of the new, the colleges and the parochial schools, maintained under her guidance have been for centuries witnesses to this influence. Her industrial and economic philosophy, her advocacy of the living wage and of the rights of guilds and unions to protect themselves against the encroachments of capitalistic concentration illustrate those specific principles, which tend toward peaceful coöperation in the economic interests of all. Her philosophy of other worldliness, inspiring all men with the hope of justice at the tribunal of a just God in the next world, makes possible in the minds of individuals a supreme patience under temporary injustices, and en-

¹Cf. Belloc, *Survivals and New Arrivals*, 108; Cecil, *Nationalism and Catholicism*.

courages communities which have been unjustly treated to refrain, if possible, from the pursuits of war and to use, instead, peaceful means of redress. Again the Church, administering the sacraments, especially those of Penance and Holy Eucharist, encourages men to seek the fruits of temporal happiness under law rather than through conquest and war.

These contributions which the Church, as the instrumental channel of divine grace, affords to all individuals who wish to avail themselves of God's special guidance in daily life are readily seen to promote harmony in family and community life. And, besides, the effect upon family and community life of these influences penetrates into the very innermost machinery of the State, dissolving the sediment and slag that otherwise would prevent the smooth and peaceful functioning of political organisms. What limits the value of the Church's indirect influence is, of course, the refusal of men in private and public life to take full advantage of the invigorating grace offered by the "Spouse of Christ." In addition to the indirect influences to which allusion has just been made, the Church has been for centuries, and still remains, in a strategic position to exert a more direct leverage in guiding nations away from the shipwreck of wars, through the use of papal arbitration.

It seems therefore clearly within the province of this preliminary review of the historical influence of the Church and the popes in assisting the promotion of peace to stress the value of a Christian ethic which has remained fundamentally unchanged. It will not be beyond the scope of this study of peace to include also a modest appraisal of the abiding utility of a permanent institution such as the papacy, as an agency of arbitration. For historical interest turns not merely for entertainment to the outward drama of a successive array of wars and treaties. Certainly there are many minds which desire to discover cause as well as effect, to compare varying effects with other varying effects, and among these causal influences with their resulting phenomena, to understand the relation of the Church to peace.²

In this connection we shall call attention to the paramount importance which the Church has traditionally assigned to arbitration in preventing and supplanting war. History will reveal the startling successes of arbitration and the miserable failures of militarism. While the race for military supremacy has led

²Cf. Allies, *The Formation of Christendom*, 23.

to the exercise of armed force, supine lack of preparedness has invited invasion into political units left unguarded. The Church, and not the State, has shown that she, like Christ, can throw away the sword and rely upon her divine guarantees. Whenever the Church has ascended the Mount of Calvary she never has doubted her own resurrection. It has not been so with political States. They possess no talisman of victory, no world-wide moral force to guard them from annihilation. For the Church—though not for the State—ultra pacificism has proved a successful policy.

Arbitration stands forth as the *via media* between militarism and pacificism in world politics. The *arbitrists* turn to history to prove their contention that it is better to submit disputes to a fairly impartial judge or jury than to invite that certain loss which ensues from defeat and victory in war, with almost equally devastating effect.

The Christian philosophy implies a recognition of the necessity for peaceful settlements of disputes between nations. For Christian principles connote an appeal to justice through reason. Reason condemns recourse to warfare where arbitration is possible. Reason demands that man accept international law as a mandate from God. International law needs sanctions other than those of military force. Where are such sanctions to be found? It would seem that the chief non-military sanction of international law is to be found in a world-wide public opinion, and an enlightened conscience of mankind, accepting the principles of Christian peace in the observance of treaties. How is such a public opinion and conscience to be achieved? Has civilization ever possessed such a conscience in the majority of humankind? Judged from the experience of the past, what are the prospects for the future? What has been the mission of the Church in this respect? What has been her success in forming such a conscience? What has been the rôle of the papacy in this regard? These are the particular studies which the History Committee of the Catholic Association for International Peace proposes in this brochure and also in subsequent studies along the same line.³

³Cf. Roemer, *The Ethical Basis of International Law*.

II

RISE OF THE CHURCH TO SOCIAL INFLUENCE IN THE
ROMAN EMPIRE

One of the first major, social and semi-political effects of the early Christian persecutions is found in the fact that, in 325 A. D., a general council of the Church was called at Nicæa; and that its members were received in the palace of the Emperor Constantine. The Emperor's action in accepting the decision of this Council as the voice of God, and his gift to Pope Sylvester of the Lateran Palace in the precincts of which he erected the Latin Basilica, a church dedicated to Jesus Christ, make one pause before the transformation that had come to pass in the old stronghold of idolatry and lust. The Emperor of the Roman Empire had apparently acknowledged the new religion of Christ as of divine origin. Such influence as the Church possessed in the day of the first Christian Emperor presents an interesting index to the relative value of military power in contrast to the psychological and moral power which the Church as a champion of truth and justice is able to exert at all times.

During the reign of Theodosius the Great, the Church was accorded even greater privileges than she enjoyed under Constantine. Under the latter's rule paganism had been tolerated, whereas under Theodosius (378-395) every sort of idolatrous worship was prohibited under the severest penalties. Against such zeal as that which this Emperor displayed, the illustrious St. John Chrysostom protested. "It is not," he said, "lawful for Christians to abolish error by force and violence. The salvation of men should be brought about rather by convincing them of their error, by persuading them to embrace the truth and by deeds of charity." St. Chrysostom's attitude, being more in accord with the teaching of Christ, was appropriately the one generally and traditionally adopted by the Church.

The Church continued to manifest her character as an invincible spiritual force always to be reckoned with, when the barbarians took possession of Rome. Instead of depending upon the State for her existence, and losing her identity under the stress of political reorganizations, the Church continued to flourish with surprising energy. Gradually her influence helped to civilize the barbarians. It was the pope who crowned Charle-

magne, on Christmas Day, 800, as Emperor. Here is a manifestation of survival where only the divinely fittest organization could have continued to exist.

The Roman Empire did not remain intact, but the orthodox interpretation of Christian doctrine did. The empire of Charlemagne was divided among his three grandsons in 843. Before long, when the struggle between the descendants of Charlemagne and the Duke of Paris resulted in the triumph of Hugh Capet, a transition from tribal sovereignty to territorial sovereignty was completed in France. While all this time territorial sovereignty in the Western world was taking definite form, the Church did not see fit to change her doctrine to suit the everchanging political situations. Nor did she lose her religious influence over the hearts and minds of her subjects. Rather she maintained her consistency and character in matters of faith and morals amid the metamorphoses of dynasties and peoples. Her œcumenical councils, in which she assembled prelates and learned doctors to decide upon measures relative to the discipline of the Church, were regarded as possessed of wide influence and authority. In the eight General Councils of the East, held in 325, 381, 431, 451, 553, 680, 787 and 869, and, also, in the seven General Councils in the West held in 1123, 1139, 1179, 1215, 1245, 1274, 1311, there were frequent discussions of problems which affected the well-being of the Christian *res publica*. Among such subjects were at times the question of regal succession and the trial of princes, whose conduct harmed their own subjects or others. It is significant that always the single ethical standard of Christian doctrine was held before kings and subjects. In this singleness of standard is to be found the seed of peace, within and between nations.

During the greater part of the Middle Ages, Europe divided her allegiance between the Byzantine and the Holy Roman Empire, which, ceasing to be Roman, partly justified the epigrammatic criticism of Voltaire. The Byzantine Empire with its capital at Constantinople was far enough removed from Rome that the Byzantine emperors were not able effectively to bring the popes under their political sway. Instead, the bishops of Rome began to exercise both political and ecclesiastical power in central Italy. The popes were, first and foremost, religious leaders, but according to the circumstances of mediæval society they also wielded political and hence even military

power. In recognizing this intimate part which the head of Christendom was called upon to play in political affairs during the Middle Ages, we do not wish to be accused of advocating a restoration of the Church to a similar political position today. It cannot be overemphasized that the influence with which we are concerned is not that of a political party. The burden of these reflections is to submit the view that the moral principles of Catholicism tend logically to induce a social state of mind which will refuse to harbor nationalistic antipathy and social hatred, the chief roots of public warfare at all times.

It is true that the popes in mediæval European civilization occupied a vastly different position from that which they hold in twentieth century society. Today, international finance controls the capitalistic economy. Communism and related forms of socialism seem to preoccupy the mind of those who protest against the excesses and disadvantages of capitalism. In the twelfth and thirteenth centuries the Church and the papacy dominated social life in the Western world. Europe had found and accepted unity in Catholicity. She was therefore within reach of the promised realm of permanent peace. Regrettable is the loss of what might have been for her a lasting assurance of peace. The sacrifice of Christian social unity could not do aught but entail the loss of peace.

The thought which suggests itself here is that the principles of justice which the Church gave to the people of Europe in the days of the Roman Empire and to the people who lived in Europe in the mediæval centuries were principles which tended to stabilize their social dealings in the intercourse of one racial group with another. The fact that private warfare was not uncommon in those days can be attributed to other factors than to the resistance of human nature to a single standard of justice. Racial prejudices, barbarian customs and habits did not submit to the promptings of conscience and to the yoke of religion without prolonged self-discipline coincident with many failures to curb the pugnacious instinct which had been fed by centuries of distrust and lack of understanding between one tribal group and another.

There is no doubt that the influence of the Church with her Catholic Christ-given doctrine of justice to all has been a leaven working for peace in a world of nations accustomed by instinct and habit to fight for supremacy and ruthless domination regard-

less of the rights of those people who may be considered foreigners to one's own State.

The denial of the papal spiritual supremacy in the sixteenth century with the consequent destruction of religious unity in the West—the Schism of the so-called Greek Orthodox communion had initiated the disruption of Christendom—by the Protestant revolt, effectively crippled most of the efforts on the part of Church dignitaries to assist directly in the rôle of official arbiters since that time; for in the Treaty of Nijmegen, and earlier in the Peace of Westphalia, is found the new principle that “the religion of the prince is therefore to be the religion of the land.” The scourge of materialism and the disregard for authority helped to obscure and diminish the prestige of the Holy See. Having ignored the Holy See, governments lost for a time a powerful mediator who could apply fixed standards of justice in cases of dispute. No other tribunal could be found, whose principles were so lofty and which was as disinterested as the Holy See. No single man, no government, no court was prepared to state with authority what were the true basic obligations and rights that underlie the relations of man to man, and man to State. The Holy See, constant in its adherence to its principles of justice, right, and duty, as found in the natural law and interpreted by Scholastic philosophy, proclaimed a system of morality which was absolute and unchanged and, therefore, available and reliable at all times.

Whereas, before the advent of Protestantism, the outlook for unlimited progress toward more enduring peace and prosperity was very encouraging, by reason of the fact that the Church's moral teaching was accepted as standard, unfortunately new sources of conflict arose along with the Protestant revolution which undermined the foundations of international law, and opened a way for a flood of chaotic opinions and self-destructive contradictions.

Religious principles were called into question by leaders such as Luther, and when left to individual interpretation, lost their influence in many sections of Europe. Religion ceased to be interwoven with the warp and woof of daily life, and was relegated to separate minor departments of interest along with thousands of others. And as people emancipated themselves from spiritual ties, material interests came more and more to crowd out their esteem for the higher values, and international

morality lost its unity. For each nation undertook to be a law unto itself, chose to have its own religion, and its own standard of morality. Hence, the most important well-springs of international law were diverted, inasmuch as the old common sense principles of justice were called into question. Paradoxical as it may seem, in the sixteenth century, the era of the so-called birth of international law, the nations of the world lost the compass that might have guided them to pacific shores where their difficulties might have been solved, not always by the unsatisfactory decisions following war, but by a supreme and permanent court of equity. Sentiment for the ratification by all the sovereign powers of a protocol for the secure establishment of a world court seems to be based on a reasonable demand for an agency of arbitration whose constitution is based on moral and legal conceptions acceptable to the common conscience of civilized mankind.

III

CONTRIBUTION OF THE CHURCH TO THE LAW OF NATIONS

Let us select a particular phase of that influence for peace which we are concerned with in the mediæval period—the contribution of the Catholic moralists to the law of nations. A moment's reflection upon the problem of avoiding war brings us to the same fundamental analysis of peace and law with which statesmen and moralists have always been faced. War is the very antithesis of submission to law and peace. Peace is the tranquillity of order, and without the acceptance of law, there is obviously no order amid the confusion of conflicting rights, exaggerated as they are by the material desires of contending groups. The moralists of the Catholic Church, as well as those very upright non-Catholic publicists who have reiterated Christian principles of social ethics, have ever been unanimous in upholding the validity of a natural law in the essential political relations which obtain between sovereign States.

The conception of the *jus naturale* was not entirely foreign to Roman philosophers and jurists. The Stoics believed that all men are obliged to live "according to nature." It thus came about that Roman lawyers, being under the necessity of working out a system of law which would be basically the same for

various racial groups within the Empire—a practical and positive *jus gentium*—came to the use of terms identical with those employed later by the mediæval philosophers, who had the advantage of the light afforded by revelation.

Under the influence of Christian theology it was not surprising that the “common conscience” of mankind was found to come from God. It therefore possessed divine sanctions, and became in time a system of right founded in the very essence of God and enacted into formal law by His divine will. This law was found to be within reach of man’s reason which can discover, interpret and correctly apply it. Natural law, then, was interpreted to be a participation by man in the eternal law inasmuch as human reason was delegated by God to ascertain the will of God regarding the welfare and destiny of the human race and thus to arrive at the knowledge of standards of truth and justice. Appeal from the defects and injustices of the actual order in man’s conduct could always be made to such a *magna charta* of human liberties, and though this appeal might be practically ineffectual at times, nevertheless there was kept before the minds of men the fact that it was their duty to make behavior conform to an ideal system of human relationships. Machiavellian principles were certain to crop out, but *might* was not long allowed to assert itself as *right*, without vehement contradiction.

It is in the philosophy of the early mediæval period that there is to be found the living soul of international law. A practical reflection is suggested by the fact that if a progressive and intellectual revolution is to be brought about in our attitude toward international relations—if we are to have international justice and world peace—then we cannot ignore the study of this system which recognizes divine origins and is ingrained in man’s very nature. It is a part of the glorious past to which men go when they wish to find a living international law for a modern world.

By reason of the Church’s spiritual constitution and her interest in social peace, it came about that the Church was destined to drive the first piling for the structure of international law by endorsing principles of international conduct enunciated by her moralists in their study of relations between national groups. The definitions and distinctions of such representative theologians as St. Isidore of Seville (*circa* 595-636)

were accepted by numerous commentators, and incorporated in Gratian's code of canon law.⁴ As early as 596 St. Isidore gave definitions or descriptions of the *jus naturale*, *jus civile*, and *jus publicum* which were perhaps borrowed from the *Institutes* of Ulpian wherein *jus militare* was placed by the side of *jus gentium* and was made a matter of earnest treatment. The law of war also received some study here in the form of detailed propositions. These St. Isidore treats of in the fifth book of the *Etymologiæ*. His eighth book classifies the various kinds of warfare.

Although at this period of the sixth and seventh centuries the law of nations had not as yet appeared as a distinct science, theologians, canonists, and publicists were already discussing the morality of warlike relations. This was to be expected, as wars were frequent and took the form of private feuds in addition to strife between political communities. The former were, however, far more general. They were called "Faustrecht" or "Faïda." Broadly speaking, the principles justifying private warfare were conceived to be based on that right to seek justice and to redress wrongs which is vested in every free individual.

The Church, in addition to sanctioning Isidore's own definitions and distinctions, contributed to the maintenance of international peace by efforts to curb private warfare and to impress upon the minds of her children the value of peaceful methods of settling disputes. In this connection the Truce of God offers an interesting concrete instance of the influence of the Church. The idea of establishing holidays on which private warfare would cease arose during the eleventh century amid "the anarchy of feudalism."

It arose amid the anarchy of feudalism as a remedy for the powerlessness of lay authorities to enforce respect for the public peace. There was then an epidemic of private wars, which made Europe a battlefield bristling with fortified castles and overrun by armed bands who respected nothing, not even sanctuaries, clergy or consecrated days. A council of Elne in 1027, in a canon concerning the sanctification of Sunday, forbade hostilities from Saturday night until Monday morning. This prohibition was subsequently extended to the days of the week consecrated by the great mysteries of Christianity, *viz.*, Thursday, Friday, Saturday, and Sunday. Still another step included Advent and Lent in the Truce. The Truce soon spread from France to Italy and Ger-

⁴Cf. Chapter on Mediæval Diplomacy, by Carlton J. H. Hayes, in *History and Nature of International Relations*, edited by Edmund A. Walsh, S.J.

many; the œcumenical council of 1179 extended the institution to the whole Church by Canon XXI, "*De treugis servandis*," which was inserted in the collections of canon law (Decretal of Gregory IX, 1 title, "*De Treuga et Pace*"). The problem of the public peace which was the great desideratum of the Middle Ages was not solved at one stroke, but at least the impetus was given. Gradually the public authorities, royalty, the leagues between nobles (*Landfrieden*), and the communes followed the impulse and finally restricted warfare to international conflicts.⁵

Both the "Truce of God" and the *Pax Dei*⁶ indicate leadership on the part of the Holy See, inspiring and directing the warlike knights toward the goal of peace.

Contrary to the methods prevailing in feudal courts of obtaining the judgment of God by trial of battle, the ecclesiastical courts, established so widely over western Europe in the wake of the Cluniac and Gregorian reforms, determined justice by resorting to canon law, which always relied upon reason and equity. By such means the canon law fostered and inspired the growth of royal justice and royal law.

Pope Gregory IX (1227-1241) deserves special mention here since he was the first to have the canon law condensed into a code; and hence he has been called the Church's "Justinian." Of course, the canon law was designed for the government of the Church and not to replace or rival the imperial jurisdiction. Yet the influence of the Church's law was so manifestly beneficial, especially in the Middle Ages, that it may be said to have supplemented and perfected the *jus gentium* of the Romans.

It was because they saw that the principle of political authority contradicted the practice of private war that many mediæval theologians, canonists, and publicists thought it a part of justice to limit the right to wage war to the heads of political groups. It was here that Gratian, who might well be called the father of the science of international law as he is of canon law, played a pioneering rôle. His *Concordia Canonum Discordantium*, known to posterity as the *Decretum*, which was designed to serve in teaching canon law, was compiled between 1139 and 1150. Due to the fact that he had championed the juridical

⁵Cf. Moeller, Ch., "Truce of God," *The Catholic Encyclopedia*, XV; Semichon, *La Paix et La Trêve de Dieu*.

⁶Galerius, "Edict of Toleration," in Eusebius, *Hist. eccl.*, VIII, xvii.

claims of the Holy See, he gained an enthusiastic following, and the *Decretum* soon became regarded as a very important work. However, it possessed other intrinsic values and was copied in many manuscripts prior to the invention of printing, and after that time, ran through manifold editions, thirty-nine of which can be counted between 1471 and 1500 alone. In the second part of this work, in *Causa XXIII*, he treats of war by saying that it may be lawful, but should be imposed only by necessity and not based on cupidity, nor attended with cruelty, and should be directed toward the inauguration of peace.

St. Thomas Aquinas also exerted great influence upon subsequent moralists and publicists. His *Summa Totius Theologiæ*, begun in 1265, and completed after nine years of labor, considers war in the fortieth question of the *Secunda Secundæ*. The sinfulness of war, the impropriety of clerics and bishops taking part in war, the questions whether ambushes were lawful and whether fighting on feast days was proper, were subjects which he treated with moderation, humanity, and a spirit of conciliation. Many of the maxims which have become classics in dissertations of the law governing war can be traced back to this book and this author. The *Summa* became the intellectual pride of Christendom, and was taught far and wide, particularly by the Dominican Order.

The writings of Gratian and Thomas Aquinas were authoritative manuals in the field of theology and philosophy. When we remember that the schools throughout the early part of the Middle Ages were dominated by the spirit of Catholicism, we cannot but infer that these two authors by their ethical opinions influenced the studies and the contributions of those other writers who, toward the end of the fourteenth century, busied themselves with a consideration of special questions relative to international morality and the law of nations.

Probably the choicest bloom of Spanish legal scholarship, at a period antedating Grotius, was Francisco de Vitoria (1483-1546),⁷ who is specifically mentioned by the learned Grotius not only in his *De Jure Belli ac Pacis*, but also in his *De Jure Prædæ*. This frank acknowledgment by Grotius has led to honest inquiry into the life and works of Vitoria, who lived during the glorious years marking the end of the fifteenth and

⁷McKenna, "Francis de Vitoria, Founder of International Law." (Report of the Catholic Association for International Peace, Washington, D. C., 1930.)

the beginning of the sixteenth century. He was born in Alava, and was sent to Paris, where the Order had a college connected with the University of Paris.

Vitoria's eminent merits were recognized when in 1540 he was admitted to the Sorbonne, from which he obtained the degree of Licentiate in Theology. To the science of his choice, Vitoria gave a vigorous impulse and was responsible for revival of interest in theology in Spain.

Many writers attributed to the University of Paris the credit for having taught Vitoria the doctrines which he carried into Spain. Doubtless, his great qualities were given him by nature and fostered by his instructors in philosophy and theology. He had indeed the good fortune to be in surroundings favorable to the development of his gifts. While in Paris he became a friend of one of the leading humanists, Josse van Assche. He was acquainted also with Pedro de Covarrubias, Juan Luis Vives, and the great Erasmus.

On his return to his own country, Vitoria was appointed regent of the Dominican College of St. Gregory at Valladolid. In 1526, the primary chair of theology at the University of Salamanca became vacant, and, on September 7 of that year, the judges awarded it unanimously to Vitoria after an open competition.

The contemporaries and pupils of the "incomparable professor," as he was called, aid us in extolling his extraordinary talent. Among his most illustrious disciples were: Melchior Cano, Domingo Soto, and Bartholomew of Medina. Melchior Cano, in his *De Locis Theologicis Libri Duodecim*, says of Vitoria: "Spain has received this eminent master of theology from the great goodness of God."

In 1552, Vitoria, lecturing at the University of Salamanca, delivered his famous dissertations, *De Indis* and *De Jure Belli Hispanorum in Barbaros*, in which he discussed the ethics of Spanish dominion in the New World. Again, in 1538, we find Vitoria discussing other problems arising out of Spanish contacts with the Indians.

While Vitoria was not himself present at the œcumenical council held in Trent (this Council opened in 1545 and continued to 1563), his influence, through at least two of his students, Domingo Soto and Melchior Cano, was great among the theologians gathered from all nations—the Spaniards acquitted

themselves in a manner far superior to many others. In the lectures which were published by his students, we learn of the opinions which Vitoria probably would have expressed in regard to the quarrels over papal authority had he attended the Council of Trent. The learned Spaniard held the Church and its head in high respect, and he placed the *Respublica Spiritualis* and the *Respublica Temporalis* side by side, teaching that each was self-sufficing. He held that the Church had the right to act independently in such a way as not to disregard the political power of princes; but only through the medium of her spiritual authority.⁸

After his death the lectures of this great teacher were collected by some of his former pupils, and printed. The first edition was filled with mistakes, and succeeding editions also had more than their share of blunders, although these were mistakes of printing which could be corrected by the reader himself. While the title of his compiled lectures, *Relectiones Theologicae*, indicates that theological questions were in the majority, some of the questions treated belong more properly to the law of nations. Not only did Grotius pay homage to Vitoria's genius, but later historians as well and many moralists and publicists were unlimited in their praise of this great Spaniard and his close reasoning in matters concerning the law of nations.

Francisco Suárez (1548-1617), also, well-known as a Theologian, was interested in international relations and formulated some enlightening principles that strongly affected Grotius and his successors and more firmly than ever based the foundations of right international law on the teachings and tenets of the Church. Suárez occupied the chair of theology at the University of Salamanca. He was born in Granada on January 5, 1548, slightly more than a year after the death of his countryman, Vitoria. In 1564, Suárez entered the Society of Jesus at Salamanca, where he studied philosophy and theology, and published twelve extensive works on theological and philosophical questions. Seven more of his works were published after his death.

The influence of Suárez on international law by reason of the ethical principles which he expounded was perhaps as great as

⁸Cf. Scott, *The Spanish Origin of International Law*. Also cf. Francisco de Vitoria: Addresses in commemoration of the fourth centenary of his lectures "De Indis" and "De Jure Belli" (1532-1932) (Delivered at the Catholic University of America, May 1, 1932.)

that of Vitoria. Grotius recognized in him one of the greatest theologians and a profound philosopher.⁹

Without detracting in the least from the credit which is due Grotius for his systematic compilation of the principles which underlie international law, it should be borne in mind, as Doctor Scott pointed out, writing on November 2, 1906, and quoted by Father Walsh:

Grotius is universally considered as the founder of international law. This, like many other statements, is true enough but likely to mislead. He was not the founder nor was he the father of the science any more than Adam Smith was the father or founder of Political Economy as a science. We look beyond Grotius and see that the international law of today is rooted in a remote past.¹⁰

Although Grotius elaborated his work in detail, his general principles are fundamentally the same as those outlined by Suárez and Vitoria.¹¹

Grotius, in naming the authors to whom he was indebted and in criticizing them for lack of clarity and exactness, praises the *Semestria* of Peter du Faur de Saint Jovis for its endeavor to supply order and arrangement to the existing knowledge of international law, and with mention of him, also notices the work of two other authorities whose contributions we shall take note of briefly—Balthazar de Ayala, a Spaniard, and Alberico Gentili, an Italian. The former, a subject of Charles V of Spain, was born at Antwerp in 1548. His fame as a jurist is preserved in his *De Jure et Officiis Bellicis et Disciplina Militari*. Of equal authority with Ayala was his contemporary, Gentili.

Alberico Gentili, born in Italy, in 1552, may indeed be regarded as one of the founders of modern international law. He was forced to leave his native city, because of objections to some of his opinions, and he went to England to become professor of civil law at Oxford University. He adopted as his real guide the *Jus Naturae* as a participation in the divine law, and held it to be the best epitome of the philosophy of law.

⁹Cf. Grotius, Ep. 154. J. Cordesio. Herbert Wright in the *American Journal of International Law*, XIV, No. 2, 307 (April, 1920), discusses the influence which the works of Suárez have had upon International Law. Likewise the Carnegie Endowment for International Peace, under the editorship of James Brown Scott, has published a translation of the works of both Vitoria and Suárez relating to law and international relations.

¹⁰*The History and Nature of International Relations*, edited by Edmund A. Walsh, S.J.

¹¹Cf. Walker, *A History of the Law of Nations*, 330.

In the fall of 1588, he published at London his *De Jure Belli Commentatio Prima*. It was to this treatise that Grotius admitted he owed great assistance in the writing of his *De Jure Belli ac Pacis*, published at Paris in 1625. However, Gentili, in turn was dependent upon a group of Spanish scholars, the most distinguished of whom was Suárez, whose work *Tractatus de Legibus ac Deo Legislatore* surveys in a general way the field afterwards covered by Gentili and Grotius.¹²

Notation of the work of Gentili as a precursor of Grotius recalls another great name in theological, moral and legal circles, that of his illustrious compatriot, Cardinal Roberto Francesco Bellarmine. This light of the Church was born in Italy in 1542 and died in 1621. He entered the Society of Jesus at the age of eighteen, and soon distinguished himself for his knowledge of theology. He was sent to the Low Countries to oppose the progress of the so-called reformers, and for several years occupied the chair of theology at the University of Louvain. His great work, *A Body of Controversy*, which sets forth the right of pontiffs to depose princes, met with the disfavor of the secular powers in Paris.¹³ Bellarmine's disputations covered systematically all the prominent issues of the time, theological, ecclesiastical, and political, and constituted a formidable arsenal of arguments.

We may indicate also several lesser known publicists who merit cursory mention because they played some part in the shaping of the work of Grotius; to them that jurist has confessed indebtedness. Probably the first of these to merit our attention should be Giovanni da Legnano, an Italian, whose accurate knowledge of international relations and law was obtained from his experience on several diplomatic missions. Later in life he became a professor at the University of Bologna, where his field of study was law, theology, philosophy, morals, and astrology. He died in Bologna in 1383.

Grotius was indebted, as he says, to those writers "who often manifest great genius"—the Fathers of the Church, and scholastic canonists who by a special study of the Roman law had wedded its principles of practicality to the eternal principles of Christianity. Many of the writings of these were investigated by Grotius, and he acknowledged in general terms that his work

¹²Of Gentili, Grotius says: "Cujus diligentia sicut alios adjuvari posse scio et me adjutum profiteor." *Prolegomena*. No. 39.

¹³Cf. Dunning, *History of Political Theories*, 128.

was a compilation, rather than an original endeavor, "to lift international law out of the slough of despond" into which it had fallen. He makes note of Irnerius and his successors, Accursius and Bartolus, "and a great number of others who for a long time have been recognized as authoritative at the bar." He mentions Alciati and his followers and indicates by name Covarruvias, Vázquez, Matthæi, Hotman, Winckler, Henricus de Gorcum, and Martin of Lodi.

Other publicists and canonists whose works deserve study in this connection are: Honoré Bonnet, an Augustinian, who gave the world *L'Arbre des Batailles* about 1384, Alfonso Tostado, born in Castile about the year 1400, Gonsalvo of Villadiego, Johannes Lupus, Franciscus Arias de Valderas, and Thomas Campanella. These men, predecessors of Grotius, manifest in their writings their certain conviction that the only way to realize just international relations, or indeed any kind of just relations, is to abide by the moral principles vouchsafed to men by right reason and the revelations of the Divine Master, Who gave them to the world for its just betterment and regulation. The spirit of early international law then was the spirit of Christianity.

Is that spirit in evidence in this year of grace? Is it not that spirit that is needed to make treaties and covenants of lasting benefit? Is not our civilization, equipped with its mechanical devices (such as the radio) for closer communication between states, capable of informing the masses with regard to the essentials of international law? What is to prevent such an education of the people? Need the failures of the past dull our determination that a common conscience with respect to the principles of international morality and law be given an ever-increasing world-wide power for peace? On the contrary, the urgent need for such a common conscience demands that great effort be expended to educate all people in the peace history of the Church, a history which manifests:

- I. That she has been and still remains a tremendous and, potentially, an incalculable influence for peace;
- II. That she offers to the nations of the entire world a Christian philosophy of peace that is capable of guiding them out of the despair which the philosophy of force engenders;

- III. That her representative theologians, canonists, and philosophers have clearly demonstrated the existence of a stable and consistent ethics which will serve as an ideal and solid basis for a practical international law.

PART II

BY

JOHN TRACY ELLIS, PH.D.

IV

PEACE EFFORTS OF THE CATHOLIC CHURCH IN THE
EARLY MIDDLE AGES

The first section of this report affords a review of the philosophy underlying the Catholic Church's position in the maintenance of world peace and a statement of the principles which have motivated her actions in respect to peace efforts. The work of her theologians and moralists has been no small contribution to the general labors of the Church in this behalf. It is with this philosophic background and the knowledge of what has been done by the Church's writers and thinkers on this subject, therefore, that one may properly approach the second section of this report. The present section is devoted to an investigation of the historical instances in which the Church's agencies have been more directly utilized to promote world order and peace. This review is but general in character and may provide the basis whereon to rest more intensive and specialized examinations of the peace efforts of the Church in particular periods of her history.

The history of the first four centuries of the Christian era is not very productive from the viewpoint of successful peace efforts on the part of the papacy. That is not difficult to understand when it is remembered that these were the formative centuries of the Church and the years when it was establishing itself in the unfriendly regions of the Roman Empire. Through these first centuries of our era the apostles, disciples, and missionaries of the new religion made their way gradually about the provinces of the Empire. Had Christianity remained a purely Jewish phenomenon, it would not have given undue concern to the Roman state, but as it had almost from its beginning severed the chains which bound it to the Mosaic Law and the land of the

Jews, and made known its mission of universal conversion, this religion became the object of persecution by the authorities of the state.

Throughout these first few centuries, therefore, the Christian sect was made the victim of intermittent persecutions from Roman emperors and local governors, but the Empire had encountered a force against which it hurled its great physical strength in vain. The Church continued to grow and to spread so that in a spot as distant as Lyons in the region of Gaul the number of Christians seemed to warrant a persecution as early as the year 177.

Despite the apparent failure of persecution as an effective means of eradicating Christianity, the practice was continued on into the fourth century. The lot of the Christians was a difficult one at best, and the time and energy of the popes and bishops of these early centuries were occupied in a supreme effort to conserve the gains made, to enlist new members to carry on the Church's mission, and to keep the faith intact and practiced in a world which did not even grant to it the passive aid of legality.

However, other circumstances occurring in these years of the late Empire (and particularly is this true of the third century) were to work to the benefit of the Church. The Roman imperial government itself had descended upon evil days. The fine vitality of the Roman state was severely strained by the regime of the "barrack emperors," men who came and went from the imperial throne at the bidding of quarrelsome factions in the army. This disruption of the civil order, together with the simultaneous demoralization of Roman society, through the excessive taxation which ruined the business and lower classes, and through the indifference and over-indulgence of the nobility, seriously weakened the fabric of Roman statecraft. These factors, added to the wanderings and invasions of the barbarian peoples, made the struggle of the Empire to preserve itself a severe one since the end of the fourth century.

But the old Empire was to enjoy a brief period of revival before the process of decay would ultimately triumph. This revival was due chiefly to two energetic and able emperors who strove to restore the flagging spirit of imperial Rome. The first was the Emperor Diocletian (285-305), a forceful and ingenious administrator, a man who manifested little

patience with the new religion of Christianity and who instituted one of the last official persecutions of the sect. Following the retirement of Diocletian, and emerging victorious from the civil wars and feuds which marked Diocletian's departure, was the Emperor Constantine the Great (306-337). Constantine remained a catechumen during his lifetime, and was baptized only shortly before his death. It was he who gave the Christian body its first official recognition, its legal right to exist. It was Constantine who, in 313, issued, in company with his Co-Emperor, Licinius, the Edict of Milan which granted equality of status to all the religions in the Empire.

The implications of the Edict of Milan for the Christian body in the Empire were great. It meant that the disciples of this previously banned sect might now ascend from the obscurity of their catacombs to walk, worship, and work in the vision of all. Christianity might now take more positive steps to achieve her purpose. The Edict likewise was a recognition upon the part of the Roman state that the campaign of persecution had failed and that Christianity had won in its duel with paganism. Before his death the Emperor Constantine was baptized in 337, the first of the long line of imperial Cæsars to desert the pagan gods. The baptism of Constantine was another favorable portent for the future of Christianity.

The process of decay which Diocletian and Constantine were able to arrest for a short while set in again after the latter's death. But while the last years of the fourth century witnessed a diminishing imperial authority at Rome, the prestige of Rome's bishops, and their colleagues in the other Christian dioceses of the Empire, was increasing. Faced with the peril of invasion, the loss of life and property, and a receding central authority, the people turned more and more to the only source of order and discipline which they found about them in these troubled years, the Christian bishops. A striking example of the extent to which the Christian ideal had triumphed by the end of the fourth century, and also of the moral authority wielded by a Christian bishop is that of the Emperor Theodosius (378-395) and St. Ambrose, bishop of Milan. In this case Ambrose refused to perform any of the services of the Church in the emperor's presence until the latter had done public penance for ordering the ruthless massacre of the inhabitants of Thessalonica as a punishment for their revolt against his gar-

risoned troops in that town. The world was treated to the spectacle of a Roman Cæsar doing public penance for a sinful act before the Christian bishop of Milan. Speaking of the year 390 in which this event occurred, a historian calls it "that memorable year in which Church and State met as opposing powers and a righteous victory lay with the Church."¹⁴

It was not, however, until the next century that the bishops of Rome would emerge as the defenders of the West. When the Emperor Theodosius died in 395 he divided the Empire between his two sons. This division endured and the unity of the Empire was permanently shattered. Although not intended as such, this division was a confession of weakness and inability on the part of the secular power to maintain order, and such it proved to be. For some years the provinces of the Empire had been the scene of barbarian inroads, but it was in the days of Theodosius' sons that they penetrated into the heart of the imperial domain, bringing a partial paralysis of civil administration, destruction to life and property, and a blight upon civilization in their wake.

In these dark days of the fifth century it was the Bishop of Rome who came forth as the staunch defender of order in the state. When the success of the barbarian advance brings the Visigoths under Alaric to the Eternal City itself in 410 and submits the capital of the Roman Empire of the West to a sack in August of that year, it is Pope Innocent I (402-417) who is able to mitigate the punishment of the capital by Alaric's band and who persuades the Visigoth to spare the principal churches which were places of refuge for the frightened populace. Emperor Honorius, Theodosius' son, stood by at a distance from Rome while Pope Innocent interceded in behalf of peace.

Later in that same fifth century Rome was again the victim of a barbarian conqueror's whim, this time the leader of the furious Huns, Attila. His horde had advanced down the peninsula in 452 and were ready to plunder Rome when no resistance was shown by the weak and dispirited Emperor Valentinian III (425-455). It was in the face of this peril to the peace of the Romans that Pope Leo I (440-461) made his dramatic appearance before the camp of Attila near Mantua in

¹⁴*Cambridge Medieval History* I, 244.

the spring of that year. Leo was successful to a surprising degree in this mission of peace, for, as Grisar says—

This conference with the Pope moved the dreaded foe to compassion. He expressed his pleasure at receiving a visit from the Supreme Pontiff, and, after hearing the envoys, he ordered hostilities to cease and promised to make peace with the Empire. After this he withdrew his forces beyond the Danube.¹⁵

But Leo's highly profitable encounter with the Hun was not repeated in full three years later when the Eternal City again attracted a barbarian group, this time the Vandals of North Africa under Genseric. It was in June of 455 that the new danger appeared beneath the very walls of the city and Leo went out to meet him. Although not successful in saving Rome from plunder, the Pope was able to secure a promise from Genseric that no blood would be shed, none of the inhabitants induced by torture to forfeit their gold and jewels, that treasure brought into certain churches should be safe, that the city should not be set on fire, and that the plundering should not last longer than two weeks.¹⁶ It was events such as these of Leo I that did much to establish the Bishop of Rome in the eyes of the Western world as a source of discipline and orderly authority. In the midst of the turmoil attendant upon the barbarian migrations and the breakdown of Roman imperial authority, the papacy frequently provided an alternative to anarchy and chaos.

Almost a century and a half following the events related above, the papacy was still found enhancing its position as a pacifier of the barbaric peoples. The Roman See possesses few men in its long line of bishops who did more to restore peace and to maintain order than Pope St. Gregory I (590-604). By the time that Gregory ascended the pontifical throne the experiment of the Emperor Justinian (527-565) to reunite the old Empire of the Cæsars had been tried and had failed. Meanwhile a new peril to the peace of Italy had appeared in the Lombards. Gregory's efforts for peace with these warlike people often proved futile, but nevertheless the Pope never ceased to try. For example, in 593, when Agilulph, their leader, proposed to attack Rome, Gregory appeared and, in the words of one of his biographers—

¹⁵Grisar, *History of Rome and the Popes in the Middle Ages*, I, 94.

¹⁶Grisar, *Ibid.*, I, 96.

Urged maybe by an inward conviction of the result, he determined to follow the example of St. Leo with Attila, and to seek an interview with Agilulph. The meeting was arranged on the steps leading to the basilica of St. Peter, which was then outside the fortifications. The importance of the issue infused fire into the natural vigor and eloquence of the Pontiff as he greeted the Lombard King under the shadow of the temple of the Prince of the Apostles. He entreated, he commanded, he threatened, and the eloquence of his words, the majesty of his presence, and the utter disregard of self, made a deeper impression upon Agilulph than any parade of military hosts. The King relinquished his revenge, his prospects of plunder, his careful preparations, consented to withdraw his troops and to enter into negotiations for a truce with the Romans.¹⁷

The Lombards were ever a thorn in the side of this Pope, but he never gave over his determination to win them to peaceful ways. His negotiations with them take on an increasing importance when we recall that the Bishop of Rome was the only person in the Italy of those last years of the sixth century who could make a serious effort to stay the hand of the plunderer. But that he ever employed his ability to the attainment of that end and was happy when he learned of progress in the cause he cherished may be gleaned from a letter of Gregory's written to the queen of the Lombards encouraging her in her efforts for peace.

Gregory to Theodelinda, queen of the Lombards. How your excellency has labored earnestly and kindly, as is your wont, for the conclusion of peace, We have learned from the report of Our Son, Abbot Probus. Nor, indeed, was it otherwise to be expected of your Christianity than that you would in all ways show assiduity and goodness in the cause of peace. . . . For you may be assured, most excellent daughter, that for the saving of much bloodshed on both sides you have acquired no small reward.¹⁸

Gregory's zeal in behalf of the Lombards and his efforts to subdue them to more civilized living had its partial recompense the year before he died, when in 603 the heir to the Lombard throne was converted to orthodox Christianity.

The century which followed the death of Gregory I is one which bears little import for the subject of peace efforts on the part of the papacy. That institution became embroiled in the

¹⁷Snow, *St. Gregory the Great*, 143.

¹⁸Ayer, *A Source Book for Ancient Church History*, 602. (Ayer reprints this letter from Paul the Deacon's *Historia Langobardorum*, IV, 9.)

petty politics of Italian family feuds which diminished a part of the good accomplished during the pontificate of Gregory I. Between the local Italian difficulties, the general disorder of Western Europe, and the smoldering iconoclastic quarrel with the emperors of Constantinople, the seventh century does not present much constructive effort on the part of any of the rulers of the West to rescue Europe from the turmoil into which she had been plunged. However, a change came in the eighth century with the union of Pope Stephen II (752-757) and the man whom he had helped to make the new king of the Franks and the protector of the Holy See, Pepin II (741-768). That union which was to afford a combination of the spiritual and temporal powers for the ordering of Europe found its flowering in the days when Pope Leo III (795-816) resurrected the Roman imperial authority in the West in the person of Pepin's son, Charlemagne (768-814), in the coronation on Christmas Day, 800, in St. Peter's at Rome. This alliance between the papacy and the principal group of the barbarian peoples marked, among other things, the union of the two dominant powers in Western Europe who through their joint efforts kept back the flood of anarchy which threatened to engulf Western civilization.

Unfortunately, however, for the lovers of peace the early years of the ninth century marked the death of the two principals in the coronation of 800. Upon Charlemagne's death in 814, his great empire, the revived form of the old Roman Empire, devolved upon his son and was later divided among his grandsons, and an era of civil strife again destroyed a central authority. The papacy fared no better than its great ally. The latter part of the ninth century proved to be a dark night in the history of papal affairs, a period in which the lustre of early accomplishment was stained by shameful greed and ambition, an era in which the claim to leadership in the cause of peace was forfeited by the quarrels over the papal succession itself.

This unhappy turn of events was but a small part of the general chaos which covered Europe in these days of the "iron age." Central authority was destroyed and kingly privilege scorned; papal prestige had foundered in the morass of Italian politics and the demoralization of the papal power stretched out to a reign of abuse and weakness among the clergy at large. Failing to find direction and inspiration from their head and

surrounded by the disruption and vice of their age, the clergy of this period reflect the pattern of the time.

But this condition of affairs was not to endure for long. In the year 910, Duke William of Aquitaine bestowed a grant of land upon Count Berno and his band of holy monks for the establishment of the Abbey of Cluny. Motivated by the reforming ideal and blessed with a long line of holy and able abbots, Cluny radiated its influence for reform of the clerical life and the revamping of civil society through most of Europe. Cluny's reputation grew apace through the tenth century and, as one historian says, "before the eleventh century ended it had already become international, penetrating Italy, Spain, the Empire, as well as all of France."¹⁹ The Cluniac movement spread its influence in all lands by the establishment of branch houses of the central Congregation, and as Professor Krey remarks, "every house added to the Congregation meant just that much more subtracted from the mailed fist of feudalism and private warfare."²⁰ At a time therefore when feudal warfare was being waged with a fury that threatened all, when Christian Europe could not turn to the moral force of the papacy while it was submerged in Italian party strife, and when the rule and law of kings had been reduced to a shadow, this new band of reformed monks offered the inspiration and medium through which peace might be at least partially regained in the West.

It was in the same neighborhood of southern France which had given birth to the Cluniac reform in the early tenth century that there came before the end of that century an institution which did much to alleviate the worst horrors of this feudal anarchy. This institution which was to receive, if not its original impetus, then its ever constant support and encouragement from the Congregation of Cluny, was generally known as the *Pax Dei*, or Peace of God. Although there is some doubt about the year of its origin most authorities are agreed in accepting the decree of the synod held at Charroux in 989 under Gunbald, Archbishop of Bordeaux, as the first appearance of the *Pax Dei*. At this synod Gunbald and his assembled bishops pronounced anathema against those who break into churches, rob the poor, and strike a cleric.²¹ This expression of the Peace

¹⁹Krey, "The International State of the Middle Ages: Some Reasons for Its Failure," in *American Historical Review*, XXVIII, 3 (October, 1922).

²⁰*Ibid.*

²¹Thatcher-McNeal, *A Source Book for Mediaeval History*, 412.

of God was given an extension in the following year by Guy of Anjou, Bishop of Puy. The Bishop of Puy in 990 provided that Church lands should not be seized, peasants should not be taken captive and held for ransom, merchants on a journey should not be robbed, and that monks and unarmed persons accompanying them should not be injured.²²

The enactments of these provincial synods of 989-990 give the foundation to the Peace of God. This institution, though of course not always enforced, brought untold blessings to the troubled populace of feudal Europe. To the peasantry in particular, who bore the brunt of private warfare between the nobles, it offered the sole assurance of some check upon brute force. The provisions of the Peace of God were strengthened by the threat of excommunication against those who would break them. The Church through the medium of her bishops was found, therefore, in the late tenth century offering a plan whereby peace might be restored to the localities of their dioceses and security given to the life and property of their subjects. Robinson states its purpose well when he says:

Succinctly stated, then, the object of the *Pax Dei* was to exempt certain classes of persons whose condition or profession forbade them to carry arms—in a word, all non-combatants and defenseless people—from the operations of war and violence and to mark off a sphere of peace from the surrounding sphere of feud.²³

This salutary movement begun in southern France in these last years of the tenth century was eagerly accepted and adopted in most of France during the eleventh century. Numerous examples of local synods and councils legislating to implement the Peace of God in their territories testify to the popularity of the institution among those devoted to the cause of order.²⁴ However, despite the excellent results issuing from the execution of the Peace, the exceedingly complex state of feudal society was in need of something stronger than this to render peace more general and more certain. A recent historian of the Middle Ages, in speaking of the Peace of God, has remarked:

²²Thatcher-McNeal, *op. cit.*, 412-413.

²³Robinson, "Peace Laws and Institutions of the Medieval Church," in *Ecclesiastical Review*, LII, 528 (May, 1915).

²⁴*Cf.* Goyau, "L'Église Catholique et la Paix: Histoire Ancienne et Faits Recents," 114-118, *Semaines Sociales de France* (18th Session Le Havre, 1926), Lyon, France, for these local efforts.

But experience showed two defects in this endeavor. It was not sustained by the civil authorities, and moreover, there was no time limit imposed upon the practice of private war. A baron might indulge in it every day. The only restraint (not always effective) was that he might not damage church property or molest the three protected social groups, women, children, and merchants.²⁵

It was out of this necessity to devise more concrete plans for effecting peace, therefore, that there arose the *Treuga Dei*, or Truce of God. While both tended to serve the same end, yet, as Robinson says, it is true they were not identical and "differed widely as regards their origin, character, and demands."²⁶ The Peace appears at least a half century before the Truce. The latter had as its object the limiting of time in which private warfare might be engaged, the setting aside of certain days of the week and seasons of the year in which feudal strife would be abandoned by all. According to Huberti, the most outstanding authority on these peace movements of the Middle Ages, the Truce of God first appeared in a decree enacted for the bishopric of Elne, a diocese in southern France close to Spain, in 1027.²⁷ This Truce reserved the time from Saturday noon to Monday morning as periods in which there would be a cessation of fighting. The movement soon spread and in 1041 we find an example in the truce promulgated for the archbishopric of Arles by St. Odilo, Abbot of Cluny, and the bishops of the province, which extended the time of truce from Wednesday at vespers to sunrise on Monday morning. Thus the whole second half of the week was lost to fighting when these decrees were enforced.²⁸

This Truce of God, sponsored by the clergy, became a matter of discussion in practically all the meetings and councils of France during the eleventh century, and we find legislation being enacted to enlarge its scope and to extend its benefits.²⁹ Moreover the Truce had brought such obvious good fortune to the regions wherein it was enforced that the support of the better element of the lay nobility and even the populace was enlisted in its behalf. An interesting commentary on the enthusiasm

²⁵Thompson, *History of the Middle Ages (300-1500)*, II, 706.

²⁶Robinson, *op. cit.*, 527.

²⁷Robinson, *Ibid.*, 530.

²⁸Thatcher-McNeal, *op. cit.*, 414-416.

²⁹Cf. Hefele-LeClercq, *Histoire des Conciles*, Pt. II, IV, 950-976, for these synodical and conciliar efforts.

which this movement aroused among the people at large and the aid which they gave to this Church venture is found in the treatment of a recent historian on these efforts for peace.³⁰ As the Truce came to enjoy wider application so it also expanded its original provisions to include the season from the beginning of Advent to the octave of the Epiphany, from the beginning of Lent to the octave of Easter, and from the first of the Rogation Days to the octave of Pentecost. Other truces included the whole period from Advent to Trinity Sunday, ember days, feasts of the Apostles, etc. In fact the extension of time limits became so great that, as Professor Thompson says, "The fighting baron had left only the coldest winter months and the hottest summer months for indulgence in his favorite sport."³¹

The Truce of God had provided, therefore, an instrument by which a check might be placed upon the excessive fury of these years of "organized anarchy." The secular power often joined in furthering the purpose of the Peace and Truce, but unfortunately the grip of feudalism was too firm to allow the rulers to make this movement universal throughout their domains. Various examples of the infliction of secular punishments by the kings in England, Normandy, and the Two Sicilies are extant in the case of violations of the Peace, but the most striking example of a truce promulgated by a secular ruler for all his dominions and modeled closely along the lines of the truces framed for various bishoprics is that of the Emperor Henry IV in 1085.³² By that decree Henry issued a Truce of God closely allied to that of one promulgated two years before by the Archbishop of Cologne for his archdiocese.³³

While there are numerous examples of truces, practically all of which incidentally included the main provisions of the earlier Peace of God as well, it is true that these measures were not strictly enforced or did not find unanimous support among the lay nobles. The terrific turmoil of the age prevented eleventh-century Europe from enjoying their entire benefits. The manner of enforcing a truce was the infliction of spiritual punishments, such as excommunication and interdict, by the Church

³⁰MacKinney, "The People and Public Opinion in the Eleventh-Century Peace Movement," in *Speculum*, V, 181-206 (1930).

³¹Thompson, *op. cit.*, II, 707.

³²Henderson, *Select Historical Documents and Charters of the Middle Ages*, 208-211.

³³*Translations and Reprints from the Original Sources of European History*, I, No. 2, 9-12.

and fines and imprisonments by secular authority. Had the latter been able, or had at times the will to enforce these measures, the truces might have proved much more effective. Nevertheless their reënactments were not just indications of non-enforcement, for, as Professor Krey remarks—

They were re-enacted again and again, but—this has been usually overlooked—not as mere re-enactments. They were being constantly expanded and becoming more specific in their application. Before the thirteenth century was very old the modest and general indictment of Charroux had become a specific exemption of all ecclesiastical buildings and their environs, all clerks, merchants, women, and peasants, as well as orchards, seeds, cattle, and agricultural implements, from the violence of private feudal warfare. The Truce of God had been extended sometimes to a period of several months and regularly included all days from Thursday to Monday and all festival days, besides certain special occasions, which left all told less than a fourth of a year to the unabated practice of feudal warfare.³⁴

Such very wide and broad application as this, allowing for numerous violations and cases of lax enforcement, must have brought immeasurable benefit to thousands of weary peasants to say nothing of peace-loving nobles and kings.

This great movement which had begun and found its inspiration in Church circles soon won the approbation of the popes themselves. When the Council of Clermont assembled in November, 1095, at the end of the century which had seen the flowering of these two institutions of peace, the presiding officer, Pope Urban II (1088-1099), made the reënactment of the Truce of God for all Christendom a matter of his earnest solicitation. The chronicler of the time, Fulcher of Chartres, tells us in recounting the events of the Council that Pope Urban spoke thus:

By these evils, therefore, as has been said, dearly beloved brethren, you have seen the world troubled for a long time to such an extent that in some places in your provinces, as has been reported to us—mayhap through your weakness in administering justice—hardly any one can venture to travel upon the highways, by night or day, without danger of attack by thieves or robbers; and no one is sure that his property at home or abroad will not be taken from him by the violence or craft of the wicked. Therefore, let us re-enact the law made by our holy ancestors long ago and commonly called "the Truce" (of God). I most earnestly exhort you that each one should strenuously do all in his

³⁴Krey, *op. cit.*, 4.

power to have it observed in his bishopric. But if any one misled by pride or cupidity breaks it voluntarily, let him be anathematized by the authority of God and by the sanction of the decrees of this council.³⁵

Again at the Council of Rheims in 1119 Pope Calixtus II pleaded for peace among the Christian princes and gave renewed enactment to the Truce of God.³⁶ Twenty years later we find the Second Lateran Council giving final form to the institution of the Truce of God, which originally had been purely French, and fixing its periods and their duration under Innocent II (1130-1143).³⁷ The Truce was made universal for the entire Church and became a regular part of the canon law by canon 21 of the Third Lateran Council held under the auspices of Pope Alexander III (1159-1181) in 1179.³⁸

Thus an institution which in its origin had a purely diocesan application spread its benefits to all of France, was introduced into Spain about 1068, the Netherlands in 1071, and over most of Europe by the beginning of the twelfth century. It was in the latter years of that century that, as we have seen, it had become a definite article of canon law with application to the universal Church. While the institution received aid and support from the lay nobles its enforcement was left largely to the clergy, the bishops and their local priests, who employed the spiritual weapons to force obedience. It is true that the Peace of God and the Truce of God were often violated and broken, but despite that fact during these centuries they accomplished a tremendous amount of good for the poor and defenseless, and did much to lessen the violence, tyranny, and oppression of that feudal age with all its attendant evils.

Besides originating these two predominant peace organizations of the Middle Ages, the Church through her bishops likewise worked for the establishment of a more civilized procedure in the arbitration and settlement of disputes between individuals. Those coarse barbaric customs introduced with the migrations of the Germanic peoples in the early mediæval period, trial by ordeal and trial by battle, became the subject of ecclesiastical censure and punishment. At first the Church was powerless to eradicate these evils, but, as one writer says—

³⁵*Translations and Reprints*, I, No. 2, 4.

³⁶Mann, *Lives of the Popes in the Early Middle Ages*, VIII, 156.

³⁷Robinson, *op. cit.*, 533.

³⁸Mann, *op. cit.*, X, 143.

By the eleventh century religious rites had been associated with both institutions, but still the Church protested officially. As soon as Canon Law began to work freely the protests became effective. Now in one place, now in another the trial by ordeal and the trial by battle became less frequent.³⁹

This steady campaign against these barbaric practices and the effort to make effective the triumph of a civilized code of law witnessed its victory at the Fourth Lateran Council in 1215 when Pope Innocent III, by a decree of that Council, abolished the ordeals.⁴⁰ The Church had striven since the sixth century to end these abuses and had legislated in her councils against tournaments, the ravages of the wandering brigands, etc.⁴¹ Moreover, it was the Church which was found instituting and encouraging the practice of the mediæval sanctuary, the setting off of certain designated spots, churches, shrines, chapels, etc., to which a pursued man might repair and be in safety from oppressors.⁴² While the institution of sanctuary was doubtless abused at times, nevertheless it afforded to many a poor wretch a safe haven from injustice until his case could be heard and a semblance of fair dealing awarded him.

This general movement for peace also found expression in the organization of the Third Order, laymen assuming certain obligations to live up to a code of rules in conformity with the principles of the founders of the two great mendicant Orders of friars, the Franciscans and Dominicans. These men of the Third Order pledged themselves, as a part of their rule, not to carry murderous weapons on their person which was a blow to the feudal obligations of warfare in the thirteenth century. In these rules the Order found the protection and support of Pope Honorius III (1216-1227) and his successor, Gregory IX (1227-1241).⁴³

Countless other activities for the implementing of peace were carried on by and under the Church's sponsorship such as its bans against plundering shipwrecked vessels and the passage of laws to prevent the oppression of the Jews, which one spokesman on this subject declares made the popes "like modern in-

³⁹Brown, *Achievement of the Middle Ages*, 110-111.

⁴⁰*Translations and Reprints*, IV, No. 4, 16.

⁴¹Mann, *op. cit.*, IX, 61; X, 141-142.

⁴²Brown, *op. cit.*, 118, 119.

⁴³Goyau, *op. cit.*, 119.

ternational tribunals functioning for the protection of racial minorities."⁴⁴

The Church from the days of her foundation had worked for peace. Such actions as those of the fifth and sixth century popes withstanding and pacifying the barbaric peoples, the fostering of the Peace of God and the Truce of God, laws against ordeals of water, fire, and battle, the sanctuaries, etc., mark the Church as the most consistent friend of peace in Western Europe in these centuries of the Middle Ages. It would be futile and inaccurate to attempt to portray each successor of St. Peter as a friend of peace and one who worked toward the attainment of that goal. There were a number of popes whose policies not only did not bring peace, but actually brought on wars. But to say that in her history as a whole the Church has been blessed with a line of men whose collective efforts represent a powerful force for the reign of order is not an exaggeration or an incorrect interpretation of history.

V

PAPAL ARBITRATION FROM INNOCENT III TO THE RELIGIOUS REVOLUTION

By the opening years of the thirteenth century the papacy had not only fully regained its damaged prestige suffered in the "age of iron," to use the phrase of Cardinal Baronius; it had not only gone far toward retrieving the ground lost in the titanic struggle with the Hohenstaufen Empire, but it had reached a point in its history when its power was to be more widely exercised and its influence more deeply felt than ever before or since. During the pontificate of the pope who opens the thirteenth century there was achieved, if only for a brief moment, the arrangement of the Western world which has been rightly called the Christian Republic of Europe. More than at any other time in its history Europe presented in those years a pattern approximating unity. The force which above all others did most to achieve this unity was the papacy and its embodiment was Pope Innocent III (1198-1216).

Innocent's interests were universal and his vision an international one. For such a man the peace and prosperity of

⁴⁴Cartwright, "Contributions of the Papacy to International Peace," in *Catholic Historical Review*, VIII, 158 (New Series, April, 1928).

Christian Europe transcended all petty ambition. Therefore the pope did not hesitate to intervene between quarreling contenders for power in the Christian states to bring peace. We see him in 1200, for instance, dispatching his legate, Cardinal Gregory of St. Maria in Aquiro, to bring peace between Emeric and Andrew, the brothers who contended for the throne of Hungary.⁴⁵ Herein the legate arranged a truce which permitted the princes to pledge themselves to the project so near to the pontiff's heart, the crusade. Similiar heed was paid by the pope to like quarrels in Poland and Norway. Moreover Innocent, acting in the rôle of creator of kingships, bestowed crowns upon Prince Leo of Armenia, Duke Premislas of Bohemia, and Prince Johannicus of the Bulgarians and Wallachians. This pontiff received the kingdom of Aragon from the hands of Peter II in 1204 as a papal fief and after a long and bitter struggle waged with the tyrannous John of England, Innocent became the feudal superior of that kingdom in 1213.

One of the primary aims of Innocent's policy, and an endeavor in which he remained steadfast to the end of his life, was the uniting of Europe for the purpose of regaining the losses suffered by the victories of the Mohammedans in the East. For this reason, and to keep the peace among the rulers of Christendom, Innocent intervened again and again as arbiter in the disputes between the kingdoms of France and England. In January, 1199, he sent his legate, Cardinal Peter of Capua, to bring peace between Philip II (1180-1223) and Richard I (1189-1199). Peter's efforts were successful, but the truce was ended in April of the same year by Richard's death. However, the Cardinal-legate continued his efforts and won a definite treaty of peace in January, 1200.⁴⁶ When this latter arrangement was broken largely through the obstinacy and arbitrary conduct of John (1199-1216), Innocent again sent a legate, Abbot John of Casamari, in May, 1203, to attempt a reconciliation between the quarreling princes.⁴⁷ That the abbot was not successful was not due to the lack of loyal support given and just terms of settlement outlined by Innocent. John's perfidy and Philip's proximity to the goal of victory rendered the abbot's efforts futile. But the great Pope made peace be-

⁴⁵Mann, *op. cit.*, XII, 2-5.

⁴⁶*Ibid.*, XII, 112-113.

⁴⁷*Ibid.*, XII, 117-121.

tween England and France a very consistent policy and, as Goyau remarks, he intervened five times to establish peace between Philip Augustus and Richard or John and four of the five times he was successful.⁴⁸

Never so engrossed in the affairs of the larger states of Europe that he neglected the needs of his native Italy for peace, Innocent III sought to establish here in this troubled peninsula with its many small communes and city-states, the peace which he urged upon Christian Europe as a whole. In pursuance of this end he was found arranging peace between the commune of Viterbo and the Roman civilians in 1202 after a particularly difficult and delicate situation had given way to open warfare between the two groups.⁴⁹ The city over which he ruled presented its own peculiarly thorny problems to the lover of civil order, and Innocent strove energetically throughout the early years of his reign to bring peace to Rome. He was successful in 1205 in bringing about a cessation of the quarrels of the turbulent Roman factions and by 1208 the city recognized him almost universally as its master.⁵⁰

The age which bears his name marked the slow evolution of a principle of arbitration of disputes which Innocent did much to further. As one of the most recent historians of the peace movement remarks—

A trend parallel to that of small federations can be found in the growing resort to arbitration and mediation by contending princes during the later Middle Ages. The number of authentic settlements by these means is enormous. In the thirteenth century there were a hundred cases in Italy alone.

And the same author adds:

Usually the pope was chosen as arbiter in virtue of Europe's spiritual affinities. When this was impossible one of his representatives (often an archbishop) served instead.⁵¹

It was a period in Europe's development when the power of the papacy, administered by a man of unusual vision and ability, and possessed of an appreciation of the position he occupied, made the wish for peace a reality through the imposition

⁴⁸Goyau, *op. cit.*, 119.

⁴⁹Mann, *op. cit.*, XI, 75-76.

⁵⁰*Ibid.*, XI, 82-84.

⁵¹Beales, *History of Peace*, 25.

of spiritual punishments and an exercise of moral force. One writer who treats of this subject in connection with Innocent III says:

It was the culminating point in the development of an institution which was conscious of its own sovereign influence for peace, and resolute to impose its higher and more Christian policies in the administration of European affairs. It was the true, if momentary, realization of European unity. But unity means peace. It was therefore the true, if momentary, realization of European peace.⁵²

Unfortunately, however, for the welfare of Europe the unity of which Dr. Cartwright speaks was but a temporary phenomenon. Unfortunately, too, for the peace of the Christian world the successors of Innocent III were not all of his caliber and ability. The half century following Innocent's death in 1216 witnessed the exhaustive struggle of the papacy with its great rival, the Hohenstaufen power in the Empire, a struggle which ended in victory for the popes but left their strength and international position weakened. Yet a namesake of the great pontiff, Innocent IV (1243-1254), continued to emulate in some respects his predecessor. In 1254, Innocent IV mediated between Austria and Hungary and brought about peace.⁵³ In a letter to the bishops of the two jurisdictions he informs them of the purpose for which he is sending his legate, Bernard, Bishop-elect of Naples, into their territories.⁵⁴ Some twenty years later Pope John XXI (1276-1277) used the very brief period of his pontificate to urge the cause of peace upon two warring princes in order to promote the crusade. Philip III (1270-1285) of France and Alfonso X (1252-1284) of Castile were at war over the inheritance to Navarre. Pope John protested to the French king his grief over this conflict and sent word to the papal legate in France, Cardinal Simon de Brion, to use excommunication and the interdict if necessary to effect peace. Failing in this effort the pope appointed John of Vercelli, Master-General of the Dominicans, and Jerome of Ascoli, Minister of the Franciscans, as special legates to bring peace between the quarreling kings.⁵⁵ But John died before anything could be accomplished, though the efforts for peace

⁵²Cartwright, *op. cit.*, 160.

⁵³*Cambridge Medieval History*, VI, 438.

⁵⁴*Les Registres d'Innocent IV*, III, 392.

⁵⁵Mann, *op. cit.*, XVI, 45-47.

were continued after his death through the college of cardinals, and the legates were dispatched by his successor, Pope Nicholas III (1277-1280) on December 2, 1277.

The closing years of the thirteenth century, which had opened so auspiciously for Christian Europe with Pope Innocent III, marked the tragic conflict between Pope Boniface VIII (1294-1303) and Philip IV (1285-1314) of France and Edward I (1272-1307) of England. The latter part of the century had been a period wherein the papacy, financially pressed to repair the damage of the war with the Empire, abused its powers of taxation, and exacted large sums of money from the Christian states. These financial abuses took many forms, not the least offensive of which to sovereign princes was the nomination of foreign prelates to the great Church offices within their dominions. During these same years there was apparent a slowly rising sense of nationalism which found expression in protests and lists of grievances against the papal policies, such as those voiced at the First Council of Lyons in 1245. It was into a situation such as this that there came a man who went further than any of his predecessors in asserting the supremacy of the Holy See over temporal princes. Boniface VIII made claims for the papal power which even exceeded those of Innocent III. On the other hand the national sovereigns were asserting wider authority over their clerical nobility and demanding the right to tax them for the upkeep of the state. The result was the protracted and unhappy struggle which ended in the outrage at Anagni in September, 1303, and the death in the following month of Boniface VIII, who never recovered from the shock of Philip IV's ruffians.

Nevertheless, despite the bitterness of the controversy waged between the pope and the kings of France and England, the latter voluntarily submitted their dispute over the Duchy of Aquitaine to the arbitration of Boniface. It was due to the arbitral decision of Boniface VIII, acting as the individual Benedict Gaetani, that there was signed at Rome on June 14, 1298, a treaty by the ambassadors of the two kings. This treaty was ratified by the kings' envoys in June, 1299, at Montreuil-sur-mer through the neutral offices of the papal legate, the Bishop of Vicenza.⁵⁶ This treaty marked the culmination of repeated and lengthy negotiations upon the part of Pope Boniface to bring

⁵⁶Tosti, *History of Pope Boniface VIII*, 228 *et. seq.*

peace between the two kingdoms, which had begun as early as 1295 and included a temporary truce in October, 1297.⁵⁷ These transactions were carried through by the pope in the midst of the conflict over the spiritual and temporal jurisdictions in which the Holy See was engaged with these same two kings.

The death of Pope Boniface VIII in 1303 and the brief reign of Benedict XI (1303-1304) mark a definite turning point in the history of the papacy. One historian of the popes sees in it the close of the mediæval papacy.⁵⁸ From this time we note the dominating power of the kings of France in the affairs of the papacy and the reduction of that institution to a status approximating a fiefdom of the Capetian monarchy with the election of Bertrand de Got, Archbishop of Bordeaux, in 1305 as Clement V (1305-1314). This French pope did not repair to Rome, but in 1309 took up his residence in Avignon in southern France where for almost seventy years the papal Court remained. The prolonged absence of the popes from Rome, the seat of the universal papal power of Innocent III, served to destroy the international character of the papacy and make it appear to other Christian princes, particularly to those unfriendly to the French kings, as a mere tool of the latter power.

In spite of its weakened prestige the papacy did not cease to work for peace from Avignon, as may be seen in the case of Pope John XXII (1316-1334) who intervened in the war between King Edward II of England (1307-1327) and Robert Bruce of Scotland (1306-1329) in the summer of 1317 by sending two cardinals, Joscelin d'Oscat and Luca de Fieschi, to England to negotiate a truce between the quarreling princes. Edward II gave "royal orders for the suspension of hostilities," but Bruce refused to submit to papal arbitration, sending the cardinal-legates back and promising to notify them of his decision which he did not do.⁵⁹

This example of John XXII's attempted arbitration is not an isolated one for the Avignon popes. During the last thirty years of their residence on the Rhone these pontiffs were put at a particular disadvantage as neutral arbiters between the nations by virtue of the fact that the seemingly interminable struggle of the Hundred Years' War occupies this period. In this

⁵⁷Mann, *op. cit.*, XVIII, 266-289.

⁵⁸Barry, *The Papal Monarchy*, 420.

⁵⁹Lingard-Belloc, *History of England*, III, 37-40.

great conflict between France and England the pope would naturally be suspected as an ally of the French. Yet the papacy intervened on numerous occasions during that war and was successful in bringing about temporary cessations of conflict, and at times what appeared to be permanent peace. As Lingard says of this period of warfare in Western Europe—

Writers have not always sufficiently appreciated the benefits which mankind derived from the pacific influence of the Roman pontiffs. In an age which valued no merit but that of arms, Europe would have been plunged in perpetual war had not pope after pope laboured incessantly for the preservation, or restoration of peace. They rebuked the passions, and checked the extravagant pretensions of sovereigns; their character, as the common fathers of Christians, gave to their representations a weight, which no other mediator could claim; and their legates spared neither journey nor fatigue to reconcile the jarring interests of courts, and interpose the olive of peace between the swords of contending armies.⁶⁰

At the very opening of the war Pope Benedict XII (1334-1342) sought to save Western Europe the effects of such a struggle by attempting to stay the hand of the English king from indulgence in this contest. In the fall of 1339 the pontiff exhorted Edward III of England (1327-1377) to give up the folly, but in vain.⁶¹ His successor, Clement VI (1342-1352), was able through his two cardinal-legates to effect a truce at Malestroit in January, 1343, which was to endure until Michaelmas, 1346.⁶² Again in September, 1347, after the disastrous Battle of Crecy and the fall of Calais to the English, Clement VI offered his mediation and brought about a truce for ten months through his two legates, the cardinals of Naples and Clermont.⁶³ This same pope likewise showed his peaceful purpose and his zeal for justice and mercy when, in 1348, he offered his territory of Avignon to shield the Jews who were being so ruthlessly persecuted by the French who considered them responsible for the curse of the Black Death and the famine of that year.⁶⁴

When the fortunes of the Hundred Years' War had turned against the French to the extent that they were forced to sue for

⁶⁰Lingard-Belloc, *op. cit.*, III, 149-150.

⁶¹*Ibid.*, III, 114-116.

⁶²*Ibid.*, III, 128.

⁶³*Ibid.*, III, 150.

⁶⁴Funck-Brentano, *The Middle Ages*, 446-447.

peace, it was the legates of Pope Innocent VI (1352-1362) who brought about the Treaty of Bretigny between the two kings on May 8, 1360. The legates acting for Innocent at this peace conference were Simon de Langres, Master-General of the Dominicans, Androuin de la Roche, Abbot of Cluny, and Hugh de Genève, Lord of Authon.⁶⁵

Before this war was over, which was to distract the attention of France and England beyond the middle of the fifteenth century, the papacy had freed itself from the influence of France with the return of Pope Gregory XI (1370-1378) to Rome where he died. However, the effects of Avignon and the widespread resentment aroused in other Christian countries now played havoc in the days after Gregory's death. The year 1378 witnessed the election in Italy of Urban VI (1378-1389) as his successor, but the French element in the college of cardinals grew weary of the reforming pontiff and withdrew to elect a pope of their own group, Clement VII (1378-1394), who took up his residence again at Avignon and the result was the divided allegiance of Christendom to these two jurisdictions.

The situation created in 1378 endured for almost forty years and was only corrected by the election and acceptance by most of Christian Europe of Pope Martin V (1417-1431). This sad period in the history of the papacy was of course a time when little could be expected in the way of efforts for peace among the nations. The incalculable effects of the Great Western Schism, directly traceable to the Avignon papacy, split asunder the unity of Christendom. Tragic pictures were drawn in these years of doubtful allegiance, divided sympathies, and troubled consciences which the confusion concerning the rightful pope made inevitable. Yet even in these years of distraction and turmoil there are examples of the various rivals for the pontifical claims exercising their influence to bring about peace, such as that of Thomas of Fermo, Master-General of the Dominicans, nuncio of John XXIII (1410-1415), who prolonged a truce between the kingdom of Sicily and the republic of Genoa in May, 1412.⁶⁶

The first half of the fifteenth century in the west of Europe was occupied with the issue of the Hundred Years' War and

⁶⁵Casneau, *Les Grands Traités de la Guerre de Cent Ans*, 33 et seq. For the peace activities of the Avignon popes, cf. Gruber, "The Peace Negotiations of the Avignon Popes," in *Catholic Historical Review*, XIX, 190-199 (July, 1933).

⁶⁶Goyau, *op. cit.*, 122.

upon the conclusion of the Schism the popes were again found interesting themselves in behalf of peace between the two warring nations. It was largely through the two cardinal-legates of Pope Eugenius IV (1431-1447) that there was convened the peace meeting at Arras, in 1435, between France, England, and Burgundy. Although the English withdrew from the conference before a settlement was reached, the powerful persuasion of the legates prevailed upon Burgundy to lay aside its grievances against France and sign with the latter the Treaty of Arras in the autumn of that year.⁶⁷

But a far more serious threat than the Hundred Years' War to Christian Europe generally was the menace of the Turks who in these years were recounting one victory after another and finally crowned this series with the capture of the city of Constantinople in 1453. The popes had attempted on many occasions to unite the Christian princes to meet the peril, but in vain. After the fall of Constantinople and when the Turks were rapidly overrunning southeastern Europe it was the voice of the Holy See which was raised in defense of Christian civilization in Europe. The popes of these years were extremely anxious to unite Europe, as, for example, the Pacification of Lodi in April, 1454, effected through the determined efforts of Pope Nicholas V (1448-1455), and the convening of a European Congress at Mantua in 1459 by one of his successors for the same purpose, of presenting a united front to the Turks, would attest. The latter meeting lasted from May, 1459, to January, 1460, under the auspices of Pope Pius II (1458-1464), but accomplished nothing for Europe as a whole. But the failure of Christian Europe to sense the danger to their own security in the Turkish advance was not due to the lack of vigilance on the part of the popes. As Professor Mowat remarks—

So far the Papacy had shown itself to be the one truly international organ of diplomacy; and although it failed to unite Europe against the Turkish menace, the fault was not the Pope's.⁶⁸

The petty jealousies of rival princes obscured their vision and left them unwilling to follow the leadership offered by the

⁶⁷Goyau, *op. cit.*, 122.

⁶⁸Mowat, *A History of European Diplomacy, 1451-1789*, 9.

papacy in this endeavor, which, although warlike in its nature, was intended to save them from a worse fate, namely the conquest of their lands and peoples by the Turks as Hungary and Austria were to experience.

The closing years of this fifteenth century which marked the resplendent brilliance of the Renaissance in Italy with all its attendant benefits and evils, both of a somewhat dazzling variety, found one of the most famous cases of international arbitration by the papacy under Pope Alexander VI (1492-1503). For many years the states of Europe had been forging ahead in the pursuit of scientific knowledge to which the Renaissance gave such impetus. This advanced scientific knowledge was accompanied by the renewed efforts for advantages in trade and commerce and the rivalry which the markets of the East aroused. It was out of the many-sided motives and forces which gave birth to the Commercial Revolution that there occurred, in the same year which marked Alexander VI's assumption of the papal tiara, the discovery of America. The feat of Columbus and the dominant rôle which the supposed new route to the Indies gave to Spain aroused in her neighbor, Portugal, grave misgivings and resentment, since she had been in the field of exploration and discovery long before Spain. The leadership of Portugal dated back to the first half of the century, to the time of Prince Henry the Navigator (1394-1460). Thus the two powers fell into serious disputes over the lands beyond the seas but finally referred their quarrel to the arbitration of the Spanish pope. The decision of the pope and his famous Lines of Demarcation which divided the New World between these two powers are well known to all students of history.⁶⁹ While the lines drawn by Alexander VI were in no sense equitable, they were marked out only upon the very imperfect geographical knowledge of that day. The significant point here is the reference of a matter of controversy between two Christian powers by the nations themselves to the international arbitration of the papacy.

⁶⁹Cf. Dawson, *The Lines of Demarcation of Pope Alexander VI and the Treaty of Tordesillas, A. D. 1493 and 1494*, Transactions of the Royal Society of Canada (Second Series), V, Sec. II.

VI

PAPAL ARBITRATION FROM THE PROTESTANT REVOLT
TO OUR DAY

As the pontificate of Alexander VI marks the opening of the New World, so his reign may be said to bridge in many ways the gap between mediæval and modern times. While close periodization in history is always dangerous, it is true that the sixteenth century generally carries in the minds of historians the opening of the modern era. Alexander VI died in 1503. An event was to occur some fourteen short years after his death which would have tremendous significance for the papacy as well as for all Christian Europe. It was in 1517 that Martin Luther began his offensive against the Church. The causes of the Protestant revolt require no retelling here, but their effects upon the papacy as an arbiter, as an international force for peace, need statement. The revolt of the Protestant forces against the old faith continued unabated throughout the sixteenth century and by the end of that period virtually half of Europe had left the Church. The position of the pope henceforth was not at all that which he had occupied during the Middle Ages. A good portion of Europe refused to acknowledge his spiritual authority, to say nothing of his ability and good offices for the settlement of international disputes. The Protestant revolt rendered permanent the cleavage of a united Christendom endangered and provoked by the Avignon Papacy and the Great Western Schism. The popes of these years were for the most part taken up with the great task of conserving the possessions left to the Church, and through the medium of reform and the new religious orders were attempting to reclaim the lost regions. The sixteenth century is therefore a time when the papacy was not requested, and could not offer with much hope of success, to settle the quarrels of princes.

However, despite the frightful distractions which the religious wars of this and the succeeding century offered to the papacy and to Europe, and the extraordinary demands made upon the time and attention of the popes to execute the program of reform adopted at Trent, there are still a number of instances where the good offices of the Holy See were used as an arbitral court. One of the most striking of these occurred in

the reign of Pope Gregory XIII (1572-1585) in a dispute between Czar Ivan IV of Russia (1533-1584) and King Stephen Bathory of Poland (1575-1586). The case is the more unusual since Ivan IV, a schismatic prince, appealed to Gregory XIII to intervene and arrest the war which was waging between the two countries. Gregory gladly accepted the rôle of arbiter requested by Ivan in February, 1581, and sent to Russia a Jesuit priest of known diplomatic talents, Antonio Possevino, to act as his nuncio in the restoration of peace. Possevino finally succeeded, after much difficulty, in arranging an armistice of ten years between Russia and Poland on January 15, 1582. Gregory XIII had hoped too that this mission might be fruitful of results in the effort to restore Russia to the Roman Church, but in this he was disappointed. Although he was not willing to lead this nation back to Rome, Czar Ivan IV did accept the arbitration of the papal legate in his dispute with Poland which put a temporary close to the war between them. Pastor puts it in a striking way when speaking of this instance of papal arbitration:

Beginning on December 13, 1581, the matter was discussed, with the mediation of Possevino, at the border village of Kiverowa Horka, in the neighborhood of Jam Zapolki, on the road to Novgorod. It was the depth of winter. In a small cabin, containing but one room, and with but primitive means of heating, the disciple of Loyola took up his abode, and, as papal legate, was accepted by both parties as arbitrator.⁷⁰

Caught then by the awful cataclysm of the Protestant revolt, the position of the papacy as an international force in secular affairs was largely impaired if not almost destroyed. Despite that fact the popes of these centuries continued their efforts for the restoration of peace and, as Cartwright says—

In the long wars of France and the Empire in Italy during the sixteenth century, in the terrible internecine strife of the seventeenth, again and again the popes manifested the consciousness of their high mission by their efforts to bring back unity and peace.⁷¹

That the policies and endeavors of the papacy for peace spoken of here in relation to the sixteenth and seventeenth centuries were not interrupted as Europe moved into the later

⁷⁰Pastor, *The History of the Popes from the Close of the Middle Ages*, XX, 441.

⁷¹Cartwright, *op. cit.*, 163.

centuries of the modern age has been amply demonstrated by the appearance of an unusual book by a German scholar on the subject of papal peace efforts.⁷² The editor, Dr. Josef Müller, discounts the low figures quoted by older authorities for the efforts engaged in by the popes to bring peace between nations, and remarks in his introduction that the Secret Archives of the Vatican contain under one index-title of Peace Nuntiatures, sixty volumes of documents on this subject dating from the seventeenth century alone. This testimony from a scholar who has given to the subject long years of study and research establishes the position of the papacy as a force pretty consistently at work for the securing of international peace.

Among the prominent cases cited by Müller of papal arbitration in these years is that of Pope Clement IX (1667-1669) who, in 1668, acted as arbiter between Louis XIV of France (1643-1715) and King Charles II of Spain (1665-1700), to bring an end to the so-called War of Devolution over the inheritance to the Netherlands. The pope's arbitration, carried on through his legate, Cardinal Rospigliosi, resulted in the signing of the Treaty of Aix-la-Chapelle by the two powers on May 2, 1668.⁷³

As the eighteenth century moved forward and the shadows of revolution appeared in France the papacy continued its efforts for peace. In the closing years of that century, when all Europe seemed imperiled by the thunder that was shaking France, even the Anglican, William Pitt, prime minister of England, if Goyau is to be believed, entertained the proposal made to Conzie, Bishop of Arras, in 1794, of having the papacy act as a focal point around which the foes of the French Revolution might rally.⁷⁴ And when the experiment of revolution and the adventure of Napoleon were ended, the mystical Emperor of Russia, Alexander I (1801-1825), was found proposing at the Congress of Troppau in 1821 that the only authority which could restore peace to the turbulent kingdom of Naples was the papacy.⁷⁵ But in an age which was dominated by men of the caliber and egotism of Napoleon and Metternich papal arbitra-

⁷²Müller, *Das Friedenswerk der Kirche in den Letzten Drei Jahrhunderten (1598-1917)*.

⁷³*Ibid.*, 187-189.

⁷⁴Goyau, *op. cit.*, 125.

⁷⁵*Ibid.*, 125.

tion was not likely to be sought nor allowed in the disputes between nations.

In the days following Napoleon's fall retribution was made to the long-suffering Pope Pius VII (1800-1823) at the Congress of Vienna by his restoration to the States of the Church. Moreover, although that Congress was dominated by the Austrian Chancellor, Prince Metternich, the rôle played by Pius VII's secretary of state, Cardinal Consalvi, at that gathering was a dignified and creditable one and Consalvi won almost the complete restoration of papal territory even against Metternich's wish.⁷⁶ Meanwhile Europe and the world at large were the scene of the moving drama of democratic revolt brought on largely by the pressure of the new social classes created by the Industrial Revolution. In this series of revolts, which shook Europe in the first half of the nineteenth century, the papacy found itself involved through the agitation created in the Papal States by the proponents of a Roman Republic. They were turbulent years in which the forces of conservative and liberal contended for mastery. Simultaneously with these movements that of nationalism grew apace and out of the welter of wars and revolts which mark the mid-century new nations were being created in the Germanic Confederation and in the Italian peninsula.

These national movements forged ahead with reckless abandon and consequently Europe was treated to the spectacle of fresh conflict. In Italy the bonds of national union were being drawn tightly about the Patrimony of St. Peter, and in the movement which was headed by Sardinia and her prime minister, Count Cavour, Rome was the goal as the capital of a united Italy. North of the Alps Bismarck had already fought two successful wars and scrupled not to set the stage for a third in order to attain German unity. In July, 1870, the craft of Bismarck and the blundering of the Emperor Napoleon III of France (1852-1870) provoked the Franco-German War. At this critical moment for the peace of the continent Pope Pius IX (1846-1878), already seriously endangered in his own kingdom and amidst the closing sessions of the Vatican Council, proffered his mediation between the warring nations in identical notes which he dispatched to their rulers on July 22, three days after the

⁷⁶Goyau, "Consalvi au Congrès de Vienne," in *Revue de Deux-Mondes* (September, 1906).

French declaration of war.⁷⁷ Beales, in speaking of the failure of the churches to render their opposition articulate in the crisis of July, 1870, says:

At last Rome herself, transcending class and frontier, a unity standing four-square across earthly distinctions of nation and even race, resumed for a moment her medieval function of arbiter. But to no purpose. Prussia replied that she was fighting for the "honour and independence of her country," and would lay down her arms only if the Pope could assure her of "pacific dispositions and guarantees" from France.⁷⁸

The noble effort put forth by Pius IX to avert the Franco-German War failed. Neither power was disposed to heed the chance for amicable settlement of its dispute. Within two months after the sending of this note Pius IX witnessed the end of the temporal sovereignty of the Holy See in the occupation of the city of Rome by the troops of King Victor Emmanuel II (1861-1878) on September 20, 1870.

This act stripped the papacy of property which had been its acknowledged possession for centuries, and out of protest against the deed Pius IX adopted a voluntary imprisonment within the narrow confines of the Vatican which was broken only in 1929 by his namesake, Pope Pius XI. Upon the death of Pius IX there ascended the throne of the papacy a man endowed with unusual ability and foresight. Cardinal Pecci as Pope Leo XIII (1878-1903) was destined to exert a definitely world-wide influence even in secular affairs, and that was partly due to his relatively free position as a neutral, since he could not be accused of territorial ambitions with his temporal domain gone.

Leo XIII's unusual qualities as a statesman won him the universal admiration of the rulers of all nations. It was the same Bismarck who a few years earlier as Chancellor of the German Empire had inaugurated the *Kulturkampf* against the Catholic Church in Germany, who turned in 1885 to request the neutral arbitration of Leo XIII in the dispute between Germany and Spain over the Caroline Islands. Leo accepted the request of the German Chancellor and settled the dispute to the satis-

⁷⁷Müller, *op. cit.*, 319-321.

⁷⁸Beales, *op. cit.*, 133. Pius IX indirectly offered his mediation to the States of the American Union in 1862 near the beginning of the Civil War. Stock, *United States Ministers to the Papal States* (Washington, 1933), xxxv, 262.

faction of both parties.⁷⁹ For his sagacity and prudence in these negotiations the pope earned the unstinted admiration of Bismarck and the latter wrote Leo a notable letter expressing his gratitude.⁸⁰

A few years later Leo was again approached to act as arbiter in an international controversy between Great Britain and Portugal over the free navigation of the Zambesi River in East Africa. Portugal's approach in this instance was met with the same kindly treatment as that of Bismarck in 1885 and netted an amicable convention signed between England and Portugal on May 28, 1891, through the medium of Cardinal Rampolla, Leo XIII's secretary of state.⁸¹ In December, 1890, a representative of King Leopold II of Belgium (1865-1909) asked for papal arbitration to settle the dispute of that country with Portugal over the frontier of the Congo Free State,⁸² which was amicably settled by Leo's arbitration in 1891.

Besides these cases of actual arbitration upon the part of the Holy See two nations of the Western Hemisphere in 1895 jointly appealed a dispute to Leo's settlement. The presidents of the republics of Haiti and Santo Domingo signed an agreement in that year to allow the pope to arbitrate the difficulties over the delimitation of their frontiers.⁸³

Moreover the great pontiff took more positive steps to win a reign of peace than merely arbitrating disputes referred to his decision. In 1881 in his Encyclical Letter *Diuturnum Illud* he offered the Holy See as a mediatory channel for international disputes; again in February, 1889, in his Allocution of that month he strongly condemned resort to aggressive wars to settle difficulties between nations. Likewise Leo gave encouragement to the manifestation of peaceful efforts on the part of groups working toward that end, and received kindly the request of the Universal Peace Congress meeting in Budapest in 1896 for his blessing upon its draft project of an International Code. Again the Holy See was receptive to Tcharykoff, representative of the Emperor Nicholas II of Russia (1894-1917), who in August, 1898, sought Leo's aid for the success of the Hague Peace Congress of that year. Cardinal Rampolla, secretary of state, sent

⁷⁹Müller, *op. cit.*, 325-333.

⁸⁰*Ibid.*, 334.

⁸¹*Ibid.*, 47; Goyau, *op. cit.*, 133.

⁸²Müller, *op. cit.*, 47.

⁸³*Ibid.*, 48.

adhesion in principle to the Hague Congress on September 15, 1898, which was followed by a second letter on February 10, 1899, to the Russian government in which the cardinal-secretary lauded arbitration and peaceful mediation.⁸⁴ It was likewise during Leo's pontificate that two bishops of the Church, Benavente de San Juan de Cuyo of Argentina and Raimonda A. Jara de Ancud of Chile arbitrated a dispute between their two countries with full power of their governments. The bishops carried on the delicate negotiations through their primary stages and then referred them to the final award of King Edward VII of England (1901-1910) who gave his decision on November 20, 1903, a decision which was accepted by Argentina and Chile.⁸⁵

All through his long reign Pope Leo XIII exerted himself energetically in the cause of peace and justice among individuals as well as among nations. In 1900 he offered to the nations an example of how real disarmament might be achieved by melting down barrow loads of old swords and selling them as pig-iron.⁸⁶ But such an example was likely to be lost upon statesmen when just at that time they were engaged in the unbridled race for armies and navies which culminated in 1914. In a hundred other quarters Leo exemplified the same conciliatory spirit. Cartwright puts this service well when he remarks:

His intercession with the Negus of Abyssinia for the Italian prisoners taken at Adna, his encyclical to the bishops of Brazil on the abolition of slavery, his conciliatory spirit in negotiation with the United States about the Philippine temporalities—these and a great many other achievements impressed him upon his time as a great personality. But they did more than this. They illustrated the usefulness of the papacy as an institution, they set precedents for its service to civilization and peace, they were, we may not unreasonably hope, “the fair beginning of a nobler time.”⁸⁷

The successor of Leo and the pope who was to be confronted with the catastrophe of the World War, was Pius X (1903-1914). Pius was no less concerned over the perils which he could envision in the policies of the nations during these early years of our century. It was with this in mind, and in the hope

⁸⁴Müller, *op. cit.*, 48.

⁸⁵*Ibid.*, 48.

⁸⁶Beales, *op. cit.*, 244.

⁸⁷Cartwright, *op. cit.*, 165.

of pointing the way to international accord and peace, that he issued his address to the College of Cardinals on March 27, 1905, wherein he condemned the strident nationalism and policy of "might makes right" which nations were pursuing.⁸⁸ But the effort of Pius X to call the powers back to Christian conduct fell upon deaf ears in Europe. It was only in a far distant quarter that the appeal of the pope seemed to be heard, for in that year Brazil and Bolivia effected an arbitration treaty for the settlement of their differences which through its two periods of activity, 1905-1906 and 1908-1909, was presided over by two nuncios of Pius X.⁸⁹ On September 12, 1905, Pius was likewise named by two South American countries, Colombia and Peru, in a permanent arbitration treaty, as arbitrator in all cases of difference between the nations.⁹⁰ Pius X's coöperation with world peace movements, like that of his predecessor, was generously given, as may be seen from the letter of his secretary of state, Cardinal Merry del Val, who, on November 3, 1906, sent a message to the Universal Peace Congress meeting in Milan in which he spoke of the papal efforts for peaceful arbitration of disputes in recent years and the successes with which those efforts had met.⁹¹

But the endeavor of Pope Pius X to avert the perils of war was not destined to succeed in war's own peculiar arena, Europe, for it was this saintly man who witnessed the outbreak of the worst war in history. The awful calamity which befell the world in those summer days of 1914 brought poignant grief to the heart of Pius X, and one of the last utterances which he made was an appeal to the nations to cease their folly and arbitrate their differences. But in that same month of August which saw the flood of war declarations Pius died.

The successor who assumed the pontifical throne in these dangerous days (1914-1922)⁹² was Pope Benedict XV, elected on September 3, the day the French Government fled to Bordeaux. In his first public utterance the new pope made a stirring plea for peace. Benedict XV began where Pius X left off:

⁸⁸Müller, *op. cit.*, 377-378.

⁸⁹Goyau, *op. cit.*, 131.

⁹⁰Müller, *op. cit.*, 378-381. The treaty lapsed, however, because of the failure of one of the parties to ratify.

⁹¹Goyau, *op. cit.*, 131-132.

⁹²The peace efforts of Benedict XV in 1917 have been thoroughly analyzed by Friedrich von Lama in his volume which appeared recently, *Die Friedensvermittlung Papst Benedikts XV.*

As the first act of Our Apostolic ministry We take up and repeat the last words that fell from Our Predecessor of illustrious and so holy memory, and therefore We earnestly beseech Princes and Rulers that, moved by the sight of so many tears, so much blood, already shed, they delay not to bring back to their peoples the life-giving blessings of peace.⁹³

In his first encyclical of November, 1914, Benedict proposed an armistice and a discussion of war aims. Again in his Christmas Eve allocution to the cardinals he bemoaned the continuation of the war, and endeavored at the same time to arrange a truce. These futile attempts, however, did not discourage the pontiff, for it was on August 1, 1917, that he addressed his famous note to the belligerents which outlined definite proposals for peace. Besides terms of settlement, Benedict XV proposed general disarmament, abolition of conscription, an arbitral tribunal for the settlement of international disputes, freedom of the seas, and a cancellation of war debts.⁹⁴ But the noble gesture of the "Pontiff of Peace" was lost upon the nations so occupied with the horrible business of war. Some rulers even showed annoyance at what was considered interference on the part of the pope,⁹⁵ while others apparently allowed a religious prejudice to blind their appreciation of the neutral offer.⁹⁶

Despite the failures of his proposals the pontiff worked unceasingly to the end to alleviate the suffering caused by the war as long as it continued, and the resources of the Holy See were given whole-heartedly to lessen the horror of the conflict. As Cartwright summarizes it—

Through papal secretariats and commissions initiatives were taken and negotiations carried through for the exchange of disabled prisoners and of civilians in occupied territories, for the hospitalization of the sick in neutral countries like Switzerland, for correspondence with the families of prisoners of war and care of their needs during detention, for provisioning the devastated

⁹³Barry-Wood, "Benedict XV: Pontiff of Peace," 185 (Reprinted in part in *Dublin Review*, CLXX, April-May-June, 1922).

⁹⁴*Appeals for Peace of Pope Benedict XV and Pope Pius XI*, 4-6 (Catholic Association for International Peace, 1931).

⁹⁵Cf. Letter of J. Jusserand to the Editor of the *American Historical Review*, XXXVII, 817-819 (July, 1932), wherein Jusserand says, in speaking of President Wilson's reaction to Benedict's proposal for peace: "The President plainly showed me his ill-humor at Benedict's wanting to 'butt in' [his own words]."

⁹⁶Cf. Editorial, "Religious Perfidy," in *The Commonwealth*, XVI, No. 20, September 14, 1932, which summarizes conclusions of Friedrich von Lama's book, *Die Friedensvermittlung Papst Benedikts XV*, the gist of which is that von Lama's researches show Germany's failure to cooperate in the proposal of 1917 was due largely to the anti-Catholic views of the Court in Berlin.

regions. The American help so generously given in Belgium and Poland was arranged for with the aid of the papal diplomatic service. The pope had come to be looked on as the only neutral securely and permanently disinterested.⁹⁷

Pope Benedict XV lived through the great ordeal of the World War and died in 1922. He had justly earned the title of "Pontiff of Peace" for his heroic efforts during the awful conflict. Speaking of his death, Barry says:

No wonder Italy lowered its flags to half-mast when his death was announced; that the Reichstag did public homage to his memory; that its President, the Socialist Herr Loebe, said of him, "He used all the moral power of his office to alleviate human suffering, to banish hatred, and to reconcile the nations." King George's tribute was heightened by Lord Curzon's judgment of "the late Pope, who during his too short tenure of that exalted office, showed himself so consistent a friend of peace, and so firm an advocate of the moral brotherhood of mankind."⁹⁸

Following Benedict's death early in 1922 the college of cardinals elected the Archbishop of Milan, Cardinal Ratti, who took the name of Pius XI. In the brief decade which has passed since the present pope assumed the tiara he has created for himself the reputation of possibly the world's greatest leader in the days of trial which have followed the World War. In every way Pius XI has continued the best traditions of the papacy for leadership in the cause of peace and justice, and his pronouncements on questions which are vexing the peoples of the nations everywhere have been received with a marked attention not hitherto noted in recent years. Pius XI has made outstanding contributions to many fields of endeavor and has demonstrated a keen and penetrating understanding of the difficulties of each. In no field has he been more outspoken and more consistently zealous than that of the reestablishment of an enduring world peace and a reign of concord among nations.

Not two months after his coronation the present Holy Father made known his position on the vital problem of world peace when on April 7, 1922, in a letter to the Archbishop of Geneva, he said:

If, according to the fine motto of the Red Cross: "*Inter arma caritas*," Christian charity should rule even during the clash of arms, this should be still more true when once arms are laid down

⁹⁷Cartwright, *op. cit.*, 165.

⁹⁸Barry-Wood, *op. cit.*, 176-177.

and treaties of peace are signed. Indeed international hatreds, sad heritage of war, turn to the disadvantage of the victor nations themselves and prepare for all a very dreadful future; for it must not be forgotten that the best guarantee of tranquillity is not a forest of bayonets, but mutual confidence and friendship.⁹⁹

This subject has been the constant theme of Pius XI; and again in his Christmas allocution to the College of Cardinals on December 24, 1930, the pontiff returned with the appeal for all to join in the work for peace. He said:

The glory and the duty of this apostolate of peace belong principally to Us and to all called to be ministers of the God of peace. But here is a vast and glorious field for all the Catholic laity, too, whom We unceasingly call upon and ask to share in the hierarchical apostolate.¹⁰⁰

Again in his apostolic Letter, *Nova Impendet*, of October 2, 1931, the pontiff attacked vigorously the peril to peace in armaments, and exhorted the bishops of the Catholic world to use all possible means to educate in the way of reason, law, and peace, and to point the way to their peoples to a peaceful escape from the present world crisis.

There has been no more ardent and consistent defender of the true benefits of salutary internationalism than Pius XI. Time out of number he has spoken during his pontificate of the vicious philosophy underlying the mad nationalism, both in its economic and political phases, which dominates the governments of our day. If the nations seek an enduring solution to the vexatious problems which confront them they could do no better than to adopt the program which Pope Pius XI has outlined for the restoration of world peace and order.

Thus the papacy is seen as a moral force which through the long expanse of its history has worked with a high degree of consistency in the cause of world peace. Either in the form of personal appeals to rulers such as Attila and Genseric, or approval and encouragement of institutions such as the *Pax Dei* and *Treuga Dei*; either as the international arbiter of a united Europe in the days of Innocent III, or as the steady friend and mediator of disputes between quarreling nations, the papacy has through almost two thousand years continued its mission to bring peace to men.

⁹⁹*Appeals for Peace of Pope Benedict XV and Pope Pius XI*, 9 (Catholic Association for International Peace, 1931).

¹⁰⁰*Ibid.*, 9.

In these days when men are hard put to find a source wherein justice, the moral law, and fair impartiality might reign for the settlement of international differences, many see in the papacy an institution which might very effectively render such service to mankind. Dr. James Brown Scott, former president of the American Society of International Law, said in his presidential address before that body, in 1932:

Protestant though I be, and of the Presbyterian variety, I look forward to the State of the Vatican, barely large enough for the Pontifical throne—an imponderable State—rendering services in the future even greater than the Papacy in the past, because it has neither army nor navy nor territory. It only has a conscience and law under the control of a moral and spiritual conception.

H. G. Wells, who is not usually too friendly to things papal, says:

Sooner or later the world must come to one universal peace, unless our race is to be destroyed by the increasing power of its own destructive inventions: and that universal peace must needs take the form of a government, that is to say a law-sustaining organization, in the best sense of the word religious; a government ruling men through the educated coördination of their minds in a common conception of human history and human destiny. The papacy we must now recognize as the first clearly conscious attempt to provide such a government in the world.¹⁰¹

¹⁰¹Wells, *Outline of History*, 654.

APPENDIX A
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APPENDIX B

N. C. W. C. Study Club Outline

(Printed with Approval of the N. C. W. C. Study Club Committee)

Lesson I (Text—Sections I and IV)RISE OF THE CHURCH AND THE HOLY SEE TO INFLUENCE
IN THE LATE ROMAN EMPIRE

TOPICS FOR DISCUSSION

1. Relations between the Roman Empire and the Popes of the first six centuries of the Christian Era.

2. The Papacy as a force for peace in the pontificates of Leo I and Gregory I. The benefit of this influence to the Europe of the fifth and sixth centuries.
3. The writings of the Fathers as an influence in these centuries for the promotion of order and a stable society.

QUESTIONS

1. What significance does the name of a Leo I or a Gregory I bear in relation to the peace efforts of the fifth and sixth centuries?
2. How did it happen that the bishops of Rome should take a leading rôle in this effort?
3. What was the doctrine of St. Augustine on war?

PAPERS

1. "Gregory I and the Lombards."
2. "The Peace Efforts of Pope Leo I."
(*Cf.* Works mentioned in the Readings at the end of the Report.)

Lesson II (Text—Sections IV-VI)

THE CHURCH AT THE TURNING POINTS OF ANCIENT AND
MEDIEVAL HISTORY

TOPICS FOR DISCUSSION

1. The origins of the Truce of God and the Peace of God.
2. The position of the Papacy in this movement; why it did not take the leadership.
3. What opposition the clergy had to meet in furthering the truces decreed.
4. State of society at the time and effect of the truces thereon.

QUESTIONS

1. What was the right of sanctuary?
2. What part did the State play in abetting or retarding the truces?
3. Who originated the Truce of God and the Peace of God?

PAPERS

1. "The Truce of God as a Stabilizer of Eleventh Century Society."
2. "The Rôle of the Clergy in Maintaining Public Order in the Middle Ages."
(*Cf.* the Readings at the end of the Report.)

Lesson III (Text—Sections I-III)

THE CANON LAW OF THE CHURCH AS AN INFLUENCE UPON
THE CIVIL LAW, AND THE LAW OF NATIONS

TOPICS FOR DISCUSSION

1. The relation between Canon and Civil Law in the Middle Ages.
2. The influence of the Church's moralists and theologians on the development of a system of international ethics.

QUESTIONS

1. Has the policy of the Holy See been directed towards the maintenance of peace at all costs, or rather for the furtherance of justifiable relations?
2. Which has been held by the Church to be of minor importance, justice or peace?
3. What is the doctrine of St. Thomas on war?
4. What contributions were made by Suárez and Bellarmine to the Church's doctrines on the civil society?

PAPERS

1. "The Influence of the Writings of St. Augustine on the Peace Movement of the Middle Ages."
 2. "The Contribution of Suárez and Vitoria in the Establishment of an Ordered International Society."
 3. "Bartolome de las Casas—Father of the Indians."
- (*Cf.* Readings at the end of the Report.)

Lesson IV (Text—Sections IV-VI)DIRECT EFFORTS OF THE POPES IN THE PROMOTION
OF PEACE

TOPICS FOR DISCUSSION

1. How did the Popes aid the cause of peace by direct effort?
2. The position of Pope Innocent III as an Arbiter of Nations in the world of his day.
3. The Avignon Papacy and its peace efforts.
4. The Protestant revolt and its effects upon the Popes as arbiters of the peace of Europe.
5. The forces which arose in opposition to direct mediation of the Popes in international disputes in modern times.

QUESTIONS

1. How can Innocent III be called the Arbiter of Europe at the opening of the thirteenth century?
2. What efforts were made by the Popes of Avignon to bring about peace, and what were the forces militating against them?
3. How many examples can be cited, from this report, of direct mediation of Popes in international disputes?
4. To what is to be ascribed the failure of papal mediations in so many cases? Cite examples of such.

PAPERS

1. "The Position of Innocent III as Arbiter Between Nations."
 2. "The Popes as Mediators for Peace During the Hundred Years' War."
- (*Cf.* Readings at the end of the Report.)

Lesson V (Text—Sections IV-VI)

PRESENT DAY INFLUENCE OF THE CHURCH AND THE HOLY
SEE IN THE MAINTENANCE OF STABLE
INTERNATIONAL RELATIONS

TOPICS FOR DISCUSSION

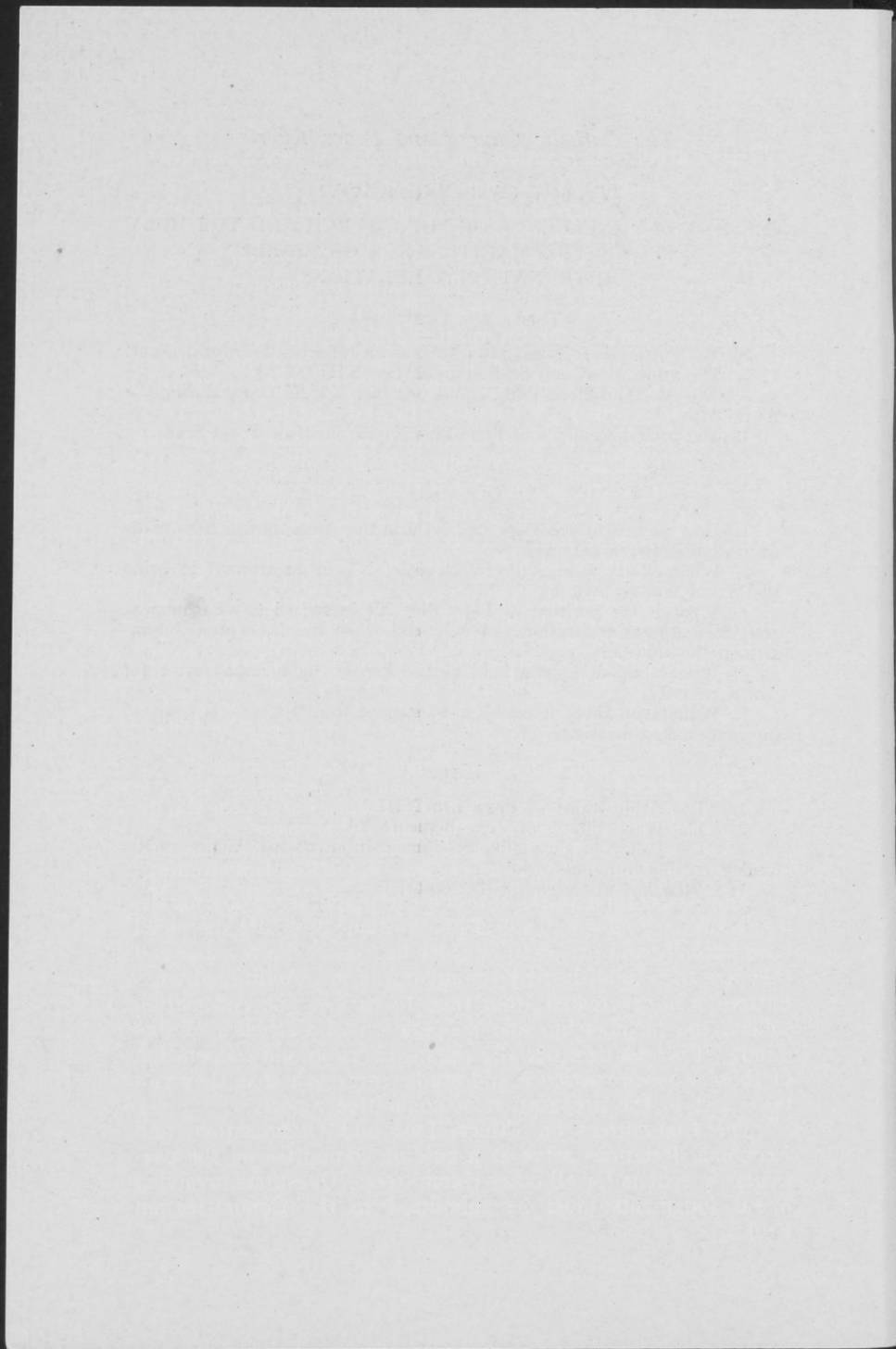
1. The Papacy before and after 1870 as an influence for world peace.
2. The arbitrations and mediations of Leo XIII.
3. The efforts of Pope Pius X and Benedict XV for peace during the World War.
4. The pronouncements of Pope Pius XI in behalf of world peace.

QUESTIONS

1. How successful was Pope Leo XIII in the attempts which he made to mediate between nations?
2. What efforts were made by Benedict XV in an attempt to bring the World War to a close?
3. What is the position of Pope Pius XI in regard to disarmament and international arbitration? Where and when has he expressed himself on the subject?
4. What opinion do you hold of the Papacy today as a factor for world peace?
5. Would you think it plausible to suggest the Papacy as a court of international arbitration?

PAPERS

1. "The Arbitrations of Pope Leo XIII."
 2. "The Peace Efforts of Pope Benedict XV."
 3. "The Policy of Pope Pius XI Anent International Affairs as Revealed in His Pronouncements."
- (Cf. Readings at the end of the Report.)



THE Catholic Association for International Peace has grown out of a series of meetings during 1926-1927. Following the Eucharistic Congress in Chicago in 1926, representatives of a dozen nations met with Americans for discussion. In October of the same year a meeting was held in Cleveland where a temporary organization called The Catholic Committee on International Relations was formed. The permanent name, The Catholic Association for International Peace, was adopted at a two-day Conference in Washington in 1927. Annual Conferences were held in the same city in 1928, 1929, 1930, 1933 and 1934; in New York City, 1931; and in Cleveland, 1932. All-day regional Conferences took place in Chicago on Armistice Day, 1930, in St. Louis on Washington's Birthday, 1932; at the University of Notre Dame, Notre Dame, Indiana, on November 19, 1933, and at Marquette University, Milwaukee, Wisconsin, on November 25, 1934. It is a membership organization. Its objects and purposes are:

- To study, disseminate and apply the principles of natural law and Christian charity to international problems of the day;
 - To consider the moral and legal aspects of any action which may be proposed or advocated in the international sphere;
 - To examine and consider issues which bear upon international goodwill;
 - To encourage the formation of conferences, lectures and study circles;
 - To issue reports on questions of international importance;
 - To further, in coöperation with similar Catholic organizations in other countries, in accord with the teachings of the Church, the object and purposes of world peace and happiness.
- The ultimate purpose is to promote, in conformity with the mind of the Church, "the Peace of Christ in the Kingdom of Christ."

The Association works through the preparation of committee reports. Following careful preparation, these are discussed both publicly and privately in order to secure able revision and they are then published by the organization. Additional committees will be created from time to time. The Association solicits the membership and coöperation of Catholics of like mind. It is seeking especially the membership and coöperation of those whose experience and studies are such that they can take part in the preparation of committee reports.

The Committees on Ethics, Law and Organization, and Economic Relations serve as a guiding committee on the particular questions for all other committees. Questions involving moral judgments must be submitted to the Committee on Ethics.

Publications of The Catholic Association for International Peace

Pamphlet Series—

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- No. 2—Latin America and the United States.
- No. 3—Causes of War, and Security, Old and New.
- No. 4—Haiti, Past and Present [out of print].
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- Peace Statements of Recent Popes.