THE COUNCIL OF TRENT AND THE GERMAN PROTESTANTS

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ON DECEMBER 4, 1563 the Council of Trent, the nineteenth ecumenical council in the history of the Church, solemnly closed. Assembled by Paul III in 1545, in a dark hour of crisis, and sustained through twenty-five sessions over eighteen turbulent years, it absorbed the best energies of both Church and Empire in the reform of faith and morals. This council, the most significant in more than one thousand years, was appropriately characterized by Fra Paolo Sarpi (d. 1623) as "the Iliade of our age."[1] It left its impress on almost every aspect of the life of the Church; and, unlike any council before it, with the possible exception of Nicaea, it created its own historical epoch—that unique cultural and spiritual age, the Tridentine, from which the Church has only begun to emerge. The Council of Trent is a dividing line between medieval and modern Christianity, the official organ of the Catholic Reform and a sign of contradiction to the Protestant churches. And yet in the history of the Church this council, so bitterly assailed for its divisive spirit,[2] is instructive for its ecumenism face to face with the confessional pluralism born of the Protestant Reformation.

Paul III's bull of convocation (May 22, 1542) neatly delineated the purposes of this council: "to ponder, discuss, execute and bring speedily and happily to the desired result whatever things pertain to the purity and truth of the Christian religion, to the restoration of what is good and the correction of bad morals, to the peace, unity and harmony of Christians among themselves, of the princes as well as of the people. . . ."[3] Behind these words stand that peril and disaster which had

[1] Paolo Sarpi, *The Historie of the Council of Trent*, tr. N. Brent (London, 1620) p. 2: "It will not be inconvenient therefore to call it the Iliade of our age."

[2] Cf. for example the view of P. Sarpi, *op. cit.*, p. 2: "For this Councell desired and procured by godly men, to reunite the Church which began to bee divided, hath so established the Schisme, and made the parties so obstinate, that the discords are become irreconciliable: and being managed by Princes for reformation of Ecclesiasticall discipline, hath caused the greatest deformation that ever was since Christianity did begin."

[3] H. J. Schroeder, *Canons and Decrees of the Council of Trent* (London, 1941) p. 9.

accumulated over the century past and which had now come to seize "the Christian commonwealth, already reduced to the greatest immediate danger."[4] When Paul III wrote here of "the evils that have long afflicted and well-nigh overwhelmed" the *christiana respublica*, he epitomized the historical situation of his day and age. His words, far from being merely an expression of stylistic niceties in the curial tradition, coldly set forth the state of crisis which had seized the faltering Church.

The remote origins of the Council of Trent go back to the decades before the Reformation.[5] By the year 1400 it was clear to all thoughtful men that the Church was badly in need of renovation. Her external structure had become acutely lopsided through the accumulation and preservation of survivals of bygone ages. And in direct consequence her mobility in the changing world of the Late Middle Ages was greatly reduced. Liturgical and spiritual renewal, development of clerical and lay education, adaptation of administration to current needs, vernacular translations of the Bible and the liturgical books, a thorough reorganization of both the Roman Curia and the papal fiscal system were universal aspirations. A demand for renovation of the Church "in head and members" was voiced on all sides. In fact, *renovatio* is the theme, the leitmotif of the fifteenth-century Church. Yet in this very century the Councils of Constance and Basle, and later the Lateran, failed totally in the work of reform. Centered in the peripheral and insignificant rather than in the great, pressing issues of the day, these councils were disasters. Their failure to renovate the Church is a significant warning that the character of the assistance which the Holy Spirit extends to the Church should be carefully evaluated before it is invoked as a panacea. For perhaps never before in history was *reformatio* so urgently needed in the Church; yet it is the tragedy of this historical moment that despite these reform councils *difformatio* prevailed.

It is a matter of history that the Council of Constance (1414–18), though it did not reform the Church, did restore unity, harmony, and peace. Three popes (John XXIII, Gregory XII, Benedict XIII) were

[4] *Ibid.*, p. 1.

[5] H. Jedin, *A History of the Council of Trent* 1 (St. Louis, 1957) 1: "Strange though it may sound, the history of the Council of Trent begins with the triumph of the Papacy over the reform Councils."

set aside, and Martin V, elected by the council, received universal acceptance and recognition. But the price paid for this precious restoration of the papal monarchy after the calamitous Western Schism was considerable. For in a very concrete, striking fashion the council demonstrated the practical value of conciliarism by showing that it could perform an essential service for the Church, a service which the papacy could not *de facto* perform.[6] Later, the erratic Council of Basle (1431–49) showed astonished Christendom how "a free and independent council" could tyrannize over the papacy. The hard lessons of Constance and Basle were well learned by the Holy See; nor would it easily forget the ugly spectre of these independent councils and their outrageous pretensions.[7]

The ecumenical councils in the century before the Reformation created in the Church a tradition of conciliarism.[8] For there persisted in the minds of the faithful the vague, though firm, idea that in some undefined but real way an ecumenical council was the supreme voice of the Church, that in some way the council was above the pope, and that an appeal to a council was an appeal at once to God and Caesar. In terms of this confused thinking, the sympathy of the German nation for Luther's appeals to conciliar authority is understandable. For the belief was rife in those days that, though the pope had indeed spoken against Luther, the council as representative of the Church universal should in fact be heard.

It is one of the tragedies of the late fifteenth century that the papacy, which had vanquished the conciliarism of Constance and Basle, allowed itself in turn to be vanquished by what in retrospect seem so trivial—the Renaissance movement, the Turkish peril, and petty Italian politics. At the very moment when the papacy should have shown the world that it held in its hands the power, the ways and the means, the spirit and determination to reform the Church, it elected to play the role of *principatus*. But even more tragic, it assumed ex-

[6] J. Lortz, *Die Reformation in Deutschland* 1 (Freiburg, 1948) 25.

[7] Some theologians think that these councils, Constance for example, defined at least in a restricted sense the supremacy of the council above the pope. Cf. H. Küng, *Strukturen der Kirche* (*Quaestiones disputatae* 17; Freiburg, 1962) pp. 244 ff.; P. De Vooght, "Le conciliarisme aux conciles de Constance et de Bâle," *Le concile et les conciles* (Gembloux, 1960) pp. 143–81, and "Compléments et précisions," *Irenikon* 36 (1963) 61–75.

[8] H. Jedin, *op. cit.* 1, 30: "The conciliar theory was defeated but its spirit was far from crushed."

ternally a way of life whose scandal humiliates to this day. In the eyes of the world, the Renaissance papacy had become "human, all too human." Represented by a line of unfortunate popes and dominated by a sense of its own historical greatness, it sunk lower and lower in moral prestige. Deformation of "head and members," decadence in faith and morals—the problems par excellence of the day—were evil blemishes on the magnificent façade of the Renaissance Church. But they were poisonous and corrosive, and apt one day to destroy the whole edifice.

The twenty-five unfortunate years that separate the convocation (1542) of the Council of Trent from the closing (1517) of the Fifth Lateran Council witnessed a social revolution in the Western world. The medieval structure of the *respublica christiana* with its monolithic union of *imperium* and *sacerdotium* had been shaken to its very foundations. Religious pluralism, born in the course of these stormy years, gave every indication of permanence and even of growth. Laicism and anticlericalism, well nourished on the religious decadence of the times, developed as important factors in human society; and, within the political framework of fading Christendom, the particularism and secularism of the new, national states replaced the universality and piety of the medieval world. On every side the signs were clear that culture was sharply drifting in a new direction, and that traditional values were in peril. And yet there is no reassuring indication that the Church of that day had grasped the full significance of the transformation which was taking place in all areas of life and which would ultimately effect a radical change in her relation to the world.[9]

Disintegration is written on every page of the Church history of these years. The *Confession of Augsburg* (1530) despite the moderation of Melanchthon reflects the intransigeance and rebellion of the new German Evangelism. The excommunication of Henry VIII (July 11, 1533) and his *Act of Supremacy* (1535) defiantly severed England's ancient allegiance to the Holy See. Through the radical preaching of Ulrich Zwingli (d. 1531) Switzerland divided into the Reformed and the Catholic cantons; and, while in France the final outcome of John Calvin's (d. 1564) gloomy apostolate hung in the balance, the Church

[9] For example, as late as 1570 in the pontificate of St. Pius V (d. 1572) the papacy still believed that excommunication would depose monarchs (Elizabeth I) and release their subjects from allegiance to the Crown.

in Central Europe was still deeply infected with the Bohemian malady of John Hus (d. 1415). To the far eastern extreme of Christendom the Turkish peril remained a constant threat to the security of the Western world. In the springtime of 1542, therefore, Paul III had no need to exaggerate the precarious character of the sickness from which Christendom, over which he presided, was suffering.

More than once in his public career Martin Luther (1483–1546) declared that he would have forgiven the popes their bad morals, had their sacred doctrine been truly sound.[10] This challenging statement throws interesting light on the *fundamentum* of his reform. It was not conceived essentially as a moral crusade. For him, "theology became reform," and from true faith, elucidated and supported by sound theology, good morals were expected to grow as good fruit from a good tree. Evangelical Christianity, the fundamental conclusion of the Tower Experience of 1512, was the basis on which his radical reform rested. It contained the seeds of a new concept of the Church; and it is the new ecclesiological character of Luther's thought which is the key to his understanding of reformation and ultimately to his recalcitrant attitude towards the Council of Trent.

The opening months of the Protestant Reformation are symbolic of the whole movement. In that they terminated in definitive schism, they contain it all in embryo. What commenced at first as an academic challenge soon moved into the area of theological debate, and then on to canonical procedure which closed with the solemn excommunication of Luther. This irrevocable rupture with the old Catholic faith was not simply a personal expression of arrogance, resentment, or stubbornness. It was born rather from a new theology of the Church in which the inspired Word of God and man's response to it were all that mattered. They were supreme and decisive. But in the initial months (until the end of the summer of 1518) of his contest with ecclesiastical authority Luther did not grasp the full significance of the radical influence which his new theology would exercise on conciliar theology.[11]

[10] Y. Congar, *Vraie et fausse réforme dans l'église* (*Unam sanctam* 20, Paris, 1950) p. 362.

[11] Thus Luther wrote to the Dominican Sylvester Prierias: "As long as a Council does not condemn my view of the efficacy of indulgences, I am not a heretic and am entitled to defend my opinion as a theologian quite as much as the Dominicans are entitled to defend their doctrine of the preservation of the Blessed Virgin from original sin, though by maintaining it they are at variance with the Council of Basle." Cf. H. Jedin, *op. cit.* 1, 185.

On November 28, 1518, Luther made his first public appeal to a general council, from a badly informed pope to a better informed council.[12] The appeal, in itself not very important, was inspired by irritation with canon law and by the dim hope that this clever legal tactic would halt the canonical machinery. He did not want a summary condemnation; he needed time to think out his position more fully. Events moved quickly. At Leipzig (July 1519) Luther was led into areas of theological thought which at first he had not fully comprehended. But under the relentless force of Dr. Johann Eck's logical argumentation he was driven little by little to specify what he held to be the ultimate authority on which the Christian Church must rest. The dichotomy which was presented to him was sharp, but unfortunate—pope and council, or Bible and Spirit. Luther chose the latter as evangelical. For him the written Word of God grasped through the inner *magisterium* of the Spirit, speaking to the faithful, was overpowering. His Christian faith rested ultimately and solely on Holy Scripture, on divine rather than human words. He therefore publicly disavowed the authority of ecumenical councils over the inner spirit of the believing Christian,[13] and thereby opened new ecclesiological horizons.

Pope and council were for him at best mere human creations, products of history, phases in the growth of the Church. At worst they were the work of Satan, Antichrist, the Beast, and the devil's whore. They certainly were not a decisive element in Christian faith. Yet, in spite of his anticonciliar ecclesiology, he appealed once again, on November 17, 1520, to a general council. In anticipation of the bull of excommunication, *Exsurge Domine*, this new appeal was one more tactic to offset the papal ban with delaying legalities. It did not imply a readiness to submit to the supreme judgment of a council as a tribunal of faith. He was far too well acquainted with the fate of John Hus at

[12] Cf. R. H. Bainton, *Here I Stand: A Life of Martin Luther* (New York, 1950) p. 98: "Therefore, from Leo badly advised and from his excommunication . . . which I esteem as null, nay, as iniquitous and tyrannical, I appeal to a general council in a safe place." Cf. also W. Pauck, *The Heritage of the Reformation* (New York, 1961) p. 146.

[13] Cf. R. H. Bainton, *op. cit.*, pp. 116–17: "Let me talk German," demanded Luther [at Leipzig], "I am being misunderstood by the people. I assert that a council has sometimes erred and may sometimes err . . . . Councils have contradicted each other . . . . A simple layman armed with Scripture is to be believed above a pope or council without it . . . . For the sake of Scripture we should reject pope and councils." Cf. H. Jedin, *op. cit.* 1, 176, n. 2.

Constance to experiment with conciliar justice.[14] He was also aware of the illegality of his position as appellant, since both Pius II (d. 1464) and Julius II (d. 1513) had solemnly prohibited all appeals to a general council over the Holy See.[15] But for Luther, even at this early period, the sole norm on which all doctrinal decisions should be made was the Holy Scripture, and the Holy Scripture alone, not any council created by the papacy. It was a pointed application of the principle, *sola scriptura.*

On January 3, 1521, Luther was solemnly excommunicated. Some months later, on May 25, 1521, the imperial Diet at Worms under Charles V placed him under the ban of the Empire. Outlawed by both God and Caesar he retired to the solitary Schloss-Wartburg. He did not surrender his evangelical reform. Actually it was only commencing, and was to last for twenty-two more years despite pope and emperor. The papal bull of excommunication fell flat and the imperial ban went unheeded. The German people, heir to the decadent political and ecclesiastical traditions of the fifteenth century, were fatigued with imperialism and papalism. Conciliarism and particularism had made deep inroads into their spirit. Nobody in Germany took the pope's bull seriously. Luther burnt it on the garbage dump of Wittenberg,[16] and in Erfurt it was pitched into the river. The old days of *imperium* and *sacerdotium* were over, and so was the medieval world.

In the twenty years between the excommunication of Luther on January 3, 1521, and the first convocation of the Council of Trent on May 22, 1542, the evangelical reform took on the character of a separatist movement. The transformation was gradual, almost imperceptible, but sure. After the *protestatio* of the second Diet of Speyer (April 19, 1529), the German reformers became known more and more as Protestants. Their Confession of Augsburg of June 25, 1530 provided a formula for the evangelical faith; and in the following year (Febru-

[14] Cf., on Luther's evaluation of Hus, J. M. Headley, *Luther's View of Church History* (New Haven, 1963) pp. 225 ff.

[15] Cf. H. Jedin, *op. cit.* 1, 67: "In spite of repeated prohibitions of appeals to a Council by Pius II . . . Sixtus IV . . . and by Julius II . . . secular princes as well as ecclesiastical bodies continued to use an appeal as a legitimate legal device."

[16] In fact, to explain this enormity he wrote a special pamphlet, "Why the Books of the Pope and his Disciples were Burned by Doctor Luther." Cf. H. Grimm, ed., *Career of the Reformer* 1 (*Luther's Works* 31; Philadelphia, 1957) 385–95.

ary 27, 1531) the adherents of Luther united at Schmalkalden with the Zwinglian reformers and others in a pact of mutual support against Charles V and the Catholic Estates. The whole tendency among the German reformers was to form "a group of compact ecclesiastical-political bodies led by men with a clearly defined purpose, held together at first by the idea of the gospel as understood by Luther but before long, under pressure of events, by a common faith and an increasingly powerful political consideration."[17] The wall dividing "the old" and "the new" became firmer and firmer.

This same period witnessed the progressive growth of personal mistrust, hatred, and vilification of the Holy See.[18] The reformers were deeply resentful of the excommunication and condemnation of Luther, in which they saw nothing more than Antichrist's futile attempt to curtail the free spread of God's Word in this world. They were also keenly aware of the miserable exploitation to which their beloved fatherland had been submitted by the papacy throughout the Late Middle Ages; and, as Germans, they fiercely resented the authoritarian Italian Church, its irresponsible administration, and its mundane clergy living on the tithes extracted from the German empire. They also recalled the highhanded treatment to which the scholarly Johann Reuchlin (d. 1522) was submitted by the Inquisition. It is not surprising that Luther in the eyes of his contemporaries became for Germany what Hus had been for Bohemia.[19]

The German reformers demanded a *frei general concilium teutscher nacion*—"a free general Christian council of the German nation"—"free," because independent of the pope; "general," because universal in personnel (both clergy and laity); "Christian," because subject to the Bible alone; and "of the German nation," because free of Italian

[17] H. Jedin, *op. cit.* 1, 245.

[18] Note, for example, Luther's *Defense and Explanation of All the Articles*, where he writes: "Now, since the pope and his authority and those who obey him walk in sin and horrible perversions and are the devil's henchmen . . . it must be a lying invention that the rock and the building which Christ puts beyond the reach of hell, mean papal power and rule." Cf. G. W. Forell, ed., *Career of the Reformer* 2 (*Luther's Works* 32; Philadelphia, 1958) 70.

[19] As early as the summer of 1519, Luther was recognized both by Catholics (e.g., Dr. Johann Eck) and Evangelicals (e.g., Johann Paduska and Wenzel Rozdalowski) as "a Saxon Hus." The latter wrote: "What Hus was once in Bohemia, thou, Martin, art in Saxony. Stand firm." Cf. R. H. Bainton, *op. cit.*, pp. 119–20.

influences.[20] The demand, however justified in fact, had to be rejected by the papacy, because the theory which underlay it displaced the monarchical constitution of the Church. All the invitations to the Council of Trent which were extended to the German Protestants over the years came to nought. They were ruthlessly broken on the unbending slogan, "a free general Christian council of the German nation." While the popes could not allow the Church to become a democracy, the reformers would not accept it as a monarchy. Their conciliarism was rooted ultimately in the fifteenth century, more approximately in the new theology of Luther. It is here, especially in the realm of ecclesiology, in the formulation of the definition of the Church itself, that "the old" and "the new" clashed most bitterly and that the boundary line between the two confessions stood and stands most strongly.[21]

In the first years of the sixteenth century the idea of the council as a panacea for the ills of Christendom was still strong among Catholics. *In* and *through* an ecumenical council the German Church saw the possibility both of reform and of reunion with the Protestants. They wanted a general council, or, if that should prove impossible, at least a national council. At all events, they were anxious to hold an official meeting with the reformers to discuss freely the possibility of terminating the schism and renovating the Church.[22] But the papacy, aware of the conciliar scandal of the past century, dreaded a council. Neither Leo X, Clement VII, nor Adrian VI was convinced that a general council ought to be summoned under the existing circumstances. For them the presupposition (an impossible one) of a reform council was union. When the Protestants should once again return to the Catholic faith, a council would be convoked.[23] But nobody, least of all the reformers, was inclined to take this program seriously. The popes did not want an ecumenical council under any circumstances, not through fear

[20] Cf. W. Pauck, *op. cit.*, pp. 146–47.

[21] Cf. H. Jedin, "Ist das Konzil von Trient ein Hindernis der Wiedervereinigung?" *Ephemerides theologicae Lovanienses* 38 (1962) 849: "In the forty years that I have studied reformation history, I have formed the conviction (which becomes ever stronger) that the deepest impasse, which separates Catholics and Protestants, is neither the doctrine of justification nor salvation, but ecclesiology."

[22] Note Vergerio's advice to Paul III in this matter. Cf. L. Pastor, *The History of the Popes* 11 (St. Louis, 1912) 43.

[23] *Ibid.* 10, 136.

of drastic reform but out of reasonable consideration of their own constitutional security. Time would change their thinking.

The principal advisers of the popes, their experts on the German question, Girolamo Aleander, Johann Eck, Lorenzo Campeggio, and others, were also opposed to a council; and in their opposition they enjoyed the almost total support of the cardinals of the Roman Curia, who, while contemning "the miserable German friar," feared him greatly.[24] For Luther had advantages which they could not minimize. He had powerful friends in the German empire. He enjoyed high popularity with the common people, for his cause was a national one. He was shrewd, and made in his writing and speaking a direct appeal to his audience. He could not be touched personally.

Girolamo Aleander (d. 1542) is typical of the anticonciliar churchmen who were advising the Holy See in the opening decades of the sixteenth century. He was diplomat, scholar, and experienced man of affairs. His personal acquaintance with the events of the German schism was considerable. From his extensive travels in the northern countries and from his attempts to suppress the Protestants in the Low Lands he was well aware that a revolution was threatening the established order of things, that a loud chorus of voices was crying out for a reform council, that the religious crisis had reached the breaking point, and that the prestige of the Holy See was sinking.[25] But he lacked "an intimate personal sense of the religious nature of the questions that were being decided in Germany. He only saw the revolt against the traditional order, the greed for Church property, but was blind to the silver streak of genuine, though misguided piety which was also to be found in the Lutheran movement."[26] As papal legate he had published the bull *Decet Romanum pontificem* against Luther, and against him he had worked hard and long at the Diet of Worms. His policy on the

[24] In face of this contempt Luther felt assured. "I do not claim to be a prophet," he wrote, "but I do say that the more they scorn me and the higher they regard themselves, the more reason they have to fear that I may be a prophet .... And even if I am not a prophet, as far as I am concerned I am sure that the Word of God is with me and not with them, for I have the Scripture on my side and they have only their doctrine." *Defense and Explanation of All the Articles, ed. cit.*, p. 9.

[25] At Worms he noted that nine tenths of the people were shouting "Luther!" and the other tenth "Death to the Roman Court!" and all are crying for a council in Germany. Cf. R. H. Fife, *The Revolt of Martin Luther* (New York, 1957) p. 619.

[26] H. Jedin, *A History of the Council of Trent* 1, 198.

affair of Luther was intransigent—condemnation without hearing, implementation of the papal and imperial bans, and prohibition of a general council. With this method of handling the delicate question of the schism Dr. Johann Eck susbtantially concurred; and, at a later date, Campeggio would even advise the use of armed force to put down the Protestant dissenters.[27] Every means would be used save one—an ecumenical council. The anti-Roman tendencies, which might come to full expression there, were feared exceedingly. The drift of thought here reveals frustration and insecurity which created unmanageable confessional tension.

While the reformers profoundly mistrusted the good will of the Curia, the Curia in turn had its own good reasons for questioning the sincerity of the reformers. For the most honorable overtures which the Holy See in the course of these years made to the German Protestants were greeted with derision and contempt. Every reform effort was belittled. Relations between Catholics and Protestants became more difficult. Mutual antipathies grew into irreconcilable resentment, mistrust, and alienation. Years before the Council of Trent had assembled, the cleavage in Western Christendom was complete and irreparable.

From the pontificate of the Dutch pope, Adrian VI (1522–23), in whom a new star of hope rises in the heavens, dates the so-called *Instructio*, one of the most remarkable documents in the history of the papacy.[28] This brochure, intended for the guidance of the papal legate Francesco Chieregati at the Diet of Worms in 1522, is striking for its objectivity and sincerity. Here the pope in plain language traces the root of the universal disaster of the Church to the Holy See itself, to the Roman Curia, and to the Catholic episcopacy. In fact, in promising the German Estates to reform the Curia, he simply describes it as "the source whence perhaps all this present evil has come." When the contents of this confidential document leaked out to the German people, the reformers were loud in the abuse which they heaped upon the papacy. Especially violent was Luther's attack. In a pamphlet which he brought out in the spring of 1523, he described the

[27] *Ibid.* 1, 194: "Campeggio felt convinced from the very beginning of his second legation in 1530 that only the latter means—that is, a war of religion—would yield decisive results."

[28] C. Mirbt, *Quellen zur Geschichte des Papsttums und des Römischen Katholizismus* (Tübingen, 1924) n. 420, pp. 261–62.

pope in the undignified words: "The Pope is a *magister noster* of Louvain. In that University such asses are crowned. Out of his mouth Satan speaks."[29] It does not seem to have occurred to Luther (nor to the Romans) in his frustration with Rome that the times were changing, and that in this most austere of austere popes the Catholic reform was taking its first steps forward.

In the spring of 1533, three years after the publication of the Confession of Augsburg (June 25, 1530),[30] the papal nuncio Ugo Rangoni arrived in Germany to prepare the ground for joint action by the Catholic and Protestant Estates on the council to whose convocation both Clement VII and Charles V had already agreed.[31] His instructions, prepared by Aleander, contained eight conciliar conditions, of which the first is most relevant here: "The Council is to be free and to be held according to the customs obtaining in the Church since the first General Councils."[32] The nuncio's terms were generally accepted with enthusiasm, but John Frederick, the Elector of Saxony, made the reservation that his reply be formulated by the Wittenberg theologians and with consultation of the Schmalkaldic League which was to meet in June.

When consulted, Melanchthon replied that he believed that "they should be ready to attend" the council, but without submitting to it, unless it be free. Thus he wrote:

> This is the reason why we refuse to submit to this council. For the pope says that he wants to hold a council according to the custom obtaining in the Church up until now. But the custom which we hold now is much different than it was in the ancient councils. For in these ancient councils one had to judge (*richten*) according to God's Word, as we see in Acts 15, and also in the acts of these praiseworthy councils. But since then, under the papacy, the councils have taken on a different character; they act according to their own *Constitutiones* and their own power, as is clear to all. Thus one sees that we attack the *Constitutiones*, because they are against the Word of God . . . .[33]

[29] L. Pastor, *op. cit.* 9, 142.

[30] Cf. B. J. Kidd, ed., *Documents Illustrative of the Continental Reformation* (Oxford, 1911) n. 116, pp. 259–89. The Confession of Augsburg also appeals to a council.

[31] L. Pastor, *op. cit.* 10, 218. On Feb. 24, 1533, pope and emperor in Bologna signed a secret treaty in which they promised to hold the council.

[32] *Ibid.* 10, 223.

[33] *Iudicium de concilio, Corpus reformatorum* 2 (Halle, 1835) n. 1117, pp. 655–56.

The League simply refused "a Council conducted according to the custom of the Church . . ." because such an assembly would not be the "free Christian Council" they had been promised. "Thus for the first time the Protestants openly and formally refused 'on principle' to recognize a Council proclaimed by the Pope."[34]

In the late winter of 1535, Paul III sent Pietro Paolo Vergerio (d. 1565) to Germany as his papal nuncio. It was his commission "to announce, this time with promises of security and without requesting the previous acceptance of clauses, the project of a council at Mantua."[35] Vergerio was well suited to his difficult assignment. He was in sympathy with the sad state of the German Church, understood the mentality of the reformers (far better perhaps than anyone suspected),[36] favored the ecumenical council, advocated radical reform, and had almost boundless energy. Everywhere he went, he seemed to spread good will and to win friends for his cause. In the autumn of 1535, he visited Wittenberg and there, as papal nuncio, he had the opportunity to meet Luther face to face. "The first question he put to me, as I remained silent," wrote the nuncio, "was whether I had heard in Italy the current report that he was a German sot." Then he boasted of his marriage with Catherine Bora, and assured the legate:

> We, through the Holy Spirit, are certain of all things, and have no need in truth of any Council; but Christendom has need of one, that those errors may be acknowledged in which it has so long lain . . . . I will yet appear at the Council, and may I lose my head if I do not uphold my cause against all the world. That which proceeds from my mouth is not my wrath, but the wrath of God.[37]

A year later, on October 10, 1536, in an academic disputation (30 theses) he maintained that the ultimate authority for the Church is Christ Himself, that councils are not gathered in the Holy Spirit, and that they do not represent the universal Church.[38]

Twice papal legates appeared before the Schmalkaldic League to gain

[34] H. Jedin, *A History of the Council of Trent* 1, 282–83.

[35] S. Kuttner, "Papal Efforts toward Protestant Representation at Trent," *Review of Politics* 10 (1948) 432.

[36] Eleven years later, in 1546, Vergerio went over to Protestantism. Cf. W. G. Tillmanns, *The World and Men around Luther* (Minneapolis, 1959) pp. 331–32.

[37] L. Pastor, *op. cit.* 11, 67–8.

[38] Cf. P. Meinhold, "Das Konzil im Jahrhundert der Reformation," *Die ökumenischen Konzile der Christenheit* (Stuttgart, 1961) pp. 221–22.

the support of the Protestant princes for the coming reform council. On December 21, 1535, the members of the League informed Vergerio "that they were conscious of their political preponderance and were now inclined to refuse the Council, when it was offered, for which in the days of their weakness they had been loud in demand." The impossible conditions on which they made the acceptance of the council depend "showed clearly that they had no desire for a general council at all."[39]

In fact, this new recalcitrant spirit is embodied in the twenty-three Schmalkaldic Articles, drawn up by Luther himself near the end of 1536 as "an authoritative and unalterable basis" on which the Protestants were "to take their stand against the council." The preamble flatly declares that the Protestants have need neither of a council nor of a pope:

> As it is impossible for us to worship the devil himself as Lord and God, so it is impossible for us also to suffer his apostle, the Pope or Antichrist, to be head and lord within his government, since the papal rule is lying and murder and destructive both of body and soul. Therefore, we cannot kiss his feet or say: "Thou art our gracious Lord," but rather, with the angel in the book of Zacharias, "The Lord rebuke thee, Satan!"[40]

Two months later, on February 25, 1537, the papal legate Peter van der Vorst appeared before the League with Pope Paul's invitation to the reform council to be held at Mantua. His ignominious reception by the Protestant Prince Elector of Saxony is almost without parallel in diplomatic history. He not only refused to discuss seriously the proposed council, but when presented with the bull of citation and the papal briefs, refused to open them, left them on the table where they had been placed, and laughingly left the room.

In the very hours that Peter van der Vorst was being so contemptuously rejected by the Schmalkaldic League, the *Consilium de emendanda ecclesia*[41] was receiving its final touches. This document is an official report of a commission of churchmen (Curial lawyers excluded) whom Paul III appointed to determine the exact causes of ecclesiastical decadence and to specify remedies against it. Assured of freedom and

[39] L. Pastor, *op. cit.* 11, 69–70. [40] *Ibid.* 11, 88.
[41] Cf. C. Mirbt, *op. cit.*, n. 427, pp. 267–70.

security in their work, they were allowed to make an objective investigation, to recommend ruthless alterations, and to complete their work without fear. This situation—ecclesiastical administration seeking a painfully honest evaluation of itself—is rare in the history of the Church. But that is exactly what the pope received from his fact-finding commission. For among the countless causes of the disaster is listed the legal axiom, abused by the late medieval papacy, *Quidquid libeat, id etiam liceat,*[42] which the commission characterized as "the source from which as from the Trojan horse the most grave evils and abuses have poured out over the Church. . . ." The spirit which animated this document was to bring new life and courage to the Catholic reform.

But when the contents of this confidential report became generally known through duplicity, the German Protestants, especially Luther, found here a joyful stimulus to further vilification and ridicule.[43] The reformers failed to note that the Holy See in the person of Paul III had taken another step forward along the hard path of reform and that a new generation of high-minded churchmen, humble, progressive, and objective, was emerging. Already the rays of the Catholic reform were breaking over the Western world and the early glimmers of hope and victory were already in evidence. A new chapter of the history of the Church begins with Paul III.[44]

On May 22, 1542, Paul III finally promulgated the solemn bull, convoking an ecumenical council to meet at Trent on November 1 of that year. The Protestants were invited but rejected the invitation. Supported by neither emperor nor king, it failed. But most significant was the absence at Trent on the appointed day of both the Italian episcopacy and the Curial officials. On July 6, 1543, the premature council was suspended. While the papacy was paralyzed by the political antics of Charles V and Francis I and the indolence of her own

[42] On this axiom or norm (*regula*) Luther commented thus: " 'Rule.' Bring the fire! These cardinals have become heretics since they condemn this old article of faith on which after all, the papacy is based. Oh, that you scoundrels . . . ." Cf. *Counsel of a Committee of Several Cardinals with Luther's Preface,* ed. L. W. Spitz, *Career of the Reformer* 4 (*Luther's Works* 34; Philadelphia, 1960) 242.

[43] *Ibid.*, p. 240: "Dear me," he wrote, "how seriously the Holy See takes this matter! It is too bad that no one believes these scoundrels and liars any longer (providing that anyone could feel sorry about that)."

[44] L. Pastor, *op. cit.* 11, 39–40.

officialdom, Protestantism grew stronger. Scandals were reported on all sides. In 1542, the German empire was shocked by the apostasy of the Prince Elector, the Archbishop of Cologne, and the treacherous activities of Franz von Waldeck, the Bishop of Münster and Osnabrück, were known to all.

The suspension of the council was removed on November 19, 1544, by the bull *Laetare Jerusalem* and the council once again convened at Trent, for March 15, 1545. But the Protestants remained adamant in their refusal to co-operate. In fact, at this time (March, 1545) Luther published a most scurrilous caricature of the papacy in Rome, "founded by the devil."[45] Here the pope is described as "the most all-hellish father," "his Hellishness," "the Juggler," "the Ass Pope with long asses' ears," "desperate knave," "the destroyer of Christianity," "Satan's bodily dwelling-place," "the Devil's apostle," "the author and master of all sins," "Roman Hermaphrodite," and "Pope of Sodomites." "Nothing was ever set right by councils," he continues. "Therefore ought he, the Pope himself, his Cardinals and all the rabble of his idolatry and papal holiness, to be taken and as blasphemers have their tongues torn out from the back of their necks and nailed in rows to their bulls... Therefore, let them hold one Council, or as many as they please, on the gallows in hell, deep below all devils."[46]

The long-awaited council finally held its first public session at Trent on Gaudete Sunday, December 13, 1545. Though invited, the Protestants did not appear; and, though obligated, the majority of the Catholic episcopacy abstained. On January 7, 1546, in the second public session, the *Eirenikon* of the English Cardinal Reginald Pole, one of the presidents of the council, was read to the Fathers. As a document creating the atmosphere of reform, it ranks in importance with the *Instructio* of Adrian VI and the *Consilium* of Paul III, and is worth citing here at least in part:

> Justice itself demands that we, the shepherds, put ourselves as culprits before God's tribunal for the ills of our flocks, and implore His mercy through Jesus Christ. It is said truly, that we bishops have given cause to these evils which now oppress the Church. If anyone should think that this is said more through exaggeration than in truth, let him not forget that it is truly proved by experience

[45] *Wider das Papsttum zu Rom vom Teufel gestiftet* (March, 1545).
[46] L. Pastor, *op. cit.* 12, 215.

itself, which cannot lie .... But why do we recall all of this? To embarrass you? By no means! But to warn you ... how to escape the terrible judgment of God ....[47]

On February 18, 1546, eight weeks after the solemn opening of the council, Luther died. But his anticonciliar spirit lived on as an inspiration to his followers, who revered him as a saint.[48] Within a matter of days after his death, Melanchthon had brought out a work strongly rejecting the council and all that it stood for; and this was soon followed by other Protestant pamphlets conceived in the same sense. The old hostility to Trent lived on for decades after it had closed, but the polemic never advanced much beyond the fundamental evangelical objections of Luther.[49]

The Schmalkaldic War (1546–47), which Charles V waged during most of the first period of the council, terminated in a decisive imperial, and therefore Catholic, victory. But before this victory was fully harvested, Paul III transferred (sess. 8, March 11, 1547) the council to Bologna. The emperor's frustration and anger at the aged pontiff were superlative.[50] For the transference represented a negation of the imperial policy in the whole question of religious unity. Since it appeared that the pope would not or could not achieve religious concord in the empire, the emperor had an *Interim* prepared by Catholic and Protestant theologians and accepted at the Diet of Augsburg on June 30, 1548. This provisional, doctrinal compromise[51]—twenty-six dogmatic articles in a "fundamentally Catholic" sense—represented a conciliar victory in that the religious problems created by the Reformation were deferred to the subsequent action of the council. But in the tenth session (June 2, 1547) the council, now sitting in

[47] V. McNabb, "Cardinal Pole's 'Eirenikon,'" *Dublin Review* 198 (1936) 149–60.

[48] In his eulogy (Feb. 22, 1546) of Luther, Johann Bugenhagen characterized him in these words: "... he was without doubt the angel of which the Apocalypse speaks in Chapter fourteen: 'And I saw an angel flying through the midst of heaven, who had an eternal gospel to preach,' ... the angel who says: 'Fear God, and give glory to him!' These are the two articles of the teaching of Martin Luther, the law and the gospel, by which the whole Scripture is opened and Christ made known as our righteousness and eternal life." Cf. W. Pauck, *op. cit.*, p. 19.

[49] L. Pastor, *op. cit.* 12, 256, 281. [50] *Ibid.* 12, 358.

[51] As a concession to the Protestants the *Interim* allowed the marriage of the clergy and Communion under both species. This was provisional, "until the decision of the Council of Trent," according to the title of the *Interim*.

Bologna, had already prorogued itself, actually for four years until May 1, 1551. The conciliar implications, therefore, of the *Interim* remained for all practical purposes a dead issue. And the "imperial religion" enunciated in this document satisfied neither Catholic nor Protestant.[52]

Only once in eighteen years (1545–63) did the Protestants actually appear at the council, in its second period at Trent (1551–52) under Julius III (1550–55). After months of negotiation with the German Estates at Augsburg the papal nuncio Sebastiano Pighini was finally able to propose an acceptable program. On the authority of the pope, free discussion was guaranteed to the Protestants who would attend the council, and a safe-conduct was extended, in return for an acknowledgement of certain basic principles: "the Protestants would take part in the deliberations as consultant theologians . . . but the definitive vote would remain with the teaching authority of the episcopate; questions previously decided would not be reopened and the papal right of convoking, suspending, or closing the assembly would not be challenged."[53] With a certain amount of reservation by Maurice of Saxony, the bull of Julius III was accepted and the Protestants declared their willingness to go to Trent.

In the thirteenth session (October 11, 1551) the Fathers of the council agreed to postpone the definition of the controversial articles on the Eucharist and to defer consideration of the Mass until the Protestants should arrive. The safe-conduct to the council was expressed in open, generous terms. They were invited

> to come freely and safely to the ecumenical council, to remain and sojourn there and to propose therein, in writing as well as orally, as many articles as may seem good to them, to deliberate with the Fathers or with those who may have been chosen by the council and without any abuse and contumely dispute with them. They may also depart whenever they please.[54]

The last months of 1551 were the high point of the hopes of all those Fathers at Trent who sincerely trusted that in some way the terrible schism within the body of Christendom might be healed.

[52] The Leipzig *Interim*, drawn up in December, 1548 at the request of the Elector Maurice, is an expression of the dissatisfaction of the less Catholic body of Protestants with the Augsburg *Interim*.

[53] Cf. S. Kuttner, *op. cit.*, p. 433. [54] H. J. Schroeder, *op. cit.*, pp. 85–87.

The first Protestants appeared at Trent in the late autumn of 1551, the two ambassadors of the Duke of Wurtemberg on October 22, and John Sleidan, the representative of "the cities," on November 11. Almost from the moment of their arrival their attitude to the Catholics was icy cold. Conciliation at this point was clearly on the side of the papal legates.[55] On January 9, 1552, Wolfgang Koller and Leopold Badhorn—representing the powerful Prince Elector, Maurice of Saxony—finally reached Trent. Nor were they more gracious than their colleagues. In fact, the Saxon ambassador, Leopold Badhorn, did not hesitate "to tell the Catholics quite openly that in their case only 'an appearance of religion' was to be found among them."[56]

The Protestant representatives from Wurtemberg and Saxony were received on January 24 before general congregations of the council, where the Fathers invited them to submit their petitions. This they did. The demands which the different groups made can be reduced to four headings: acceptance of Holy Scripture as the sole norm of faith, recognition of the council above the pope, reconsideration of all the Tridentine articles defined up to that time, and dispensation of the bishops from their oath of allegiance to the pope. Demands so radical as these, if conceded, would certainly have liquidated both pope and council, and, if refused, would leave the Church divided into two confessions. This impasse to which the discussion between Catholics and Protestants came was essentially ecclesiological in the sense that each thought and spoke of the Church in sharply opposed terms.

Accordingly the Protestants did not appear at the fifteenth session of the council, which was held on the following day. For they could not attend an ecclesiastical assembly which did not share their evangelical faith. Still they were invited once again under a new safe-conduct; and definitive treatment of the Eucharist both as a sacrament and a sacrifice was deferred until "those of the Confession of Augsburg" should be present.[57]

But behind all these theological considerations lurked a political

[55] "Even when we have reason to fear," wrote the president of the council, Pighino, on January 23, 1552, "that we are being imposed upon, the Church, as anxious Mother, must repulse no one, but must show everyone how to approach her, and hold the way open, and remove all grounds for evading and remaining away from the Council." Cf. L. Pastor, *op. cit.* 13, 117.

[56] *Ibid.* 13, 118. [57] H. J. Schroeder, *op. cit.*, p. 115.

conspiracy of international significance. The Protestant Elector, Maurice of Saxony, who had already sabotaged "the attempt of the Wittenberg and Leipzig theologians to come to an agreement with those of Wurtemberg and Strasbourg concerning a joint confession of faith to be laid before the council," was now secretly planning a widespread conspiracy "to cut the Emperor to the heart."[58] In the spring of 1552 the revolt broke out. Allied with the French king, the Protestant Elector proceeded with military might against Charles V. The Empire was thrown into a state of uproar and violence. On April 28, 1552, in its sixteenth session the council was suspended. It was a victory for the anti-imperial forces but also for all those who opposed the conciliar *rapprochement* of Catholics and Protestants.

Julius III died on March 23, 1555. Two months later Giovanni Pietro Caraffa, the austere Paul IV, was elected in his seventy-ninth year. The four years of his calamitous pontificate form an unbelievable episode in papal history. The council remained suspended, and the Church was ruled with a mailed fist. This was the pope who is said to have boasted: "I have never conferred a favour on a human being."[59] And a contemporary wrote of him: "The pope is a man of iron, and the very stones over which he walks emit sparks which cause a conflagration should his wishes not be carried out." The whole reign of this self-willed pope was dominated by a fanatical dread of Protestantism. Against all anti-Catholic and antipapal tendencies he fought bitterly with *Index* and *Inquisitio* as prime weapons. Characteristic of the unbending spirit which animated him is his extraordinary treatment of the illustrious churchmen and presidents of the Council of Trent, Cardinals Morone and Pole. Both were summarily denounced for heresy. The former was consigned by the pope to a dungeon in the Castel Sant' Angelo, while the latter only escaped a similar fate by his absence in England, where he was occupied with the Catholic restoration under Queen Mary I. The atmosphere of Paul's pontificate was hostile to the growth of understanding and sympathy between the Catholics and the Protestants. Unfortunately it intervened between two of the most critical periods of the Council of Trent.

[58] L. Pastor, *op. cit.* 13, 114, 122–23.

[59] If the pope actually spoke these words, surely he could not have been thinking of his nephews, Cardinal Carlo Caraffa, Giovanni Caraffa (Duke of Paliano), and Antonio Caraffa (Marquis of Montebello).

When the council was again convoked on November 30, 1560, in the pontificate of the magnanimous Pius IV (1559–65), "invitations went as far as Moscow and Abyssinia, and would have gone to Queen Elizabeth, had not the papal messenger, Abbot Parpaglia, who was sent to present the letters, been prevented from entering England."[60] But with respect to the German Protestants the council had to face a new situation. The legal recognition which they enjoyed since the Peace of Augsburg (Sept. 25, 1555) not only gave them independence and security, but also admitted on the basis of the principle, *cujus regio, eius religio*, the *de facto* religious pluralism of the empire. In the course of the year 1561–62 the papal nuncios Commendone and Delfino were sent into Germany to invite the Protestants to the council. The papal briefs which the nuncios presented to the Protestant princes assembled at Naumburg (Jan. 28, 1561) were rudely returned, because the pope (in conformity with a most ancient curial rubric) had used the expression "Beloved son" in the salutation.[61] The solemn bull of convocation was also returned to the nuncios with much sharp vituperation. It was a repetition of Peter van der Vorst's meeting with the Schmalkaldic League almost twenty-five years earlier. Nowhere in the empire, and even beyond it,[62] were the legates able to win the co-operation of the Protestant nobility for the cause of the council. They simply refused to be affiliated with an enterprise whose theological presuppositions were out of harmony with their understanding of the clear teaching of the Holy Scripture.

In the eighteenth session (Feb. 26, 1562) of the council one last invitation was extended "to the Germans, to each and all others who do not hold communion with us in matters of faith, of whatever kingdom, nations, provinces, cities. . . ."[63] It was too late. In the forty-five years since Luther had first attached his theses to the door of the castle church at Wittenberg,[64] academic convictions had solidified into confessional positions. The sides which were taken were not relin-

[60] S. Kuttner, *op. cit.*, p. 434. [61] L. Pastor, *op. cit.* 15, 223.

[62] The King of Denmark, for example, refused the legates entrance to his realm and, therefore, to Scandinavia.

[63] H. J. Schroeder, *op. cit.*, p. 129.

[64] E. Iserloh, "Luthers Thesenanschlag: Tatsache oder Legende?" *Institut für Europäische Geschichte, Mainz Vorträge* 31 (Wiesbaden, 1962) 32, denies the traditional account of the nailing up of the theses. Still the tradition (legend?) has in itself a symbolic value that transcends the historical fact.

quished. The reformers believed in their new vision of the City of God; they were not ready to surrender it in favor of the old city of man. A new generation, baptized and reared in the evangelical faith, had grown up in the course of these years. For them, turning back was out of the question. Their apodictic refusal to attend the "papal" Council of Trent was structured on the stubborn conviction that God had shown them a sure path: the way of faith in Christ the Lord through the Spirit and Scripture.

In judging the past the historian must be modest, prudent, and humble. Moral guilt in human history is not easily fixed. If the Protestants should be censured for adamantly refusing to co-operate with the Council of Trent, the Catholics should also be censured for having allowed the Church to lapse into so critical a state that its rescue required the assistance of an ecumenical council. The failure of Trent to achieve Christian unity is to be sought not so much in the council itself which face to face with the Protestants revealed an outgoing spirit remarkable for that age.[65] It was rather the subsequent age which must bear the responsibility. It was here, in the days of the Catholic Reform, that the Tridentine faith froze into a lifeless, intransigent, unyielding form which became a wall of separation between Christians. But it was here, too, in the post-Tridentine age that Protestantism could have been of assistance to the Christian body by showing a more sympathetic, magnanimous spirit. Ossified in its "protest," it went its way, while Catholicism, convinced of its exclusive superiority, went another way. It is our age which sees the Catholic and the Protestant united in an ecumenical spirit which may prove one day to have been the foyer of Church unity.

[65] S. Kuttner, "The Reform of the Church and the Council of Trent," *Jurist* 22 (1962) 130. The Council of Trent never condemned any of the reformers (Luther, Calvin, Zwingli, etc.) by name. Its teaching is impersonal.