

THE CAMBRIDGE COMPANION TO **THE COUNCIL OF TRENT**

Edited by **Nelson H. Minnich**



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THE COUNCIL OF TRENT

The Council of Trent was a major event in the history of Christianity. It shaped Roman Catholicism's doctrine and practice for the next four hundred years and continues to do so today. The literature on the Council is vast and in numerous languages. This *Companion*, written by an international group of leading researchers, brings together the latest scholarship on the principal issues treated at the Council: the relationship between Scripture and Tradition, original sin, justification, the sacraments (Baptism, Penance, Confirmation, Eucharist, Holy Orders – the Episcopacy, Marriage, and the Anointing of the Sick), sacred images, sacred music, and its reform of religious orders, the training of the clergy, the provision of pastoral care in the parish setting, and the implementation of its decrees. The *Companion* demonstrates that the Council unwittingly furthered the papal centralization of authority by allowing the interpretation of its decrees to be the exclusive prerogative of the Holy See and entrusting it with their implementation.

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Frontispiece Pasquali Cati, *Council of Trent*, fresco, Rome, Santa Maria in Trastevere, 1588 [frontispiece] (Wikimedia Commons)

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Edited by

Nelson H. Minnich

Catholic University of America, Washington DC



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Abbreviations

- COD: *Conciliorum Œcumenicorum Decreta*, eds. Giuseppe Alberigo et al. Bologna, 1996.
- COD-T: "Trent, 1545-1563." In: *Decrees of the Ecumenical Councils*, Vol. II: *Trent to Vatican II*, ed. Norman P. Tanner, trans. Peter McIlhenny and John Coventry (Washington, DC, 1990), 660-799.
- CT: *Concilium Tridentinum. Diariorum, Actorum, Epistularum, Tractatum nova collectio*. Edidit Societas Goerresiana. 13 tomes. Freiburg im Breisgau, 1901-2001: Tom. I, II, III: *Diariorum*; Tom. IV, V, VI, VII, VIII, IX: *Actorum*; Tom. X, XI: *Epistularum*; Tom. XII, XIII: *Tractatum*.
- DH: Heinrich Denzinger and Peter Hünermann, eds., *Enchiridion Symbolorum Definitionum et Declarationum de Rebus Fidei et Morum*, 43rd ed. San Francisco, 2012
- LW: *Luther's Works (American Edition)*. 82 vols. St. Louis: Concordia; Philadelphia, 1955-
- WA: *D. Martin Luthers Werke: kritische Gesamtausgabe (Weimarer Ausgabe)*. 120 vols. Weimar, 1883-2009

I Introduction: Historical Survey of the Council of Trent

NELSON H. MINNICH

The Council of Trent (1545–63) was a major event in the history of Western Christianity that sealed rather than healed the divisions between the Catholic and Protestant communities and shaped Roman Catholicism for the centuries that followed until the Second Vatican Council (1962–65) effectively ended the Tridentine paradigm.

The council was called for a variety of reasons. The Great Western Schism (1378–1417), when the Roman, Avignonese, and Pisan popes all claimed supreme authority in the Church, was only ended when a council, meeting in Konstanz with the backing of Emperor-elect Sigismund, declared its supreme authority in the decree *Haec sancta* (1415). Having deposed the Pisan and Avignonese claimants and secured the resignation of the Roman, the council elected a new pope, Martin V (1417–31), only after mandating the regular celebration of subsequent councils by its decree *Frequens* (1417). In a series of concordats negotiated at the council (1418) to last for five years, the pope agreed to severe limitations on his revenues and curial practices. He saw to the sabotaging of the next council, that of Pavia-Siena (1423), that should have made permanent these reforms. Before he died, Martin V convoked the Council of Basel that soon found itself in conflict with the new pope Eugenius IV (1431–47). Its decrees that imposed severe limitations on papal revenues were opposed by the pope who tried unsuccessfully to close the council. He then transferred it to Ferrara, Florence, and finally Rome where his backers condemned the remnant in Basel and declared his supreme authority in the bull *Laetentur coeli* (1439) that unified on parchment the Greek and Latin churches. The reform legislation of Basel was adopted in France by the Pragmatic Sanction of Bourges (1438) and in German lands by the Acceptance of Mainz (1439). These documents also included the decrees *Haec sancta* and *Frequens*. By patient diplomacy, Eugenius IV and his successor, Nicholas V (1447–55), got the German princes and emperor to rescind the Acceptance and replace it with concordats (1447, 1448) that modified these reforms. Repeated efforts

to secure a permanent, similar rescission of the Pragmatic Sanction of Bourges failed. By accepting the ecclesiastical appointments made by the remaining members of the Council of Basel and giving its rival pope Felix V (1439–49) legatine powers, Nicholas V succeeded in getting Felix V to resign and the council to elect him in his stead and to close (1449). For the next half century, popes were preoccupied with restoring the papal monarchy and suppressing any threat to it coming from a new council. To secure the support of Christian rulers in this struggle, they negotiated concordats with them that granted these rulers the right to nominate candidates for episcopal office and restrictions on fees paid to Rome.¹

Many of the issues confronting the Renaissance popes came to a head in the council prior to Trent, namely the Fifth Lateran Council (1512–17). When Julius II (1503–13) betrayed his allies, Emperor Maximilian I and King Louis XII of France, by violating the terms of the League of Cambrai he had joined in 1509, they backed a group of dissident cardinals, who in 1511 called a council to meet in Pisa, ostensibly to reform the Church. To defeat it, Julius called his own council to meet in the Lateran. While he secured the adherence of much of Europe to his council, it had achieved little by the time of his death. His successor, Leo X (1513–21), quickly ended the Pisan Schism in 1513 and tried to address the calls for reform. He issued the bull *Pastoralis officii* (1513) that regularized the practices and fees of the Roman Curia. The bishops at Lateran V, however, demanded a wider reform that would restore their dignity and jurisdictional powers in regard to the cardinals, exempt curial officials, and members of religious orders. They even insisted on the establishment of a “sodality” that would in effect create a permanent College of Bishops in the Roman Curia, something the College of Cardinals adamantly opposed. In an effort to satisfy some of the demands of the bishops, Leo agreed to the Great Reform Bull (1514) that tried to enforce the provisions of canon law on clerics and laity alike. He also granted the bishops control over pulpits and printing presses to ensure that heresy and immorality, attacks on church authorities, and unfounded apocalyptic predictions were not disseminated in their dioceses. But the pope was reluctant to rescind the exemptions granted by popes to curial officials and members

¹ Nelson H. Minnich, “Councils of the Catholic Reformation: A Historical Survey,” in *The Church, the Councils, and Reform: The Legacy of the Fifteenth Century*, eds. Gerald Christianson, Thomas M. Izbicki, and Christopher M. Bellitto (Washington, D.C., 2008), 27–59; *A Companion to the Council of Basel*, eds. Michiel Decaluwé, Thomas M. Izbicki, and Gerald Christianson [Brill Companions to the Christian Tradition, 74] (Leiden, 2017).

of religious orders. Missing in most of the bishops' reform demands was a clear pastoral concern. Leo found very burdensome the bishops' threats of boycotting sessions if their demands were not met, and he counter-threatened to prorogue the council. In the end, he was willing to grant some modification in these papal exemptions in return for a clear conciliar statement on papal supremacy that he was determined to secure. Having lost the Battle of Marignano (1515), he conceded the loss of papal Parma and Piacenza to French-held Milan and secured a guarantee of Medici control of Florence. At Bologna in December of 1515, he successfully negotiated with the victorious Francis I of France an agreement that replaced the Pragmatic Sanction of Bourges with a concordat that granted the French king the right to nominate candidates to the top episcopal and abbatial offices, while the king acknowledged the pope's right to make the appointments and receive fees for doing so. At the eleventh session of the Lateran Council (1516), the Concordat of Bologna was given conciliar approval and the decree *Pastor aeternus* both formally abrogated the Pragmatic Sanction and declared that when there is only one undisputed pope, he alone has the power to convoke, transfer, and close a council. The papacy had seemingly triumphed over conciliarism. By the narrowest of margins, Leo succeeded in getting the bishops to agree to close the council – an approval required by one of the pope's sworn electoral capitularies. The Lateran Council, that the pope had found so difficult to manage despite being heavily populated with Italians and curial prelates, was a warning to subsequent popes. Clement VII (1523–34), Paul III (1534–49), Julius III (1550–55), and Paul IV (1555–59) had all attended the Lateran Council and had seen first-hand the dangers a council could pose to papal authority. Had no new crisis arisen, the popes would have looked on Lateran V as having solved the problems of the previous century and as having confirmed their fear of councils.²

The effort to glorify the papal monarchy in stone would create the new crisis. The ancient Constantinian basilica of St. Peter in Rome was

² For a series of studies on Lateran V, see *Alla Ricerca di Soluzioni, Nuova Luce sul Concilio Lateranense V. Studi per i 500 anni del Concilio*, ed. Nelson H. Minnich [Pontificio Comitato di Scienze Storiche, Atti e Documenti, 48] (Città del Vaticano, 2019); and his *The Fifth Lateran Council (1512–17): Studies on Its Membership, Diplomacy, and Proposals for Reform* [Collected Studies Series CS 392] (London, 1993); *The Catholic Reformation: Council, Churchmen, and Controversies* [Collected Studies Series CS 403] (London, 1993); and *The Decrees of the Fifth Lateran V (1512–17): Their Legitimacy. Origins, Contents, and Implementation*, [Variorum Collected Studies Series, CS 1060] (New York, Abingdon, Oxon, 2016).

in need of serious repair. Julius II, the successor of St. Peter, was determined to honor the first pope by constructing a new church over his tomb. The design for this building was grandiose and its costs exceedingly high. Having laid the cornerstone for the new edifice (1506) and begun the destruction of the old basilica and construction of the new, Julius left to Leo X the task of completing the project. To finance it, Leo X issued an indulgence in exchange for prayers and/or alms. Albrecht of Brandenburg (1490–1545) needed dispensations both from his lack of the required canonical age and to hold simultaneously the prince-bishoprics of Magdeburg, Halberstadt, and Mainz. An agreement was reached with Rome whereby Albrecht would grant permission to promoters of the indulgence to offer their favors in his territories in exchange for Leo allowing him a share in their revenues to pay for the fees required for his dispensations. The excessive claims for the efficacy of this indulgence aroused the pastoral ire of an obscure Augustinian friar in Wittenberg, Martin Luther (1483–1546). His protests quickly gained wide support among Germans who felt they were being fleeced by Rome. Efforts to silence Luther failed, and the theology underpinning his protests was subjected to scrutiny. At a meeting with Cardinal Tommaso de Vio, O. P. (1469–1534) in Augsburg on October 14, 1518, Luther was told to recant some of his theological statements or face penalties. Once back in Wittenberg, the Augustinian friar formally appealed on November 18, 1518, from an ill-informed pope and his tyrannical judges to a general council. Further investigations of Luther's theology resulted in the bull *Exsurge Domine* (1520) demanding his retractions. His refusal led to his excommunication (1521). To make this effective, Leo X needed the support of the emperor and German Diet.

Leo X's relations with Emperor-elect Charles V were complicated. He had initially opposed his election as emperor for fear he would dominate the papacy from his bases in Naples and Milan. Francis I of France also feared the dominance of the Habsburg prince who would surround France on all sides as emperor-elect of the Holy Roman Empire, king of Spain, duke of Burgundy, archduke of Austria, and nephew of the queen of England, Catherine of Aragon. Leo saw Francis as a natural ally against Charles, but in the end sided with Charles and, thus, after a military victory regained Parma and Piacenza earlier lost to Francis in 1515. Charles fulfilled his obligations as protector of the Church by securing at the Diet of Worms in 1521 the declaration of Luther as an outlaw of the empire. Luther, however, found support among German lay princes and even among prince-bishops. Cardinal Archbishop Albrecht of Mainz refused to sign the Edict of Worms and

initially held an ambiguous stance toward Luther. The German Diet of Nürnberg in 1523 demanded that the case of Luther be resolved by "a free Christian council in a city on the German border."³

Clement VII did all in his power to avoid calling a council. He ignored the Nürnberg Diet's call by both Lutherans and Catholics on April 5, 1524, for "a general free Christian council in German lands" to reform the Church. The pope tried to substitute for it a Roman conference that would be attended by a few representatives from each nation, but no one came to his planned meeting in 1525. He forbade the papal legate in Germany, Cardinal Lorenzo Campeggio, to assemble a national council to hear the case of Luther and reform the German church. He did not support Charles V when he advocated calling a general council but supported instead the adversaries of the emperor. The German princes feared that if Charles succeeded in suppressing Luther and his supporters, there would be little effective opposition to his centralizing of power. Clement joined the League of Cognac (1526) to weaken Charles' hold on Italy but suffered instead the humiliating Sack of Rome (1527) and a capitulation to the emperor. Clement was forced to crown Charles as Holy Roman Emperor in a ceremony in Bologna in 1530 and to promise to call a general council. For the remainder of his reign, however, the pope found repeated excuses for not doing so.⁴

His successor, Paul III, became convinced of the need for a council. He tried on his own to reform the Roman Curia and reluctantly went along with the efforts of Charles V to hold colloquies (1540–41) at which leading theologians from the Protestant and Catholic sides worked to reconcile their differences. The pope's earlier efforts to assemble a general council in Mantua (1537) and then in Vicenza (1538) each failed due to the lack of cooperation of the emperor and king of France, to problems of security, and to the poor attendance. When the warring rulers made peace in 1542, Paul III secured their support for a council to be held in a new location.⁵

The city of Trent was a compromise location. It was in the southern Tyrol, within the boundaries of the Holy Roman Empire, situated on the

³ Hubert Jedin, *A History of the Council of Trent*, Vol. I, trans. Ernest Graf, O. S. B. (London, 1957), 166–211.

⁴ *Ibid.*, 211–87; For Clement's political calculations regarding Charles V and the Protestants, see Gerhard Müller, *Die römische Kurie und die Reformation 1523–1534: Kirche und Politik während des Pontifikates Clemens' VII* [Quellen und Forschungen zur Reformationsgeschichte, 37] (Güterloh, 1969).

⁵ Jedin, *History*, I, 288–510.

Italian side of the Alps in the Adige River valley that led to the Brenner Pass, Trent being about eighty miles south of an imperial residence in Innsbruck. According to Angelo Massarelli, the council's secretary, the river Avisio that flowed into the Adige five miles north of Trent formed the linguistic boundary between Italy and Germany. North of Avisio Italian was no longer spoken, whereas southward all the way to Verona some spoke German, while others Italian (CT, I, 286: 4-11). Trent had 1,500 houses, and its population was divided between German speakers, who lived in the northern quarter of the city and dressed in their customary garb, and the other residents who were Italian speakers, who kept to themselves and followed their own customs. It is estimated that the normal population was about 6,000 inhabitants and the council could swell the population by 2,000. The city was ruled by a prince-bishop, Cristoforo Madruzzo, who guaranteed its safety by a confederation with the count of the Tyrol (CT I, 156: 25-157: 25). Despite the wars waged in the empire, Trent was never attacked by a Protestant army. The city unfortunately lacked the proper resources to host a large international meeting. Food had to be ferried in, lodgings were in short supply, and the sultry summers and bitterly cold snowy winters were unappealing. Bishops, accustomed to living in palaces with fancy fare, sought to avoid coming or to stay as briefly as possible. Poorer prelates needed subsidies from the pope. Renewed hostilities between France and the Empire delayed the opening of the council until December of 1545.

The First Period of the Council lasted until 1549 when the bishops were allowed to return to their dioceses. The early work of the council was given over to establishing its procedures and setting the foundations for its later decisions. Its reaffirmation at the third session of the Nicene Creed with its *consubstantialis* wording and *filioque* clause implied from the start a rejection of the *sola scriptura* principle. The fourth session's decree on Sacred Scripture affirmed the truths and rules contained in the written books of the Bible and in unwritten Apostolic traditions, declaring the old Latin Vulgate to be the "authentic" text to be cited in disputations and sermons but not prohibiting the use of other versions. The fifth session affirmed the existence of original sin that is passed on to humanity by propagation (not imitation); by baptism its guilt is truly removed (not merely not imputed) and sanctifying grace is given, while the effects of original sin in concupiscence (an inclination to sin) remain. A reform decree mandated in churches with prebends or in prominent collegiate ones the establishment of biblical lectureships. Revenues were also to be provided for hiring instructors to teach

grammar to clerics and other poor students and to provide instruction in Sacred Scripture. Since the chief duty of a bishop is to preach the Gospel, they and all those who are charged with providing pastoral care are obliged to preach personally or to hire a suitable substitute. Members of religious orders are required to present themselves before the local bishop before being allowed to preach. Anyone who preaches heresy should be forbidden to preach and be prosecuted according to law or local customs. After six months of discussion, the sixth session passed a decree on justification. It introduced a new format by dividing the decree into chapters that presented the Church's positive teaching on justification with supporting biblical texts and into canons that condemned with an anathema anyone publicly holding a heretical opinion. The decree rejected any form of Pelagianism that held humans can, on their own power, become and remain justified. It also rejected the notion of imputed justice or justification coming from faith alone. Rejected too was any notion of a double justification whereby one is justified by sanctifying grace, but then needs to have Christ's merits imputed to oneself to make up for the deficiencies in one's living out the Christian vocation – a conciliatory theory adopted at the Regensburg Colloquy in 1541. While the Tridentine decree insisted that one cannot merit justifying grace that is a pure gift of God, an adult needs to cooperate by preparing and disposing the will to receive the gift. Once adults are justified, they are free with the help of grace to perform good works that increase one's justice and allows one to hope in an eternal reward from a merciful God. Many Protestants saw this decree as closing the door on any reconciliation. The reform decree of this session required prelates to reside in their own dioceses or suffer a loss of revenues and be denounced to the Apostolic See – a weak measure that was not enforced and was revisited at another time. Two months later, the seventh session issued a decree on the sacraments, declaring that there are seven of them (baptism, penance, confirmation, the Eucharist, marriage, holy orders, and anointing of the sick); that they were instituted by Christ and confer grace by their very action on those who do not put up an obstacle; that they are not all equal in dignity and that three of them cannot be repeated since they place an indelible mark on the soul; and that they are to be performed according to the intention and ritual of the Church by ministers appointed for the task. Baptism by water is declared necessary. It can be administered to infants. It does not free one from observing the commandments nor prevent one from sinning. Confirmation confers power and is to be administered by the bishop. The reform decree restated the canonical requirements for

appointment as bishop and forbade the holding of multiple sees. It also repeated laws regarding benefices, how they may be united, a prohibition on pluralism, who can be appointed to benefices, how long one may delay ordination, and obligations to provide pastoral care or hire substitutes. Ten days later at the eighth session, on March 11, 1547, the legates ordered the council to transfer to Bologna, claiming that they had a papal bull granting them the authority to do so.⁶

The decision to transfer the council from German soil to the Papal States was hotly contested. The Italian prelates disliked the conditions in Trent and were eager to leave. The Schmalkaldic War had brought a Protestant army near the Alpine pass, raising fears for the bishops' safety. Even if the Protestants were defeated, as they were six weeks later at the Battle of Mühlberg on April 24, 1547, a new fear was that an all-powerful emperor would now impose a conciliatory settlement that compromised Catholic doctrine and practice. The outbreak of typhus in Trent provided the excuse for abandoning the city. The emperor felt the success of the council hinged in part on its being celebrated on German lands as advocated by Luther and the German diets. The council had addressed the crucial question of justification and seemed on the verge of a successful conclusion. Now was not the time to transfer it, especially not to the Papal States. Charles V ordered the bishops from lands under his authority to remain in Trent. But the legates had followed the procedure for transferring a council laid out at Konstanz and had secured the necessary two-thirds vote. Paul III threatened with ecclesiastical censures and penalties any prelate who remained in Trent. The emperor was furious. A council called to consolidate the Church was creating a new schism in it. Initially, fourteen prelates refused to join their colleagues in Bologna.⁷ Animosity only deepened when Paul III learned that his son Pier Luigi Farnese, the duke of Parma and Piacenza, had been assassinated on September 10, 1547. The pope suspected that the emperor had been behind the plot. Lest a new schism develop in the Catholic Church, Paul ordered the council meeting in Bologna not to pass any decrees defining doctrine or reforming practice. The conciliar fathers and their theologians discussed for over a year such questions as the remaining sacraments, indulgences, purgatory, and sacred images,

⁶ "Trent, 1545-1563," *Decrees of the Ecumenical Councils*, Volume Two: *Trent to Vatican II*, ed. Norman P. Tanner, trans. Peter McIlhenny and John Coventry (Washington, D.C., 1990), 660-89; hereafter this work is cited as COD-T.

⁷ Hubert Jedin, *Geschichte des Konzils von Trient*, Band II (Freiburg im Breisgau, 1957), English translation by Ernest Graf, *A History of the Council of Trent*, Vol. II: *The First Sessions at Trent, 1545-47* (London, 1961), 416-43.

but issued no measures on these topics, decreeing instead at the ninth and tenth sessions that the council was legitimately transferred and working away in Bologna. By August of 1548, only twenty prelates remained in Bologna. Meanwhile, Charles V had taken into his own hands a resolution of the controversial issues. At the Augsburg Diet on May 15, 1548, Charles presented his proposal for an interim accord until a council definitively decided the issues. Known as the Augsburg Interim, it made many concessions to the Lutherans regarding discipline (clerical celibacy, communion under two species, fast and abstinence, disposition of benefices, etc.) and was opposed by Rome and many German Catholics since it encroached on the authority of a council. Paul looked for a way to end the impasse. Hoping to form a commission composed of four bishops each from Trent and from Bologna to complete the reforms of the council, he ordered on September 13, 1549, through his vice-chancellor that the legate allow the remaining bishops in Bologna to return to their dioceses (CT I, 864: 12–15). But the bishops at Trent declined his invitation to come to Rome and Paul died on November 10, 1549.⁸

The election in 1550 of Giam Maria del Monte, the former president of the Council of Trent, as Pope Julius III opened the possibility of a return to Trent. Charles V had extracted from the Protestants defeated at Mühlberg an agreement to attend the council. On December 14, 1550, Julius reconvened the council and Charles now worked to have a large delegation of German Catholics and Protestants be present at it. The three electoral prince-archbishops of Cologne, Mainz, and Trier, plus other German bishops or their procurators appeared in Trent. Protestant delegations from Brandenburg, Württemberg, Saxony, and some imperial free cities also came. Hopes ran high when the Brandenburg delegation submitted to the council and was incorporated into it. Elector Joachim II of Brandenburg was a moderate Lutheran married to a Catholic whose son Frederick was said to be Catholic. In 1547, despite his underage of twenty years, Frederick had been elected by the cathedral chapter as co-adjutor to Johann Albrecht von Brandenburg-Ansbach, the archbishop of Magdeburg and administrator of Halberstadt. Upon the death of Johann Albrecht in 1550, Frederick wanted his succession confirmed by Rome. The adhesion

⁸ Hubert Jedin, *Geschichte des Konzils von Trient*, Band III: *Bologneser Tagung (1547/48) – Zweite Trienter Tagungsperiode (1551/52)* (Friburg im Breisgau, 1970), Italian translation as *Storia del Concilio di Trento*, Vol. III: *Il periodo bolognese (1547–48), Il secondo periodo trentino (1551–52)*, trans. Anita Sorsaja and Gino Moretto, rev. Giuseppe Alberigo (Brescia, 1973), 13–303.

of Brandenburg to the council was part of a strategy to secure Rome's approval – it worked. He was confirmed by the pope in August 1552, but died five weeks later, to be succeeded by his fourteen-year-old brother Sigismund who was Protestant and who secularized the prince-bishoprics.⁹ The German bishops at Trent reached out to the Protestant delegations with acts of kindness. But the cardinal legate, Marcello Crescenzo, was adamant that the other delegations must also submit to the council. They refused to do so unless a set of conditions unacceptable to the papacy were first met. To overcome the stalemate, Crescenzo was pressured to allow the Württemberger and Saxon delegations to address a private general congregation on January 24, 1552, in which they read their Protestant confessions of faith and demanded an acceptance of their conditions for further participation. Rome was furious that Crescenzo had allowed them to address the assembly without first submitting to its authority. The pressures on the legate were such that he took to bed and died four months later on May 28, 1552. Not being allowed to participate officially in the work of the conciliar commissions and general congregations, the Protestant delegates gradually left Trent.¹⁰

During this Second Period, the council held six sessions. The eleventh on May 1, 1551, affirmed that the council was being resumed in Trent, the twelfth prorogued the council to allow more bishops to arrive. The thirteenth session affirmed the Church's teaching on transubstantiation, the reservation and veneration of the Real Presence in the Eucharist, and its uses. The reform decree addressed questions of episcopal supervision of morals, the trial and punishment of criminal clerics, and the procedures to be used regarding a bishop accused of crimes. The issue of communion under only one species was to be deferred until the Protestants arrived. Session fourteen addressed questions related to penance and extreme unction. It affirmed the institution of penance by Christ, its difference from baptism, its necessity for those who have fallen into serious sin after baptism, and its constitutive parts (contrition, confession of one's sins to a priest, reception of absolution, and satisfaction). The section on satisfaction lacks a treatment of purgatory and indulgences, topics included in the council's rushed final

⁹ Georg May, *Die deutschen Bischöfe angesichts der Glaubenspaltung des 16. Jahrhunderts* (Wien, 1983), 189–90.

¹⁰ "Wie in dem Basilischen concilio den Bohemen gescheen"? The Status of Protestants at the Council of Trent," *The Contentious Triangle: Church, State, and University. A Festschrift in Honor of Professor George Huntston Williams*, eds. Rodney L. Petersen and Calvin Augustine Pater [Sixteenth Century Essays and Studies, 51] (Kirkville, MO, 1999), 201–19.

decree. Missing also in the description of penance was a sense of its role as a public reconciliation with God and fellow humans, and an occasion for pastoral counseling. Its juridical emphasis was later manifested in the confessional box where the penitent knelt before the priest as judge. The doctrinal decree also affirmed that extreme unction was instituted by Christ; its proper minister is a priest or bishop; its recipient is someone sick, especially someone nearing death; and its effects are the remission of sin, a strengthening of the soul, and at times restoration of physical health. The reform decree of this session called on bishops to supervise those entrusted with pastoral care and to be assured of their qualifications for receiving holy orders. Clerics are to wear suitable garb and benefices to be properly bestowed. The fifteenth session granted Protestants further assurances of safe-conduct for their participation in the council. Given a surprise attack by a Lutheran army in the Tyrol, the sixteenth session on April 28, 1552, suspended the council for two years.¹¹ Julius III proposed to bring to a close the work of the council by issuing a bull that implemented the disciplinary decrees of the first two periods and addressed matters left undone. Work on the bull, known as *Varietas temporum*, was still unfinished when Julius III died in March 1555.¹²

The pope who succeeded Julius III was Marcellus II (1555), who like his predecessor had been a legate at Trent. His brief pontificate of three weeks was followed by that of the cardinal archbishop of Naples and head of the Roman Inquisition, Gian Pietro Carafa, who took the name Paul IV (1555–59). Having been an early opponent of the council and never having attended it (CT, IV, 529–32, V, 1037–44), either in Trent or Bologna, he remained hostile to it and tried to reform the Church on his own, establishing an unwieldy commission in Rome to advise him. Little came of their efforts. He denounced the Religious Peace of Augsburg (1555) that granted temporary tolerance to Lutherans, pending the conclusion of the council, and tried unsuccessfully to drive the Habsburgs out of Italy with assistance from the French. His severe repressive measures through the Roman Inquisition and Roman Index of Prohibited Books provoked hostility toward him and his family. Riots

¹¹ COD-T, II, 692–722

¹² CT, XIII/1, 261–90 (Forma A), 291–301 (Forma B), 301–312 (critiques of draft bull by eight cardinals); William V. Hudon, "The *Consilium de Emendanda Ecclesia* and the 1555 Reform Bull of Julius III: Dead Letter or Building Block?" in: *Reform and Renewal in the Middle Ages and the Renaissance: Studies in Honor of Louis Pascoe, S.J.*, eds. Thomas M. Izbicki and Christopher M. Bellitto [Studies in the History of Christian Thought, 96] (Leiden, 2000), 240–58.

broke out in Rome on his death.¹³ The man chosen to succeed him was the Milanese curial cardinal, Giovanni Angelo Medici, who took the name Pius IV (1559–65). He had promised in his election capitularies to reconvene the council and he did so on November 29, 1560, fudging the issue of whether it was a new council (as urged by Francis II of France and Emperor-elect Ferdinand I) or a continuation of Trent (as advocated by Philip II of Spain).¹⁴

The Third Period of Trent lasted from January 18, 1562–December 4, 1563, and consisted of nine sessions. The seventeenth declared the council legitimately assembled in Trent. The eighteenth set up a commission to advise the council on how to control heretical publications and it issued a safe-conduct to Germans and others to attend the council. The nineteenth and twentieth sessions prorogued the council.¹⁵ During this period, as treated below, a fierce debate ensued over the obligation of bishops to reside in their dioceses.

The twenty-first session on July 16, 1562, taught that the reception of the Eucharist under both species and by little children is not necessary. The Church has the authority to restrict for those not consecrating the Eucharist its reception to one species since Christ is fully present under one species. The council reserved for later study the advisability of allowing communion under both species. The reform decree prohibits bishops from charging any fee for ordaining someone or granting dismissorial or testimonial letters, and they are forbidden to ordain any secular cleric who lacks an adequate livelihood from an ecclesiastical benefice or from a personal patrimony or pension. Measures are to be taken to see that revenues from benefices are adequate and suitable substitutes appointed to assist those who are unable to provide proper pastoral care on their own. Bishops should conduct annually a canonical visitation of all benefices and they may transfer them from churches in ruin. The office of questor of alms being hereby abolished, it is now up to ordinaries to publish indulgences and letters of grace and to collect freewill donations.¹⁶

¹³ Alberto Aubert, *Paolo IV Carafa nel giudizio della età della Controriforma* (Città di Castello, 1990), reprinted as *Paolo IV: Politica, inquisizione, e storiografia* (Florence, 1999).

¹⁴ Fidel García Cuéllar, "Politica de Felipe II en torno a la convocación de la tercera etapa del Concilio de Trento," in *Miscelánea conmemorativa del Concilio de Trento, 1563–1963: Estudios y documentos* [Hispania Sacra, XVI] (Madrid/Barcelona, 1965), 25–36; Wolfgang P. Fischer, *Frankreich und die Wiedereröffnung des Konzils von Trient 1559–1562* [Reformationsgeschichtliche Studien und Texte, Heft 106] (Münster/Westfalen, 1973).

¹⁵ COD-T, II, 722–25.

¹⁶ COD-T, II, 726–32.

The twenty-second session on September 17, 1562, dealt doctrinally with the sacrifice of the Mass, a topic never before treated by a council. After much discussion, it still failed to explain clearly the relationship among the Last Supper, the sacrifice of Calvary, and the Mass. It affirms, nonetheless, that Christ instituted the priesthood at the Last Supper ("Do this in commemoration of me"), and that the Mass, done in commemoration of the Last Supper, is not merely a sacrifice of praise and thanksgiving, but also expiatory in nature, being a re-presentation of the one and only sacrifice of Christ, begun at the Last Supper ("that will be shed for you and many for the remission of sin") and consummated on the cross. The canon of the Mass does not contain errors: it may be celebrated in Latin; the words of consecration may be said in low voice; priests may celebrate privately; celebrations in honor of saints to obtain their intercession with God are allowed; and ceremonies and vestments may be used to enhance piety. Abuses related to the Mass, such as celebrations in private homes, superstitious rituals, any fixed numbers of Masses or candles, lascivious and impure music, and meandering about and conversing with others, are forbidden.

A reform decree orders clerics to lead dignified and pious lives and requires candidates for the office of bishop, in addition to previously mandated qualifications, to hold at least a master's or doctoral or licentiate degree in theology or canon law from a university. Those who hold benefices in collegiate or cathedral churches must be in sacred orders to have a voice in chapters. If they fail to carry out their duties, they are to be denied distribution from the revenues of the benefice. Bishops are the executors of pious benefactions and may alter them only for a just and necessary cause. They have the right to visit confraternities, *montes pietatis*, hospitals, and other pious places run by the laity, unless they are under royal protection, and to demand an account of their revenues. Those who usurp the property of these institutions are to be punished. Bishops may examine the qualifications of notaries, and if found incompetent or delinquent, they may forbid them to exercise their office in ecclesiastical and spiritual matters. The council also deferred to the pope the decision as to whether or not to grant communion under both kinds to particular regions. The concluding decree set the agenda for the next session to include a decree on holy orders and matrimony and it scheduled it for November 12, 1562,¹⁷ but it did not meet until July 15, 1563.

¹⁷ COD-T, II, 732-41.

The reason for the great delay lay in a deep division of understanding regarding the office of bishop. Earlier decrees ordering bishops to reside in their dioceses had been ignored, in part due to papal dispensations given to curial bishops. Over 100 marched in the Corpus Christi procession in Rome in 1556. Reformers felt the only way to make the obligation effective was to declare it to be a divine law (*jus divinum*) from which the pope cannot dispense. To make such a declaration implied that the papacy had been violating divine law and made it difficult for the pope to recompense his officials without using episcopal revenues. Spanish bishops held that their authority came directly from God and not by delegation from the pope. Pressured to put the question to a vote, the legates, led by Ercole Gonzaga and Gerolamo Seripando, allowed a straw vote on April 20, 1562, in a general congregation with the results that about sixty-seven prelates favored *jus divinum*, thirty-five opposed, and another thirty-five opted to let the pope decide the issue (CT, VIII, 464:45–465: 2 and n. 5). Rome was furious and threatened to remove the two legates who offered their resignations, but then Rome calmed down and the issue was put off for a future debate. It returned when the council took up the questions related to holy orders: is the difference between a priest and bishop a human invention or of divine institution, how does the bishop relate to the pope? The Spanish bishops and their allies insisted on episcopal power coming directly from God.

The situation became more complex with the arrival of a significant delegation of twelve bishops, three abbots, and eighteen theologians from France, led by the cardinal of Lorraine, archbishop of Reims and peer of the realm, Charles de Guise. They were welcomed in an elaborate ceremony at a general congregation on November 23, 1562 (CT, IX, 161–69). Having failed earlier that year to reconcile with the French Calvinists at the Colloquy of Poissy, the French bishops looked to the council for a clarification of church teachings. They came with a memorial of thirty-four articles on reform and found support for their demands among the Spanish bishops and from Emperor Ferdinand.¹⁸ Guise promised Seripando to respect papal authority, and if no consensus emerged regarding *jus divinum*, to drop the issue (CT, IX, 161 n. 2). During these interminable debates, Gonzaga died on March 3, 1563, and

¹⁸ Josef Steinruck, "Die nationalen Reformdenkschriften der dritten Periode des Konzils von Trient (1562/63)," *Aus Reformation und Gegenreformation. Festschrift für Theobald Freudenberger*, eds. Theodor Kramer und Alfred Wendehorst, *Würzburger Diözesangeschichtsblätter* 35/36 (1974), 225–39.

Seripando two weeks later on March 17. Pius IV replaced them with Cardinals Giovanni Morone and Bernardo Navagero.

The success of the council depended in good part on the skills of Morone. As the son of the former chancellor of Milan, a skilled diplomat, someone knowledgeable about Protestant theology and concerns from his time as papal nuncio to the imperial court and to the Colloquy of Regensburg, bishop of Modena where he promoted reforms, and the victim of the arch-conservative Paul IV who suspected him of heresy and had him imprisoned, Morone was the ideal man to guide the council. He quickly visited the emperor in Innsbruck to gain his confidence, kept in check the influence of Guise, and devised new strategies to obtain consensus. He set up a commission to review the reform proposals submitted by various national groups and to extract from them a set of doable reforms. Given the strong opposition of the French to any declaration of papal supremacy, he got Rome to drop the topic.¹⁹ In the hope of securing the agreement of Guise to end the council, a stratagem was devised whereby Pius IV invited the French cardinal to visit Rome in October of 1563. Once there, Guise was showered with honors, the pope promising him to make his nominees cardinals, and indicating his intention to work for the cardinal's election as the next pope.²⁰ On the divisive issue of *jus divinum*, Morone found an alternate formulation, *praecepto divino*, placed in a reform (not doctrinal) decree that could garner support both in Rome and in Trent.²¹ With these impasses surmounted, the twenty-third session was able to issue a decree on holy orders.

The doctrinal section of the decree on holy orders taught that Christ instituted a visible and external priesthood by way of a true and proper sacrament that gives the grace of the Holy Spirit and a special permanent power to the apostles and their successors in the priesthood to consecrate the Eucharist and to remit sins. To assist priests, the Church has by divine appointment a series of major and minor orders, namely, deacons, subdeacons, acolytes, exorcists, readers, and doorkeepers. Bishops are higher than priests in the Church's hierarchy and

¹⁹ Adam Patrick Robinson, *The Career of Cardinal Giovanni Morone (1509–1580): Between Council and Inquisition* (Burlington, VT, 2012).

²⁰ Paolo Sarpi, *Istoria del Concilio Tridentino*, ed. Corrado Vivanti (Torino, 2011), 1201–1203, 1224; Muzio Calini, *Lettere conciliari 1561–63*, ed. Alberto Marani (Brescia, 1963), 550, 564–65; *Die römische Curie und das Concil von Trient unter Pius IV.: Actenstücke zur Geschichte des Concils von Trient*, ed. Josef Šusta, 4 vols. (Vienna, 1904–14), IV, 227, 237–38, 242–43.

²¹ On *praecepto divino*, see COD-T, II, 744: 24.

they alone can ordain priests. The consent of the laity is not required for a valid ordination. Persons elevated by the papal authority are true and legitimate bishops.

The reform decree related to holy orders was lengthy. It declared that by a "divine precept," bishops, even those with the dignity of the cardinalate, are obligated to know their flocks and thus must reside in their diocese to provide personally pastoral care. For absences over three months, a bishop needs permission in writing from the pope or metropolitan bishop. An unexcused absent bishop is to be punished by the loss of revenues in proportion to the length of his absence. Clerics holding benefices need written permission from the local bishop to be absent from their pastoral office for more than two months and are to be similarly deprived of its revenue as punishment for nonobservance, any privilege to the contrary being herewith abolished. Those appointed to episcopal sees must receive consecration within three months and they are personally to ordain the priests of their diocese. The qualifications for receiving tonsure and for the various orders are laid out, as are the duties of their offices. To assure the proper training of candidates for the priesthood, they are to be sent to a local college. If such does not exist, the bishop is to establish one, financing it with revenues drawn on the various benefices of the diocese. In this seminary, literate boys twelve years old and up, especially poor boys, are to be trained in grammar, singing, keeping records, Sacred Scripture, ceremonies, preaching, and the administration of the sacraments.²² This measure was strongly advocated by the Catholic rulers of Germany and modeled on similar institutions set up by Cardinal Reginald Pole in England. Given their expense, seminaries were only slowly established in some dioceses.

The twenty-fourth session on November 11, 1563, took up the sacrament of matrimony. Protestants denied a sacramental status to marriage, seeing it as human institution to be regulated by state laws. In cases of adultery, they allowed divorce. The council insisted that marriage is a sacrament instituted by Christ and thus to be regulated by the Church, which can dispense from some of the degrees of consanguinity and affinity and can establish impediments such as times when it may not be celebrated and excluding priest and vowed religious from contracting a valid marriage without a dispensation. Adultery may lead to separation, but not to divorce. On the issue of remarriage after divorce, the council carefully crafted a decree that did not condemn

²² COD-T, II, 742-53.

the Orthodox who allowed remarriage, but insisted that the Church had not erred in teaching the contrary. Due to numerous problems related to the practice of clandestine marriage, it had been prohibited by Church and state, but remained valid in the eyes of the Church, because its ministers were the contracting spouses. How could the Church now declare invalid what it had previously accepted as valid? The solution was to set conditions for contracting a valid marriage, namely, the free consent of those of proper age; the announcement (*banns*) beforehand of the marriage to allow anyone to contest the marriage (this can be dispensed); the presence of two or three witnesses; and a ceremony next to or inside a church building conducted by the parish priest who verifies their mutual consent and gives a nuptial blessing. Failure to follow this procedure renders the couple incapable of contracting a valid marriage. The parish priest is to record in a book the date of the marriage, and the names of the spouses and witnesses. The freedom of the spouses is to be protected against abductors and magistrates. Only with great effort was Morone able to get the conciliar fathers to agree to the wording of the decree.

The reform decree in twenty-one chapters addressed many of the concerns registered in the various national reform memoranda. Chapters treated such issues as procedures for appointing bishops and cardinals that mandated a profession of faith; the qualifications and duties of cathedral canons and parish priests; the holding of provincial councils every three years and diocesan synods annually; how to conduct visitations; the union of benefices to provide adequate revenues; prohibitions on pluralism and expectancies; the duty of preaching and explaining the efficacy of the sacraments and the Sacred Scriptures at Mass; judicial proceedings against a criminal bishop; absolution for crimes; penalties for public sinners; and how to conduct cases in an ecclesiastical forum. The final chapter insisted that the procedure mandated by Pius IV and used at Trent whereby the legates guided the work of the council, should not be seen as changing the usual way councils function – a response to conciliarist concerns?²³

Work on the twenty-fifth and final session of the council was rushed on orders from Rome due to a fear the pope may soon die. The decree on religious orders, however, had been discussed earlier and bishops were eager to get jurisdictional control over these exempt clerics and sisters, while Rome sought to preserve their exemptions. The decree ordered

²³ COD-T, II, 753–74.

religious orders to observe their rule; to practice personal poverty while allowing communities to possess immovable property, requiring them to limit the number of religious according to the revenues available to support them; to receive permission of the local ordinary to erect a monastery; to receive one's superior's permission to live outside the monastery to serve someone and to live in a monastery while studying; to use secret ballots when choosing superiors and the qualifications for being a superior; to observe enclosure for nuns as well as the supervision and visitation of religious houses and the obligation to confess and communicate at least monthly. The decree additionally ordered that religious who engage in the pastoral care of externs are subject to episcopal visitation; the duty of religious to observe diocesan feasts and episcopal censures; the authority of the bishop to settle disputes over precedence; bishops may order religious superiors to punish their subjects guilty of public crimes; only after a year's probation and attainment of the age of sixteen may one make a profession of vows; after the probationary period one should either make profession or leave; before taking the veil and again before profession a girl of at least twelve years of age is to be examined by the bishop regarding her qualifications and free decision. Furthermore, the decree stated no one may compel a female to enter a convent or prevent her from doing so; to be heard claims of having been compelled to take vows or having done so while underage need to be made with an explanation within five years of the event; one may be transferred with permission only to a stricter order; one's religious garb may not be worn secretly; superiors of exempt houses should visit and correct them; the superiors of monasteries should be members of the order and entrusting monasteries *in commendam* to others should cease; and finally these reforms are to be implemented without delay.

A hodgepodge of reforms still needing approval was incorporated into the final decree. They ranged from the simple furnishings of the residences of prelates to the use of censures and excommunications. They included further stipulations that bishops are to maintain their dignity and make a public profession of faith in provincial councils; the combining of Mass obligations; not tampering with benefices; abolishing accessions and regresses to benefices and the appointment of unqualified coadjutors with the right of succession; how a bishop is to make a visitation of an exempt chapter; how to proceed against clerics who keep concubines; the exclusion of the illegitimate sons of clerics from succeeding to their father's benefice; benefices with pastoral obligations may not be converted to ones without; the duties of administrators of

hospitals; the obligation to give a quarter of funeral fees to the local cathedral or parish; and how apostolic judges are to function. The relations of the Church to laity are also treated: prohibitions on leasing ecclesiastical propriety to laity; who can become the patrons of a benefice and their rights; the obligation of laity to pay tithes; a prohibition on dueling; princes are urged to protect the rights of the Church; and the traditional precedence of ambassadors is not altered by what happened at the council. Items left unresolved (revisions of the index of prohibited books, catechism, missal, and breviary) are entrusted to the pope to complete. The laws of the Church should not be easily dispensed and princes are urged to support their enforcement. On the insistence of the French delegation, the council issued disciplinary decrees on purgatory, indulgences, fasts and abstinence, festival days, the cult of saints, and veneration of sacred images. Should questions arise of how to interpret the decrees of Trent, let that be done by consulting experts where the controversy arose, celebrating another general council, or "in any other way as shall seem to him [pope] more suitable."²⁴ The council insisted that the authority of the Apostolic See remains intact.²⁴ To put an end to any controversy as to whether the decrees of the First and Second Periods were binding, they were read in their entirety and reapproved, thus extending by another day the final session. In a closing ceremony, the conciliar fathers asked the legates to request confirmation by the pope of each and all the council's decrees. The final decrees were signed by six cardinals, three Latin patriarchs, twenty-five archbishops, one-hundred and sixty-eight bishops, seven abbots, and seven generals of religious orders, in addition to nineteen procurators of absent prelates.²⁵

On their return to Rome in a secret consistory of December 30, 1563, the legates requested papal confirmation of the council's decrees that Pius IV gave orally. He set up a commission to study how they should be implemented and to prepare a bull formally approving the decrees. In a consistory on January 26, 1564, he gave a formal confirmation with the bull *Benedictus Deus* that was published on June 30th. The bull confirmed all the decrees of the council unaltered and ordered their implementation. The first official edition of them had been printed in Rome by Paolo Manuzio (1512–70) on March 18, 1564. The pope forbade the publication of any glosses or commentaries on them and established the Congregation of the Council on August 2, 1564 to

²⁴ COD-T, II, 774–98.

²⁵ COD-T, II, 798–99; CT, IX, 1111–20.

interpret them. This decree had a profound effect upon the teaching profession of canon law that went into a steep decline. The principal doctrinal teachings of the council that Pius IV summarized in the *Professio fidei tridentina*, were those he required all university professors (November 10, 1564) and prelates (November 13, 1564) to swear, thus implementing a provision of the decrees of the twenty-fourth and twenty-fifth sessions.

Support for implementing the decrees was sought and secured from the rulers of Catholic states: Spain, Portugal, Venice, and Poland-Lithuania in 1564; the Catholic Swiss Cantons in 1565; and the Catholic Estates of the Empire in 1566. When the king and estates general of France repeatedly refused to confirm the decrees of Trent, the bishops approved them on their own in 1615. Provincial councils in Europe adopted them on the local levels, for example., in 1564 Rheims and Lwów; in 1565 Reggio Calabria, Milan, Brindisi, Torino, Cambrai, Utrecht, Prague, Braga, Evora, Toledo, Compostella, Granada, Saragosa, and Valencia; in 1566 Lisbon, Salerno, Oristano, and Trani; in 1567 Bari, Benevento, Capua, Conza, Manfredonia, Otranto, Sorrento, and Siracusa; in 1568 Lyon and Avignon; in 1569 Milan, Capua, and Salzburg; 1570 Mechlin, and so on. The decrees of Trent were also adopted in Spanish mission lands: in 1565 Mexico (including Manila) and in 1567 Lima; in Portuguese missions: in 1566 Lisbon with jurisdiction over various islands, Brazil, and West Africa with the dioceses of São Salvador on the American mainland, Angré on the Azores, Funchal on the Maderias, and Cape Verde and São Thomé with missions along the African coast; in 1567 Goa with jurisdiction over the African east coast and sees in India and east Asia. The decrees of the six provincial councils of Milan held under Carlo Borromeo (1538–84) between 1565 and 1582 and published together in 1582 as *Acta Ecclesiae Mediolanensis*, became the model throughout Catholic Europe for much of the implementing legislation on the provincial and diocesan levels.

The papacy brought to completion the tasks assigned to it by the council, issuing revised indices of forbidden book (1564 and 1596), the first Roman Catechism (1566), and corrected editions of the Breviary (1568) and Missal (1570).²⁶ The decisions of the Congregation of the Council, claiming the sole prerogative to interpret Trent's decrees, imposed on Catholicism uniformity and passive deference to Rome that became known as Tridentinism. Where Trent was silent on an issue, the

²⁶ See [Chapter 16](#) by Agostino Borromeo on the papal implementaton.