A STUDY OF POPE INNOCENT III'S TREATISE
DE QUADRIPARTITA SPECIE NUPTIARUM

by

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For my mother

Kathryn E. Munk

Volume I

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## Preface

My dissertation consists of an edition, English translation, and study of Pope Innocent III's treatise De quadripartita specie nuptiarum. Because one of Innocent's consecration sermons, De quatuor speciebus desponsationum, continues the thought of the treatise and indeed is a sequel to it, I have also included an edition and translation of this consecration sermon. In addition to these texts and translations I have also written essays on Innocent's ecclesiology and on Innocent as a biblical exegete, and I have included general commentaries on both the treatise and the consecration sermon.

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# Introduction

De quadripartita specie nuptiarum is one of three
theological treatises written by Innocent III, the other
two being De contemptu mundi (De miseria conditionis
humanae)[1] and De missarum mysteriis (De sacro altaris
mysterio).[2] De quadripartita is a work of scholastic
theology based upon standard biblical exegesis and for
the most part concerns mystical ecclesiology dealing with
Christ and the Church and God and the soul. The purpose
of the treatise was, as Innocent stated in the prologue,
to discuss the marriage of the Sponsus (Christ) and the
Sponsa (Church), to point out the analogies between carnal
and spiritual marriage, and especially to expound Psalm 44.[3]

Innocent states at the beginning of the treatise:

> ...there are four kinds of marriage corresponding to
> the four levels of theological interpretation: histor-
> ical, allegorical, tropological, and anagogical. The
> first exists between a man and a lawful wife; the
> second between Christ and holy Church; the third
> between God and the just soul; the fourth between the
> Word and human nature.[4]

Using the methods of biblical exegesis, dialectic, and the
quaestio, Innocent proceeds to discuss these three types
of spiritual marriage. He begins by discussing the
marriage between the Word and human nature, that is, the
Incarnation, and he then discusses the marriages between
Christ and the Church and God and the just soul. He
discusses the Incarnation first, because if a person does

not believe in the Incarnation, he cannot belong to the sacramental marriage between Christ and the Church. He also discusses the Incarnation first because Christ married the Church at the Incarnation; Christ united the Church to himself through the taking up of flesh at the Incarnation, at which point Christ and the Church became two in one flesh.

Innocent spends the first part of the treatise discussing these three kinds of spiritual marriage, pointing out in the process various analogies between the legal and ceremonial elements of carnal marriage and spiritual marriage. This first part in particular concerns Innocent's mystical ecclesiology and contains quaestiones on various theological problems. The second part of the treatise, the "Wedding Song", expounds at great length Psalm 44, a psalm which is a wedding song praising Christ and the Church.

The consensus of scholars writing on Innocent III is that De quadripartita specie nuptiarum is a work of allegory and symbolism; a work of spirituality much appreciated by Innocent's contemporaries, but a work of little real importance.[5] As Michele Maccarrone said, " 'De quadripartita specie nuptiarum' (is) a small work which is nothing but a commentary rich in allegory, on Psalm 44."[6]

I do not agree with this rather summary judgment of De quadripartita's importance. To understand the importance of De quadripartita specie nuptiarum it is necessary to

study it in conjunction with one of Innocent's consecration sermons, De quatuor speciebus desponsationum. Both the treatise De quadripartita and the consecration sermon, which in part quotes from the treatise, concern Innocent's ecclesiology. In general the treatise is a statement of Innocent's mystical ecclesiology, while the sermon, using the treatise as a foundation, is in general a statement of Innocent's political ecclesiology, or his political theory. The sermon does deal with papal temporal power, but it is particularly concerned with papal power as regards the episcopal hierarchy. The spiritual marriage concept is established in the treatise, and it is then used as the basis of papal power in the sermon. De quadripartita's importance outside of ecclesiology and theology lies in the fact that it is the theological foundation and justi-fication for Innocent III's political ecclesiology. The treatise is the foundation for Innocent's theory of papal spiritual and temporal power. The sermon is thus a sequel to the treatise and presents Innocent's theory of papal power, which has as its foundation an argument based soundly upon standard biblical exegesis and ecclesiological theory.

The exact date of the treatise De quadripartita specie nuptiarum is unknown; however, most scholars studying Innocent III accept the statement in the Gesta Innocentii

papae III that De quadripartita, along with his other two treatises, was written before Innocent became pope in 1198.[7] Maccarrone, Tillmann, Fliche, Luchaire, and Mann all accept without question that De quadripartita was written while Innocent was still Cardinal Lothar of Segni, cardinal-deacon of SS. Sergius and Bacchus (1190-1198).[8] Maccarrone places the date as not later than the last half of 1197.[9]

On the basis of internal evidence in the treatise, however, it is possible that De quadripartita was written after Innocent became pope in January 1198. In the treatise Innocent refers us to one of his sermons, De duplici corona;[10] and according to the Gesta and also according to Innocent's letter to Abbot Arnulf, which accompanies his sermons, these sermons were written while Innocent was pope.[11] The treatise could thus have been written after January 1198.

De quadripartita is cited by name and is extensively quoted in Innocent's consecration sermon De quatuor speciebus desponsationum. According to the texts of the Cologne and Migne editions of this sermon, this consecration sermon was given on the first anniversary of Innocent's consecration as pope (February 22,1198).[12] If this consecration sermon was indeed the sermon delivered by Innocent on the first anniversary of his consecration,[13] then the

treatise De quadripartita specie nuptiarum would date to
sometime in 1198.

Innocent III uses the marriage metaphor throughout both
the treatise De quadripartita specie nuptiarum and the
consecration sermon De quatuor speciebus desponsationum.
In political thought the concept that a ruler is united
to his state in a mystical marriage and through means of
this marriage obtains sovereignty over his state is rather
common and dates from antiquity.[14] The marriage metaphor
is used to express the headship of the ruler (bridegroom),
whether he be God, Christ, a bishop, a pope, or a secular
ruler.

The concept of the mystical marriage in medieval
political thought was influenced far more by biblical
tradition than by classical authors. In the Old Testament
Israel appears as the Bride of God, while in the New Testa-
ment the universal Church is the Bride of Christ. Christ's
marriage to the Church symbolized his headship of the
Church, and in the early Church this use of the marriage
metaphor to express a ruler's headship was applied to the
bishops as governors of the Church. The idea of a bishop
being married to the universal Church in general and to
his own church (diocese) in particular is often found in
patristic authors.[15]

The twelfth century canonist Huguccio of Pisa wrote

on the spiritual marriage between a bishop and his church, which is effected by means of mutual consent between the electors and the bishop-elect. Innocent III, a student of Huguccio, in his consecration sermon *De quatuor speciebus desponsationum* discusses the spiritual marriage between a bishop and his church. Johannes Teutonicus in his *glossa ordinaria* on the *Decretum* and Bernardus Parmensis in his *glossa ordinaria* on the *Decretales* also include this idea of a spiritual marriage between a bishop and his church existing by means of consent.[16]

The concept of the mystical marriage between a bishop and his church is also applied to the pope, the bishop of Rome. By the eleventh century the marriage metaphor is used to express the idea that the pope is the head of the universal Church; the pope is the *sponsus Ecclesiae*. The concept of the pope as *sponsus Ecclesiae* is closely related to the concept of the pope as *vice Christi*. The pope, the vicar of Christ, is the husband of the Roman and/or universal Church.[17]

In the treatise *De quadripartita specie nuptiarum* Innocent III presents his mystical ecclesiology within the framework of the marriage metaphor. In the treatise he discusses three types of spiritual marriage--that between the Word and human nature, that between God and the just soul, and that between Christ and the Church. Here the

apostles and bishops (<u>apostolici viri</u>) act as <u>amici Sponsi</u> (friends of the bridegroom; bestmen) of Christ, who take up the Bride of Christ (Church) and unite with her in levirate marriage to raise up children (Christians) for Christ, their dead brother.[18]

In the sermon <u>De quatuor speciebus desponsationum</u> Innocent discusses the more political aspects of his ecclesiology, including discussions of a bishop as <u>sponsus ecclesiae</u> and as <u>amicus Sponsi</u> and the pope as <u>amicus Sponsi</u> and as <u>sponsus Romanae ecclesiae</u>. According to Innocent, the pope is not only an <u>amicus Sponsi</u>, like any bishop, but he is also a <u>sponsus</u>--the <u>sponsus</u> of the Roman Church, the mother and mistress of all the faithful. As a dowry the Roman Church gave him a fulness of spiritual power and a latitude of temporal power. The other bishops were called to a part of the care (<u>in partem sollicitudinis</u>), but only Peter received a fulness of power (<u>plenitudo potestatis</u>). She gave him a miter as a sign of the spiritual power and a tiara as a sign of the temporal power, establishing him the vicar of Christ.[19]

The Roman Church is an office, the office of the head of the universal Church. By assuming the office of pope (bishop of Rome) the pope obtains the power of ruling not only the Roman Church, but also the universal body of which the Roman Church is the head. By marrying the Roman Church

the pope obtains the power to govern the universal Church
and to act as the vicar of Christ.[20]   When the pope assumes
his office of bishop of Rome he marries the Roman Church
and obtains the sovereignty which is embodied in that
office.[21]   The marriage metaphor is thus used by the
medieval papacy in general, and Innocent III in particular,
to express a theory of government, the government of the
universal Church.[22]

Innocent III, therefore, uses the marriage metaphor
throughout both the treatise De quadripartita specie
nuptiarum and the sermon De quatuor speciebus desponsationum
to express not only the intimate nature of the relationships
between the Word and human nature, God and the just soul,
and Christ and the Church;  but also a hierocratic theory
of papal government of the Church.

Footnotes

[1]PL 217, 701-746. Innocent III, _De miseria
humane conditionis_, ed. by Michele Maccarrone (Lucani:
Thesaurus Mundi, 1955).

[2]PL 217, 773-916.

[3]Innocent III, _De quadripartita specie
nuptiarum_, trans. and ed. by Connie M. Munk (in _A Study
of Pope Innocent III's Treatise De quadripartita specie
nuptiarum_, unpublished Ph.D. dissertation, University of
Kansas, 1975), I. 1. 60-64. I cite my editions and
translations of both the treatise _De quadripartita specie
nuptiarum_ and the sermon _De quatuor speciebus desponsatio-
num_ throughout my dissertation.

[4]_Ibid._, II. 1. 2-8.

[5]See Augustin Fliche and V. Martin, _Histoire
de l'Église depuis les origines à nos jours_ (Paris: Bloud
et Gay, 1950), X, pp. 13-14; Achille Luchaire, _Innocent
III_ (Paris: Librairie Hachette, 1905), I, pp. 11-12;
Michele Maccarrone, _Chiesa e stato nella dottrina di papa
Innocenzo III_ (Rome: Lateranum, 1940), p. 27, and
"Innocenzo III prima del pontificato," _Archivio_ (Roma),
LXVI (1943), pp. 118-120; Horace K. Mann, _The Lives of
the Popes in the Middle Ages_ (London: Kegan Paul, Trench,
Trubner & Co., Ltd., 1925), XI, pp. 22-25; and Helene
Tillmann, _Papst Innocenz III_ (Bonn: Ludwig Röhrscheid,
1954), pp. 12-14.

[6]Maccarrone, _Chiesa e stato nella dottrina di papa
Innocenzo III_, p. 27.

[7]PL 214, 17: "Fecit enim, ante pontificatum,
libros De miseria conditionis humanae, et De missarum
mysteriis, et De quadripartita specie nuptiarum...."

[8]Michele Maccarrone, "Innocenzo III teologo
dell'Eucaristia," _Divinitas_ (September, 1956), p. 365,
and "Innocenzo III prima del pontificato," p. 119;
Tillmann, _op. cit._, p. 13; Fliche and Martin, _op. cit._,
p. 13; Luchaire, _op. cit._, p. 7; and Mann, _op. cit._,
p. 22.

[9]Maccarrone, "Innocenzo III teologo dell'
Eucaristia," p. 365, and "Innocenzo III prima del
pontificato," p. 119.

[10]Innocent III, <u>De quadripartita specie nuptiarum</u>, II. 66. 40. <u>De duplici corona</u> (<u>De duplici corona sanctorum</u> [<u>Sermo V, In communi de uno martyre</u>]), <u>PL</u> 217, 613-618.

[11]<u>PL</u> 214, 17: "Fecit enim...post pontificatum autem, libros Sermonum,..." <u>PL</u> 217, 311-312 (letter to Arnulf). Perhaps the sermon <u>De duplici corona</u> was actually written while Innocent was still a cardinal and then later included in his collection of sermons. This would be the only way in which Innocent could have written the treatise <u>De quadripartita specie nuptiarum</u> while he was still a cardinal, seeing that he cites <u>De duplici corona</u> in the treatise.

[12]<u>PL</u> 217, 663. Innocent III, <u>Opera d. Innocentii pontificis maximi, eius nominis III</u>.... (Coloniae: excudebat Ioannes Nouesianus, 1552), f. 88$^v$, and <u>D. Innocentii pontificis maximi eius nominis III...opera</u>.... (Coloniae: apud M. Cholinum, 1575), p. 193. "Anniversarium ergo diem, quo fuit hoc conjugium spirituale consummatum, hodie mecum primum celebratis...."

[13]The two manuscripts of the sermon which I have consulted are: MS. British Museum <u>Additional</u> 18,331, ff. 137$^v$-139 and Vaticanus Latinus 10,902, ff. 260$^v$-264. Neither of these two manuscripts says "first": "Anniuersarium ergo consecrationis diem quo hoc fuit spirituale coniugium consummatum hodie mecum celebratis...." (<u>Add.</u> 18,331, f. 138$^r$) and "Anniuersarium ergo consecrationis diem quo fuit hoc spirituale coniugium consumatum hodie mecum antecedenter celebratis...." (Vat. Lat. 10,902, f. 262)

[14]Michael Wilks, "Chaucer and the Mystical Marriage in Medieval Political Thought," <u>Bulletin of the John Rylands Library</u> (Manchester), 44, no. 2 (March, 1962), pp. 496-497.

[15]<u>Ibid.</u>, pp. 497-498. On the spiritual marriage between a bishop and his church see also Robert L. Benson, <u>The Bishop-Elect: A Study in Medieval Ecclesiastical Office</u> (Princeton, New Jersey: Princeton University Press, 1968) and Josef Trummer, "Mystisches im alten Kirchenrecht: Die geistige Ehe zwischen Bischof und Diözese," <u>Österreichische Archiv für Kirchenrecht,</u> 11 (1951), pp. 62-75.

[16]<u>Ibid.</u>, p. 499. See also Benson, <u>op. cit.</u> and Trummer, <u>op. cit.</u>

[17]Ibid., pp. 499-500.

[18]Innocent III, *De quadripartita specie nuptiarum*, III. 14. 27-51.

[19]Innocent III, *De quatuor speciebus desponsationum*, trans. and ed. by Connie M. Munk (in *A Study of Pope Innocent III's Treatise De quadripartita specie nuptiarum*, unpublished Ph.D. dissertation, University of Kansas, 1975), esp. lines 63-70, 127-140, 154-161, 311-326, 335-361.

[20]Wilks, *op. cit.*, p. 505.

[21]Ibid., p. 512.

[22]Ibid., pp. 503-504.

Chapter I

The Ecclesiology of Innocent III

Ecclesiology is the study of the nature of the
Church.  It can concern the nature of the Church's
relationship to Christ and the soul's relationship to
God, and as such it is often discussed in terms of the
Church being the Bride and Body of Christ.  This aspect
of ecclesiology I have chosen to call mystical ecclesiology.
But ecclesiology can also concern the Church as a hierar-
chical institution, as a juridical community, governed by
juridical authority.  In discussing this aspect of eccle-
siology one discusses such things as papal spiritual and
temporal power;  episcopal power;  and the relationship
between spiritual and temporal powers, that is, between
Church and State.  This I have chosen to call political
ecclesiology;  it concerns matters usually discussed as
political theory.

There is an inherent duality in ecclesiological
theory in that the Church is at the same time both spir-
itual and temporal.  There is the mystical aspect of the
Church--the Church as the Bride of Christ and as the
mystical Body of Christ.  There is also the temporal
aspect of the Church--the Church as an earthly, juridical
community, governed by a hierarchy possessing juridical

authority.

The ecclesiology of the mid-twelfth century emphasized the mystical nature of the Church, although it did accept that the Church was also a juridical community. For the early scholastic theologians such as Hugh and Richard of St. Victor and for others such as St. Bernard of Clairvaux the Church was above all a mystical entity, the Bride and Body of Christ. St. Bernard's favorite image of the Church was that of the Bride of Christ, an image favored also by the school of St. Victor. These twelfth century theologians were concerned with renewing spirituality and thus emphasized the mystical, spiritual nature of the Church.[1]

Innocent III's treatise _De quadripartita specie nuptiarum_ is in the tradition of twelfth century ecclesiological theory. To obtain a more complete view of Innocent's ecclesiology one must study the treatise _De quadripartita_ in conjunction with one of Innocent's consecration sermons, _De quatuor speciebus desponsationum_, one of his so-called political sermons.

Both the treatise and the sermon, which in part quotes from the treatise, concern Innocent III's ecclesiology. In general the treatise is a statement of Innocent III's mystical ecclesiology, while the sermon, using the treatise as a foundation, is a statement of Innocent's political ecclesiology, or his political theory, at least in part.

The sermon does deal with papal temporal power, but it is particularly concerned with papal power vis-à-vis the episcopal hierarchy.  To determine and to understand Innocent III's ecclesiology it is thus necessary to study the sermon in conjunction with the treatise.

The treatise De quadripartita specie nuptiarum is a work of scholastic theology based upon standard biblical exegesis and for the most part concerns mystical ecclesiology dealing with Christ and the Church and God and the soul. Its importance outside of theology lies in the fact that it is the theological foundation and justification for Innocent III's political ecclesiology, that is, for Innocent's theory of papal power as concerns the hierarchy (papal spiritual power) and also his theory of papal temporal power.

I shall compare various aspects of Innocent III's ecclesiology with the twelfth century ecclesiology of the school of St. Victor, St. Bernard of Clairvaux, and Gratian.

The ecclesiology of Innocent III as put forth in the treatise De quadripartita specie nuptiarum is in the tradition of the school of St. Victor.  Victorine ecclesiology, more symbolic than dialectic in nature, was above all based upon patristic ecclesiology.  Their primary concern was in the contemplation of the mystery of the Church, although they did not neglect to discuss Church-State relations.[2]

The Bible especially and also the liturgy of the Church were the two main sources for the ecclesiology of the school of St. Victor. The method applied to biblical and liturgical texts by the Victorines in discussing the nature of the Church was the method of allegory, of biblical exegesis. The allegorical method is one traditional to Christian theologians, but the Victorines were especially fond of it,[3] as indeed was Innocent III. Biblical exegesis is used throughout the treatise De quadripartita and also throughout most of the consecration sermon.

The Bible is the primary source for ecclesiology because Christ is the main subject of the Bible, which was written for him and speaks only of him. But the Church, which is the Bride and Body of Christ, is identified with him, and thus all that is said of Christ in the Bible can also be applied to the Church. The Bible sometimes speaks of Christ, the head, and sometimes of the Church, his Body. Each text has to be examined to tell if it speaks of the head or of the Body or of both at the same time.

However, the Bible speaks of Christ and the Church in a rather obscure manner, and thus the allegorical method, i.e., biblical exegesis must be used to determine the meaning of the texts involved. This method of allegory, or of exegesis, involves four levels of interpretation of a text. There is the literal or historical level, the

tropological or moral level, the allegorical level, and the anagogical or mystical level. The tropological or moral level concerns the soul and the spiritual life, while the allegorical level concerns Christ and the Church.[4] For example, Innocent states at the beginning of De quadripartita:

> We have learned from Sacred Scripture that there are four kinds of marriage corresponding to the four levels of theological interpretation: historical, allegorical, tropological, and anagogical. The first exists between a man and a lawful wife; the second between Christ and holy Church; the third between God and the just soul; the fourth between the Word and human nature.[5]

By means of the allegorical method one is able to come to a knowledge of the nature of the Church through the interpretation of the signs or symbols found in the Bible or in the liturgy. The symbols which, through exegesis, provide us with a knowledge of the Church are numerous, but they expound the nature of the Church in two ways. One is by reference to the person of Christ in which case the Church is first of all the Bride or the Body of Christ. The other is by reference to the community of the faithful, that is, to expound the nature of the Church by describing or expounding the community of the faithful. In this case the Church is the ark of Noah and the temple of the Most High, where the believers come to take shelter. The first of these two aspects of the Church, the Church as the Bride or Body of Christ, is always more important

than the second, the Church as the community of the faith-
ful.[6]

In both the treatise De quadripartita specie nuptiarum
and the sermon De quatuor speciebus desponsationum the
Church is above all the Bride of Christ.  She is also the
Body of Christ,[7] but this image is in no way as important
in these two works as is the image of the Bride of Christ.
The image of the Bride is used throughout both the treatise
and the sermon.  Only once does Innocent use the image of
Noah's ark with regard to the Church.[8]  He uses the image
of the temple (of the king/Christ) with regard to both the
Church Triumphant and the Church Militant,[9] but again this
is not one of his favorite images.

The idea that the Church is the Bride of Christ and
the use of marriage symbolism expresses best the intimate
nature of the relationship between Christ and the Church.
The marriage analogy indicates that the Church is dependant
upon Christ, comes from Christ, is made by Christ, and
receives everything from Christ.  Christ is also shown to
be the head of the Church as the husband is the head of
his wife.  But the marriage metaphor also indicates the
love of Christ for the Church, the care which he has for
the Church, and the fidelity or faith which the Church
must in return give to him.  This symbolism in addition
signifies the fertility of their union, that is, the Church

gives birth to Christ's children, to Christians.[10]

Innocent also uses the marriage metaphor to indicate
these various elements in the relationship between Christ
and the Church. In the treatise he particularly stresses
the great love between Christ and the Church, the faith
of the Church, and the fertility of their union.[11] He also
discusses these elements in the sermon, but in the sermon
he also stresses the "debt of providence" owed by the pope
to all the churches and the "debt of reverence" owed by
the churches to the pope.[12] This debt of providence is
the care which the pope, the vicar of Christ, has for all
the churches. The debt of reverence is the faith and
obedience owed by the churches to the pope. In addition
to faith(fulness) and offspring Innocent also discusses
the sacrament which firmly persists between Christ and
the Church, or between the pope and the Roman Church.[13]
These three--faith(fulness), offspring, and the sacrament--
are the three blessings of marriage.[14]

In the ecclesiology of the Victorines the Synagog
had first been called to be Christ's Bride, but she was
unfaithful, and he thus abandoned her, except for those
few Jews who became Christians. In place of the Synagog
he chose another Bride, the Church of the Gentiles. The
Church of the Gentiles is symbolized by many biblical women,
e.g., the woman of Chanaan.[15]

Innocent also discusses the transition from the Synagog to the Church.  Innocent states:

> Certainly, the spiritual marriage which, through love of the soul, God contracted with the Synagog, that by all means was dissolved by reason of idolatry, by reason of which the soul died, because it is separated from God....Indeed the sacramental marriage could not be dissolved, because Christ had not yet contracted with the Church by means of the conformation of nature, because the Word had not yet been incarnate.[16]

Christ abandoned the Synagog, but he took her up again in the first of the faithful, in those Jews who became the first Christians.  Although the Synagog had once been united to God in spiritual marriage, she had never been united to Christ in sacramental marriage.  According to sacramental marriage through the conformation of nature between Christ and the Church, Christ married the Church, as once he had betrothed the Synagog.[17]  Innocent also uses the image of the Synagog as Christ's mother, whom he abandoned in order to marry the Church.[18]

In Innocent's ecclesiology the woman of Chanaan is also a figure of the Church of the Gentiles.[19]  He also uses various women from the Old Testament to symbolize the Church.  "She is Sarah the more mature, Rebecca the wiser, Lia the more fertile, Rachel the more thankful, Anna the more devoted, Susanna the more chaste, Judith the more courageous, Edissa the more beautiful...."[20]

Some aspects of the Church as a community of the faithful which the Victorines discuss in their ecclesiology

are various categories of the faithful, e.g., the just and
the sinners; the active and the contemplative; and the
married, the continent, and virgins. There are also those
who are in the Church but not of the Church and those who
are both in the Church and of the Church, that is, they are
Christians in deed and intent (they perform good works in
a spirit of love) as well as in name (baptized).[21]

Innocent too discusses various categories of the
faithful--the saved (sheep) and the damned (goats);[22]
the confessors and the martyrs;[23] the good (just) and the
bad (sinners);[24] virgins (the continent) and widows
(the married);[25] and three orders of the faithful represented
by Noah, Daniel, and Job, that is, the prelates, the
continent, and the married.[26] Most of Innocent's
categories of the faithful resemble those of the school
of St. Victor; however, the category of the prelates
(Noah), the continent (Daniel), and the married (Job)
follows St. Bernard of Clairvaux.[27] Innocent also
distinguishes between those who are Christians in fact
and those who are Christians only in name. He speaks
of "those, who not only in number, but also in merit;
not only in name, but also in will are in the Church, who
look not only to sacramental, but also to spiritual
marriage."[28]

In the ecclesiology of the Victorines the faithful
are the members of the Body of Christ and are called

Christians from Christ, who is the head of the Body. The
Church is the Body of Christ, made up to all the faithful,
the members of the Body. All the faithful, all the members
of the Body of Christ, the Church, live by the same spirit
and are sanctified by the same faith; and each has his
own proper role, as does each member of the human body.[29]

It is not surprising, of course, to find that
Innocent agrees. Through baptism all Christians become
members of the Church, of the one Body of Christ, of
which they are the members.[30] Through baptism the soul
contracts sacramental marriage with Christ,[31] but there are
not as many sponsae of Christ as there are just souls.[32]
There is only one Bride (Sponsa) of Christ, the Church.
All just souls are "one sponsa and one virgin (the Church)
because of the unity of the Spirit, which they keep in the
bond of peace (Eph 4,3.)."[33] According to Innocent the
apostles, and later the bishops, united with the Church
in levirate marriage and begot children in Christ's honor.
These children are called Christians from Christ, not
petrini from Peter, or paulini from Paul.[34]

In their ecclesiology the Victorines also discuss the
hierarchy and the spiritual and temporal powers. Christian
society is divided into lay and clerical members, and this
distinction between lay and clerical members brings in the
distinction between temporal and spiritual power. Accord-
ing to Hugh of St. Victor the laity is governed by a

secular hierarchy culminating in the king, while the clergy are governed by an ecclesiastical hierarchy culminating in the pope.

The Victorines also discuss the relationship between the two powers. The two powers are distinct; however, the spiritual power has a higher dignity than the temporal because the spiritual life is superior to the temporal life. It thus pertains to the spiritual power to establish and eventually to judge the temporal power, although the temporal power is sovereign within its own sphere. The Church must indeed sometimes give homage to the temporal power for temporal possessions.[35]

For a discussion of Innocent III's political ecclesiology one must turn to the consecration sermon De quatuor speciebus desponsationum and to some of his famous so-called political decretals. I shall here briefly discuss Innocent's political ecclesiology; for a more complete discussion please see my commentary on the consecration sermon.

Innocent, of course, accepts that society is divided into lay and clerical members and that there are two governmental hierarchies, the spiritual and the temporal. For Innocent, however, both the spiritual and the temporal hierarchies culminated in the pope. The pope held supreme spiritual and temporal jurisdiction, but he did not exercise

this jurisdiction in the same way in both spheres. He was

the _iudex ordinarius omnium_ in the spiritual sphere; but

in the temporal sphere he chose to exercise his jurisdiction

only in certain cases, for example, he would judge a secular

case involving the peace and good order of Christian society,

but he would not judge cases concerning matters of feudal

law.[36]

In the consecration sermon _De quatuor speciebus_

_desponsationum_ Innocent uses the marriage metaphor to

express his spiritual and temporal power. The pope is

the spouse of the Roman Church, the mother and mistress

of all the churches, and through his spiritual marriage

to the Roman Church he becomes the successor of St. Peter

and the vicar of Christ. The pope's supreme power in the

spiritual sphere is expressed rather bluntly by Innocent.

The Roman Church is as Sarah, the pope is as Abraham, and

the other churches are as Hagar. The other churches are

subject to the Roman Church as Hagar was subject to Sarah.

The Roman Church brings the other churches to the pope so

that they may receive the debt of providence from him and

may give to him the debt of reverence. All the churches

are thus subject to the care of the pope and owe him

obedience. This supreme spiritual power is technically

expressed as a plenitude of spiritual power. The bishops

are called to a part of the care (local jurisdiction in

their dioceses), while the pope alone receives a fulness
of power (supreme spiritual jurisdiction).[37]

Innocent states that as a dowry the Roman Church
brought to him this plenitude of spiritual power, but he
also at the same time states that she in addition gave
him a latitude of temporal power.[38] Just how extensive this
rather vague "latitude" of temporal power may be is open
to debate. It is my opinion that it refers to that temporal
power given to the pope in the Donation of Constantine.
Supposedly the Emperor Constantine suffered from leprosy,
but he was cured of the disease through the prayers of
Pope Sylvester I in the early fourth century. Out of
gratitude Constantine gave Sylvester and his successors
in the papacy the entire Western half of the Roman Empire,
while he, Constantine, retired to Constantinople to govern
the East.[39] Thus by reason of the Donation of Constantine
the pope was indeed the emperor in the West.

Although he did discuss the Donation of Constantine
rather extensively in one of his sermons,[40] Innocent never
based his exercise of temporal jurisdiction in a particular
case upon the argument that the pope possessed temporal
power by reason of the Donation of Constantine. There was
doubt as to the authenticity of the Donation even in the
Middle Ages, and probably no temporal ruler would accept
it as the justification for the papal exercise of temporal
power. In actual cases Innocent based his exercise of

temporal jurisdiction upon other claims. In his famous decretal <u>Per venerabilem</u> (1202) Innocent claimed to exercise jurisdiction in any case, spiritual or temporal, that was difficult or ambiguous (direct temporal power);[41] while in his decretal <u>Novit</u> (1204) he claimed that the pope could exercise temporal jurisdiction by reason of sin, that is, if the secular case involved a mortal sin, the pope could judge the case (indirect temporal power).[42] In any case the pope could choose whether or not to judge a particular case that fell into one of these categories. It is easy to see how any secular case might do so--for instance, many secular crimes are also mortal sins. Innocent's latitude of temporal power is thus rather extensive: in reality the pope could, if he chose to do so, exercise temporal jurisdiction in almost any secular case of any importance. The pope could, of course, exercise direct temporal jurisdiction in the papal states.

It is only natural that a discussion of ecclesiology leads directly to a discussion of spirituality. One goes naturally from the allegorical level concerning Christ and the Church to the tropological level concerning God and the soul. The individual Christian soul is a member of the Church, and after discussing the nature of the Church, one would naturally discuss the soul and the spiritual life.[43] Thus in conjunction with a discussion of the nature of the

Church the Victorines, as well as Innocent III, discuss
the spiritual life of the soul, desiring the soul to be
a faithful member of the Church, united to God (Christ)
not only in sacramental marriage but also in spiritual
marriage.[44]

In addition to being influenced by the school of St.
Victor the ecclesiology of Innocent III was also influenced
by St. Bernard of Clairvaux, who was representative of
other twelfth century theologians including early scholastic
theologians such as Hugh of St. Victor,[45] and by Gratian.[46]

In addition to his preference for the image of the
Church as the Bride of Christ there are other images used
by St. Bernard in his discussion of the nature of the Church
which are also found in the ecclesiology of Innocent III.
The most important of these images is that of the amicus
sponsi (friend of the bridegroom), an image taken from the
Gospel according to St. John where John says:

> ...A man cannot receive anything except it be given
> him from heaven.  You yourselves do bear me witness,
> that I said, I am not the Christ, but that I am sent
> before him.  He that has the bride, is the bridegroom:
> but the friend of the bridegroom (amicus sponsi), who
> stands and hears him, rejoices with joy because of the
> bridegroom's voice.  This my joy, therefore, is fulfill-
> ed.  He must increase;  but I must decrease (Jn 3,27-
> 30.).

According to Bernard, following the marriage metaphor
that Christ is the Sponsus (Bridegroom) and the Church is
the Sponsa (Bride), the bishops or prelates of the Church
are the amici Sponsi of the Sponsus Christ.  The bishops

or prelates are friends of the bridegroom (bestmen), and as <u>amici Sponsi</u> they must take care of Christ's Bride, the Church, in Christ's absence.

Although Bernard's favorite image of the Church is that of the Bride,and although he does use the image of the bishops being the <u>amici Sponsi</u> of Christ; he does not use the image, dating from the ancient Church, that a bishop is the husband of his church. For Bernard it is Christ who is the husband of the Church, while the bishops are only the friends of the Bridegroom. The bishops or prelates are friends and are in a position to minister or to serve. They are ministers or servants of the Church, not masters.[47]

For Innocent the bishops are not only <u>amici Sponsi</u>; they are also <u>sponsi</u> of their churches. According to Innocent the apostolic order (apostles and their successors the bishops) takes up the Bride of Christ, the Church, and unites with her in levirate marriage to beget children (Christians) for Christ, who is their dead brother. The apostles and bishops are not the <u>Sponsus</u>, but they are the <u>amici Sponsi</u>, the friends of Christ the Bridegroom.[48]

The entire consecration sermon <u>De quatuor speciebus desponsationum</u> is preached upon the biblical verse: <u>He that has the bride, is the bridegroom; but the friend of the bridegroom, who stands and hears him, rejoices with</u>

joy because of the voice of the bridegroom (Jn 3,29.).
In this sermon Innocent uses both the image of the bishop
as the amicus Sponsi and the bishop as the spouse of his
church, with particular emphasis on the pope being both
an amicus Sponsi of Christ and the sponsus of the Roman
Church.[49]

Bernard stressed that prelates had a cura, not a
possessio and a dominium; an officium and a ministerium,
not a dominium. The prelates were ministri, not domini.[50]
The term dominium meant propriety, ownership. One could
hold and exercise a potestas (power, authority) without
having ownership, potestas being all the powers which enable
public services to be performed. The Church did not belong
to the prelates; she belonged to Christ. They held a
ministerium, while Christ held the dominium. The prelates
were ministers, servants, not masters. The prelates have
the authority and the power necessary to do whatever has
to be done; they have the care of all the churches. The
pope himself, who is in charge of the Bride during his
pontificate, is not a master, but he is rather a steward.
Christ alone has a dominium over the Church; the pope,
although he holds a plenitude of power, holds only a
ministerium.[51]

In glossing Instead of your fathers, sons are born
to you: you shall make them princes over all the earth

(Ps 44,17.) Innocent comments in the same fashion as St. Bernard that the principatus (principality) given the princes (apostles and bishops) does not hand over a dominium (lordship), but gives a ministerium (ministry).[52]

In discussing the transition from the Synagog to the Church St. Bernard, like Innocent, used the image of the Bride. For Bernard the Synagog had once been the Bride, but she had been an imperfect bride and had been repudiated in favor of the Church, who became the Bride of Christ. Christ's new bride was perfect because she held forth salvation to all people, whereas the Synagog had not done so and was thus imperfect.[53]

As previously discussed in connection with the Victorines, Innocent wrote that the Synagog had once been united to God in spiritual marriage, but this marriage had been dissolved because of idolatry by reason of which the soul had died. The Synagog did not contract sacramental marriage because the Word had not yet been incarnate.[54]

As previously mentioned, another ecclesiological element shared by Bernard and Innocent is their division of the faithful into three orders--the prelates, represented by Noah; the chaste, represented by Daniel; and the married, represented by Job.[55]

In De quadripartita Innocent includes one section entitled "Whether the Baptized Child May Contract

Sacramental Marriage?".   Innocent states in this section:

> Indeed if it is asked concerning the child, who
> does not believe, whether he is betrothed (married) to
> Christ through the sacrament of faith, perhaps it will
> be answered that just as he is baptized in the faith of
> the Church, thus he is betrothed (married) by means of
> the faith of the Church.  For just as in an adult, faith
> of the sacrament without the sacrament of faith (baptism)
> can destroy sins, thus in the child the sacrament of
> faith without faith of the sacrament can send away sin.[56]

Innocent included this section on baptism because during

the twelfth century debate arose concerning the nature of

membership in the Church because of challenges to the

traditional theology of baptism brought forth by various

heretical sects, especially the Cathars.[57]

According to the heretics, faith in Christ and the

sacraments was absolutely necessary in order for baptism

to be effective.  Only adults could of their own free will

have faith, and thus only adults could effectively receive

the sacrament of baptism.  Thus only adults, not children

who had not yet attained the age of reason, could be members

of the Church.[58]

In refuting the argument of the heretics orthodox

theologians, especially St. Bernard, Peter the Venerable,

Hugh of Amiens, and Ekbert of Schönau,[59] stressed the role

played by the earthly ecclesiastical community in the

baptism of children.  Their solution was that the child,

who could not himself have faith, was baptized in the faith

of the Church.  Consent given for the child sufficed as an

act of faith.[60]  Some theologians argued that the faith

of a child's parent sufficed as an act of faith.[61]  The

Church thus accepted the idea that faith was an essential

element in an effective baptism, but an act of faith on

the part of the community of the faithful (Church) or the

child's parent sufficed to effect a valid baptism in the

case of a child.  Through baptism the child obtained the

grace of God and became a member of the Church.[62]  Innocent

in his section on the baptism of a child is thus following

in the tradition of twelfth century theology concerning

baptism of children.

Innocent includes several sections in De quadripartita

which concern the Eucharist,[63] and this emphasis on the

Eucharist is another element in his ecclesiology which

in in the tradition of twelfth century theology.  The

sacrament of the Eucharist had definite ecclesiological

significance for twelfth century theologians.[64]

> It was, for them, the sacrament of unity and by receiv-
> ing it, Christians reaffirmed their union with the body
> of Christ, which is the Church.  But the sacrament not
> only effected the union of the individual to the Church,
> it also symbolized the unity of the faithful in a single
> body.[65]

There is one point in De quadripartita where Innocent

definitely follows Gratian.  In his gloss of You have loved

justice, and have hated iniquity (Ps 44,8.)  Innocent states:

> A judgment is judged unjust in three ways:  by reason
> of soul (ex animo), by reason of order (ex ordine), by
> reason of cause (ex causa).  By reason of soul, if it

(the judgment) may be brought forth contrary to the uprightness of the mind, by reason of cause, if it may be brought forth contrary to the truth of the matter, by reason of order, if it may be brought forth contrary to the formality of the law.[66]

This follows one of Gratian's _dicta_ in which Gratian discusses the three ways in which a judgment can be unjust, in this particular case a sentence of excommunication.[67]

...a sentence of excommunication may be unjust-- ex causa, ex animo, and ex ordine. An injustice is committed ex causa when the condemned individual has not committed any crime worthy of the penalty given to him or when the individual is condemned for the wrong crime. An injustice is committed ex animo when the judge acts through hate or anger or for favor in condemning the criminal. Finally, an injustice is committed ex ordine when a sentence is passed without following the correct judicial procedure.[68]

From the above comparison of the ecclesiology of Innocent III with the ecclesiology of representative twelfth century theologians such as Hugh of St. Victor and St. Bernard of Clairvaux, and also the great canonist Gratian, it is seen how the ecclesiology of Innocent III is firmly entrenched in the tradition of twelfth century ecclesiology. Innocent's mystical ecclesiology concerning Christ and the Church and the soul and God is certainly traditional, and it is only in some of his political ecclesiology, or political theory, concerning papal power that Innocent differs.

Footnotes

[1]See the following works on twelfth century ecclesiology: Johannes Beumer, "Zur Ekklesiologie der Frühscholastik," Scholastik, 26 (1951), pp. 364-389, and "Ekklesiologische Problem der Frühscholastik," Scholastik, 27 (1952), pp. 183-209; Jean Châtillon, "L'idée de l'Église dans la théologie de l'école de Saint-Victor au XIIe siecle," Irenikon, 22 (1949), pp. 115-138, 394-411; Stanley Chodorow, Christian Political Theory and Church Politics in the Mid-Twelfth Century: The Ecclesiology of Gratian's Decretum (Berkeley: University of California Press, 1972); and Yves Congar, "L'ecclésiologie de s. Bernard," Saint Bernard Théologien (Roma: apud Curiam Generalem Sacri Ordinis Cisterciensis, 1953), pp. 136-190.

[2]Châtillon, op. cit., pp. 119-120.

[3]Ibid., pp. 122-126.

[4]Ibid., pp. 127-130.

[5]Innocent III, De quadripartita specie nuptiarum, II. 1. 1-8.

[6]Châtillon, op. cit., pp. 131-133.

[7]Innocent III, De quadripartita, II. 2. 13-17.

[8]Ibid., II. 60. 9-10.

[9]Ibid., III. 19. 62-73.

[10]Châtillon, op. cit., pp. 135-136.

[11]Innocent III, De quadripartita, II. 25. 21-23, II. 27, II. 33, II. 36, II. 37, II. 38.

[12]Innocent III, De quatuor speciebus desponsationum, lines 205-251, esp. 221-251.

[13]Ibid., lines 205-251.

[14]Ibid., lines 205-208. Innocent III, De quadripartita, II. 36.

[15]Châtillon, op. cit., pp. 136-138.

[16] Innocent III, *De quadripartita*, II. 47. 1-5, 10-14.

[17] *Ibid.*, II. 47. 1-5, 10-14, II. 49.

[18] *Ibid.*, II. 35. 9-16.

[19] *Ibid.*, III. 17. 33-35.

[20] *Ibid.*, II. 59. 42-46.

[21] Chatillon, *op. cit.*, pp. 401-403.

[22] Innocent III, *De quadripartita*, III. 15. 11-14, III. 19. 67-71.

[23] *Ibid.*, II. 59. 23-25.

[24] *Ibid.*, II. 60. 7-17.

[25] *Ibid.*, III. 19. 34-56.

[26] *Ibid.*, II. 77. 1-5, III. 13. 49-51.

[27] Congar, *op. cit.*, pp. 165-166.

[28] Innocent III, *De quadripartita*, II. 60. 23-26.

[29] Châtillon, *op. cit.*, p. 405.

[30] Innocent III, *De quadripartita*, II. 2. 13-17.

[31] *Ibid.*, II. 62. 13-14.

[32] *Ibid.*, II. 51.

[33] *Ibid.*, II. 51. 15-18.

[34] *Ibid.*, III. 14. 27-51.

[35] Châtillon, *op. cit.*, pp. 406-407.

[36] Brian Tierney, " 'Tria Quippe Distinguit Iudicia ...' A Note on Innocent III's Decretal *Per Venerabilem*," *Speculum*, XXXVII (1962), pp. 58-59.

[37] Innocent III, *De quatuor speciebus desponsationum*, lines 129-135, 221-248, 312-326.

[38] *Ibid.*, lines 312-315.

[39]PL 217, 481-482.

[40]PL 217, 481-484. This sermon (Sermo VII:
In festo d. Silvestri pontificis maximi) was written by
Innocent for the feast day of Pope St. Sylvester I.

[41]X 4.17.13. (Per venerabilem)
On the political theory of Innocent III and his political
decretals see especially: A. J. and R. W. Carlyle, Mediaeval
Political Theory in the West, V (Edinburgh:  Wm. Blackwood
& Sons, 1903);  Charles H. McIlwain, The Growth of Political
Thought in the West (New York:  The Macmillan Company,
1932);  Brian Tierney, op. cit.;  and J. A. Watt, "The
Theory of Papal Monarchy in the Thirteenth Century:  The
Contribution of the Canonists," Traditio, XX (1964), pp.
179-317.

[42]X 2.1.13. (Novit)

[43]Châtillon, op. cit., p. 404.

[44]Innocent III, De quadripartita, II. 60. 23-26.
Innocent discusses the soul at various points throughout
the treatise (the just soul is united to God in spiritual
marriage).

[45]Chodorow, op. cit., p. 67.

[46]For a discussion of the ecclesiology of St.
Bernard of Clairvaux see Congar, op. cit. and Chodorow,
op. cit.  See Chodorow also for a discussion of Gratian's
ecclesiology.

[47]Congar, op. cit., pp. 136-137;  n. 1, p. 137;
pp. 154-155;  171-172.

[48]Innocent III, De quadripartita, III. 14. 27-55.
See Innocent III, De quatuor speciebus desponsationum on
the bishops being both amici Sponsi and also sponsi of their
churches.

[49]Innocent III, De quatuor speciebus desponsatio-
num, esp. lines 63-70, 127-135, 154-161, 334-361.

[50]Congar, op. cit., p. 172;  n. 2, p. 172.

[51]Ibid., pp. 172-174, 159.

[52]Innocent III, De quadripartita, III. 20. 47-48.

[53]Chodorow, op. cit., p. 71.

[54]Innocent III, De quadripartita, II. 47.

[55]Congar, op cit., pp. 165-166.  Innocent III, De quadripartita, II. 77. 1-5, III. 13. 49-51.

[56]Innocent III, De quadripartita, II. 48. 1-11.

[57]Chodorow, op. cit., p. 77;  n. 11, p. 77.

[58]Ibid., p. 78.  At the time of the Fourth Lateran Council in 1215 the age of reason was taken to be fourteen (Ibid., n. 19, p. 82.).

[59]Ibid., n. 11, p. 77.

[60]Ibid., p. 81.

[61]Ibid., n. 16, p. 81.

[62]Ibid., pp. 81-82.

[63]Innocent III, De quadripartita, II. 68.-II. 77.

[64]Chodorow, op. cit., p. 83.

[65]Ibid., pp. 83-84.

[66]Innocent III, De quadripartita, III. 11, 2-9.

[67]C.11 q.3 dict.post c.65.  Chodorow, op. cit., pp. 118-119.

[68]Ibid., p. 119, citing C.11 q.3 dict.post c.65.

Chapter II

Innocent III as a Biblical Exegete

As previously mentioned, Innocent III's treatise
De quadripartita specie nuptiarum is a work of biblical
exegesis. Throughout the entire treatise Innocent quotes
abundantly from the Bible and comments upon the texts
cited, but his most important exegesis is his commentary
upon Psalm 44 (Eructavit cor meum), which composes almost
half the treatise. It is this extensive commentary on
Psalm 44 which I have chosen to use as the basis for my
study of Innocent III as a biblical exegete. I have
compared his commentary extensively with the Glossa
Ordinaria to the Bible,[1] a work dating from the early
twelfth century,[2] with St. Augustine's commentary on
Psalm 44,[3] and with Peter Lombard's commentary on Psalm
44.[4] I am assuming that Innocent was quite familiar with
these three commentaries, or at the very least that he had
access to them.

In his commentary Innocent used throughout the
treatise the method of the postilla,[5] a continuous gloss
inserted between the loci of the biblical text being
commented upon.[6] He also used the quaestio method; that
is, within the treatise, but not in the section on Psalm
44, he posed various theological questions (quaestiones)
which had been suggested by the text or commentary.[7] In

his sermons Innocent also used this method of extensive
commentary upon various biblical passages taken from the
liturgy of the day or of the particular feast in question.[8]

Innocent states at the beginning of De quadripartita:
"We have learned from Sacred Scripture that there are four
kinds of marriage corresponding to the four levels of
theological interpretation: historical, allegorical,
tropological, and anagogical."[9]  Innocent in De quadriparti-
ta specie nuptiarum is thus following a formula of biblical
exegesis involving four senses of interpretation.

Medieval biblical exegesis had two systems by which
to expound the Bible.  In the twelfth century some exegetes
followed a threefold scheme in the tradition of Origen and
Jerome, while others followed a fourfold scheme used by
Cassian and Augustine, which was revived by Bede and Rabanus
Marus.  The senses of interpretation in the threefold
division were historical, moral or tropological, and
mystical or allegorical.  Those in the fourfold division
were historical, allegorical, tropological, and anagogical.

This duality in the formulas of biblical interpretation
existed simultaneously.  There was actually not that much
difference between the two formulas because the anagogical
level, the level not included in the threefold scheme, was
included under the allegorical level.  The allegorical
level was thus subdivided into simple allegorical and
anagogical levels.  Theologians would often speak sometimes

of three, sometimes of four levels. This was the case
with such theologians as Anselm of Bec, Hugh of St. Victor,
Stephen Langton, and Innocent III. In De quadripartita,
however, Innocent expounds according to the fourfold scheme
of interpretation--historical, allegorical, tropological,
and anagogical.

There was not only a difference in the number of
senses, a difference which was more apparent than real,
but there was also a difference in the order of the dif-
ferent senses. In one order the tropological or moral
level was second, while in the other order the allegorical
level was second--literal, tropological, allegorical,
anagogical; or literal, allegorical, tropological, anagog-
ical. The placing of the tropological level before the
allegorical followed the system of Origin and Jerome, while
putting the allegorical before the tropological followed
Bede and Rabanus Maurus. Theologians such as Aelred of
Rievaulx, Isaac of Stella, and Peter Lombard followed the
order of historical, tropological, allegorical, and
anagogical. Others such as Bede, John of Salisbury, Hugh
of St. Victor, and Innocent III followed the second formula
of historical, allegorical, tropological, and anagogical.
The fourfold scheme in the following order--historical,
allegorical, tropological, and anagogical--was adopted by
most of the great scholastics.[10]

Innocent III's exposition of the fourfold species of marriage can be compared with similar expositions in the works of three twelfth century Cistercian abbots--St. Bernard of Clairvaux (d. 1153), St. Aelred of Rievaulx (d. 1167), and Isaac of Stella (d. _ca._ 1169).

According to Innocent, there are four kinds of marriage corresponding to the four levels of theological interpretation--historical, allegorical, tropological, and anagogical. On the historical (literal) level marriage exists between a man and a lawful wife. On the allegorical level marriage exists between Christ and the Church. On the tropological (moral) level marriage exists between God and the just soul. On the anagogical (mystical) level marriage exists between the Word and human nature. The first kind of marriage between a man and a lawful wife is carnal marriage and has the effect of uniting two in one flesh. The second kind of marriage between Christ and the Church is sacramental marriage and has the effect of uniting two in one body, the mystical body of Christ. The third kind between God and the just soul is spiritual and has the effect of uniting two in one spirit. The fourth kind between the Word and human nature is personal and has the effect of uniting two natures in one person.[11]

In the _Sententiae_ (_Sententiarum Series Secunda_) there is a statement by St. Bernard of Clairvaux that there are three kinds of marriage; however, as given in the _Sentences_,

Bernard's three kinds of marriage bear no resemblance to Innocent's four kinds of marriage.[12]   However, in one of his sermons (Sermo Secundus in Nativitate), entitled De tribus commixturis divinae virtutis, Bernard does expound three kinds of union, although he does not use the word marriage or the image of marriage to describe these three kinds of union.  The first kind of union is between the flesh and rational soul in man.  The second union is between the Word and human nature, made up of flesh and rational soul.  The third kind of union will be consummated in the future when Christ will have handed over the kingdom to God, and they will be two, not in one flesh, but in one spirit.  He who cleaves to God will be one spirit with him.  This type of union thus concerns God and the just soul, who will be united in one spirit with God in heaven when the kingdom will have come.  This third union could also apply to Christ (God) and the Church Triumphant (just souls), who will be united in heaven at the end of the world.[13]

St. Aelred of Rievaulx[14] expounds four kinds of marriage--carnal marriage between man and wife and three kinds of spiritual marriage.  The first kind of spiritual marriage is between the Word and human nature in which the two, the divine and human natures, are united in one person. The second is between Christ and the Church in which a man

(Christ) leaves his father and mother and cleaves to his wife (Church) so they may be two in one flesh. The third is between the Word of God and the perfect soul in which the rational creature, with contempt for all things, cleaves to his creator so that they may be two in one spirit.[15]

Isaac of Stella[16] in a sermon on the first Sunday after the Octave of the Epiphany (second Sunday after the Epiphany), the day on which the manifestation of Christ in the miracle at the wedding at Cana is celebrated, expounds four kinds of marriage. The first is historical and is between flesh and flesh (man and wife). The second is moral (tropological) and is between spirit and flesh (rational soul and flesh in man). The third is allegorical and is between the Word and man (flesh), Christ and the Church. The fourth is anagogical and is between God and the mind (soul). The first makes two into one flesh. The second makes two natures into one person, that is, man. The fourth makes he who cleaves to God one spirit with him.[17]

Innocent's fourfold exposition of marriage according to the four levels of theological interpretation can thus be seen to agree with that of Aelred of Rievaulx. Both expound four kinds of marriage--carnal marriage and three kinds of spiritual marriage. The four according to Innocent are that between man and wife, that between Christ and the Church, that between God and the just soul, and that between

the Word and human nature. Aelred gives the four as that between man and wife, that between the Word and human nature, that between Christ and the Church, and that between the Word of God and the perfect soul. Aelred's marriage between the Word of God and the perfect soul would correspond to Innocent's marriage between God and the just soul.

According to Henri de Lubac, Aelred of Rievaulx in this exposition is only apparently enumerating four senses. In reality he is enumerating only three because he has only divided into two the allegorical level, expounding in succession the allegory relative to Christ and the allegory relative to the Church. Thus Aelred distinguishes two kinds of mystical marriages (allegorical level)--one in which human nature marries the Word of God and the other in which the Church marries Christ.[18] Innocent, however, according to his own statement, is expounding four senses.

Henri de Lubac also states that Aelred of Rievaulx, as well as Isaac of Stella, places the tropological (moral) level second and the allegorical level third.[19] He cites the following passage from Aelred: "Prima facies ejus est historia, altera moralitas, tertia allegoria, quarta anagoge, id est sensus de superioribus."[20] I can only conclude that at least in the work under discussion Aelred followed the other order of historical, allegorical (anagog-

ical and simple allegorical), and tropological (moral).
I agree with Lubac that Isaac of Stella follows the order
of historical, moral, allegorical, and anagogical. Lubac
also states that Innocent III follows the order of histor-
ical, allegorical, tropological, and anagogical;[21] and,
of course, I agree.

In my comparison of Innocent III's exegesis of Psalm
44 with the Glossa Ordinaria to the Bible and the commen-
taries of St. Augustine and Peter Lombard I shall usually
first give Innocent's commentary on a particular verse of
Psalm 44 and then compare his commentary with those of the
Glossa Ordinaria, St. Augustine, and Peter Lombard. For
the most part when I give Innocent's commentary I shall
use his own words (in translation), but I shall leave out
most biblical citations other than those from Psalm 44,
and I shall summarize his text when necessary. I shall
not put his commentary within quotation marks.

There is no corresponding passage in the Glossa
Ordinaria, St. Augustine's commentary, or Peter Lombard's
commentary to Innocent III's introductory paragraph on the
singers and musicians which are usually present at a
marriage banquet.[22] This introductory paragraph may have
been inspired, however, by a passage in Peter Lombard's
commentary on the title of Psalm 44: "Similia cantat in
his nuptiis Propheta. In nuptiis namque istis prophetae,

apostoli, et omnes sancti tympanis, citharis, et aliis modis cum exsultatione sancta conclamant: unde pascitur auditor."[23]   Innocent, unlike these other three glosses, makes no comment upon the title, or first verse, of Psalm 44--In finem, pro iis qui commutabuntur.  Filiis Core, ad intellectum.  Canticum pro dilectio.[24]

In commenting upon Eructavit cor meum verbum bonum: Dico ego opera mea regi.  Lingua mea calamus scribae velociter scribentis (Ps 44,2.) Innocent's scene at the doorway of the banquet hall between David and the door-keeper is found in neither the Glossa Ordinaria, nor St. Augustine, nor Peter Lombard;[25] although this particular section may again be inspired by a passage in the Lombard's commentary--"Propheta ergo, quasi ad has nuptias intromitti desiderans, ut sibi aperiatur se velle sponso cantare, ait: Eructavit cor meum...."[26]

Innocent's commentary from Clamat in persona up to nova profert, et vetera[27] does not resemble either the standard gloss or Augustine's commentary.  The main point of these two glosses is that the verbum in eructavit cor meum verbum bonum is the Word, the Son of God, who alone is good, and through whom all good is done.[28]  Innocent does not mention that the verbum is the Word, the Son of God.

Innocent's gloss seems to agree with an alternate gloss given in the Glossa Ordinaria and with Peter Lombard.

Innocent comments: I am not an abusive person, who speaks a harsh and unkind word; because <u>my heart has uttered a good word</u>, a sweet word, a pleasant word, a delightful word.[29] The <u>word</u> which he speaks is thus the psalm itself. This would agree with the alternate standard gloss: "Vel, eructat verbum qui dicit deo hymnum."[30] It also agrees with Peter Lombard, who glosses the <u>verbum bonum</u> as <u>hymnum deo</u>.[31]

Innocent glosses <u>opera</u> in <u>dico ego opera mea regi</u> as praises. The <u>works</u> are the praises of the Sponsus and the Sponsa.[32] This agrees in spirit with the alternate standard gloss, taken from Augustine, and with the Lombard. Both gloss <u>dico opera</u> as <u>ad laudem eius</u>...., that is, I speak my works to his praise.[33] The works are not actually themselves praises, but they are spoken to the king's praises. The <u>opera</u> is the psalm.[34]

Innocent's commentary upon <u>Lingua mea calamus scribae velociter scribentis</u> agrees for the most part with the <u>Glossa Ordinaria</u> and Peter Lombard, but not with St. Augustine's commentary. Innocent's gloss is as follows. <u>My tongue is the pen of a scribe that writes swiftly</u>, that is, the swiftly inspiring instrument of the Holy Spirit, who does not deliberate under human torture, but suddenly <u>the Spirit breathes where he will</u> (Jn 3,8.). For just as ink from a writing horn marks parchment by means of a pen, thus the Holy Spirit, through the tongue of the prophet,

filled the human heart with the knowledge of the truth
concerning the secret of the divinity.[35]   This gloss
agrees with the standard gloss on the words <u>lingua</u> and
<u>velociter</u>, and it also agrees with the Lombard's commentary.[36]

   On <u>Speciosus forma prae filiis hominum</u> (Ps 44,3.)
Innocent comments as follows. The psalmist praises both
the king and the queen, but he praises the king first and
more excellently and the queen later and more mildly.  The
Sponsus, the king, is praised with regard to four aspects;
with regard to form (beauty), power, judgment, and dress.
The Sponsus is praised in various ways with regard to
form (beauty).  He is praised by comparison by being
preferred to others, and he is praised absolutely.  He
is praised with regard to form according to each nature,
according to human nature and to divine nature.  He is
also praised according to the beauty of the body and
according to the beauty of the heart.  He is <u>beautiful</u>
<u>above the sons of men</u> because of the glory of the unique
conception;  because he alone was conceived of a virgin
without sin, the clean from the clean.  Others are born
corrupt from the corrupt, sinners from sinners.  Yet he
is also to be understood as being beautiful above other
men according to the form (beauty) of the body.[37]

   Innocent's gloss of <u>Speciosus forma prae filiis</u>
<u>hominum</u> agrees for the most part with the <u>Glossa Ordinaria</u>

and Peter Lombard. Innocent elaborates some points and
includes other biblical citations in his commentary, but
most of his commentary follows these two glosses. Both
the standard gloss and the Lombard agree that the Sponsus
is praised with regard to form (beauty), power, judgment,
and dress, although they mention only form in glossing
this particular passage (You are beautiful above the sons
of men).[38] These two glosses agree that the Sponsus is
here praised with regard to form according to each nature,
human and divine. He is beautiful according to human nature
because he is free from sin.[39] Innocent's gloss of this
passage does not resemble St. Augustine's rather short
gloss of this passage.[40]

Innocent gives a rather lenghty gloss of Diffusa
est gratia in labiis tuis (Ps 44,3.), which basically
agrees with the Glossa Ordinaria, St. Augustine, and
Peter Lombard. Innocent states that after praising the
Sponsus with regard to form, the psalmist immediately
commends him with regard to speech, saying Grace is poured
abroad in your lips. The word pouring out signifies a
liberality of grace. The Sponsus' mouth does not abound
in evil, nor does his tongue produce deceit, but grace is
poured abroad in his lips. Profuse vengeance is upon the
lips of Moses, but grace is poured abroad in the Sponsus'
lips. The law was given by Moses: grace and truth came

by Jesus Christ (Jn 1,17.). On many occasions and in many ways God spoke in times past to the fathers through the prophets, and last of all grace is poured abroad in Christ's lips. These prophets were not eloquent, but grace is poured abroad in his lips. Formerly terror had been produced in abundance in God's words, but now grace is poured abroad in his lips. The envious conceal wisdom so that others may not share it, but such is not the case with the Sponsus, because grace is poured abroad in his lips. At one time or another many wisely speak, who nevertheless are not willingly heard. But grace is poured abroad in the Sponsus' lips, because his word is pleasing to the universe, and the whole is agreeable not only to men, but also to God.[41]

The Glossa Ordinaria, St. Augustine, and Peter Lombard all gloss Diffusa est gratia in labiis tuis with The law was given by Moses; grace and truth came by Jesus Christ (Jn 1,17.). The law was given by Moses, but grace, which dissolves sin, came through Christ.[42] Innocent thus agrees with St. Augustine; the Glossa Ordinaria, which at this point comes from Augustine; and Peter Lombard that the gratia is the grace of God through Jesus Christ, which will free us from our sins. Innocent's commentary concerning the lack of eloquence in the prophets, the former terror caused by God's words, the concealing of wisdom by the envious, and those who speak wisely but are not heard

willingly is found in neither St. Augustine, the <u>Glossa</u>
<u>Ordinaria</u>, nor Peter Lombard.

Innocent's gloss of <u>Propterea benedixit te Deus in</u>
<u>aeternum</u> (Ps 44,3.) agrees in part with the <u>Glossa</u>
Ordinaria, St. Augustine, and Peter Lombard.  According
to Innocent, <u>Therefore has God blessed you for ever</u>, that
is, therefore he gave you (Christ) an eternal blessing.
The eternal blessing is, namely, <u>a kingdom of which</u>
<u>there will be no end</u> (Lk 1,33.), because through the grace
of preaching Christ earned the glory of the resurrection.
The eternal blessing is thus Christ's kingdom, which will
last for ever.  Because Christ had been blessed from the
beginning, it can thus be understood:  <u>He has blessed</u>,
that is, he has displayed a blessed thing.  That with which
he has been blessed is his name, which he had even before
death;  but what the Son had had before death, the Father
<u>has given</u>, that is, he has displayed the gift after death.
Just as he himself said after the resurrection:  <u>All power</u>
<u>is given to me in heaven and in earth</u> (Mt 28,18.);  that is,
being manifest, it is as if given now.[43]

The <u>Glossa Ordinaria</u>, taken in part from Augustine,
Augustine, and the Lombard agree that:  <u>Therefore</u>, because
of grace, by which the kingdom of heaven is given, <u>has God</u>
<u>blessed you</u>, man, for ever, giving you (man) the kingdom of
which there will be no end.[44]  In a sense this agrees with

Innocent's gloss, but Innocent seems to mean that the you in Therefore has God blessed you for ever refers to Christ, not to man, as it does in these other three glosses. There is agreement, however, that that with which you have been blessed is the kingdom of heaven, which will have no end. The rest of Innocent's commentary on "He has blessed, that is, he has displayed a blessing." is not found in these other three commentaries.

Innocent's commentary on Accingere gladio tuo super femur tuum, potentissime (Ps 44,4.) for the most part agrees with the Glossa Ordinaria; St. Augustine, from whom part of the standard gloss is derived; and Peter Lombard. Innocent's commentary is as follows. With regard to power the psalmist praises the Sponsus, whom he shows triply armed--with a sword, arrows, and a rod. With the sword he plunders those near; with the arrows he strikes those far away; with the rod he corrects those subject. There is, therefore, none who can escape his power. O most powerful one, therefore, gird upon the sword of the spirit, which is the word of God, so that with the power of the word you might separate men from the devil. Concerning this sword you say in the Gospel: I came not to send peace upon earth, but the sword. For I am come to set a man at variance against his father, etc. (Mt 10,34-36.) But gird your sword upon your thigh.

But yet in one way I understand the saying to concern them,
and in another way I understand the saying to concern you.
For they have been girded upon the thigh, so that they may
restrain the sin of the flesh; you indeed will have girded
upon the thigh, so that you may display the nature of the
flesh. For the thigh is the seed-plot of human nature, or
of propagation. Therefore, gird upon your thigh, that is,
upon human nature, in which you must conquer the devil.
In fact, one is gird on (accingi); another is gird up
(succingi); and another is gird in front (praecingi).
For we are girded on when we are about to fight; we are
girded up when we are about to go; we are girded in front
when we are about to minister. Nevertheless, one is often
taken for the other, as can easily be proved from many
authors of Scripture.[45]

That the Sponsus is being praised with regard to
power follows the Glossa Ordinaria and Peter Lombard.[46]
On the three weapons with which the Sponsus is armed--a
sword, arrows, and a rod--it is necessary to compare
Innocent's gloss with the Glossa Ordinaria, St. Augustine,
and Peter Lombard on Sagittae tuae acutae, populi sub te
cadent (Ps 44,6.) and Virga recta est virga regni tui (Ps
44,7.). "With the sword he plunders those near; with the
arrows he strikes those far away" follows the interlinear
gloss and Peter Lombard on sagittae (Ps 44,6.),[47] while "with
the rod he corrects those subject" follows ideas found in

the glosses of St. Augustine, the _Glossa Ordinaria_, and
Peter Lombard on _Virga recta est virga regni tui_ (Ps 44,7.).[48]
The interpretation of the _sword_ as being the sword of the
spirit, which is the word of God, as in _I came not to send_
_peace upon earth, but the sword.  For I am come to set a_
_man at variance against his father, etc._ (Mt 10,34-36.),
agrees with that of St. Augustine;  the _Glossa Ordinaria_,
which is here taken from St. Augustine;  and Peter Lombard.[49]
Innocent's twofold explication of _femur_ is found in neither
the _Glossa Ordinaria_, Augustine, nor Peter Lombard;  however,
the interpretation of _femur_ as flesh is found in all three
of these commentaries.[50]  The Lombard also mentiones that
the _thigh_ is the seed-plot of human propagation.[51]  Innocent's
closing section on _accingi_, _succingi_, and _praecingi_ follows
neither the standard gloss nor St. Augustine, but it does
agree with a section of Peter Lombard's commentary upon
_accingere_.[52]

Innocent comments upon _Specie tua, et pulchritudine_
_tua intende, prospere procede, et regna_ (Ps 44,5.) as
follows.  The most beautiful are accustomed to take pride
because of their beauty, and the most powerful are accus-
tomed to rage furiously because of their strength.  Indeed,
although you may be _beautiful above the sons of men_ (Ps 44,
3.), nevertheless, you are not proud;  and therefore, _with_
_your comeliness and your beauty set out_ (Ps 44,5.).

Although you may be the most powerful, nevertheless, you
do not rage furiously; and thereupon proceed prosperously,
and reign (Ps 44,5.). He had triply praised the Sponsus,
declaring him most beautiful, most eloquent, and most
powerful. Indeed, now he repeats these praises one by
one. Set out, proceed prosperously, and reign, as if he
may say, because you are beautiful, according to human
nature, therefore, with your beauty (species) set out to
us. But because beautiful above the sons of men according
to divine nature, therefore set out your beauty (pulchritu-
do) to us; since with your comeliness and your beauty
set out, according to each nature set out, that is, having
compassion, you may have a care for lost man(kind), redeem-
ing by means of human nature and glorifying by means of
divine nature. And so that you may properly accomplish
this, proceed prosperously to the Passion, not by all means
having prospered, but prospering, so that you may redeem the
miserable ones; and reign by means of the Resurrection,
so that you may glorify the redeemed. Or because grace
is poured abroad in your lips (Ps 44,3.), therefore,
proceed prosperously in the duty of preaching. And also,
having girded on the sword of preaching upon the thigh of
human nature (Ps 44,4.), reign; first in the Church
Militant through faith; at last in the Church Triumphant
through sight.[53]

Innocent's exegesis of <u>Specie tua, et pulchritudine</u>
<u>tua intende, prospere procede, et regna</u> (Ps 44,5.) agrees
in part with both the <u>Glossa Ordinaria</u> and Peter Lombard,
but it has little in common with St. Augustine's gloss
except in a very general way. Innocent does not gloss
<u>Specie tua, et pulchritudine tua</u> as <u>justice</u> as do all
three of the other glosses.[54] The connection of <u>specie</u>
with Christ's human nature and <u>pulchritudine</u> with his
divine nature agrees with the marginal gloss from
Cassiodorus (<u>Glossa Ordinaria</u>) and Peter Lombard.[55] No
mention of this is found in Augustine's commentary.[56]
Innocent's gloss of <u>intende</u> agrees with both the <u>Glossa</u>
<u>Ordinaria</u> and Peter Lombard--"compassionately have a care
for lost mankind".[57] Innocent's commentary on <u>prospere</u>
<u>procede, et regna</u> agrees for the most part in its sense
with both the standard gloss and the Lombard. The general
idea is the same--Christ preaches (teaches) and <u>rules</u>
through faith among the peoples--although this idea is
expressed differently in Innocent and the other two glosses.[58]
The gloss of ruling through faith among the peoples is taken
from St. Augustine.[59]

On <u>Propter veritatem, et mansuetudinem, et justitiam</u>
(Ps 44,5.) Innocent comments as follows. The Sponsus is
again triply commended--with regard to the truth of teach-
ing; with regard to the meekness of suffering; with regard

to the justice of life. He is praised with regard to the
truth of teaching, which he proclaims; with regard to the
meekness of suffering, which he displays; with regard to
the justice of life, which he fulfils. These three things
are most particularly necessary in ruling; that he may be
truthful in his mouth; meek in his heart; just in his
work. Indeed, many powerful men, forgetful of the
human condition, usually become terrifying,
cruel, tyrannical, deceitful, impatient, and unjust.
But with regard to you, who are most powerful, all these
are removed. For you are not terrfying, but kind; because
with your comeliness and your beauty you set out (Ps 44,5).
You are not cruel, but pious; because you proceed pros-
perously (Ps 44,5.). You are not deceitful, but truthful;
because you set out according to truth (Ps 44,5.). You
are not impatient, but meek; because you proceed accord-
ing to meekness (Ps 44,5.). You are not unjust, but just;
because you reign according to justice (Ps 44,5.).[60]

Innocent's basic commentary on the truth, meekness,
and justice of Christ especially follows the commentary
of Peter Lombard and agrees in spirit with the commentary
of St. Augustine. The basic idea is that Christ teaches
the truth; he is meek; and he displays justice.[61] The
standard gloss is very short on this passage and consists
of only the interlinear gloss. The only idea in it which

is shared by Innocent is the suffering of Christ.[62]

Although Innocent's commentary on Propter veritatem, et

mansuetudinem, et justitiam (Ps 44,5.) does not follow

the short standard gloss on this passage, it does agree

with the marginal gloss (Glossa Ordinaria) on regna in

Specie tua et pulchritudine tua intende, prospere procede,

et regna (Ps 44,5.).[63] There is no commentary in St.

Augustine, the Glossa Ordinaria, or Peter Lombard which

corresponds to Innocent's section on the many powerful

men, forgetful of the human condition, who are terrifying,

cruel, tyrannical, deceitful, impatient, and unjust.

Innocent gives the following brief gloss on Et deducet

te mirabiliter dextera tua (Ps 44,5.). And because you are

such, your right hand, that is, your power, wonderfully,

that is, through miracles, shall conduct you, from words

to works, from death to life, from earth to heaven, from

the Jews to the Gentiles, throughout the course of the

whole world.[64]

Innocent's gloss of Et deducet te mirabiliter dextera

tua (Ps 44,5.) for the most part especially agrees with

Peter Lombard's commentary and also in part with the Glossa

Ordinaria and St. Augustine. All four gloss dextera as

the power (of the word) of Christ.[65] Innocent's gloss of

mirabiliter agrees with both the marginal gloss and the

Lombard.[66] Innocent does not follow the standard gloss

on deducet, which is taken from Augustine,[67] but he does
follow in part the commentary of Peter Lombard[68] and the
marginal gloss on regna in Specie tua et pulchritudine tua
intende, prospere procede, et regna (Ps 44,5.), which
includes a gloss on deducet te.[69]

Innocent gives the following very lengthy commentary
on Sagittae tuae acutae, populi sub te cadent, in corda
inimicorum regis (Ps 44,6.). If bow means Sacred Scripture,
then arrow should mean the divine word, for then we shoot
the arrows from the bow when we make known the words of
Sacred Scripture. There are two materials in an arrow--
wood and iron. It is made of straight wood so that it may
fly through the air and sharp iron so that it may penetrate,
and these two correctly combine in the divine word. Truly
he said: Indeed, your right hand shall conduct you wonder-
fully (Ps 44,5.) because your arrows are sharp, that is,
your words are penetrating and stinging. They penetrate
so that through fear they may bring in love, and they sting
(the conscience) so that through penitence they may grant
a remission (of sins). The use of the arrow is double--
for the purpose of striking and kindling. In striking it
inflicts a wound, and in kindling it sends forth a flame;
because the divine word by wounding strikes to penitence,
and by inflaming it kindles to love. She had known this
arrow, who said: I have been wounded with love (Song 2,5.).

Therefore, he wounds <u>people</u> with such arrows. <u>Under you
they shall fall</u> (Ps 44,6.), that is, they shall humble
themselves to you. <u>In the heart</u> (<u>In corde</u>), or <u>into the
hearts</u> (<u>in corda</u>) <u>of the king's enemies</u> (Ps 44,6.). The
difference of a word or letter (the difference between
<u>corde</u> and <u>corda</u>) produces a difference of meaning, and a
sequence is set in order in two ways according to each
word (<u>corde</u> and <u>corda</u>). For if it may be said <u>in the
heart</u> (<u>in corde</u>), the following is the meaning: <u>Your
people</u>, striken by the arrows, <u>fall</u>, that is, they will
be humbled <u>in the heart of the king's enemies</u>, that is,
in their heart, who are the enemies of the king, that is,
your enemies, you who are <u>a great King above all peoples</u>
(Ps 94,3.). And friends will be made from enemies; so
that where first they were raised up high, there they are
now made humble, faithful, just as Paul, who first was
haughty, and at last humble. A heavenly arrow having been
shot, he fell down, striken in the heart, saying: <u>Lord,
what will you have me to do</u> (Acts 9,6.)? Or otherwise,
<u>the people of the enemies of the king</u>, that is, many of
your enemies, <u>will fall under you</u>, you who are <u>King of kings,
and Lord of lords</u> (1 Tim 6,15.), that is, they will subject
themselves to you <u>in the heart</u>, that is, from the heart;
this is from the will, because, while in other respects a
man may be able to be unwilling, he cannot believe except

willing. If indeed it may be said <u>into the hearts</u>, the
following is the meaning: <u>under you shall people fall into
the hearts</u>, that is, against the hearts, <u>of the king's
enemies</u>, that is, against the will of your enemies. Under
you people shall fall against the will of your enemies;
not only against the will of the Scribes and of the Pharisees,
but even against the will of kings and of princes, who were
unwilling and forbidding, but in spite of whom the people
believed. Or otherwise, <u>people will fall under you</u>, that
is, they will subject themselves to you, because <u>your sharp
arrows</u> have been thrust <u>into the hearts of the king's
enemies</u>, that is, they have pierced the hearts of your
enemies to penitence. The good fall, and the bad fall;
but the good fall forwards, and the bad fall backwards.
Indeed, the good fall under Christ and before Christ;  the
bad fall from Christ and on Christ.[70]

Innocent in his commentary upon <u>Sagittae tuae acutae,
populi sub te cadent, in corda inimicorum regis</u> (Ps 44,6.)
agrees with the <u>Glossa Ordinaria</u>, St. Augustine, and Peter
Lombard. The <u>arrows</u> are the words of God which penetrate
the heart and excite it to love, and <u>people</u> are wounded
by these arrows. People will fall under Christ, that is,
many of his enemies will subject themselves to him out of
their will. Those that raised themselves against Christ
will fall before Christ. Like Saul, who was struck in the

heart by one of these arrows, his enemies will be made
into his friends.[71]  Innocent's discussion of the differ-
ence between in corde and in corda follows the Lombard's
commentary, at least in spirit.  The Lombard, however,
discusses only one interpretation, instead of two, under
each reading.  Under in corda he discusses Saul, and
under in corde he discusses the enemies who will subject
themselves to Christ out of their will.[72] Innocent, however,
discusses both of these interpretations under in corde.
Innocent's gloss concerning the two materials, iron and
wood, which are found in an arrow is not found in any of
the other three glosses.  Innocent, as usual, develops
and expands the commentary, which for the most part follows
the other commentaries.

Innocent gives another rather lengthy commentary on
Sedes tua, Deus, in saeculum saeculi:  virga directionis
virga regni tui (Ps 44,7.).  Here the psalmist praises the
Sponsus with regard to judgment, which he triply commends:
with regard to dignity;  with regard to equity;  with
regard to purity.  He praises him with regard to dignity
according to his office;  with regard to equity according
to his judgment;  with regard to purity according to his
soul.  As if he may say:  your jurisdiction is not delegated
(delegata) but regular (ordinaria);  it is not transitory
but for ever, because your throne, O God, is for ever and

ever. Your judgment is not crooked but upright; it is not unjust but just, because the sceptre of your kingdom is a sceptre of uprightness. Your will is not false but true; it is not corrupt but pure, because you have loved justice, and have hated iniquity (Ps 44,8.). No one, therefore, may be confident about mutability; because your throne, O God, is for ever and ever. No one may presume about piety; because the sceptre of your kingdom is a sceptre of uprightness. No one may be angry about perversity; because you have loved justice, and have hated iniquity (Ps 44,8.). No one can take your court of justice (forum); because your throne, O God, is for ever and ever. No one can denounce your judgment; because the sceptre of your kingdom is a sceptre of uprightness. No one can corrupt your soul; because you have loved justice, and have hated iniquity. A good judge ought to have constancy; he may not be impetuous. He ought to have justice; he may not be unjust. He ought to have prudence; he may not be indiscrete. You, therefore, who are a just judge, strong and patient (Ps 7,12.), you are not impetuous but steadfast, because your throne, O God, is for ever and ever. You are not unjust but just, because the sceptre of your kingdom is a sceptre of uprightness. You are not indiscrete but prudent, because you have loved justice, and have hated iniquity. The throne is judicial authority.

This throne is for ever and ever, because what he decrees
is not changed, and what he decides is not made void.
Through the rod of your kingdom, which is called a sceptre,
royal power is received.  It is called a sceptre (rod) of
uprightness because he sets the deformed upright, he rules
the just, he breaks the unjust, according to that:  You
shall rule them with a rod of iron, and shall break them
in pieces like a potter's vessel (Ps 2,9.).[73]

Innocent's commentary upon Sedes tua, Deus, in
saeculum saeculi:  virga directionis virga regni tui (Ps 44,
7.) agrees considerably with both the Glossa Ordinaria and
Peter Lombard.  Indeed, the commentaries of the standard
gloss and the Lombard are in this case almost exactly alike.
Innocent's gloss agrees in part with St. Augustine.  Both
the Glossa Ordinaria and the Lombard agree that Christ is
being praised with regard to judgment;[74] however, neither
of these two glosses gives Innocent's triple commendation
of Christ's judgment--with regard to dignity according to
his office;  with regard to equity according to his judgment;
with regard to purity according to his soul.  Nor are
Innocent's qualities of a good judge--that he should be
steadfast, just, and prudent--mentioned by any of the
other three glosses.  Innocent's gloss of sedes agrees
with the standard gloss and the Lombard, but not with
Augustine.[75]  According to the Glossa Ordinaria and Peter

Lombard, the _throne_ is judicial and royal power, and it is
for ever, that is, whatever he establishes is not changed.[76]
Innocent's gloss of _virga directionis_ and of _virga regni
tui_ also follows the _Glossa Ordinaria_, which is in part
taken from Augustine, and Peter Lombard.  According to the
_Glossa Ordinaria_ and the Lombard, _the rod of your kingdom_
is government and a sceptre.[77]  According to the _Glossa
Ordinaria_, Peter Lombard, and St. Augustine, _the sceptre
of uprightness_ is used to set the deformed upright.  It
is the rule of divine equity, which is truly upright
(right) and is never curved.  It rules the just and strikes
the unjust, and no one may take for granted the mercy of
Christ;  because it is _a sceptre of uprightness_, and if
it rules some, it crumbles others.[78]  Innocent's use of
Psalm 2,9 (_You shall rule them with a rod of iron, etc._)
in glossing _a sceptre of uprightness_ follows St. Augustine.[79]

Innocent divides his commentary on _Dilexisti iustitiam,
et odisti iniquitatem.  Propterea unxit te Deus, Deus tuus,
oleo laetitiae, prae consortibus tuis_ (Ps 44, 8.).  On
_Dilexisti iustitiam, et odisti iniquitatem_ Innocent comments
that a judgment is judged unjust in three ways--on account
of the soul (_ex animo_), on account of the order (_ex ordine_),
and on account of the cause (_ex causa_).  A judgment is
unjust on account of the soul if the judgment may be brought
forth against the uprightness of the mind.  It is unjust on

account of the cause if it may be brought forth against
the truth of the matter. It is unjust on account of the
order if it may be brought forth against the formality of
the law. According to these three ways, the judgment was
unjust by which the two elders condemned Susanna (Dan 13,
1-64.). Indeed, your judgment is not unjust on account
of the soul because it is not brought forth out of malice,
but out of love, because you have loved. It is not unjust
on account of the order because it is not brought forth
unjustly, but in the form prescribed by law, because you
have loved justice. It is not unjust on account of the
cause because it is not brought forth contrary to merit,
but according to duty, because you have loved justice, and
have hated iniquity (Ps 44,8.). But God loves justice in
three ways, because he creates, approves, and rewards.
And on the contrary, he hates iniquity in three ways,
because he forbids, stops, and punishes. For indeed there
are two precepts of natural law. One is with regard to
loving justice, which is taught in the Gospel: Whatsoever
you would that men should do to you, do you also to them
(Mt 7,12.). The second is with regard to hating iniquity,
which is read in Tobias: Never do to another what you
would hate to have done to you by another (Tob 4,16.).
But when we hate an unjust man, we should not hate human
nature, but injustice, just as the Church teaches. When

we love an unjust man, we should love not injustice, but
human nature, for <u>he that loves iniquity hates his own
soul</u> (Ps 10,6.).[80]

For the most part Innocent's gloss of <u>Dilexisti
iustitiam, et odisti iniquitatem</u> (Ps 44,8.) follows
neither the <u>Glossa Ordinaria</u>, St. Augustine, nor Peter
Lombard.  Innocent's comment that one should hate injustice
in an unjust man, not human nature, agrees with the standard
gloss and Peter Lombard,[81] however, this is the only comment
which agrees with any of the other three glosses.  There
is no mention in the <u>Glossa Ordinaria</u>, Augustine, or the
Lombard of the three ways in which a judgment may be judged
unjust--<u>ex animo, ex ordine</u>, and <u>ex causa</u>.  This distinction
is, however, found in canon law.[82]  Nor is any mention made
in these three commentaries of the two precepts of natural
law.

On the contrary, Innocent's commentary on the remainder
of Psalm 44,8--<u>Propterea unxit te Deus, Deus tuus, oleo
laetitiae, prae consortibus tuis</u>--agrees for the most part
with the <u>Glossa Ordinaria</u>, Peter Lombard, and St. Augustine.
Innocent comments as follows.  <u>Therefore, O God, your God
has anointed you with the oil of gladness above your fellows</u>
(Ps 44,8.).  Not because <u>you have loved justice, and have
hated iniquity</u> (Ps 44,8.);  but so that you would love
justice, and would hate iniquity.  For Christ, therefore,

was not anointed with the oil of gladness above his fellows
because he loved justice and hated injustice, but he was
anointed with the oil of gladness above his fellows so that
he would love justice and would hate injustice.  It is
therefore indicated who will have anointed, because <u>God</u>;
and whom he will have anointed, because <u>you</u>;  and with
what he will have anointed, because <u>with the oil of glad-
ness</u>;  and how much he will have anointed, because <u>above
your fellows</u>;  and for what he will have anointed, because
so that <u>you would love justice, and would hate injustice</u>.
The Trinity of persons is represented in these words:  for
the Father is the anointer;  the Son is the anointed;  the
Holy Spirit is the ointment.  The Son takes his name from
this anointing because in Hebrew he is called Messiah, in
Greek Christ, and in Latin Anointed.  Concerning which the
Sponsa says in the Song of Songs:  <u>Your name is as oil</u>
poured out (Song 1,2.) because Christ is named from the
anointing, which is done with chrism, which is principally
made from oil.  It is as oil <u>poured out</u> because the rest
of the faithful are anointed from the anointing, that is,
they are called Christians from Christ.  Literally by <u>with
the oil of gladness</u> is understood the priestly and the royal
anointing, which gladdens the anointed ones.  God therefore
anointed you both king and priest, so that you may be <u>King
of kings, and Lord of lords</u> (1 Tim 6,15.), and so that you

may be <u>a priest for ever according to the order of</u>
<u>Melchisedech</u> (Ps 109,4.).  Indeed, he anointed <u>with the</u>
<u>oil of gladness</u>, that is, with the fulness of grace, which
gladdens and delights the mind.  Or <u>with the oil of glad-</u>
<u>ness</u>, that is, with the Holy Spirit, who is the joy (glad-
ness) of the Father and of the Son, the love and beloved
of both.  This, therefore, the Holy Spirit, is <u>the oil of</u>
<u>gladness</u>, with which Jesus of Nazareth was anointed, <u>above</u>
<u>his fellows</u>.  The fellows of Christ are all the faithful,
who according to the Apostle are <u>heirs of God, and joint-</u>
<u>heirs with Christ</u> (Rom 8,17.), <u>joint-partakers of his</u>
<u>promise</u> (Eph 3,6.), that is, of the eternal inheritance.
But Christ receives the fulness of the anointing, which
was given to him by the Spirit without measure;  the rest
in fact receive a part of the fulness, because <u>the ointment</u>
<u>ran down from the head onto the beard, and from the beard</u>
<u>it ran down to the skirt of his garment</u> (Ps 132,2.); and
because <u>of his fulness we all have received</u> (Jn 1,16.),
first the apostles and at last the others.  Therefore,
<u>O God, your God has anointed you with the oil of gladness</u>
<u>above your fellows</u> (Ps 44,8.).  Let the Jew, heretic, and
pagan, who falsely say with a perverse heart that Christ is
not God, blush;  when David, the choice one of the prophets,
may proclaim in a clear voice that Christ is God:  <u>O God,</u>
<u>your God has anointed you</u>;  God the Father has anointed

you, O God the Son. Which is apparent enough in the Greek, in which the vocative is distinguished from the nominative; on account of which in the preceding verse he called him God, not changing the person; he says, your throne, O God, is for ever and ever (Ps 44,7.). Isaiah (Is 9,6.) and Jeremiah (Bar 3,36.38.) also agree that Christ is God. God, therefore, anointed God, of course God the man, on account of man the God: for in fact God is the Father of the Son according to divine nature; but the Father is the God of the Son according to human nature.[83]

Innocent's commentary on Propterea unxit te Deus, Deus tuus, oleo laetitiae, prae consortibus tuis (Ps 44,8.) agrees for the most part with the Glossa Ordinaria, St. Augustine, and Peter Lombard. The major difference is that Innocent's gloss does not include an exegesis of Genesis 28, 11-18 (Jacob anointing a stone, which is Christ).[84] St. Augustine; the marginal gloss of the Glossa Ordinaria, taken from Augustine; and Peter Lombard all include a section on Jacob anointing the stone.[85] Innocent agrees with the Glossa Ordinaria, St. Augustine, and the Lombard that Christ was anointed with the oil of gladness above his fellows so that he would love justice and would hate iniquity.[86] The standard gloss and Peter Lombard also offer an alternative gloss that Christ was anointed with the

oil of gladness above his fellows because he loved justice
and hated iniquity;[87] however, Innocent rejects this
interpretation.  God was anointed by God, that is, Christ
(God the Son) was anointed by God the Father with spiritual
oil.  Innocent's comment that the fact that God the Father
anointed God the Son is apparent enough in the Greek, in
which the vocative is distinguished from the nominative,
agrees with all three of the other commentaries.[88]  The
contention of Innocent and the others is that in Greek
the first Deus in propterea unxit te Deus, Deus tuus,..
is in the vocative case, while the second Deus is in the
nominative case.  This difference in cases makes it readily
apparent that the correct interpretation is that O God (the
Son), your God (the Father) has anointed you....[89]  Neither
the Glossa Ordinaria, St. Augustine, nor Peter Lombard
gloss the spiritual oil as the Holy Spirit.[90]  According
to both the standard gloss and the Lombard this spiritual
ointment is the fulness of grace. [91]  Innocent does give
the fulness of grace as one gloss of the oil, but he also
glosses the oil as the Holy Spirit, and seems to prefer
this latter interpretation.  The Glossa Ordinaria and
Peter Lombard agree with Innocent that Christ is anointed
both king and priest.[92]  St. Augustine, but not the standard
gloss and the Lombard, agrees with Innocent that Christ takes
his name from the anointing,[93] and Innocent expands upon this

idea. According to Innocent, Christ receives a fulness
of the anointing with the Holy Spirit while the rest
receive a part of the fulness, first the apostles and
then the others. This closely resembles the glosses of
both the standard gloss and Peter Lombard on consortibus.
The fellows are the apostles and others on to whom the
anointing with grace flows from Christ.[94]  St. Augustine
comments that his fellows are the sons of men who are made
partakers of his immortality.[95]

Innocent also divides his commentary on Myrrha, et
gutta, et casia a vestimentis tuis, a domibus eburneis.
Ex quibus delectaverunt te, filiae regum in honore tuo
(Ps 44,9-10), giving rather lengthy commentaries in both
cases. On Myrrha, et gutta, et casia a vestimentis tuis,
a domibus eburneis Innocent comments that the psalmist
praises the Sponsus with regard to the adornment of things
and of persons. He praises him doubly with regard to the
adornment of things, namely, with regard to clothes and
houses: whence Myrrh and stacte and cassia perfume your
garments, from the ivory houses. He also praises him
doubly with regard to the  adornment of persons:  with
regard to the family and with regard to the Sponsa: whence
the daughters of kings have delighted you in your glory.
The queen stood on your right hand, in gilded clothing
(Ps 44,9-10.). Indeed, in the clothes he commends fragrance

in opposition to foulness; in the houses brightness in
opposition to filthiness;  in the family glory (honor)
contrary to scurrility;  in the Sponsa beauty contrary
to deformity.  He first says concerning the fragrance of
the clothes:  Myrrh and stacte and cassia perfume your
garments.  Concerning the brightness of the houses, he
adds:  from the ivory houses.  Concerning the glory of
the family, he further adds:  the daughters of kings have
delighted you in your glory.  Concerning the beauty of the
Sponsa he concludes:  the queen stood on your right hand,
in gilded clothing.  Myrrh, which has a bitter quality,
preventing worms and preserving from decay, means the
mortification of the flesh, which prevents the worms of
carnal desires and  protects from the fulness of spiritual
faults.  Stacte, which is called aromatic, stopping swell-
ings and repressing swelling up, means humility, which
drives out the swelling of the heart and empties out the
swelling up of the mind.  Cassia, which is called a reed,
growing in a moist place and removed by the skillful, means
faith, which grows in the water of baptism and is removed
by the heat of sin.  The garments of Christ are all the
faithful.  These three virtues of the mortification of
the flesh, humility, and faith burst forth from these
garments, the faithful, giving forth perfume.  These three
species distinguish three orders of the faithful in the

Church, which are Noah, Daniel, and Job; that is, the prelates, the continent, and the married. For _stacte_, that is, humility, ought to be in prelates. _Myrrh_, that is, mortification of the flesh, is proper to the continent. _Cassia_, that is, faith, is proper to the married. For in fact there are three blessings of marriage--faith, children, and the sacrament. Faith, so that because of the lawful use of a wife they may be as little as possible defiled with another man or another woman. As if the psalmist may say: O King, you alone have received the fulness of the anointing, because you have been anointed with the oil of gladness above your fellows. The others in fact have received a part of the fulness; because _myrrh, and stacte, and cassia_, that is, mortification of the flesh, humility, and faith burst forth _from your garments_, that is, from your faithful. These virtues burst forth from your faithful not falsely, but truly, because they burst forth _from ivory houses_, that is, from pure hearts, for _ivory_ is cold and bright. Because it is cold, it means chastity; because it is bright, it means purity. An ivory house, therefore, is a clean and pure heart. When he said that _myrrh, and stacte, and cassia_ burst forth _from your garments_, so that these virtues may be understood not false, but true, he added _from ivory houses_; that is, _from a pure heart, and a good conscience_

and an unfeigned faith (1 Tim 1,5.).  Or according to
another passage:  by ivory steps (Ps 83,6.?);  that is,
by pure works, by which, as if by certain steps, he is
ascended from virtue to virtue, until the God of gods
shall be seen in Sion (Ps 83,8.).  Those steps are the
different merits, of which it is elsewhere read:  In
her steps shall God be known, when he shall protect her
(Ps 47,4.).[96]

Innocent's commentary on Myrrha, et gutta, et casia
a vestimentis tuis, a domibus eburneis (Ps 44,9.) agrees
for the most part with the Glossa Ordinaria and Peter
Lombard.  Some sections also agree with St. Augustine and
with Augustine as incorporated into the Glossa Ordinaria.
The comment that myrrh means the mortification of the
flesh, stacte means humility, and cassia means faith, and
that these three spices signify the good odors of virtues
agrees with both the standard gloss and Peter Lombard.[97]
The further commentary upon the qualities and effects of
these three spices, e.g., that myrrh drives away the worms
of evil desires, also follows the Glossa Ordinaria and the
Lombard.[98]  Innocent's gloss concerning the three orders
of the faithful--Noah, Daniel, and Job--is not found,
however, in any of the three other glosses.  Innocent's
gloss of vestimentis as the faithful agrees in its sense
with St. Augustine and Peter Lombard, who gloss the garments

as the saints or the Church.[99]  The <u>Glossa Ordinaria</u>
does not comment that the garments are the faithful,
the saints, or the Church; but it does have a comment
that the Church flows from the garments.[100]  The <u>Glossa
Ordinaria</u> also comments that the <u>houses</u> in <u>from the ivory
houses</u> is the Church, or following Augustine, the <u>houses</u>
are the hearts of the saints.[101]  Peter Lombard agrees
that the <u>houses</u> are the hearts of the saints.[102]  According
to the <u>Glossa Ordinaria</u>, taken from Augustine at this point,
and Peter Lombard the <u>houses</u> are <u>ivory</u> because of chastity,
or because of the beauty of virtues.[103]  Innocent's gloss
of <u>an ivory house</u> as a clean and pure heart conveys the
same idea as the gloss of the <u>houses</u> as the hearts of the
saints, which are <u>ivory</u> because of chastity, or the beauty
of virtues.[104]  There is no parallel in the standard gloss,
Augustine, or Peter Lombard to Innocent's comment upon <u>by
ivory steps</u> (Ps 83,6.?).

Innocent gives the following commentary on <u>Ex quibus
delectaverunt te, filiae regum in honore tuo</u> (Ps 44,9-10.).
<u>Out of which</u> (the perfume of virtues) <u>the daughters of kings
have delighted you</u> (Ps 44,9-10.).  As if the psalmist may
say:  You have a delightful family, because <u>they have
delighted you</u>; you have a noble family, because they are
<u>daughters of kings</u>; you have an honorable family, because
<u>they have delighted you in your glory (honor)</u>.  It is there-

fore proper for so great a king to have such a family.
The daughters of kings can be understood either of the
carnal, or of the spiritual.  Of the carnal (kings), as
some virgins, queens, who despising earthly kingdoms, have
delighted the heavenly king with the fragrance of their
virtues.  Of the spiritual (kings), as all the apostolic
men (apostles and bishops), who are called daughters of
kings, not on account of the frail sex (not because they
are females), but on account of the conjugal affection
(for the Church), which they conceive from Christ.  Indeed,
what is added:  in your glory (honor), can be understood in
two ways.  Either it may be joined together with the verb
they have delighted in your glory, as if seeking not their
own but your glory (honor), carrying the mortification of
the cross in their own bodies for the honor of your name.
Or, it may be joined together with the noun the daughters
of kings in your glory;  that is, those whom the apostles
begat not in their, but in your honor; because they are
not called petrini from Peter, or paulini from Paul, but
Christians from Christ.  This tract is from the old law,
which decrees:  If a man's brother may have died without
a child, the dead man's brother, or another man from the
kindred of relatives, may take his wife, so that he may
raise up a child, not to himself, but to his brother, and
the one born may have the name of the dead (Deut 25,5-6.).

Spiritually this corresponds to Christ, who according to
the Apostle, is the first-born among many brethren (Rom 8,
29.). Christ died without offspring; hanging on the cross
he barely conceived one bandit. But his brother, who takes
his wife, raises up a child to him; that is, the apostolic
order (apostles and bishops), who takes up the Sponsa of
Christ, of course, holy Church ruling; who is not the
Sponsus, but the friend of the Sponsus (amicus Sponsi),
according to that: He that has the bride, is the bridegroom;
but the friend of the bridegroom, who stands and hears him,
rejoices with joy because of the bridegroom's voice (Jn 3,
29.). Due to whose proclamation a multitude of the Gentiles
entered the faith, and they have the name of the dead,
because converting to the faith they took the name of the
crucified, so that they may be called Christians from
Christ.[105]

Innocent's exegesis of Ex quibus delectaverunt te,
filiae regum in honore tuo (Ps 44,9-10.) agrees with St.
Augustine, the Glossa Ordinaria, and especially Peter
Lombard. All four commentaries include the gloss concern-
ing leviratical marriage. The apostles are the levirs of
Christ, who take up their dead brother's wife, the Church,
and through preaching the Gospel beget children for Christ.
These children are called Christians, taking not the name
of the apostles (petrini or paulini),but rather the name

of Christ.[106]   Only Peter Lombard, however, mentions that

the apostles are the amici Sponsi of Christ.[107]   Innocent

probably followed both Bernard of Clairvaux[108] and Peter

Lombard in using the image of the amicus Sponsi (friend

of the bridegroom) with regard to the apostles and bishops.

Innocent's gloss of filiae regum does not exactly agree

with the Glossa Ordinaria, Peter Lombard, or St. Augustine.

Innocent glosses filiae regum in two ways.  The daughters

of kings are either daughters of carnal kings or daughters

of spiritual kings.  The daughters of carnal kings are

those virgin queens who have renounced the world and have

given their lives to Christ.  The daughters of spiritual

kings are the apostolic men, the apostles and the bishops,

who are called daughters of kings not because they are

females, but because of the conjugal affection for the

Church, which they conceive from Christ.  The Glossa

Ordinaria, taken in part from St. Augustine, and Peter

Lombard gloss regum either literally as of the earth, or

as of the apostles.  The kings are literally earthly kings,

whose daughters seek not the honor of their fathers, but

the honor of Christ.  Or, the kings are the apostles, whose

daughters are the faithful, who are begotten for Christ by

the apostles through preaching the Gospel.[109] The main

difference is that Innocent glosses the daughters as the

apostles, while the other three glosses interpret the kings

as the apostles. In all four commentaries, however, the function of the apostles, or apostolic men (apostles and bishops in the case of Innocent, is the same, whether they are represented by the daughters or by the kings. The apostles, or apostolic men, are the levirs of Christ, and they raise up children (Christians) to Christ through preaching the Gospel. Innocent's exegesis of in honore tuo basically follows that of St. Augustine. The daughters have delighted in your glory, seeking the glory of Christ; or they are daughters of kings in your glory because they have been begotten in your honor, in the honor of Christ.[110]

Innocent comments on Astitit regina a dextris tuis in vestitu deaurato, circumdata varietate (Ps 44,10.) as follows. The queen stood on your right hand, in gilded clothing, surrounded with variety (Ps 44,10.). Two things are commended in the Sponsa: dignity and dress. In dignity, status and place are commended, because the queen stood on your right hand. In dress, preciousness and variety, because in gilded clothing, surrounded with variety. The queen, therefore, that is the Church, because she guides and rules under you, stood not bent over with fear (not moved by fear), but standing upright with love (guided by love) on your right hand, not on your left as the goats, but on your right hand as the sheep, that is, with the spiritual and the eternal, but among those near you (the

through things, in the next life face
to face.  In gilded clothing, that is,
in good works, which are formed by love.  Love is indicated
by means of gold, because just as gold surpasses all metals,
thus love excels all virtues.  The clothes, not gold, but
gilded, are therefore understood to be works, not themselves
love, but those things which are formed by love, since
according to the Apostle, faith works through love (Gal 5,
6.).  The queen was surrounded, that is, adorned with a
variety of virtues;  that is, not only works, but also
virtues.  They are various, but not opposed;  diverse,
but not adverse, because all the virtues taken together
mutually favor her, so that some are not able to be had
without the others;  for if one string of the virtues will
have been missing, the spiritual harmong is dissonant.
And for this reason the curtains of the tabernacle and the
vestiments of the high-priest were woven out of four precious
colors, worked not only with embroidery, but also with many
threads, that is, various   (Ex 26,1;  28,6.).[111]

Innocent's gloss on Astitit regina a dextris tuis in
vestitu deaurato, circumdata varietate (Ps 44,10.) for the
most part agrees with the Glossa Ordinaria and Peter Lombard,
who closely follows the Glossa Ordinaria.  Innocent also
agrees in part with St. Augustine.  Both the standard gloss
and the Lombard agree that the wife of the Sponsus is being

praised, but neither of these two glosses includes a section like Innocent's section on dignity and dress.[112] The queen, according to Innocent, the standard gloss, and Peter Lombard, is the Church; who according to the Glossa Ordinaria, rules sub lege, and according to the Lombard, rules sub rege.[113] Innocent agrees with the sub rege. Innocent's play on words with "astitit non timore curva, sed amore directa (stood not bent over with fear, but standing upright with love)" is not found in any of the other three glosses; however, the Lombard does have a similar passage--"astitit etiam non timore curva, sed spe erecta."[114] The only real difference is that Innocent has love, while the Lombard has hope. Innocent's gloss of on your right hand agrees with one of Peter Lombard's glosses and with St. Augustine, but not with the standard gloss. The standard gloss states that the ancilla, the handmaid, stands at the left.[115] The Lombard also states that the handmaid stands at the left, but he also mentiones that the goats stand at the left.[116] Augustine's biblical citations indicate that it is the condemned (goats) who stand at the left, while the saved (sheep) stand at the right.[117] Innocent's commentary on in gilded clothing follows that of the standard gloss and one of the Lombard's glosses. The clothes are good works. They are gilded, not gold, because only love (charitas) is gold. They are gilded because they are adorned with love.[118]

Innocent's gloss of with variety as adorned with a variety
of virtues does not agree with either the Glossa Ordinaria
or Peter Lombard, which both gloss it as a variety of
merits.[119]  One of the Lombard's glosses and St. Augustine's
gloss of in gilded clothing, surrounded with variety is not
followed by Innocent in commenting upon Psalm 44,10;  how-
ever, it would be appropriate to Innocent's gloss of Psalm
44,14-15--in fimbriis aureis circumamicta varietatibus.[120]
According to Augustine and Peter Lombard, the clothing is
Catholic doctrine, which is one.  It is varied because of
various languages, and it is gilded because of wisdom.[121]
Peter Lombard also includes the passage from Exodus on the
curtains of the tabernacle, which were woven out of four
precious colors, in his commentary.[122]

Innocent gives the following commentary on Audi, filia,
et vide, et inclina aurem tuam;  et obliviscere populum
tuum, et domum patris tui (Ps 44,11.).  Hearken, O daughter,
and see, and incline your ear, and forget your people and
your father's house (Ps 44,11.).  In this wedding banquet
the five senses are spiritually recreated.  The sense of
sight in that, which is said:  Set out, and see.  Hearing
in that, which is said:  Incline your ear, and hearken.
Smelling in that, which is said:  Myrrh, and stacte, and
cassia.  Taste in that, which is said:  My heart has
uttered a good word.  The sense of touch in that, which

is said: <u>the pen of a scribe that writes swiftly</u>. There-
fore, the prophet, about to praise the queen, first sends
an exhortation, admonishing her to understanding, when he
says: <u>Hearken daughter, and see</u>; to obedience, when he
adds: <u>Incline your ear</u>; to firmness, when he further
adds: <u>Forget your people and your father's house</u>. First
she may understand the truth; afterwards she may be
obedient to the truth; finally she may continue stead-
fastly in the truth. She therefore may understand, so
that she may believe; she may obey, so that she may do;
she may persevere, so that she may perfect. Indeed, the
prophet, just as one of the Fathers, speaks to the recently
brought over Sponsa, as if beqailing and sighing for her
deserted home and her abandoned people. As if he may say:
<u>Hearken daughter</u> to the choruses of singing <u>and see</u> the
shows of people playing stringed instruments, to which
<u>incline your ear</u>, so that you may get rid of your sadness;
and <u>forget your people</u>, whom you sent away, because you will
find a better people. For <u>all the rich among the people
will entreat your countenance</u> (Ps 44,13.). And <u>forget
your people and your father's house</u>, which you have left,
because you will enter a better one; for <u>you will have
been brought into the temple of the king</u> (Ps 44,16.).
Which if you will have done: <u>the king shall greatly desire
your beauty, for he is the Lord your God</u> (Ps 44,12.).

Therefore, you, <u>O daughter</u>, that is, the Church, which I conceived by catechizing, which I brought forth by baptizing, <u>hearken</u> to the prophecies, <u>and see</u> the completed; or <u>hearken</u> to the Church, <u>and see</u> God, in the present by faith and in the future by sight. <u>And incline your ear</u>, so that you may both visibly hear and willingly obey. And thus <u>forget your people</u>, that is, idolatry, <u>and your father's house</u>, of course, associating with the devil. As if he may say: Forget Babylonia, because you have come to Jerusalem; forget Zabulus (the devil), because you have accepted Jesus.[123]

Except for his introductory section on the five senses, Innocent's commentary on <u>Hearken, O daughter, and see, and incline your ear, and forget your people and your father's house</u> (Ps 44,11.) agrees in general with the <u>Glossa Ordinaria</u> and Peter Lombard, whose commentary as usual closely follows the standard gloss. Innocent's commentary also agrees in part with St. Augustine. Although there is no sense of disagreement, Innocent's section on the exhortation of the queen to understanding, obedience, and firmness is found in none of the other three glosses. All four commentaries agree that the queen is being exhorted to <u>hearken</u> to the Gospel and to believe. According to the <u>Glossa Ordinaria</u> and Peter Lombard, the prophet, just as one of the fathers, speaks to the queen, the daughter.

She is to <u>hearken</u> to the Gospel, and believing, she will
<u>see</u> God, here in the present through appearance (an image),
and in the future through sight. Or, <u>hearken</u> to the proph-
ecies, which foretold the Incarnation, and <u>see</u> the fulfilled
prophecies. The queen, the Church, is to <u>forget</u> the ritual
of the law or of idolatry. She is to <u>forget</u> her <u>people</u> of
Babylonia <u>and</u> her <u>father's house</u>. Her <u>father</u> is the devil;
the <u>house</u> is Babylonia, which is opposite to Jerusalem, or
the <u>house</u> is associating with and fellowship with the devil,
her father.[124] The agreement between Innocent's gloss and
the above gloss from the <u>Glossa Ordinaria</u> and the Lombard
is evident. St. Augustine comments that <u>listening</u> to the
Gospel we believe, and believing, we will <u>see</u> God. The
<u>people</u> she is to <u>forget</u> are the <u>people</u> of Babylonia, and
her <u>father</u> is the devil.[125] The gloss of both the <u>Glossa
Ordinaria</u> and Peter Lombard on <u>Audi filia</u>--"Laus sponsae
summissior, sed quadruplex, a forma, a gloria, ab adole-
scentulis, a prole"--[126]is not followed by Innocent in his
commentary upon Psalm 44, 11, but he does have a very
similar gloss in his commentary on Psalm 44, 12.[127]

Innocent gives the following commentary on <u>Et
concupiscet rex decorem tuum , quoniam ipse est Dominus
Deus tuus, et adorabunt eum. Et filiae Tyri in muneribus
vultum tuum deprecabuntur; omnes divites plebis</u> (Ps 44,
12.13.). Above he admonished the one to be praised (the

Sponsa); npw he praises the admonished one (the Sponsa).
Indeed, just as he had praised the Sponsus in four ways,
thus he praises the Sponsa in four ways; with regard to
beauty, of course, and with regard to glory; with regard
to young maidens, and with regard to sons. With regard to
beauty when he says: the king shall greatly desire your
beauty (Ps 44,12.). With regard to glory when he adds:
all the glory of the king's daughter is within (Ps 44,14.).
With regard to young maidens when he further adds: after
her shall virgins be brought to the king (Ps 44,15.). With
regard to sons when he concludes: instead of your fathers,
sons are born to you (Ps 44,17.). As if he may say:
Forget your people and your father's house, because the
king, that is, Christ, greatly desired your beauty, that
is, he took the beauty of virtues, which he made in you
without you. The king, I say, not such as had been your
father, that is, the devil, but the Lord your God. Because
God, he is to be revered; because your, he is to be loved.
God, that is, the Creator; Lord, that is, the Redeemer;
your God, because he redeemed out of his blood, who by
creating gave nature to you, and who by redeeming gives
grace to you. He is so great and such that the daughters
of Tyre shall entreat him with gifts, that is, with religious
ceremonies, prayers, and alms. For Tyre means straits
(narrowness), whose daughters are pagan peoples (gentiles)

confined by the straits of sins.  Whence <u>a woman of Chanaan</u> <u>having come out of those parts</u> (Mt 15,22.), acting as a figure of the Gentile Church, came and worshipped (Mt 15, 25.).  Because indeed you have so great and such a husband, also <u>your countenance</u>, that is, your benevolence, <u>all the</u> <u>rich among the people shall entreat</u> for themselves;  that is, the wise men, nobles, leaders, and philosophers, because now converted they venerate the Church.  Or, <u>the rich among</u> <u>the people</u> is understood to mean the Jews, who once had a temple, a priesthood, a wealth of law, and prophets.  For just as before the coming of the Saviour, whoever from Tyre, that is, from the people of the gentiles, desired to become proselytes (converts from paganism to Judaism), entreated Israel, so that they would be brought into the temple by them, thus after the coming of the Saviour, who- ever from Israel, that is, from the Jewish people, wish to become Christians, shall entreat the Church, so that she may admit them to baptism, because the salvation, which they had lost in Judaea, they may find in the Church.  By <u>countenance</u> is indicated benevolence (mercy), according to that;  <u>May the light of his countenance shine upon us, and</u> <u>may he have mercy on us</u> (Ps 66,2.).[128]

Part of Innocent's introductory section of his commen- tary on <u>Et concupiscet rex decorem tuum, quoniam ipse est</u> <u>Dominus Deus tuus, et adorabunt eum.  Et filiae Tyri in</u>

_muneribus vultum tuum deprecabuntur; omnes divites plebis_
(Ps 44,12.13.) closely resembles the marginal gloss of the
_Glossa Ordinaria_ and Peter Lombard on _Audi filia_ (Ps 44,
11.). In these two commentaries on _Audi filia_ the Sponsa
is praised in four ways--with regard to beauty, glory,
young maidens, and children.[129] The only difference
between these two and Innocent is that Innocent says _filii_
(sons; children), while they say _proles_ (children). In
the rest of his commentary Innocent follows in good measure
the _Glossa Ordinaria_ and Peter Lombard and to a lesser
extent St. Augustine. The standard gloss and the Lombard
agree with Innocent that the Sponsa is being praised with
regard to beauty in _And the king shall greatly desire your_
_beauty_ (Ps 44,12.).[130] The _Glossa Ordinaria_ and Peter
Lombard also state that the _king_, not any king whatsoever,
not your father the devil, _greatly desired your beauty_,
which he made in you.[131] Innocent, as is his custom,
expands upon this gloss in his commentary. According to
the _Glossa Ordinaria_, Peter Lombard, and St. Augustine
the _gifts with_ which _the daughters of Tyre shall entreat_
_him_ (Ps 44,13.) are alms.[132] Innocent comments that these
_gifts_ are religious ceremonies, prayers, and alms.
Innocent's gloss on _the daughters of Tyre_ as being pagan
peoples in the straits of sin agrees with the standard gloss
and the Lombard and in part with Augustine,[133] but it especially

follows the standard gloss and Peter Lombard. Innocent's
gloss concerning the woman of Chanaan also agrees with the
other three commentaries.[134]  Part of Innocent's gloss on
all the rich among the people shall entreat your counte-
nance (Ps 44,13.) agrees with both the Glossa Ordinaria
and the Lombard.  These two gloss Filiae Tyri as the rich
among the people, the nobles, wise men and such.[135]  How-
ever, Innocent's gloss of the rich among the peoples as
being the Jews agrees with neither the standard gloss,
Peter Lombard, nor St. Augustine.  Innocent glosses
countenance as benevolence (mercy); however, it is not
glossed this way in any of the other three glosses.  The
interlinear gloss of the Glossa Ordinaria and Peter Lombard
gloss countenance as conformitas (conformation, shape,
form); the vultus Sponsae is the unity of the Church.[136]
St. Augustine does not gloss countenance.[137]

Innocent comments upon Omnis gloria eius filiae regis
ab intus, in fimbriis aureis, circumamicta varietatibus (Ps
44,14.15.) as follows.  She whom he had previously called
the queen, he now calls the daughter of the king, because
Christ regenerates whom he betrothes.  He therefore praises
the Sponsa with regard to glory, which he doubly commends:
with regard to interior adornment and with regard to exterior
adornment.  The interior adornment is the brightness of
conscience.  The exterior adornment is the splendor of

doctrine. He first says concerning the interior adornment:
All the glory of the king's daughter is within (Ps 44,14.),
that is, in the conscience. Concerning the exterior adorn-
ment he adds: in golden borders (Ps 44,14.), that is, she
is dressed with bright doctrine. These are the gold bells,
which hung down from the violet tunic (Ex 28,33.). For
wisdom is indicated by gold; because just as gold surpasses
all metals, thus wisdom surpasses all gifts. He says, there-
fore: The queen stood on your right hand, in gilded cloth-
ing (Ps 44,10.); but all her glory, that is, of the king's
daughter is within, that is, in the conscience. Indeed,
her adornment is not only within in the conscience, but it
is also outside in doctrine. Because in golden borders,
that is, in very bright doctrines, which reflect light in
the light of wisdom; she is clothed round about, that is,
adorned on all sides with varieties of languages, for many
are adorned with the gold of wisdom and with the silver of
eloquence. Whence the Sponsus said to the Sponsa in the
Song of Songs: We will make you chains of gold, inlaid
with silver (Song 1,10.). Wisdom is indicated by gold, and
eloquence by silver. It is suitable, therefore, that flowers
of wisdom are indicated by chains of gold with which the neck
and the breast of the Church, that is, the preachers and the
teachers of the Church, are adorned. Inlaid, that is,
ornamented and varied with silver, of course, eloquence,

so that according to the variety of the subject matter, or
of the person, the style and quality of the discourse is
varied.  If indeed by the clothes of the Church may be
understood every one of the faithful, by border, which is
the outermost part of the garment, should be understood
the last faithful, who will exist at the end of the world:
so that the following may be the meaning:  the queen will
be surrounded with a variety (clothed round about with
varieties) of virtues, in golden borders, that is, by the
last saints, who will be golden, that is, perfect, just as
gold which is tried by the fire (1 Pet 1,7.).[138]

Innocent's commentary on Omnis gloria eius filiae
regis ab intus, in fimbriis aureis, circumamicta varieta-
tibus (Ps 44,14.15.) agrees in general with both the Glossa
Ordinaria and Peter Lombard and in part with St. Augustine.
Innocent's commentary on this passage also follows consid-
erably the Glossa Ordinaria on Murenulas aureas faciemus
tibi vermiculatas (We will make you chains of gold, inlaid
with silver) (Song 1,10.).  Innocent's commentary on Psalm
44,14-15 also resembles in part Augustine's gloss on The
queen stood on your right hand, in gilded clothing, surround-
ed with variety (Ps 44,10.) and also the Glossa Ordinaria
and Peter Lombard on in gilded clothing, surrounded with
variety.  According to the Glossa Ordinaria and Peter Lom-
bard, the Sponsa is being praised with regard to glory in

_All the glory of the king's daughter is within in golden borders, clothed round about with varieties_ (Ps 44,14.15.).[139] In his commentary Innocent in general agrees with the standard gloss, Peter Lombard, and St. Augustine on the interior adornment of the conscience and the exterior adornment of doctrine. According to St. Augustine; the _Glossa Ordinaria_, taken from Augustine; and Peter Lombard, _the glory of the king's daughter_ which is _within_ is in the conscience.[140] On _in golden borders_ the _Glossa Ordinaria_ and the Lombard give _in the doctrine of wisdom_ as a possible gloss,[141] and Augustine seems to imply that the _golden borders_ is doctrine.[142] The section of Innocent's commentary on the gold of wisdom and the silver of eloquence does not follow the standard gloss, Augustine, or Peter Lombard on Psalm 44, 14-15; it instead follows the standard gloss on _We will make you chains of gold, inlaid with silver_ (Song 1,10.) and in part Augustine, the _Glossa Ordinaria_, and the Lombard on _in gilded clothing, surrounded with variety_ (Ps 44,10.). The _Glossa Ordinaria_, St. Augustine, and Peter Lombard do, however, gloss _with varieties_ (Ps 44,15.) as varieties of languages, the ornament of doctrine,[143] which would agree with Innocent. The _Glossa Ordinaria_, here taken from Augustine, glosses _gilded_ (Ps 44,10.) as the doctrine of wisdom;[144] Peter Lombard glosses _in gilded clothing_ as in the doctrine of wisdom and _surrounded with variety_ as varied

with all languages;[145] and Augustine also includes the gold

of wisdom and varieties of languages in his gloss on Psalm

44, 10.[146]  The gold of wisdom and the silver of eloquence

section of Innocent's commentary follows part of the Glossa

Ordinaria on Song of Songs 1,10.  The marginal gloss of the

Glossa Ordinaria includes the following passage:  "The gold

of divine wisdom and the silver of divine eloquence...."[147]

The interlinear gloss of the Glossa Ordinaria renders the

passage as follows:  We, I and those, who enlightened by

the Holy Spirit, minister the Scriptures to others, will

make you chains of gold; inlaid, that is, distinct and

varied according to the differences of persons; with silver,

the brightness of eloquence.[148]  Innocent's second gloss

of in golden borders, surrounded with a variety (clothed

round about with varieties) agrees with the standard gloss

and Peter Lombard on Psalm 44, 14-15.  The border signifies

the end of the world or of men.  It is golden because at

the end of the world charity (love) will be perfect.  The

queen will then be surrounded with varieties of virtues or

of peoples.[149]

Innocent comments as follows on Adducentur regi virgines

post eam, proximae eius a(o)fferentur tibi.  A(O)fferentur

in laetitia et exsultatione, adducentur in templum regis

(Ps 44,15.16.).  After her shall virgins be brought to the

king: her neighbors shall be brought to you.  They shall

be brought with gladness and rejoicing.  They shall be

brought into the temple of the king (Ps 44,15.16.). A girl
is accustomed, when she is led away from the house of her
father to the house of the sponsus, to be saddened for the
kinsmen and the people she knows, whom she sends away. On
account of which it is said to her: Forget your people
and your father's house (Ps 44,11.), because the king has
greatly desired your beauty (Ps 44,12.). With the appear-
ance of the sponsi everybody is accustomed to stand up and
to humbly bow, on account of which it is said: The
daughters of Tyre shall adore him with gifts: all the
rich among the people shall entreat your countenance (Ps 44,
12.13.). The sponsa is accustomed to come forth dressed in
expensive clothes and various garments, on account of which
it is said: All the glory of the king's daughter is within,
in golden borders, clothed round about with varieties (Ps
44,14.). She is accustomed to take with herself a brides-
man, not strangers, but neighbors, on account of which it
is said: After her shall virgins be brought to the king,
her neighbors (Ps 44,15.). They are accustomed to be gaily
led forth with wedding songs and with songs, on account of
which it is said: They will be brought to you with glad-
ness and rejoicing (Ps 44,16.). They are accustomed to be
brought into the temple for consecrating the marriage, on
account of which it is said: They will be brought into the
temple of the king (Ps 44,16.). Indeed, although there may

be one universal Church, concerning which it is said: __One
is my dove, my perfect one__ (Song 6,8.), nevertheless, there
are many varieties of the faithful, concerning whom it is
added: __The daughters saw her, and declared her most bless-
ed; the queens and concubines, and they praised her__ (Song
6,8.). __After her,__ therefore, the queen, who is the mother
of all, that is, after the primitive Church, __virgins will
be brought, and neighbors will be brought__ (Ps 44,15.):
because virgins merit the sanctuary of the king easier
than widows; the continent easier than the married.
__Virgins,__ therefore, who are chaste in heart, as well as
in body, __will be brought to the king,__ of course, to Christ,
in the present by faith, in the future by sight. __And her
neighbors,__ that is, the married, or widows, in the next
place, after them, __will be brought to you,__ Christ the King,
so that he may give the golden to the virgins and the gilded
to the married or widows. For their (virgins) fruit is a
hundred-fold, while theirs (married or widows) is sixty-fold,
or thirty-fold. Both, nevertheless, __will be brought with
gladness__ of the heart __and rejoicing__ of the body because of
the double robe. Because, indeed, not all virgins are wise,
but some are foolish, indeed, only the wise went in to the
wedding, and the door was closed (Mt 25,3.10.): correctly
it is added: __They shall be brought into the temple of the
king__ (Ps 44,16.), that is, into the heavenly Jerusalem,

into the Church Triumphant, when the kingdom will have come. Only the wise virgins, therefore, shall be brought into that temple; because just as the shepherd shall separate the sheep from the goats; the sheep shall be brought into glory, and the goats shall be handed over to punishment (Mt 25,32-34.). But wise as well as foolish virgins are brought into the temple of the Church Militant; because now wheat has been mixed with the chaff (Mt 3,12; Lk 3,17.), and cockle with the grain (Mt 13,25.).[150]

In his commentary on _Adducentur regi virgines post eam, proximae eius afferentur tibi. Afferentur in laetitia et exsultatione, adducentur in templum regis_ (Ps 44,15.16.) Innocent agrees in part with the _Glossa Ordinaria_ and Peter Lombard and to a lesser extent with St. Augustine. Innocent's introductory section concerning various elements of the marriage ceremony is not found in any of the other three glosses. Both the standard gloss and the Lombard state that the Sponsa is being praised with regard to friends in Psalm 44,15;[151] however, Innocent does not follow this interpretation, although he would probably not disagree with it. Innocent's gloss on the bridesman, not strangers, but neighbors, which the bride is accustomed to take with her does agree with part of the interlinear gloss of the _Glossa Ordinaria_ on _proximae_, Peter Lombard, and Augustine--the _neighbors_ are "non alienae ab ea, sed

ad eam pertinentes".[152] Neither the <u>Glossa Ordinaria</u>,
nor Peter Lombard, nor St. Augustine glosses <u>her</u> (<u>After
her</u>) as the primitive Church.  One of the Lombard's glosses
on <u>her</u> is the universal mother of the faithful,[153] which agrees
with one of Innocent's glosses on <u>her</u> as the mother of all.
The Lombard and the interlinear gloss also gloss <u>her</u> as
<u>the first</u>.[154]  The virgins/widows section of Innocent's
commentary agrees in its bare essentials with part of the
<u>Glossa Ordinaria</u> and Peter Lombard.  According to the
standard gloss and the Lombard, the <u>virgins</u> are chaste
minds, and the <u>neighbors</u> are widows and the chaste, who
are in the second position (after the virgins).[155]  As
usual, Innocent has expanded upon the basic gloss of the
<u>Glossa Ordinaria</u> and Peter Lombard, who himself usually
follows quite closely the <u>Glossa Ordinaria</u>.  Innocent
glosses <u>temple</u> in <u>They shall be brought into the temple of
the king</u> as the heavenly Jerusalem, the Church Triumphant.
Only the wise virgins will be brought into the <u>temple</u> of
the Church Triumphant, although both wise and foolish
virgins are brought into the <u>temple</u> of the Church Militant.
Innocent's gloss on <u>templum</u> agrees with both the standard
gloss and Peter Lombard, which both gloss <u>templum</u> as the
future Jerusalem and as the present Church.[156]  Augustine,
however, only glosses <u>templum</u> as the present Church.[157]
The <u>Glossa Ordinaria</u>, here taken from Augustine, Peter

Lombard, and Augustine all agree that there are some
virgins, heretics, who are outside of the temple of the
Church,[158] referring apparently to the Church Militant.
This does not agree with Innocent's gloss on the wise
and foolish virgins, but there is still the sense that
one must be more than just a virgin to be admitted to the
temple, an idea which Innocent uses with regard to the
Church Triumphant rather than the Church Militant.

Innocent comments upon <u>Pro patribus tuis nati sunt
tibi filii; constitues eos principes super omnem terram</u>
(Ps 44,17.) as follows. <u>Instead of your fathers, sons are
born to you; you shall make them princes over all the
earth</u> (Ps 44,17.). The Sponsa is praised with regard to
sons. He commends the sons with regard to greatness;
because <u>they are born instead of your fathers</u>. With regard
to strength; because <u>sons</u> are born. With regard to lofti-
ness; because <u>you shall make them princes</u>. With regard to
extent; because <u>over all the earth</u>. With regard to grati-
tude; because <u>they shall remember your name, O Lord</u> (Ps 44,
18.). With regard to duration; because <u>throughout all
generations and descendants</u> (Ps 44,18.). Indeed, they may
be understood <u>fathers</u> not only in the flesh, but also in
the faith. For the fathers of the Church according to the
flesh were idolaters, instead of whom Christians are born.
The fathers according to the faith were once the prophets,
instead of whom the apostles are finally born. Moreover,

instead of the apostles everyday bishops are born, whom
the Church has made princes over all the earth. However,
it may also be able to be understood otherwise: Instead
of your fathers, sons are born; you procreate those sons,
you establish fathers to yourself, when you make the disci-
ples teachers. But actually not the Sponsa, but the Sponsus
made the apostles princes over the earth. But that which is
said: You shall make them princes over all the earth can
be referred to both: both to the Sponsa, of whom it is said
first: Instead of your fathers, sons are born to you; and
to the Sponsus, of whom it is added: They shall remember
your name, O Lord (Ps 44,18.). It is elsewhere read concern-
ing those princes: The princes of the people are gathered
together, with the God of Abraham (Ps 46,10.). Your friends,
O God, are made exceedingly honorable: their principality
is exceedingly strengthened (Ps 138,17.). Moreover, that
principality does not hand over lordship, but gives a
ministry; according to that which the Lord says to the
apostles: The kings of the Gentiles lord it over them....
But you not so: but he who is the greatest among you, let
him be as the least: and he that is the leader, as he that
serves (Lk 22,25.26.). And Peter, the chief of the apostles:
Neither as domineering over the clergy, but being made a
pattern of the flock from the heart (1 Petr 5,3.).[159]

Innocent's commentary on <u>Pro patribus tuis nati sunt</u>
<u>tibi filii; constitues eos principes super omnem terram</u>
(Ps 44,17.) agrees in general with the <u>Glossa Ordinaria</u>
and Peter Lombard, and it also agrees in part with St.
Augustine's commentary. Innocent's introductory section
on the <u>sons</u> being praised with regard to greatness, strength,
loftiness, extent, gratitude, and duration is found in
neither the <u>Glossa Ordinaria</u>, Peter Lombard, nor Augustine.
Peter Lombard states that the Sponsa is here being praised
with regard to children (<u>proles</u>),[160] which in a sense agrees
with Innocent, who says she is being praised with regard
to sons (<u>filii</u>). The <u>Glossa Ordinaria</u>, here taken from
Augustine; Augustine; and Peter Lombard agree with
Innocent's gloss that the <u>fathers</u> were once the prophets,
instead of whom the apostles are born, and instead of the
apostles, bishops are born, whom the Church <u>has made princes</u>
<u>over all the earth</u>. The Church produces these <u>sons</u>, the
bishops, and she puts them on the seats (<u>sedes</u>/episcopal
see) of their fathers.[161] Innocent's gloss that the <u>fathers</u>
of the Church according to the flesh were idolaters, instead
of whom Christians are born agrees in part with the marginal
gloss of the <u>Glossa Ordinaria</u> and Peter Lombard. According
to the standard gloss and the Lombard, instead of the
ancient <u>fathers</u>, who were idolaters, the apostles, princes
of preaching, are born.[162] The main difference here is

that Innocent has Christians, not the apostles, as being
born instead of the idolatrous fathers.  Innocent's gloss
"you procreate those sons, you establish fathers to your-
self, when you make the disciples teachers" is found in
none of the other three commentaries.  Nor is Innocent's
gloss that actually not the Sponsa, the Church, but the
Sponsus, Christ, made the apostles princes over the earth
found in any of the other glosses, which agree that it was
the Church who made them princes over all the earth.[163]
Innocent's section on the principality of the apostles
and bishops, which does not hand over lordship, but gives
a ministry is also not found in the Glossa Ordinaria, St.
Augustine, or Peter Lombard;  however, it does agree with
part of the ecclesiology of St. Bernard of Clairvaux.[164]

Innocent gives the following commentary on Memores
erunt nominis tui, Domine, in omni generatione, et progenie
(Ps 44,18.).[165]  They shall remember your name, O Lord,
throughout all generations and descendants (Ps 44,18.).
As if he may say:  They shall not be ungrateful for the
favors (beneficia) received, because They shall remember
your name, O Lord:  not only somewhere, but everywhere,
because throughout all generations and descendants.  The
offices received will not be forgotten;  because therefore
shall people praise you (Ps 44,18.);  not only once, but
always;  because for ever, yes for ever and ever (Ps 44,

18.).  The apostles and apostolic men (bishops) shall remember your name, O Lord, throughout all generations, both the generations of the Jews, and the descendants of the Gentiles;  because, Their sound has gone forth into all the earth:  and their words into the ends of the world (Ps 18,5.).  Or throughout all generations and descendants, that is, throughout all successors, by proclaiming your great and glorious name, which has been invoked above them.  Peter the Apostle expounded that name to the rulers and elders of the Jews:  he said:  Be it known to you all, that in the name of Jesus Christ of Nazareth....For there is no other name under heaven given to men, whereby we must be saved (Acts 4,10.12.).[166]

Innocent's commentary on Memores erunt nominis tui, Domine, in omni generatione, et progenie (Ps 44,18.) resembles only in part the Glossa Ordinaria and Peter Lombard.  Augustine does not actually gloss this section of verse eighteen.  Innocent's gloss that the apostles and apostolic men (bishops) will not be ungrateful for the favors (beneficia)[167] received, because They shall remember your name, O Lord, etc., and the offices received will not be forgotten does not have an equivalent gloss in the standard gloss or Peter Lombard.  Nor is the gloss that They shall remember your name, O Lord, throughout all generations, both the generations of the Jews and the

descendants of the Gentiles found in either the Glossa
Ordinaria or the Lombard, although both the Glossa
Ordinaria and Peter Lombard agree with Innocent that
the princes (apostles and bishops) shall remember your
name, O Lord, throughout all generations.[168]  Innocent's
alternate gloss:  "Or throughout all generations and
descendants, that is, throughout all successors, by
proclaiming your great and glorious name...." does
resemble a gloss found in both the standard gloss and
Peter Lombard:  The Christian people, who adhere to the
preaching of the apostles and the bishops throughout all
successors, shall remember your name, O Lord.[169]  The
similarity is that the apostles and bishops shall preach
throughout all successors.  Innocent has the apostles and
the bishops, but not the Christian people, remembering the
name of Christ.

Innocent gives the following commentary on the last
section of verse eighteen--Propterea populi confitebuntur
tibi in aeternum, et in saeculum saeculi (Ps 44,18.).
Therefore shall people praise (confess) you for ever, yes
for ever and ever (Ps 44,18.).  As if he may say:  because
the princes shall remember your name, O Lord, throughout all
generations and descendants, therefore, Christian people,
imitating the princes, shall confess you, that is, they
shall praise you.  For what is done by the elders, is easily

taken over as an example by those younger.  For ever, yes
for ever and ever (Ps 44,18.), that is, throughout all
time and throughout that eternity.  Aeternum (the eternal),
however, comes first because of rank;  and saeculum (the
times) follows after because of rank.  Or the one is the
exposition of the other;  For ever, yes for ever and ever,
that is, in the future, which is that which properly follows
the present.  Blessed, therefore, are those who dwell in
your house, O Lord;  they will praise you for ever and
ever (Ps 83,5.).[170]

Innocent's commentary on Propterea populi confitebuntur
tibi in aeternum, et in saeculum saeculi (Ps 44,18.) in
part agrees with the Glossa Ordinaria and especially with
Peter Lombard.  It does not resemble St. Augustine's
commentary.  According to the Lombard, the people with one
confession shall praise (confess) (to) you sins or praises.[171]
The part on people praising Christ agrees with Innocent.
One of Innocent's glosses on For ever, yes for ever and
ever--"that is, in the future, which is that which properly
follows the present"--resembles the Glossa Ordinaria and
Peter Lombard:  "in aeternum praesentis saeculi, in saeculum
saeculi, id est in future, ubi est aeterna laus."[172]
Saeculum refers to the future and thus properly follows
aeternum, which refers to the present.  Innocent's gloss
on aeternum coming first because of rank and saeculum

following after because of rank is found in none of the
other three glosses.

From the above comparison of Innocent III's commentary
on Psalm 44 (45) with the Glossa Ordinaria, Peter Lombard,
and St. Augustine it is apparent that Innocent's exegesis
follows the traditional twelfth century exegesis of the
Glossa Ordinaria and Peter Lombard, who himself closely
follows the Glossa Ordinaria. Innocent usually takes the
basic gloss of the Glossa Ordinaria and/or the Lombard
and expands upon this basic gloss, expanding, deleting,
or adding as he chooses.

Innocent apparently chose to comment upon Psalm 44
(45) as the wedding song instead of the Song of Songs,
another wedding song in praise of Christ and the Church,
because of the traditional exegesis on Psalm 44, 9-10--
Ex quibus delectaverunt te filiae regum--and Psalm 44, 17--
Pro patribus tuis nati sunt tibi filii; constitues eos
principes super omnem terram. The exegesis of these two
verses introduces the apostles and their successors the
bishops, and thus by commenting upon Psalm 44 Innocent
could discuss part of his political ecclesiology on the
episcopal hierarchy, a subject much more thoroughly
discussed in the consecration sermon De quatuor speciebus
desponsationum.

Footnotes

[1]Textus biblie cum Glossa ordinaria, Nicolae de Lyra Postilla, Moralitatibus eiusdem, Pauli Burgensis Additionibus, Matthie Thoring Replicis, ed. by Conradus Leontorius Mubronnensis (6 vols.; Lyons: Mareschal, 1520).

[2]Beryl Smalley, The Study of the Bible in the Middle Ages (Oxford: Basil Blackwell, 1952), p. 63. See Beryl Smalley, especially pages 56-66, on the Glossa Ordinaria to the Bible. The main figure among the authors of the Glossa Ordinaria is Anselm of Laon. Anselm's brother Ralph, his pupil Gilbert the Universal, Gilbert de la Porrée, and perhaps another pupil Alberic of Rheims, among other unknown writers, also contributed to the Gloss, which was composed about 1100-1130. (Smalley, op. cit., pp. 60-63.) The content of the Glossa Ordinaria is taken almost entirely from other glosses on the Bible, e.g., commentaries by the better known Latin Fathers (e.g., Augustine, Jerome, Cassiodorus, Gregory, Bede), Origen, Hesychius, Raban, Strabo, Paschasius, John the Scot, Haimo, Lanfranc, and Berengar of Tours. Gilbert the Universal, and perhaps other authors of the Gloss anonymously, added his own comments to the Glossa Ordinaria. The biblical Glossa Ordinaria composed by Anselm of Laon and his assistants is in fact "a representative selection of extracts from Fathers and masters from the third century to the early twelfth." (Ibid., pp. 65-66.) On the Glossa Ordinaria to the Bible see also Fridericus Stegmüller, ed., Repertorium Biblicum Medii Aevi (7 vols.; Madrid: Graficas Marina, 1950-61), II, 356.

[3]PL XXXVI, 493-514.

[4]PL CXCI, 437-450.

[5]Maccarrone, "Innocenzo III prima del pontificato," pp. 119-120.

[6]Smalley, op. cit., p. 270.

[7]Ibid., p. 73.

[8]Maccarrone, op. cit., p. 120.

[9]Innocent III, De quadripartita, II. 1. 1-4.

[10]Henri de Lubac, Exégèse médiéval: Les quatre sens de l'Écriture (4 vols.; Paris: Aubier, 1959), I, 139-154.

[11]Innocent III, De quadripartita, II. 1. 1-8; II. 2. 1-8, 28-34.

[12]Sancti Bernardi Opera, ed. by J. Leclercq and H. Rochais (6 vols.; Rome: Editiones Cistercienses, 1972), VI:2, 38. "Tres sunt species nuptiarum: prima, reconciliationis per fidem, in qua sunt tria fercula: peccatorum ablutio, gratiae consecutio, naturae reformatio; secunda, adoptionis per devotionem, in qua etiam sunt eloquii divini consolatio, alimoniae caelestis communio, dulcedinis internae praelibatio; tertia est glorificationis per caritatem: cuius fercula sunt aeterna incorruptio, vera glorificatio, perennis Dei visio."

[13]Ibid., IV, 251-256.

[14]St. Aelred of Rievaulx was an English Cistercian abbot of the monastery of Rievaulx in Yorkshire. He was born in 1110 and died in 1167. He was known as the "Bernard of the North", and he exercised a great deal of influence. (New Catholic Encyclopedia [New York, etc.: McGraw-Hill Book Company, 1967], I, 157.)

[15]Sermones Inediti B. Aelredi Abbatis Rievallensis, ed. by C. H. Talbot (Rome: apud Curiam Generalem Sacri Ordinis Cisterciensis, 1952), pp. 47-48. The sermon in question is entitled In Ypapanti Domini de diversis moribus (pp. 47-52). Ypapanti is the feast of the Purification of the Blessed Virgin Mary (February 2). In one of his footnotes (vol. I, p. 141, n. 7) Henri de Lubac refers to this sermon as a sermon on the Epiphany, which it is not.

[16]Isaac of Stella was born in England around 1100. He became a Cistercian in France, and in 1147 he was elected abbot of the monastery of Stella (Étoile), near Chauvigny. He died around 1169. (New Catholic Encyclopedia, VII, 663.)

[17]PL CXCIV, 1719-1723, esp. 1720-1721. (Sermo IX: In Dominica I post octavas Epiphaniae I)

[18]Lubac, op. cit., I, 141.

[19] Ibid., p. 145.

[20] Ibid. The footnote in Lubac (n. 8, p. 145) is: De temp., s. 10 (PL CXCV, 204.).

[21] Ibid., p. 154. Lubac cites De quadripartita specie nuptiarum as one of his sources.

[22] Innocent III, De quadripartita, III. 1.

[23] PL CXCI, 437.

[24] PL XXXVI, 493-496. PL CXCI, 437. Textus biblie cum Glossa ordinaria, III, f. 148ᵛ.

[25] Innocent III, De quadripartita, III. 2.

[26] PL CXCI, 437.

[27] Innocent III, De quadripartita, III. 2. 2-16.

[28] Textus biblie cum Glossa ordinaria, III, f. 149. PL XXXVI, 496.

[29] Innocent III, De quadripartita, III. 2. 15-18.

[30] Textus biblie cum Glossa ordinaria, III, f. 149.

[31] PL CXCI, 437.

[32] Innocent III, De quadripartita, III. 2. 31-33.

[33] Textus biblie cum Glossa ordinaria, III, f. 149. PL CXCI, 438.

[34] Ibid.

[35] Innocent III, De quadripartita, III. 2. 40-51.

[36] Textus biblie cum Glossa ordinaria, III, f. 149. PL CXCI, 438. As the Lombard states it: "Lingua mea est calamus scribae, id est Spiritus sancti, velociter scribentis. ...velociter scribentis,...quae non sub cruciatu humano cogitat, quod de arcano Divinitatis aliis divulgat."

[37] Innocent III, De quadripartita, III. 3.

[38]Textus biblie cum Glossa ordinaria, III,
f. 149: "Speciosus forma. Cassi. Incipit de laude sponsi
prius a forma." PL CXCI, 438: "...prius laudans eum a
forma." On the power, judgment, and dress with regard to
which the Sponsus is also praised on must consult the Glossa
Ordinaria and Peter Lombard on Psalm 44, 4.7.9. Textus
biblie cum Glossa ordinaria, III,f.149: "Accingere. Cas.
Hic laudat eum a potestate. Sedes tua etc. Cas. Hic a
iudicio sedes ad iudicium pertinet. f. 149$^v$: Myrrha et
gutta. Cas. Hic laudat propheta sponsum ab uxore et
ornatu." PL CXCI, 439: "Accingere. Hic laudat eum a
potestate. 441: Sedes tua. Hic a judicio commendat
Christum. 442: Myrrha et gutta. Hic laudat Propheta
sponsum ab uxore et ornatu."

[39]Textus biblie cum Glossa ordinaria, III,
f. 149. PL CXCI, 438-439.

[40]PL XXXVI, 498.

[41]Innocent III, De quadripartita, III. 4. 1-58.

[42]Textus biblie cum Glossa ordinaria, III,
f. 149. PL XXXVI, 498. PL CXCI, 438.

[43]Innocent III, De quadripartita, III. 4. 59-78.

[44]Textus biblie cum Glossa ordinaria, III,
f. 149. PL XXXVI, 499. PL CXCI, 439.

[45]Innocent III, De quadripartita, III. 5.

[46]Textus biblie cum Glossa ordinaria, III,
f. 149. PL CXCI, 439.

[47]Textus biblie cum Glossa ordinaria, III,
f. 149$^v$. PL CXCI, 440.

[48]PL XXXVI, 503-504. Textus biblie cum Glossa
ordinaria, III, f. 149$^v$. PL CXCI, 441.

[49]PL XXXVI, 500-501. Textus biblie cum Glossa
ordinaria, III. f. 149. PL CXCI, 439.

[50]Textus biblie cum Glossa ordinaria, III,
f. 149. PL XXXVI, 501-502. PL CXCI, 439-440.

[51]PL CXCI, 440.

[52] Ibid., 439.

[53] Innocent III, De quadripartita, III. 6.

[54] Textus biblie cum Glossa ordinaria, III,
f. 149. PL CXCI, 440. PL XXXVI, 502.

[55] Textus biblie cum Glossa ordinaria, III
f. 149. PL CXCI, 440.

[56] PL XXXVI, 502.

[57] Textus biblie cum Glossa ordinaria, III,
f. 149. PL CXCI, 440.

[58] Ibid.

[59] Textus biblie cum Glossa ordinaria, III,
f. 149. "Prospere procede, et regna. Augusti. ut regnes
per fidem in gentibus."

[60] Innocent III, De quadripartita, III. 7;
III. 8. 1-15.

[61] PL CXCI, 440. PL XXXVI, 502.

[62] Textus biblie cum Glossa ordinaria, III,
f. 149.

[63] Ibid.: "Regna. In fide hominum tuam potentiam
ostende, qui semper regnasti. Et per hoc, quia et per te,
et per tuos veritatem doces, qua falsitatem nostram destruis.
Et quia mansuetus ferendo malos, ut quando pro inimicis
oravit, sic et sui: Et quia justitiam vitae ostendit. Et
quia deducet te inoffense per cursum totius vitae, vel de
populo ad populum."

[64] Innocent III, De quadripartita, III. 8. 15-32.

[65] PL CXCI, 440. Textus biblie cum Glossa
ordinaria, III. f. 149ᵛ. PL XXXVI, 502.

[66] Textus biblie cum Glossa ordinaria, III,
f. 149ᵛ: "Mirabiliter. Quia omnes mirabuntur, vel, quia
miracula faciet." PL CXCI, 440: "...mirabiliter, quia
omnes mirabuntur, vel quia miracula faciet."

[67] _Ibid._: "Deducet. Augusti. Quia veniet ut iudicet secundum opera uniuscuiusque."

[68] _PL_ CXCI, 440: "...quia deducet te inoffense per cursus totius vitae, vel de populo ad populum."

[69] _Textus biblie_ cum _Glossa ordinaria_, III, f. 149: "...Et quia deducet te inoffense per cursum totius vitae, vel de populo ad populum."

[70] Innocent III, _De quadripartita_, III. 9.

[71] _Textus biblie_ cum _Glossa ordinaria_, III, f. 149ᵛ. _PL_ XXXVI, 503. _PL_ CXCI, 440-441.

[72] _PL_ CXCI, 440-441.

[73] Innocent III, _De quadripartita_, III. 10.

[74] _Textus biblie_ cum _Glossa ordinaria_, III, f. 149ᵛ. _PL_ CXCI, 441.

[75] _Ibid._ _PL_ XXXVI, 503.

[76] _Textus biblie_ cum _Glossa ordinaria_, III, f. 149ᵛ. _PL_ CXCI, 441.

[77] _Ibid._

[78] _Ibid._ _PL_ XXXVI, 503-504.

[79] _PL_ XXXVI, 504.

[80] Innocent III, _De quadripartita_, III. 11.

[81] _Textus biblie_ cum _Glossa ordinaria_, III, f. 149ᵛ. _PL_ CXCI, 441.

[82] C.11 q.3 dict.post c.65.

[83] Innocent III, _De quadripartita_, III. 12.

[84] And when he was come to a certain place and would rest in it after sun-set, he took of the stones that lay there, and putting under his head, slept in the same place....And Jacob arising in the morning, took the stone, which he had laid under his head, and set it up for a title, pouring oil upon the top of it (Gen 28,11.18.).

[85] PL XXXVI, 506. Textus biblie cum Glossa ordinaria, III, f. 149ᵛ. PL CXCI, 441.

[86] Textus biblie cum Glossa ordinaria, III, f. 149ᵛ. PL XXXVI, 505. PL CXCI, 441.

[87] Textus biblie cum Glossa ordinaria, III, f. 149ᵛ. PL CXCI, 441.

[88] Ibid. PL XXXVI, 505.

[89] Munk, A Study of Pope Innocent III's Treatise De quadripartita specie nuptiarum, pp. 161-162.

[90] Textus biblie cum Glossa ordinaria, III, f. 149ᵛ. PL XXXVI, 505-507. PL CXCI, 441-442.

[91] Textus biblie cum Glossa ordinaria, III, f. 149ᵛ. PL CXCI, 442.

[92] Textus biblie cum Glossa ordinaria, III, f. 149ᵛ. PL CXCI, 441-442.

[93] PL XXXVI, 505.

[94] Textus biblie cum Glossa ordinaria, III, f. 149ᵛ. PL CXCI, 442.

[95] PL XXXVI, 507.

[96] Innocent III, De quadripartita, III. 13.

[97] Textus biblie cum Glossa ordinaria, III, f. 149ᵛ. PL CXCI, 442.

[98] Ibid.

[99] PL XXXVI, 507. PL CXCI, 442.

[100] Textus biblie cum Glossa ordinaria, III, f. 149ᵛ.

[101] Ibid.: "Domibus. ab ecclesia. Aug. cordibus sanctorum: quibus inhabitat deus." PL XXXVI, 508.

[102] PL CXCI, 442.

[103] Textus biblie cum Glossa ordinaria, III, f. 149ᵛ. PL CXCI, 442.

[104] Ibid.

[105] Innocent III, _De quadripartita_, III. 14.

[106] _PL_ XXXVI, 508-509. _Textus biblie_ cum _Glossa ordinaria_, III, f. 149$^v$. _PL_ CXCI, 443.

[107] _PL_ CXCI, 443. "...qui accipit uxorem ejus, id est ab apostolis, qui sponsam Christi, scilicet Ecclesiam regendam suscipiunt, qui non sunt sponsi, sed amici sponsi."

[108] Munk, _A Study of Pope Innocent III's Treatise De quadripartita specie nuptiarum_, pp. 26-28.

[109] _Textus biblie_ cum _Glossa ordinaria_, III, f. 149$^v$. _PL_ CXCI, 443.

[110] _PL_ XXXVI, 509.

[111] Innocent III, _De quadripartita_, III. 15.

[112] _Textus biblie_ cum _Glossa ordinaria_, III, f. 149$^v$. _PL_ CXCI, 443.

[113] Ibid.

[114] _PL_ CXCI, 443.

[115] _Textus biblie_ cum _Glossa ordinaria_, III, f. 149$^v$.

[116] _PL_ CXCI, 443.

[117] _PL_ XXXVI, 509. "Quae a sinistris, non regina. Stabit enim quaedam et a sinistris, cui dicetur: _Vade in ignem aeternum_. A dextris autem stabit, cui dicetur: _Venite, benedicti Patris mei, percipite regnum quod vobis paratum est ab initio mundi_ (Mt 25,34.41.)."

[118] _Textus biblie_ cum _Glossa ordinaria_, III, f. 149$^v$. _PL_ CXCI, 444.

[119] Ibid.

[120] _PL_ CXCI, 443. "Astitit dico _in vestitu deaurato_, id est, in doctrina sapientiae, _circumdata varietate_, id est omnibus linguis variata. Tamen vestis Catholicae doctrinae una est, quia sine scissura." _PL_ XXXVI, 509. Augustine's gloss has the same idea on the gold of wisdom and varieties of languages. Innocent III,

De quadripartita, III. 18. 21-63.

[121] PL XXXVI, 509.  PL CXCI, 443.

[122] PL CXCI, 444.

[123] Innocent III, De quadripartita, III. 16.

[124] Textus biblie cum Glossa ordinaria, III, f. 149ᵛ.  PL CXCI, 444.

[125] PL XXXVI, 510.

[126] Textus biblie cum Glossa ordinaria, III, f. 149ᵛ.  PL CXCI, 444.

[127] Innocent III, De quadripartita, III. 17. 6-9: "...he praises the Sponsa in four ways; with regard to form (beauty), of course, and with regard to glory; with regard to young maidens, and with regard to sons."

[128] Innocent III, De quadripartita, III. 17.

[129] Textus biblie cum Glossa ordinaria, III, f. 149ᵛ.  PL CXCI, 444.

[130] Ibid.

[131] Ibid.

[132] Textus biblie cum Glossa ordinaria, III, f. 149ᵛ.  PL CXCI, 445.  PL XXXVI, 511.

[133] Ibid.  Augustine agrees that the daughters of Tyre are Gentiles (pagan peoples); however, he does not include a gloss on angustia (straits), that is, he does not mention that they are in the straits of sin.

[134] Ibid.

[135] Textus biblie cum Glossa ordinaria, III, f. 149ᵛ.  PL CXCI, 445.

[136] Ibid.

[137] PL XXXVI, 511-512.

[138] Innocent III, De quadripartita, III. 18.

[139]Textus biblie cum Glossa ordinaria, III,
f. 149^v. PL CXCI, 445.

[140]Ibid. PL XXXVI, 512.

[141]Textus biblie cum Glossa ordinaria, III,
f. 149^v. PL CXCI, 445.

[142]PL XXXVI, 512.

[143]Ibid. Textus biblie cum Glossa ordinaria,
III, f. 149^v. PL CXCI, 445.

[144]Textus biblie cum Glossa ordinaria, III,
f. 149^v.

[145]PL CXCI, 443.

[146]PL XXXVI, 509.

[147]Textus biblie cum Glossa ordinaria, III,
f. 356^v.

[148]Ibid.

[149]Ibid., f. 149^v. PL CXCI, 445.

[150]Innocent III, De quadripartita, III. 19.

[151]Textus biblie cum Glossa ordinaria, III,
f. 150. PL CXCI, 445.

[152]Ibid. PL XXXVI, 512.

[153]PL CXCI, 445.

[154]Ibid. Textus biblie cum Glossa ordinaria,
III, f. 150. "Eam. primam."

[155]Textus biblie cum Glossa ordinaria, III,
f. 150. PL CXCI, 445-446.

[156]Textus biblie cum Glossa ordinaria, III,
f. 150. PL CXCI, 446.

[157]PL XXXVI, 512. Textus biblie cum Glossa
ordinaria, III, f. 150. " Templum. Aug. in ecclesiam
presentem."

[158]Textus biblie cum Glossa ordinaria, III, f. 150. PL CXCI, 446. PL XXXVI, 513.

[159]Innocent III, De quadripartita, III. 1-57.

[160]PL CXCI, 446.

[161]Ibid. Textus biblie cum Glossa ordinaria, III, f. 150. PL XXXVI, 513.

[162]Textus biblie cum Glossa ordinaria, III, f. 150. PL CXCI, 446.

[163]Ibid. PL XXXVI, 513.

[164]Munk, A Study of Pope Innocent III's Treatise De quadripartita specie nuptiarum, pp. 28-29.

[165]Innocent's text of Memores erunt nominis tui, Domine, in omni generatione, et progenie (Ps 44,18.) differs from the Vulgate, which reads: Memores erunt nominis tui in omni generatione et generationem; and this textual difference is reflected in his commentary.

[166]Innocent III, De quadripartita, III. 20. 57-82.

[167]All medievalists are aware of the translation problems caused by the word beneficia. It can mean favors, kindnesses, etc.; or it can technically mean fief or ecclesiastical benefice. See my commentary

[168]Textus biblie cum Glossa ordinaria, III, f. 150[v]. PL CXCI, 446.

[169]Ibid.

[170]Innocent III, De quadripartita, III. 20. 83-99.

[171]PL CXCI, 446.

[172]Ibid. Textus biblie cum Glossa ordinaria, III, f. 150[v].

Chapter III

General Commentary on
De quadripartita specie nuptiarum

The following is a general commentary in which I
comment upon various points in the treatise, in particular
the various legal and ceremonial aspects of marriage which
Innocent refers to in the treatise. It is difficult to
understand why Innocent discusses some of the things he
does without knowing something about medieval marriage
law and the medieval marriage ceremony. In the commentary
I shall, therefore, discuss at the appropriate points the
various legal and ceremonial aspects of marriage mentioned
by Innocent. I shall also discuss various other matters
of interest.

Aside from the element of the nuptial benediction,
it is difficult to determine exactly what elements the
medieval engagement and marriage ceremonies would include
in the late twelfth and early thirteenth centuries. The
Christian engagement and marriage ceremonies included
elements taken from both the ancient Roman and the German
ceremonies, since Christians simply continued to follow
the marriage customs of their society, eliminating those
elements which were incompatible with Christianity.

The liturgy of marriage developed gradually with the
Church giving a religious significance to certain secular

marriage rites and incorporating them into the liturgy.
It is not known when or where the Church introduced the
first religious marriage rites.  It is known only that from
the end of the second century the Church gave a religious
stamp to certain secular rites.  Only from the beginning
of the fourth century did a ritual of religious marriage
clearly appear, varying according to locality.[1]

Marriage customs could vary from place to place since
it was not necessary for a valid marriage to follow certain
external forms and rites.[2]  The existence of clandestine
marriage illustrates how unnecessary these solemnities were.
Pope Nicholas I stated in his letter to the Bulgars in 866,
after having enumerated the engagement and marriage customs
followed by Christians in Rome, that all these rites were
not necessary for marriage;  only the consent of the couple
was necessary.[3]

There were thus no universal Christian engagement and
marriage ceremonies which were absolutely required for a
valid marriage.  The various elements in the engagement and
marriage ceremonies discussed by Innocent III in <u>De quadri-
partita specie nuptiarum</u> are typical medieval rites, taken
from both Roman and German ceremonies.  Innocent very prob-
ably had in mind the ceremonies followed in Rome itself.

In the development of a religious marriage ceremony
the imposition of a veil accompanied by a nuptial benedic-

tion became the principal element in the marriage liturgy. The ceremony took place during the mass and was rather simple. In the course of the mass, after the _Pater_, the priest placed a veil on the bride alone or held a veil over both the bride and groom and recited the nuptial benediction, which followed a formula and consisted of a short prayer followed by a long eucharistic prayer. The prayers of the benediction were directed particularly toward the bride.[4] The placing of crowns of flowers on the heads of the bride and groom at the end of the mass was later added to this ceremony.[5]

Interestingly, in _De quadripartita specie nuptiarum_ Innocent does not mention a nuptial mass, the imposition of a veil, or the nuptial benediction. In his description of the various elements in the engagement and marriage ceremonies it is obvious, however, that a certain degree of solemnity is involved. The marriages between the Word and human nature and between Christ and the Church are obviously solemn marriages, as opposed to clandestine marriages.[6] The marriage ceremony which Innocent had in mind probably also included a nuptial mass, the imposition of the veil, and the nuptial benediction. It is difficult to imagine why Innocent would choose not to include these three important elements in the marriage ceremony in his allegory. These are such basic elements in the liturgy of

marriage that perhaps Innocent saw no reason to mention
them specifically;  they would automatically be present
in the reader's image of the marriage ceremony.

## Commentary

Titulus:  De quadripartita specie nuptiarum:  The
title of the treatise--De quadripartita specie nuptiarum--
is not in question.  This title is found in the Trombelli
edition of the treatise, and therefore was probably also
found in the Venetian manuscript from which Trombelli made
his edition.  The title De quadripartita specie nuptiarum
is also found in the Arras MS. 754 of the treatise,[7] the
Gesta Innocentii papae III,[8] and Innocent's consecration
sermon De quatuor speciebus desponsationum.[9]  Although it
is quite apparent that the correct title of the treatise is
De quadripartita specie nuptiarum, it is rather interesting
that the Reginensis Latinus MS. 212 gives the title as the
Philosophia Innocencii pape.[10]

Titulus:  ...ad Benedictum presbyterum...:  It is
apparent from the printed editions and from the Arras
manuscript that the person to whom the treatise is addressed
is a certain "Benedict the priest".[11]  The problem arises in
determining the identity of this priest named Benedict.

Trombelli gives the following note on Benedict:

An is est Benedictus Cardinalis S. Petri ad
Vincula, ad quem una cum Cardinale P. XII. Apostolorum

diriguntur litterae Innocentii III. (pag. 9, et 18. Tom. 2.) ? viderit Lector. Sed cur vocatur is _frater_, cum presbyteros etiam Cardinales _filios_ appellare Pontifices soleant? An in amanuensem id referendum est, qui cum in vetusto codice invenerit litteram _f._ interpretatus est _frater_, cum _filius_ poni debuisset? An Innocentius virum sibi probatissimum, quem _angustiarum suarum participem_ deinceps appellat, fratris nomine honestare voluit? Judicet id quoque Lector.[12]

Contrary to Trombelli's suggestion, Benedict the priest is definitely not Cardinal Benedict of St. Peter in Chains because from 1190 to 1204 the cardinal-priest of St. Peter in Chains was Bernhard,[13] not Benedict. Perhaps Trombelli misread _B._ as _Benedictus_ instead of _Bernardus_. The two legates referred to by Trombelli are the cardinal-priests Pandulf Masca of SS. Apostoli and Bernhard, not Benedict, of S. Pietro in Vincoli.[14]

I agree with Michele Maccarrone that if the Benedict to whom Innocent dedicates the treatise was a cardinal, then he would not have simply called him a "presbiter" but would have added his appropriate title as cardinal. I do not, however, agree with Maccarrone's suggestion that Benedict was Innocent's chaplain.[15] I propose that the Benedict referred to is the Benedict who was promoted by Innocent to the cardinalate in 1200. This Benedict was first made cardinal-deacon of St. Maria in Domnica, and shortly afterward in 1201 he was made cardinal-priest of St. Susanna. He became cardinal-bishop of Porto in 1213.[16] He was also a legate to Constantinople in 1205.[17] He died in

1216,[18] the same year in which Innocent died.

Whether Innocent wrote De quadripartita as cardinal or as pope, he would not have written the treatise for an unimportant person. This "Benedict the priest" was a friend and collaborator of Innocent, who shared Innocent's difficulties and knew Innocent well enough to pester him to write the treatise.[19] He would have been an important person in the curia, and the only important Benedict around at the time was the Benedict who was made cardinal in 1200. Since De quadripartita is a private document, written in response to his friend Benedict's fervent requests, it seems hardly unusual that Innocent, whether he wrote the treatise as cardinal or pope, would address Benedict as "dilectissime frater in Domino".[20] I therefore believe that Benedict, the future Cardinal-Bishop of Porto, is a likely candidate for "Benedict the priest".

II. 1. 9: Protoplastus: As is evident from the biblical citation (Gen 2,24.), Protoplastus is Adam. The word protoplastus ($\pi\rho\omega\tau\acute{o}\pi\lambda\alpha\sigma\tau\acute{o}\varsigma$) literally means first-formed.[21]

II. 4.-II.5. and II. 62. 11-22.: De Sponsalibus. Non enim Angelos, sed semen Abrahae appraehendit, cum quo longe prius de matrimonio contrahendo convenerat....De Juramento. Eamdem ipsi regi David de conjugio consumando juravit....De forma contrahendi. ...sacramentale namque

conjugium in baptismate celebratur. Quod bene recolitur, cum in Epiphania quasi carmen nuptiale cantatur: Hodie coelesti sponso juncta est Ecclesia, quoniam in Jordane lavit Christus ejus crimina; currunt cum muneribus Magi ad regales nuptias; et ex aqua facto vino laetantur convivae. Ut enim Christus ascenderet, quo per sacramentum baptismi sacramentales nuptiae contrahuntur, quibus est Christo copulata Gentilitas, eodem die, quo fuit adoratus a Gentibus, excursis triginta annis baptizatus est in Jordane, ac revoluto anno, nuptias consecravit.: These three sections of the treatise on the promise made by God to Abraham, the oath sworn to David, and the three events concerning the Epiphany are dealt with and clarified in the introductory section of one of Innocent's Epiphany sermons.[22] According to this sermon, the marriage between Christ and the Church was promised to Abraham, sworn to King David, and fulfilled to the Virgin Mary. On the feast of the Epiphany (January 6) it was consummated, confirmed, and declared. It was consummated in the adoration of the Magi, confirmed in Christ's baptism in the Jordan, and declared in the miracle of the wine at the wedding at Cana. God promised Abraham that all nations would be blessed in his seed (Gen 22,18.), and he swore to David that he would set a descendant of his upon his throne (Ps 131,11.). What God had promised and had sworn

he fulfilled to Mary;  since he has set his tabernacle in the sun, and he is as a bridegroom coming out of his bride-chamber (Ps 18,6.) and For the Word was made flesh and dwelt among us (Jn 1,14.).[23]  The marriage between Christ and the Church was contracted at the Incarnation of the Word.[24]  The marriage between Christ and the Church was consummated on the Epiphany when the Gentiles in the adoration of the Magi joined themselves to Christ through faith. Allegorically the three Magi signify the three orders of the faithful in the Church--Noah, Daniel, and Job;  which are the prelates, the continent, and the married.[25]

II. 8., II. 9., II. 53., II. 54., and II. 55.:  De Dote. ...dos ei nec dari poterat, nec debebat.  De Donatione. Sed ipse sicut immensus donationem propter nuptias fecit eximiam....Quod Ecclesia Christo dotem non tribuit.  Verum nec anima Deo, nec Ecclesia Christo dotem aliquam pro suo tribuit conjugio contrahendo, quia gratis eam absque dote suscepit....Quod Christus donationem facit Ecclesiae. ...Haec est ergo donatio propter nuptias, remissio pecca-torum....Aliam quoque donationem Christus promittit Eccle-siae, quam publicis litteris Matthaeus Evangelista describit: Beati pauperes spiritu,...De mysticis donis, quae Gentilitas Christo praemisit.  Licet autem Ecclesia viro suo dotem non dederit, sed donationem ab ipso receperit, per nuncios... mystica dona praemisit,....:

In Roman law the settling of a dowry (dos) was one
of the means by which a true marriage was distinguished
from concubinage.[26]  In the Roman marriage ceremony the
marriage contract stating the dowry (tabulae nuptiales or
instrumentum dotale or nuptiale) was read before the
traditio puellae and the dextrarum iunctio.[27]

It was also the Roman custom for the fiance to give
the fiancée a donation (donatio propter nuptias or donatio
ante nuptias).  The donatio ante nuptias was part of the
engagement ceremony.  The donatio was made in anticipation
of marriage, that is, if the fiance died before the wedding,
the fiancée received nothing.  This donatio became associ-
ated with the giving of a kiss (osculum), and Constantine
decreed that if the donatio had not been accompanied by the
osculum, then the fiancée would receive nothing if her fiance
died;  however, if the osculum had been given, then she would
receive half of the donatio.[28]

In the Roman engagement ceremony the fiancée also
gave her fiance several gifts.  During the Late Empire
these gifts and the ring which he gave to her became actual
pledges to guarantee their promise to marry.  The kiss was
later added to these two rites in the Roman engagement
ceremony.[29]  Although the fiancée received half of her
dead fiance's donatio if the osculum had occurred, the
fiance received nothing if his fiancée died, whether or

not the _osculum_ had been given.[30]

In one of the texts in Gratian it is stated that there is no marriage without a dowry (_dos_); the validity of marriage depends upon the giving of a dowry.[31] The _dos_ referred to in this text probably refers, however, not to the Roman dowry but to the German _dos ex marito_, which was given by the groom to his bride.[32] The _donatio propter nuptias_ (_donatio ante nuptias_) is the institution in Roman law which most closely resembles the German _dos ex marito_.[33] During the Middle Ages the _donatio propter nuptias_ and the _dos ex marito_ were more or less confused. The _dos ex marito_ was made at the door of the Church after the couple had given their consent to be married. As a symbol of the _dos_ the groom gave the bride one or several pieces of money, often thirteen pieces.[34]

It was maintained by some canonists that what was held about the _dos ex marito_ was true of the _dos_ in the sense of the Roman _dos_ given by the bride, that is, a dowry was necessary in all marriages even if it consisted of only one denarius. The opposite opinion prevailed, however, that neither the _dos_ nor the _donatio propter nuptias_ (_dos ex marito_) was necessary for a valid marriage, although one was advised to have both.[35]

In _De quadripartita specie nuptiarum_ a dowry is given in none of the three spiritual marriages. In the marriage

between the Word and human nature it is said that because
the earth is the Lord's and the fulness thereof, the world
and all they that dwell therein (Ps 23,1.) and he does not
need our goods (Ps 15,2.) a dowry could not be given to him,
nor was it owed.  Neither does the soul to God, nor the
Church to Christ give any dowry because he took her up out
of kindness without a dowry.  Therefore, not for a dowry,
but only out of grace did God betroth the soul to him, or
Christ the Church.

The Word made a great donatio propter nuptias in his
marriage with human nature.  He said, ask of me, and I will
give to you the gentiles for your inheritance, and the
utmost parts of the earth for your possession (Ps 2,8.).
All you have put under her feet, all sheep and oxen, more-
over the beasts also of the fields (Ps 8,8.).  In the mar-
riage between God and the just soul the donatio propter
nuptias is the forgiveness of sins.  The donatio propter
nuptias promised by Christ to the Church is that which
Matthew describes (the Beatitudes), Blessed are the poor
in spirit, etc. (Mt. 5,3-12.).

The mystical gifts which the Church sent to Christ
by means of the Magi--gold to the king, frankincense to the
priest, and myrrh to the human being-- would correspond to
the donation, or gifts, given by the fiancée to her fiancé
in the Roman engagement ceremony.

II. 12. and II. 63.: De Paranympho. In hoc vero
nuptiali commercio (marriage between the Word and human
nature) paranymphus fuit Angelus Gabriel,....De Paranymphis.
In Sacramentali conjugio, quod inter Christum, et Ecclesiam
est contractum, Joannes extitit paranymphus, qui viam ante
faciem Domini praeparavit;....In spirituali vero conjugio,
quod inter Deum, et animam celebratur, paranymphus est
timor, qui caritatem introducit:....:

In the Roman marriage ceremony the bride was assisted
and guided throughout the ceremony by a woman called the
pronuba, the maid of honor or bridesmaid. Among the Greeks
the woman who performed the duties of the Roman pronuba
was called the nympheutria or sometimes the paranymphos.
The young man who assisted the groom was called the
paranymphios and less often the parochos. The term
paranympha was used in the Late Empire and during the
Middle Ages in place of the classical term pronuba. The
friend of the groom (amicus sponsi), the best man or grooms-
man, was called the paranymphus. Throughout the Middle Ages
the term paranymphi was used to designate those persons,
male or female, who assisted the bride and groom.[36]

Esmein states that the paranymphus (fürsprecher)
made the traditio puellae, and he cites the Statuta
ecclesiae antiqua on this.[37] Metz, however, warns that
one must not confuse the practice described in the Statuta

ecclesiae antiqua with the traditio puellae. The passage
from the Statuta is: Sponsus et sponsa cum benedicendi
sunt a sacerdote, a parentibus vel paranymphis offerantur.
These are the two sponsi who are presented to the priest,
who will bless their union, by their parents or friends.[38]
The paranymphi are not presenting the bride to the groom
in the traditio puellae, but are instead presenting both
the bride and the groom to the priest for the nuptial
benediction.

In the ancient Roman ceremony it is the pronuba who
makes the traditio puellae; however, it is not the
paranymphi who make the traditio in the medieval religious
marriage ceremony.[39] During the Middle Ages it was the
custom for the bride's parents or her father alone, not
the paranymphi, to make the traditio puellae.[40] However,
if the amici sui referred to in the pontifical of the
monastery of Lyre are paranymphi, then perhaps the para-
nymphi did at times make the traditio puellae.[41] The
paranymphi accompanied and assisted the couple,[42] and their
main function apparently was to present the bride and the
groom to the priest for the nuptial benediction.[43]

II. 13., II. 64., and II. 65.: De Testibus. Ne vero
conjugium esset omnino clandestinum, quatuor affuerunt
personae; Pater, et Mater, Sacerdos, et Paranymphus: quas
utique Deum Patrem, et Virginem Matrem, Spiritus Sanctum, et

Gabrielem Angelum intelligimus....De solemni conjugio.
Sacramentale conjugium noluit esse clandestinum, sed
omnibus manifestum....Hoc sacramentale conjugium quilibet
Christianus debet publice confiteri;...De Clandestino
Conjugio. Spirituale conjugium contrahitur in occulto,
quia Deus justificat hominem sine homine....Ne tamen et
hoc conjugium sine testibus contrahatur, tres illi prae-
sentialiter adsunt Qui testimonium dant in Coelo: Pater,
Verbum, et Spiritus Sanctus: et hi tres unum sunt;...:

The term "clandestine marriage" has several meanings.
It can refer to a marriage which was not contracted in the
presence of any witness and cannot be legally proved. It
can also refer to a marriage which can be proved but which
was contracted without the prescribed solemnities. A
third meaning came into effect with the decree of the
Fourth Lateran Council (1215) that banns of marriage had
to be published. With this decree the term "clandestine"
came to refer also to a marriage which had not been preceded
by the publication of banns. All these clandestine mar-
riages were, however, valid marriages.[44]

The various events which usually accompany the contract-
ing of marriage are called solemnitates, and a marriage
which is accompanied by these events is a "solemn marriage",
as opposed to a "clandestine marriage". The most important
of these events is the celebration in facie Ecclesiae.

Most of the other events have no juridical significance and are often determined by local custom.[45]

Since its beginning, the Church had disapproved of and had prohibited clandestine marriages. The position held by the Church was to have a couple submit their projected marriage to the authority of the Church, to publicly contract marriage with the observance of the appropriate local customs, and to have a nuptial benediction by a priest. Clandestine marriages, however, did continue to take place, and their validity continued to be recognized until the Council of Trent.

Classical canon law continued to hold the traditional position that marriage should be publicly celebrated with a nuptial benediction and the customary solemnities. The usual medieval custom was for the couple to come before the door of the church where the priest would ask them if they consented to take each other for husband and wife. They would then enter the church for mass and the nuptial benediction. This procedure is what is usually meant by the expression to contract marriage in facie Ecclesiae.[46]

In canon 51 of the Fourth Lateran Council decrees Innocent III absolutely forbad clandestine marriages, and he forbad priests to witness clandestine marriages. In this canon he also decreed that banns were to be published before a marriage was contracted; it had to be publicly

announced in the churches that a couple were going to be married so that legitimate impediments might be made known.[47] The decrees of the Fourth Lateran Council also declared that the celebration of marriage was reserved to not just any priest, but the couple's parish priest.[48] Although the Fourth Lateran Council decreed that marriage was to be celebrated in public (solemn marriage), it did not legislate concerning the witnesses themselves. This gap in the Fourth Lateran's legislation was filled by the English church. This English legislation usually called for three or four witnesses.[49]

II. 14.: _Contra Maleficum_. ..._Incarnationis mysterium Diabolo celaretur, ne quid invidus, et malignus contra salutem machinaretur humanam_.... The reason for having a section entitled _Contra Maleficum_ in the midst of several sections concerning various analogies between events and elements in carnal marriage and in the spiritual marriage between the Word and human nature can best be explained by discussing what _maleficum_ refers to in carnal marriage.

_Maleficum_ refers to impotence caused by a spell; demons could cause a person to be impotent and therefore incapable of consummating a marriage and of fulfilling the marriage debt.[50] It was thus possible for the devil to interfer in carnal marriage, and as an analogy he could interfer in the spiritual marriage between the Word and

human nature. Thus the marriage between the Word and
human nature, that is, the Incarnation, had to be kept
secret from the devil so that he could not scheme against
human salvation.

II. 20.: <u>De Corona</u>. In the Roman marriage ceremony
the bride would place a crown of flowers (<u>corona</u> or <u>corolla</u>)
on her head the morning of the wedding before the groom
arrived. During the ceremony the bride would wear this
crown along with a reddish-orange or reddish-brown veil
(<u>flammeum</u>).[51]

Despite the objections of various early Church fathers,
especially Tertullian, the wedding crown became a part of
the Christian marriage ceremony from the beginning of the
third century.[52] Among Christians the crown gradually
became the symbol of the victory over the passions.[53]
During the celebration of the nuptial mass, after the <u>Pater</u>,
the priest would place a veil on the bride or extend a
veil over both <u>sponsi</u> (bride and groom) and recite the
nuptial benediction. At the end of the mass a crown would
be placed on the head of each of the <u>sponsi</u> before they
left the church.[54]

II. 17., II. 18., and II. 21.: <u>De Annulo</u>. <u>In hoc</u>
<u>thalamo Dei Filius humanam naturam, et annulo desponsavit,</u>
<u>et osculo....De Subarrhatione</u>. <u>Tunc ergo Dei Verbum humanam</u>
<u>naturam annulo subarrhavit, cum eam donis Spiritus Sancti</u>

sine mensura replevit,...De Osculo. Tunc et osculum ei
dedit, cum eam sibi copulavit personaliter,...: The ring,
pledges (arrhae), and kiss were originally elements in the
Roman engagement ceremony.[55] In the usual Roman engagement
ceremony the sponsus, after having promised with the sponsa
to conclude a future marriage, gave the sponsa a ring
(anulus pronubus or anulus sponsalicius), and she gave
him some presents (donatio ante nuptias), which were
considered actual pledges during the Late Empire. At
some undetermined time the exchange of a kiss (osculum)
was added to these two rites.[56]

The use of the ring as a wedding ring, not an engage-
ment ring, originated among the Germans. The Germans had
borrowed the use of the ring from the Romans and had at
first used the ring as an engagement ring. Very soon,
however, the ring became an element associated with the
marriage itself in those countries north of the Alps.
With the ring becoming a wedding ring the giving of the
ring became an element of religious marriage. From the
beginning of the eleventh century almost all of the marriage
rituals mention the giving of a ring to the bride. Ever
since the ring became a part of the marriage ritual it was
given a benediction before it was given to the bride. This
benediction of the ring was given by the priest at the door
of the church, where the other ceremonies which took place

before the mass also were held. The ritual since the thirteenth century was for the priest to sprinkle the ring with holy water and then to say the prayers of the benediction.[57] The priest then gave the ring to the bridegroom, and he placed it upon the middle finger of the bride's right hand. The Roman custom had been for the ring (engagement) to be placed upon the fourth finger of the left hand.[58]

The meaning of _subarrhare_ is to engage or betroth (_desponsare_) by means of a pledge, usually a ring. In the _subarrhatio_ the giving of a ring to the _sponsa_ represents the giving of the _arrhae_, the pledges.[59] According to Huguccio a _subarrhatio_ can be made by the giving of a ring, or the giving of pledges or other signs. Present consent (_verba de praesenti_) is presumed to have been given when there has been a _subarrhatio_.[60] Although the giving of a ring to the _sponsa_ had changed from an event of the engagement to an event of the wedding ceremony, the term _subarrhatio_ continued to be used, although its meaning was no longer that of the original (a pledge confirming the engagement agreement). In fact, in the twelfth century Pope Alexander III often used the word _subarrhare_ as a synonyme for "to marry".[61]

The kiss (_osculum_) was an important element in the Roman engagement ceremony in connection with the gifts given by the fiancée to her fiance. Among the Franks in the ninth century the words _osculo interveniente_ were taken

to mean that the fiance had made a written statement of the donatio propter nuptias. Osculum became a synonyme of instrumentum (in the expression instrumentum donationis). After coming to designate the written notice of the donation, the osculum then came to designate the donation itself.[62]

There is another kiss associated with the marriage ceremony. A kiss of peace was given to the couple as part of the medieval nuptial mass. The priest would give the kiss to the bridegroom personally or by means of a pax-board, and then the bridegroom would kiss the bride per osculum oris.[63]

II. 22. and II. 66.: De Traditione. Humanam ergo naturam, quam in utero Virginis desponsavit, ad dexteram Patris traduxit, quando secundum humanitatem assumptam ascendit in Coelum,...De traductione. Solet vir desponsare prius puellam, et postea traducere desponsatam....Ita Christus Ecclesiam prius desponsavit per fidem, et postea traducet in speciem. Cum tradiderit regnum Deo, et Patri, et evacuaverit omnem principatum, et potestatem....tunc exclusis extraneis, et in gehenna reclusis, sponsa cum sponso, sola cum solo requiescet in lecto quietis, intra cubiculum gaudii, sub umbraculo pacis,....:

In the marriage ceremony the traditio could refer to two events--the traditio puellae or the traditio ad carnalem

conjunctionem, or the traductio in domum. In the ancient
Roman marriage ceremony the traditio puellae (handing over)
of the bride to the groom took place after the reading of
the marriage contract stating the dowry. The traditio was
symbolized by the dextrarum iunctio, the joining of the
couple's hands. The person in charge of the traditio
puellae was the pronuba (bridesmaid), who in this instance
took the place of the bride's parents. She led the bride
to the groom and placed the bride's hand in his. Sacrifices
were then offered, and after that the wedding banquet was
held. After the banquet the Romans held the deductio in
domum mariti in which the bride was led by two groomsmen,
followed by the pronuba, her parents, and the other guests,
to the house of her husband.[64]

The traditio puellae first became an element in the
Christian religious marriage ceremony north of the Alps,
especially among the Germans. The Roman Christians also
employed the traditio and the dextrarum iunctio, but it
was not at first a religious rite, that is, part of the
marriage liturgy.[65] Among the Germans, if the traditio
puellae was not required, at least there had to be a ceremony
analogous to the Roman deductio in domum mariti.[66]

The traditio puellae originated as part of the liturgy
of marriage among the Germans because it was no mere formal-
ity there, but an act with important juridical significance.

Among the Romans a young woman was free from the power of
her father (<u>paterfamilias</u>); however, among the Germans
a young woman was under the power of whomever exercised
the <u>mundium</u> over her. The <u>mundium</u> was the right of control
or of guardianship over a woman, which was held by her
parents or grandparents or by her husband after she married.
Thus among the Germans at the <u>traditio puellae</u> the <u>mundium</u>
held over the bride passed from her parents to her husband.
Under the influence of Christianity, however, Germanic
women were freed from this strict control, and the <u>traditio</u>
<u>puellae</u> no longer had its former importance. In fact, the
<u>traditio puellae</u> even lost its reason for being from the
end of the twelfth century when, following Peter Lombard
and Alexander III, the Church gave children full freedom
in marriage matters by recognizing the validity of marriages
contracted not only without parental consent but even
against parental consent. From this time on the <u>traditio</u>
<u>puellae</u> was only a simple formality in the marriage ceremony,
and it gradually disappeared from the liturgy.[67]

In the liturgy of marriage the <u>traditio puellae</u>,
symbolized by the joining of the couple's hands, took
place at the door of the church and was presided over by
a priest. The couple, parents, and guests came together
at the church door where the priest asked the couple if
they consented to be married and received their replies

(<u>desponsatio per verba de praesenti</u>).  Then after the
dowry had been recapitulated and an offering had been
made to the poor, the bride was given by her father or
her friends (<u>amicis suis</u>) to the groom, who held her by
the hand.[68]

The term <u>traditio</u> can also refer to another event in
marriage which resembles in some respects the Roman <u>deductio</u>
<u>in domum mariti</u>.  This is the <u>traditio ad carnalem conjunc-</u>
<u>tionem</u>, or the <u>traductio in domum</u>.[69]  The <u>desponsatio per</u>
<u>verba de praesenti</u> (present consent) immediately gives
rise to all the rights and obligations of marriage;  how-
ever, it is not until after the <u>traductio in domum</u> that
one can actually exercise the right of sexual intercourse.[70]

From the context I would say that the <u>traditio/</u>
<u>traductio</u> that Innocent describes in sections II. 22. and
II. 66. refers to the <u>traditio ad carnalem conjunctionem</u>,
or the <u>traductio in domum</u> rather than to the <u>traditio</u>
<u>puellae</u>.  The <u>traditio/traductio</u> referred to by Innocent
is thus the <u>traditio ad carnalem conjunctionem/traductio</u>
<u>in domum</u>, which presumes that after the bride has been led
into the house of her husband (carried over the threshold),
sexual intercourse will follow.  The image of section II. 66.
17-20--...<u>sponsa cum sponso, sola cum solo requiescet in</u>
<u>lecto quietis, intra cubiculum gaudii</u>,...--is certainly
that of a couple in their marriage bed.

When in section II. 66. 1-6. Innocent cites Mt. 1,18-19--When Mary his Mother was espoused to Joseph, before they came together, she was found with child of the Holy Spirit. Whereupon Joseph her husband, being a just man, et nollet eam traducere, was minded to put her away privately, he does not have in mind the same meaning for traducere as does the Douay-Rheims translation--and not willing to publicly expose (traducere) her. What Innocent means is that Joseph did not want to lead Mary over to his house to consummate the marriage. Innocent is taking traducere to refer to the traditio ad carnalem conjunctionem, or the traductio in domum.

II. 24. De Modo. In hoc divino conjugio non est unio duarum personarum in una natura, sed unio duarum naturarum in una persona. Quia non persona personam assumpsit, sed natura naturam; nec natura personam accepit, sed persona naturam. Persona vero naturam assumpsit, sed in personam, non in naturam. The section De Modo concerns the hypostatic union of the second Person of the Trinity with human nature in the Incarnation. In the Incarnation the second Person of the Trinity, the Son of God, keeping his divine nature, took to himself a human nature, both body and soul.[71] The statement that a person takes to itself a nature, but into the person, not into the nature means that the second Person of the Trinity in

taking a human nature to himself takes the human nature
into the second Person, uniting the human nature to the
divine nature in the hypostatic union, uniting them in
the hypostatic union of the Son but not mixing them together
into one composit nature made up of the two.[72]

II. 32.: De Ordine Caritatis. Rectus ordo caritatis
hic est: ut homo primo loco diligat Deum; secundo se ipsum;
tertio proximum. Et in se diligat magis, quod majus est,
idest animam; et minus, quod minus est, idest corpus.
Inter proximos autem diligat primo parentes; deinde
domesticos; ad ultimum inimicos: et forte magis bonos
debet in caritate praeferre. Deum autem debet diligere
propter se, proximum, propter Deum. Sed bonum in Deo,
malum ad Deum.: In his continuation of his gloss on Et
ordinavit in me charitatem (Cant 2,4.) Innocent thus
presents the following order of charity (love): In the
first place let man love God; in the second himself; in
the third his neighbor. And let him love more in himself
what is greater, that is, the soul; and less what is lesser,
that is, the body. And let him love among the neighbors in
the first place his parents, then the members of his house-
hold, and last his enemies; and perhaps he should prefer
in charity the good neighbors more than the bad neighbors.
And he should love God on account of himself; his neighbors
on account of God. But the good neighbors in God; the evil

to God.

Innocent's <u>ordo caritatis</u> differs somewhat from that
found in the marginal gloss (<u>Glossa Ordinaria</u>) on <u>Ordinavit</u>
<u>in me caritatem</u> (Cant 2,4.). The order of charity given
by the <u>Glossa Ordinaria</u> is as follows: He set in order
charity in me, that is, he made me have ordered charity.
Ordered charity is that in the first place God is loved,
in the second place parents, then sons (children), and
next the members of one's household, who, if they are good,
are preferred even to bad sons (children). One should <u>love</u>
<u>the Lord your God with all your heart and with all your mind,</u>
<u>and your neighbor as yourself</u> (Mk 12,30-31.). One need not
love one's enemies as oneself; it is enough that we love
and do not hate them.[73]

II. 35.: <u>Quomodo Christus dereliquit patrem, et matrem,</u>
<u>et adhaesit Ecclesiae. Propter hoc ergo, idest propter</u>
<u>dilectionem Ecclesiae, Christus homo factus est,....Et</u>
<u>reliquit matrem suam, idest deseruit Synagogam, de qua</u>
<u>secundum carnem ortus est. In cujus figura Jesus dereliquit</u>
<u>Judaeam, et abiit in regionem juxta desertum, in civitatem,</u>
<u>et ibi morabatur cum discipulis suis. Et adhaesit uxori</u>
<u>suae, idest Ecclesiae se conjunxit, ut sit: Unum ovile, et</u>
<u>unus pastor. Et ita duo, scilicet Ecclesia, et Christus,</u>
<u>sunt in carne una, idest in una carnis natura. Quia:</u>
<u>Verbum caro factum est, et habitavit in nobis.:</u>

The understanding of this section is greatly facilitated by the commentary of the _Glossa Ordinaria_ on John 11, 54: _Wherefore Jesus walked no more openly among the Jews: but he went into a country near the desert, unto a city that is called Ephrem: and there he abode with his disciples._ The significant gloss here is the interlinear gloss on _sed abiit in regionem iuxta desertum_ (_but he went into a country near the desert_): Jesus leaving the Jews and going into the country near the wilderness, to a city called Ephrem means the passing over of Jesus from the Jews to the Church, that is, he abandoned the Jews and went to Ephrem, that is, to the Church. Ephrem means fruitfulness, that is, the Church.[74]

II. 36. _De tribus bonis Conjugii._ _Tria vero sunt principaliter bona conjugii. Fides, Proles, et Sacramentum. Fides ad castitatem: Proles ad fecunditatem: Sacramentum ad stabilitatem refertur. Haec in sacramentali conjugio sacramentaliter invenimus._: This threefold division of the blessings of marriage--faith(fulness), children, and the sacrament--can be traced back to St. Augustine.[75] This threefold division is also followed by such twelfth century theologians as Hugh of St. Victor[76] and Peter Lombard.[77]

These three theologians all agree that the third blessing is called a sacrament because marriage is a sign

of a sacred thing--the marriage between Christ and the
Church.  The sacrament continues inseparably in a marriage
between legitimate persons, because the marriage bond
always remains between a living couple.  Even if there
has been a divorce (separation) because of fornication
(adultery), the stability of the marriage bond is not
dissolved.[78]

II. 39. and II. 40.  _De Sacramento.  Sacramentum
autem inter Christum, et Ecclesiam inseparabile perseverat;
...De Conjugalis vinculi firmitate.  ...Sacramentum autem
ita stabile perseverat, ut sine ipso esse non possit
conjugium.  Manet autem semper vinculum inter viventes
conjugale, ut etiam causa fornicationis intervenienti
divortio conjugalis vinculi firmitas non solvatur;..._

All canon law concerning marriage is based upon the
doctrine that marriage is a sacrament.[79]  All marriages
are contracts, but marriage between Christians is both a
contract and a sacrament.[80]  Canonists attached two legal
consequences to the doctrine that marriage is a sacrament;
the indissolubility of marriage and the exclusive right of
the Church to determine what act effects the marriage bond
(vinculum matrimonii).[81]

The two great mid-twelfth century syntheses of Gratian
in canon law and Peter Lombard in theology each presented
one of the two lines of thought which had developed concern-

ing the formation of the marriage bond.[82]

Gratian tried to reconcile the theory that the bond is formed by consent and the theory that the bond is effected by sexual intercourse. To accomplish this he borrowed the French doctrine of matrimonium initiatum and matrimonium ratum. According to Gratian, marriage is initiated in the desponsatio and perfected in sexual intercourse. Marriage between a sponsus and a sponsa is initiatum, while those who have had intercourse (copulati) are joined in matrimonium ratum.[83] It was possible to dissolve matrimonium initiatum, but matrimonium ratum could not be dissolved. In Gratian the desponsatio is the moment at which matrimonial consent is given, in fact, it is the only point at which consent is given. There is no distinction in Gratian between consent given for the future or for the present.[84]

Gratian, therefore, held that the marriage bond was established by sexual intercourse. Peter Lombard, however, presented the opposite viewpoint that the bond was formed by consent. The Lombard firmly held that the efficient cause of marriage is consent, distinguishing in this consent between that of the future (verba de futuro) and that of the present (verba de praesenti)--[85]"consensus non quilibet, sed per verba expressus, nec de futuro, sed de praesenti."[86] This present consent made any subsequent marriage, even if followed by sexual intercourse, invalid. After the verba

de praesenti the marriage could not be dissolved for any reason;  the consent of both the sponsi de praesenti was necessary for them to enter the religious life.  The verba de futuro were only a promise to contract marriage at some time in the future.

Although the Lombard did maintain that marriage contracted by the verba de praesenti was indissoluble and sacramental, he did admit that it did not fully represent the union of Christ and the Church.  The sponsi de praesenti represented the union of Christ and the Church in the conformity of will.  With sexual intercourse the conjuges represented the union of Christ and the Church according to the conformity of nature.[87]

The positions presented by both Gratian and Peter Lombard each had its devoted followers, while others tried to effect a synthesis between the two.[88]  The definitive solution was that of Huguccio and Innocent III.[89]

According to Huguccio, the desponsatio de praesenti constituted matrimonium ratum.  The verba de praesenti effected a perfect and complete marriage which could be dissolved only by death or entry into the religious life. He emphasized the difference between the verba de futuro and the verba de praesenti.  He reserved the term desponsatio or sponsalia to the verba de futuro, and he reserved the term conjugium or matrimonium to the incorrectly named

desponsatio de praesenti.

Huguccio accepted present consent as the only way of forming the marriage bond. He introduced, however, the theory of matrimonium praesumptum, that a desponsatio de futuro followed by sexual intercourse was matrimonium ratum, because the fact of intercourse presumes that present consent had been given at the moment of intercourse.[90] Thus, it is still present consent which establishes the bond.

Innocent III followed the theories of Huguccio in his legislation. From the beginning of his pontificate Innocent held that the marriage bond could be formed in two ways: either by the verba de praesenti or by the verba de futuro followed by sexual intercourse. He did not at first employ the argument of matrimonium praesumptum with regard to the formation of the bond by the verba de futuro plus sexual intercourse; however, in his later legislation he did follow the theory of Huguccio on matrimonium praesumptum.[91]

The subject of divorce and separation in the period of Innocent III requires some discussion to fully understand the sections in De quadripartita specie nuptiarum on the firmness of the sacrament.

The indissolubility of the marriage bond is one of the characteristics of marriage in canon law. This principle of indissolubility of the marriage bond is based

upon the elimination of divorce by the Church; however,
it took several centuries for the Church to eliminate
divorce. From the end of the eighth century the Church
tended to be strict as regards divorce,[92] and by the
middle of the twelfth century the canonical principle of
the indissolubility of marriage was firmly established by
Gratian and Peter Lombard.[93]

From the middle of the twelfth century on the principle
of indissolubility was established, and the only question
was at what point did the marriage become indissoluable.
According to Gratian, the bond could be dissolved only in
cases of matrimonium initiatum. In the case of matrimonium
perfectum, that is, a marriage which had been consummated,
the bond was indissoluble. According to the Lombard,
marriage which had been contracted by the verba de praesenti
was indissoluble.[94]

The Lombard also put forth the idea of "the separation
of bodies". There were two types of separation: the couple
could be separated corporaliter because of adultery  or
because of their mutual consent for one or both to enter
the religious life, or take a vow of continence (causa
religionis). They could not be separated sacramentaliter,
as long as they lived, from the moment at which there could
be no reason for an annulment of the marriage.[95]

True divorce in the ancient and modern sense was

eliminated from canon law. The term _divortium_ came to have a new meaning, or rather, two new meanings. One was that of annulment (_divortium quoad vinculum_) whereby it was judged that no marriage bond had actually ever existed between the two people involved. The second meaning was that of _separatio corporalis_ (separation of bodies), the _divortium quoad torum et mutuam servitutem_, due to adultery,[96] apostasy or heresy, or mutual consent to enter the religious life.

In classical canon law there were two main causes for which the _divortium quoad torum_ could be granted: adultery (fornication) and apostasy or heresy (spiritual fornication).[97] There were two effects of _divortium quoad torum_. The couple no longer owed the conjugal debt, and they were freed from the obligation of living together (_cohabitatio_) and those secondary obligations resulting from living together (_mutua servitus_).[98]

One could also obtain a _divortium quoad torum_ because of mutual consent by the couple for one or both to take a vow of continence, enter into the religious life, or for the husband to enter sacred orders. Except in the case of entry into the religious life, however, the couple were granted _divortium quoad torum_ but not _quoad habitationem_, that is, the couple continued to live together but did not have sexual intercourse.[99]

There was only one case in which Innocent III would allow the dissolution of the marriage bond--entrance into the religious life. With regret Innocent accepted the dissolution of a marriage not consummated by reason of entrance into the religious life of one of the sponsi. Marriage not consummated represents only the union of the faithful soul to God by faith and charity, a union which is broken by sin. The non-consummated marriage can thus be dissolved in favor of a better and greater good, the religious life. Innocent held to the absolute indissolubility of matrimonium ratum et consummatum.[100]

II. 41.: De Spirituali separatione. Sic et apostata quasi de conjugio Christi recedens etiam fide perdita sacramentum fidei non amittit quod lavacro regenerationis accepit. Redderetur enim redeunti, si amisisset abscedens. Habet hoc qui recesserit ad cumulum supplici non ad meritum praemii. Sicut ergo propter fornicationem uxor a viro dimittitur sic propter apostasiam anima separatur a Christo.:

The establishment of the correct text at this point is greatly facilitated by a similar, in fact almost identical, passage in St. Augustine's De nuptiis et concupiscentia. The passage in Augustine reads:

>...sicut apostatae anima velut de conjugio Christi recedens, etiam fide perdita Sacramentum fidei non amittit, quod lavacro regenerationis accepit. Redderetur enim procul dubio redeunti, si amisisset abscedens. Habet autem hoc qui recesserit ad cumulum

supplicii, non ad meritum praemii.[101]

On the basis of this passage in Augustine I have chosen
to use the Arras MS. 754 text of this section in my edition
of _De quadripartita specie nuptiarum_, making some substitu-
tions of variants and one emendation in the text.  I have
substituted _amittit_ for _ammittit_, _lavacro_ for _lavachro_,
_Habet hoc_ for _habet retinet_, and _apostasiam_ for _apotasiam_.
I have also emended _abscendens_ to read _abscedens_.

II. 43.:  _Quid impediat, aut dirimat Conjugium._
_Nam qui ficte baptizatur, ut Simon, etsi fidei suscipiat_
_sacramentum, quia tamen fidem sacramenti non accipit, a_
_Christo dissentit;  et ideo conjugium cum ipso non contra-_
_hit.  Quis enim dixerit, quod sine consensu conjugium_
_contrahatur?_:  Although he received the sacrament of
baptism, Simon Magus, because he did not actually believe
that Christ is the Savior, did not in fact contract
sacramental marriage, because without consent one cannot
contract marriage.

Simon, called Magus because he was a magician, lived
in Samaria in the first half of the first century A. D.
Because of his magic and his teachings Simon had built up
a following, and he was baptized in the hope that he would
gain greater magical powers.  When the apostles Peter and
John came to Samaria to bestow the Holy Spirit upon those
who had been baptized, Simon offered them money to grant

him this power.  Peter refused and rebuked him.  The word
simony comes from this attempt by Simon Magus to buy spir-
itual powers.[102]

II. 43.: Quisquis autem, ut Julianus Apostata, etsi
sacramentum fidei non amittat, quia tamen fidem sacramenti
dimittit, de Christo conjugio, quasi fornicando, recedit.:

Julian the Apostate (Flavius Claudius Julianus) was
Roman emperor from 361-63.  He was baptized and raised a
Christian; however, he became a follower of neo-Platonic
philosophy and apostatized to paganism.  He continued to
act as a Christian until he became emperor, at which time
he tried to reestablish paganism in the empire.[103]

According to Innocent, as an apostate, Julian did
not lose the sacrament of the faith, but he departed from
the marriage of Christ, as if he had fornicated.  As is
the case in carnal marriage, when one partner has committed
adultery (fornication), the marriage bond is not broken,
but the guilty party can be sent away because of the
adultery.  Thus with Julian the Apostate it is as if he
committed adultery (fornication) when he lost his faith.
He did not thereby lose the sacrament of the faith just as
in carnal marriage the marriage bond is not dissolved
because of adultery.  The apostate does depart from the
marriage of Christ in the same way that a partner guilty
of adultery can be sent away in carnal marriage.

II. 50.: <u>Sapientia aedificavit sibi domum, excidit</u>
<u>columnas septem. Christus est Dei virtus, et Dei sapientia,</u>
<u>qui aedificavit sibi domum, idest Ecclesiam, de qua dicit</u>
<u>Propheta: O Israel quam magna est domus Dei! Et excidit</u>
<u>columnas septem; idest distinxit in ea septem dona, vel</u>
<u>septem ordines Sanctorum:...:</u>

The seven gifts are the seven gifts of the Holy Spirit,
as found in Isaiah 11,2--wisdom, understanding, counsel,
fortitude, knowledge, godliness, and fear of the Lord.

On the seven orders of saints Trombelli gives the
following note: "<u>In margine adjunguntur haec:</u> Virginem
Mariam, Angelos, Prophetas, Apostolos, Martyres, Confessores,
et Virgines."[104] Innocent III apparently would not entirely
agree with this list of the seven orders of saints found in
the margin of the Venetian manuscript of the treatise. In
one of his sermons Innocent gives the following list: "...
considerans et admirans in illa superna curia ordines
angelorum, patriarcharum coetus, prophetarum choros,
apostolorum coronas, martyrum palmas, confessorum manipulos,
et virginum fructus,..."[105] Innocent's list thus consists
of angels, patriarchs, prophets, apostles, martyrs, confes-
sors, and virgins. The Trombelli note gives the Virgin
Mary as one of the orders of saints, while Innocent gives
the patriarchs instead. Otherwise the two lists agree.

II. 52.: <u>De personis legitimis. Sunt autem nonnullae</u>

personae, quae carnale conjugium inter se contrahere
prohibentur.  Et quidem ante legem fuerunt paucissimae:
sub lege plures:  post legem plurimae.  Propter hoc
relinquet homo patrem, et matrem;  idest propter copulam
conjugalem, nec filia patrem, nec filius matrem accipiet.:

Usually the expressions ante legem and sub lege refer
to the Lex Moysi, the Law of Moses;[106]  ante legem meaning
before the Law of Moses, and sub lege meaning under the
Law of Moses.  It is with reference to the Law of Moses
that Innocent uses the expressions ante legem and sub
lege in the section under discussion.

As Innocent states, some persons are forbidden to
contract carnal marriage between themselves;  and specif-
ically he mentions that a daughter cannot marry her father,
nor can a son marry his mother.  Before the Law of Moses
there was no prohibition against incest, for example, the
sons and daughters (who were brothers and sisters) of Adam
and Eve married each other, because there was no one else
to marry. [107]  The Law of Moses, however, prohibited
marriage with one's mother, step-mother, sister, grand-
daughter, aunt (on father's side), aunt (maternal), daughter-
in-law, and certain others.[108]

In this section De personis legitimis Innocent is
concerned with only one category of persons who can
legitimately contract marriage--blood relatives--that is,

he is concerned only with consanguinity.[109]  Before the
Fourth Lateran Council in 1215 canon law prohibited the
contracting of marriage within seven degrees of consanguin-
ity (blood relatives) and affinity (relatives by marriage).[110]
Canon 50 of the Fourth Lateran Council changed this prohibi-
tion to apply to only the first four degrees of consanguin-
ity and affinity.  Previous decrees concerning the matter
were revoked, and marriage was forbidden only within four
degrees of consanguinity and affinity.[111]

II. 52.:  ...Nec expectat septennium pro sponsalibus:
nec pro nuptiis duodennium....:  Christ waits neither seven
years for the engagement, nor twelve years for the marriage;
that is, Christ does not wait until the girl (Church) is
seven years old to become engaged, nor does he wait until
she is twelve years old to marry her.

Sponsalia (engagement) could not be contracted before
the age of seven because it was not until the age of seven
that children began to fully understand the sense of their
acts.  At the age of seven one was held to have attained
to the age of reason.  If a child between the age of seven
and puberty (twelve years for girls and fourteen for boys)
did become engaged, the child could break the engagement
without giving a reason when he attained puberty.[112]

In order to contract marriage one had to have attained
the age of puberty, which was twelve years for girls and

fourteen for boys.[113] All marriages contracted by persons
legally <u>impuberes</u>, however, were not necessarily invalid.
Canonically <u>impuberes</u> were forbidden to contract marriage;
however, if in fact they had done so and the marriage had
been consummated with full understanding of that act, then
the marriage was held to be valid. Puberty had been attain-
ed in fact, if not in law.[114]

    II. 60.: <u>De Pulchritudine sponsae</u>. ...<u>Licet autem</u>
<u>illud sit absque dubitatione verissimum secundum statum</u>
<u>triumphantis Ecclesiae, quem habet in patria: verum est</u>
<u>tamen secundum statum militantis Ecclesiae, quem habet in</u>
<u>via; sed quantum ad illos, quid non solum numero, sed</u>
<u>merito: non solum nomine, sed numine sunt in Ecclesia,</u>
<u>qui spectant non solum ad sacramentale, sed et ad spiritu-</u>
<u>ale conjugium</u>....:

    According to Blaise, mystically the word <u>patria</u> means
<u>the heavenly fatherland</u>. <u>Via</u> is figuratively defined as
<u>the way</u>, that is, that life which leads us to salvation.
It can also simply mean <u>life</u>.[115] The Church Triumphant
exists in the <u>patria</u>, the heavenly fatherland, heaven;
while the Church Militant exists in the <u>via</u>, the way, life,
on earth.

    II. 63.: <u>De Paranymphis</u>. ...<u>Hic est, de quo per</u>
<u>Malachiam Prophetam Pater inquit ad Filium: Ecce ego mitto</u>
<u>Angelum meum; idest Joannem, qui dicitur Angelus, non</u>

naturae proprietate, sed officii dignitate, quia Christum
et praenunciavit venturum, et annunciavit praesentem....
Et statim post annunciationem Joannis, veniet ad templum
sanctum suum...Dominator, quem quaeritis, et Angelus
testamenti, quem vos vultis. Metaplasmus est. Convertit
enim sermonem ad illos, qui Christi desiderabant adventum
dicentes: Emitte agnum Domine dominatorem terrae, de petra
deserti ad montem filiae Sion.....

An angel is a messenger, a nuntius, one who announces.[116]
Thus John the Baptist had the office of an angel because
he both fortold the coming of Christ when he leaped
for joy (Lk 1,44.) and announced the presence of Christ
in his preaching, e.g., when he said: Behold the Lamb of
God; behold, he who takes away the sin of the world (Jn 1,
29.).

The statement "Metaplasmus est." (This is a metaplasm.)[117]
can best be explained by referring to Innocent's sermon on
the Feast of the Purification of the Virgin Mary.[118] The
relevant passage is as follows:

> Venit ergo ad templum sanctum suum Dominator quem vos
> quaeritis, et Angelus testamenti, quem vos vultis (Mal
> 3,1.). Metaplasmus hic est, prius enim loquebatur
> Pater ad Filium: Ecce ego mitto angelum meum, etc.
> (Mal 3,1.), nunc autem convertit sermonem ad illos qui
> Filii desiderabant adventum dicentes: Veni, Domine,
> et noli tardare, relaxa facinora plebis tuae Israel (?).
> Et alibi: Emitte Agnum, Domine, Dominatorem terrae,
> etc. (Is 16,1.).[119]

This passage from the sermon makes it quite clear

that the metaplasm (transformation, change) referred to
is the change in the meaning of angelus.  The entire
passage from Malachi is:  Behold, I send my Angel, and
he shall prepare the way before your face.  And presently
the Lord whom you seek, and the Angel of the testament,
whom you desire shall come to his holy temple (Mal 3,1.).[120]
The first time angel is used in this passage it refers to
John the Baptist, who shall prepare the way before your
face.  The second time it is used angel refers to Christ,
the Lord whom you seek, and the Angel of the testament,
whom you desire, who shall presently come to his holy
temple.

The interlinear gloss on Malachi 3,1 agrees that
angelum meum is John the Baptist, templum is the Church,
and dominator is Christ (the Savior).[121]  From the marginal
gloss by Nicholas of Lyra, following Jerome, one learns
that Christ is the angelus testamenti because he was the
messenger of the New Testament.[122]  Thus the metaplasm
referred to in both the treatise and the Purification
sermon concerns the change in the meaning of angel in
Malachi 3,1, although the meaning is more obvious in the
sermon than in the treatise.

II. 66.:  De traductione.  ...quoniam in terra
viventium Sancti geminam glorificationis stolam accipient,
spiritualem, et corporalem;  unam mentis, quae consistit

in tribus; et alteram carnis, quae consistit in quatuor, quorum proprietates invenies assignatas in illo sermone, quem De duplici Corona descripsimus.: The saints in the land of the living will receive a double stole of glory, both spiritual and corporal; the one of the mind, which consists of three parts; and the other of the flesh, which consists of four parts, the assigned properties of which you will find in that sermon, which we have described On the Double Crown.

According to the sermon On the Double Crown, this spiritual and corporal double stole of glorification which the saints will receive in heaven has the following properties: the stole of the mind, which consists of three parts, consists of "cognitio, dilectio, (et) delectatio"[123]; and the stole of the flesh, consisting of four parts, consists of "claritas et subtilitas, agilitas et impassibilitas."[124]

II. 69.: De Pane. Panis enim coelestis apponitur, de quo Si quis manducaverit, vivet in aeternum....Transubstantiatur, non transformatur, sed transformat, non transubstantiati. Quotidie manducatur, et non deficit, nec decrescit, quia quotidie transubstantiatur, et nec proficit, nec accrescit.:

Transubstantiation is defined as the change of the entire substance of the bread and wine into the body and

blood of Christ.  At the consecration of the mass the substance of the bread and wine is changed into the body and blood of Christ, but the appearances of bread and wine remain, that is, although the entire substance of the bread and wine are changed into the substance of the body and blood of Christ, the accidents of the bread and wine such as color and taste remain.[125]

The term transubstantiation was first used in the late eleventh or early twelfth century by such theologians as Hildebert of Tours (d. 1134) and Stephen of Autun (d. 1139).  Roland Bandinelli (Alexander III) used the term in his Sentences written around 1150-53, and later twelfth century theologians such as Stephen of Tournai (d. 1203) also used the term.  In canon 1 of the Fourth Lateran Council, the famous confession of faith decree, Innocent III gave the term transubstantiation ecclesiastical sanction for the first time.[126]

II. 71.:  De Vino.  ...Pro corporis ergo salute, sub specie panis caro comeditur;  et pro salute spiritus sub specie vini sanguis potatur;  alterutrum sub utroque.:  The statement alterutrum sub utroque refers to the doctrine that Christ is whole and entire both under the appearances of bread and under the appearances of wine;  both the body and blood of Christ is present under either the appearances of bread or of wine.[127]

III. 12. 15-19.: ...quia Christus a chrismate
dicitur, quod principaliter fit ex oleo:...: This state-
ment refers to the fact that chrism, which is used for the
anointing, is made from olive oil and balsam, with olive
oil being the principal ingredient.[128]

III. 12. 50-67.: Erubescat Judaeus, Haereticus, et
Paganus, qui Christum non esse Deum perverso corde mentiun-
tur: cum David Prophetarum eximius, Christum esse Deum
aperta voce pronunciet: Unxit te Deus, Deus tuus; Deus
Pater unxit te, Deus Fili. Quod in Graeco satis elucet,
in quo vocativus a nominativo distinguitur;...: Let the
Jew, heretic, and pagan, who falsely say with a perverse
heart that Christ is not God, blush: when David, the
choice one of the prophets, may proclaim in a clear voice
that Christ is God: O God, your God has anointed you (Ps
44,8.); God the Father has anointed you, O God the Son.
Which is apparent enough in the Greek, in which the vocative
is distinguished from the nominative;...The point of this
entire section is that Christ is indeed God.

There is a definite problem concerning the statement
"Quod in Graeco satis elucet, in quo vocativus a nominativo
distinguitur;" because in the Septuagint (Old Testament
in Greek) both words (both Deus) are in the nominative
case (θεὸς). There is no vocative (θεέ) in the Septuagint
version of this passage Unxit te Deus, Deus tuus (Ἔχρισέν

σε ὁ Θεὸς ὁ Θεός σου) (Ps 44,8.).[129]

In Latin the vocative of deus is deus, the same as the nominative. Thus in Latin the vocative and the nominative of deus cannot be distinguished from each other as, accord- to Innocent and others, they can be distinguished in Greek, Θεέ being the vocative and Θεός the nominative. However, as mentioned above, there is no vocative in the Greek version of Unxit te Deus, Deus tuus.

The commentaries of St. Jerome and Peter Lombard on this passage (Unxit te Deus, Deus tuus.) and also the notes in the Migne edition of these works are very helpful in understanding this section.[130] According to Jerome, the first Deus in Unxit te Deus, Deus tuus is correctly under- stood to be in the vocative case, while the second Deus is in the nominative case.[131] The comment that this distinc- tion between the vocative and nominative is clearly evident in the Greek is traced back to St. Augustine. As is sug- gested by the note in the Migne edition of Peter Lombard's commentary on Psalm 44, St. Augustine must have been using different manuscripts of the Psalms in Greek from those used by the translators of the Septuagint and by others.[132] As the note says: "Et tamen codices nostri legunt ὁ Θεός, ὁ Θεός σου" (Ps 44,8.).[133]

III. 20.: ...Memores erunt nominis tui, Domine, in omni generatione, et progenie. Quasi dicat; accepti

beneficii non erunt ingrati, quia memores erunt nominis tui,
Domine; non tantum alicubi, sed ubique; quoniam in omni
generatione, et progenie suscepti officii non erunt obliti;
quia propterea populi confitebuntur tibi; non tantum semel,
sed semper; quoniam in aeternum, et in saeculum saeculi....:
They shall remember your name, O Lord, throughout all
generations and descendants (Ps 44,18.). As if he may
say: They shall not be ungrateful for the favors (beneficia)
received, because They shall remember your name, O Lord:
not only somewhere, but everywhere, because throughout all
generations and descendants. The offices received will not
be forgotten; because therefore shall people praise you
(Ps 44,18.); not only once, but always; because for ever,
yes for ever and ever (Ps 44,18.).

A problem arises here in the translation of the
word beneficium. Beneficium can be translated as favor,
kindness, benefit, etc.; or it can be translated more
technically as fief or ecclesiastical benefice. All
medievalists are familiar with the problems presented in
translating this word, as in the famous case of the Diet
at Besancon in 1157 when Pope Hadrian IV used the ambiguous
term beneficium to mean either favor or fief.[134] From its
context in the treatise the term beneficium apparently
refers to the offices received by the apostles and bishops.
I prefer, however, to translate the word as favor rather

than as <u>ecclesiastical benefice</u>, because I am not convinced
that it is definitely used in this more technical sense.

Footnotes

[1]René Metz, <u>La consecration des vierges dans l'Eglise romaine</u> (Paris: Presses Universitaires de France, 1954), pp. 363-367, 380-381.

[2]<u>Dictionnaire d'archeologie chretienne et de liturgie</u> (Paris: Librairie Letouzey et Ane, 1932), X, Part II, col. 1844.

[3]Metz, <u>op. cit.</u>, p. 384, 384, n. 50. See <u>PL</u> CXIX, 980 on Pope Nicholas I's letter to the Bulgars.

[4]Metz, <u>op. cit.</u>, pp. 380-383.

[5]<u>Ibid.</u>, P. 383. See Pope Nicholas I's letter to the Bulgars (<u>PL</u> CXIX, 980.) for this ceremony of the imposition of a veil, the nuptial benediction, and the imposition of the crowns.

[6]Innocent III, <u>De quadripartita specie nuptiarum</u>, II. 4.-II. 22. and II. 61.-II. 65.

[7]Arras MS. 754, f. 1.

[8]<u>PL</u> CCXIV, 17.

[9]<u>PL</u> CCXIV, 661.

[10]Reginensis Latinus MS. 212, f. 60.

[11]Giovanni Crisostomo Trombelli, ed., <u>Bedae et Claudii Taurinensis, itemque aliorum veterum patrum opuscula</u> (Bononiae: apud Hieronymum Corciolani, et H. H. Colli ex Typographia S. Thomae Aquinatis, 1755), p. 243. <u>PL</u> CCXVII, 921-22. Arras MS. 754, f. 1.

[12]Trombelli, <u>op. cit.</u>, p. 243, n. (b).

[13]Conrad Eubel, ed., <u>Hierarchia Catholica Medii Aevi</u> (Monasterii: sumptibus et typis Librariae Regensbergianae, 1913), I, 3, n. 1.

[14]<u>PL</u> CCXIV, 13.

[15]Maccarrone, "Innocenzo III prima del pontificato," pp. 118-119.

[16]Eubel, op. cit., p. 3.

[17]Kenneth M. Setton, ed., A History of the Crusades (2 vols.; Madison, etc.; The University of Wisconsin Press, 1969), II, 196.

[18]Eubel, op. cit., p. 3.

[19]Innocent III, De quadripartita, I. 1. 40-64.

[20]Ibid, I. 1. 1.

[21]Charlton T. Lewis and Charles Short, A Latin Dictionary (Oxford; at the Clarendon Press, 1966) on "protoplastus".

[22]PL CCXVII, 483-490 (Sermo VIII; In solemnitate apparitionis domini nostri Jesu Christi.).

[23]Ibid., cols. 483-484.

[24]Textus biblie cum Glossa ordinaria, III, f. 150; "Cantatur hic psalmus....de nativitate Domini, quia ibi agitur de laude sponsi et sponsae et de nuptiis Christi et Ecclesiae, quarum desponsatio facta est in Verbi incarnatione." Peter Lombard, Sententiarum libri quatuor, Lib. IV, Dist. XXVI, Cap. VI (PL CXCII, 909-910.).

[25]PL CCXVII, 484.

[26]A. Esmein, Le mariage en droit canonique (2 vols.; Paris; Librairie du Recueil Sirey, 1929 and 1935), I, 209-210.

[27]Metz, op. cit., p. 377.

[28]Dictionnaire d'archeologie chretienne et de liturgie, X, Part II, cols. 1850, 1894.

[29]Metz, op. cit., pp. 369-370.

[30]Dictionnaire d'archeologie chretienne et de liturgie, X, Part II, col. 1894.

[31]C.30 q.5 c.6. Esmein, op. cit., I, 210.

[32]Esmein, op. cit., I, 210. Dictionnaire d'archeologie chretienne et de liturgie, X, Part II, col. 1896.

[33]Esmein, op. cit., I, 210, n. 3.

[34]Dictionnaire d'archéologie chrétienne et de liturgie, X, Part II, cols 1896-97.

[35]Esmein, op. cit., I, 210-211.

[36]Metz, op. cit., pp. 376-378, 376-377, n. 30.

[37]Esmein, op. cit., I, 202.

[38]Metz, op. cit., p. 387, n. 62.

[39]Ibid., p. 377.

[40]See, for example: C.30 q.5 c.4: "...et a parentibus tradita sponso...."; C.31 dict.a.q.1: "...deinde pater alii eam tradidit...."; C.32 q.2 dict.p.c.12: "...Aliter non fit legitimum coniugium, nisi a parentibus tradatur."

[41]Metz, op. cit., p. 387: "tunc demum detur femina a patre vel amicis suis...." (pontifical of the monastery of Lyre, quoted by Metz, p. 387)

[42]C.30 q.5 c.1.

[43]D.23 c.33 and C.30 q.5 c.5: "Sponsus et sponsa cum benedicendi sunt a sacerdote, a parentibus vel a paranimphis offerantur in ecclesia sacerdoti,..."

[44]Esmein, op. cit., I, pp. 203-205. X 4.3.3. (Fourth Lateran Council decree on banns)

[45]Esmein, op. cit., I, p. 209.

[46]Ibid., pp. 198-200. Metz, op. cit., pp. 382, 398.

[47]X 4.3.3. H. J. Schroeder, Disciplinary Decrees of the General Councils (St. Louis, Mo.: B. Herder Book Co., 1937), pp. 280-281.

[48]Jean Dauvillier, Le mariage dans le droit classique de l'Eglise (Paris: Librairie du Recueil Sirey, 1933), p. 105.

[49]Ibid., pp. 110-111.

[50]Ibid., p. 178.

[51]Metz, op. cit., pp. 375, 377.

[52]Dictionnaire d'archeologie chretienne et de liturgie, X, Part II, cols. 1889-1890. Tertullian consider- ed the crown to be idolatrous, an offering to the pagan gods. He also thought that the wearing of a crown of flowers on the head was contrary to nature and that a woman wearing a crown resembled a prostitute (col. 1889).

[53]Metz, op. cit., p. 385.

[54]Ibid., pp. 382-385. See Pope Nicholas I's letter to the Bulgars in 886 (PL CXIX, 980.).

[55]Esmein, op. cit., I, 112. Dictionnaire d'archeologie chretienne et de liturgie, X, Part II, cols. 1850, 1891-1895. Metz, op. cit., pp. 369-370.

[56]Dictionnaire d'archeologie chretienne et de liturgie, X, Part II, cols. 1891, 1894. Metz, op. cit., pp. 369-370.

[57]Metz, op. cit., pp. 392-398.

[58]Ibid., pp. 372, 400. From the beginning of the twelfth century the usual ritual north of the Alps was to put the ring successively on the first three fingers (thumb, index, and middle) of the bride's right hand and to leave the ring on the middle finger (Metz, p. 400.).

[59]The Catholic Encyclopedia (New York: Robert Appleton Co., 1907-1912), IX, 704. Albert Blaise, Dictionnaire latin-français des auteurs chretiens (Paris: Librairie des Meridiens, 1954), on "subarrhare".

[60]Dauvillier, op. cit., p. 97.

[61]Dictionnaire d'archeologie chrétienne et de liturgie, X, Part II, col. 1893. Metz, op. cit., pp. 397-398.

[62]Dictionnaire d'archeologie chrétienne et de liturgie, X, Part II, cols. 1893-1895.

[63]The Catholic Encyclopedia, IX, 707.

[64]Metz, op. cit., pp. 377-378.

[65]Ibid., pp. 387-388.

[66]Dictionnaire d'archeologie chretienne et de liturgie, X, Part II, col. 1874.

[67]Metz, op. cit., pp. 387-391, 388, n. 64.

[68]Ibid., pp. 386-387, 387, n. 60.  Esmein, op. cit., I, 200-202.

[69]Dauvillier, op. cit., pp. 15, 79.

[70]Ibid., pp. 78-79.

[71]A Catechism of Christian Doctrine (Baltimore Catechism) (Paterson, New Jersey:  St. Anthony Guild Press, 1941 and 1949), p. 64 (# 85 a).

[72]Peter Lombard, Sententiarum, Lib. III, Dist. VI, Cap. V (PL CXCII, 769-770.);  Lib. III, Dist. VII, Cap. VI (PL CXCII, 773.).

[73]Textus biblie cum Glossa ordinaria, III, f. 357ᵛ.

[74]Ibid., V, f. 220.

[75]PL XL, 371-372, 394 (St. Augustine, De bono conjugali).  PL XLIV, 421, 424-425 (St. Augustine, De nuptiis et concupiscentia).

[76]PL CLXXVI, 157 (Hugh of St. Victor, Summa sententiarum:  De sacramento conjugii).  PL CLXXVI, 494, 495 (Hugh of St. Victor, De sacramentis fidei Christianae: De sacramento conjugii).

[77]Peter Lombard, Sententiarum, Lib. IV, Dist. XXXI, Cap. I-III (PL CXCII, 918-919.).

[78]Ibid., Lib. IV, Dist. XXXI, Cap. II (PL CXCII, 918-919.);  Lib. IV, Dist. XXVI, Cap. VI (PL CXCII, 909.). PL CLXXVI, 157, 495.  PL XL, 371-372, 378.  PL XLIV, 421.

[79]Esmein, op. cit., I, 68.

[80]Ibid., pp. 84-85.  Dictionnaire d'archeologie chretienne et de liturgie, X, Part II, col. 1869.

81Esmein, op. cit., I, 68.

82Dauvillier, op. cit., p. 9.

83Ibid., pp. 10-11. Esmein, op. cit., I, 122-123. C.27 q.2 dict.p.c.34: "Sed sciendum est, quod conjugium desponsatione initiatur, commixtione perficitur. Unde, inter sponsum et sponsam conjugium est sed initiatum, inter copulatos est conjugium ratum."

84Dauvillier, op. cit., pp. 10-11.

85Ibid., p. 12.

86Peter Lombard, Sententiarum, Lib. IV, Dist. XXVII, Cap. III (PL CXCII, 910.).

87Dauvillier, op. cit., p. 13.

88Ibid., p. 14. See Dauvillier on the various followers of Gratian and the Lombard.

89Ibid., p. 54.

90Ibid., p. 56. Huguccio presented this theory of matrimonium praesumptum in order to preserve Alexander III's solution of marriage formed by copula sponsalibus superveniens (Dauvillier, op. cit., p. 56.).

91Ibid., pp. 58-61. PL CCXIV, 288-289 (letter of Innocent III to the archbishop of Otranto): "...desponsatio per testes legitimos comprobata eos matrimonialiter fuisse conjunctos ostendit, sive desponsatio ipsa fuerit de praesenti, ut per consensum legitimum et verbis de praesenti expressum, sive de futuro, ut per sequentem carnis copulam matrimonium inter eos fuerit celebratum...."

92Esmein, op. cit., II, 48.

93Ibid., p. 88. Dauvillier, op. cit., p. 280.

94Dauvillier, op. cit., p. 280.

95Ibid., p. 281. Esmein, op. cit., II, 103, n. 2.

96Esmein, op. cit., II, 100-105. There is one case in which the term divortium retained its traditional

meaning: "...ce terme (_divortium_) n'aura plus son sens ancien et traditionnel, sauf pour un cas vise d'ailleurs au titre _De divortiis_ dans les decretales de Gregoire IX, celui on un converti repudie regulierement son conjoint infidele (Esmein, _op. cit._, II, 101.)."

[97]Dauvillier, _op. cit._, p. 343.

[98]Esmein, _op. cit._, II, 113-114.

[99]_Ibid._, pp. 103-104, 114.

[100]Dauvillier, _op. cit._, pp. 80, 322, 336, 476. X 1.21.5. (letter of Innocent III to the bishop of Metz): "...quum duo sint in coniugio, videlicet consensus animorum et commixtio corporum, quorum alterum significat caritatem, quae consistit in spiritu inter Deum et iustam animam, ad quod pertinet illud, quod dicit Apostolus: _Qui adhaeret Deo, unus spiritus est cum eo_ (1 Cor 6,17.); reliquum vero designat conformitatem, quae consistit in carne inter Christum et sanctam ecclesiam, ad quod pertinet illud, quod Evangelista testatur: _Verbum caro factum est, et habitavit in nobis_ (Jn 1,14.), profecto coniugium illud, quod non est commixtione corporum consummatum, non pertinet ad illud coniugium designandum, quod inter Christum et ecclesiam per incarnationis mysterium est contractum, iuxta quod Paulus exponens illud, quod dixerat Protoplastus: _Hoc nunc os ex ossibus meis, et caro de carne mea, et propter hoc relinquet homo patrem et matrem, et adhaerebit uxori suae, et erunt duo in carne una_ (Gen 2,23.), statim subiungit: _Hoc autem dico magnum sacramentum in Christo et ecclesia_ (Eph 5,31.)." See Dauvillier, p. 80 on X 1.21.5. According to Innocent III in this decretal, non-consummated marriage signifies the union between God and the just soul, while consummated marriage represents the union between Christ and the Church.

[101]_PL_ XLIV, 420.

[102]_The Catholic Encyclopedia_, XIII, 797.

[103]_Ibid._, VIII, 558-559.

[104]Trombelli, _op. cit._, p. 256, n. (q).

[105]_PL_ CCXVII, 594 (_Sermo XXXI: In solemnitate omnium sanctorum_).

[106]Peter Lombard, Sententiarum, Lib. IV, Dist. XXXIII, Cap. I-IV (PL CXCII, 924-926.).

[107]Ibid., Lib. IV, Dist. XXXII, Cap. I (PL CXCII, 922.).

[108]Ibid., Lib IV, Dist. XXXII, Cap. III (PL CXCII, 923.).

[109]See Peter Lombard, Sententiarum, Lib. IV, Dist. XXXIV, Cap. I (PL CXCII, 926.) (De personis legitimis.) on the various categories of persons prohibited from contracting marriage for reasons other than consanguinity. See also Lib. IV, Dist. XL, Cap. I (PL CXCII, 937.) (De cognatione carnali.) on the prohibited degrees of consanguinity and affinity.

[110]Ibid., Lib. IV, Dist. XL, Cap. I (PL CXCII, 937.). C.35 q.2 c.16.

[111]X 4.14.8. (Canon 50 of the Fourth Lateran Council)

[112]Esmein, op. cit., I, 166-168, 236. C.30 q.2: "Sponsalia ante septennium contrahendi non possunt...."

[113]Esmein, op. cit., I, 236, 236, n. 2. Panormitanus on X 4.2.3. (De desponsatione impuberum.): "Masculus regulariter debet complevisse annum quartum decimum, femina vero duodecimum." (Esmein, I, 236, n. 2.) On the ages of puberty see in passim X 4.2.

[114]Esmein, op. cit., I, 236-237.

[115]Blaise, op. cit., on "patria" and "via".

[116]Lewis and Short, op. cit., on "angelus".

[117]Metaplasmus (μεταπλασμός) here has the basic meaning of a change, in this particular case the change in the meaning of the word angelus. See G. W. H. Lampe, A Patristic Greek Lexicon (2 vols.; Oxford: at the Clarendon Press, 1964), II, on "metaplasmus".

[118]PL CCXVII, 505-514 (Sermo XII: In solemnitate purificationis gloriosissimae semper virginis Mariae.).

[119]Ibid., col. 511.

[120]Ibid., col. 505.

[121]Textus biblie cum Glossa ordinaria, IV, f. 426.

[122]Ibid.

[123]PL CCXVII, 616: "...sunt tres proprietates animae glorificatae, cognitio, dilectio, delectatio,..."

[124]Ibid.: "...sunt quatuor proprietates corporis glorificati, claritas et subtilitas, agilitas et impassibilitas,..."

[125]A Catechism of Christian Doctrine, pp. 276-278 (# 347-350). New Catholic Encyclopedia, V, 579-580.

[126]X 1.1.1. Schroeder, op. cit., p. 239. New Catholic Encyclopedia, V, 579.

[127]A Catechism of Christian Doctrine, p. 278 (# 351).

[128]The Catholic Encyclopedia, III, 696-697.

[129]Septuaginta, ed. by Alfred Rahlfs (2 vols.; Stuttgart: Württembergische Bibelanstalt, 1962), II, on Ps. 44,8.

[130]PL XXVI, 1013-1018 (St. Jerome, Breviarium in Psalmos: Psalmus XLIV). PL XXII, 622-639 (St. Jerome, Epistola LXV: Ad principiam virginem, sive explanatio Psalmi XLIV). PL CXCI, 437-450 (Peter Lombard, Commentarium in Psalmos: Psalmus XLIV).

[131]PL XXII, 631.

[132]PL CXCI, 447.

[133]Ibid.

[134]Brian Tierney, The Crisis of Church and State 1050-1300 (Englewood Cliffs, N. J.: Prentice-Hall, Inc., 1964), pp. 100-101.

Chapter IV

General Commentary
on the Consecration Sermon
De quatuor speciebus desponsationum

The following is a commentary on the sermon De quatuor
speciebus desponsationum, a sermon which, as previously
mentioned, is a sequel to the treatise De quadripartita
specie nuptiarum. Because this consecration sermon presents
Innocent III's political ecclesiology, especially his
theories of papal and episcopal power; my commentary
includes in particular discussions of papal spiritual and
temporal power and episcopal election and power.

Commentary

1-6: Qui habet sponsam, sponsus est. Amicus autem,
qui stat et audit eum, gaudio gaudet propter uocem
sponsi. Paranymphus ait ista de sponso, uox de Uerbo,
lucerna de sole, Iohannes de Christo. Sponsus enim est
Christus, et sponsa quam habet ecclesia. Innocent
follows the traditional exegesis of the Glossa Ordinaria
on Qui habet sponsam, sponsus est. Amicus autem sponsi,
qui stat et audit eum, gaudio gaudet propter vocem sponsi
(Io 3,29.). The sponsus is Christ; the sponsa is the
Church; the amicus sponsi is John the Baptist.[1]

48-53, 87-94, 264-266: Ergo qui habet sponsam,

sponsus est: amicus autem sponsi stat, et gaudio, etc.
Ego sum fratres amicus sponsi, cui sponsus amicabiliter
ait: Amice, ascende superius; illius successor effectus,
qui terna responsione dixit ad sponsum: Domine, tu scis
quia amo te. Ergo qui habet sponsam,...An non ego sum
sponsus, et quilibet uestrum amicus sponsi? Utique sponsus,
quod sponsam habeo nobilem, diuitem, et sublimem, decoram,
castam, et gratiosam, sacrosanctam, Romanam ecclesiam: que
disponente Domino, cunctorum fidelium mater est et magistra.
Ergo qui habet sponsam,...Uos autem fratres et filii, qui
estis amici sponsi, gaudio gaudetis propter uocem sponsi,
...:

Innocent III, the bishop of Rome, is both amicus
sponsi of Christ and sponsus of the Roman Church, the
mother and mistress of all the faithful. Other bishops
are also amici sponsi and sponsi. They are amici sponsi
of Christ and sponsi of their churches. According to the
treatise De quadripartita specie nuptiarum, the apostolicus
ordo (apostles and bishops) is the amicus sponsi, who takes
up the sponsa of Christ, the Church, and unites with her in
Levirate marriage to raise up children (Christians) to
the dead brother Christ.[2]

The idea that the apostles and the bishops are amici
sponsi, or paranymphi of Christ is not unusual. Cassiodorus
refers to the apostles and patriarchs as amici Dei,[3] while

St. Bernard calls the pastors of the Church <u>sponsi amicissimi</u> (the greatest friends of the <u>sponsus</u>).[4] Adam Scotus says that the <u>paranymphi</u> of the Church are the prelates.[5]

55-58: <u>Accumulauit enim in me dona nature, multiplicauit in me munera gratie, contulit mihi spiritualia beneficia, superaddidit temporalia, spero quidem quod donabit eterna:...:</u>

As previously discussed in my commentary on <u>De quadripartita specie nuptiarum</u>, there is a problem in translating the word <u>beneficium</u>.[6] I have here decided to cautiously translate <u>beneficia</u> as <u>benefits</u>, rather than the technical <u>fiefs</u> or <u>benefices</u>.

102-103: <u>Placuit in celibatu Iohannes, placuit in coniugio Abraham.</u>: St. John the Apostle and Evangelist pleased in celibacy, while Abraham pleased in marriage. This juxtaposition of a virgin pleasing in chastity and Abraham pleasing in marriage is found in canon law.[7]

132-141: <u>Anniuersarium ergo consecrationis diem, quo hoc fuit spirituale coniugium consummatum, hodie mecum celebratis, licet ipso die fuerim in sede apostolica consecratus, quo beatus Petrus apostolus in episcopali fuit cathedra constitutus. Sed sicut lux solis, lucem stelle secum uideri non patitur: sic illa sollempnitas hanc secum non sustinet celebrari. Cedit ergo minor maiori,</u>

<u>quia minor maiori succedit. Ego igitur contraxi coniugium
et in consecratione nuptias celebraui.</u>

The occasion of this sermon is the anniversary of
Innocent's consecration as pope, the day on which his
spiritual marriage with the Roman Church was consummated.
However, as he indicates, he is not celebrating the
anniversary of his consecration on February 22, the day
on which in 1198 he was actually consecrated as the bishop
of Rome,[8] but on some other day. February 22 is the feast
of St. Peter's Chair at Antioch,[9] and Innocent decided to
celebrate his anniversary on a different day because as he
says, "just as the light of the sun does not allow the light
of the stars to be seen with it, thus that solemnity does
not suffer this to be celebrated with it." The lesser
celebration, the anniversary of Innocent's consecration,
yields to the greater, the feast of St. Peter's Chair at
Antioch; because the lesser, Innocent III, succeeds to
the greater, St. Peter. Innocent is probably celebrating
the anniversary of his consecration on some day between
January 8, the day on which he was elected pope, and
February 22, the day of his consecration as bishop of Rome.[10]

The Migne edition and the two Cologne editions of the
sermon indicate that this consecration sermon was delivered
on the <u>first</u> anniversary of Innocent's consecration. These
three texts read as follows: "Anniversarium ergo diem, quo

fuit hoc conjugium spirituale consummatum, hodie mecum
primum celebratis...."[11]  The Migne edition and the two
Cologne editions thus add the word primum to the British
Museum manuscript (Add. 18,331) text of this passage.
According to these three editions, therefore, this
consecration sermon was delivered in 1199, the year after
Innocent's election and consecration in 1198.

The Vaticanus Latinus MS. 10,902 adds the word
antecedenter instead of primum to the text.[12]  The Vatican
manuscript thus states that Innocent is celebrating his
anniversary beforehand, or in advance; that is, he is
celebrating his consecration anniversary before February 22.

Given the texts of the British Museum manuscript and
the Vaticanus Latinus manuscript of the sermon, one cannot
with certainty maintain that this sermon was delivered on
the first anniversary of Innocent's consecration, although
it is possible that it was his first, given the text found
in the three printed editions.

108-117:  Sic et spirituale coniugium, quod est inter
episcopum et ecclesiam, iniciatum dicitur in electione,
ratum in confirmatione, consummatum in consecratione.  Illud
autem coniugium, quod ego sponsus cum hac mea sponsa con-
traxi, simul fuit iniciatum et ratum:  quia Romanus pontifex
cum eligitur, confirmatur.  Nonne recolitis quod de ipso
legistis in canone?  quoniam electus, sicut papa uerus,

auctoritatem obtinet regendi Romanam ecclesiam, et dispo-
nendi omnes facultates illius.,

Innocent follows here the traditional decretistic
electoral theory concerning the constitutive effect of
election in the case of the pope, as opposed to the case
of any other bishop-elect.[13]  The pope is elected and
confirmed at the same time, and thus with his election
the pope obtains the full power of administering the
Roman Church.

The auctoritas regendi et disponendi cited in the
papal election decree issued by Pope Nicholas II in 1059
was the quasi-technical term for the papal potestas
iurisdictionis, the papal jurisdictional powers.[14]  Thus
when Innocent cites the auctoritas regendi et disponendi
passage of this decree (D.23 c.1.), he is referring to the
jurisdictional powers of the pope (potestas iurisdictionis).

From the time of Huguccio, canon law has sharply
distinguished between the potestas iurisdictionis and the
potestas ordinis, that is, between an ecclesiastical offi-
cial's jurisdictional powers and his priestly powers.[15]
This means that if the pope-elect was not already a bishop,
that is, did not have the ordo of a bishop, at the time of
his election to the papacy; his election gave him the
power to perform all the administrative duties included
in his potestas iurisdictionis, but until he was consecrated

a bishop he could not exercise the papal <u>potestas ordinis</u>.

Canonists did differ as to just what powers were included in the <u>potestas iurisdictionis</u> and what ones were part of the <u>potestas ordinis</u>, e.g., the power to depose and degrade clerics was said by most to belong to the <u>potestas ordinis</u> and by a few, noticeably Huguccio, to belong to the <u>potestas iurisdictionis</u>.[16]

153: <u>catharum</u>: The Cathari (Albigenses) were members of a dualistic heretical sect centering in northern Italy and southern France in the eleventh to thirteenth century. Innocent III launched the Albigensian Crusade (1209-29) against them.[17]

144-177: <u>Tantum enim fidem Romanus pontifex et ecclesia Romana....recipiens et reddens debitum coniugale, recipiens ab eo debitum prouidentie, et reddens debitum reuerentie....Porro, cum ecclesia Romana debitum reuerentie nulli prorsus inpendat, nisi Romano pontifici, quia post Deum alium superiorem non habet: quid est hoc, quod Romanus pontifex debitum prouidentie non utique Romane tantum ecclesie, sed omnibus omnino uidetur ecclesiis exhibere? Sapientibus enim et insipientibus debitor sum, inquit apostolus; et Instantia cum mea cotidiana est sollicitudo omnium ecclesiarum....Nonne legistis quod Abraham habuit Saram uxorem, que tamen Agar famulam suam introduxit ad illum: nec commisit propter hoc adulterium,</u>

sed officium adimpleuit.  Sic et Romanus pontifex sponsam
habet Romanam ecclesiam, que tamen ecclesias sibi subiectas
introducit ad ipsum, ut ab eo recipiant debitum prouidentie:
...:

The debitum coniugale rendered between the Roman
bishop and the Roman Church thus consists of the debitum
prouidentie, which is rendered by the pope not only to the
Roman Church but to all churches, and the debitum reuerentie
which is rendered by the Roman Church to no one but the
pope.  The debt of providence is rendered by the pope not
only to the Roman Church but to all and every church
because:  For to the wise and to the unwise I am a debtor
(Rom 1,14.);  and:  There is my daily pressing anxiety, the
care of all the churches (2 Cor 11,28.).  The debt of
reverence is rendered by the Roman Church to the pope alone
because he does not have another superior after God.

This spiritual double standard exists because accord-
ing to the Old Testament, one man could have many wives,
but one woman could not have many husbands.  In rendering
the debt of providence to all the churches the pope is
functioning like Abraham, whose wife Sarah brought in her •
servant girl Hagar to him so that Hagar might conceive a
child by him.  Abraham did not thus commit adultery, but
he fulfilled a duty, an office.  The pope is like Abraham,
whose wife the Roman Church (Sarah) brings in to him the

churches subject to herself (Hagar) so that they may receive the debt of providence from him. Thus by rendering the debt of providence to the churches the pope fulfills a duty, an office.

This comparison of the pope, the Roman Church, and the other churches with Abraham, Sarah, and Hagar illustrates rather well how Innocent III viewed the relationship between the Roman Church (and the pope) and the other churches. The other churches are _ancillae_, servant girls or handmaids, and they are subject to the Roman Church in the same way that Hagar was subject to Sarah. As servant girls of the Roman Church and as concubines of the pope, the other churches are definitely in a subordinate position and under the absolute power of the Roman Church and the pope.

The obvious question to ask in discussing this section of the sermon is: just what is the meaning of _debitum prouidentie_ and _debitum reuerentie_? The debt of providence refers to the pope's duty to care for all the churches. The word _cura_ could be used in place of _prouidentia_.[18] The debt of reverence refers to the obedience which the Roman Church and all the other churches owe to the pope; it is the duty to obey the judgments of the pope, who has no superior judge after God.[19] Both terms _debitum prouidentie_ and _debitum reuerentie_ refer to the judicial function and

powers of the pope. As <u>debtor both to the wise and to</u>
<u>the unwise</u>, the pope has the duty to render justice to all.[20]

The <u>debitum prouidentie</u> and the <u>debitum reuerentie</u>
thus concern papal jurisdiction in the ecclesiastical
sphere. The concept of the pope as a <u>debtor of justice</u>
can, however, also apply to the secular sphere. In <u>Per</u>
<u>venerabilem</u> Innocent III stated that the pope as the <u>debtor</u>
<u>iusticiae in omnibus</u> could intervene and give justice in
the temporal sphere, if there was no temporal authority to
whom the case could be appealed.[21]

Although the following terms, taken from Gregory VII,
express papal primacy in terms of Christian society, they
can be used to explain the <u>debitum prouidentie</u>. In the
political thought of the twelfth century papacy the pope
was <u>debitor iusticiae in omnibus qui in Christo sunt</u> and
had a <u>cura totius Christianitatis</u>. These are two of the
standard phrases used to express the idea of a supreme
judge of Christian society.[22] The similarities between
these two canonistic phrases and the two biblical citations
used by Innocent to justify his rendering of the <u>debitum</u>
<u>prouidentie</u> to not only the Roman Church but to all the
churches is evident. Innocent renders the debt of providence
to all the churches because: <u>To the wise and to the unwise</u>
<u>I am a debtor</u> (Rom 1,14.); and because: <u>There is my daily</u>
<u>pressing anxiety, the care of all the churches</u> (2 Cor 11,28.).

The papal <u>care of all the churches</u> and the <u>cura totius</u>
<u>Christianitatis</u> are expressions of the papal <u>plenitudo</u>
<u>potestatis</u> (fulness of power). From its context in the
sermon Innocent's <u>debitum prouidentie</u>, the duty to care
for all the churches, concerns the papal <u>plenitudo potesta-</u>
<u>tis</u> as regards the spiritual sphere.

The term <u>plenitudo potestatis</u> is used to express the
primacy of jurisdiction of the Roman Church and papal
sovereignty, the sovereignty being expressed in juridical
terms.[23] The term <u>plenitudo potestatis</u> is usually expressed
in the formula <u>plenitudo potestatis--in partem sollicitu-</u>
<u>dinis</u>,[24] a formula which Innocent himself uses in the
consecration sermon--"Nam ceteri uocati sunt in partem
sollicitudinis, solus autem Petrus assumptus est in
plenitudinem potestatis."[25]

<u>Plenitudo potestatis</u> can refer to either the sum total
of papal jurisdiction or the relationship between papal
jurisdiction and the subordinate jurisdictions of the other
bishops, who derive their power from the pope. The pope
has been given a plenitude of power, while the bishops
have a share in the care of the churches. In the <u>plenitudo</u>
<u>potestatis--in partem sollicitudinis</u> formula the fulness of
papal power is contrasted with the limited power of a bishop.[26]
A bishop exercised a local jurisdiction within the Church
(in his diocese), and he derived his juridical power from

the pope. The pope, who alone possessed the fulness of power, called a bishop _in partem sollicitudinis._[27] A bishop thus has the care of his own church, exercising local jurisdiction within his own diocese, while the pope exercises a care of all the churches, not only of the Roman Church.

In rendering the _debitum prouidentie_ to all the churches the pope fulfills his duty to care for all the churches, that is, he exercises a supreme jurisdiction over all the churches. The term _iudex ordinarius omnium_ can be used to express this supreme juridical power of the pope in the spiritual sphere. This term means that the pope, as the holder of the plenitude of power, was the universal ordinary,[28] the "omnicompetent court of first instance for the whole of Christendom."[29] "The Roman Church had the right of judging all; from its sentences there was no appeal; no one might judge it; all had the right of appealing to its judgment."[30]

As _iudex ordinarius omnium_ the pope had immediate jurisdiction over the entire hierarchy of the Church, from the lowliest cleric to the highest bishop. The pope could act over the head of any bishop or any other intermediate jurisdiction and summon any cleric to Rome (the papal court), while any cleric could appeal directly to the pope without first taking his case to his bishop or

to any other intervening subordinate jurisdiction.[31]  As
debitor iusticiae in omnibus and iudex ordinarius omnium
the pope had the duty of administering justice within the
entire Christian society.  The papal cura totius Christian-
itatis was a judicial function as the supreme judicial
head of Christian society.[32]

It is hoped that the above discussion has clarified
what is meant by Innocent's use of the term debitum
prouidentie.  The debt of providence which the pope is
held to render to all the churches is his duty to fulfill
his supreme judicial function with regard to all the
churches.

The debitum reuerentie which the Roman Church may
render to only the pope because he has no superior after
God means that the Roman Church must submit to the judg-
ments of only the pope.  Because the pope has no superior
judge except God there is no earthly jurisdiction to whom
the Roman Church, or any church, could appeal from his
judgment.  And of course no jurisdiction other than that
of the pope could claim to exercise juridical power over
the Roman Church;  she submits to the judgments of no other
bishop.  Although Innocent does not say it in the sermon,
all churches would owe a debt of reverence to the pope,
that is, all churches must obey the judgments of the pope.

The idea that Abraham fulfilled a duty rather than committed adultery in having intercourse with Hagar is found in canon law.[33] According to <u>Causa</u> 32, <u>questio</u> 4, <u>capitulum</u> 3, Abraham is not quilty of adultery for two reasons. Abraham lived before the Law of Moses and before the Gospel, and at that time adultery was not forbidden. Abraham also had intercourse with Hagar not out of lust but out of a desire to have a child, and to procreate the human race was a duty.[34]

177-184: <u>At nonne potest unus episcopatus habere</u> <u>duos episcopos, et unus episcopus habere duos episcopatus?</u> <u>Ne longe petantur exempla. unus et idem est Hostiensis et</u> <u>Uelletrensis episcopus, et utraque simul ecclesia nupsit</u> <u>eidem. Rursus Yponensis ecclesia, que coniuncta erat</u> <u>Ualerio, ipso uiuente nupsit etiam Augustino: qui non</u> <u>tam successit, quam accessit Ualerio.:</u>

The two bishoprics of Ostia and Veletri were united in 1150. There were two cardinal-bishops of Ostia and Veletri during Innocent III's pontificate--Octavian, who served from 1189 until his death in 1206; and Ugolino, Innocent III's great-nephew and the future Gregory IX, who was cardinal-bishop of Ostia and Veletri from 1206 to 1227.[35]

Valerius was bishop of Hippo in Africa from 388 until his death in 396. St. Augustine was made a coadjutor

bishop with Valerius in 395 and served as bishop until his death in 430.[36] The statement that Augustine not so much succeeded as was added to Valerius comes from canon law--"Augustinus non tam successit quam accessit."[37]

221-233: <u>Ergo qui habet sponsam, sponsus est. Hec autem non nupsit uacua, sed dotem mihi tradidit absque precio preciosam, spiritualium uidelicet plenitudinem et latitudinem temporalium, magnitudinem et multitudinem utrorumque. Nam ceteri uocati sunt in partem sollicitudinis, solus autem Petrus assumptus est in plenitudinem potestatis. In signum spiritualium contulit mihi mitram, in signum temporalium dedit mihi coronam; mitram pro sacerdotio, coronam pro regno, illius me constituens uicarium, qui habet in uestimento et in femore suo scriptum Rex regum et Dominus dominantium: sacerdos in eternum, secundum ordinem Melchisedech.</u>:

The British Museum manuscript (<u>Add</u>. 18,331) of the consecration sermon has an important variant reading in this section. In the passage "Hec autem non nupsit uacua, sed dotem mihi tradidit absque precio preciosam, spiritualium uidelicet plenitudinem et latitudinem temporalium, magnitudinem et multitudinem utrorumque." the British Museum manuscript reads <u>plenitudinem</u> instead of <u>multitudinem</u>, the reading found in the Vaticanus Latinus MS. 10,902 and the three printed editions of the sermon. I have decided

to substitute <u>multitudinem</u> in place of <u>plenitudinem</u> in this passage because <u>multitudinem</u> fits better stylistically.

It makes a great deal of difference whether Innocent said that the pope had a magnitude and a plenitude (fulness) of both spiritual and temporal power, or that he said that the pope had a magnitude and a multitude of both spiritual and temporal power. He definitely states that the pope had a fulness of spiritual power and a latitude of temporal power; if plenitude is the correct reading instead of multitude, then he would seem to say that the pope also had a plenitude of temporal power. From its context and for stylistic reasons I believe, however, that <u>magnitudinem et multitudinem</u> is the correct reading rather than <u>magnitudinem et plenitudinem</u>.

Innocent III's sermon on the feast day of Pope St. Sylvester I (December 31)[38] contains a long section closely resembling this section from the consecration sermon. This section in the St. Sylvester sermon concerns the Donation of Constantine and is important for the understanding of the similar section in the consecration sermon. This rather lengthy section from the St. Sylvester sermon is as follows:

> Fuit ergo B. Silvester sacerdos, non solum magnus, sed maximus, pontificali et regali potestate sublimis. Illius quidem vicarius, qui est <u>Rex regum, et Dominus dominantium</u> (Apoc 19,16.), <u>Sacerdos in aeternum, secundum ordinem Melchisedech</u> (Ps 109,4.), ut spiritualiter

possit intelligi dictum ad ipsum et successores illius, quod ait beatus Petrus apostolus, primus et praecipuus praedecessor ipsorum: Vos estis genus electum, regale sacerdotium (1 Petr 2,9.). Hos enim elegit Dominus, ut essent sacerdotes et reges. Nam vir Constantinus egregius imperator, ex revelatione divina per beatum Silvestrum fuit a lepra in baptismo mundatus, Urbem pariter et senatum cum hominibus et dignitatibus suis, et omne regnum Occidentis ei tradidit et dimisit, secedens et ipse Byzantium, et regnum sibi retinens Orientis. Coronam vero capitis sui voluit illi conferre: sed ipse pro reverentia clericalis coronae, vel magis humilitatis causa, noluit illam portare; verumtamen pro diademate regio utitur aurifrigio circulari. Ex auctoritate pontificali constituit patriarchas, primates, metropolitanos, et praesules; ex potestate vero regali, senatores, praefectos, judices et tabelliones instituit. Romanus itaque pontifex in signum imperii utitur regno, et in signum pontificii utitur mitra; sed mitra semper utitur et ubique; regno vero, nec ubique, nec semper: quia pontificalis auctoritas et prior est, et dignior et diffusior quam imperialis. Sacerdotium enim in populo Dei regnum praecessit, cum Aaron primus pontifex Saulem primum regem praecesserit [al. consecraverit]: Noe quoque Nemroth, cum de illo dicit Scriptura, quod principium Nemroth exstitit Babylon (Gen 10,10.). Noe vero aedificavit altare Domino, et holocausta obtulit super illud (Gen 8,20.). De sacerdotibus autem et regibus loquens, sacerdotes appellat deos, et reges principes: Diis, inquit, non detrahes, et principem populi tui non maledices (Ex 22,28.). Et cum de rege dicat Apostolus: Subditi estote omni humanae creaturae propter Deum: sive regi, quasi praecellenti: sive ducibus, tanquam ab eo missis (1 Petr 2,13-14.). Ad Jeremiam sacerdotem de sacerdotibus Anatoth ipse Dominus ait: Constitui te super gentes et regna, ut evellas et destruas, et aedifices et plantes (Jer 1,10.). Petro vero fuit dictum a Domino, et in Petro successoribus Petri: Tibi dabo claves regni coelorum: et quodcunque ligaveris super terram, erit ligatum et in coelis: et quodcunque solveris super terram, erit solutum et in coelis (Mt 16,19.). Nihil excepit, qui dixit: Quodcunque. Propter quod alibi dixit: Pasce oves meas (Io 21,17.), non distinguens inter has oves et illas: ut ostenderet ad oves suas minime pertinere, qui Petrum recusat habere pastorem. Ei quoque singulariter dixit: Tu vocaberis Cephas (Io 1,42.), quod exponitur caput, in quo sensuum plenitudo consistit; quia cum caeteri vocati sint in partem sollicitudinis, solus Petrus

assumptus est in plenitudinem potestatis.

Fuit ergo beatus Sylvester successor Petri, vicarius Jesu Christi....39

In this section on the Donation of Constantine in the St. Sylvester sermon Innocent makes three main claims with regard to papal power. The pope is both king and priest, possessing both pontifical and royal power; the pope's priestly power, his spiritual power (sacerdotium) is superior to his royal power, his temporal power (regnum); and Peter and his successors the popes are in charge of the whole Church universal (the pope is the head [cephas]) and possess the fulness of power (plenitudo potestatis), while the other bishops have a part of the care (in partem sollicitudinis).

The argument that the pope is both king and priest, possessing both pontifical and royal power is as follows. The pope is the vicar of Christ, who is King of kings and Lord of lords (Apoc 19,16.); a priest forever, according to the order of Melchisedech (Ps 109,4.). Also, the passage You are a chosen generation, a royal priesthood (1 Pet 2, 9.) can be applied spiritually to the pope. The Lord chooses the popes so that they might be priests and kings. For the Emperor Constantine in gratitude for being cured from leprosy handed over to Pope Sylvester and his successors in the papacy the whole Western Empire. The pope is thus both high-priest (bishop) and emperor (of the Western

Empire) and possesses both spiritual and temporal power
(sacerdotium et regnum).  The pope wears a tiara as a
sign of the imperial power and a miter as a sign of the
pontifical power.

However, because the pontifical authority is more
ancient, higher, and more extensive than the imperial
authority, the pope wears the miter always and everywhere,
but he does not wear the tiara everywhere or always.  The
pontifical authority is older and superior to the imperial
authority because among the people of God the sacerdotium
(priesthood;  spiritual power) surpassed (went before) the
regnum (kingship;  royal, temporal power).  For Aaron, the
first high-priest, preceded Saul, the first king;  and
Noah, who built an altar to the Lord and offered burnt
offerings upon it, preceded Nimrod, king of Babylon.  More-
over, speaking of priests and kings, Scripture calls priests
gods and kings princes:  You shall not speak ill of the
gods, and the prince of your people you shall not curse
(Ex 22,28.).  And while the apostle may say concerning a
king:  Be you subject to every human creature for God's
sake;  whether it be to the king, as excelling;  or to
governors as sent by him (1 Pet 2,13-14.).  To Jeremiah,
a priest of the priests of Anathoth, the Lord himself says:
I have set you over the nations and over kingdoms, to root
up and to pull down, and to build and to plant (Jer 1,10.).

To Peter and in Peter to the successors of Peter the
Lord said: <u>I will give to you the keys of the kingdom of
heaven; and whatsoever you shall bind upon earth, it shall
be bound also in heaven; and whatsoever you shall loose
upon earth, it shall be loosed also in heaven</u> (Mt 16,19.).
He exempted nothing, who said <u>whatsoever</u>. On account of
which he said elsewhere: <u>Feed my sheep</u> (Jn 21,17.), not
distinguishing between these sheep and those. Christ thus
put Peter in charge of his whole flock, that is, the whole
Church universal. To Peter he also said separately: <u>You
shall be called Cephas</u> (Jn 1,42.), which means <u>head</u>, in
which exists the fulness of the senses; because while the
others may be called into a part of the care (<u>in partem
sollicitudinis</u>), only Peter has been received into a fulness
of power (<u>in plenitudinem potestatis</u>).

The similarities between this section from the St.
Sylvester sermon and the passage under discussion in the
consecration sermon are obvious. According to the conse-
cration sermon, the pope is the vicar of Christ, who is
<u>King of kings and Lord of lords</u> (Apoc 19,16.); <u>a priest
forever according to the order of Melchisedech</u> (Ps 109,4.).
The pope possesses a fulness of spiritual power and a
latitude of temporal power, a magnitude and a multitude of
both. For the others have been called into a part of the
care, but only Peter has been received into a fulness of

power. As a sign of his spiritual power the pope has been given a miter, and as a sign of his temporal power he has been given a tiara (crown), the miter for the spiritual power (sacerdotium), and the tiara for the temporal power (regnum).

Using the information in the St. Sylvester sermon, one can conclude that the "latitude of temporal power" possessed by the pope refers to the entire Western Empire, given to the popes in the Donation of Constantine. Innocent III thus claims on the basis of the grant of the Western Empire made in the Donation of Constantine to possess direct temporal power in the Western Empire; although as is shown in his decretals, he chooses to exercise direct temporal power outside of the papal states only causaliter in certis causis,[40] or he exercises temporal power indirectly ratione peccati, by reason of sin.[41]

Innocent does not justify his exercise of temporal power on the basis of the Donation of Constantine (the Donation is not referred to in the consecration sermon or his political decretals), since it would probably not have been accepted as a valid basis for the papal exercise of temporal power. Innocent based his exercise of temporal power outside of the papal states (no one doubted that he possessed direct temporal power in the papal states) upon reasons which would be accepted as valid; but the grant

of the Western Empire made in the Donation of Constantine
seems to lie behind his claim to possess temporal power,
although he does not use the Donation as a basis upon
which to actually exercise his temporal power.

My interpretation of the Donation of Constantine
section of the St. Sylvester sermon agrees in general
with Achille Luchaire's interpretation of the same.
Luchaire and I agree that Innocent claimed both spiritual
and temporal power, that he was both high-priest (pope)
and emperor (of the Western Empire).[42]

A. J. and R. W. Carlyle, however, do not agree with
this interpretation of Innocent on the Donation of
Constantine. They claim that the St. Sylvester sermon
was primarily intended for an Italian audience and imply
that the Donation of Constantine section applies only to
Innocent's claim to and exercise of direct temporal power
in the papal states.[43]

Innocent III exercised both direct and indirect
temporal power. In his famous decretal _Per venerabilem_,
concerning his exercise of direct temporal power, Innocent
states:

> not only in the patrimony of the Church, concerning
> which we administer full power (_plena potestas_) in
> temporal things, but even in other territories, on
> investigation of certain cases (_certis causis inspectis_),
> we exercise temporal jurisdiction incidentally
> (_casualiter_).[44]

He exercised indirect temporal power <u>ratione peccati</u> (by reason of sin).   As he stated in <u>Novit</u>, he did not intend to judge concerning a fief (<u>de feudo</u>), but to determine a matter of sin (<u>decernere de peccato</u>).[45]

<u>Per venerabilem</u> was a decretal issued in 1202 in response to a request by the archbishop of Arles in behalf of Count William of Montpellier that Innocent legitimize the count's illegitimate children.   William wanted his children to be legitimized for purposes of succession, that is, for secular purposes.

Although Innocent had recently legitimized the children of Philip Augustus and Agnes de Meran, he refused to do the same for Count William.   In the decretal he stated that the two cases were different and gave the reasons why they were different.   In addition the French king had no temporal superior, and he could therefore subject himself to the pope's jurisdiction in the matter of legitimization of his children for secular purposes without injuring the jurisdiction of another;   in fact the king could have done the legitimizing himself in his capacity as a prince legitimizing his subjects, in this case his children.   William, however, had a temporal superior.[46]

Although Innocent refused to legetimize for secular purposes,   that is, he refused to exercise temporal jurisdiction, in this particular case, he left no doubt that the

pope had the power to legetimize not only for ecclesiastical purposes, e.g., to become a priest, but also for secular purposes, e.g., temporal succession.[47] He had the power to exercise temporal jurisdiction in the case of Count William's bastards, but he chose not to exercise the power in this particular case.

Of far more importance than the specific case at hand, Innocent took the opportunity in Per venerabilem to propound the juridical power of the pope in the temporal sphere. The pope could exercise temporal jurisdiction, e.g., legetimization for secular purposes, certis causis inspectis...casualiter, incidentally on the investigation of certain cases, as opposed to regularly (regulariter) in all cases.

Innocent based his right to exercise temporal jurisdiction in certain cases incidentally on proofs from both the Old and the New Testaments. Basing his claim on a text from Deuteronomy (Deut 17,8-12.), he stated that if there was anything difficult or ambiguous in any case, the case ought to be brought before the pope for judgment.

Innocent states in Per venerabilem:

There are, to be sure, three distinct kinds of cases (from Deut 17,8.): First between blood and blood, for which reason it is called criminal and, also, civil. The last between leper and leper, for which reason it is known as ecclesiastical and, also, criminal. In the middle between case and case, which is referred to both, the ecclesiastical and the civil; when there is something difficult or ambiguous in these matters, it must be referred to the Apostolic See: whoever in his pride

refuses to observe this sentence is condemned to death, that is, to be separated from the communion of the faithful by the sentence of excommunication like one dead.[48]

The interpretation of the "Tria quippe distinguit iudicia....(There are, to be sure, three distinct kinds of cases....)" passage of Per venerabilem has been much debated. The interpretation of this passage is important in determining whether or not Innocent III's theory of the relations between Church and State was basically dualistic or hierocratic.[49]  I agree with Professor Brian Tierney's interpretation of the passage, and I shall summarize his interpretation as follows:

According to Tierney, Innocent is actually talking about four, not three, types of cases--criminal cases which could be either ecclesiastical or secular and civil cases which could also be either ecclesiastical or secular. Innocent claimed to be able to exercise jurisdiction in all these cases, both ecclesiastical and secular, whenever the case was "difficult and ambiguous".  Thus in Per venerabilem and in Licet, where Innocent suggested that he could exercise temporal jurisdiction whenever the secular judge was negligent or suspect, Innocent claimed to exercise direct temporal power[50] "in certain exceptional circumstances which the pope himself undertook to define."[51]

Innocent III thus did not hold a dualist position. The pope held both spiritual and temporal power; however,

he did not choose to exercise both powers in the same way.
In all ecclesiastical cases he was the _iudex ordinarius
omnium_. He chose, however, to exercise his temporal juris-
diction only in those cases in which he chose to do so.
He thus chose, in the manner of any supreme appellate
court, to judge only secular cases that[52] "had political
implications involving the peace and good order of Christen-
dom."[53]

Innocent did believe that secular rulers were necessary
for the government of Christian society and that God had
established them for this purpose; however, the secular
rulers, as well as the bishops, were under the pope. Two
hierarchies, one temporal (secular rulers) and one spirit-
ual (bishops) were necessary to govern Christendom, and
both of these hierarchies culminated in the pope,[54] who,
as the vicar of Christ, who was both king and priest, pos-
sessed supreme temporal and spiritual jurisdiction, although
he chose to exercise the temporal jurisdiction only when he
saw fit to do so. As Innocent said in _Per venerabilem_:
"And so (the pope) is accustomed to exercise the office of
secular power sometimes and in some things through himself,
sometimes and in some things through others."[55] One can
only conclude with Tierney that Innocent III's theory of
Church and State is essentially hierocratic.

While in _Per venerabilem_ Innocent III put forth the

claim that the pope had the power to exercise direct temporal jurisdiction in _certis causis inspectis_... _casualiter_, in the decretal _Novit_ he expressed the papal claim to judge any case involving sin and thus indirectly to exercise temporal power _ratione peccati_.

The decretal _Novit_ concerned the dispute between King John of England and Philip Augustus of France. Philip had declared John's French lands forfeit and was moving to take possession of them, when John, who did not accept Philip's judgement that the lands were forfeit, appealed to Innocent. John gave as reasons for his appeal to the pope against his feudal overlord the claims that Philip had broken his treaty oath with regard to Poitou and that Philip was not willing to listen to his requests for justice. Philip refused to accept the pope as judge in this matter, declaring that the case was a feudal matter and was thus not within the jurisdiction of the pope. In response to Philip Innocent in 1204 issued the decretal _Novit_ in which he explained why he indeed had the power to judge the case.[56]

In _Novit_ Innocent stated that he did not intend to infringe upon or diminish either Philip's jurisdiction or his power. There was after all no need for him to usurp someone else's jurisdiction when he was not able to fulfill all the rights of jurisdiction which he did possess. He did not intend to judge concerning a feudal matter (_de_

_feudo_), but to determine a matter of sin (_decernere de
peccato_), and without a doubt the pope had the right to
judge concerning sin.[57] As he states in _Novit_:

> For we depend on no human constitution but rather on
> divine law, for our power is not from man but from
> God, and there is no one of sound mind but knows that
> it pertains to our office to correct mortal sin of
> whatever sort and to inflict an ecclesiastical penalty
> on any Christian whomsoever if he refuses to submit to
> correction.[58]

The pope can judge any case that involves any mortal sin,
especially cases involving a sin against the peace.[59]

The claim by the pope that he can judge any case on
account of sin (mortal) means in fact that any secular
case that involves sin, e.g., murder, can be within his
jurisdiction, if he chooses to exercise his jurisdiction
in the case.[60]

The decretals _Per venerabilem_ and _Novit_ thus show
Innocent III's practical claims to and exercise of
temporal jurisdiction.  As McIlwain states, it is in _Per
venerabilem_ and _Novit_ that "the clearest indications of
his (Innocent III) general ecclesiastical theory are to be
found."[61]

233-236:  _Amplam tribuit mihi dotem, sed utrum ego
aliquam donationem sibi fecerim propter nuptias, uos videri-
tis.  Ego nolim asseuerare iactanciam._:  The _donatio propter
nuptias_ referred to by Innocent is the gift given by the
bridegroom to his bride.  She gives him a dowry, and he in

turn gives her a gift, the <u>donatio propter nuptias</u>.[62]

238-264:  ...<u>solus consensus inter legitimas personas</u>
<u>efficit matrimonium.  Inde uidetur posse contingere, licet</u>
<u>mirabile uideatur, quod aliquis possit esse pontifex</u>
<u>alicuius ecclesie, antequam sit sponsus ipsius,  sicut et</u>
<u>aliquis possit esse sponsus alicuius ecclesie, antequam</u>
<u>sit pontifex illius.  Cum enim per prouisionem maioris</u>
<u>iusticie renitentibus iniuste datur episcopus, antequam</u>
<u>in ipsum consentiant, utique pontifex est eorum propter</u>
<u>auctoritatem concessionis.  Sed uidetur fortasse, quod</u>
<u>nondum sit sponsus eorum propter defectum consensus.  Unde</u>
<u>consentire tenentur, et cum eo iugale fedus inire.  Cum</u>
<u>autem per electionem accipitur, propter mutuum consensum</u>
<u>eligentium et electi, utique sponsus eorum efficitur,</u>
<u>presertim cum electio confirmatur.  Sed antequam consecre-</u>
<u>tur, nec nomen pontificis, nec officium sibi uendicabit.</u>
<u>Sed an ita sit, sollicitudo uestra exquirat.  Inter sponsum</u>
<u>autem et uirum, et inter sponsam et coniugem distingui potest</u>
<u>in spirituali coniugio, quia sponsus appellatur electus ante</u>
<u>confirmationem uidelicet antequam sponsam cognoscat, id est</u>
<u>antequam administret;  uir autem appellatur post confirma-</u>
<u>tionem, maxime post consecrationem, cum iam plenarie admini-</u>
<u>strat.  Uel pocius, sponsus aut sponsa dicitur propter</u>
<u>uirginitatem, uir autem uel coniunx propter fecunditatem.</u>
<u>Spopondi enim uos, inquit apostolus, uni uiro uirginem</u>

castam exhibere Christo:

In this section of the consecration sermon Innocent III is putting forth his theory of episcopal office and election. One could view it as Innocent's answer to the episcopal electoral theory of Huguccio of Pisa, Innocent's teacher at Bologna.[63]

The point to determine in a discussion of electoral theory is the constitutive moment in ecclesiastical elections. What is the constitutive effect of election in the case of a bishop? Does a bishop-elect have the right to administer his church before he is confirmed? What is the constitutive effect of election in the case of the pope, the bishop of Rome? Does election alone give the pope the right to administer the affairs of the Church?[64]

According to Huguccio, following the tradition of the decretists, the pope at the moment of his election has the full power of administering because the pope in being elected is confirmed, and in being confirmed he is elected. Other bishops-elect, however, do not have the power of administering before they are confirmed.[65]

Huguccio was following tradition in his concept of the administrative powers of a pope-elect, a tradition also followed by Innocent III; but he was radical in his views concerning the administrative powers of any other bishop-elect before confirmation.[66] According to Huguccio:

"Before (confirmation), they (bishops-elect) have the power of administering, that is, the right of administering, but they do not have the execution of that right in the act (of administration)."[67] This opinion of Huguccio that any bishop-elect has the power of administering, that is, the right of administering, even before confirmation was in opposition to all previous decretistic thought.[68]

In his discussion of the powers of the bishop-elect Huguccio employed the marriage metaphor of a bishop being united in spiritual marriage to his church. The idea that a bishop is married to his church goes back to the early Church. What Huguccio did was to apply the Romano-canonical rule that[69] "not sexual intercourse, but consent makes a marriage"[70] to the concept that a bishop is married to his church. Thus Huguccio states that by means of the mutual consent (mutuus consensus) of the electors and of the elect a spiritual marriage is contracted between them.[71] "This moment, in which the newly elected official becomes the spouse of his church, is the true promotion to the new office; at that instant, the electus becomes the prelate of that church (prelatus illius ecclesie)'."[72]

Traditionally, the concept that a bishop was married to his church focused on the consecration. The consecration ceremony of a bishop included a ceremonial act of marriage between the bishop and his church. This act consisted of

the metropolitan placing a ring on the bishop's finger. This ring was regarded as a wedding ring and represented[73] "the sacrament of faith, by which the Church, whose guardians and preceptors are the bishops and prelates, is espoused as the bride of Christ."[74]

Huguccio, however, shifted the moment of a bishop's marriage to his church from the consecration to the election, specifically the bishop-elect's consent to his election.[75] Thus, according to Huguccio, at the moment of his consent to his election an _electus_ becomes the _sponsus_ (bridegroom) of his church and also her prelate (_prelatus_).[76]

According to the general custom of the Church, a bishop-elect could not administer before his confirmation. According to Huguccio, however, an _electus_ through his election obtained the "power" or "right of administering (_potestas_ or _ius administrandi_)" the affairs of his church. However, the electus cannot exercise this power or right until he is confirmed. The "act of administering" or the "execution of the right in the act" (_actus administrandi_ = _executio iuris in actu_) comes with confirmation.

Huguccio equated the mutual consent of the electors and of the elect, which effects the spiritual marriage, with the _desponsatio per verba de praesenti_ between a man and a woman, which effects marriage between them. Thus both types of marriage are effected by verbal consent, not

by sexual intercourse. With confirmation comes administration, or using the marriage metaphor, sexual intercourse.[77] According to Huguccio: "After his confirmation, the _electus_ undertakes sexual intercourse, that is, he undertakes the governing of his church."[78] A bishop's spiritual marriage to his church is thus consummated in confirmation, but he has nevertheless acquired the power or the right to consummate, that is, to administer, by means of his election; just as a man and a woman by means of consent (_verba de praesenti_) acquire the right to sexual intercourse.

Huguccio's electoral theory was widely accepted soon after its publication in his _Summa_ in 1190; however, not all canonists, including Innocent III, agreed with Huguccio's theory of a bishop-elect's rights of administration.[79]

Huguccio's two most important contributions to electoral theory--the clear distinction between a right and the exercise of that right in the right of an _electus_ to administer and the execution of that right by a confirmed _electus_; and the idea that mutual consent between the electors and the elect unites them in a spiritual marriage--enjoyed great success throughout the thirteenth century.

The great popularity of Huguccio's theory was mostly due to the use by Innocent III of Huguccio's terminology in using the marriage metaphor and his idea that mutual

consent effects a spiritual marriage between the electors (church) and the bishop-elect.[80] Although Innocent III employed the same marriage metaphor in discussing episcopal elections, he did not follow the theory of Huguccio as regards the rights of a bishop-elect before confirmation.[81]

Innocent's discussion of episcopal election in the consecration sermon is somewhat ambiguous as regards the exact constitutive effects of election, confirmation, and consecration; however, it is certain that, as far as Innocent III was concerned, a bishop-elect before confirmation did not possess a right to administer.

According to Innocent in the consecration sermon, an electus becomes the bridegroom (sponsus) of a church at his election by means of the mutual consent between the electors and the elect. He adds that the electus is made the sponsus "especially when the election is confirmed." Before the bishop-elect is consecrated, however, "he will claim neither the name of bishop (pontifex), nor the office."

I do not agree with Trummer and Benson that it is Innocent III's theory that the spiritual marriage between a bishop and his church is contracted only after election and confirmation.[82] In one of his translation decretals (Inter corporalia) Innocent does say: "...quin post electionem et confirmationem canonicam inter personas

eligentium et electi coniugium sit spirituale contractum
...,"[83] however, he says "election <u>and</u> confirmation"
because he is dealing in this decretal with a case involv-
ing a bishop-elect who had already been confirmed.  In this
decretal Innocent also says:  "Unde, quum not sit maius
vinculum episcopi ad ecclesiam, quam electi, maxime quum
fuerit confirmatus;  immo idem penitus, et non aliud, idem
iuris obtinet in utroque."[84]  Similar to the expression in
the consecration sermon, the expression used here is "espe-
cially when he will have been confirmed."  Although the
<u>electus</u> is the <u>sponsus</u> of his church "especially" after
confirmation, he is nevertheless her <u>sponsus</u> even before
confirmation.

My assertion that Innocent maintains that an <u>electus</u>
is the <u>sponsus</u> of his church before confirmation is further
supported by an additional statement from the consecration
sermon.

> ...one can distinguish between a bridegroom (<u>sponsus</u>)
> and a husband (<u>vir</u>) and between a bride (<u>sponsa</u>) and
> a wife (<u>coniunx</u>) in spiritual marriage;  because the
> bishop-elect (<u>electus</u>) is called a bridegroom (<u>sponsus</u>)
> before confirmation, namely before he may know the
> bride, that is, before he may administer;  but he is
> called a husband (<u>vir</u>) after confirmation, and espe-
> cially after consecration, when he now (at last) fully
> administers.[85]

The fact that Innocent III is of the opinion that
election (mutual consent) alone is enough to effect the
spiritual marriage between a bishop and his church is also

shown by a letter of Innocent, quoted by Benson: "...if the provost has consented to his election, so that by mutual consent of the electors and <u>electus</u> a conjugal bond, as it were, has been spiritually contracted, you should confirm his election...."[86] Although the <u>electus</u> has not yet been confirmed, he has been elected; and if he has consented to the election, a spiritual marriage has been contracted between him and his church. The spiritual marriage is thus effected before confirmation; the mutual consent between the electors and the <u>electus</u> alone suffices to contract spiritual marriage between them.

Innocent's electoral theory is rather ambiguous as regards the exact constitutive effects of confirmation. He states that an <u>electus</u> is made the <u>sponsus</u> of his church "especially" when the election has been confirmed. As seen from the above discussion on the constitutive effects of election, confirmation is, however, not necessary to effect the spiritual marriage between a bishop and his church. Therefore, why does Innocent in both the decretal <u>Inter corporalia</u> and the consecration sermon state that the spiritual marriage bond is formed by mutual consent in election, "especially" when the election has been confirmed?

If the consecration sermon was indeed delivered on the occasion of the first anniversary of Innocent's conse-

cration, then it was probably delivered sometime between
January 8 and February 22, 1199 (remember that the sermon
was not delivered on the exact date of his consecration).
The date of Inter corporalia is January 21, 1199. It is
thus quite possible that Innocent delivered this sermon
at the same time he was issuing a very important decretal
concerning the translation of an electus who had already
been confirmed. Thus definitely in the decretal and also
in the sermon he is concerned with pointing out that the
spiritual marriage bond exists between a bishop-elect and
his church "especially" after confirmation. I think that
the "especially when the election has been confirmed" is
added because he has been dealing with cases involving
bishops-elect who have already been confirmed.

In the sermon Innocent states that in the spiritual
marriage between a bishop and his church the bishop-elect
is called a bridegroom (sponsus) before confirmation, that
is, before he may know his bride, that is, before he may
administer his church. He is called a husband (vir) after
confirmation, and especially after consecration, when he
at last fully administers. Thus the effect of consecration
is to give the electus the right to know his bride, that is,
to administer his church. After consecration he fully
administers his church, that is, he fully knows his bride.

Previously in the consecration sermon Innocent had

said that the spiritual marriage between a bishop and his
church is begun in election, ratified in confirmation, and
consummated in consecration.[87]  On the basis of this state-
ment that the spiritual marriage is ratified in confirma-
tion and consummated in consecration and also on the basis
of the previous statement concerning the difference between
a _sponsus_ and a _vir_ I believe that Innocent's theory is
that confirmation gives the bishop-elect the _right_ to know
his bride, that is, the _right_ to administer his church.
With his consecration the bishop _executes_ this right to
administer, that is, he consummates the marriage with his
church;  or as Innocent puts it, after consecration he
fully administers.

In Huguccio's electoral theory election gave the
bishop-elect the right to administer, and confirmation
enabled the _electus_ to execute this right to administer.
In Innocent III's theory confirmation gives the _electus_
the right to administer, and consecration enables him to
execute this right to administer.[88]

The effect of consecration, according to Innocent,
is that the _electus_ is made the _pontifex_ of his church,
and he can at last fully administer his church;  "but before
he is consecrated, he will claim neither the name of bishop
(_pontifex_), nor the office."  This also does not seem to
agree with Huguccio.  According to Huguccio, by means of

mutual consent between the electors and the bishop-elect
a spiritual marriage is contracted between them; and at
this moment, at the same time he becomes the _sponsus_ of
his church, the _electus_ is promoted to his new office and
becomes the prelate of his church (_prelatus illius eccle-_
_sie_).[89] Thus according to Huguccio, at his election the
bishop-elect is made both the _sponsus_ of his church and
her _prelatus_; while Innocent maintains that at his elec-
tion the bishop-elect is made the _sponsus_ of his church,
but not until the consecration is he made her _pontifex_.

243-246: _Cum enim per prouisionem maioris iusticie_
_renitentibus iniuste datur episcopus, antequam in ipsum_
_consentiant, utique pontifex est eorum propter auctoritatem_
_concessionis._:

Papal provision of benefices refers to the right of
the pope to confer a benefice directly without the consent
of and even in opposition to the ordinary electors. The
pope could provide any ecclesiastical benefice, but in this
case in the consecration sermon the provision concerns papal
provision to a bishopric. The pope conferred benefices by
reason of his _plenitudo potestatis_.

During the twelfth century popes would recommend
clerics for benefices; however, by the beginning of the
thirteenth century papal provision had become a papal right
to confer benefices directly or to order others to confer

the benefices.  Until the mid-thirteenth century the right of election of the ordinary elector and the right of the pope to provide a benefice existed side by side, and either could "prevent" the other.[90]

254-264:  <u>Inter sponsum autem et uirum, et inter sponsam et coniugem distingui potest in spirituali coniugio, quia sponsus appellatur electus ante confirmationem, videlicet antequam sponsam cognoscat, id est antequam administret; uir autem appellatur post confirmationem, maxime post consecrationem, cum iam plenarie administrat.  Uel pocius, sponsus aut sponsa dicitur propter uirginitatem, uir autem uel coniunx propter fecunditatem.  Spopondi enim uos, inquit apostolus, uni uiro uirginem castam exhibere Christo:</u>

The <u>sponsus</u>/<u>vir</u> and <u>sponsa</u>/<u>coniunx</u> or <u>uxor</u> distinction is taken from canon law.[91]  Those who are betrothed (<u>desponsatio</u>) are properly called <u>sponsus</u>/<u>sponsa</u>, while those who have consummated the marriage are properly called <u>coniuges</u> (<u>vir</u>/<u>uxor</u> or <u>coniunx</u>).  Thus <u>sponsi</u> and <u>sponsae</u> are virgins, or at least they are assumed to be virgins.

Footnotes

[1] *Textus biblie* cum *Glossa ordinaria*, V,
f. 196ᵛ.

[2] Innocent III, *De quadripartita*, III. 14.

[3] *PL* LXX, 990.

[4] *PL* CLXXXIII, 1154.

[5] *PL* CXCVIII, 107.

[6] Munk, *A Study of Pope Innocent III's Treatise De quadripartita specie nuptiarum*, **pp. 163-164.**

[7] C.32 q.4 c.6.

[8] Mann, *op. cit.*, p. 31.

[9] *Ibid.*, n. 1.

[10] *Ibid.*, pp. 27, 31. At the time of his election Innocent was a deacon (cardinal-deacon of SS. Sergius and Bacchus), and he was ordained a priest on February 21, the day before his consecration as bishop (*Ibid.*, pp. 21, 31.).

[11] *PL* CCXVII, 663. *Opera d. Innocentii*.... (Coloniae, 1552), f. 88ᵛ. *D. Innocentii...opera*.... (Coloniae, 1575), p. 193.

[12] Vaticanus Latinus MS. 10,902, f. 262.

[13] See Benson, *op. cit.*, pp. 118-120 on the traditional decretistic papal electoral theory.

[14] *Ibid.*, p. 119.

[15] *Ibid.*, pp. 119-120. See Michael Wilks, *The Problem of Sovereignty in the Later Middle Ages: The Papal Monarchy with Augustinus Triumphus and the Publicists* (Cambridge: at the University Press, 1964) *in passim* on the *potestas iurisdictionis* and the *potestas ordinis*.

[16] Benson, *op. cit.*, pp. 119-120, p. 119, n. 7.

[17] *New Catholic Encyclopedia*, III, 246-247; VII, 522.

[18]Blaise, op. cit., on "providentia":
"soin de, action de pourvoir à (Vulg. cura)...."

[19]See D.93 c.3, C.3 q.6 c.14, and C.9 q.3 c.2
on reverentia and providentia in general.

[20]Carlyle, op. cit., p. 155.

[21]Watt, op. cit., p. 219; p. 219, n. 15.
According to Watt, the term debitor iustitiae was a
traditional one, regularly in use at least since the
pontificate of Gregory VII (Ibid., p. 219, n. 15.).

[22]Ibid., p. 313.

[23]Ibid., pp. 254, 251. See Watt, op. cit.,
in passim for an excellent discussion of this and other
terms important in papal political thought.

[24]Ibid., p. 255.

[25]Innocent III, De quatuor speciebus
desponsationum, lines 226-227.

[26]Watt, op. cit., p. 255.

[27]Ibid., pp. 257-258. See also pp. 260-261.

[28]Ibid., p. 269. Tierney, "'Tria Quippe
Distinguit Iudicia....", p. 58. Iudex ordinarius omnium
was a Roman law term. An ordinary judge was a judge who
exercised his judicial function suo iure, not by delegation
(Watt, op. cit., p. 269.).

[29]Watt, op. cit., p. 269. The quote is from
Maitland.

[30]Ibid.

[31]Ibid, pp. 269-270. The term iudex ordinarius
omnium was officially adopted by Innocent III (Ibid., p.
271.).

[32]Ibid., pp. 306, 314.

[33]C.32 q.4 dict.a.c.1; C.32 q.4 c.1-3.

[34]C.32 q.4 c.3.

35Pius Bonifacius Gams, <u>Series Episcoporum</u>
<u>Ecclesiae Catholicae</u> (Graz: Akademische Druck-u.
Verlagsanstalt, 1957), p. V on "Ostia" and "Veletri".
See Mann, <u>op. cit.</u>, p. 190 for the information that
Ugolino was Innocent III's great-nephew.

36Gams, <u>op. cit.</u>, p. 466 on "Hippo".

37C.7 q.1 c. 12.

38<u>PL</u> CCXVII, 481-484 (<u>Sermo VII: In festo</u>
<u>d. Silvestri pontificis maximi.</u>).

39<u>Ibid.</u>, cols. 481-482.

40X 4.17.13. (<u>Per venerabilem</u>)

41X 2.1.13. (<u>Novit</u>)

42Luchaire, <u>op. cit.</u>, pp. 28-30.

43Carlyle, <u>op. cit.</u>, pp. 182-183.

44X 4.17.13. (<u>Per venerabilem</u>): "...non solum
in ecclesiae patrimonio, super quo plenam in temporalibus
gerimus potestatem, verum etiam in aliis regionibus, certis
causis inspectis, temporalem iurisdictionem casualiter
exercemus...." The English translation is from McIlwain,
<u>op. cit.</u>, pp. 231-233.

45X 2.1.13. (<u>Novit</u>)

46X 4.17.13. (<u>Per venerabilem</u>) Watt, <u>op. cit.</u>,
pp. 214-215.

47X 4.17.13. (<u>Per venerabilem</u>): "Videretur
siquidem monstruosum, ut, qui legitimus ad spirituales
fieret actiones, circa saeculares actus illegitimus,
remaneret. Unde, quum in spiritualibus dispensetur,
consequenter intelligitur in temporalibus dispensatum."
See also Tierney, "'Tria Quippe Distinguit Iudicia....",
pp. 48-59 and Watt, <u>op. cit.</u>, pp. 214-215.

48X 4.17.13. (<u>Per venerabilem</u>) I have quoted
James Powell's translation of this section from <u>Per</u>
<u>venerabilem</u> (from Tierney, "'Tria Quippe Distinguit
Iudicia....", p. 49.) (James Powell, <u>Innocent III: Vicar</u>
<u>of Christ or Lord of the World?</u> [Boston: D. C. Heath and
Company, 1963], p. 60.). The text from Deuteronomy is:

"If thou perceive that there be among you a hard and doubt-
ful matter in judgment between blood and blood, cause and
cause, leprosy and leprosy;  and thou see that the words
of the judges within thy gates do vary:  arise and go up to
the place which the Lord thy God shall choose.  And thou
shalt come to the priests of the Levitical race and to the
the judge that shall be at that time...And thou shalt do
whatsoever they shall say  (Deut 17, 8-12.)."  (from
Tierney, "'Tria Quippe Distinguit Iudicia....", p. 49.)

[49]See Tierney, "'Tria Quippe Distinguit
Iudicia....", pp. 50-54 on the controversy.  The problem
in interpretation arose because modern authors on the
subject assumed that only three types of cases were being
discussed and that the third class of cases (between case
and case, which is referred to both, the ecclesiastical
and the civil) referred to mixed cases (jurisdiction
ratione connexitatis).  Tierney has shown that this third
class referred not to mixed cases, cases within the juris-
diction of both temporal and spiritual courts, e.g.,
legitimization, but to both ecclesiastical civil cases
and secular civil cases.  Innocent III thus was not claim-
ing to exercise jurisdiction only in difficult and ambig-
uous cases falling at the same time within the jurisdiction
of both temporal and spiritual courts, but he was indeed
claiming to exercise jurisdiction in all difficult and
ambiguous cases, both temporal and spiritual.

[50]Tierney, "'Tria Quippe Distinguit Iudicia
....", pp. 52-56.   X. 4.17.13 (Per venerabilem)
X 2.2.10. (Licet)

[51]Tierney, "'Tria Quippe Distinguit Iudicia
....", p. 55.

[52]Ibid., p. 58.

[53]Ibid.

[54]Ibid., pp. 58-59.

[55]X 4.17.13. (Per venerabilem)  The translation
is from Tierney, "'Tria Quippe Distinguit Iudicia....", p.
58.  See Tierney, "'Tria Quippe Distinguit Iudicia....",
p. 58 on this passage from Per venerabilem.

[56]X 2.1.13. (Novit)  Watt, op. cit., p. 218.

[57]X. 2.1.13. (Novit)

[58]Ibid. The English translation is from McIlwain, op. cit., p. 232.

[59]X 2.1.13. (Novit): "Licet autem modo procedere valeamus super quolibet criminali peccato... praecipue tamen quum contra pacem peccatur...."

[60]See Tierney, "'Tria Quippe Distinguit Iudicia....", pp. 50-51 on how this applies to the class of secular criminal cases in Per venerabilem.

[61]McIlwain, op. cit., p. 231.

[62]See Munk, A Study of Pope Innocent III's Treatise De quadripartita specie nuptiarum, pp. 124-127, on the donatio propter nuptias.

[63]See Benson, op. cit., pp. 116-149 on the electoral theories of Huguccio and Innocent III.

[64]Ibid., p. 117.

[65]Ibid., p. 118.

[66]Ibid., p. 120.

[67]Ibid., p. 120, quoting Huguccio.

[68]Ibid., pp. 120-121.

[69]Ibid., p. 122.

[70]Ibid., p. 122. The quote is from Roman law (Dig. 50.17.30.): "Nuptias non concubitus, sed consensus facit."

[71]Benson, op. cit., p. 122.

[72]Ibid., p. 122, quoting Huguccio.

[73]Ibid., pp. 122-123.

[74]Ibid., p. 123. The quotation is from Hugh of St. Victor, De sacramentis christianae fidei (PL CLXXVI, 438.).

[75]Benson, op. cit., p. 124.

[76]Ibid., pp. 122, 124.

[77] _Ibid._, pp. 125-127.

[78] _Ibid._, p. 127, quoting Huguccio.

[79] _Ibid._, p. 133.

[80] _Ibid._, pp. 139, 144, 149.

[81] See Benson, _op. cit._, pp. 144-149 on Innocent III's electoral theory as compared with Huguccio's.

[82] _Ibid._, p. 149. Trummer, _op. cit._, p. 68.

[83] X 1.7.2. (_Inter corporalia_)

[84] _Ibid._

[85] Innocent III, _De quatuor speciebus desponsationum_, lines 353-361.

[86] Benson, _op. cit._, p. 145, quoting from X 1.6.21.

[87] Innocent III, _De quatuor speciebus desponsationum_, lines 108-111.

[88] Innocent does not use the phrases _potestas_ or _ius administrandi_, or _executio iuris in actu_ or _actus administrandi_, but he does seem to have this distinction between _potestas_ or _ius_ and _executio_ in mind. See Benson, _op. cit._, pp. 147-149.

[89] Benson, _op. cit._, p. 122.

[90] Geoffrey Barraclough, _Papal Provisions_ (Oxford: Basil Blackwell, 1935), pp. 8-9, 12. See Barraclough, _op. cit._, _in passim_ on papal provisions and especially p. 10 on Innocent III. The right conferred by a papal rescript of provision (_rescripta apostolica de providendo_) "can be summed up as a right to a judicial hearing, in which all interested parties (e.g., chapter, bishop, patron) were entitled to intervene and to show cause." (_Ibid._, p. 95.)

[91] See especially C.27 q.2 dict.p.c.34; C.27 q.2 c.35-45; C.27 q.2 dict.p.c.45.

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