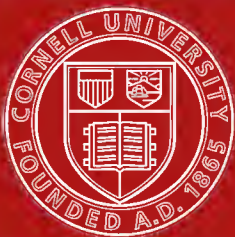


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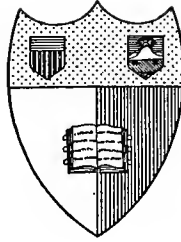
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THE ABSOLUTION FORMULA OF THE TEMPLARS

BY

HENRY CHARLES LEA, LL.D.

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THE ABSOLUTION FORMULA OF THE
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THE ABSOLUTION FORMULA OF THE TEMPLARS.

BY HENRY CHARLES LEA, LL.D. PHILADELPHIA, PENNSYLVANIA.

Among the accusations brought against the Templars by Pope Clement V. in 1308, there was one to the effect that the officers of the Order—the Master, the Visitors, and the Preceptors—absolved the brethren from their sins. It is further asserted that de Molay admitted this in the presence of high personages before his arrest.¹ That the accusation was an after-thought is shown by the fact that it is not contained in the preliminary list of charges sent in September, 1307, by the Inquisitor Guillaume de Paris to his subordinates as a guide for them in the expected trials of the Templars.² Yet Clement was not the first to take note of this assumption of sacerdotal prerogatives, which, in fact, was well known to all who busied themselves with canon law, and public attention had already been called to it. In a diatribe on the disorders of the Church, written by a mendicant friar apparently towards the end of the thirteenth century, all the three great Military Orders—the Hospital, the Temple, and the Teutonic Knights—are reproved for this usurpation of the power of the keys, although it is ascribed

¹ As formally expressed in the bull *Faciens misericordiam*, August 12, 1308, the charge is—

“Item quod credebant, et sic dicebatur eis quod magnus magister a peccatis poterit eos absolvere. Item quod visitator. Item quod preceptores quorum multi erant layci.

“Item quod hæc faciebant de facto. Item quod aliqui eorum.

“Item quod magnus magister ordinis predicti hoc fuit de se confessus in presencia magnarum personarum antequam esset captus.”—Michelet *Procès des Templiers*, I. 91. Cf. *Mag. Bullar. Roman.* IX. 129 (Ed. Luxemb.).

² Pissot *Procès et Condamnation des Templiers*, Paris, 1805, p. 39.

rather to ignorance than to wilful intrusion on priestly functions.¹ The truth or the falsity of the accusation has never, I believe, been investigated, and though the question is a subordinate one, yet everything connected with the catastrophe of the Temple possesses interest, and this derives adventitious importance from its relation to the development of Catholic doctrine in the thirteenth century.

To understand it rightly, we must bear in mind that the members of the Military Orders were monks, subject to all the rules and entitled to all the privileges of monachism. To appreciate their relations to the great subject of the sacrament of penitence, we must, therefore, consider what, at the date of their foundation, were the customs of the religious Orders, as well as what were the teachings of the Church with regard to confession and absolution, and we can then estimate how far Clement V. was justified in including this among the charges for which the Order was destroyed.

The Templar Rule was based on the Cistercian, which in turn was a reform of the Benedictine. In the original Rule of Benedict there are no defined regulations on the subject. The sinner is counselled to confess to his abbot or to one of the older monks and to seek his advice, but, of course, there is nothing said as to absolution, which, in its sacramental character, was the creation of the schoolmen of the twelfth and thirteenth centuries. Public confession in the daily assemblage or chapter was ordered for any external fault committed in the prescribed routine of daily labor²—an exercise which had already, prior to Benedict, become customary in the monachism of the time.³ In the Cistercian reform this

¹ In treating of the three Military Orders the writer says: "Usurpant laici sacerdotum officia, pœnitentiam pro excessibus injungentes et eandem pro libito relaxantes, cum non sint eis claves commissæ, nec ligandi et solvendi uti debeant potestate. Remedium, ut magistri domorum mittant fratres literatos ad studendum circa theologicas lectiones, nec circa scientias sæculares, ut habeant literatos priores et sacerdotes."—*Collectio de Scandalis Ecclesiæ* (Döllinger, *Beiträge zur politischen, kirchlichen u. Cultur-geschichte*, III. 196).

² *Regul. S. Benedict.* c. vii. xlvi. (Migne's *Patrologia*, LXVI. 373, 694). Cf. Smaragdi *Comment.* (Migne, CII. 885); *Reg. S. Chrodegangi* c. 18; Jonæ Aurelianens. de *Instit. Laicali* Lib. I. c. 16.

³ S. Eucherii *Homil.* VIII.

was insisted upon and developed. Every day, after mass, the brethren assembled in chapter. Any one conscious of sin was expected to confess it and ask for pardon. If he did not do so, any one cognizant of it was required to accuse him; he could defend himself, and judgment was pronounced by a majority of those present. If he was condemned to the discipline, he promptly stripped himself to the waist and was scourged till the abbot commanded it to cease, and the proceedings terminated by the prior listening to private confessions of such things as nocturnal illusions for which he granted absolution and penance.¹ In all this there is evidently nothing of the formal sacrament of penitence, and no other form of confession is prescribed. Even on the death-bed the dying monk only said "Cor.fiteor" or "Mea culpa, de omnibus peccatis meis precor vos orate pro me."²

Here we have the prototype of the chapters of the Templars as described in their Rule. Wherever four or more of the brethren were together they were commanded to hold a chapter on the vigils of Christmas, Easter, and Pentecost, and on every Sunday of the year, excepting those of the three feasts. These were religious assemblies: each one on entering crossed himself in the name of the Father, Son, and Holy Ghost, and recited a Paternoster before taking his seat. The Preceptor or presiding officer preached a sermon, after which every one conscious of sin was expected to confess it. If he did not do so, any one acquainted with it called upon him to confess; if he denied it, witnesses were summoned and the case was debated. The culprit withdrew; the chapter determined what penance to prescribe, and he was recalled. If this was scourging, it was performed on the spot by the presiding officer, but there were many degrees of penance, culminating in expulsion, and a long catalogue of offences is detailed, classified according to the

¹ *Usus antiquiores Ordinis Cisterciensis* c. lxx. lxxv. (Migne, CLXVI. 1443-6).

² *Ibid.*, c. xciv. (p. 1471). By the time of St. Bernard, however, there seems to be a custom springing up of annual confession at Easter.—S. Bernardi *Serm. in Die Paschæ* §15 (Migne, CLXXXIII. 281).

penances due to them.¹ In very light cases the chapter sometimes referred the offender to the chaplain who prescribed the penance.² The proceedings of the chapter closed with a prayer by the presiding officer, prior to which he absolved all those present and warned them that those who did not confess their sins had no share in the spiritual merits and benefits of the Order.³ The object for which the chapters were instituted was the confession and penancing of sins⁴; in fact, the chapter was a confessional, and each brother was instructed before entering it to search his conscience and reflect whether he had any transgression to confess and render satisfaction for.⁵

The Rule in the elaborate form in which we have it dates from about the middle of the thirteenth century, and contains certain sacerdotal elements which I will consider hereafter. In its early simplicity, as granted by the council of Troyes in 1127, the whole matter of hearing confessions and imposing penance is entrusted to the Master. There is nothing said as to absolution, but the expressions used show that the performance of the penance imposed by him is expected to obtain salvation for the sinner.⁶ At that time the schoolmen had not fairly commenced their work; nothing was known of penitence as a sacrament, and even the power of the keys was as yet a vague

¹ *La Règle du Temple*, publiée pour la Société de l'Histoire de France, par Henri de Curzon, Paris, 1886, Art. 385-502.

² *Ibid.*, Art. 526.

³ "Car le Maistre ou cil qui tient le chapistre les assols dou pooir que il ait devant que il comence sa priere."—*Ibid.*, Art. 503, 538.

⁴ "Et sachiés qui nostre chapistre furent etabli por ce que li frere se confessassent de lor fautes et les amendassent."—*Ibid.*, Art. 389.

⁵ *Ibid.*, Art. 394.

⁶ "Si aliquis frater loquendo vel militando vel aliter leve deliquerit, ipse ultro delictum suum satisfaciendo magistro ostendat. De levibus si consuetudinem non habeant, levem poenitentiam habeat. Si vero eo tacente per aliquem alium culpa cognita fuerit, majori et evidentiori subiaceat disciplinæ et emendationi. Si autem grave erit delictum retrahetur a familiaritate fratrum, nec cum illis simul in eadem mensa edat sed solus refectioem sumat. Dispensationi et judicio Magistri totum incumbat, ut salvus in die judicii permaneat."—Harduin. *Concil.* VI. II. 1144.

conception. Naturally, therefore, in this original Rule there are no commands as to confession to priests or the seeking of absolution from them. Whatever power to bind or to loose was exercised in the Order lay in the hands of the Master, and the penalties which he inflicted were not punishment, but penance. The distinction between the *forum internum* and the *forum externum*, between reconciliation to the Church and reconciliation to God, had not as yet been clearly defined by the schoolmen; it was virtually unknown in practice and all offences were on the same plane.

In the completed Rule we can trace these same characteristics. The proceedings in the chapter were not simply to enforce the discipline of the Order, but to save the soul of the sinner.¹ The penitential character of the inflictions is seen in the injunction that the culprit is to endure them cheerfully and willingly—he should feel shame for the sin, but not for the penance²; and when this is scourging, administered on the spot, all those present are enjoined to pray God to pardon him, whereupon the brethren all recite a Paternoster, and if there is a chaplain present he offers a special prayer.³ When the penance is a prolonged one, the chapter must determine when it shall cease, and then before the penitent is introduced all the brethren kneel and pray God to give him grace to preserve him from sin hereafter.⁴ The religious character of the penance is

¹ “Nul frere ne doit reprendre autre frere fors par charité et par entention de faire li sauver s'arme.”—*Règle*, Art. 412.

² “Chaucun frere doit bien et volentiers faire la penance que li est enchargée par chapistre.”—*Ibid.*, Art. 415.

“Et nul frere ne doit avoir honte de penance en maniere que il l'en laisse a faire; mais chascun doit avoir honte de faire le pechié, et la penance doit chascun faire volenterement.”—*Ibid.*, Art. 494.

“Mais bien sachiés que mult est belle chose de faire penance.”—*Ibid.*, Art. 533.

When the penance comprised weekly public scourging in church “et doit venir a sa discipline a grant devocion et receore le en patience devant tout le peuple qui sera au mostier.”—*Ibid.*, Art. 468–73.

³ “Biau seignors freres, veés ci votre frere qui vient a la discipline, priés notre Seigneur qu'i li pardoint ses defautes.”—*Ibid.*, Art. 502.

⁴ *Ibid.*, Art. 520.

still further seen in the regulation that if it is not administered on the spot by the presiding officer, it is subsequently to be inflicted by the chaplain ; as sacerdotalism advanced, indeed, some even argued that it ought always to be done by a priest and not by the master or commander.¹

At the time when the Order was organized there was nothing strange in thus entrusting to the master or preceptor the administration of the rites of confession, absolution, and satisfaction. The monk, though not in holy orders, by his vows and his dedication to the service of God, was invested with a quasi-sacerdotal character. Even at the end of the twelfth century we learn from Peter Cantor that in some convents a monk could confess to any of his brethren and accept penance from him, though by this time absolution was becoming recognized as a sacerdotal function and was administered by the abbot, the sacrament being thus split in two.² But even apart from this monastic character laymen had not as yet been excluded from the hearing of confessions. It was not long before the founding of the Order that the Blessed Lanfranc taught that confession of secret sins could be made to any ecclesiastic, from priest to ostiarius, or in their absence to a righteous layman who could cleanse the soul from sin.³ No work of the twelfth century exercised so controlling an influence on the development of the sacramental conception of penitence as the forgery which passed current under the authoritative name of St. Augustin, yet in this it is asserted that in the absence of a priest confession to a layman is equally efficacious⁴—a principle which was adopted by Gratian and Peter Lombard.⁵ In the thirteenth century, even after

¹ *Ibid.*, Art. 523, 525.

² Jo. Morini *de Administr. Sacram. Penitent.* Lib. VIII. c. ix. n. 23.—Martène *de antiq. Ritibus Ecclesiæ* Lib. I. c. vi. Art. 6, n. 5.

This division of the sacrament was not long afterwards forbidden. See Postill. ad § 4, Tit. xxxiv. Lib. III. *Summæ S. Raymundi.*

³ B. Lanfranci *Lib. de Celanda Confessione* (Migne, CL. 629-30).

⁴ "Tanta itaque vis confessionis est ut si deest sacerdos confiteatur proximo."—Pseudo-August. *Lib. de vera et falsa Penitentia* c. x.

⁵ Gratiani *Decr.* c. I. Caus. xxxiii. Q. iii. Dist. 6.—P. Lombard, *Sentenst.* Lib. IV. Dist. xvii. § 5.

the Lateran canon which prescribed annual confession to the parish priest, the stories related by Cæsarius of Heisterbach to allure the people to the confessional show that the prevailing conception still was that the virtue of confession lay in the act, irrespective of the character of the person to whom it was made.¹ If by this time the theologians refused to go thus far they at least still admitted the validity of confession to laymen in case of necessity,² of which we have an example in the narrative of the Sire de Joinville, who relates how he heard the confession of Gui d'Ebelin, Constable of Cyprus, and granted him absolution, when both were expecting instant death from the Moslem.³ As the sacramental theory became perfected, Aquinas explained that in such cases God supplies the place of the priest; the absolution of the layman is quasi-sacramental; it secures pardon from God, and the penitent is thus absolved in the *forum internum*, but he is as yet unreconciled to the Church and should therefore, when opportunity offers, confess again to a priest and obtain the full sacrament of penitence.⁴ Nor is the lack of a priest confined to such desperate occasions as that related by Joinville; if a man knows his parish priest to be unfit and cannot obtain his license to confess to another he is released from the obligation to employ a priest and can lawfully confess to a layman.⁵ It is quite probable that the discussion of the matter provoked by the Templar trials led to a change in the attitude of the Church. Astesanus de Asti, writing in 1317, examines the subject with a minuteness which shows that it had been attracting fresh attention. While he quotes the authorities in its favor, he concludes that

¹ Cæsar. Heisterb. *Dial.* Dist. III. c. 2, 21.

² S. Raymundi *Summæ* Lib. III. Tit. xxxiv. § 4. — Gloss. *sup.* *Decr.* Caus. xxxiii. Q. iii. Dist. 5.

³ "En conste de moy se agenoilla Messire Guy d'Ebelin, Connestable de Chippre; et se confessa a moy; et je luy donnay telle absolucion comme Dieu m'en donnait le povoir."—*Mémoires du Sire de Joinville*, Ed. 1785, T. II. p. 20.

⁴ T. Aquinat. *Summæ* Suppl. Q. VIII. Art. 2; cf. Hostiens. *Auræ Summæ* Lib. v. *De Pan. et Remiss.* § 7.

⁵ Aquinat. *Summæ* Suppl. Q. VIII. Art. 4.

such confession is in no way sacramental and does not obtain absolution.¹ Still the question would not settle itself, for the more the Church inculcated the necessity of the sacrament of penitence for salvation, the more the faithful sought for it in whatever form it could be obtained. Early in the fifteenth century Prierias returned to the opinion of Aquinas, and even held that a layman could absolve from excommunication on the death-bed.² It was in vain that the council of Trent in 1551 defined absolutely that no one except bishops and priests had power to hear sacramental confession and grant absolution.³ Not long afterwards Azpilcueta argues that it is not a sin—at least a mortal sin—to believe, as many do, that any layman can hear confessions and grant absolution to the dying.⁴ In the seventeenth century, however, Diana condemns the practice as utterly useless, though he admits that it is common among sailors in fear of shipwreck.⁵

Another point indispensable to a clear appreciation of the functions of the master or preceptor of the chapter of the Templars is the nature of the absolution granted to sinners in the twelfth century. The power of the keys had not at that time been defined with precision, and much debate in the schools was still requisite before a practical working theory could be evolved and accepted. It would lead me too far from our subject to enter into the details of these forgotten wrangles and it will suffice for our present purposes to state that as yet the priest was held to have scarce more than an intercessory power with God. His intercession was more efficacious than that of a layman, but although the rapid development of sacerdotalism was constantly tending to confer on him augmented power, he as yet did not pretend of himself to grant absolution. Fathers Morin and Martène

¹ Astesani *Summa de Casibus* Lib. v. Tit. xiii. Q. 2. "Unde male sensit Ber. extra de offi. ord. pastoralis dicens quod laicus absolvere potest in necessitate et hoc non tantum a peccatis sed etiam ab excommunicatione."

² *Summa Sylvestrina s. v. Confessor* I. §§ 1, 6.

³ C. Trident. Sess. xiv. *De Pœnit.* c. 6.

⁴ Azpilcuetae *Comment. in VII. Distinct. de Pœnit.* Dist. vi. c. i., n. 81, 83.

⁵ *Summa Diana, s. vv. Confessarius* n. 2, *Confessionis necessitas* n. 13, 14.

have abundantly shown that prior to the thirteenth century the formulas of absolution were universally deprecatory, or at most of a transitional character, in which the priest speaks in doubtful terms as to his own powers.¹ To the Church of the twelfth century, therefore, there was nothing offensive or shocking in a man clothed with the quasi-sacerdotal character of a monk offering the prayer and granting the conditional absolution which were customary at the period.² It was not until about 1240 that the absolute indicative form, *Ego te absolvo*, was introduced, giving rise to so much objection and animadversion that some thirty years afterwards Aquinas was required by the Dominican General to write an elaborate defence of it, in which he tells us that the University of Paris had decided that

¹ Even as late as the eleventh century the *Corrector Burchardi* knows nothing of absolution. The most that the priest can do is to offer a prayer, such as: "Deus omnipotens sit adjutor et protector tuus et præstet indulgentiam de peccatis tuis præteritis, præsentibus et futuris."—Wasserschleben, *Bussordnungen*, p. 667.

In a typical later transitional formula, the priest assumes somewhat more power, but is careful not to define its extent. "Ipse te absolvat ab omnibus peccatis et de istis peccatis quæ modo mihi coram Deo confessus es . . . cum ista pœnitentia quam modo accepisti sis absolutus a Deo Patre et Filio et Spiritu sancto et ab omnibus sanctis ejus et a me misero peccatore, ut dimittat tibi Dominus omnia delicta tua et perducat te Christus ad vitam æternam . . . absolvat te sanctus Petrus et beatus Michael archangelus et nos, in quantum data est nobis potestas ligandi et solvendi, absolutionem damus. adjuvante Domino nostro Jesu Christo."—Garofali, *Ordo ad dandam Pœnitentiam ex insigni Rituali Codice membranaceo XI. Sæculi Bibl. Canonicoorum Reg. S. Salvatoris Bononiæ*, Romæ, 1791, p. 15.

It will be seen how closely this compares with the essential part of the Templar absolution.

² The formula of absolution as set forth in the *Règle* is: "Mais cil qui se confessent bien de lor defautes et ne laissent à dire ne à confesser lor failles por honte de la char ne por paor de la justise de la maison, et qui sont bier repentant des choses que il ont mau faites, cil prennent bone partie au pardon de nostre chapistre et as autres biens qui se font en nostre maison ; et a ceaus fais-je autel pardon come je puis de par Dieu et de par nostre Dame et de par monseignor saint Pierre et mon seignor saint Pol apostres et de par nostre pere l'apostoille, et de par vos meismes qui m'avés doné le pooir; et prie a Dieu que il por sa misericorde et por l'amor de la soe doce mere et por les merites de lui et de tous les sains vos deet pardonner vos fautes ensi come il pardona a la gloriose sainte Marie Magdalaine."—*Règle*, Art. 539.

without these words there was no absolution.¹ Various formulas, however, continued to be used and towards the close of the century Duns Scotus argues that while *Ego te absolvo* is well fitted for its purpose, the priest should not be restricted in his form of expression, which is indifferent so long as the purport is conveyed.² It was not till 1439, at the council of Florence, in the Decree of Union with the Armenians, that the Church formally adopted this formula,³ and the council of Trent, in 1551, pronounced it to be the sole essential part of the sacrament and that all else is unnecessary.⁴

Evidently the error of the Templars consisted in not moving with the world, in not adapting themselves properly to the development of the sacramental theory in the Church, and in this they were pardonable, seeing that they were ostensibly warriors and not theologians or canon lawyers. For a long while, indeed, after the foundation of the Order the delimitation of sacerdotal functions was still vague and undefined. John of Salisbury, who died in 1180, complains of monks in general that they sought to obtain a share in the harvest created by the constantly enlarging power of the keys and did not hesitate to hear confessions and exercise a stolen authority to bind and to loose.⁵ As for the Templars, it was doubtless because their sacerdotal functions were confined to their own members, that he finds no fault with them for this, though his indignation is excited by their increasing patronage of church livings, through which indirectly they furnished sacraments to the faithful.⁶ That the Templar custom of capitular absolu-

¹ S. Th. Aquinat. *Opusc.* xxii. c. 2.

² Jo. Scotus *super Libb. Sententt.* (Ed. Venet. c. 1470, fol. 285 a).

³ Decr. Union. in C. Florent. ann. 1439 (Harduin. *Concil.* IX. 440).

⁴ C. Trident. Sess. xiv. *De Pœnitent.* c. 3.

⁵ "Confessiones excipiunt et claves Ecclesiæ usurpantes aut subripientes Petro ligare præsumunt et solvere, et, Domino prohibente, falcem mittunt in messem alienam."—J. Saresburiens. *Polycrat.* vii. xxi.

⁶ "Milites namque Templi sui [papæ] favore ecclesiarum dispositionem vindicant, occupant personatus et quodammodo sanguinem Christi fidelibus ministrare præsumunt quorum fere professio est humanam sanguinem fundere."—*Ibid.*

tion was well known to the Holy See, through both the twelfth and thirteenth centuries, and that it had full papal approval, is easily demonstrated. When in 1199 Innocent III. approved the founding of the Teutonic Order, he instructed it to follow the Johannite Rule as to hospitals and the care of the sick, and the Templar Rule as to the knights and priests. In 1209 he confirmed the Teutonic *consuetudines*, and they are repeatedly alluded to in bulls of Honorius III. In 1244 Alexander IV. authorized a revision of the Rule, so that in the shape in which it has reached us it cannot be earlier than the middle of the thirteenth century, while the age of the various MS. copies shows that it remained unaltered during the fourteenth and fifteenth centuries.¹ Max Perlbach's careful labors have recently rendered it accessible to scholars in its various versions, and its intimate dependence on the Templar Rule renders it an undoubted authority on the question before us. We find in it the same provisions for weekly chapters which are religious assemblages where the sins of the brethren are confessed or denounced. There is the same elaborate classification of offences with their appropriate penances, and this penance, which is administered by the chapter, is not only valid in the *forum externum*, but is sacramental, inasmuch as its performance releases the sinner from the pains of purgatory.² From this it follows that the absolution administered by the Master, after the performance of the penance, or in his absence by a preceptor, was likewise sacramental absolution, and not merely readmission to the

¹ Perlbach, *Die Statuten des deutschen Ordens*, pp. XLIV., XLVI., LI., LII., LIX. (Halle a. S., 1890).

² *Fratrum Teutonicor. Institt.* c. 33 (Perlbach, p. 77): "Statuimus ut culpe, licet leves videantur, occulte quidem per confessionem expientur, manifeste vero in capitulo proclamate, competentem accipiant satisfactionem . . . ut sic religionem pro purgatorio habentes in capituli iudicio cremabilia ignis purgatorii abstergant, et in morte demon quid eis obiciat non valeat invenire." Or, as more clearly expressed in the French version, "et que ils espurgent en jugement dou chapistre les choses qui devraient estres brulees en purgatoire."

See also the Rule cap. 36 (p. 55), providing in general terms for the prescription of penance by the chapter "ut salvus in die iudicii permaneat."

society and privileges and duties of the brethren.¹ In estimating the force of these provisions we must bear in mind that they were not the work of rude and ignorant knights, but that all the rules and statutes of the Order required the approval of the Holy See.

If further confirmation of all this were needed, it is to be found in the gradual change of theory as to the sacramental character of the proceedings in monastic chapters, as the doctrine of the sacrament of penitence and power of the keys was elaborated. To the good Cistercian, Cæsarius of Heisterbach, the monastic chapter covered the whole field of the *forum internum* as well as *externum*.² By the time of Aquinas there had arisen doubts as to the principle involved, though the fact was still admitted in practice—the chapter was a judicial more than a penitential forum; it could be held by one who was not a priest, but the absolution granted in it was good in the forum of penitence.³ This covers completely the Templar case, and even in 1317, after the destruction of the Order, it was still quoted as good canon law by Astesanus⁴; but subsequent theologians had no difficulty in declaring that chapters were wholly unsacramental, and even cited Aquinas to this effect.⁵ In addition to this I may observe that the special question as to the power of the masters and preceptors of the Military Orders to grant valid absolution was debated at least as early as the time of St. Ramon de Peñafort (c. 1235), who

¹ “Quando frater aliquis a magistro vel ejus vicem gerente penitentiam susceperit non possunt eum preceptor, marschalchus vel alius inferior absolvere sine licentia magistri si fuerit tam vicinus ut adiri valeat de hoc negocio consulendus. At si magister ad remota loca recederet, fratrisque penitentia bene peracta, non possit haberi, licebit preceptorum cum aliis fratribus in capitulo congregatis sepedictam penitentiam relaxare.”—*Ibid.*, c. 3 (p. 64).

² Cæsar. Heisterb. *Dial.* Dist. III. c. 49.

³ “Quia in capitulo agitur quasi forum judiciale magis quam pœnitentiale, unde etiam non sacerdotes capitulum tenent, sed absolvetur a pœna injuncta vel debita pro peccato in foro pœnitentiali.”—Aquinas. *Summ.* Supplem. Q. xxvii. Art. 2 ad 2.

⁴ Astesani *Summ. de Casibus.* Lib. v. Tit. xl. Art. 5, Q. 2.

⁵ Caietani *Opusc.* Tract. xvi. c. 2.—*Summa Sylvestrina*, s. v. *Indulgentia* § 21.

replies to it hesitatingly; he does not think that a layman can absolve unless he has special delegated powers from the Holy See—and we have seen from the Templar formula that the pope was included among those in whose behalf the absolution was given. No adverse decision was rendered against the practice, for this state of doubt in the minds of theologians seems to have continued until the downfall of the Order, since John of Freiburg quotes Ramon without adducing any later authority or adding any opinion of his own.¹

From all this it is fairly deducible that if the Templars had persevered to the last in their original custom of confessing exclusively in the chapter and receiving absolution only from the presiding officer, the Church would have had no real ground of complaint against them. They did not do this, however, for to their early simple forms they super-added regular sacramental confession and absolution when that had grown to be the rule of the Church. At first they had no special chaplains of their own; in the earliest Rule their religious needs of communion, masses for the dead, etc., are directed to be supplied by priests whom they might engage for stated periods, and who were paid by whatever oblations or alms might be given to them.² In 1163, how-

¹ "Quis possit absolvere Templarios, Hospitalarios et alios religiosos non habentes praelatum sacerdotem? Respondeo secundum Raym. § xviii. *Item quod Templarii*. Credo quod non possint absolvi a talibus prelatibus cum non habeant ordinem clericalem nisi habeant hoc de speciali privilegio sedis apostolicæ."—Joh. Friburgens. *Summæ Confessorum* Lib. III. Tit. xxxiii. Q. 47.

John of Freiburg adds that the question had settled itself as to the Hospitaliers by requiring their priors to be in priest's orders: "Hodie autem expressum est de fratribus Hospitalis Jerosolymitani quod possunt a suis prioribus, qui presbyteri debent esse, absolvi sicut regulares alii a suis prelatibus."

If we may believe the confession of Bertrand de Villiers, Preceptor of Roche St. Pol, March 29, 1311, the question as to the validity of the absolution granted in the chapters had begun to be discussed in the Order itself.—Michelet, *Procès des Templiers*, II. 124.

² *Regula* Art. iii. iv. (Harduin, VI. II. 1134): "capellanis ac clericis vobiscum ad terminum caritative summo sacerdoti servantibus." The retention of this in the completed Rule (Art. 62, 64) shows how the latter is an accretion and accumulation of statutes. The interpolations not infrequently conflict with the original text, rendering it difficult to determine what was the precise usage at the time of compilation.

evcr, Alexander III., by the bull *Omne datum optimum*, granted to them the right to receive into the Order clerics and priests, so that they might more conveniently enjoy the sacraments and divine offices.¹ It is a convincing evidence of the quasi sacerdotal character of the Order that the priests thus admitted into it were entitled within it to none of the immunities and exemptions for which the Church was then so earnestly battling with the secular power. It was in 1170 that Thomas Becket fell a martyr to the unflinching resolution of Rome to enforce its claim of the exemption of all ecclesiastics from secular jurisdiction, yet the Templar priests, by the terms of the bull, were held in strict subjection to the laymen who ruled the Order. On admission they were to place on the altar a writing in which they promised implicit obedience—"seque militaturos Domino diebus vitæ suæ sub obedientia Magistri Templi"—they could be dismissed at pleasure, and, what is especially significant, they were not to take any part in the chapters beyond what might be enjoined on them, nor to take any care of the souls of the brethren unless called upon to do so.² This subordina-

¹ "Ut autem ad plenitudinem salutis et curam animarum vestrarum nihil vobis desit et ecclesiastica sacramenta et divina officia vestro sacro collegio commodius exhibeantur." At the same time he took care to provide that they should not be restricted to their own chaplains in the emergencies of their warlike lives, when at any moment they might need the consolations of religion. "Decernimus insuper auctoritate apostolica ut ad quemcunque locum vos venire contigerit, ab honestis atque catholicis sacerdotibus poenitentiam, unctiones seu alia quælibet sacramenta ecclesiastica vobis suscipere liceat, ne forte ad perceptionem spiritualium bonorum vobis quippiam deesse valeat." In this the word "catholicis" suggests that the object of the clause was inferentially to interdict the ministrations of Greek priests, who doubtless in Palestine were often more accessible than Catholic ones.

Professor Prutz, in his admirable *Entwicklung und Untergang des Tempelherrenordens*, gives the date of this bull (pp. v. and 33) as 18 June, 1163, and p. 260 as Tours, 7 January, 1162. This latter can scarce be correct, as Alexander at that time was travelling through Italy on his way to France (Jaffé, *Regesta*, p. 684). Rymer (*Fœdera*, I. 30, 54) gives two copies of it, one issued in 1172 by Alexander to the Grand Master Eudes de S. Amand, and the other by Lucius III. in 1181 to Amand de Torroge. The latter of these Jaffé dates April 28, 1183.

² "Sed nec ipsi liceat de capitulo aut cura domus vestræ se temere intromittere nisi quantum a vobis fuerit injunctum. Curam quoque animarum tantum habeant quantum a vobis fuerint requisiti."—Bull. *Omne datum optimum*.

tion was strictly construed and enforced. The priest was subject to the jurisdiction of the chapter and was punished like other brethren. He could even be placed in irons or in perpetual prison.¹ One single privilege was allowed him. Among the heavier penances was that of being degraded for a longer or shorter period, usually for a year and a day, during which time the offender was deprived of intercourse with his fellows, he ate on the ground, and performed the vilest services with the slaves, such as leading asses, scullion's work, etc., with the addition in certain cases of a weekly scourging in church on Sundays.² In such penance, for the honor of the cloth, a priestly penitent was spared labor with the slaves, in lieu of which he was required to recite his psalter.³ A further tribute to his position was that at table he was placed next to the master and that both he and the master had special cups.⁴

The Order being thus provided with priests of its own, when the necessity of sacramental confession and absolution became more strongly urged by the Church and was prescribed by the Lateran decree of 1216, the practice of the Templars became complicated with a curious and illogical admixture of the old system and the new. The new was superadded to the old, without much care to reconcile their incompatibility, and the result, as recorded in the contradictory prescriptions of the later Rule is not easy to analyze and define with accuracy. Probably this may in part be attributed to a deficiency in the number of priests admitted to the Order, together with the minute subdivision of its members scattered among its numerous and widely separated possessions throughout Europe and Syria. The proportion

¹ *Règle*, Art. 271. In the Teutonic Order there was some limitation on the punishment to be inflicted by the chapter on clerics, but enough was permitted to destroy the principle of clerical immunity.—*Fratrum Teuton. Institt.* 40, 44 (Perlbach, pp. 87-9).

² *Règle*, Art. 468-73, 493, 495.—Segregation and eating on the ground were customary features of monastic penance. See *Statuta Ordinis Cisterciens.* ann. 1186, c. 6 (Martène, *Thesaur. Anecd.* IV. 1260); Gousset, *Actes de la Province ecclésiastique de Reims*, II. 345-8.

³ *Règle*, Art. 270.

⁴ *Ibid.*, Art. 188.

of priests among the Templars whose confessions have reached us is exceedingly small. Out of sixty members arrested at Beaucaire in 1307 but one was a priest; of thirty-three imprisoned in the Chateau d'Alais in June, 1310, there was but one priest.¹ The leaders of the Order seem to have desired to limit the number of unproductive members who could neither work nor fight, and possibly there was a jealousy of allowing undue sacerdotal influence. For a lay member to take holy orders was classed with the gravest offences and was visited with the heaviest punishment, that of expulsion.² When it is remembered that the holding of weekly chapters was required in all places where four members could assemble, it is evident that in most of them no priest of their own could be present, and that confession and absolution must be performed according to the original Rule, unless the temporary services of some neighboring chaplain could be secured. This doubtless explains some of the apparent discrepancies of the later Rule, and in fact it is provided for in one article, showing that the presence of the chaplain was in no sense indispensable.³

Some confusion, moreover, has arisen as to the functions of the chaplain in the chapters from the double meaning of the word "confession," which signifies either a formal ritualistic general confession of a vague and comprehensive character, or a special sacramental confession of sins actually committed. After the introduction of priests into the Order, when they were present in chapters, the services were assimilated to the regular church ritual by the chaplain causing all present to recite after him this general confession, after which he granted them the customary general absolution⁴—an absolution which was held by the theo-

¹ Vaissette, *Hist. de Languedoc*, IV. 141.

² *Règle*, Art. 450. Thus the Templars had not the resource of the Hospitallers, whose priors were required to be in priests' orders.

³ *Ibid.*, Art. 542: "Mais se le frere chapelain n'i estoit chascun frere doit dire après la prière une patre nostre et le salut de nostre Dame une fois."

⁴ The prescriptions of the Rule are well calculated to lead astray any one who does not bear in mind the distinction between general and auricular con-

logians to secure pardon for venial and forgotten sins.¹ There was no sacramental confession to the chaplain in the chapters, but gradually the custom of auricular confession to priests virtually supplanted the original capitular confession and penance. It is easy to understand why this change should occur, for not only was it in conformity with the general tendency of the Church and its prescriptions, but it was in every way attractive to the sinner. The confession of derelictions in the chapter was of itself a humiliation hard to endure, and yet harder were the penances provided

fession. Thus Art. 504 says: "Et après la priere de celui qui a tenu le chapistre, chascun frere doit dire sa confession, et li frere chapelains, après que li frere ont dite lor confession doit faire l'asolution autele come bien li semblera." Art. 542 is even more misleading. The chaplain addresses the brethren: "Biaus seignors freres dites vos confessions après moi . . . et quant tuit auront dit lor confession, li frere chapelain doit dire l'asolution et assoudre tous les freres ensi come li semblera que bon soit, et ensi come il est acostumé a nostre maison. Quar sachiés que li frere chapelain a grant pooir de par nostre pere li pape de assoudre les freres toutes fois selon la qualité et la quantité de la faute." This has every appearance of sacramental confession and absolution, except that the ceremony was performed in common in the assemblage which was never authorized with the sacrament, except in extreme necessity, such as battle or shipwreck; to do so otherwise was a mortal sin (Angeli de Clavasio *Summa Angelica* s. v. *Confessio* I. § 29). Moreover, Templars could confess sacramentally only to their own priests, while they had no hesitation in inviting Franciscans, Dominicans, and Carmelites to officiate in their chapters.—*Processus Cypricus* (Schottmüller, II. 317).

What really was the ceremony in the chapters is clearly described in the confession of Giraud de Caux, Jan. 11, 1311. After the final prayer of the preceptor all knelt "et frater presbyter dicebat eis: Dicatis ista verba quæ ego dicam: Confiteor omnipotenti Deo etc. sicut confessio generaliter fit in ecclesia; et ipsi in secreto dicebant et faciebant dictam confessionem, tundendo pectora sua; et facta confessione dictus presbyter, secundum quod fit in ecclesia, dicebat: Misereatur vestri etc. et absolutionem et remissionem omnium peccatorum vestrorum tribuat vobis omnipotens et misericors Deus, et recedebant" (Michelet, *Procès*, I. 390-1). See also the confessions of Raoul Gisi and Gui Dauphin (*ibid.*, pp. 398, 419).

I have dwelt on this point because Professor Prutz has confounded this general confession with sacramental confession, leading him to state that the Templars confessed to the priest in the chapters (*Entwicklung und Untergang*, etc., pp. 47-8). In his subsequent remarks on the faculties of the Templar priests he has been somewhat misled through lack of familiarity with the rather intricate canon law respecting reserved cases.

¹ Hostiensis *Aurea Summa* Lib. v. *De Pæn. et Remiss.* § 8.

in the Rule for offences of every grade. Almost the least of these was scourging on the spot, and Raoul Gisi tells us that many brethren concealed their sins rather than submit to the shame of being stripped to the waist and undergoing the flagellation.¹ On the other hand, confession to the priest was secret; by this time the old penitential canons were obsolete, and the confessor had arbitrary discretion to impose as little penance as he saw fit. Besides, the penitent had to be consulted about it, for the essence of sacramental penance was its voluntary character, and if he thought that what was suggested to him was too hard to bear, he could refuse to accept it; he could elect to make good the deficiency in purgatory, and it became a commonplace among the doctors that the confessor should grant absolution if he could induce the sinner to say a single Paternoster by way of penance.² As zeal diminished in the Order and demoralization grew, the habit of capitular confession seems to have been wellnigh abandoned, and the formula of absolution by the preceptor was altered to a pardon for the sins which the brethren concealed through shame or fear of penance.³ This deplorable laxity did not suit the older and more rigid members of the Order. We hear of Giraud de Villiers, Visitor of France, about the year 1300, reproving the priest, Jean de Calmota, for the ease with which he and the other Templar priests absolved its guilty members. The privileges of the Order, he said, were such that the pre-

¹ Michelet, *Procès*, I. 398.

² S. Raymundi *Summæ* Lib. III. Tit. xxxiv. § 4.—*Hostiensis Auræ Summæ* Lib. v. *De Pæn. et Remiss.* § 58.—*Bonaventuræ Confessionale* cap. IV. Partic. iii.—*Synodus Nemausensis* ann. 1284 (Harduin, VII. 910-11).—Caietani *Opusc. Tract. v. De Confessione* Q. 3.—Zerola, *Praxis Sacr. Penitent. c.* xxv. Q. 9, 36).

Alexander Hales, however (*Summæ* P. IV. Q. xviii., Membr. 2, Art. 1), argues against the current theory that the penitent can elect between accepting adequate penance and taking his chances in purgatory.

³ "Attamen de omnibus illis que obmilteretis nobis dicere ob verecundiam carnis vel ob metum justicie ordinis, nos facimus vobis indulgentiam quam possimus et debemus."—Confession of Giraud de Caux (Michelet, *Procès*, I. 390). See also those of Raoul Gisi (*ibid.*, p. 398), of Renaud de Tremblay (p. 425), of Pierre de Blois (p. 517), and of Guillem de Masayas (II., 126).

ceptors could absolve the brethren in the chapters, and if that custom had been preserved, they would be more cautious in stealing the property of the Order and committing other wickedness, but now the priests absolved them for gain and shared with them the goods pilfered from the Temple.¹

Thus practically the distinction was established between the *forum internum* and *externum*, and the control of the latter passed virtually into the hands of the priests. Under the new system the brethren were required to confess exclusively to the chaplains of the Order.² This was essential, for many of the offences to be confessed were necessarily violations of the Rule, which would not be appreciable by other priests, and the revelation of which would be an infraction of the inviolable secrecy enjoined on all brethren of the Temple. Three confessions a year were prescribed, and these presumably were coincident with the three communions required—at Christmas, Easter, and Pentecost.³

There is an evident contradiction in the Rule in regard to the special faculties of the chaplains, which seems only explicable by incongruous interpolations of customs varying at different periods. One passage boasts that they have greater power to absolve than that possessed by an archbishop.⁴ This would seem to refer to a privilege granted by Honorius III. in 1223. Violence offered to a cleric or monk had been made a papal reserved case by Innocent II. at the council of Lateran in 1139—that is, absolution for the excommunication incurred by it was reserved to the Holy See—and this had been carried into the canon law.⁵ In the frequent bickerings between inmates of the

¹ Confession of Robert le Brioy (*ibid.*, I. 448).

² “ Les freres chapelains doivent oyr les confessions des freres ; ne nul frere se doit confesser a autre part fors que a lui, par que il puisse avoir le frere chapelain sans congié.”—*Règle*, Art. 269, *cf.* Art. 354. This was also the rule in the Teutonic Order.—*Fratrum Teutonicor. Institt.* c. III., XXI. (Perlbach, pp. 63, 72).

³ Confession of Raoul Gisi (Michelet, *Procès*, I. 398); of Ramon Sa Guardia (*ibid.*, II. 458).

⁴ “ Car il en ont greignor pooir de l'apostoile d'eaus assondre que un arceveque.”—*Règle*, Art. 269.

Gratian, *Decr.* c. 29 Caus. XVII. Q. iv.

same monastery this had been found to lead to much unprofitable wandering to Rome of those who should be strictly confined to their religious duties, and an exception had been made by which abbots were empowered to absolve for such cases occurring between their monks. The Templars asked to have this privilege extended to them, and Honorius granted that the chaplain of the principal house in each province should have this power—a faculty which in 1265 was extended for ten years by Clement IV. to all the chaplains of the Order.¹ In this limited sense the chaplains had greater power than bishops or archbishops, but even this is contradicted by a subsequent article of the Rule which asserts that a chaplain cannot absolve a brother for the homicide of a Christian, for striking a brother and drawing blood, for violence to an ecclesiastic, and for entering the Order by simony or by denying the possession of holy orders—for all these the culprit must go for absolution to the bishop, archbishop or patriarch of the country.² Apparently the temporary privilege granted by Clement IV. was not renewed, and this is confirmed by the statement of John of Freiburg, that if a Templar of one diocese strikes a Templar of another, the two bishops must meet together to absolve him, or one must delegate his power to the other.³ In practice it would seem, however, that the chaplain had no hesitation in exerting the powers granted by the bull of Honorius III., for the Rule recites a precedent in point which likewise shows that the distinction between the *forum pœnitentiæ* and the *forum judiciale* had become fully recognized. When the *convent* was at Jaffa, two of the brethren quarrelled and one threw the other from his horse. The Marshal, Hugo de Monllo, assembled a chapter; the culprit begged for pardon, and was sent out of the chapter with the chaplain who absolved him “*quar il avoit bien le pooir.*” Then they returned to the chapter where the chaplain reported the absolution. The penitent was made to beg for pardon again, and was sent out

¹ Prutz, *Entwicklung*, etc., pp. 282, 289.

² *Règle*, Art. 272-3.

³ Joh. Friburgens. *Summa Confessorum* Lib. III. Tit. xxxiii. Q. 47.

again, and finally the sentence was to deprive him of the vestments of the Order and imprison him in chains, and he was duly sent to Château-Pelerin.¹ Another case would seem to show that the chaplains even presumed to absolve for violence to clerics in general, in spite of the Lateran canon. When brother Hermant was "comandour de la boverie" at Acre, two clerics robbed the dove-cote; he warned them to desist, but they persisted; he set a watch, caught them in the act, and had them beaten soundly, one being wounded in the head. For this violation of clerical immunity they appealed to the papal legate, and the legate complained to the Master. He at once had the assailants absolved and then made them beg pardon in the chapter, which condemned them to lose the vestments and be sent in irons to Cyprus "por ce que la bateure estoit trop laide."²

From all this it would appear that the accusation in the bull *Faciens misericordiam* was true of the Temple during the first century of its existence, and that, relying upon its privileges and the papal favor, it was less prompt than other monastic bodies in modifying its primitive customs to suit the progressive changes in the doctrine and practice of the Church. Towards the close of its career, with increasing corruption, the laxity of the sacramental confessional was found greatly more attractive than the rigor of the Rule as enforced in the chapters, and peccant brethren no longer confessed their sins to their associates, but discharged their consciences in the three auricular confessions yearly which had become a matter of prescription. Complaints and accusations were still made in the chapters, and when they could be proved they were punished according to the Rule, but this was the *forum externum* and not as of old the *forum internum*. Then the formula of absolution granted by the Master underwent a fundamental alteration: in place of being an absolution for sins confessed, it became a pardon for

¹ *Ibid.*, Art. 593.

² *Règle*, Art. 591.

sins not confessed. Such a pardon could be in no sense sacramental; it only affected the relations between the culprit and the Order, and not between him and God. What may have been the admissions which Clement V. states that de Molay made prior to his arrest we have no means of knowing, but we may conjecture that he asserted the original power of absolution as expressed in the Rule, and that it might be employed, at least in preceptories where there were no chaplains. It is impossible that the curia could be ignorant of the practice of the Templars and of the Teutonic Knights, which we have seen was the subject of discussion among canonists, and the embodiment of the charge as we see it in the bull *Faciens misericordiam* betrays a consciousness of the flimsiness of the graver accusations in the eagerness with which one was brought forward based upon theological subtleties that at the time were still under debate by the schoolmen.

