Celibate Clergy: The Need for Historical Debate

Thomas O'Loughlin

One recurring theme in almost every discussion of Catholic Church's ministry is a call for a debate on what has been one of the most carefully fostered aspects of the image of the priest: that he is without a wife.[1] This usually has attached a strange historical twist that this discipline is either "simply canonical" with the implication that it can be changed easily; or that it is a most "ancient tradition" — often with a passing reference to the Synod of Elvira of 306[2] — and the argument's implicit thrust is that a change is either difficult or well-nigh impossible.[3] Since the first group often see no reason to appeal to history they are not my concern here as an historical theologian. For this group, the argument is simply that a change in discipline can be demonstrated *now* to be good for the church, its ministry, its task of evangelisation, whatever. If anything assists in these tasks, then that outcome is sufficient justification for change. Others who argue the discipline can, or should, be changed, see the historical commitment to celibacy as posing little difficulties. The argument is that whatever reasons were offered in the past, their impact on a present decision cannot be too serious a matter: there have been, *de facto*, married priests in the Latin tradition (both in the past and today) who were not inhibited in the *usus matrimonii*, so what is the problem?

For those, however, who support the present canonical discipline of the Latin Church, history appears to be of great moment. Indeed, it is, as witness the work of Cardinal Stickler or his protégé Cholij,[4] the bulwark par excellence against change. The assumption is that when the evidence is laid out, then it is "clear" that clerical celibacy has an ancient lineage, is to be seen fundamentally as a discipline

[1] Cf. C.N.L. Brooke, "Gregorian Reform in Action: Clerical Marriage in England, 1050–1200," *Cambridge Historical Journal* 12(1956)1–21.

[2] For the text of the canons of Elvira, set in context, see S. Laeuchli, *Power and Sexuality: The Emergence of Canon Law at the Synod of Elvira* (Philadelphia 1972).

[3] See T. O'Loughlin, "Priestly Celibacy and 'Arguments from History'," *Doctrine and Life* 49(1999) 411–22.

[4] See A.M. Stickler, *The Case for Clerical Celibacy: Its Historical Development and Theological Foundations* (San Francisco 1995); and R. Cholij, *Clerical Celibacy in East and West* (Leominster 1988).

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based within the essentials of Christian spirituality, and, hence, it was a matter of legitimate "development" that it should be codified in law.[5] Moreover, this clamour that history demonstrates the depth of the significance of celibacy, also produces the call that any change must be justified historically. An example can be seen in a statement by John Wilkins when making a call for a debate on compulsory celibacy felt obliged to add "But there is a tradition of celibacy which goes right back to the early years of the Church to contend with".[6] It is this "twist", namely that there is a major historical case to answer, that is my concern here: how significant is this "objection from history", and, more importantly, what is its nature.

"Tradition" and "History"

In any investigation of the "history" of an aspect of the belief/practice of the Christian church where that discussion is deemed to have relevance to current practice, a first step is to clarify how "history" and "tradition" are to be distinguished. For much of the past two millennia such a distinction would not even have been understood. History, understood as the past activities of the church, and tradition, that which linked the present to the past, were almost identical. This was ably expressed by Vincent of Lerins in the fifth century: the rule of doing and believing was what was always done or held, by everyone, everywhere.[7] The past of the church was a seamless robe whose true activities were immune from the ravages of decay and so past action was a guarantee of present action. Hence "churchly history" (*historia ecclesiastica*)[8] could be seen as doctrine teaching by example. So much were "tradition" and "history" related as concepts, that for the sixteenth-century Reformers to argue that the church had become corrupt in its recent history was tantamount to declaring that tradition had no authority: if the historical church could be corrupt, then tradition could err, and so have no force greater than custom.

The key assumption in this view is that past and present form an unbroken continuity, and the whole history of the church can be seen

[5] Once anything is codified in law, it is automatically related to precedents and so becomes part of the "seamless robe" of law — in all such cases to then argue that the law is a legitimate "development" is virtually to argue in a circle.

[6] *Tablet*, editorial, 4 May 2002.

[7] *Commonitorium* 2,5 (*CCSL* 64, p. 149); cf. T. O'Loughlin, "Newman, Vincent of Lerins and Development," *Irish Theological Quarterly* 58(1991)147–166.

[8] Early Christian historians did not write "church history" in the sense of a specific branch of the discipline dealing with one aspect of society (e.g. as "military history" deals with soldiers; so "church history" deals with believers' societies); rather they saw it as the history of communities of Christians acting as churches.

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as a single historical epoch.[9] With this view of the past one must expect consistency and continuity in decisions and one enters the metahistorical "*hodie*" of canon law,[10] and the realm of the systematician who can cite papal statements of long ago along with quotations long-dead theologians as part of single argument. And, moreover, doctrine becomes predictive for history: if the infallible church makes a decision "now" (e.g. at the time of Trent), then that must have been reflected in some way in the past if we could only find it! Hence the older manuals of historical dogmatics that, for example, could not say that auricular confession of sins to a priest did not exist in the church until the medieval period, but rather used the, seemingly more precise, form: "no evidence has survived of" which left open the possibility that it had happened! This pattern of obfuscation had begun in the nineteenth century in the face of the rise of history as a discipline when theologians latched on to "inchoate anticipations" ("it does not look like what we are talking about but it was there") and the "*disciplina arcani*" ("it was there but they did not want anyone to know") to preserve the continuity of practice between then and now.[11] Such a model of tradition and history begins with the assumption that the present is an ideal, and if it can be shown to have a past, then it is tradition and so belongs to that deposit which must have a future. History is now the methodology, and a sub-section of the argument, that shows a practice was there in the past and so the present discipline is not a novelty. Ideally, the practice should be everywhere and at all times, but it suffices to show a range of items from as early as possible — hence the recurring citation of the Synod of Elvira.[12] These items do not show that it was *the* practice of the church, but merely an approved practice for they are not historically *tesserae* from which an historian wants to create a larger picture but legal precedents for current discipline.

The assumptions of the modern historian, and so what is usually referred to as "history" when it is the product of historians, stand in radical contrast to those who identify "tradition" with "history." The assumption of the historian is change and difference between the

[9] Cf. J.J. Contreni, "'lions, bishops are meant; by wolves, priests': History, Exegesis, and the Carolingian Church in Haimo of Auxerre's Commentary on Ezechiel," *Francia* 29/1(2002)29–56 which not only deals with this sense of today being the whole age after Christ, but also deals with the systematic relegation of marriage to an inferior spiritual state, and hence one that is not truly suitable for those who are pastors.

[10] See S.G. Kuttner, *Harmony from Dissonance: An Interpretation of Medieval Canon Law* (Latrobe 1960), *passim*.

[11] Cf. T. O'Loughlin, "Medieval Church History: Beyond apologetics, after development, the awkward memories," *The Way* 38(1998)65–76; and idem, "Theologians and their use of historical evidence: some common pitfalls," *The Month* 261(2001)30–35

[12] In the 1922 edition of H. Denzinger's *Enchiridion symbolorum* (ed. 14 by C. Bannwart and J.B. Umberg; Freiburg) the first appendix (p. 1*) was entitled *De coelibatu clericorum* and (surprisingly in a work dedicated to papal degrees and councils judged to be "ecumenical") supplied the relevant canons from the local synod of Elvira.

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present and the past. The present does not need a history, and the past needs one only because the activities, lifestyle, and world-view are different. The historian's equivalent to the Vincentian dictum is that "the past is a foreign country, they do things differently there!" The historian follows the changes and seeks to explore the impact of changes and, when possible, to follow the sequences of changes interacting with one another. The past needs a history, it does not simply have one nor is the past and history identical. History is the way we in the present view the past, hence each present re-writes the historical narrative asking different questions and highlighting different aspects of the past. That history is a current activity, and not simply rooting out obscure information about the past for its own sake, can be seen by noting how quickly works of history become dated.[13] Pick any historical work — no matter how critically excellent, e.g. Duchesne's *The Early History of the Church*[14] — from before 1960 and look at a chapter at random, while the dates and details may be the same, the chapter itself feels as if it belongs to an alien world with its concerns, debates, and its overall vision of the topic.

Our history describes to us the/our past, or a past, as it can relate to us, as such it is not an ancient snapshot (anything that has survived from the past, e.g. a text like the canons of Elvira, is but a datum for history, grist for the historians" mill — it is not itself "history"), but *a genetic explanation of our present*. History answers the basic question: how did we get to where we are now — and, as the historian knows better than most, where we are now is always changing. History, therefore, when studying to theological issues or issues of church practice, can be, depending on the *locus* of the historian asking the questions, a theological discipline in its own right in that it is a reflection on the nature of Christian action and belief now in terms of how it has come to have the shape it has. It is not simply that the systematician or canonist can use "history" in doing theology,[15] but historical enquiry becomes another method of theological questioning. History, as a human science, is a matter of present understanding, not a collection of background information; and its purpose is to estimate the present in terms of how it has come about, as such it does not seek "to recover the past" (which is impossible except as a romantic illusion) nor to mimic it as if one could live today as a Christian within the same world as a millennium ago.[16]

[13] On the changes in history writing, see W.H.C. Frend, *From Dogma to History: How Our Understanding of the Early Church Developed* (London 2003).

[14] The English translation of the three volumes appeared in London, 1901–1922; for an appreciation of this monument of early critical scholarship in history by a Roman Catholic, see Frend, op. cit., pp. 108–143.

[15] However, such a relationship of dependency can even be seen in those who pioneered the modern discipline of church history such as Duchesne.

[16] See R. Taft, "The Structural Analysis of Liturgical units: An Essay in Methodology," *Worship* 52(1979)314–329 at 317–8.

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Tradition as community activity

So what is tradition? Tradition is the process within which we live and which allows for the changes that history studies: if history seeks a genetic explanation of the present then much of the past is the result of a "handing on" of practices, memories, and ideas, and that handing on is what produces connections between people and generations in the past. Human beings in living in societies live within traditions and it is this human contact that make the church a community of people rather than a religious club. But any single practice or idea that is handed on within the community cannot by that fact be assumed to represent an ideal. There is no perfect Christianity of which communities are reflections — such notions when produced by systematicians or preachers are only abstractions — but only the real continuity of the communities that stretch back to the first Christians.[17] It is their vicissitudes, knowing some things, forgetting other things, emphasising in one community, ignoring in another, becoming confused on one aspect, growing stronger elsewhere that makes up the collective experience of the Christians. These growths and declines operate for good and ill over the history of the Church; and if we want to know the range of Christian action then we access this vast pool of experience by interpreting it as part of what made us what we are today and placed us, again for good or ill, where we are today. But it is the tradition that makes us a real community over time linked by human bonds to the Christians of the past and with a sense that as we have received from the past, so we must induct others into the experience of discipleship. In this handing-on, history helps us judge where we have got to and may help to alert us to the contingency within which we live: things have turned out this way, but they could have turned out very differently! And as an awareness of history points out that the past was different, so an awareness of existing in a tradition should make us aware that the future will be different to today for each day presents a fresh situation. As Picasso is reputed to have remarked: acting in a tradition is not putting on your grandfather's hat, but having a baby!

Beginning with this distinction between "history" and "tradition", then the original question posed in this article is radically transformed. One does not look back to history as a series of obstacles to be overcome, as if the tradition were a chronological collection of legal precedents[18] that have to be set aside or worked around so that we can change and yet not look as if we have erred in the past; but rather it is an acknowledgement of where we are today in terms of

[17] See T. O'Loughlin, *Teachers and Code-Breakers: The Latin Genesis Tradition, 430–800* (Turnhout 1999), pp. 39–72.

[18] Such were the first collections of canon law.

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how we got here, what factors were influential in bringing us here, what limitations were operative in that course of time, all the while noting if the paradigms of ministry and holiness used in past times are different to those of our own time as investigators — for they may have done things in the past that we could not countenance today, simply because the past is a foreign country.

A possible history

So what would an historical review of celibacy, from the standpoint of a genetic explanation of the present western discipline look like? Here is a sketch, without footnotes, of an approach.[19]

Where are we now

In recent centuries, the image of celibacy as ancient and valuable has been built-up by the church's administration as an essential part of its own esprit de corps. Moreover, since clerical scandals in mid-eighteenth century France, the authorities have perceived in celibacy a badge of identity for its officers and presented it as representing a willingness to pay any price for the survival of their religious system. Popes have spoken of it a "the jewel in the crown of the priesthood". And some, notably Pope Gregory XVI in 1832 and Pius IX in 1846, have suspected that there was a vast conspiracy to undermine Catholicism by attacking celibacy. Gregory was quite certain that "their" strategy was to promote the abolition of celibacy, for once priests were married they would no longer have the energy to resist the larger conspiracy of those wanted to destroy the Church.

Until very recently clerics on recruitment drives in schools used more robust language and presented celibacy as leaving the priest without ties and attachments: ready for world-wide deployment at a moment's notice. The celibate priest was a hybrid between a spiritual Red Adare and the Marine Corps of the army of Christ. If this B-movie romanticism ("I've no family at home, I'll get the message back through the lines!") seems far-fetched, then study the old seminary anthems such as this from All Hallows, Dublin: "in lands afar – for Christ our King – our comrades bravely fight – for to teach the nations to bear – the banner of the Lord". Meanwhile, nineteenth-century defenders of celibacy to the general population, realising that the local clergy had neither the energy of a Red Adare nor the mobility of the marines, presented a different image of one who was always ready to go "on a sick-call", the ally of the outcast, the

[19] It should be noted that there is still no detailed modern history of celibacy, hence one must still look at H.C. Lea, *History of Sacerdotal Celibacy in the Christian Church* (2 vols, London 1907) which is hostile in tone and argument, uncritical in the way it uses many sources, and dated in its theological assumptions.

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friend of children. This image, fostered by nineteenth century French religious writers such as Lacordaire while not ignoble, was certainly fanciful as repeated episcopal legislation demanding minimal availability of clerics in their parishes makes clear. The bishops' concern was that priests had, after their sacramental duties had been carried out, little to hold them to account with regard to pastoral care. And, as transport and the possibilities of travel improved, so did the complexity of the attempts of diocesan synodal law to keep them on the job.

Parallel to this official promotion of celibacy there was always a grim realisation that it caused serious and widespread problems: not just the drunken priest problem, but a range of situations which if public would be scandalous. Other problems such as men leaving the active priesthood were quietly ignored, such that many believe that "priests leaving" was a phenomenon first encountered in the 1960s. The best evidence for this awareness is to examine what was covered by law — not only in the universal law, but more tellingly in provincial and diocesan synodal regulations. This ranged from the excommunication incurred by a priest who absolved his sexual partner, to regulations forbidding a priest to let a woman sit in the front seat of his car if she were travelling with him. If we want to see celibacy's effects on the church we should not look to theological tracts nor sermons given to seminarians for they may not be based in the actual experience of Christians, but to the minutiae of the pre-1917 *corpus* and diocesan regulations — but study them as historians wishing to see the society they reveal not as canonists anxious to justify their contemporary legislation.

First References to Celibacy

From what can be gleaned from the scanty references to ministers in the earliest Christian documents, it is clear that there was no notion of celibacy; indeed, the positive evidence runs counter to any notion of a "*disciplina arcani*" type. The first Christian ministers were married and took this for granted. 1 Cor 9:5 and Matt 8:14 provide the clearest evidence. In later times, under the need to demonstrate the antiquity of celibacy (at that time already seen as an ideal of apostleship) both these references would be controverted: in the case of Paul "wife" would be translated as "woman" (cf. the Vulgate) in the sense of a helper/housekeeper or more recently that Paul was a widower; in the case of Peter that he was a widower at the time he became a follower of Jesus — but, significantly, there is no early evidence for these added elements and both references were taken at face value to imply wives. We know that late first-century Christians rejoiced that Peter's wife was a martyr (Eusebius, *History* 3,30,2) although her name did not survive in later martyrologies. Eusebius

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also tells us that the Apostle Philip had four daughters who were important leaders in the Syrian church in the second century (*History* 3,31,4). From the late first and early second centuries we have a collection of texts (included in the New Testament under the name of Paul) which specify some qualities of bishops and priests: they should have shown skill in running their own families and be monogamous (1 Tim 3:2 and 3:12; and Tit 1;6); and indeed, there is a general warning on those who forbid marriage on religious grounds (1 Tim 4:3). From slightly later we know that Clement of Alexandria (c.150-c.215) did not like having unmarried clergy in his church lest it imply approval for a rejection of marriage. For Clement marriage was a central plank in Christian spirituality and he exhorted his flock to look to the example of the apostles who were married – and especially Peter and Philip who fathered children, and Paul who had a living wife. Here we see Clement using history as a genetic explanation of his present: he did not agree with those who rejected marriage as "belonging to the devil", so he showed that position as a deviation from the practices of the churches.

Yet, by the fourth century something had changed. Then we see the first signs of disquiet about the compatibility of marriage and priesthood. For example at a local synod in Spain (Elvira, c. 306) it was decreed that any cleric who would not undertake absolute continence should be deposed. But when a Spanish bishop tried to get a similar law given general acceptance at the Council of Nicea (325), which intended its law for the whole empire, he was rejected. An Egyptian bishop Paphnutius, who felt he could speak with authority as he was unmarried, thought the idea imprudent, difficult in practice, and objectionable as it reduced a personal choice of celibacy to a regulation. Recently, Stickler has gone to great lengths to show that this speech was not part of the "official" *acta* of the council — but this is not an historian's objection, but a lawyer's. The issue is not whether one can "cite" Paphnutius as a "legal precedent" but whether that debate reflected part of the Christian story that might help us understand what has happened in our past.

But elsewhere things were afoot. First, there was the growth in monasticism and the notion that this was, with its implicit celibacy, the ideal of a Christian and holy life. Second, a group of influential writers, notable Jerome (c.347–419) and Ambrose (c.339–397) held that celibacy was a higher spiritual condition than marriage and that the cultic purity of the priest required abstinence from sexuality. For these writers, marriage was an earth-bound reality, but celibacy was angelic, and if the priest was to involved with the holy he could not be involved with a wife. Jerome's phrase that "while marriage peoples the earth, virginity peoples heaven (*matrimonia terram replent, uirginitas autem paradisum*) captures the second-rate value placed on marriage — and it became a dictum repeated in law-books and writings

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on the religious life until the Reformation. This notion that sexuality was (a) incompatible with holiness, (b) destroyed cultic purity, (c) was somehow lower in the scale of things, dirty, and (d) connected with Original Sin, has complex origins. But, what is interesting is that it appears repeatedly in different guises until well into the last century — although since the Reformation, official praise of celibacy has usually attached a warning-phrase like: "but no one should understand this as a denigration of marriage". Third, during the fourth-fifth centuries the clergy emerged as a distinctive group in with the Church, with a developing theological identity — the notion of "orders" and of a divide between clergy/laity emerge at this time. Likewise, in civil society the Church, first a legal and then the official religion, and the clergy had a new public profile (distinctive dress is mentioned for the first time) and a corporate identity that was defined in law. Celibacy set the cleric apart as a leader in society, and spirituality sanctioned the separation in lifestyle as holiness. But for most bishops, priests, and deacons of the period — who combined ministry with earning a living — such ideas were far from their lives. We know that in the late fifth century in Britain the clergy were the inheritors of the Roman administration and that ministry usually passed from father to son (e.g. the father and grandfather of St Patrick), and it was these clergy that truly made Christianity the grass-roots religion of the Latin world.

We see these forces favouring celibacy coming together in a series of legal documents. Pope Damasus, a friend of Jerome writing to some Gallic bishops (c. 380), his successor Siricius writing to a Spanish and some African bishops (c. 385), Innocent (early fifth-century) to several bishops, and Leo I, some fifty years later to several bishops, said priests should be continent, even if married, or at least periodically continent (i.e. before saying Mass) — clear evidence that part of the rationale of celibacy is a notion of cultic purity which implies that women are unclean and a source of unholiness. Similar laws can be found in a series of local councils (mainly from southern Gaul) from the fifth and early sixth centuries. They envisage that only celibates be ordained, and those ordained should cease having sexual relations with their wives either permanently or for the night before they say Mass. Needless to say, given that almost all clergy were married in the areas affected by these decrees, legislation on matters like sleeping accommodation, maids, women (other than mothers) living in the same house, begins to appear at this time also. One other feature of this legislation should be noted, it recognised the dangers of church property being alienated by passing to a wife on the death of a priest.

This early body of legislation is often appealed to as evidence for the antiquity of the practice of celibacy. But it is nothing of the sort: all it shows is that one small, influential, group believed it *should* be mandatory. The decrees were all local in intent, and had little or no

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effect for they are often repeated verbatim from one council to the next. All they indicate is that among some administrators the idea of celibacy was in the air. In reality, the clergy (monks apart) were married, and in most places there was no hint of disapproval. The best evidence that these early laws were in not considered universal, and had little impact, is that when in the eight-century the first great systematisation of church law took shape, this legislation was not included. While these law-books praise monasticism and virginity using Jerome and others, *celibacy is not mentioned in their laws on clergy*, and their marriage law does not exclude clerics. For example, one of the most complex of these books, from Ireland, the *Collectio canonum hibernensis* (early eighth-century), assumes that clerics marry, quotes 1 Tim 3:2 on monogamy and well-regulated households, and is concerned about church property. But while those early decrees had no effect in reality, the idea that the ideal priest was a celibate had been born.

Conflict and Reform

The next phase in the development of the practice of celibacy comes in the eleventh century as part and parcel of what medievalists call "the investiture struggle" and church historians call "the Gregorian reform". Again several factors come together. The first issue is power. Whose law, imperial or papal has primacy in church administration, to whom do clergy owe first loyalty, and who has the power to make appointments. The issues are usually discussed in terms of the precedence of pope or emperor: is the pope the imperial chaplain, or the emperor the pope's secular administrator. But the dispute was also fought at parish level. Celibacy first enters the conflict in 1018 when Benedict VIII issued a series of decrees all of which were primarily aimed at avoiding the shift of property from church control. This continued with Leo IX (1049) and Nicholas II (1059) who sought to reduce priests' wives to the status of servants and held that people should not attend Mass from inferior (i.e. married) priests — sotto voce: do not support them with your contributions. It was clearly seen that in a conflict about the church's rights and property, a celibate clergy would be far more tied into the canonical administration and so be far more likely to look to the papacy than to local rulers for their maintenance and advancement.

Second, in this period there was a general movement for a new style of organised religious life, which was presented (using a ninth-century notion) as a "reform" (i.e. there was once a "perfect age" of the church; so anything thought of as an improvement on the present situation was, therefore, a "going-back" (*reformare*) to that perfect age). And, a "reform" of the church meant a "reform" of the clergy: but what was the ideal? This ideal was not constructed historically, there

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and then they had ideal Christians and ideal priests: the monks. Therefore, the monk-priest was the model for every priest. And, as the new "reformed" monasteries founded from Cluny, and later Citeaux, began to spread across Europe, and became a source of "reforming" pro-papal bishops, they presented a new ideal of the priest — formed not on an analysis of the priest's role in the ordinary community, but on the pattern of a monk. For example, when St Laurence O'Toole, a monk, became archbishop of Dublin, in 1162, one of his first acts was to "reform" the canons of his cathedral by insisting on celibacy.

Third, linked to this "reform" movement, a new theoretical understanding of the priesthood, marriage, and sexuality began to emerge in which celibacy became a value and a virtue of outstanding worth in itself. Many, such as Peter Damian, now argued along lines like this: if the Church is Christ's bride, and the priest is devoted to Christ and represents him, for him to be married is to be an adulterer to Christ. Those who opposed his extremism, or suggested he was getting mixed up in his metaphors were condemned (e.g. Bishop Ulric of Imola by decree of Gregory VII, 1079). These theological developments have been well-named by Christopher Brooke as "the cult of celibacy".

Fourth, this period saw a massive growth in the scope and detail of canon law; the age of the lawyer-popes had arrived. The men involved in supporting the papal position, those interested in reform, and many who were particularly interested in celibacy, such as Peter Damian, had all one thing in common: they believed the way forward to success on all fronts was that of law. A comprehensive legal structure, drawing on every ancient precedent that could be found, coupled with an efficient legal system in the service of the pope would make him the appeal court of Christendom, enhance his prestige and influence, and create a highly structured clergy that looked towards Rome. Celibacy was part of this as it would help create this new clergy and administration, and would prove that at the heart of "reform" was the papacy. For all its political expediency, the attempts to impose celibacy sprang also from a genuine desire for the good: what could be more noble in "reform" of the church than to want ideal priests, and — in their eyes — any priest who engaged in any sexual activity had to be less holy than one who was celibate; so, if spiritual "reform" can be effected through law, then make it law. And this is exactly what they did.

In a series of synods leading up to two councils held in Rome (First Lateran (1123) and Second Lateran (1139)) the marriages of clergy were declared not only unlawful, but also null and void. The law stated that anyone in Orders could not marry, and someone married could only become a priest if the marriage were set aside (i.e. they no longer lived as husband and wife, but the wife could not re-marry). However,

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on the ground little changed. While we think of councils having effects rapidly around the world, this was not so in the twelfth century, even the notion of an "ecumenical council" did not yet exist. These decrees were from an important council, were agreed by the bishops there, but no more than that. They would only take effect where individual bishops decided to enforce them, even then any change would be slow and random. As ever, if such a law was applied to cathedral canons and the important clergy in towns, it was a very different matter in rural areas far from episcopal interest.

Gratian and the Law Schools

The up-surge in interest in celibacy might have petered out, were it not that it occurred in a stream of developments in canon law. Canon law's importance as an instrument of power and doctrine had been steadily increasing since the eleventh century, and reached a new height with Gratian (died before 1159). He brought together over 4000 legal decisions, for the earliest times until the Second Lateran Council, in a new organised format that presented the Church's law in a systematic and coherent body in one book. Now, the laws on celibacy were not just a jumble of decisions, some *pro* and some *anti*, but a structured position: the papacy had legislated, so other laws and precedents should be understood in conformity with this. Gratian presented canon law as systematic, coherent, internally consistent, and in perfect continuity from the earliest times to the most recent. His *Decretum*, was an immediate success. It became a standard reference and text-book in universities, was a model for other subjects such as theology and philosophy, and formed the base of the Church's legal system until 1918. Since Gratian included Lateran II's decrees, these were guaranteed an influence and publicity their framers could not have hoped for. And, from then until the Reformation, they would be commented on, added to, and gradually given effect among the clergy.

Reformation and Counter-Reformation

By the sixteenth century a situation had emerged where everyone knew the law, in many places (perhaps most — we do not know) it was adhered to, while in many places it was ignored or by-passed. We know this from bishops who arrived in their dioceses with new brooms. Usually their first complaint (and the proof of the uselessness of the former regime) was the "awful morals of their priests" which means that "house-keepers" were in fact — and all knew it as they had children — the priests' wives. This is also seen in cases presented to Rome by priests asking that their sons be legitimated, so that they could inherit or so that these sons could themselves be ordained.

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Incidentally, not only were these requests very common, but were looked on most favourably by the Roman Curia as they were among the most expensive dispensations to be had, costing 12 Gros Tournois. Finally, in sixteenth-century tax-returns from Germany we find that a sure guide for assessing the spread of the Reformation is to look at how clergy describe those who share their living quarters. In many cases, while he considers himself in union with Rome, we find beside a woman's name: "*ancilla*" (house-keeper); when the actual break comes and he considers himself Protestant, beside the same name is "*uxor*" (wife). Little, but the formalities, seem to have changed.

Luther marks the next stage in the story. He argued that something one does, for instance making a vow or being celibate, could not add to one's holiness (1522). Later, he condemned celibacy as the creation of canon law, itself the work of the devil (1530) and held that for fallen men, burning with passion, marriage was a necessity if they were to avoid sin (his understanding of 1 Cor 7:9). Luther himself married in June 1525 and died the father of a large family. His position on celibacy was, in broad outline, that of the other reformers as well. For example, Calvin held that some are called by God to celibacy, but that it should not be prescribed by law and nor be considered a more spiritual, nor higher, vocation than marriage. Significantly, his is the best historical scholarship of the period. Commenting on references to marriage in Scripture, he recognised that Jerome's position could not be sustained with its extremely corrupt view of sexuality, and indeed, not one shared by the New Testament. He further recognised that it was Jerome's hang-ups about sex and virginity, rather than Scripture, that influenced law and ordinary theology text-books. Jerome was to be used with caution, and this comes from Calvin who on other matters of interpretation and linguistics had Jerome as his hero.

The opposition of the Reformers sealed the fate of celibacy for the Roman Church. Trent declared that celibacy was possible, founded on Scripture, and that it was heresy to say that virginity/celibacy were not objectively superior to marriage (1563). If the Protestant ministers were married, the new men of the Counter-reformation would be celibates, trained and organised with a precision and uniformity unimaginable to medieval clerics. Moreover, the continuing Protestant/Catholic divide gave Trent an impetus to enforce its law unlike any previous council. Celibacy was to be a badge of the priesthood, and every priest trained in a special way and in a special place, the seminary. The distinction between the priest in the parish and the priest-member of a religious order further disappeared. A good priest was a member of a spiritual elite formed on a pattern designed for monks and friars. It took many decades for Trent's vision to inform practice; but where Catholicism remained the religion, it gradually replaced older forms and attitudes. Variations certainly continued in

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reality, but they were increasingly seen as "irregularities" and "occasional lapses".

Celibacy is a classic example of how an idea from one period, if it gets lodged in law, can become self-perpetuating and eventually be seen as an ideal. When a law is repeated over a long-enough period it justifies itself even if it does not accord with reality or the larger values it claims to serve. Once the law provides the norm, it is reality that is judged defective, and any attempt to change the law is taken to reflect on the authority of the law in general and those who administer it. To say the law erred regarding celibacy was to suggest that the law was not the will of God, or that the papacy had been making erroneous decisions for years. Such prospects abhorred those who spent their lives in administration, and (as another lawyer, Lord Hailsham, said of a another clash of law and reality;) "it opens an appalling vista" that a whole system could be wrong on something like celibacy — on which it had expended so much effort. In this situation anyone who questioned celibacy had to be marginalised as in error or disloyal, or, as Gregory XVI believed, part of a vast conspiracy against God and his Church.

Soundings

Given the range of the Christian experience over two millennia the historian can rarely take more than soundings on how Christians have linked their practices to their desire to be disciples. But even a few soundings shows that certain factors have played major roles in bringing the Roman western church to its present position.

Clearly, on many occasions in the past there was a fear of disloyalty from clergy and a belief that this is somehow increased if they are married. This fear may still be present today in those who argue that celibacy allows greater "freedom for service." This point is never tested empirically by those who make it. For example, most of those who have put their lives on the line in the twentieth century have been married; and comparisons of the work out-put of celibate clergy with that of married clergy of other denominations have been made by American sociologists of religion without showing any particular benefit from celibacy.[20]

Secondly, there is a tendency to link priesthood — which is primarily presiding at the Eucharist with a community of Christ's faithful — with vocation to the religious life (most often exemplified historically by monks). If this form of life becomes the pattern for the priesthood, then its demands become by extension the demands for a priest. But perhaps this nexus needs to be formally broken to free

[20] See D.R. Hoge, *The Future of Catholic Leadership: Responses to the Priest Shortage* (Kansas 1987).

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both the religious life and the priesthood of being identified and confused. Cassian famously said that monks should flee women and bishops as both could destroy the monk's calling — perhaps monks have not been as successful at fleeing the latter as the former.

Thirdly, there is in Latin Christianity — despite what was said at the Second Vatican Council — a legacy of seeing marriage as second best with regard to the things of God. This makes it hard for Christians brought up with a celibate clergy to imagine religious dedication and marriage in the same person.[21] This implicit downgrading of the discipleship of the majority of Christians may be the hidden price of placing a religious value on celibacy – as Clement of Alexandria recognised in the late second century.

Does history help?

History provides an explanation of where we have come from and reminds us of the Christian experience that has been valued and ignored in the past. It alone cannot decide any issue — to assume that it can is the essence of fundamentalism — but it can enrich the debate on how the Latin Church should address issues relating to the Eucharist and the wider topic of ministry. That Church's position appears to be one more area where what has been presented as a "fundamental value of the priesthood" is the product of particular and accidental aspects of its tradition. And, as a feature that has been open to radical change in the past can be open to equally radical change in the future.

Dr Thomas O'Loughlin
Rowland Williams Building
Dept. of Theology
University of Wales
Lampeter
Wales SA48 7ED

[21] See C. Brooke, *The Medieval Idea of Marriage* (Oxford 1989), ch. 3: "The Cult of Celibacy."

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