

SAINT RAYMOND OF PENNAFORT—HIS CLAIM TO GREATNESS

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IN a certain sense life and law may be spoken of as correlative terms. As God is the Author of life, so is He the Author of law: "By me kings reign, and lawgivers decree just things."¹ Wherever there is rational life there is some norm of conduct. We all recognize the existence and necessity of law but of what use is it unless we have a knowledge of it. Certain laws are inherent in the nature of man; but others, those particular and ever-expanding expressions of the rights and duties of man, must be promulgated and explained by the competent authority whose duty it is to propose such laws.

Throughout the world's history certain rare spirits possessing enough understanding and enough curiosity have attempted to draw from the fonts of jurisprudence safe norms for the guidance of man in his march towards God. The world honors these men and has placed the legal profession on a high pedestal because of the services its members have rendered mankind.

During this year we commemorate two important and far-reaching events in legal history. The first formed and continues to form the basis of the civil law of all nations; the second, more particular in scope, gave to the Catholic Church the most complete and universal expression of its Canon Law during the years from 1234 to 1918 when the new Code of Canon Law was promulgated.

This year marks the fourteen hundredth anniversary of the publication of the Justinian Code of Civil Law. During Justinian's reign legal science had begun to deteriorate and Roman lawyers had lost the keenness that marked the jurists of Cicero's day. Justinian had sufficient vision to see the solution of the difficulty. Compile, reëdit, and simplify all our legislation, thought he, and then all our people will be better able to know the content of our law, and our jurists,

¹ *Prov.* viii, 15.

having a workable code at their disposal, will be able to restore legal science to its rightful place in the Roman Empire.

For the actual work of codification Justinian engaged the services of the eminent jurist, Tribonius. Tribonius first reduced the bulky Theodosian Code, published in 438, into an orderly compendium, made a digest of all the writings of Roman jurists, supplemented his new code with certain new laws and thus gave to the world the complete and immortal *Corpus Juris Civilis* or body of civil law. Thus came into being the foundation of all subsequent civil law. The Roman state died out; Roman Law continues to live.

This year also we commemorate the work of another Tribonius, Saint Raymond of Pennafort, Dominican legal adviser to Pope Gregory IX. In order to simplify and to determine exactly the law of the Church, Pope Gregory commanded St. Raymond to codify the confusing mass of legislation which had been enacted during a period of about a thousand years. After three years of labor St. Raymond finished the first complete and universally accepted code of Canon Law under the title, *The Decretals of Gregory IX*. This work formed the *Corpus Juris Canonici*, or body of canon law, up until the publication of the new Code in 1918.

Who was this St. Raymond of Pennafort? Was his life and work so important after all? Does he merit the praise we accord him? Raymond of Pennafort was a complete man. In him were found all the graces of a man of his time. By the integrity of his character, his intellectual attainments, his aptitude in affairs of importance and by the high positions he acquired, he encountered in a great degree all the diverse changes of public life of his age.

Born in 1175 in the castle of Pennafort in Catalonia and educated during his first years at the cathedral school in Barcelona, Raymond gave startling evidence as a boy what was later to be realized in the man. His course of studies was so brilliantly and successfully accomplished that in 1196 at the age of twenty years he took his place as one of the professors, giving his course free of charge to poor students. His search for knowledge was by no means satiated now that he was a professor and accordingly, in 1210 he again assumed the role of student at the great university of Bologna. He had a natural bent for legal studies and having perfected himself in both civil and canon law, was elevated to the rank of Master.

For three years he continued to develop in himself and in others a true love for legal science. Perhaps he would have remained a professor all his days had not the course of his life been changed by

his having met the Bishop of Barcelona then on his way from Rome. The Bishop had two great desires which he was determined to see fulfilled. The first was the establishment of a convent of Dominicans in his diocese; the second, the return of Raymond to Barcelona. His wishes were granted. The Dominican Friars founded a convent and Raymond was made a canon and archdeacon of the Cathedral.

Raymond was a deeply religious man and had always desired to lead a more perfect life. He had seen St. Dominic in Bologna and was greatly edified by his noble virtues. He was intimate with the great Dominican preacher at the University, Blessed Reginald, and now the newly-established Dominicans by their lives of prayer and service, had begun to make a deep impression on the cathedral canon.

After pious preparation he applied for and received the habit of St. Dominic in April 1222 at the age of forty-seven years. His age, his birth, his renown and his outstanding intellectual acumen seemed opposed to this new life in which silence, obscurity and abnegation were obligatory. All his attainments Raymond hid under the habit of a Friar Preacher as a humble novice who knew nothing but the voice of God and who desired to be born again as a little child. He bent every effort to become a Dominican in thought and in action. The new state gave him the means of renewing his fervor by prayer, fasting, contemplation and the observance of that Rule that has guided so many souls through this life to eternal beatitude. He could not conceal his intellectual acquirements and accordingly his Provincial commanded him to make a collection of cases of conscience for the guidance of confessors. The finished work was one of the first of its kind in the field of casuistic theology and is known to this day as the *Summa de Poenitentia*.

Being a true Dominican, prayer and intellectual labor did not hinder him from exercising the apostolic life. His greatest work was accomplished in the confessional and among those who came to him for counsel were James I, King of Aragon, and St. Peter Nolasco. He exercised a profound influence over these two men in their works for the propagation and defence of the Faith particularly in those places over which the Moors held tyrannical control.

The Moors had ravaged many of the Spanish provinces and had carried off many of the inhabitants as captives. The suffering of the people and the possibility of their losing the Faith similarly affected Raymond, Peter and James I. Peter sacrificed his means and undertook dangerous expeditions to free some of the unfortunate captives. Raymond redoubled his prayers and mortifications for the

success of the enterprise. However, they knew that the work could not for long continue in this manner. They prayed that means might be found to perpetuate the ideal. The solution to their difficulties came in a vision in which Our Lady appeared to Raymond, Peter and James I, commanding that an order be founded for the special work of redeeming captives. Assured of the Divine Will in the matter, Peter gathered a number of disciples together and with episcopal permission the order was instituted in 1223. St. Raymond invested St. Peter Nolasco with the habit and compiled the rule based on the Rule of St. Augustine and the Constitutions of the Dominican Order. In 1235 Pope Gregory IX approved the institution under the name of "The Order of Our Lady of Mercy for the Redemption of Captives," or more familiarly, The Order of Mercy.

St. Raymond was content to lead the simple and retired life of a Dominican Friar, but his holiness and legal skill were made known to the Pope by the Cardinal Legate, John of Abbeysville, who had employed Raymond as a consultor in various canonical cases and as a crusade preacher. The Pope immediately commanded Raymond to come to Rome, undoubtedly at the earnest solicitation of the Cardinal Legate. Upon arrival at Rome, Raymond was made confessor to the Pope and Grand Penitentiary of the Roman Church. The office of chaplain to the Pope had a different signification in those days than we might understand. The chaplain was the special legal adviser to the Pope and to-day this office is held only by a Cardinal. A canon lawyer with aspirations for the higher places in life would have seen in this position a golden opportunity for personal advancement. For Raymond it was an opportunity to perfect himself in obedience and to devote his energy to the welfare of the Church and the Pope.

During the year 1230 Pope Gregory IX ordered Raymond to compose a new collection of the laws of the Church, which collection was to replace all former collections and make for a unified summary of Canon Law. Pope Gregory gave his reasons for the work in the Bull *Rex Pacificus*, viz., there was great confusion as to what constituted the law of the Church because the older collections then in use were oftentimes similar, contained contradictions, were too verbose and were altogether incomplete.

We have likened Raymond to Tribonius, the codifier of the Justinian Code. The situation of both men in relation to their work was parallel. Both had the same difficulties but they differed in the end towards which they were striving. Tribonius sought the simpli-

fication of the law of the State; Raymond, the simplification of the law of the Church.

St. Raymond began the codification about the year 1231 following in the method of the *Quinque Compilationones Antiquae* i. e., the five more important commentaries made before his time. The last man to attempt a simplified code was the celebrated monk, Gratian. The *Quinque Compilationones* were amplifications of his work. Gratian rendered juridical science an incontestable service, but his collection was insufficient. Raymond followed the division of his predecessors in which there were five books, each book of which was divided into titles and the titles into chapters. In all there were one thousand nine hundred and seventy-one chapters, a number of which were contained in older compilations. He left out three hundred and eighty-three decisions, modified others, and cleared up doubtful points of ecclesiastical law by adding new decretals. It was completed in scarcely three years and was termed the *Decretals of Gregory IX*, or less commonly, *Compilatio sexta*. In the Bull, *Rex Pacificus* promulgated at the conclusion of St. Raymond's three years of labor, Pope Gregory declared that the new collection was to be the official code of Canon Law. Copies were sent to the Universities of Bologna and Paris and thus Raymond's code became the first collection to enjoy universal approbation. It gave to the Church an authentic and concise expression of her law and it formed the solid foundation upon which the whole legal structure of the Church rested until the year 1918. Surely, if St. Raymond had done nothing else outside of the work of the Decretals he could justly be called great.

In recognition of his efforts Raymond was nominated to an archbishopric, which offer he humbly refused. Having completed his work he returned to the peace and quiet of the cloister, although still retaining the title of Grand Penitentiary of the Roman Church. Upon his departure from Rome someone is said to have remarked: "This man goes away as he came, just as poor, just as modest as when he arrived." At Barcelona, as at Rome, St. Raymond remained a man of confidence with each of the succeeding Popes.

His hopes for peace and quiet were soon again shattered for in 1238 he was elected Master General of his Order. Reluctantly he assumed the office and suffice it to say that he was all that a good superior could ever hope to be. His chief work as Master General was the formation and division of the Constitutions of the Dominican Order into two parts, a division which was preserved until only a

few years ago when the Constitutions were reedited in the form and division of the new Code of Canon Law.

In June, 1240, at the age of sixty-five, he resigned his office as Master General notwithstanding the supplications of his brethren in religion. After many years of industry he was physically worn-out, and the intense active life drew him away to a certain extent from the life of prayer and contemplation he had so long and ardently sought. Surprisingly, he was to live for thirty-five years after his retirement during which time he continued to perform the duties of legal adviser to Gregory IX, Innocent IV, Alexander IV, Urban IV, Clement IV and Gregory X during their successive reigns.

St. Raymond continued his practices of penance and prayer as he had endeavored to perform them all the days of his religious life. Faithful to the Church and his Order, he was a man who sought nothing from the world but who gave his all to make it a better place in which to live. For such a man death holds no terrors. It held no terrors for St. Raymond when on that sixth day of January, 1275, he passed on from a life of service to an eternal happiness in Heaven.

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