



The Position of the General Chapters of the Dominican Brothers Towards the Teaching of St. Thomas Aquinas and the Question of Immaculate Conception

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Abstract: The doctrine of Thomas Aquinas was formally adopted as the official teaching of the entire Dominican Order. Throughout the 13th and 14th centuries, general chapters placed significant emphasis on the importance of adhering to Aquinas' views. They were deemed essential not only to maintain continuity within the orthodox tradition of the Church but also to foster unity within the entire order. Among the topics that sparked debate among medieval theologians was the conception of Mary. While Bernard of Clairvaux and the Dominicans rejected the idea of Mary's immaculate conception, the Franciscans, led by figures like John Duns Scotus, advocated for it. This article highlights the stance taken by the Dominican general chapters in defence of Thomas' views. Initially, in the 14th century, there were general indications supporting the maculistic understanding of Mary's conception, but this stance shifted over time. By the 15th century, the Dominicans were compelled to embrace the immaculistic concept. The delayed promulgation of the dogma of the Immaculate Conception of Mary in the mid-19th century underscores the complexity and unresolved nature of theological discussions throughout the medieval period.

Keywords: Thomas Aquinas, Dominicans, general chapters, Immaculate Conception, Mary, doctrine

The truth about the Immaculate Conception of the Blessed Virgin Mary was announced as a dogma of the Church by Pope Pius IX. In the bull *Ineffabilis Deus*, the pope defines the essence of the dogmatic ruling (Bourke 1868, 72). It involves the recognition that Mary, at the first moment of her conception, was preserved and free from all taint inherent in original sin. This fact, as Pius IX clearly emphasizes, was the result of Christ's merits and His future passion. Moreover, it is also a special grace and a special privilege for Mary. The papal ruling ended a long history of dispute over Mary's conception and the manner of her participation in Christ's salvific work.

The entire history of the emergence and development of the cult of the Immaculate Conception of Mary cannot be established with certainty. It is fairly generally accepted that the feast of the Conception of the Blessed Virgin Mary was celebrated in Eastern Christianity already in the 7th century and was related to the cult of

This work is supported by the National Science Centre, Poland, under grant agreement OPUS 21 No. 2021/41/B/HS1/02002 entitled: "The position of the Dominicans towards the Immaculate Conception of the Blessed Virgin Mary (13th–16th Centuries)."

Saint Anne (Lamy 2000, 26–33).¹ The conception of Mary in Anne's womb was described in a miraculous way and analogous to the conception of Jesus known from the Gospel according to St. Luke. Since the 8th century, the existence of the feast in the Byzantine tradition can be noted, which over the next century gains popularity and is included in the official liturgical calendar (Kontouma-Coticello 2011, 59–72). Around the same time, the feast appears in the Anglo-Saxon Church, led by Theodore of Tarsus, Archbishop of Canterbury with considerable assistance from Abbot Hadrian (Mayr-Harting 1991, 138). Both came to England in 667 as envoys of the pope, and both had their roots in the Greek Church.² Therefore, they may have introduced the well-known feast of Mary's conception in England, although it is possible that they already found such a feast brought to England by pilgrims to the Holy Land (Ortenberg West-Harling 2011, 73; Dary 1992, 49–60). As in the case of Byzantium, the feast spread, although, as Marie-Bénédicte Dary argues, not necessarily in the sense that modern theology understands it. The fact that the expression *conceptio sanctae mariae* appears in early medieval martyrologies should not be interpreted as a reference to the conception of Mary, but as information concerning the conception of Jesus in Mary's womb (Dary 1992, 36).³ The next stage in the formation of the feast will be its transfer to the European continent. This happened in Normandy, thanks to the monks of the Abbey of Saint-Wandrille (Dary 2011, 71; 1992, 91–93). The oldest traces of the existence of such a feast in Europe are sacramentaries and missals with the texts of the Holy Mass for December 8 (Dary 1992, 64–84). The inclusion of such texts in liturgical books in the 11th and 12th centuries testifies to the already emerging immaculistic piety. However, it was not universally accepted, as evidenced by the famous letter 174 of Bernard of Clairvaux entitled: *Epistola ad canonicos Lugdunenses de Conceptione sanctae Mariae* (*Oeuvres* 1:455–58). The date of the letter remains uncertain, but it generally falls between 1128 and 1139 (Dary 1992, 96).⁴ The famous abbot addresses the clergy in Lyon since some of them supported the introduction of the feast of the Immaculate Conception of the Blessed Virgin Mary. Meanwhile, such a feast has no liturgical or theological reasons and it is not confirmed by the tradition of the Church (Dary 2002, 219–36; Lamy 2000, 42–45, 49–53). According to Bernard, the recognition of Mary's Immaculate Conception is impossible as her

1 The oldest surviving testimony is the canon *Conceptio sanctae Annae* written by Andrew of Crete (PG 97, 1305–12). This is the testimony of the Greek Church. However, it seems that similar traces can be found in the Syriac Orthodox Church and the Coptic Church.

2 A place of special devotion to Mary was the Mar Saba monastery in Palestine. The monastery was founded in the 5th century, and its most famous superior was John Damascene. In the face of Muslim invasions in the 7th century, some of the monks moved to Rome and founded their monastery on the Aventine Hill, becoming a meeting place of the Eastern and Western traditions of Christianity.

3 This explains why in the martyrologies on March 25, the memory of the passion and conception of Christ appears at the same time.

4 The relations between the abbey of Cluny and the diocese of Lyon were very difficult and strained (Rubelin 2003, 423–53).

conception and sanctification are not the same acts. To recognize the Immaculate Conception would mean to recognize Mary's preservation from sin through sanctification, which would signify her holiness from the moment of conception. This would be tantamount to declaring the conception itself as sacred. Meanwhile, Mary could not have been sanctified before she began to exist as a human being. She was not pre-existent in terms of her existence. She would have had to be sanctified at conception in the midst of the parental act of her parents. This is contrary to reason. Sanctification is the work of the Holy Spirit, which cannot coexist with sin. At that stage in the history of the Church, married life was considered sinful. If Mary is conceived like every human being, there can be no question of any sanctification in this conception. The solution to the difficulty is to recognize that Mary was conceived in sin and only later, in her mother's womb, was she purified. Ultimately, it must be recognized that Mary is sanctified in order to be born a saint, not to be conceived in holiness. This conception is reserved exclusively for Christ.

Saint Bernard's negative opinion influenced the views of great scholastics, including: Alexander of Hales, Bonaventure, Albert the Great and Thomas Aquinas. All of them had maculist views (Børresen 1971; Holstein 1961, 270). In the 14th century, the Franciscans adopted the immaculist opinion of John Duns Scotus,⁵ while the Dominicans remained essentially faithful to the opinion of St. Thomas.

This study will present the position of the general chapters towards Aquinas' views (Bolzan and Fraboschi 1974, 263–78; Burbach 1942, 139–58).⁶ The chapters' decisions do not distinguish between philosophical and theological views since Thomas' legacy is treated as a whole. Therefore, from the end of the 13th century, his views would be defended and their introduction into the intellectual formation of Dominicans would be ordered. The canonization of Thomas in 1323 was of great importance in the propagation of the doctrine.⁷ Therefore, it seems logical to present the position of the chapters before and after canonization, which determines the division of the text below.

1. Defence of the Views (1274–1323)

The Dominican Order was founded in 1215 in Toulouse.⁸ A year later, Pope Honorius III approved of the order. From 1220 onward, chapters met, choosing Paris or

⁵ The deviation from maculistic views was already represented by William of Ware, master of theology in Paris in the years 1290–1300 (Glorieux 1934, 144–45).

⁶ Both authors only partially present the chapters' approach to Aquinas's doctrine.

⁷ The process began in 1317.

⁸ In studies on the history of the order, the date January 21, 1217 is also mentioned as the day of approval of the foundation by the pope (Biget 2001, 7).

Bologna as the venue.⁹ Only from 1245 was the list of cities where chapter meetings could be held expanded.¹⁰

For the first time, the chapter speaks out on the teaching of Thomas in 1278 (ACG 1:199).¹¹ The brothers gathered in Milan decide to send Raymond of Mevouillon and John Vigorosi, a lector in Montpellier, to England to investigate the scandal caused by the brothers speaking ill of Aquinas' writings. The chapter treated the matter seriously, for it equipped two envoys with extraordinary power to punish the guilty, including the order to leave the province and deprive them of their offices. The background for such a harsh reaction of the general chapter was the case of the condemnation of Paris in 1277. The theses published by Bishop Étienne Tempier against the Averroism prevailing in the faculty of liberal arts were also supposed to be a blow against Thomas' views (Hissette 1977, 12; 1980, 231–70; Torrell 2021, 417–24).¹² According to Robert Wielockx, Tempier was prepared for such an action, but he did not take it due to some interventions from the University of Paris and the Roman Curia.¹³ The dispute was so serious that a Dominican, Robert Kilwardby, sat in the see in Canterbury. On March 18, 1277, he condemned 16 theses inspired by Thomism, including those on the unity and uniqueness of forms in man (Hissette 1997a, 3–4, n. 5 and 6).¹⁴ Although he did not act directly against the teachings of the Angelic Doctor, in the context of all the facts, the future cardinal did not show unity with his order. Ultimately, neither France nor England condemned the doctrine of Thomas. Theses that resembled in some respects what Thomas and other of his contemporaries taught were considered erroneous. According to Roland Hissette, the condemnation from Bishop Tempier focused on the writings of Siger of Brabant and Boethius of Dacia (Hissette 1997b, 221–26). Raymond and John acted effectively in England. They managed to restore order among the English Dominicans. The chapter deliberated in Paris in 1279.¹⁵ Probably after Raymond's report,

⁹ The first general of the order was elected St. Dominic. He held this position until his death in 1221.

¹⁰ The meeting took place in Cologne.

¹¹ The Chapter of 1277 took place two months after the condemnation of Bishop Tempier.

¹² This first condemnation took place in 1270. In turn, Stefan Świerżawski rightly notes that Thomas studies at the University of Naples, a university founded by Emperor Frederick II and which, in the author's intention, was to be a counterweight to the Parisian university, being under the influence of Averroism (1947, 92). Finally, it is worth adding that the study of liberal arts was a normal element of the university syllabus before the study of the *sacra pagina* began.

¹³ Between R. Wielockx on the one hand and J.M.M.H. Thijssen and J.F. Wippel, on the other hand, there is a fundamental difference in the assessment of Thomas' role in the Condemnation of Paris. The first, whose position seems to be better justified, argues against the involvement of Aquinas in the whole event. The other two represent the opposite position (Wielockx 1999, 293–313). Wielockx himself does not deny, based on source data, that there was a trial against Thomas in Paris. However, it was a parallel process to the one that ended with condemnation on March 7, 1277 (Wielockx 1988, 413–16).

¹⁴ Kilwardby condemns on the whole theses in the field of grammar, logic and anthropology. In the latter one can find thesis about Thomistic inspiration, but it does not directly condemn Thomas himself (*Chartularium*, no. 474: 1:558–60, especially 559).

¹⁵ John is appointed superior of the convent in Montpellier.

it announces one more decision. While praising Thomas, whose works brought so much honour to the order, it obliges the superiors to new sanctions. Those who will treat his writings or Thomas himself disrespectfully, even if they think differently than him, are to be subject to them (ACG 1:204). The stipulations of this chapter can be considered the first promotion of Aquinas' teaching and its recognition as the official teaching of the entire Dominican Order. And this happened not without the active steps of Albert the Great (Comeau 1943, 96–97).¹⁶

Following the promotion of Robert Kwidbery to the cardinal by Pope Nicholas III on March 12, 1278, the Franciscan friar John Peckham was appointed to the see of Canterbury on January 27, 1279. He knew Thomas personally from his time as a lecturer at the Sorbonne in Paris. At the turn of 1269–1270, Peckham and Aquinas met for the first time, probably during a discussion on the question of *de aeternitate mundi* (Lipski 2020, 74–75). However, the discussion that also took place the same year turned out to be much more serious (Lipski 2020, 76–78). Its topic was the multiplicity of forms in man. The Franciscan master, based on Augustine and Anselm, supported the view of the multiplicity of forms in man, while the Dominican master advocated only the unity of form and identified this form with the soul.¹⁷ The issue remained unresolved, but Peckham retained a bad memory of the entire event. He felt humiliated by Thomas' humble attitude. As Archbishop of Canterbury, Peckham issued the first condemnation on October 29, 1284, renewing the negative assessment of the theses contained in the letter of March 18, 1277.¹⁸ Two years later, on April 30, 1286, another condemnation was published, including another eight Thomistic theses (Glorieux 1927b, 259–91). Interestingly, this condemnation was never accepted by Rome. However, it caused a stir among the Dominicans. The General Chapter met in Paris on Sunday after the Octave of the Ascension (ACG 1:230). After the events in England, the friars decide to recommit everyone to invoking the person and opinions of Aquinas. His teachings must be effectively promoted and defended (ACG 1:235), and if anyone fails to do so, he will automatically lose his functions and be excluded

¹⁶ In fact, it was Durand de Saint-Pourçant who was the first Dominican to oppose some of the theses of Thomas' teaching. As Martin Grabmann notes, this was the beginning of the decline of scholasticism, which stopped valuing synthesis and immersed itself in details without a clear connection with the whole (1923, 238–39; Emery 1999, 659). It was also the beginning of many works defending or correcting Thomas (Mandonnet 1913a, 46–70; 1913b, 245–62; Glorieux 1927a, VII–X).

¹⁷ This view was officially recognized by the Church at the Council of Lateran V in 1517 (Sobór Laterański V 2005, 56–57).

¹⁸ Lipski suggests that the issue of ancient condemnation was revived as a result of the actions taken by the provincial of the Dominicans in England, William of Hothum (2020, 80). The growing dispute between the archbishop and the English Dominicans led to Richard Klapwell OP, master at Oxford, correcting the texts of issues 47 and 48 of the first part of the *Summa*. In Paris, the Dominican Hugues de Billom opposes the corrections made by William de la Mare. At the end of the 13th century, John of Paris OP took up a similar defence (Mandonnet 1913a, 55–57; Perrone 2019, 315–64; 2017, 285–342).

from the spiritual goods of the order (Picard 1998, 106).¹⁹ The chapter also orders the punishment of the guilty in proportion to the offenses committed.

In 1309, the chapter convened for the second time in Spain, this time in Zaragoza.²⁰ The friars wish and encourage all university teachers to read and reflect on issues in the light of Thomas' teaching and work. In this way, they will form students who have the responsibility to diligently study Aquinas' legacy. Again, the recommendation ends with a warning of possible penalties for those who fail to do so. It is noteworthy that the term *venerabilis doctoris* appears for the first time in the chapter's resolution. Earlier documents retained the term *venerabilis frater* (ACG 2:38). The very fact that the religious authorities have to speak out again about Aquinas only proves that the former recommendations were not universally applied and that Thomism had already encountered considerable resistance (Bonino 2022, 4).

In 1313 the chapter takes place in Metz. The doctrine of Thomas is once again recognized as the most correct and universally accepted. Hence, no one in the order, and perhaps Durand de Saint Pourçain in the background, should question his writings or thoughts. The work of Thomas should be studied alongside the Bible and Lombard's *Sentences*.²¹ Sending the friars to study in Paris is possible, but only after at least three years of learning Aquinas' thoughts (ACG 2:64–65).²² Chapters in London (1314; ACG 2:72) and Bologna (1315; ACG 2:81–83)²³ will have similar recommendations. The provisions of the latter emphasize that the doctrine of Thomas is a common doctrine (*doctrinam communem*) and is placed before the universal teaching of the Church. This means that it was already held in high esteem by the entire order. In addition, it is also prohibited to sell the works of Thomas, the Bible and its commentaries, should the convent encounter financial difficulties.²⁴

The question of the authorship of texts for the feast of Corpus Christi occupies a unique place in the defence of Thomas' legacy. The feast developed in the 13th century under the influence of revelations at the monastery of Mont Cornillon in Liège. Initially, it was celebrated exclusively in the diocese of Liège and later in West Germanic territories. In 1264, Pope Urban IV issues the bull *Transitus* and extends

¹⁹ This spiritual good had three levels and was based on the good of the convent, province or the entire order.

²⁰ Earlier, in 1291, the chapter met in Palencia. Young Dominic Guzman studied in this city, at the university founded by Alfonso VIII of Castile.

²¹ The Dominican studies syllabus was based on *lectio, disputatio, repetitio*. The basic material for *lectio* was the Holy Bible and Peter Lombard's *Sentences*. The Metz Chapter orders the study of three or four points of St. Thomas' doctrine, so that students may better understand the *Sentences*. For this reason, Thomas' works entered the canon of Dominican studies (Kajiwara 2018, 93–94).

²² The provincial chapter in Ortheza in 1316 ordered the brothers to strictly adhere to the interpretation of Thomas and Albert in theology (Douais 1885, 157).

²³ In the same year, the chapter of the Roman province imposed a penalty on Brother Hubert Gidi for criticizing Aquinas' teaching (Prümmer 1912, 661–62).

²⁴ A similar recommendation appears during the chapter in Zaragoza in 1309 and applies to students outside their native convents (ACG 2:39–40).

the celebration of the feast to the entire Church. Unfortunately, the pope's untimely death prevented the implementation of the recommendations and the feast fell into oblivion. Its reactivation takes place during the pontificates of Clement V and John XXII. The Chapter of Vienna in 1322 states that the office for this feast was *per venerabilem doctorem fratrem Thomam de Aquino editum* (ACG 2:138).²⁵ An identical statement appears in the acts of the chapter in Barcelona in 1323 (ACG 2:144).²⁶ And this was already the year of Thomas' canonization.

The first steps towards Aquinas' canonization were taken by friars from the Kingdom of Sicily²⁷ in 1317 (Bonino 2023, 269–87). The process required collecting appropriate documents: the works of the future saint and testimonies of holiness provided by witnesses. This task was entrusted primarily to Wilhelm de Tocco. He is the author of *Ystoria sancti Thome de Aquino*, written between 1318 and 1323, the first biography of Aquinas. It was held in three venues: in Naples (1319), in Fossanova (1321) and in Avignon, where the canonization took place (Jacquin 1976, 25–37; Mandonnet 1923, 1–48). Pope John XXII wrote in his canonization bull:

It is thus that Blessed Thomas Aquinas, of the Order of Friars Preachers, doctor of sacred theology, a man of noble family, but of an even greater nobility of soul, of illustrious fame, of a most worthy life, capable, even before puberty, of attentive meditation and deliberation, received the habit of the Order of Preachers, remaining even more firm in this design, when he withstood the obstacles set before him by his own father opposed to his happy decision. After his religious profession, he soon made such progress in knowledge, life, and virtue that he was ordained a priest while still young and began to teach theology in Paris, the most famous city of all, where he occupied with great esteem, for several years of his career, the chair of Master, which was a great honor for himself, for his Order, and for the University of Paris. Indeed, by his virtuous life he acquired a reputation, he produced a sure doctrine with works written in such a short time, but which had a great diffusion and aroused legitimate admiration [...]. This is the theme the saint chose to begin his teaching on Sacred Scripture. It is said that it was given to him by a revelation, after he had said his prayers, at the time when he believed himself unfit for teaching because of his youth, when he was wondering what he was going to propose as the theme for his inaugural class. (*Seventh Centenary* 2023)

The pope points to Aquinas' human qualities: coming from a noble family, enjoying fame and good reputation, focused and constant in his decisions. As a result,

²⁵ The traditional attribution of the entire *Officium Corporis Christi* to Thomas has recently been questioned, as the chapters from 1318–1321 make no mention of him (Pikulik 1974, 27–40; Gy 1980, 491–507). The latter, however, established that the office could come from Aquinas' hands before the publication of the papal texts in 1264.

²⁶ Later also in the acts of chapters in Bordeaux in 1324 (ACG 2:151–52) and in Milan in 1340 (2:262).

²⁷ From 1282, the remnants of this kingdom were the lands only on the Apennine Peninsula, and their capital was Naples. Hence the other name, the Kingdom of Naples.

despite adversities, he managed to make his religious profession with the Dominicans and undertake studies in which he made rapid progress. Thanks to these human qualities, he was able to quickly take a chair at the university and bring glory to both Paris and the entire order. The pope further indicates that Thomas acquired great recognition through his virtuous life and that he created a doctrine that was secure and admired. John XXII reminds that such teaching was not devoid of inner revelation, which only confirms Thomas' humility and lowliness before God. Later in the bull, the pope states that Aquinas' work, different in its type and purpose, was created for the glory of God, the growth of faith and the instruction of students, not without a special gift of grace (*non absque speciali doni gratie infusione perfecit*. Faitanin 2015, 81).²⁸ Thomas was a pious, modest, humble, gentle and merciful man, full of erudition and gentleness. He sacrificed everything he could for God and left nothing for himself (Faitanin 2015, 81–82). Even at the end of his life he maintained peace and serenity, becoming an example for the friars in Fossanova. The last words he spoke before his death were as follows: “Ego de isto sacratissimo corpore Dei et Domini Nostri Ihesu Christi et aliis sacramentis multa docui, multa conscripsi in fide Christi Ihesu et Sancte Romane Ecclesie, cuius correctioni cuncta subicio, cuncta expono” (Faitanin 2015, 83; Prümmer 1912, 332).

They make it clear that Thomas was a man of the Church who did not claim absolute infallibility. He submitted his entire work to the judgment of the Church. It was the Church to judge whether the doctrine of the Parisian master was consistent with the rule of faith of the community built on Peter's faith.

Aquinas' canonization as a confessor (*Chartularium*, no. 824, 2:273 note)²⁹ ended the disputes surrounding his teaching. Importantly, at this stage only some of the theses inspired by the doctrine of the brilliant Dominican were criticized, and not the entire teaching.³⁰ This criticism only addressed philosophical or metaphysical issues. Theological teaching was generally accepted. Therefore, no objections were raised regarding the Immaculate Conception of Mary. Moreover, this thought was tacitly accepted as correct. The pope would not canonize a heretic! This thesis was reinforced by one more event. In the years 1368–1369, Urban V ordered Thomas' body to be transferred to the convent in Toulouse. However, he gave the saint's right arm to the Dominicans in Paris, for the glory and adornment of the entire university. There, filled with grace, he explained the mysteries of Scripture, solved difficulties, illuminated what was dark and isolated what was doubtful (*Chartularium*, no. 1342, 3:175).³¹

²⁸ At the moment of his death he spoke full of the Holy Spirit (Faitanin 2015, 82).

²⁹ Similarly, in the acts of the chapter in 1334 in Liège (ACG 2:224).

³⁰ Already in 1316–1317 John of Naples argued that the doctrine of Thomas had not been condemned in 1277.

³¹ The University of Paris demanded all the relics of Thomas, which were in the Fossanova convent before they were moved to Toulouse (Torrell 2021, 435).

2. Promotion of Teaching (1323–1389)

The reaction of Thomas' most important opponents, the Franciscans, had to change after the canonization. Moreover, as Bernard Gui probably reports, even during the ceremony in Avignon, the last speaker was the Franciscan and Bishop of Lodève, Jean Tissandier. In his eulogy, he acknowledged that Thomas was *Doctor gentium in fide et veritate* (Jacquin 1976, 29). Such an opinion contrasted sharply with the prohibition of the Chapter of the Friars Minor in Strasbourg in 1282. The text of the *Summa* was ordered to be read only by the most intelligent students, having William de la Mare's proofreading at hand (Prümmer 1912, 624–25; Mandonnet 1913a, 54).³² Less than two years later, on February 14, 1325, the Bishop of Paris, Étienne de Bourret, promulgated a letter lifting the condemnation issued by Étienne Tempier in 1277 (*Chartularium*, no. 838, 2:280–81).

The chapters in 1324 in Bordeaux, the following year in Venice and also in Paris in 1326 ordered to standardize the celebration of St. Thomas' memory, *sancto et venerabile doctore* and mention him in the litany immediately after St. Dominic (ACG 2:151, 156, 164).

In 1329 in Sisteron the chapter stated:

Cum doctrina sancti Thome toti mundo sit utilis et ordini honorabilis, volumus et ordinamus, quod omnes studentes theologie in dicta doctrina studeant diligenter; lectores autem et cursores ipsam doctrinam in suis lectionibus et disputacionibus pertractent singulariter et declarent et conclusiones eiusdem doctoris finaliter teneant, et si contra ipsius doctrinam rationes adducant, illas teneantur solvere, et quantum poterunt, contrarias efficaciter annuare. Quicumque autem contrarium inventus fuerit attentasse, per priores provinciales vel eorum vicarios privetur officio lectorie. (ACG 2:191)

This is already a clear confirmation that Thomas' teaching has become universal and useful for everyone, not only for Dominicans. All theology students, not only those in Paris, are expected to learn about Thomism. Teachers themselves should also adhere to the doctrine and reach the same conclusions.

A fragment from the chapter meeting in Carcassonne in 1342 also praises Aquinas' thought. Those gathered emphasize that Thomism shines throughout the world and that it will be correct and enduring, just like the doctrine of other Church authorities. We are ordered to study Thomas' thought again as more important and more useful. It is to be studied, supported and explained (ACG 2:280).³³

³² The Franciscan general Jérôme d'Ascoli and the Dominican general John de Vercelli concluded agreements in 1274 and 1277 on Thomas' views. Unfortunately, no one cared about such arrangements.

³³ Similar recommendations are contained in the files of chapters in the years 1346, 1347, 1355, 1361 (ACG 2:308, 313, 367, 391).

Ten years later, the chapter in Castres will once again remind us of the obligation of the entire order to remain in the truth. Although one can study other sciences, even those distant from theology or philosophy, Thomas should still be referred to. Opinions contrary to universal teaching and to what is contained in Thomas' works cannot be proclaimed (ACG 2:341).³⁴

Meanwhile, in 1344, the chapter in Le Puy first notes a marked decline in the standard of living among the brothers. Religious formation does not bear fruit, i.e. it does not serve to improve life and acquire true wisdom. "[...] Cernimus in ordine nostro – the brothers conclude – multiplicari fratres ydiotas, deordinatos, scandalosos, pro dolor, et rebelles matris sue religionis [...]" (ACG 2:296). Not only is it recommended that attention be paid to moral conduct, but also to careful and thorough academic progress. Young brothers are to draw example and knowledge from those older brothers whose knowledge and conduct are mature and properly formed. In doctrine, one should stick to the greatest and most important doctor – Thomas, whose teaching is becoming clearer and clearer in the sacred writings and works of other saints. Such a doctrine, based on the Holy Scriptures, the common teaching of saints and philosophers, as well as good judgment, cannot be erroneous and cannot be fallible as long as the designated factors remain its unchanging and constant guarantees (ACG 2:297). In short, the teaching of the saints remains infallible. Therefore, Thomas' teaching should also be treated as certain and error-free doctrine.

The event that shocked the University of Paris in 1387 should be placed in this context. In the spring of that year, a young doctor of theology, John of Montson, spoke out against the Immaculate Conception of Mary, among other things. On the one hand, the Dominican repeated the opinion of St. Thomas, and conversely, he accused proponents of the immaculistic theory of wandering in faith. The university milieu was already clearly influenced by the views of John Duns Scotus, and recalling Aquinas' teaching must have led to a serious dispute. Montson refused to renounce his views and, moreover, accused the university and the Bishop of Paris, Pierre d'Orgemont, of deviating from the sound faith and views of the great Dominican.³⁵ The dispute moved to Avignon, where the pope resided. Both the Dominicans and the representatives of the Sorbonne prepared thoroughly to present their positions. The cardinal consistory, meeting in May 1388, heard both sides of the dispute, listening first to Pierre d'Ailly and later to representatives of the Dominicans (*Chartularium*, no. 1564, 3:502–4).³⁶ The verdict was reached on January 27, 1389 and was completely unfavorable to the Dominicans (*Chartularium*, no. 1567, 3:506–11). They

³⁴ The chapter acts of 1353 and 1370 refer to Thomas as *doctore eximio* (ACG 2:347 and 412).

³⁵ John of Montson's theses were condemned first by the theological faculty (July 6, 1387), and then also by the bishop of Paris (August 23, 1387) (*Chartularium*, no. 1557, 3:491–96).

³⁶ Pierre d'Ailly is the author of the work that will discuss the issue of authority in theology in the 14th century and the interpretation of the authority of St. Thomas Aquinas himself (Chenu 1925, 190).

had to leave the university and undertake many acts of penance during the many years before returning to it (Krupa 2013, 16–19).

These events probably influenced the decision of the chapter assembled in Rodez in 1388. Here is a fragment of the resolutions:

Inchoamus hanc : cum matri [dei] Marie, (et) nostri ordinis patrone singularissime, sit precipue cultus specialis et reverencia impendenda et maxime quoniam insurgit inimicus fidei orthodoxe, cuius veritatem per duces et per potentes nostros predicatores atque eximios doctores beatum videlicet Albertum et sanctum Thomam doctorem nostrum precipuum de(!) aliquo(!) expresse doctrinaliter affirmatam percepimus, quod mater Christi salvatoris scilicet octuagesima die a conceptione sua, qua fuit eius corpori infusa anima et post modicum tempus seu morulam eadem anima cum corpore ceteris sanctis copiosius sanctificata, ut in tribulacione nostro ordini imminente opportunum remedium dignetur misericorditer impetrare, et quam nonnulli sub conceptionis nomine honorare conantur, nos sub nomine vere innocencie et sanctificacionis ipsam potius honoremus, ordinamus, quod in honorem beate Marie fiat festum totum duplex de sanctificacione eiusdem virginis gloriose cum officio de nativitate ipsius, mutato nomine nativitatis in nomen sanctificacionis, donec per nostrum ordinem de officio sanctificacionis aliter sit provisum. (ACG 3:30–31)

The text seems to summarize several issues that must have been accumulating for several years. Marian devotion was a special element of the spirituality of the entire order. Hence the initial reminder of Mary's role and due veneration. Interestingly, the sentence mentions the enemies of the Orthodox faith. Is this a general reference to the events in Paris? If Easter in 1388 fell on March 29 ("Dates" 2007), and the assembly had been scheduled for Pentecost a year before, the chapter was held in May,³⁷ and thus, at the beginning of the trial in Avignon. This chronology is suggested by the naming of both great Dominican theologians *duces, predicatores atque eximios doctores*. In other words, their teaching is considered correct and true, which in turn is emphasized by the use of the titles: blessed and saint.³⁸ The Dominicans indicate Thomas Aquinas as their main teacher whose doctrinal teaching has been clearly confirmed. Is this confirmation based on what Pope John XXII said during his canonization? Or is this a conclusion derived from the findings of the Chapter of 1344? The answer to these questions is not as important as the doctrine to which the chapter acts refer.

First, the issue of the union of Mary's soul and body eighty days after her conception is pointed out. This is the doctrine that scholasticism acquired partly from Aristotle (Arystoteles 1992, 514–15; Panidis 2015, 3–38) and partly from Augustine

³⁷ Convening the chapter on this day was an unwritten custom of the Dominicans (Montagnes 2004, 310).

³⁸ Albert's beatification began in Rome 40 years after his death, i.e. in 1320. It is not known why it was postponed. Albert was beatified only in 1622 (Richer 1930, 1).

(Lugt 2008, 238, 240–41). In the latter case, however, it also received some biblical justification. The Book of Leviticus (12:2–5) discusses the ritual of purifying a woman after giving birth to a child. For boys, it occurs on the fortieth day, and for girls – on the eightieth day. On this basis, it was concluded that these time periods had a symbolic meaning for the animation of the body by the soul (Chollet 1311–16).³⁹ However, it must be emphasized that the symbolism has no evidentiary value. In the tradition of the Church, the difference between the moment of conception and animation has never been recognized as doctrinally certain. A human being is created at the moment of conception, but it is a being subject to development at the body level. It changes, and with subsequent changes it also adapts to the body of the human soul. Thus understood, the process of forming humanity was easily explained by the successive appearance of different forms of the soul. When the body was poorly formed, it was subjected to the vegetative soul, then to the animal soul, and finally, after a certain period of time, to the intellectual soul. It was the sign of a fully formed human person. In the Middle Ages, the view of successive animation was quite common, and it had its opponent – unshakably – in the person of Thomas Aquinas (*STh* I, 118, 2; 76, 3.5; 85, 7; *SCG* II, 70; III, 222; Tomasz z Akwinu 1996, 11; Torrelle 2017, 330–36). The Paris condemnation and subsequent condemnations still recognized the doctrine of the human soul as the one and only form of the body as erroneous. An attempt to precisely determine the emergence of the human soul was never reflected upon by Aquinas, who recognized the emergence of man from the moment of conception as a variable being, undergoing various phases of development, but still being identical in essence and existence. One person is conceived, develops and then is born into the world.

The chapter's ruling refers to the conception of Mary. The union of the rational soul and body took place eighty days after conception. The chapter recognizes this fact as doctrinally certain. Why this confidence? Perhaps the Dominicans are indirectly referring to the condemnation of Peter John Olivi's thesis by Clement V. In the constitution *Fidei catholica*, the pope recognizes as the only acceptable view of the rational soul in its essence and by itself in the form of the human body (DS 902). However, the papal ruling does not say anything about dating, and only recognizes the connection of the rational soul and body as indisputable in the case of a human being. In this respect, the chapter's teaching is rather a free combination of Thomism and the own theological vision of the friars gathered in Rodez.

The text emphasizes that when Mary was a fully formed human being, she was sanctified. The chapter's files say *post modicum tempus seu morulam*, i.e. after some time or *morula*. In Latin, *morula* means a short delay, a period of time needed to do something. It is necessary to distinguish between the moment of conception from

³⁹ An important argument for accepting the thesis of immediate animation is the dogma of the Immaculate Conception of the Blessed Virgin Mary. She was sanctified at the moment of conception.

the moment of sanctification. The Dominicans in Rodez clearly separate these two moments and in this regard recall Thomas' argument. The idea is to say that there must have been some time interval between Mary's conception and sanctification.⁴⁰ This view is consistent with Aquinas' teaching, which has not changed over the years. In the most recently written *Summa theologiae*, the Angelic Doctor states that Mary's body was conceived in original sin (*STh* III, 14, 3 ad 1).⁴¹ In the *Compendium theologiae*⁴² written a little earlier, the work that already testifies to great theological maturity, an entire point is devoted to the issue of Mary's sanctification. Thomas reminds us that Mary's greatest privilege was her divine motherhood. It requires her perfection, that is, complete freedom from actual sin. Mary did not commit any sin and therefore, she stands out from other saints. For all were sinners who were sanctified by virtue of the gift given by Christ's passion, death and resurrection. Mary was – as a result of an exceptional privilege – also freed from original sin. This liberation was already accomplished after conception, since Mary is conceived like every human being, and for this reason, at the beginning of her human existence, she was also subjected to the sin of the first Adam. Aquinas emphasizes the necessity of preserving the normal path of Mary's conception, dismissing any attempt to compare her conception to that of Jesus.⁴³ The marital act of Anna and Joachim was a human act, based on lust, which is the result of original sin and the way it is transmitted. Consequently, Mary had to be conceived in original sin. If the way of Mary's conception had been different, that is, if she had been conceived without sin, she would not have needed redemption from Christ. However, then the universality of the salvific work would have to be questioned, which in itself would violate the dignity of Christ as the only Saviour of humanity. To avoid denying the truths contained in revelation, Thomas chooses the path of special privilege. Mary is purified of original sin not after birth, but before it. However, not through a gift of grace bestowed upon her at any point in her fetal life. The abundant gift from God was given to her the moment her soul united with her body. As a human being, Mary is sanctified. Before this union, she could not be sanctified because there was no subject of sin. The soul or body alone cannot sin. The subject is a rational being. Moreover, sanctification begins with the soul and continues with the body. The union of soul and body guarantees the existence of one entity that God can sanctify with His grace. For Thomas, this subjective character of grace is an essential element in understanding sanctification itself. Mary was more

⁴⁰ The Latin *murula* comes from the word *morum* meaning *mature*. The text clearly indicates the definitive formation of Mary's humanity. Modern medicine uses the word *morula* to describe the stage of pre-embryonic development of a fertilized egg.

⁴¹ According to the contemporary research, this work was created in the years 1265–1273, and the third part in the years 1272–1273 (Torrell 2021, 459–60). The universality of original sin was assumed to be the basic element of the history of salvation (SCG IV, 51–52).

⁴² Its creation dates back to 1265–1267 (Tomasz z Akwinu 1984, no. 224, 102–3).

⁴³ The Protoevangelium of James is based on such an analogy.

holy than other people as, by virtue of the grace she had received, her movements coming from her senses and will were always subject to reason. This does not mean taking away freedom and spontaneity of action, but only constant orientation in everything toward God. Mary was not free from temptations or sinful impulses, which emphasizes her completely human nature, but in everything she was still victorious thanks to the gift of grace. Although the privilege of sanctification did not deprive her of the source of sin (*fomes peccati*), it significantly limited it (*ligatus*).

The argumentation contained in the *Commentary on the Sentences* is essentially identical. St. Thomas rejects the possibility of Mary's sanctification before she became fully human, i.e. before a rational soul appeared. Only she is the subject of human actions and, consequently, is burdened with original sin and can receive grace from God. Mary was sanctified after her conception, although the moment of this sanctification remains unknown (*Super III Sent. 3, q. 1, a. 1, qc. 1 co. and qc. 2 co.*).

At the end of the chapter's decision, there is an appeal to organize the cult of Mary. Some, who are not Dominicans, worship Mary under the name of the conception. Meanwhile, the order wants to glorify her by emphasizing her true innocence and sanctification. Therefore, it is permissible to celebrate the feast of Mary's sanctification. Aquinas speaks about such celebrations in one of his *Quodlibet* (VI, q. 5, a. 1 co.). The celebration of the feast of the conception should not be understood as a commemoration of a specific moment of Mary's sanctification, for that moment remains unknown. Although it is believed that Mary was indeed sanctified *in utero*, many ecclesial communities, including The Roman Church, do not celebrate such a feast. Mary was conceived in sin and only later was she sanctified. Those communities that honour the conception actually celebrate Mary's sanctification. It was her special privilege, as a result of which the abundantly bestowed grace purified her of original sin and preserved her from every other sin throughout her life.

The celebration of such a feast is confirmed by the decisions of the chapters in 1394 in Venice (ACG 3:93) and in 1397 in Frankfurt (ACG 3:93). These chapters gathered friars who maintained obedience to Rome. This means that the manner of celebrating the feast of conception corresponds to what happened in Rome. The celebration of Mary's conception should be solemnly celebrated, but under the name of sanctification on the day of her birth. Instead of words about birth, words about sanctification should be inserted. In 1484, the chapter in Rome confirmed the celebration of the feast of Mary's sanctification on December 8 (ACG 3:377).⁴⁴

⁴⁴ In 1491, the acts of the Chapter of Le Mans also mention the word of sanctification (ACG 3:394). Moreover, in the acts of the chapter in Zaragoza in 1551 there is constant mention of the feast of conception or sanctification and it requires the use of the office of the day of Mary's birth. It is therefore clear that, despite their assurances, the Dominicans did not receive any special texts for the office (ACG 4:319). Let us add that the feast of the conception of Mary was introduced by the decree of King John I of Aragon in his kingdom by edict in 1394 (Lamy 2011, 46–47).

Two more things are worth adding. Shortly after the events related to John of Montson, the University of Paris issued a ban on allowing to teach anyone who would undermine the truth about the Immaculate Conception of Mary.⁴⁵ However, the case was not finally closed. In the 15th century, the Council of Basel would refer to it, hoping that it would definitively resolve the issue that distinguished the two mendicant orders in particular. During the council, a commission is convened in which in 1436 the immaculists, Jean de Rouvroy (Santoni 1979, 31–37) and the Franciscan Pierre Porcher, as well as the maculists, Jean de Montenegro (du Raguse) and Jean de Torquemada, both Dominicans, will appear (Horst 1994, 169–91). Due to the confusion in the proceedings and the pope's departure from the meeting, the Dominicans – loyal to the pope – leave. On September 17, 1439, the council fathers promulgated the dogmatic definition of the Immaculate Conception and ordered the celebration of December 8 with their own office (Sobór w Bazylei 2003, 423–25; Izbicki 2005, 145–70). Since the council was already schismatic when it announced the definition, its reception was severely limited. Disputes still persisted, as confirmed by the bull *Grave nimis* of Sixtus IV of 1483, which prohibited the disputing parties from accusing each other of heresy (DS 1425–26).⁴⁶ Ultimately, the immaculistic opinion will prevail and become the dogma of the Church's faith. However, Thomas' teaching will not be forgotten. On the contrary, Pope Pius V will declare him a Doctor of the Church in 1567, and Pope Leo XIII the universal patron saint of Catholic schools in 1880. Thomas' teaching was accepted, although effective restrictions were placed on the issue of the conception and sanctification of Mary.⁴⁷

Conclusions

The history of the Dominican chapters shows that, first, great respect arose around Thomas Aquinas and later also around his teaching. It was not forced, but spontaneous and natural for a man with extraordinary intellectual abilities and a friar of lively faith and deep piety. Authentic admiration for Aquinas primarily explains a rapid assimilation of his thought by the order. Many not only admired him and not only learned his writings. Equally many identified with his doctrine. This identification was so deep and so strong that it became characteristic of the Dominicans. It is

⁴⁵ The Dominicans were expelled from the university and would return only in 1403 (*Chartularium*, no. 1781, 4:56–58).

⁴⁶ Already earlier, in 1477, Sixtus IV celebrated the feast in honour of Mary Immaculate. *Cum praeexcelsa* (DS 1400).

⁴⁷ The constitutions of the Discalced Carmelites of 1592 supported the teaching of Aquinas as the authority for the entire order, but the issue of the Immaculate Conception was omitted. This opinion was contrary to the views of the Carmelites, who granted Mary such a privilege (Sainte-Marie 1956, 149–51).

impossible to talk about their history without referring to Thomas. For historians, he remains one of the most famous figures of the Church of the Middle Ages.⁴⁸

The history presented also shows that among the Dominicans there were many talented thinkers who had the ability to penetrate the complex thought of Thomas. He was not only a theologian; he was also a commentator of the Holy Scriptures and a philosopher. He combined many areas of science and used the acquired knowledge to seek answers to questions in the field of faith. However, Aquinas was not just a brilliant scientist; he was a Christian first. Therefore, he drew abundantly from revelation, which became for him a source and guarantee of truth. The truth revealed by God was the only and final truth on which all human conduct depended. Accordingly, Thomas sought to fathom it and bring it closer to others as a common and indisputable foundation of science. This means that the pursuit of truth required appropriate tools and logical thinking. The discovery of this logic makes the Thomistic doctrine valuable and worth defending. Since the truth is one and revealed, it obliges one to accept and defend it. This explains why the chapters were so quick to defend and order the defense of Thomas' writings and doctrine.

The dissemination of Aquinas' doctrine, recommended by the chapters, was not just a reiteration of the wishes of the religious superiors.⁴⁹ It seems that such frequent orders were the result of growing opposition to Thomism. The history of chapters shows that although the doctrine of Thomas became widespread, it was not equally accepted by everyone. Many opposed to it and many, although indirectly, tried to follow their own path of theological and philosophical reflection. In the matter of the Immaculate Conception, although the doctrine of Mary's sanctification *in utero* was upheld, attempts were made not to deny her the possibility of being preserved from original sin.⁵⁰ Even if the chapter in Rodez directly addresses a theological issue and cites Thomas' opinion, it seems to justify the ruling in the spirit of Thomism. The fact that there are no such explicit elements of anthropology in Aquinas' teaching suggests that the Dominicans combined different traditions and different opinions. Promoting them under the name of the master of Aquinas suggests the existence of strong currents whose goal was to disseminate his teaching. This in turn may be due to the fact that Thomas held the title of *doctor communis*. Since the Fourth Lateran Council, the teaching of theologians has begun to acquire normative significance.⁵¹ Hitherto, the source of norms of faith and morality has been the Holy Scripture and

⁴⁸ For example: Daniel-Rops discusses Bonaventure in three pages, John Duns Scotus in two pages, and he devotes six pages of his work to Aquinas (1965, 291–301).

⁴⁹ Brother Guillelmus Bernardi de Galaco Albensis, sent on a mission to Constantinople in 1298, translated the works of Thomas from Latin into Greek. (Douais 1885, 414–15). According to Michael Rackl, such a translation was made later (1924, 48–60).

⁵⁰ Jean-François Bonnefoy's census of Dominican immaculists is of little importance today. The author refers to works that have not been preserved or whose authorship is incorrect. (Bonnefoy 1960, 337–49). An ambiguous opinion is contained in the sermon of Jacques of Lausanne (Durand 1905, 607–9).

⁵¹ Against Joachim da Fiore, the council accepts Lombard's teaching on the Holy Trinity.

the teaching of the Church Fathers. Since 1215, explanations of a particular issue made by theologians have acquired a similar normative importance. That explanation will be chosen as consistent with the faith and will be accepted by theologians, who henceforth cannot be omitted in teaching and expounding the truths of faith. Even more, teaching that will become more common, will be normative. Although there may be different explanations at the starting point, the prevailing consensus around them will be decisive. In this way, various theological theses, although not necessarily wrong, do not have to be accepted and promoted by everyone. Freedom in research is still maintained, but without the need to consider the results of this research and recognize them as binding for the entire Church. Appealing to the authority of the Church is not only a sign of humility, but above all an expression of concern for the unity of the entire flock of Christ. In other words, while the theologian may seek the truth and approach it, he must not forget that he always does so on behalf of the Church as the guardian of revealed truth. Omitting this mediation is nothing less than diminishing, and in extreme cases even rejecting, the communal dimension of salvation. God accomplishes it in the community of the Church, which in this world as a whole retains the fullness of the means and reality of salvation.

In this context, Thomas' doctrine is shown by the chapters' rulings as enjoying a special privilege and dissemination. It quickly became the official interpretation of the theology of the Dominican Order and the entire Church. Abandoning Thomas means breaking with the universal teaching of theologians and, consequently, with the doctrine of the Church. The danger here, however, is adapting doctrine to the necessity of exhortation. In other words, it is the matter of extracting from Thomas' teaching what best fits the historical context related to a specific theological issue. Therefore, instead of referring to the thought of the Angelic Doctor, a strong Thomism is created, understood as a variation on the doctrine of Thomas.

The question to be asked here concerns not only the meaning of Aquinas' authoritarian teaching, but also its content. Could Thomas have been wrong? Can the writings of a man canonized by the Church contain errors? The answer to this question may be simple: a saint never makes mistakes. However, it seems that such simplification is inconsistent with the understanding of the Church's progress in reading and interpreting revelation. If the Church is led by the Holy Spirit towards the fullness of truth, then achieving this fullness is still a task for the future. Although successive elements of truth are being read, the fullness is still awaited as eschatological fulfillment. The Truth, written with a capital letter, will come and make itself known to every person. Before this happens, what remains is a patient approach to the truth, which should be the work of man inspired by the Holy Spirit. At the same time, we must also constantly remember that this truth is given to man, not created by him. In this dynamic approach to the truth, it is difficult to assume that this or that theologian, even proclaimed a saint of the Church, has exhausted all possibilities of knowing the revealed truth in his teaching. More to be emphasized

here is the historical context.⁵² At a particular time and place, such a theologian can explain a specific thesis, without excluding the possibility of changing it in the future. In this context, Thomas' preference for speaking of Mary's sanctification *in utero* instead of her Immaculate Conception should remain a thesis inscribed in the historical era. Both options seemed equally possible, and the choice of one of them was the result of progress in theological reflection on the issue. Thus, can the saints be wrong? Yes. Can they teach incorrectly? Yes. Does this deny their holiness? NO. Holiness does not concern the state of knowledge, but the way of life. Just as canonization does not mean that everything in a person's life was sacred, neither is recognition of someone's doctrine tantamount to approval of everything written by him (Chenu 1925, 193).

Defence of St. Thomas' teaching by the general chapters of the Dominicans in the 13th and 14th centuries does not mean declaring him free from errors. This defence was intended to consolidate the order around one doctrine, theologically valid for the entire Church and, over time, also accepted by the entire Church. Although Thomas was a clear and unchanging maculist on the issue of the Immaculate Conception, this does not diminish his role as a reliable guide to the truths of faith and the meanders of theology. In uncertain times, such a guide was needed and effective. The Dominicans gathered around Aquinas became the main opponents of the Franciscans, who chose John Duns Scotus as the Mariological authority. The immaculistic position became the dogma of the Church in the 19th century, and the Dominicans themselves did not adhere unswervingly to Thomas, but accepted the decisions of the Magisterium of the Church. And this fact in itself is worth recalling and strongly emphasizing.

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⁵² Attention was paid to this aspect in the case of the beatification of Antonio Rosmini Serbati. His writings were included in the Index in the 19th century, and their author was beatified in 2007 (Congrégation pour la Doctrine de la Foi 2001).

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