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Public Authority and Private Constraints: Eugenius III and the Council of Reims

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By exploring the events surrounding the Council of Reims convened by Pope Eugenius III in 1148, this article argues that the council is an important example of the exercise of ecclesiastical power in the twelfth century. The council featured decisions on the marriage of Ralph of Vermandois, debates on the heresy case of Gilbert of Poitiers, arguments over episcopal primacy, and impressive displays of ecclesiastical grandeur. It demonstrates the difficult balancing act performed by Eugenius, as well as the extent and limitations of his power. And it illustrates how a pope could use ritual, liturgy, and public display to lead the Church, even when restricted by competing ecclesiastical forces.

Keywords: Eugenius III, papacy, Council of Reims, Gilbert of Poitiers, Bernard of Clairvaux, Ralph of Vermandois, John of Salisbury

Amid the range of concerns that fill his *De consideratione* (c. 1150)—the rising influx of litigation appealed to the papal court, bribery, the threat of envy and ambition throughout the ecclesiastical hierarchy—Bernard of Clairvaux took time to look back to the Council of Reims that had taken place in 1148. The council, called by Pope Eugenius III (1145–53), had issued reforming canons, debated episcopal primacy, resolved disputed marriages, and addressed cases of heresy (see Figure 1). But Bernard did not cast it—or Eugenius's role in it—in a positive light:

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> Did you not promulgate with your own mouth the laws proposed at the Council of Reims? Who keeps them? Who has kept them? You deceive yourself if you think they are observed. If you do not think this, then you have sinned either by decreeing what cannot be observed or by neglecting the fact that your decrees are not observed. . . . These are your words, you have sanctioned them. What effect have they had?"[1]

This retrospective assessment of the council paints a bleak picture of its importance: it is depicted as a failure on Eugenius's part to translate reform from page to practice.

The actual impact of the Council of Reims in 1148 was not as minimal as Bernard suggested.[2] Yet that Bernard chose to focus on this tension between the aspirations of the council and its tangible accomplishments raises a series of questions concerning the development of the twelfth-century Church and the papacy at its head. The Council of Reims illustrates the contradictions that defined papal authority in the twelfth century, and an illustration of the limitations of the term "papal monarchy." Eugenius's role at Reims placed him at the forefront of the Church: he led grand processions, clarified canons, and settled disputes over ecclesiastical discipline. But Reims also demonstrates the limits and constraints placed on this power. For every instance that Eugenius stood at the forefront of the Church, there is another instance of him being constrained by the web of concurrent powers and influences that surrounded him. The Council of Reims is a valuable example of the exercise of ecclesiastical authority in the twelfth century. It addressed issues of ecclesiastical primacy, marriage, heresy, and reform. It was attended by some of the most prominent clerics of the age. And it demonstrates the balancing act of papal authority: Eugenius III did not act like a papal monarch but a careful diplomat, steadying the swirl of factions and often-contradicting authorities that defined the twelfth century.

The Council of Reims

In October 1147—seven months into his fourteen-month itineration through the kingdom of France—Pope Eugenius III sent out letters to

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1. "Nonne os tuum in Remensi concilio subiecta capitula promulgavit? Quis ea tenet? Quis tenuit? Falleris, si teneri putas. Si non putas, ipse peccasti, aut statuens quae non tenerentur, aut quod non tenentur dissimulans . . . [Bernard here summarizes some of the Reims canons] . . . Verba tua haec: tu sanxisti. Quid effectui mancipatum?" Bernard of Clairvaux, *De consideratione ad Eugenium Papam*, in *Sancti Bernardi Opera* 3, ed. Jean Leclercq and Henri-Maria Rochais, (Rome, 1963), pp. 446–47.

2. Anne Duggan, "Justinian's Laws, Not the Lord's: Eugenius III and the Learned Laws," in *Eugenius III,* ed. Iben Fonnesberg-Schmidt and Andrew Jotischky (Farnham, forthcoming).

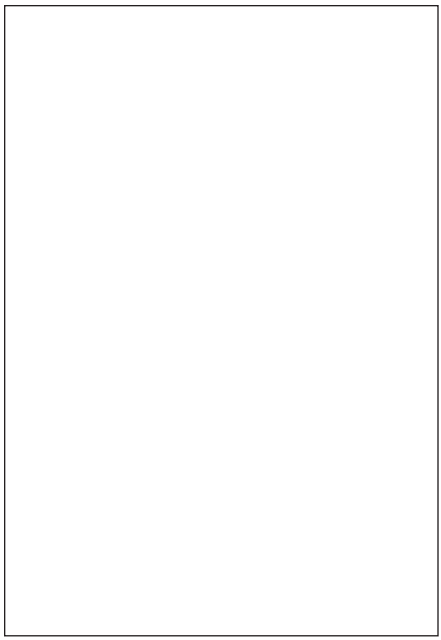

FIGURE 1. Detail of Pope Eugenius III from the tableaux in the Cathedral of Saint-Etienne in Châlons depicting the consecration of the cathedral by the pope after its restoration, 15th century. Artist unknown. Tableaux housed at the Cathedral of Saint-Etienne, Châlons, France, and reproduced on its website. (http://www.cathedrale-chalons.culture.fr/restauration-peintures-sculptures.htm)

prelates from "diverse parts of the world" summoning them to the council that would ultimately be held in Reims.[3] The letter that survives opens with an *arenga* that underlined the fundamental importance of papal authority. Having received its authority from Christ and from Peter, the Church, "rising up just like a remarkable structure on the most solid foundation," directed its efforts towards reform. Eugenius declared this to be his own responsibility, and called the council based upon the "obligation of his apostolic authority."[4] The *arenga* is a strong assertion of Eugenius's

3. "de diversis mundi partibus," *Patrologiae Cursus Completus*, ed. Jacques-Paul Migne, Series Latina, 217 vols. (Paris, 1855), 180:1285B—hereafter cited as PL*; Regesta pontificum romanorum*, ed. Phillip Jaffé, 2 vols. (Graz, 1956), 2:9149—hereafter cited as JL.

4. "auctoritatis apostolicae debito provocati," PL 180:1285. The *arenga* in full reads as follows: "Indubitatum procul dubio est, et universa per mundum Christianitas recognoscit, quod sanctam matrem et apostolicam Romanam Ecclesiam solus ille fundavit et super firmam

vision for the council and his own position within the Church. As outlined in Eugenius's summons, the council aimed at ecclesiastical reform and unity, objectives that were to be translated into reality by papal authority derived from Christ himself.

Eugenius's summons also demonstrated that he took attendance at the council seriously: he ordered recipients of his letters to attend.[5] As was common for councils of the period, those absent were suspended from their offices, a fate that awaited a range of prelates. Despite a sizeable contingent of Iberian clergy—including Archbishop Raimundo of Toledo, Archbishop Bernat Tort of Tarragona, and the bishops of Coria, Segovia, and Oviedo—Alfonso VII of León-Castile had to appeal to the pope to lift the suspension from the bishops who did not attend.[6] The archbishops of Mainz and Cologne were also suspended, even though Archbishop Henry of Mainz was serving as regent of the German kingdom while Conrad was away on crusade.[7] And despite the fact that King Stephen had prohibited the attendance of English clergy, Eugenius still suspended them and Stephen was only saved from excommunication thanks to the last-minute intervention of Archbishop Theobald of Canterbury.[8] These suspensions

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et immobilem fidei petram constituere voluit, qui beato Petro, coelorum regni clavigero, terreni simul et coelestis imperii jura commisit. Non enim cujuslibet terrenae sententiae, sed illius verbi, quo constructum est coelum, et terra privilegio fungitur, illius auctoritate fulcitur. Sic enim divini consilii altitudo disposuit, ut sancta Romana, quam praefati sumus, Ecclesia in capite nostro Domino Jesu Christo, tanquam in solidissimo fundamento admirabilis structura consurgens, universis per orbem ecclesiis praelatione perpetua praeemineret et ad emergentes haereses et alia mala et vitia pullulantia resecanda per se ipsam studiose intenderet, et ad diem efficiendum pro qualitate causarum et temporum aliorum studia excitaret."

5. "fratres nostros archiepiscopos, episcopos et alios ecclesiarum praelatos de diversis mundi partibus duximus convocandos . . . apud Trecas concilium celebrare decrevimus," JL 9149; PL 180:1285; Nikolaus Häring, "Notes on the Council and Consistory at Rheims (1148)," *Mediaeval Studies,* 28 (1966), 39-59, here 39–40.

6. Nikolaus Häring, "Die spanischen Teilnehmer am Konzil von Rheims im März 1148," *Medieaval Studies,* 32 (1970), 159–71, here 160; Peter Linehan, *History and the Historians of Medieval Spain* (Oxford, 1993), p. 269.

7. John of Salisbury, *John of Salisbury's Memoirs of the Papal Court (Historia Pontificalis)*, ed. and trans. Marjorie Chibnall (London, 1956), p. 10. The suspension was also noted in *Chronica Regia Coloniensis,* ed. Georg Waitz, in *Monumenta Germaniae historica inde ab a. C. 500 usque ad a. 1500, Scriptores rerum Germanicarum,* 78 vols—hereafter cited as *MGH SRG* (Hannover: 1871–2007) 18:1–299, here p. 86; Also see a letter written by Wibald of Corvey in the name of Conrad III's son, Henry: *Monumenta Corbeiensia*, ed. Philip Jaffé [Bibliotheca Rerum Germanicarum, 6 vols], (Bern, 1864), 1:191; Michael Horn, *Studien zur Geschichte Papst Eugens III.* (1145–1153), [Europäische Hochschulschriften Reihe III: Geschichte und ihre Hilfswissenschaften, Bd 508], (Frankfurt, 1992), pp. 64–66; Häring, "Notes on the Council," 40.

8. John of Salisbury, *Historia Pontificalis*, pp. 6–7, 10–11; Horn, *Eugens III*, pp. 144–45.

suggest that attendance may not have matched Eugenius's hopes. Yet turnout was still significant, with chroniclers recording figures ranging from 400 to 1,100 clerics.[9] Even if these numbers were inflated, the delegations that arrived to settle monastic disputes, the large number of privileges issued, and the range of French and Spanish prelates who debated over primacy, all suggest that the council was well-attended.[10]

The council and consistory lasted around eleven days.[11] The council itself consisted of the promulgation of canons, disputes over episcopal primacy in France, the judgment against French heretic Eon d'Etoile, and concerns raised regarding various nobles and kings. The consistory, comprising a smaller number of prelates, dealt with the marriage of Ralph of Vermandois and the questions of the Trinitarian orthodoxy of Gilbert of Poitiers.[12]

References to the Council of Reims were relatively commonplace. It was mentioned frequently by contemporary sources: mostly in passing, but several paid particular interest to the heresy trials of Gilbert of Poitiers and Eon d'Etoile or the impressive pageantry of the papal retinue as it moved through towns.[13] Records of the canons promulgated by the council also survive. Nevertheless, the bulk of our knowledge of the council—particu-

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9. *Continuatio Gemblacensis,* ed. Ludwig Conrad Bethmann, in *Monumenta Germaniae historica inde ab a. C. 500 usque ad a. 1500, Scriptores*, 39 vols. (Hannover 1826–2009)—hereafter cited as MGH SS—6:385–90, here 390; *Continuatio Mellicenses*, ed. William Wattenbach, MGH SS 9:501–35, here 504; Häring, "Notes on the Council," 42; Horn, *Eugens III,* p. 203.

10. Eugenius issued at least 35 solemn privileges during the council, suggesting that a similar number of clerical delegations were present at the council to request them. Horn, *Eugens III*, p. 203, n. 964; Balderic, *Gesta Alberonis archiepiscopi*, ed. Georg Heinrich Pertz, MGH SS 8 (1848), pp. 243–60, here 254–55; John of Salisbury, *Historia Pontificalis,* pp. 4–6; Häring, "Die spanischen Teilnehmer," 159–71; Häring suggests that attendance was unenthusiastic, noting Eugenius's resort to threats in order to hold back clerics to remain for the consistory ("Notes on the Council," pp. 43–45, 58). This is possible, but the words *reservantur* and *retentis*, used to describe Eugenius's actions, do not necessarily imply forcible restraint.

11. "Eugenius papa tunc temporis in urbe Remensium concilium aggregavit pontificum et abbatum Galliae totius in undecim diebus." *Ex Gaufredi de Bruil Prioris Vosiensis Chronica,* ed. Oswald Holder-Egger, MGH SS 26 (1882), pp. 198–203, here 201.

12. Otto of Freising and Rahewin, *Gesta Friderici I Imperatoris*, ed. Georg Waitz and Bernhard von Simson, 3rd ed., MGH SRG 46 (1912), pp. 1–346, here pp. 81–82; John of Salisbury, *Historia Pontificalis*, pp. 4–13.

13. *Annales Laubienses*, ed. Georg Heinrich Pertz, MGH SS 4:8–35, here 23; *Continuatio Burburgenses*, ed. Ludwig Conrad Bethmann, MGH SS 6:456–58, here 458; *Continuatio Mellicenses* 9:504; *Auctarium Lambacenses*, ed. Wilhelm Wattenbach, MGH SS 9:555–56, here 555; *Annales Santi Rudberti Salisburgenses*, ed. Wilhelm Wattenbach, MGH SS 9:758–810, here 775; *Annales S. Dionysii Remenses*, ed. Georg Heinrich Pertz, MGH SS 13:82–84,

larly its details—comes from the *Historia Pontificalis* of John of Salisbury and the *Deeds of Frederick Barbarossa* of Otto of Freising. It is therefore pertinent to take a moment to examine each author, and be aware of their context and motives for writing a history that included the council at Reims.

John of Salisbury's *Historia Pontificalis* provides the best window onto the council: he was an eye-witness to events and well-connected to the curia. His history is a treasure-trove of information, often including tantalizingly specific details, though it is also difficult to assess. John was a critical historian, often eschewing divine causation as his immediate concern and offering multiple possibilities for the human causes behind events. He even fashioned himself as a sceptic in the mould of Cicero, preferring to weigh all possible causes rather than rashly adhering to one.[14] His history is also relatively intimate. Rather than constructing a grand, universal narrative, John's *Historia* is small in scale, and was likely only designed to be read by his friend, Peter of Celles.[15] He was also well-placed to understand the complexities of Gilbert of Poitiers's trial.[16]

But John was not a perfect, impartial witness. It has been argued that John's apparent neutrality was at its core a veiled defence of Gilbert, and that rhetorical training taught him the value of inventing a colorful detail.[17] In other works he made the rather worrying admission (particularly given that the *Historia Pontificalis* was written ten years after the events it recounted) that his memory was less than stellar. Yet even if specific details

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here 83; *Annalium Salisbruegnsium Additamentum*, ed. Wilhelm Wattenbach, MGH SS 13, 236–238, here 238; *Annales S. Petri Erphesferdenses*, ed. Georg Heinrich Pertz, MGH SS 16:15–25, here 21; *Annales Palidenses*, ed. Georg Heinrich Pertz, MGH SS 16:48–98, here 83; *Annales Catalaunenses* ed. Georg Heinrich Pertz, MGH SS 16:488–90, here 489; *Annales Aquenses*, ed. Georg Heinrich Pertz, MGH SS 16: 684–87, here 686; *Annales Rodenses*, ed. Georg Heinrich Pertz, MGH SS 16:688–723, here 720; *Annales Brunwilarenses*, ed. Georg Heinrich Pertz, MGH SS 16:724–78, here 727; *Annales Colonienses Maximi*, ed. Karolus Pertz MGH SS 17:723–827, here 763–65; *Chronik des Gaufredus de Bruil prioris Vosiensis (Geoffroi de Breuil, Pour von Vigeois)*, ed. Oswald Holder-Egger, MGH SS 26:198–203, here 201; *Annales Oseneienses,* ed. Georg Waitz, MGH SS 27:484–503, here 487.

14. Roger Ray, "Rhetorical Skepticism and Verisimilar Narrative in John of Salisbury's Historia Pontificalis," in *Classical Rhetoric and Medieval Historiography*, ed. Ernst Breisach [Studies in Medieval Culture 19], (Kalamazoo, MI, 1985), pp. 61-102, here pp. 70–73, 77–78; John of Salisbury, *Policraticus* I–IV, ed. Katherine S.B. Keats-Rohan, [Corpus Christianorum Continuatio Medievalis, 118], (Turnhout, 1993), p. 25; Cary J. Nederman, *John of Salisbury* (Tempe, 2005), p. 79.

15. Nederman, *John of Salisbury,* pp. 75–76.

16. Clare Monagle, "Contested Knowledges: John of Salisbury's *Metalogicon* and *Historia Pontificalis*," *Parergon*, 21.1 (2004), 1–17.

17. Monagle, "Contested Knowledges," 1–17.

slipped his mind—or other, invented details, were slipped in to take their place—John of Salisbury was an eye-witness to the Council of Reims and his *Historia Pontificalis* provides an invaluable look at the council's role in Eugenius's pontificate.

Away on crusade, Otto of Freising was not present at the council of Reims and his account likely does not match the veracity of the *Historia Pontificalis.* And another mark against him: his desire to emphasize the chaos prevailing before the advent of his nephew Frederick Barbarossa as emperor may have caused him to exaggerate the actual level of strife.[18] Nevertheless, Otto was in many ways a fair historian—and as a Cistercian he may have had some sympathy for Eugenius—and he was well-connected enough to have heard reports coming out of Reims.[19] While details may certainly have been elaborated (or invented), Otto remains a valuable resource: at very least, he provides unique insight into what people said and wrote about Reims, and the public perception of the council to contemporaries.

The council, then, touched on many pressing issues of the mid-twelfth century. It was a site of liturgical processions, episcopal bickering, decisions on marriages, and debates about heresy. Attention to how these proceeded, and how they were used, demonstrates both the powerful potential and constant complexities that defined Eugenius's papacy.

Liturgy, Symbolism, Processions

In an era marked by simultaneous centralization and decentralization, liturgy, symbolism, and processions frequently served to bolster the grandeur and spiritual authority of the papal office. It is easy, in retrospect, to judge the import of a council by the trail it left in canon law.[20] But it is also important to mark the importance of a council's physical presence and impression upon contemporaries. Councils were large and expensive affairs filled with dramatic processions, solemn liturgical celebrations, and impressive pomp.

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18. Sverre Bagge, "Ideas and Narrative in Otto of Freising's *Gesta Fredirici*," *Journal of Medieval History*, 22 (1996), 345–77, here 349, 368.

19. Constant J. Mews, "Accusations of Heresy and Error in the Twelfth-Century Schools: The Witness of Gerhoh of Reichersberg and Otto of Freising," in *Heresy in Transition: Transforming Ideas of Heresy in Medieval and Early Modern Europe*, ed. Ian Hunter, John Christian Laursen, and Carey Nederman (Aldershot, 2005), pp. 43–58, here pp. 51–52; Bagge, "Ideas and Narrative," p. 370.

20. And, of course, valuable. This argument is not an attempt to aggrandize Reims. But it is perhaps important to remember that for contemporaries, the import of a council likely had little to do with later reception by posterity.

In this sense, the Council of Reims provided Eugenius with an unparalleled opportunity to be viewed as the spiritual leader of Christendom. Side by side with and often inseparably from the practical business at Reims, the council was a religious celebration.[21] And despite the tendency for chroniclers to veer into theology, the emphasis on the tangible remains central in all accounts. The chronicles recount stories of Eugenius blessing a golden rose, cutting out a carpet square that had been stained by consecrated wine, and nearly excommunicating the king of England in a candle-filled room of clerics. The pope appeared before crowds, surrounded by his retinue and swathed in dazzling fabrics.[22] It is thus impossible to attain a sense of the council's importance, or its importance for Eugenius, by looking solely at the canons that survived.

On a simple but important level, the Council of Reims made Eugenius more visible. As the papal household moved through France and imperial lands, from Paris to Trier and finally to Reims, it provided a spectacle to bystanders.[23] Balderic, a cleric at Trier, offers a good example of the impression the papal retinue must have made. He noted the arrival of the pope, accompanied by bishops from "every nation under heaven," and paid special attention to the papal celebration of Christmas:

> What might I report concerning the arriving archbishops, bishops, abbots, archdeacons, provosts, dukes, and counts coming up to the Lord Pope at Trier, of whom he left not even one devoid of his generosity? Who would be able to articulate in words the solemnity of the Lord's birth, celebrated at that time in Trier, so that you who did not see it might be able to comprehend or imagine it? What pomp of procession do you think there was on that holy day, when the Lord Pope, riding with a caparison [*cum nacco*] with the cardinals and a multitude of bishops coming before him, on horses draped in white, processed towards the church of St. Paulinus?[24]

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21. Raymonde Foreville, "Procédure et débats dans les conciles médiévaux du Latran (1123-1215)," *Rivista di storia della Chiesa in Italia*, 19 (1965), 21–37, here 29.

22. *La documentacion pontificia hasta Inocencio III (965–1216)*, ed. Demetrio Mansilla [Monumenta Hispaniae Vaticana, Sección Registros, 1], (Rome, 1955), p. 96; Balderic, *Gesta Alberonis archiepiscopi*, ed. Georg Heinrich Pertz, MGH SS 8: 243–60, here 254–55; John of Salisbury, *Historia Pontificalis,* pp. 7–8, 11.

23. Anne J. Duggan, "The Benefits of Exile," *Eugenius III*, ed. Iben Fonnesberg-Schmidt and Andrew Jotischky (Farnham, forthcoming).

24. "Quid referam de supervenientibus archiepiscopis, episcopis, abbatibus, archidiaconibus, prepositis, ducibus, comitibus, ad dominum papam Treverim venientibus, quorum ne unum quidem largitatis reliquit immunem? Natalis Domini sollempnitatem tunc Treveris celebratam quis ita dictis explicare queat, ut tu, qui non videris, intelligere vel imaginari

Once the crowd had moved to the church of Saint Peter there were so many people that a free space more than a foot wide could not be found.[25] Nor would Eugenius's audience have been limited to residents of the cities through which he passed: many others came to find him on his journey, particularly the large number of people seeking privileges.[26] It is thus not surprising that councils frequently possessed a mystique that extended beyond the people who were present, in stories ranging from the council's business to the colorful fabrics of the papal retinue.[27]

The council also provided Eugenius with opportunities to use its symbolic potential for political ends. One example of this can be seen in a letter sent to King Alfonso VII of León-Castile. The letter promised the prompt arrival of a golden rose, blessed by the pope at the council on Laetare Sunday, so that the king might arrive at the "glory of the resurrection" through the solace and mercy of Christ.[28] Eugenius then lifted the suspension from the bishops of Alfonso's kingdom who had not attended the council. The practice of blessing a golden rose on Laetare Sunday did not originate with Eugenius: the rose itself dates back to the pontificate of Leo IX, and possibly earlier, and its blessing on Laetare Sunday appears in the *Liber Politicus* (c. 1140).[29] The gifted rose was of high artistic value, but also carried extensive spiritual and symbolic connotations for the recipient. The rose was known as the most fragrant and lovely of flowers, as often associated with Christ himself. And it had previous ties to crusading: Urban II gave a golden rose to Fulk of Anjou while in France after preaching the crusade.[30] Yet there is still no record of a rose given in the twelfth century before Eugenius's.[31] It therefore seems that Eugenius took special advan-

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possis? Quam putas pompam processionis in die sancto fuisse, cum dominus papa cum nacco equitans, precedentibus cardinalibus et episcoporum multitudine, in equis albo coopertis, ad ecclesiam sancti Paulini processit," Balderic, *Gesta Alberonis,* p. 255.

25. "in tota sancti Petri aecclesia nec spacium pedis vacuum reperire posses," Balderic, *Gesta Alberonis,* p. 255.

26. Duggan, "The Benefits of Exile." (forthcoming; see above, n. 23)

27. Foreville, "Procédure et débats dans les conciles médiévaux du Latran," 37.

28. "ut ejusdem rosae memoria incitatus, ea quae desunt passionum Christi in corpore tuo complere cum Domini auxilio satagas; et ipsius solatiante clementia debeas ad resurrectionis gloriam pervenire," JL 9255; *La documentacion pontificia hasta Inocencio III (965–1216),* pp. 95–96.

29. Mia Touw, "Roses in the Middle Ages," *Economic Botany,* 36 (1982), 71–83, here 76–77; Elisabeth Cornides, *Rose und Schwert im päpstlichen Zeremoniell von den Anfängen bis zum Pontifikat Gregors XIII* (Vienna, 1967), p. 72.

30. Charles Burns, "Rose, Golden," in *The Papacy: An Encyclopedia*, ed. Philippe Levillain, trans. Deborah Blaz *et alii*, 3 (New York, 2002), pp. 1347–48.

31. Cornides, *Rose und Schwert,* p. 73; James Monti, *A Sense of the Sacred: Roman Catholic Worship in the Middle Ages* (San Francisco, 2012), pp. 311–13.

tage of the council to bless a rose and bestow it upon Alfonso, with whom he had an ambivalent and often tense relationship. Alfonso was increasingly concerned about his neighbor Afonso Henriques of Portugal, who had been angling for a papal endorsement to upgrade his title from *dux* to *rex* since his 1139 victory at Ourique.[32] The papacy had not yet obliged, but Afonso's recent crusading success at Lisbon and the challenge to Toledan supremacy from the archbishop of Braga meant that Portugal remained a threat to Castilian predominance in the peninsula. The golden rose and its accompanying letter, therefore, were an important gesture: Eugenius underlined the favor he felt towards Alfonso VII, pointedly referred to Afonso Henriques as the duke of Portugal, and reiterated Toledan primacy.[33] The blessing of the rose at Reims, therefore, allowed Eugenius to underscore the papacy's longstanding relationship with Castile in a very public setting.

Opportunities for papal leadership at the council also arose during the events of the council itself. When the proposal of the thirteenth canon, prohibiting violence against clerics, caused confusion, Eugenius took the opportunity to clarify. He stated that a breach of the canon only occurred with the presence of malicious intent—doormen were still free to stand against a mob of unruly clerics, and masters were still welcome to discipline their clerical pupils.[34] He also served as the judge in the heresy cases of Gilbert of Poitiers and Eon d'Etoile.[35] While the latter trial occurred in private, the papal review of Gilbert's work seems to have been public, at least in part: when the book of one of Gilbert's students was cut into pieces, Eugenius explained in the vernacular to a crowd of the laity that the act was not a statement on the orthodoxy of Gilbert himself.[36] In these cases, before both the clergy and the laity, the council allowed Eugenius to stand in a place of public authority.

The timing of the council also emphasizes its importance: it was called just as armies were beginning to depart on the Second Crusade to the East.[37] Eugenius's call for the crusade had attracted Louis VII and Conrad

32. Damian J. Smith, "A Golden Rose and the Deaf Asp that Stoppeth her Ears: Eugenius III and Spain," in *Eugenius III*, ed. Iben Fonnesberg-Schmidt and Andrew Jotischky (Farnham, forthcoming).

33. Smith, "A Golden Rose and the Deaf Asp." (forthcoming; see above, n. 32)

34. John of Salisbury, *Historia Pontificalis*, pp. 9–10.

35. John of Salisbury, *Historia Pontificalis*, p. 21.

36. "multitudo laicorum aderat," John of Salisbury, *Historia Pontificalis,* p. 23.

37. Some armies had already departed by October 1147—the siege of Lisbon was well underway—but the October summons was still very much in the context of departing crusading armies.

III, and it offered the possibility of strengthening the Christian presence in the Holy Land and expanding the borders of Christianity elsewhere. In hindsight the crusade seems fractured, a decentralized grouping of armies only tenuously tied together. The German force split when a group of Saxon princes turned north across the Elbe to attack the pagan Wends. Others splintered off to campaign in Portugal, Spain, and North Africa.[38] This appears particularly problematic given the crusade's failure on the eastern front.[39] Yet while these armies were moving out, an expedition moving in multiple directions may just as easily have been seen as a positive occurrence, a chance to "extend Christianity" in all directions.[40] Eugenius granted the same crusading privileges to those who fought the Wends and also approved of Spanish crusading endeavors undertaken by Alfonso VII of Léon-Castile. By April of 1147, he was referring to the campaigns across the Elbe, in Iberia, and the Holy Land as all part of the same endeavor.[41]

The tie between the council and the crusade is strengthened by the chosen date: March 21, 1148, the fourth Sunday of Lent.[42] It had become common practice to choose a Sunday in Lent when organizing a council, and Eugenius's timing may simply have followed contemporary custom.[43] However, Eugenius's selection of Laetare Sunday may have had a larger significance, give the liturgy's focus on Jerusalem. The introit, based on Isa. 66:10, urged rejoicing and celebration to those who loved Jerusalem, and other sections of the liturgy proclaimed the gladness of going "into the house of the Lord," comparing the mountains surrounding Jerusalem to God surrounding His people.[44] This celebration was long associated with

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38. H.E. Mayer, *The Crusades,* trans. John Gillingham, 2nd edition (Oxford, 1990), pp. 98–100; Giles Constable, "The Second Crusade as Seen by Contemporaries," *Traditio,* 9 (1953), pp. 213–79, here pp. 213–15.

39. Mayer, *The Crusades,* p. 100.

40. Jonathan Phillips, *The Second Crusade: Extending the Frontiers of Christendom* (New Haven, 2007), p. 7; Constable, "The Second Crusade," pp. 223–44, 228, 265. Phillips posits a more active role for Eugenius in organizing the crusade. See *The Second Crusade*, pp. xxv–vi, 37–44.

41. JL 9017; PL 180:1203–04; Jonathan Riley-Smith, *The Crusades: A History*, 2nd edition (New Haven, 2005): pp. 123–24; Smith, "A Golden Rose and the Deaf Asp" (forthcoming; see above, n. 32).

42. The first two Lateran councils took place on Lenten Sundays, and the Third Lateran Council would as well. JL 9147, 9149; PL 180:1284–85.

43. I.S. Robinson, *The Papacy 1073–1198: Continuity and Innovation* (Cambridge, 1990), p. 123; JL 6977, PL 163:1249; *Regesta pontificum* 1:885; JL 13097, PL 200:1184–5.

44. "*Antiph.* Laetare Jerusalem, et conventum facite omnes qui diligitis eam: gaudete cum laetitia, qui in tristitia fuistis, ut exsultetis, et satiemini ab uberibus consolationis vestrae. *Psal.* Laetatus sum in his quae dicta sunt mihi: In domum Domini ibimus. *Resp.* Laeta-

the Heavenly Jerusalem more than the Earthly, but the twelfth century marked an interpretive shift as the celebration increasingly focused on the physical city. As Sylvia Schien has noted, parts of the liturgy were adopted for the newly created Feast of the Conquest of Jerusalem.[45] Therefore, in light of the recently departed crusading armies, it seems likely that Eugenius viewed the council as part of a broader effort towards revitalization and rejoicing.[46] As armies departed for the fringes of Christendom, Eugenius began to summon prelates from its farthest corners in order to correct internal errors and bolster potential areas of growth.

In this context of grand processions, symbolic timing, and the prominence of Eugenius's leadership, the Council of Reims can be read as a statement on the grandeur of papal authority. The council also proved, however, that such symbolic authority was only intermittent in its efficacy. Eugenius's authority was real, of course. He was the pope in an era in which the aura of papal power was on the rise. Yet while the Council of Reims demonstrates the potential reach of papal authority, it also demonstrates the real and tangible constraints that limited it.

Ecclesiastical Discipline

In the most direct sense, the council at Reims displayed Eugenius as the ecclesiastical leader of Christendom. According to William of Newburgh, it was the pope's primary motivation for the council: he set out for France because of his devotion to ecclesiastical discipline.[47] The pope had multiple opportunities to assert this leadership, and one of the clearest was through the institution of reform. The canons promulgated at Reims cover a wide range of issues, though they are not fundamentally different from earlier conciliar decrees.[48] Precursors can be found at the Lateran Councils

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tus sum in his quae dicta sunt mihi: In domum Domini ibimus. *Vers.* Fiat pax in virtute tua, et abundantia in turribus tuis. *Tractus.* Qui confidunt in Domino sicut mons Sion, non commovebitur in aeternum, qui habitat in Jerusalem. *Vers.* Montes in circuitu ejus, et Dominus in circuitu populi sui, ex hoc nunc et usque in saeculum," Gregory I, *Liber Antiphonarius*, PL 28:667-68; Sylvia Schein, *Gateway to the Heavenly Kingdom: Crusader Jerusalem and the Catholic West (1099–1187)*, (Farnham, 2005), p. 115.

45. Schein, *Gateway to the Heavenly Kingdom,* p. 116.

46. Touw, "Roses in the Middle Ages," 77; Cornides, *Rose und Schwert,* p. 27.

47. William of Newburgh, *Historia rerum anglicarum,* ed. Patrick Gerard Walsh and M.J. Kennedy (Wiltshire, 1988), p. 86.

48. *Sacrorum conciliorum nova et amplissima collectio*, ed. Giovanni Domenico Mansi, 53 vols. (Paris, 1901–1927), 21:713–20; *Les actes de la province ecclésiastique de Reims ou Canons et décrets des conciles, constitutions, statuts, et lettres des évêques des différentes diocèses qui dépendent ou qui dépendaient autrefois de la métropole de Reims*, ed. Thomas Gousset, 4 vols. (Reims,

of 1123 and 1139, and the description of the council by the *Contiuatio Gemblacensis* emphasizes the canons' similarity to those of Innocent II.[49]

This lack of originality does not imply a failure of leadership. First, one cannot entirely accuse Eugenius of rote reiteration. Two canons were original: the fifth, which prohibited laymen from conducting ecclesiastical affairs or pronouncing judgments over them, and the sixth, which regulated the role of advocates of particular churches [*advocati*], allowing them only their traditional authority and condemning their agents.[50] Two more were amended from canons from the Second Lateran Council. The final canon called for action against heretics in Provence and Gascony (the specification of place was new), and the fourth ordered male and female religious to remain cloistered, free of property and humble in dress.[51] Finally, the other canons—including a canon ordering bishops to share the names of excommunicates in their diocese with neighboring bishops, and a canon allowing bishops to punish clerics who ignored condemnations of their ostentatious dress after forty days—featured slight changes from the earlier formations, suggesting a desire to refine reform efforts rather than simply repeating them.[52] There was also simply the selection of which canons to include and which canons to leave out is also indicative of a program. Michael Horn has noted that Eugenius had a distinctive approach to reform. There was a closer focus on monastic issues and the absence of the Second Lateran Council's condemnation of clerics studying secular law or medicine suggests a new attitude towards the educational makeup of the papal court.[53]

But more importantly, reiteration of older canons was common for papal councils in the twelfth century. The canons promulgated by Innocent II at Clermont (1130), Reims (1131), Pisa (1135), and the Second Lateran Council were largely the same in content.[54] The focus was often

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1843), 2:229–36; Karl Joseph Hefèle, *Histoire des conciles d'après les documents originaux*, trans. Henri Leclercq, 11 vols. (Paris, 1907–52), 5/1:823–27.

49. "Inter alia statuit ut decreta Innocentii papae predecessoris sui rata et inconvulsa permanerent," *Continuatio Gemblacensis,* 504; Gousset, 2:230-36; *Decrees of the Ecumenical Councils,* ed. Norman P. Tanner, S.J., (London and Washington DC, 1990), pp. 190–94, 197–203.

50. *Sacrorum conciliorum* 21:713–20; Duggan, "Justinian's Laws, Not the Lord's," (forthcoming; see above, n. 2)

51. Horn, *Eugens III*, p. 208.

52. Duggan, "Justinian's Laws, Not the Lord's" (forthcoming; see above, n. 2).

53. Horn, *Eugens III*, p. 208.

54. Horn, *Eugens III*, p. 207. Robert Somerville, "The Council of Pisa, 1135: A Reexamination of the Evidence for the Canons," *Speculum* 45 (1970): 98–114, here 109–111; Martin Brett and Robert Somerville, "The Transmission of the Councils from 1130 to 1139," in *Pope Innocent II (1130–1143): The World vs. The City*, ed. John Doran and Damian

on enforcing established reform efforts more than instituting new ones. Canons were often frank about their reiteration of older ideas, often invoking the past authority of Innocent II or using the verb *innovare* to suggest an aim of renewing and reinvigorating established canons.[55] In addition, departure from the past was not always considered a positive step in ecclesiastical circles: John of Salisbury's only real critique of Eugenius was prompted by the pope's attempt to change the rulings of his predecessors.[56] Thus a lack of innovation did not inherently illustrate a weakness in papal leadership: there was often more authority to be found in continuity than originality.

Beyond the proclamation of canons, however, papal leadership at the council became a more complicated endeavour. One arena in which this was clear was the definitions of power and authority within the ecclesiastical hierarchy. It is worth noting that in Balderic's previously-mentioned account of the ecclesiastical retinue at Trier his open admiration extends across the assembled prelates. He gazed in reverence at the cardinals and bishops and abbots as much as he did at the pope. It is tempting to set up this haziness surrounding the divisions of power in the ecclesiastical hierarchy as an issue of rivalry and jockeying for power. An element of that was surely present: John of Salisbury, after all, once remarked that the propensity for Eugenius III's decisions to be overturned was due to an inborn weakness as well as a "sickness in his flanks."[57] But dissent and diversity of opinion does not necessarily mark papal weakness or inefficacy. Reims shows that even in an era of ascending papal authority and centralization, the actual exercise of power was most often an exercise in compromise and collaboration.

One example of this process comes from the case of Bishop Philip of Tours. Soon after departing from Reims, Eugenius was approached by a group of Cistercian monks on behalf of Philip, who had been deposed by Innocent II for having been consecrated by antipope Anacletus II. Eugenius seemed willing to listen to his case, "since he had been a monk of that order."[58] Yet when he brought the case before the cardinals, they insisted that Philip's sentence remain standing. Philip, after all, had been a schis-

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Smith [Church Faith and Culture in the Medieval West] (London and New York, 2016), pp. 226–71.

55. See canons twelve, fifteen, and seventeen.

56. John of Salisbury, *Historia Pontificalis,* p. 51.

57. Ibid.

58. "quia monachus illius ordinis fuerat," John of Salisbury, *Historia Pontificalis,* p. 43; John Doran, "Two Popes: The City vs. The World," pp. 4–26, here p. 22.

matic and had later made a bold attempt to lead an armed force into St. Peter's to obtain the regularization of his consecration from Innocent II.[59] The cardinals' refusal to readmit Philip into holy orders seems reasonable, particularly since Innocent's invalidation of all his rival's acts had just been reiterated by Eugenius at Reims.[60] It does, however, illustrate how papal and curial interests could easily clash, even with the best intentions from both sides. For Eugenius, it may have seemed perfectly reasonable that a penitent cleric should be considered for reappointment, especially since he had won the support of a group of Cistercian monks. Yet for the cardinals—many of whom had witnessed the schism first-hand—such a decision must have seemed rash. Therefore, even when both Eugenius and the curia were acting for what they perceived to be the broader interests of the Church, their differing positions in relation to its past could easily put them at odds.

Another example comes from the clashes over episcopal primacy at Reims, the first event mentioned in John of Salisbury's account. When the archbishop of Lyons claimed primacy over the sees of Rouen, Sens, and Tours "according to ancient histories," it seems to have opened up the floodgates.[61] The Archbishop of Vienne then claimed authority over Bourges—a claim that was declared "mad presumption." The archbishop of Bourges, not to be outdone, declared his primacy over the archbishop of Narbonne, the bishop of Le Puy, and the abbot of Bourg-Dieu. Multiple prelates—including the bishop of Paris and the archbishop of Sens—claimed their jurisdiction over neighbouring monasteries.[62] And in perhaps the most controversial claim, the archbishop of Trier decided that there was no better place to declare his primacy over the archbishop of Reims than in Reims itself, setting off such a disturbance amongst the French prelates "that it was impossible to resolve in the public audience."[63]

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59. John of Salisbury, *Historia Pontificalis,* p. 43. The text states that Philip sought consecration from Innocent (*consecrationem ab Innocentio petiit)*. Since he had already received the sacrament, it is likely that Philip sought the recognition and regularization of his episcopal status.

60. John of Salisbury, *Historia Pontificalis*, p. 43. See also canon 17 from Reims in *Sacrorum conciliorum,* 21:716.

61. "Archiepiscopus itaque Lugdunensis ecclesie, que, sicut apud ueteres hystoricos legitur, prima Galliarum sedes est, protestatus est Rothomagensem, Senonensem, et Turonensem archiepisopos et prouincias eorum sibi et ecclesie sue iure debere primatus esse subiectos," John of Salisbury, *Historia Pontificalis*, pp. 4–5.

62. John of Salisbury, *Historia Pontificalis,* p. 6.

63. "Sed tantus Francorum clamor subortus est, ut auditui publico non potuerit responderi," John of Salisbury, *Historia Pontificalis,* pp. 5–6.

The event plays out in the *Historia Pontificalis* as a cacophony of claims. Eugenius seems to play a minimal role: in John of Salisbury's account, he only speaks up to alleviate the concerns of Archbishop Theobald of Canterbury about Archbishop Henry of York. In this case—and the case of Philip of Tours—Eugenius seems at first to be overwhelmed by the voices of the clerics that surrounded him. But at the same time, another reading is possible in both cases. In the numerous questions over episcopal primacy, Eugenius effectively tabled the disputes, supporting the bishops who complained that they had never been officially or legally summoned to the council to defend their sees.[64] In this light, Eugenius is not weak, ineffective, or steamrolled by episcopal hotheads. Instead, he is exercising his authority to deal with jurisdictional disputes in a calm, objective manner that would allow all parties to come prepared. In the case of Philip of Tours, it is also possible to view the decision as one of clerical collaboration. The contingent supporting Philip was a weighty and influential one: the restoration received support from "the venerable abbot [Bernard] and the united congregation at Clairvaux, and from the whole Cistercian order." It would not have been a request to deny lightly or flippantly. In this light, it is possible to read the exchange as a deft act of political leadership on the part of Eugenius and his cardinals. Unwilling to ignore the requests of the Cistercian Order (and Bernard at its symbolic head) but also unwilling to overturn the decision of Innocent II just reiterated at the council, Eugenius perhaps was able to lend an understanding ear to the Cistercians and prevent unwelcome disputes while still upholding the decisions of his papal predecessors.

This is not especially rousing or exciting leadership. But it could also be argued that it was effective leadership, balancing factions and squabbles during a time in which ecclesiastical authority was overlapping and multifaceted. Eugenius would have to rely on similar skills when faced with disputes surrounding an issue that affected the lay as well as the clerical dimension: marriage.

Marriage

The issue of marriage arose at the council of Reims through the annulment case of Ralph of Vermandois. Ralph was a prominent figure, seneschal of France and acting as co-regent of the Capetian kingdom with Suger of St-Denis. He had been married to Eleanor of Blois, the niece of

64. "At illi prescriptionem longissimi temporis opposuerunt, et quod ad hoc uocati non uenerunt," John of Salisbury, *Historia Pontificalis,* p. 5.

Count Theobald IV, until he attempted to repudiate her in favor of Eleanor of Aquitaine's sister Petronilla. Though granted an annulment by the bishops of Noyon, Laon, and Senlis on the grounds of consanguinity, the repudiation of Eleanor resulted in a protracted war between Louis VII and the Count of Blois, and in Ralph's excommunication by Innocent II in 1142.[65] Despite Theobald's eventual defeat, the excommunication had been renewed by Eugenius when he became pope and thus Ralph had once again come to plead his case at Reims in 1148.[66]

After years of excommunication, thanks to the help of cardinal deacons John Paparo of St. Adriano and Gregory of St. Angelo, Ralph finally prevailed, though "not without suspicion of bribery."[67] Amid these rumors of foul play, Ralph took an oath to accept unconditionally the papal ruling and approached the pope for his decision. After insisting to Eleanor that he was acting so that she might receive what was owed to her, and be freed from her difficulties and financial losses, Eugenius lifted the excommunication, finalized the annulment, and permitted Ralph to remarry.[68] John of Salisbury portrayed Eugenius as acutely uncomfortable throughout the affair. He insisted that the case be dealt with in the palace of Reims because he was hesitant to undertake such actions in an explicitly ecclesiastical setting.[69] When the bishop of Laon gave testimony on the newly-discovered consanguinity of the couple, Eugenius instructed him not to touch the Gospels when speaking.[70] It is not surprising that a pope known to "hold money as chaff" would bristle at having to decide on a case that seemed to involve an open exchange of bribes.[71] Yet Eugenius was caught in a complex set of external circumstances: Ralph had already defeated Eleanor's uncle in

65. Horn, *Eugens III*, p. 205; John of Salisbury, *Historia Pontificalis*, p. 12 n.1. For the complicated back story of Ralph's two marriages, see Yves Sassier, *Louis VII* (Paris, 1991), pp. 109–30.

66. John of Salisbury, *Historia Pontificalis*, p. 12 n.1; John T. Noonan, "Bribery in John of Salisbury," in *Proceedings of the Seventh International Congress of Medieval Canon Law: Cambridge 23–27 July 1984*, ed. Peter Linehan, [Monumenta Iuris Canonici, Series C, vol. 8] (Vatican City, 1988), pp. 197–203, here p. 198.

67. "fretus auxilio et consilio diaconorum cardinalium, Iohannis Papronis [et] Gregorii de sancto Angelo obtinuit, non sine suspitione interuenientis peccunie." The cardinal deacons named by John were John Paparo of St. Adriano and Gregory of St. Angelo. John of Salisbury, *Historia Pontificalis,* p. 12.

68. John of Salisbury, *Historia Pontificalis,* p. 13.

69. "et quia uerecundebatur facere in facie ecclesie quod tum faciebat (rescindebat enim sententiam decessorum suorum," John of Salisbury, *Historia Pontificalis,* pp. 12–13.

70. John of Salisbury, *Historia Pontificalis,* p. 13.

71. "cum pecuniam tamquam paleam dicaris habere," Bernard of Clairvaux, *De consideratione,* p. 430.

battle, and the French crown was pushing for a quick resolution of the case. John of Salisbury even suggests that both parties had worked out the case ahead of time, and had simply come to the curia to receive confirmation.[72] The curia seems to have yielded to the political practicalities of the matter, but one gets the sense that Eugenius had to be dragged along. He distanced himself as much as possible from the ecclesiastical points of the case, and John of Salisbury portrayed him as deeply reluctant to overturn what he believed to be a just decision of his predecessors.[73]

This certainly reads like a defeat for Eugenius. John of Salisbury describes the case as a rather salacious affair, with the decision worked out by the cardinals beforehand and with Eugenius too "ashamed" to carry things out "in the sight of the church."[74] But it is enlightening to view Ralph's case in the context of two other troubled marriages that came before Eugenius in the aftermath of the council. In John of Salisbury's history, at least, marriage was a particularly important institution to Eugenius. The pope, often rather stoic or distant in John's narrative, twice bursts into tears in his role as ecclesiastical marriage counselor. The first occasion occurred when Eugenius achieved the (temporary) reconciliation of a famously troubled marriage—that of Louis VII and Eleanor of Aquitaine as they were returning from the Second Crusade. Not only did Eugenius underline the legal validity of the marriage, he also worked to restore its emotional and spiritual health. He "made them sleep in the same bed, which he had decked with priceless hangings of his own" and sat and talked with them during their visit in order to "restore love between them." He "heaped gifts upon them" and burst into tears upon their departure.[75]

Around a year later, Eugenius faced another failing marriage: that of Count Hugh of Molise and his wife. Though the petition for divorce did not take place at the council, it is instructive as a comparison to Ralph's case. In broad strokes the case looked remarkably familiar to the case of Ralph and Eleanor. Hugh had obtained widespread political support for

72. John of Salisbury, *Historia Pontificalis*, pp. 12–13.

73. Bernard of Clairvaux certainly felt that justice had been abandoned, and promptly prophesized the imminent end of Ralph of Vermandois' line. See John of Salisbury, *Historia Pontificalis,* pp. 14–15.

74. "Et quia uerecundebatur facere in facie ecclesie quo tum faciebat," John of Salisbury, *Historia Pontificalis,* p. 12.

75. "Fecit eos in eodem lecto decumbere, quem de suo preciosissimis uestibus fecerat exornari. Et singuilis diebus illius morule amiliari colloquio redintegrare studuit caritatem. Honorauit eos muneribus et tandem in eorum dimissione, quamuis esset homo seuerior, non potuit lacrimas continere," John of Salisbury, *Historia Pontificalis,* p. 61.

his separation and, like Ralph, came equipped with the appropriate bribes.[76] The cases looked to be open and shut, and John noted that there were "not two people to oppose the divorce."[77] But just as things were looking to turn out as they had in 1148, Eugenius took matters into his own hands. Upon learning that the witnesses had testified in multiple divorce proceedings, the pope imposed "perpetual silence" on them and forbade any further attack upon Hugh's marriage. And then:

> bursting into tears, he hastened down from his seat in the sight of all, great as he was, and prostrated himself before the count so utterly that his mitre, slipping from his head and rolling in the dust, was found after the bishops and cardinals had raised him from amidst the feet of the dumbfounded count.[78]

Eugenius then invoked his authority as "the successor of Peter and the vicar of Christ to whom (unworthy though I am) the keys of the kingdom of heaven are given" and promised Hugh that he would grant him full forgiveness of sins if he were to take back his wife with love.[79]

These are colorful stories and paint a rather endearing picture of Eugenius as papal marriage counselor. They also illustrate the exercise of papal authority in a complex arena that included an array of local bishops, lords, and often the king or queen themselves. Eugenius's actions at Reims and beyond illuminate the symbolic and emotional authority of the papacy. In none of the described cases does Eugenius take a stand and frame his case around the specifics of canon law. And in none of the cases does Eugenius take a stand in a manner that is explicitly political. Rather, he appeals to the couple personally. He urged Hugh to take back his wife affectionately (*benigne*) rather than simply legally (*non tam iuris obsequens*),

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76. Hugh came with a retinue of *catapans* (officials who exercised authority locally in Norman cities and castles), nobles, and bishops, all with the support of King Roger II. John of Salisbury, *Historia Pontiicalis*, pp. 80–81.

77. "Aduocatis et testibus causam instruxerat, corruperat curiam, ut in deliberation sententie non essent duo qui diuortium dissuaderent," John of Salisbury, *Historia Pontiflcalis*, p. 81.

78. "Suffisus ergo lacrimis, de sede corruens, in conspectus omnium, quantus erat, prostrauit se ad pedes comitis, ita eciam quod mitra delapsa capiti puluerulenta, postquam eum episcopi et cardinals erexerant, inter pedes stupefacti hominis inuenta est," John of Salisbury, *Historia Pontificalis,* pp. 81–82.

79. "Ecce ego, Petri successor, Christi uicarius, cui (licet indigno) clause regni celorum tradite sunt, facio, si acquieueris, ut hec filia mea, uxor tua, inestimabilem tibi afferat et conferat dotem, immunitatem uidelicet peccatorum, ut quicquid hactenus peccasti a me in die iudicii exigatur dum illi de ceter serues fidem." John of Salisbury, *Historia Pontificalis,* 82.

he hosted long conversations with Louis and Eleanor. In both cases, he provided the couple with personal gifts (bed hangings for the royal couple, a ring from his own finger in the case of Hugh).[80]

The long-term effectiveness of these strategies, of course, is questionable. Louis and Eleanor's marriage did not last long past their meeting with Eugenius, and it seems likely that Hugh's marriage was not permanently reconciled either.[81] Singular emotional appeals—even from the pope—perhaps could only last so long against the political and personal realities of marriage. But Eugenius's use of these appeals—and his decision not to use such an appeal at Reims—still demonstrates the exercise of his authority. His personal intercession was capable of cutting through the traditional movements of the ecclesiastical hierarchies. But these intercessions were not permanently binding, and they were not universally applicable. It is noteworthy that Eugenius did not burst into tears and beseech Ralph of Vermandois to repair his marriage at the Council of Reims. There are numerous possible reasons for this—Ralph was in a key political position as co-regent of France and the consistory in which his trial was heard was already rife with disputes and factions surrounding the heresy case of Gilbert of Poitiers. It is possible that Eugenius judged the situation to be too fraught for a personal intercession.[82] In any case, Eugenius's roles in settling marital disputes suggests a conception of papal power that was fluid, ranging from institutional to legal to personal depending on context.

Heresy and the Schools

Perhaps the most complex illustration of papal authority at Reims, however, came in the consistory trial of Gilbert of Poitiers. Gilbert was a bishop and scholastic theologian, widely known for his remarkable intellect and complex theological positions (see Figure 2).[83] He had been summoned to Reims to answer concerns raised about his commentary on Boethius's *De Trinitate*. A large and respectable group of clerics was con-

80. John of Salisbury, *Historia Pontificalis*, pp. 61, 82.

81. John of Salisbury, *Historia Pontificalis,* ed. Marjorie Chibnall, p. 99.

82. Hugh's case was in a much different context. The contingent coming in to support Hugh was largely foreign, coming to the papal court as outsiders. And Hugh, while a count, was not in a political position comparable to Ralph. Finally, the absence of a contentious consistory, featuring a wide variety of local prelates, likely allowed Eugenius and his College of Cardinals more flexibility in their judgment.

83. John of Salisbury," *Historia Pontificalis,* p. 15; Mews, "Accusations of Heresy," p. 44; Nikolaus Häring, "The Case of Gilbert de la Poirrée, Bishop of Poitiers (1142–1154)," *Mediaeval Studies,* 13 (1951), 1–40, here 2.

FIGURE 2: Gilbert of Poitiers. Valenciennes Bibliothèque Municipale MS 197, f. 36v, detail.

cerned by his teachings, either because they clashed with accepted beliefs or because, "through the newness of their words," they seemed to do so.[84]

The distinction is important. Gilbert's theology is notoriously complex, and a full discussion of its intricacies would exceed the scope of this article. Put briefly, Gilbert's work applied the precepts of logic and grammar to theology in an attempt to conceptualize how concrete language could be used to discuss abstract divinity. [85] This raised the ire of some of his contempo-

84. "ut sapientibus uidentur reprehensione, uel quia non consonabant regulis, uel quia ex nouitate uerborum absona uidebantur," John of Salisbury, *Historia Pontificalis,* p. 15.

85. Particularly of concern was the relationship between *id quod* (that which) and *id quo* (that by which). See Paul Thom, *The Logic of the Trinity: Augustine to Ockham* (New York, 2012), pp. 78–93; Häring, "The Case of Gilbert de la Poirrée," 1–40; Christophe Erismann, "The Medieval Fortunes of the Opuscula Sacra" in *The Cambridge Companion to Boethius*, ed. John Marebon (Cambridge, 2009), pp. 155–78; John Marebon, *Aristotelian Logic, Platonism,*

raries when it was perceived that such a theology implied a division of God from the things that made Him divine, or from the concept of divinity itself.[86] It was a complicated notion to grasp even for trained theologians, and the difficulty behind it illustrates another issue that could complicate papal authority: the new speculative theology of the schools.

Intellectual progress, of course, was not an inherent threat to papal authority. Yet scholastics like Gilbert were frequently perceived as a threat, in part because they were poorly understood and in part because their works were perceived as gateways to destabilizing roads of thought. The first problem was that few clerics could understand precisely what Gilbert was saying. Otto of Freising declared that Gilbert's language far exceeded "the common custom of men"; John of Salisbury wrote that it was believed that the bishop of Poitiers had surpassed all of his contemporaries in all subjects.[87] Even if his theology were spotlessly orthodox, such teachings must have been unsettling for Eugenius and those around him. It implicitly posed the question: how could the pope be the arbiter of Christian orthodoxy when prominent theologians were using an evolving terminology that was nearly impossible to understand? Eugenius seemed exhausted by the case and a decision had to be twice postponed despite the presence of many qualified theologians.[88] Otto of Freising described the pope as affected by *taedium* and not understanding all of what was said.[89] When Bernard attempted to organize another meeting with Gilbert after the conclusion of the trial, the bishop refused, instead suggesting that Bernard spend some time brushing up on his liberal arts education.[90] There was a growing sense among traditional ecclesiastics that the speculative approaches of the

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and the Context of Early Medieval Philosophy in the West (Farnham, 2000), p. 343; Clare Monagle, *Orthodoxy and Controversy in Twelfth-century Religious Discourse: Peter Lombard's Sentences and the Development of Theology* (Turnhout, 2013).

86. John of Salisbury, *Historia Pontificalis,* p. 24.

87. "consuetus ex ingenii subtilis magnitudine ac rationum acumine multa preter communem hominum morem dicere," Otto of Freising, *Gesta Frederici I Imperatoris,* pp. 67–68; "credebatur ipse pocius in uniuersis precedere uniuersos," John of Salisbury, *Historia Pontificalis,* p. 16; Nikolaus Häring, "The Cistercian Everard of Ypres and His Appraisal of the Conflict between St. Bernard and Gilbert of Poitiers," *Medieaval Studies,* 17 (1955), 143–172, here pp. 147–48, 153.

88. Otto of Freising, *Gesta Frederici I Imperatoris,* p. 68. For an account of the first attempt to judge Gilbert's orthodoxy, see Nikolaus Häring, "Das Pariser Konsistorium Eugens III. vom April 1147," *Studia Gratiana*, 11 (1967), 96–107.

89. "cumque huiuscemodi sermone seu legendi prolixitate dies detineretur, tamquam tedio affectus Romanus inquit antistes: 'Multa, frater, dicis, multa et ea fortassis, quae nobis non intelliguntur,'" Otto of Freising, *Gesta Friderici I Imperatoris*, p. 82.

90. John of Salisbury, *Historia Pontificalis,* p. 26.

schools were operating on a plane—or using a language—that was entirely unfamiliar to the majority of the clergy.

This trend was compounded by the threat of heresy or social instability. It is important to note that Gilbert's interrogation by Eugenius seemed at first to focus less on his own writings than on those of one of his students.[91] Even if a teacher put forth ideas with every orthodox intention, how could he possibly control how his students would use their complexities? It seems to have been this danger that sparked the harshest backlash against Gilbert and other theologians. Gerhoch of Reichersberg denounced French theologians like Peter Abelard and Gilbert in his *Liber de duabus haeresibus* during Eugenius's pontificate, and a few years later he was openly equating dialecticians with heretics in his *Liber de novitatibus huius temporibus*.[92] Similar fears had been expressed a few years earlier as well, prompted by the writings of Peter Abelard.[93] It suggests not so much a fear of new teachings, but of their unintended consequences, of the possibility that complex theology liberated from a strict and traditional framework could lead to dissolution, schism, or revolt. Constant Mews has argued that this was only exacerbated in the case of Abelard by the theologian's ties to Arnold of Brescia, and the just-resolved papal schism.[94] It does not seem a stretch to suggest that these fears were still alive during Eugenius's pontificate, especially since Bernard of Clairvaux retained his role as spokesman for orthodoxy and Arnold of Brescia still flouted ecclesiastical authority in Rome.

Thus the trial of Gilbert at Reims in 1148 appears as a whirlwind of competing interests. Gilbert brought the intellectual uncertainties of the schools. The College of Cardinals brought their own set of interests. And of course there was Bernard of Clairvaux, the most famous monk in Chris-

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91. John of Salisbury, *Historia Pontificalis,* pp. 22–23.

92. "dialectici uel potius heretici," Gerhoch of Reichersberg, *Letter to Pope Hadrian about the Novelties of the Day*, ed. Nikolaus Häring (Toronto, 1974), p. 37; Gerhoch of Reichersberg, *Ex libro contra duas hereses*, ed. E. Sackur in *Monumenta Germaniae historica inde ab a. C. 500 usque ad a. 1500 Libelli de lite imperatorum et pontificum,* 3 vols. (1891–1897)—hereafter cited as MGH LdL—3:284–88; Mews, "Accusations of Heresy," pp. 48–49.

93. See especially the correspondence between Bernard of Clairvaux and Henry of Sens. Jean Leclercq, "Autour de la Correspondance de S. Bernard," in *Sapientiae Doctrina: Mélanges de théologie et de littérature médiévales offerts à Dom Hildebrand Bascour, O.S.B.*, ed. Roland Hissette [Recherches de Théologie Ancienne et Médiévale, 1], (Leuven, 1980), pp. 185–98, here 187–88; Constant J. Mews, "The Council of Sens (1141): Abelard, Bernard, and the Fear of Social Upheaval," *Speculum,* 77 (2002), 342–82, here 364.

94. Mews, "The Council of Sens," pp. 364, 371–72, 377.

FIGURE 3. Detail of St. Bernard of Clairvaux from miniature of *The Speculum Historiale* of Vincent of Beauvais (1190-1264), preserved in the Musee Conde, Chantilly, France.

tendom (see Figure 3).[95] Though supportive of his former pupil, Bernard's authority sometimes eclipsed that of the pope: soon after his election, Bernard opened a letter to Eugenius with the frank admission that some said "that you are not pope, but I am."[96]

The accusations against Gilbert went back to at least 1146, when one of the archdeacons of Poitiers, the somberly-named Arnald Non Ridentis, publicly criticized the content of one of Gilbert's sermons.[97] The controversy came to Eugenius's attention while he was still in Italy, but he put off

95. John of Salisbury, *Historia Pontificalis,* pp. 14, 16.

96. "Aiunt non vos esse papam, sed me," Bernard of Clairvaux, *Epistolae,* in *Sancti Bernardi opera ad fidem codicum recensuerunt*, ed. Jean Leclercq, C.H. Talbot, and Henri Rochais, 9 vols. (Rome, 1957–77), 8:120. The extent to which this was true is of course questionable. While Eugenius's Cistercian background may have caused some to wonder about the abbot of Clairvaux's influence in Rome, Bernard was also rather prone to grand rhetorical flourishes.

97. Nikolaus Häring, "The Writings Against Gilbert of Poitiers by Geoffrey of Auxerre," *Analecta Cistercensia,* 22 (1966), 3–83, here 4.

any attempt to reach a decision until the papal household reached Paris in 1147. During this round of debates, Ivo of Chartres and Bishop Rotroux of Évreux defended Gilbert, while Adam of Petit-Pont and Hugh of Chamfleury spoke against him.[98] No decision was made—in an odd turn of events, no one seems to have thought to bring along a copy of the accused writings—and the trial was put off until all parties could reconvene at Reims. Eugenius also tasked Godescalc, the abbot of Saint-Martin near Arras, to become well-versed in Gilbert's teachings.[99]

By the time of the consistory at Reims, two factions had formed: an anti-Gilbertine party made up of the archdeacon of Poitiers, Abbot Suger of St. Denis, Peter Lombard, Robert of Melun, and Bernard of Clairvaux, as well as a pro-Gilbertine faction consisting primarily of the College of Cardinals, nineteen of whom were present at the Reims consistory.[100] John of Salisbury suggests that many of the cardinals saw the accusations against Gilbert as a self-serving ploy by Bernard, noting that he had attempted a similar attack against Peter Abelard several years earlier.[101]

Gilbert's trial was a somewhat gossipy affair, and the eyewitness sources of John of Salisbury and Geoffrey of Auxerre contradict each other concerning the order in which events occurred. The chronology used here is based upon that recounted by John of Salisbury, both because it was written closer to the time of the council itself (Geoffrey wrote nearly forty years later) and because he is a less overtly partisan witness.[102]

Before the official trial of Gilbert had begun, Bernard of Clairvaux called for a meeting in his lodging with high-ranking clerics.[103] Eugenius and his cardinals were not invited.[104] Once gathered, Bernard offered a four-point declaration of orthodoxy as a counter to the four points of

98. Häring, "The Writings Against Gilbert of Poitiers," 6.

99. Häring, "The Writings Against Gilbert of Poitiers," 6–7.

100. John of Salisbury, *Historia Pontificalis,* pp. 15–16, 19–20; Häring, "The Writings Against Gilbert," 8. Only Alberic of Ostia voiced any sympathy with Bernard.

101. "condixerunt ergo fouere causam domini Pictauensis, dicentes quod abbas arte simili magistrum Petrum agressus erat," John of Salisbury, *Historia Pontificalis,* p. 19.

102. Häring, "The Writings Against Gilbert of Poitiers," 9, 11; Christopher Brooke, "Aspects of John of Salisbury's Historia Pontificalis" in *Intellectual Life in the Middle Ages: Essays Presented to Margaret Gibson*, ed. Benedicta Ward and Lesley M. Smith (London, 1992), pp. 185–95, here p. 186; Ray, "Rhetorical Skepticism," pp. 79–80; John of Salisbury, *Historia Pontificalis*, pp. 16–7. Cf. Monagle, "Contested Knowledges," pp. 13–14.

103. "uenerabiles uiri qui opinione litterarum et auctoritate religionis uel officii ceteris preminebant," John of Salisbury, *Historia Pontificalis*, p. 17.

104. Häring, "The Writings Against Gilbert of Poitiers," 11–12.

heresy of which Gilbert was accused.[105] Geoffrey of Auxerre transcribed Bernard's words, asking for the consent of the assembled prelates "as it is customary to do when decrees or laws are promulgated."[106] When this was accomplished, Hugh of Auxerre, Milo of Thérouanne, and Abbot Suger were selected to bring the document to Eugenius, and Geoffrey stated that upon delivering it they refused to alter it in any way.[107]

The whole situation is somewhat surprising. Before the trial had even begun, Bernard had taken it upon himself to counter the bishop's heterodoxy and to enlist a broad swath of ecclesiastical support. This was all done independently of Eugenius's knowledge or authority, and it was done in a manner comparable to the promulgation of laws. Bernard's actions did cause some unrest: John of Salisbury claimed that the manner in which Bernard was proceeding was displeasing to the "more thoughtful men" who were present. Robert de Bosco, the archdeacon of Châlons, requested a delay in the proceedings given the theological uncertainties of Bernard's proclamations, and stated that it would be hasty to rule on such issues without the pope.[108] Yet the fact that it occurred at all, and seemed legitimate to many, is telling.

When word of the closed-door meeting reached the cardinals, they were unsurprisingly displeased. Bernard, they noted, had confronted Peter Abelard in a similar fashion only a few years before. But this time could be different: unlike Abelard, Gilbert had direct access to the authority of the apostolic see, which was accustomed to "plucking out the powerless from the hands of the powerful."[109] Insistent that the abbot not succeed again,

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105. John of Salisbury, *Historia Pontificalis,* pp. 17–18; Häring, "The Writings Against Gilbert of Poitiers," 11.

106. "quam propositionem excipiens ex ore eius monachus suus Gaufridus Autisiodeorensis scripsit, scriptamque recitauit, subiungens in fine, *Placet uobis?* quomodo fieri solet ubi decreta promulgantur aut leges. Et responsum est, *Placet*," John of Salisbury, *Historia Pontificalis*, p. 18.

107. "Nos huiusmodi conditionem penitus excludentes sic uobis nostram offerimus ut noueritis quod in hoc sumus, in hoc perseuerabimus, nichil penitus mutaturi," Geoffrey of Auxerre, *Epistola ad Albinum Cardinalem et Episcopum Albanensem,* ed. Nikolaus Häring in "The Writings Against Gilbert of Poitiers," 76.

108. "displicebat tamen grauioribus modus iste, sed uerebantur abbatem et suos offendere, si non ei gererent morem. . . . Magister Robertus de Bosco, et tam uoce quam manu silentium impetrans, petiit huius responsionis dilationem. . . . Consuluit ergo ut in re tanta non precipitarent sententiam, presertim cum ab hac diffinitione tanti uiri abstinuerint interrogati, et dominus papa presens esset et ecclesia Romana; et ad illam conuenerant qui prestantiores esse uidebantur in orbe Latino," John of Salisbury, *Historia Pontificalis,* pp. 18–19.

109. "condixerunt ergo fouere causam domini Pictauensis, dicentes quod abbas arte simili magistrum Petrum aggressus erat; sed ille sedis apostolice non habuerat copiam, que

the cardinals approached Eugenius and told him that Bernard—with the help of Suger of St Denis—was attempting to win over the leading prelates so that Eugenius would be powerless to declare Gilbert orthodox without causing sedition or schism.[110] Bernard, however, rushing to the pope to insist upon his good intentions, urged him to take a strong stand against the cardinals, lest the weakness in the body be also discovered in the head.[111] The whole situation reads as scandalous, a whirl of factions eager to gain the upper hand. Otto of Freising offers an even more dramatic account of the incident. He inserted a speech in the mouths of the College of Cardinals emphasizing how it was through them that "the axis of the universal church revolves as if by hinges [*cardines*] and that Eugenius, as pope, be "not [his] own, but rather ours."[112]

All of this looks rather dire for Eugenius. In a long-awaited heresy trial cardinals insisted that by their power of election, the papacy belonged to them and that the institutional body of the curia outweighed the whims or desires of individual popes. Bernard had acted as a quasi-pope at his secret meeting of the French and English curia, and the Sacred College had declared that their own authority outweighed Eugenius's personal preferences. Gilbert had insisted upon the orthodoxy of positions that Eugenius—and the vast majority of clergy—did not have the theological training to understand fully. The accounts show Eugenius buffeted about by the curia and the leading prelates at the council, disappearing from the narrative for stretches at a time. But in the end, things were not quite so dire. The consistory trial ended with Gilbert accepting Bernard's four points and agreeing to amend his work, but also with Gilbert avoiding any official condemnation. It is a balanced, diplomatic ending emblematic of Eugenius's role in the council writ large.

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consueuit machinationes huiusmodi reprobare et de manu potentioris eruere pauperem," John of Salisbury, *Historia Pontificalis,* p. 20.

110. John of Salisbury, *Historia Pontificalis,* p. 20.

111. "accessit ad dominum papam familiariter, exhortens eum ut zelum et animum uirilem indueret in causa Domini, ne langor corporis Christi et fidei plaga deprehenderetur esse in capite," John of Salisbury, *Historia Pontificalis,* p. 20–21.

112. "quod Gallicanae aecclesiae factum tam graviter sacer cardinalium senatus accepit, ut cum magna mentis indignatione curiam intraret ac tamquam unum corpus effecti una omnes voce pontifici suo dicerent: 'Scire debes, quod a nobis, per quos tamquam per cardines universalis aecclesiae volvitur axis, ad regimen totius aecclesiae promotus, a privato universalis [aecclesiae] pater effectus, iam deinceps te non tuum, sed nostrum potius esse oportere . . . quid fecit abbas tuus et cum eo Gallicana aecclesia? Qua fronte, quo ausu cervicem contra Romanae sedis primatum et apicem erexit? Haec est enim sola quae claudit, et nemo aperit, aperit, et nemo claudit,'" Otto of Freising, *Gesta Frederici I Imperatoris,* pp. 85–86.

The Council of Reims in 1148 works remarkably well as a case study of the implementation of papal authority in a period of rapid, multidimensional change. Eugenius III was pope in an era that has often been associated with the term papal monarchy, but his leadership at Reims illustrates what a complicated term that can be. To be a pope in the twelfth century was to be a mediator and counsellor, theologian and lawyer, monarch and symbol. In this sense, despite Bernard of Clairvaux's disappointment with the reform declared at Reims, he perhaps could have been quite proud of his former pupil. Eugenius III's style of leadership in a conciliar setting was often quite in line with what Bernard had suggested in *De consideratione*. He likened the papal office to a stewardship, a role that Eugenius seemed to fill quite well.[113] Eugenius's symbolic and liturgical splendour emphasized the glory of the papal office. His personal intercession into marriages—under certain circumstances—retained his role as a shepherd for his flock. And in political or ecclesiastical disputes, Eugenius often functioned as mediator more than powerful ruler. It is perfectly fair to view this as a weakness, and judge Eugenius III as relatively ineffectual for his inability always to enact and enforce his vision. Yet in a century like the twelfth—full of rapid change and characterized by a multinodal network of authorities—there is perhaps something to be said for Eugenius III's style of leadership and its combination of flexibility, caution, and knowing when to pick one's battles.

113. "Non enim per omnem reor modum, sed sane quodamtenus, ut mihi videtur, dispensatio tibi super illum credita est, non data possessio," Bernard of Clairvaux, *De consideratione,* p. 431.

The Roman Inquisition Revisited: The Maltese Tribunal in the Eighteenth Century

FRANS CIAPPARA*

This article deals with the Roman inquisition in Malta during the eighteenth century when much of its severity had declined. It presents evidence from primary sources in Malta's inquisitorial archives to document unique aspects of the Maltese tribunal and, in the process, demolishes various myths about this institution. It proves that most of the charges resulted from self–confessions and that the accused would be arrested only after a prolonged investigation. Though he was not supplied with the names of his accusers these did crop up during interrogation. They were also to be found in the transcript that a defendant was given to prepare his defense with and he was even able to confront his accusers face to face. The defendant was permitted to have a lawyer to assist him and could bring his own witnesses. Judicial torture was rarely used and sentences were decided with much circumspection so that the innocent would not be punished. It is morally incorrect to condemn liberty of conscience but it must be said that the Roman inquisition followed the rule of law.

Keywords: Malta, Roman Inquisition, denunciation, arrest, defense, torture, sentence

A new study of the procedure of the Roman inquisition may sound at first out of place if not presumptuous. John Tedeschi, the doyen of such studies, Adriano Prosperi, Andrea Del Col, Christopher Black, Brian Pullan, Elena Brambilla, Ruth Martin and Thomas F. Mayer, among others, have already produced sufficiently remarkable work to deter other writers.[1] However, a new attempt is worth trying for three reasons. First, it

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1. John Tedeschi, *The Prosecution of Heresy*: *Collected Studies on the Inquisition in Early Modern Italy* (Binghamton, NY, 1991); Adriano Prosperi, *Tribunali della coscienza. Inquisitori, confessori, missionari* (Turin, 1996); Andrea Del Col, *L'Inquisizione in Italia dal XII Secolo al XXI Secolo* (Milan, 2006); Christopher Black, *The Italian Inquisition* (New Haven and

will introduce aspects of the inquisitorial procedure which may have been neglected or only partially addressed by other historians, or which are peculiar to the Maltese tribunal. Second, interest in the history of the inquisition seems far from being exhausted. Third, hopefully this study may serve to alert scholars to the rich deposits of the Maltese inquisitorial archives.

This work is based on data found mostly in the cathedral museum at Mdina. These records have survived because the intention of the French troops in 1798 to burn them was defeated by Bishop Vincenzo Labini (1780–1807), who had the records transferred to his palace at Valletta.[2] These archives were opened to the public under the direction of Mgr. John Azzopardi in 1968, or thirty years before Pope John Paul II (1978–2005) opened those of the Holy Office in Rome to researchers.[3] The trial dossiers or court proceedings, 172 volumes in all, are supplemented by thirty-eight volumes of correspondence between the inquisitors in Malta and the cardinal inquisitors of the *Suprema Sagra Congregazione del Sant'Ufficio* at Rome. The rough notes taken by the tribunal's chancellor recording the consultors' decisions are helpful as well.[4] Reference to the material at the *Archivio della Congregazione per la Dottrina della Fede* (ACDF) at the Vatican is minimal, considering the almost complete repository at Malta. Comparatively not much use was made of the inquisitors' manuals so as to observe the tribunal's "style" or raw practice at first hand, in basic practice rather than in theory.[5]

The Maltese Tribunal

The tribunal was set up in Malta in 1561 after the discovery of pockets of crypto-Protestants at Mdina and Birgu.[6] The members of this "Confraternity of Good Christians" read Luther, Erasmus, Melanchthon, and

London, 2009); Brian Pullan, *The Jews of Venice and the Inquisition of Venice, 1550–1670* (Oxford, 1983); Elena Brambilla, *La Giustizia Intollerante. Inquisizione e tribunali confessionali in Europa, secoli iv–xviii* (Rome, 2006); Ruth Martin, *Witchcraft and the Inquisition in Venice, 1550–1650* (Oxford, 1989); Thomas F. Mayer, *The Roman Inquisition. A Papal Bureaucracy and Its Laws in the Age of Galileo* (Philadelphia, 2013).

2. Frans Ciappara, *The Roman Inquisition in Enlightened Malta* (Malta, 2000), pp. 3–4.

3. For this momentous event, see the articles in Accademia Nazionale dei Lincei, *L'Apertura degli Archivi del Sant'Uffizio Romano* (Rome, 2000).

4. For one such report, see Archives of the Inquisition, Malta, Proceedings (hereafter cited as AIM, Proc.) 136A, fol. 271r.

5. For these manuals, see A. Errera, "Manuali per inquisitori," in Adriano Prosperi, with the collaboration of Vincenzo Lavenia and John Tedeschi, eds., *Dizionario storico dell'Inquisizione* (hereafter cited as DSI), vol. 2 (Pisa, 2010), pp. 975–81.

6. S. Salelles, *De Materiis Tribunalium S. Inquisitionis*, vol. 1 (Rome, 1651), p. 53.

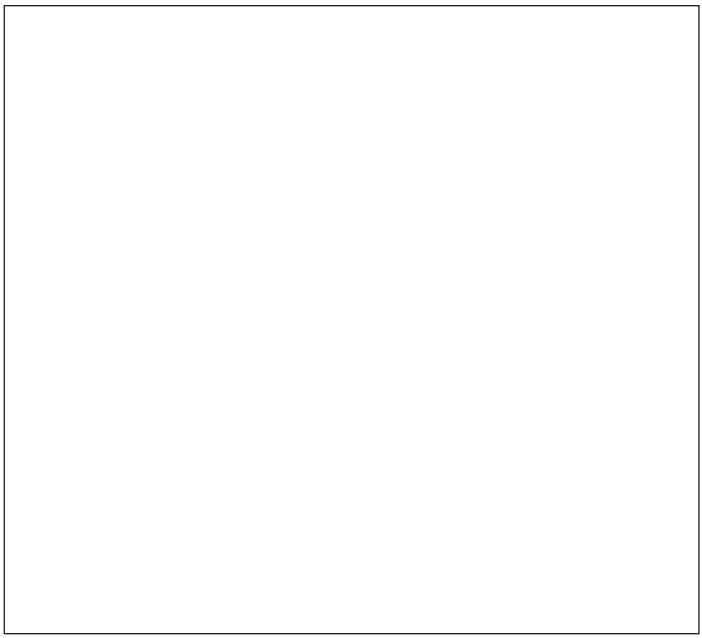

FIGURE 1. The Inquisitor's Palace. Birgu, Malta. Print by J. Johnston, taken from the book by William Tallack, *Malta under the Phoenicians, Knights and English*, London, 1861. Credit: Heritage Malta.

parts of the bible in Italian.[7] Bishop Domenico Cubelles (r. 1541–66) was its first inquisitor. He was followed by Mgr. Martino Royas (r. 1572–77) but in 1574 Pope Gregory XIII (r. 1572–85) sent Mgr. Pietro Duzina to Malta as apostolic visitor but also as inquisitor. Mgr. Duzina wrested therefore the office from the ordinary.[8] From then onward one Italian inquisitor belonging to the secular clergy followed another until the closure of the tribunals in 1798.

Inquisitors in Malta were representatives not only of the Holy Office but also of various other congregations. They counseled, for instance, the *Congregazione de Propaganda Fide* on its choice of missionaries, whom they sometimes helped financially, on their way to, say, Aleppo or

7. AIM, Proc. 3B, fol. 473r; AIM, Memorie 12, fols. 16v–18v.

8. Frans Ciappara, *Society and the Inquisition in Early Modern Malta* (Malta 2001). For the establishment of local tribunals see Black, *The Italian Inquisition*, pp. 27–48.

Mosul.[9] They were also commissioners of the *Congregazione della Reverenda Fabbrica di San Pietro*, which saw that pious legacies left by testators were minutely observed.[10] Starting in 1637 they administered the school of Arabic, which Inquisitor Fabio Chigi (r. 1634–39) instituted that year to train missionaries for the Levant.[11] They were also nuncios, in which capacity several of them served in other countries after they left Malta, their stay on the island being a stepping-stone in their ecclesiastical career. Two of them became popes, twenty-five cardinals and eighteen bishops. Being the pope's representatives in Malta, which was governed by a chivalric Order composed of the most distinguished European nobility, the inquisitors could not afford to be of common birth (*di veruna nascita*) but had to belong to families that could command the esteem and respect of these proud aristocrats. It was for this reason, too, that they counted among their patentees or dependants several Maltese nobles.[12]

It is only as judges of faith that these figures are treated in this article. However, as in Friuli and Spain, by the eighteenth century they were no longer occupied with Protestants. As at Lucca, these northern reformers remained under the watchful eye of the tribunal lest "they disseminated great errors in this island and impressed several heresies upon the hearts of the uneducated."[13] But now the inquisition's former urgent concern with

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9. Mgr. Gallarati Scotti was entrusted with obtaining information about *padre maestro* Chircop who had been proposed as *Provinciale d'Oriente*, or prefect of the missions of the Franciscan minors at Constantinople. The inquisitor was asked whether he could confirm his zeal, prudence, and merits, as well as whether he could speak Turkish or Arabic. AIM, Correspondence (Corr.) 39, fol. 56r, Cardinal Antonelli to Mgr. Gallarati Scotti, 4 Sept. 1789. With regard to Aleppo, see AIM, Corr. 36, fol. 208r, Cardinal Sacripanti to Mgr. Ruffo, 17 June 1724; with regard to Mosul, see AIM, Corr. 38, fols. 28r–v, Cardinal Castelli to Mgr. Zondadari, 27 March 1779.

10. A. Deguara, "The Reverenda Fabbrica di San Pietro Dell'Urbe in Malta," in Mario Buhagiar, ed., *Proceedings of History Week 1982* (Malta, 1983), pp. 69–88.

11. For a general though in many ways incomplete history of the school, see A. Cremona, *L'Antica Fondazione della Scuola di Lingua Araba in Malta* (Malta, 1955). For a comprehensive study of the school in the late eighteenth century, see F. Ciappara, "The School of Arabic in Malta 1772–1795,"*The Sunday Times* (3 July 1983), p. 9.

12. Ciappara, *The Roman Inquisition*, pp. 41–77, 126–29.

13. On Friuli: L. De Biasio, "L'Eresia Protestante in Friuli nella Seconda Metà del Secolo XVI,"*Memorie Storiche Forogiuliesi*, 52 (1972), 71–154, here 135. On Spain: B. Bennassar, "Un Dialogue Difficile: Les Inquisiteurs et les Marins Protestants de l'Europe du Nord," in *La Vie, la Mort, la Foi* (Paris, 1993), pp. 167–75. On Lucca: G. Torri, "I Rapporti fra lo Stato e la Chiesa a Lucca nei Secoli XVI–XVIII,"*Rassegna degli Archivi di Stato* 36, no. 1 (1976), 37–81, here 55–56. On the northern reformers: ". . . quanto prima s'udirebbero disseminati in quest'Isola grandi errori, ed impressi almeno nell'animi dell'Idioti diverse eresie." AIM, Corr. 94, fol. 143v, Mgr. Caracciolo to Cardinal Marescotti, March 26, 1709.

them was a thing of the past. Its interests, as the author of a seminal book has pointed out, lay nearer home, with its own faithful, practicing a form of debased religion and in need of instruction in the true faith.[14] In the period 1573–81 the share of Catholics who turned Protestants accounted for 41.9 percent of all cases dealt with by the tribunal, followed by the eating of meat on prohibited days (8.7 percent) and the reading of forbidden literature (8.7 percent).[15] But between 1744 and 1798, blasphemy and witchcraft had replaced conversion to Protestantism as the leading cause of prosecution. The two "heresies" made up 33.3 per cent and 28.9 percent respectively of all cases, whereas cases involving conversion to Protestantism dropped to only 3.8 percent.[16] The same can be said of Venice. There were 767 "Protestant" cases (62.4 percent) between 1547 and 1585, but from 1721 to 1794 only two such cases were recorded. Prosecutions for conversion had been replaced by cases involving "heretical propositions," which rose from 62 to 105 cases (or from 5.0 to 8.5 percent).[17]

But if, as in other tribunals, the principal offenses featured in accusations differed over time, the Holy Office in Malta was still thriving at its demise in 1798, even if an unsuccessful attempt was made in 1784 to abolish it.[18] This was the time of the Enlightenment when *philosophes* urged kings to "uproot for ever this noxious and poisonous plant."[19] In Parma, Prime Minister Léon Guillaume Du Tillot (r. 1759–71) abolished the inquisition in 1769, and Modena followed suit ten years later. In 1775 Maria Theresa of Austria (r. 1740–80) ordered that inquisitors in Lombardy were not to be replaced after their death. In Sicily, when the inquisition ended in 1782, the viceroy, Marquis Domenico Caracciolo (1715–89), cried with joy when "this terrible monster" was abolished.[20] However, if "the various branches of the Roman inquisition were somnolent" in Italy, in Malta the tribunal remained active until its abolition in 1798.[21]

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14. Martin, *Witchcraft and the Inquisition in Venice*, p. 216.

15. Charles Cassar, "The First Decades of the Inquisition, 1546–1581," *Hyphen* 4, no. 6 (1985), 207-238, here 224.

16. Ciappara, *Society and the Inquisition*, Table 2.2, p. 90.

17. Calculated from data in Gustav Henningsen and John Tedeschi, eds., *The Inquisition in Early Modern Europe*: *Studies on Sources and Methods* (Dekalb, Ill., 1986), Appendix 1, p. 144.

18. Ciappara, *The Roman Inquisition*, pp. 190–91.

19. M. A. Schipa, *Il Regno di Napoli al tempo di Carlo Borbone*, vol. 2 (Milan-Rome-Naples, 1923), p. 140.

20. Del Col, *L'Inquisizione in Italia*, pp. 730–34; Black, *The Italian Inquisition*, pp. 54–55.

21. E. W. Monter and J. Tedeschi, "Towards a Statistical Profile of the Italian Inquisitions, Sixteenth to Eighteenth Centuries," in Henningsen and Tedeschi, eds., *The Inquisi-*

The Inquisitorial Procedure

In the Middle Ages a criminal prosecution could be initiated in one of two ways. The *rimedium ordinarium* was the *accusatory* method by which the defendant was brought to trial on the private initiative of the plaintiff. In this legal procedure the accuser himself suffered the *poena talionis*, or the punishment that would have been meted out to the defendant, if the accused failed to be found guilty. This process contrasted with the *inquisitorial* procedure under which the authorities collected information to discover crimes, identified the defendants, and brought charges against them.[22]

The responsibility for this legal development must rest squarely with the Church which in 1215 at the Fourth Lateran Council under Innocent III (r. 1198–1216) eliminated trial by ordeal from church courts.[23] The transition to the use of witnesses as the principal means of proof was one of the most important results of the reception of Roman law. Judicial proofs by ordeals had come to be seen as impious because it required the miraculous intervention of God and thus constituted a flagrant tempting of Him.[24] Besides this theological rationale, such legal development also reflected the general movement towards rational legal procedure, which characterized the intellectual revival of the twelfth century.[25] Furthermore, the Church needed a surer means of dealing with the upsurge of heresy at that time.[26] Innocent III decreed that an inquisition must start *per clam-*

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tion in Early Modern Europe, p. 133. See also G. Romeo, *L'Inquisizione nell'Italia Moderna* (Rome-Bari, 2002), pp. 95–119. On the activity of the Malta tribunal, see Ciappara, *Society and the Inquisition*, Table 2.1, p. 66.

22. N. Eymeric, *Directorium Inquisitorum cum commentariis Francisci Pegnae* (Rome, 1578), pp. 284–85. S. Abbiati, "Intorno ad una possible valutazione giuridico-diplomatica del documento inquisitorio," *Studi di Storia Medioevale e di Diplomatica*, no. 3 (1978), 167–79.

23. J. H. Langbein, *Prosecuting Crime in the Renaissance*: *England, Germany, France* (Cambridge, MA, 1974), pp. 129–39. H. A. Kelly, "Inquisition and the Prosecution of Heresy: Misconceptions and Abuses," *Church History*, 58, no. 4 (1989), 439–451, here 439–42.

24. For these several kinds of ordeals, see François Louis Ganshof, *Frankish Institutions under Charlemagne*, trans. Bryce and Mary Lyon (Providence, Rhode Island, 1968), pp. 86–89.

25. On the theological rationale, see J. W. Baldwin, "The Intellectual Preparation for the Canon of 1215 against Ordeals," *Speculum*, 36, no. 4 (1961), 613–36. On the general movement toward rational legal procedure, see S. Kuttner, "The Revival of Jurisprudence," in R. L. Benson, G. Constable, and C. D. Lanham, eds., *Renaissance and Renewal in the Twelfth Century* (Cambridge, MA, 1991), pp. 299–323. On the intellectual revival of the twelfth century, see C. H. Haskins, *The Renaissance of the Twelfth Century* (Cambridge, MA, 1927).

26. For the disadvantages of this type of procedure, see also A. Soman, "Deviance and Criminal Justice in Western Europe, 1300–1800: An Essay in Structure," *Criminal Justice History*, 1 (1980), 3-28, here 9–13.

orem et famam, that is "through a public outcry or at least strong rumours that an offense had been committed by a particular person."[27] In 1759, therefore, the captain of the Holy Office at Malta reported that *it was being said* that during a performance of Goldoni's comedy *Il padre di famiglia* one of the actors playing the part of the doctor, had eaten a piece of roast chicken on a day of abstention.[28]

Over time, however, investigations started to be opened generally by a *denunciation*.[29] Cardinal Pietro Otthoboni, who served from 1726 to 1740 as the secretary of the Holy Office at Rome, warned Inquisitor Ludovico Gualtieri (r. 1739–43) in 1739 that this was the only procedure with which to start proceedings.[30] The tribunal in Malta had no police force and was therefore dependent to a very large extent upon ordinary lay men and women.[31] However, although preachers regularly reminded the faithful that the "silence with which they try to hide their own and others' errors is the same as infidelity" and that among these "occult heretics" were those who substituted denunciation with "fraternal correction" (*correctio fraterna*), the picture that emerges on reading the dossiers shows that in Malta, as in Lorraine and rural Spain, people were not eager to mind their neighbors' business.[32]

There were several reasons for this lack of cooperation with the Holy Office. For one, good neighborliness was a critically important social virtue and solidarity with the members of one's community could prove greater

27. Eymeric, *Directorium Inquisitorum*, p. 311.

28. AIM, Proc. 124C, fols. 1476r–1484v.

29. Eliseo Masini, *Sacro Arsenale, overo Prattica dell'Officio della S. Inquisitione ampliata* (Genoa, 1625), pp. 14–18; Mayer, *The Roman Inquisition*, pp. 166–71.

30. AIM, Correspondence (Corr.) 27, fol. 45r, Mgr. Otthoboni to Mgr. Gualtieri, Dec. 12, 1739.

31. Sara T. Nalle, "Inquisitors, Priests and the People during the Catholic Reformation in Spain," *The Sixteenth Century Journal*, 18, no. 4 (1987), 557–86, here 567.

32. On the warning of preachers: "Come volete che non chiami mezzi Cristiani coloro i quali fanno così poco caso degli editti del nostro Prelato? Come non li tacci d'infedeltà quel silenzio col quale procurano di nascondere i propri difetti e di coprire gli altrui errori?" (Archivio Segreto Vaticano, Segreteria di Stato (Malta) 186, fols. 143r–150v). For the theological debate around fraternal correction and related terms in sixteenth-century Spain, see Stefania Pastore, "A proposito di *Matteo*, 18, 15, *Correctio Fraterna* e Inquisizione nella Spagna del Cinquecento," *Rivista Storica Italiana*, 113, fasc. 11 (2001), 323–68. On inquisition activity and lay reactions to it in Lorraine, see R. Briggs, "Witchcraft and Popular Mentality in Lorraine, 1580–1630," in B. Vickers, ed., *Occult and Scientific Mentalities in the Renaissance* (Cambridge, UK, 1984), 337–49, here p. 344. H. Kamen, *Inquisition and Society in Spain in the Sixteenth and Seventeenth Centuries* (London, 1985), pp. 166–67.

than the duties of conscience.[33] This was especially the case when the accused happened to be someone most dear to the accuser, say a brother or husband.[34] Fear of reprisal must have been another reason why people refused to report "heretics."[35] The Tribunal being conscious of this danger, the bull *Si de protegendis* published by Pius V on May 2, 1569 threatened to impose severe penalties on anyone who obstructed the work of the inquisitors.[36] This suspicion was not at all unfounded; although Grazio was a habitual blasphemer, the "people are so much afraid of him."[37] People either refused to report "heretics" at all or else gave their evidence only on compulsion. To ensure cooperation, confessors would sometimes refuse to absolve their penitents unless they presented themselves before the inquisitor.[38]

But if the people were reluctant to be their brothers' keepers, they did not ignore their duty to report themselves. Most of the charges, in fact, as Mgr. Giacinto Messerano (r. 1698–1703) testified in 1701, were self–denunciations;[39] between 1754 and 1759 they amounted to 66.8 per cent.[40] People generally made their denunciations, as they put it, "for conscience's sake" (*per discarico di mia coscienza*), but this was not necessarily an expression of pure religious sensibility.[41] They must have realized that if they appeared spontaneously before the inquisitor they would be welcomed as *sponte comparente* and could expect charitable treatment. As soon as they knew that suspicions were piling up against them, they tried to forestall an accuser and prevent being summoned to stand a formal trial.[42]

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33. See Frans Ciappara, "Religion, kinship and godparenthood as elements of social cohesion in Qrendi, a late-eighteenth-century Maltese parish," *Continuity and Change* 25, part 1 (2010), 161–84.

34. AIM, Proc. 137, fols. 161r–v.

35. AIM, Proc. 135B, fol. 637r.

36. See, for instance, AIM, Proc. 68A, fols. 24r–26r.

37. AIM, Proc. 135A, fol. 29r.

38. AIM, Proc. 136A, fol. 189v. That the inquisitor was a judge and not a confessor, see Prosperi, *Tribunali della coscienza*, pp. 476–84; Wietse de Boer, *La conquista dell'anima. Fede, disciplina e ordine pubblico nella Milano della Controriforma* (Turin, 2004), pp. 56–58; John Martin, *Venice's Hidden Enemies*: *Italian Heretics in a Renaissance City* (London, 1993), pp. 185–87.

39. AIM, Corr. 94, fol. 39v, Mgr. Messerano to Cardinal Marescotti, Aug. 27, 1701.

40. Calculated from data in Ciappara, *Society and the Inquisition*, Table 7.2, pp. 360–61.

41. Pasquale Lopez, *Clero*, *Eresia e Magia nella Napoli del Viceregno* (Naples, 1984), pp. 185–86.

42. AIM, Miscellanea (hereafter cited as Misc.) 2, pp. 4–5. See also E. Brambilla, "Spontanea comparizione (Procedura sommaria)," in *DSI*, vol. 3, pp. 1474–475 and Del Col, *L'Inquisizione in Italia*, pp. 768–69.

Arrest and Cross-examination

The decision to arrest a suspect did not come quickly, but only after much painstaking research.[43] A case would not proceed on the strength of a single accuser[44] and if witnesses did not corroborate the reports the case "does not merit further attention."[45] Nor did the inquisitors heed charges made by enemies of the defendant.[46] No wonder that only 9.6 of the accused between 1743 and 1798 were detained after interrogation.[47] As an example of the tribunal's circumspection, we have the case of Nicola Aielli, a baptised slave who was popularly known to be a sorcerer. He was arrested in 1797 only after two and a half years and after ten accusers had testified against him.[48]

The slow pace with which cases moved is an eloquent testimony to the inquisitors' hesitancy and their determination to arrive at the truth. The number of testimonies could mount quickly, lengthening the time of the investigation. It could also happen that witnesses who could not be found in Malta were obliged to return from abroad.[49] Bigamy cases required the examination of the death and marriage registers, which could mean requesting information from foreign countries.[50] Such was the case, too, with apostates, when the inquisitor demanded their baptism certificates.[51] In a case from 1714, an accusation of witchcraft made it necessary to check with Fra Marc'Antonio Muriani's superiors in Italy whether he was really a friar minor.[52] And in some cases the ministers of the tribunal traveled to the scene of the crime to carry out an inquest to search for material evidence. On November 20, 1757 the court's prosecutor, the chancellor, the captain and four marshals made a diligent search of the residence of Aloisio Locchi, an alchemist from St Helen's. In addition to suspicious books "harmful both

43. AIM, Corr. 2, fol. 123r, Cardinal Arigone to Mgr. Carbonese, January 28, 1611.

44. AIM, Corr. 8, fol. 137r, Cardinal Barberini to Mgr. Gori Pannellini, January 14, 1645.

45. AIM, Proc. 136A, fols. 446r–50v.

46. A. P. Evans, "Hunting Subversion in the Middle Ages," *Speculum*, 33 (1978), 1–22, here 6–7; J. B. Given, *Inquisition and Medieval Society. Power, Discipline and Resistance in Languedoc* (New York, 1997), ch. 6.

47. Calculated from data in Ciappara, *Society and the Inquisition*, Table 9.1, p. 466.

48. AIM, Proc. 138, fols. 191r–260v.

49. AIM, Corr. 95, fols. 12r–v, Mgr. Stoppani to Cardinal Otthoboni, Jan. 3, 1733.

50. Frans Ciappara, *Marriage in Malta in the Late Eighteenth Century* (Malta, 1988), pp. 96–103.

51. AIM, Misc. 3, fol. 2v.

52. AIM, Corr. 20, fol. 105r, Cardinal Spada to Mgr. D'Elci, Jan. 6, 1714.

to the soul and the body," they found sheets of paper covered with circles, crosses, Hebrew letters and Latin writings, as well as another sheet with a circle and several numbers.[53] In a case from 1745, Don Silvestro Bruno, the parish priest of the Greek Catholic church at Valletta, was accused of administering the sacraments to the Orthodox Greeks. Don Ignazio Temmen was commissioned by Mgr. Paolo Passionei (r. 1743–54) to spy on Bruno; Temmen noticed that while celebrating Mass Fr. Bruno left out the words *filioque procedit* while reciting the Creed.[54]

Only after sufficient information had been gathered in such a preliminary investigation (*processo informativo*) could proceedings against the accused be initiated.[55] There is no doubt that a suspect faced two great disabilities on being arrested. First, contrary to Innocent III's injunction that "no one is obliged to betray himself," the oath which the accused took to tell the truth put him at high risk of either perjuring or incriminating himself. This risk was made explicit to Inquisitor Antonio Ruffo (r. 1720–28) in 1726 when he was reminded that though the Roman council of the preceeding year[56] had ordered that in criminal matters the accused were not to take the oath *de veritate dicenda,* this exemption did not apply to matters of faith.[57] Second, defendants were not served with a writ describing the nature of their crime or the names of the accusers[58] when they were cited by the marshal.[59]

This is all true. However, in a community practicing face-to-face relations, it was easy to get to know one's denouncer especially if, as generally

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53. AIM, Proc. 124B, fols. 686r–87v.

54. AIM, Proc. 122A, fols. 17r–66v.

55. Eymeric, *Directorium Inquisitorum*, p. 286. For a sketch of the procedure of the Roman inquisition, see Thomas F. Mayer, ed., *The Trial of Galileo, 1613–1633* (University of Toronto Press, 2012), pp. 7–10. For a full exposition, see ch. 5 of his *Roman Inquisition*, pp. 155–205. See also V. Lavenia, "Processo," in *DSI*, vol. 3, pp. 1261–63.

56 . Luigi Fiorani, *Il Concilio Romano del 1725* (Rome, 1977).

57. AIM, Corr. 23, fol. 75r, Cardinal Otthoboni to Mgr. Ruffo, 29 June 1726.

58. Albert C. Shannon, "The Secrecy of Witnesses in Inquisitorial Tribunals and in Contemporary Secular Criminal Trials," in John Mundy, ed., *Essays in Medieval Life and Thought Presented in Honour of Austin Patterson Evans*, (New York, 1955), 59–70, here pp. 59–62.

59. See for instance AIM, Proc. 137, fol. 35v. On this topic, see Richard H. Helmholz, "Origins of the Privilege Against Self-Incrimination: The Role of the European *Ius Commune*," *N*ew *York University Law Review* 65 (1990), 962–90. See also H. Ansgar Kelly's four pieces, "Inquisition and the Prosecution of Heresy," *Church History*, 439–51; "The Right to Remain Silent: Before and After Joan of Arc," *Speculum* 68, no. 4 (1993), 992–1026; "Trial Procedures against Wyclif and Wycliffites in England at the Council of Constance," *Huntington Library Quarterly* 61, no. 1 (1998), 1–28; and "Thomas More on Inquisitorial Due Process," *English Historical Review* 123, no. 503 (2008), 847–94.

happened, some personal litigation had taken place.[60] As Brian Pullan has long ago pointed out, it was not difficult for the accused to guess from the circumstances of the case who had informed against him.[61] Take the case of Don Giovanni Balzan, who was accused in 1755 of solicitation in the confessional.[62] He was not told who the accusers were, but it was easy for him to remember them when Mgr. Gregorio Salviati (1754–59) asked him whether Balzan had ever told any of his penitents, "Your face attracts people" and "Send away whoever comes to your house so that I will come to torment you."[63] Besides, as will be argued later on, secrecy was not persistently kept by the court and names did crop up in interrogations. Henry Charles Lea must be wrong then in calling the retaining of the accusers' names "the crowning infamy of the inquisition."[64]

Generally everybody complied with the summons, plausibly because those who declined became liable *ipso facto* to excommunication.[65] Time-consuming trials, sometimes continued late in the afternoon,[66] were meant to take their toll on the defendant's power to resist. Nevertheless, if, as Grendler says, shrewd and persistent questioning was "the heart of inquisitorial procedure"[67] cross-examination had to be managed with great skill and prudence since the "honor of the defendant" depended on it.[68] The picture that Adriano Prosperi draws that questioning was "a conflict, a test of force, especially a test of astuteness" is unreal in the Maltese context.[69] Questions followed one another naturally, the inquisitor taking the hint for

60. M. Duni, *Under the Devil's Spell. Witches, Sorcerers, and the Inquisition in Renaissance Italy* (Syracuse, New York 2007), pp. 64–65.

61. Pullan, "'A Ship with Two Rudders': Righetto Marrano and the Inquisition in Venice," *The Historical Journal* 20, no. 1 (1977), 25–58, here 46. See also J.-P. Dedieu, "The Archives of the Holy Office as a Source for Historical Anthropology," in Henningsen and Tedeschi (eds), *The Inquisition in Early Modern Europe*, pp. 158–89 here p. 189.

62. On this topic see Stephen Haliczer, *Sexuality in the Confessional*: *A Sacrament Profaned* (Oxford, 1986).

63. "La vostra faccia tira la gente"; "Cacciate le genti tutte che vengono in casa vostra, che allora verrò Io in persona a tormentarvi e darvi fastidio." AIM, Proc.125B, fols. 646r–v.

64. Henry Charles Lea, *A History of the Inquisition of the Middle Ages*, vol. 1 (New York, 1908), p. 437.

65. For three exceptional cases when the accused defaulted on their obligation to appear and had to be conducted to prison by the captain, see AIM, Proc. 136A, fols. 386r–v; AIM, Proc. 137, fols. 35r–v, 170v.

66. AIM, Proc. 136A, fols. 384r–93v.

67. Paul F. Grendler, *The Roman Inquisition and the Venetian Press*, *1540–1605* (Princeton, New Jersey, 1977), p. 52.

68. Cesare Carena, *Tractatus de Officio Sanctissimae Inquisitionis et modo procedendi in causis fidei* (Cremona, 1641), 246; Masini, *Sacro Arsenale*, p. 233.

69. Prosperi, *Tribunali della Cosciennza*, pp. 203–04.

the next query from the words of the defendant himself. Suggestive questioning, which the accused simply affirmed or denied, constituted "a most grave crime."[70] We can follow Inquisitor Salviati questioning Imhammet. This slave was accused in 1755 of having conducted magical experiments together with Giuseppe Pace to find a statue of a golden cow and another of a silver calf in the catacombs of Rabat. Inhammet denied the charge but how long would he withstand the logical force of pressing questions made by a penetrating inquisitor?

> Had he left Valletta these last ten months?
> Perhaps he had been to Rabat?
> For what reason and with whom?
> Did he know Giuseppe Pace who lived behind the Jesuits' college?
> And did they go together to some place where they stayed for two days?

This was the time when Imhammet collapsed: "I'm ready to tell you the truth."[71]

The unusual and overpowering setting prevented most prisoners from putting up a vigorous defence.[72] This was not invariably so and an apostate would defiantly tell the inquisitor, "I want neither to curse the sect of Mohammad nor to return to Christianity. I simply want to remain a Turk."[73] In an extremely rare case, Antonio Pace defended himself by his silence. This 35-year old man from the island of Gozo was arraigned before Mgr. Fabrizio Serbelloni (r. 1728–30) in 1729 for witchcraft. Pace refused to answer the interrogations put to him and all the efforts of the Domincan Fra Vincenzo Farrugia to persuade him to talk proved futile. The tribunal's notary put down "he remained silent and did not answer anything" (*tacuit et nullum responsum dedit*).[74] The inquisitor asked for instructions from Rome "since such dumbness has never occurred in this tribunal" but unfortunately the trial dossier provides no further information.[75]

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70. G. Cozzi, "Note su Tribunali e Procedure Penali a Venezia nel '700," *Rivista Storica Italiana*, 77 (1965), 931–52, here 947.

71. AIM, Proc. 125B, fols. 604r–08v.

72. For this "state of oppression" see Del Col, "I Processi dell'Inquisizione come Fonte: Considerazioni Diplomatiche e Storiche," *Annuario dell'Istituto Storico Italiano per l'Età Moderna e Contemporanea* (1983–1984), 31–49, here 41.

73. "Non voglio maledire la setta di Maometto, ne voglio tornare Cristiano, ma voglio restar Turco." AIM, Proc. 76A, fol. 263r.

74. AIM, Proc. 110B, fols. 652r–82v.

75. AIM, Corr. 94, fol. 236r, Cardinal Otthoboni to Mgr. Serbelloni, Oct. 1, 1729.

Whatever may have been Antonio's fate, another form of defense was for the defendant to plead wrong identity, that he was being mistaken for someone else. In this case he was placed in the courtyard of the inquisitor's palace[76] or in the middle of the stairs in front of the court room. He kept his body erect and his head high while his accusers tried to identify him through a window or the door's peep-hole.[77] However, Cardinal Francesco Barberini (1597–1679) warned Mgr. Ranuccio Pallavicini (r. 1672–76) in 1674 that this type of identification "is certainly suggestive."[78] Instead, 65-year-old Gaetano Schembri of Valletta in 1793 was put between Lorenzo and Giovanni Vella while Michel'Angelo Labruna testified:

> The one with the moustache between the other two persons, of the same height and appearance, is the same Gaetano whom I have often denounced. He has the scapular of Our Lady of Carmel round his neck and wears a pair of trousers of fustian cloth.[79]

It is worth noting at this point that in order to give the defendant a fair hearing the court would even waive one of its most cherished principles, secrecy.[80] Upon his arrival in Malta each new inquisitor administered the oath of secrecy to the tribunal's officials not to reveal what was said and done concerning the Holy Office.[81] And all depositions ended with such an oath, *Quibus habitis eique iniunctum juramentum silentii*. But this preoccupation notwithstanding, according to the author of the manual *Malleus Maleficarum* (*Hammer of the Witches*, Speyer, 1486), a still hesitant inquisitor could put a convicted but an unconfessed "heretic" face to face with his accuser.[82] This procedure was in full accord with Innocent III's and Cardinal Carlo Borromeo's injunctions[83] even if the *Directorium*

76. AIM, Proc. 40B, fol. 541v.

77. AIM, Proc. 125B, fols. 769r–811v.

78. AIM, Corr. 13, fols. 5r–v, Cardinal Barberini to Mgr. Ranuccio Pallavicino, Jan. 13, 1674.

79. "Quello che vi è in mezzo tra altre due persone dell'istessa statura, e somiglianza, egli è quel stesso neofita Gaetano, del quale ho come sopra deposto e più volte da me nominato colle baffe, calzone di fostaino, e l'abito di M. Vergine del Carmine nel collo." AIM, Proc. 137, fol. 201v.

80. M. P. Fantini, "Segreto," in *DSI*, vol. 3, pp. 1408–09.

81. See, for instance, AIM, Proc. 172, fols. 3r–16v

82. Heinrich Kramer, trans. Montague Summers, *Malleus Maleficarum* (London, 1971), p. 453. Wolfgang Behringer has proved that this handbook was written by Kramer (1430–1505) alone and not together with Jacob Sprenger (1437–95) who was in fact his most bitter enemy. See his *Witches and Witch-Hunts* (Cambrisge, UK, 2008), pp. 76–77.

83. L. Fumi, "L'Inquisizione Romana e lo Stato di Milano," *Archivio Storico Lombardo*, 13, serie IV, Anno 37 (1910), 5–124, 285–414, here 383.

Inquisitorum[84] and the *Sacro Arsenale* as well as the *Pratica per Procedere nelle Cause del Sant'Officio* counselled that it be used only rarely and if there was no danger to the witnesses.[85] One such case of confrontation from 1794 concerned Vincenza Sacchett of Senglea who claimed she had bribed her parish priest Don Salvatore Bonnici to stop the Holy Office start criminal proceedings against her:

Don Salvatore	What Vincenza said in my presence is false, most false.
Vincenza	I said all I knew under oath. I did not appear in the tribunal of my own free will, but on being summoned
Don Salvatore	She can say what she wants. It will never be proved that I have said and done what Vincenza asserts.[86]

The inquisitors, as the representatives of the Holy Office, depended entirely on their superiors at Rome and constantly sought their guidance.[87] Nicholas S. Davidson begs to differ and claims that inquisitors "were in reality independent operators."[88] Giuliana Ancona, a student of the tribunal of Aquileia and Concordia, is more cautious and only says that autonomy from Rome was a "possible choice."[89] All the same, independent action by the inquisitors was an exception and, as Giovanni Romeo claims, subordination by local inquisitors to central control was "a typical aspect of the Roman Inquisition;" and furthermore this "decidedly limited autonomy" is corroborated by Gian Luca d'Errico and Jeffrey R. Watt.[90]

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84. For this manual see Agostino Borromeo, "A Proposito del *Directorium Inquisitorium* di Nicolas Eymerich e delle sue Edizioni Cinquecentesche," *Critica Storica* 20, no. 4 (1983), 499–547.

85. Eymeric, *Directorium*, p. 405; Masini, *Sacro Arsenale*, p. 233; AIM, Misc. 2, pp. 76–77.

86. AIM, Proc. 136A, fols. 86r–v. For other instances see AIM, Proc. 22D, fol. 1373r; AIM, Proc. 26A, fols. 296v–97v; AIM, Proc. 56B, fols. 1137r–39v; AIM, Proc. 73B, fol. 600r; AIM, Proc. 95A, fols. 428r–v; AIM, Proc. 155, fol. 109r. AIM, Proc. 156, fols. 69r–v.

87. A. Battistella, *Il S. Officio e la Riforma in Italia* (Bologna, 1905), pp. 654–68; Guido Dall'Olio, "I Rapporti tra la Congregazione del Sant'Officio e gli Inquisitori nei Carteggi Bolognesi (1573–1594)," *Rivista Storica Italiana*, 105 (1993), 246–86; Carla Righi, "L'Inquisizione Ecclesiastica a Modena nel '700," in A. Biondi, ed., *Formazione e Controllo dell'Opinione Pubblica a Modena nel '700* (Modena 1986), pp. 53–95, here p. 56.

88. Nicholas S. Davidson, "The Inquisition," in Alexandra Bamji, Geert H. Jansen, and Mary Laven, eds., *The Ashgate Research Companion to the Counter-Reformation* (Surrey, 2013), 102.

89. Giuliana Ancona, "Autonomia giudiziaria e dipendenza amministrativa del Sant'Ufficio di Aquileia e Concordia all'epoca di fra Girolamo Asteo (1598–1608)," *Metodi e Ricerche* 25, no. 1 (2006), 11–46 , here pp. 27–31.

90. Giovanni Romeo, *L'Inquisizione nell'Italia moderna* (Rome-Bari, 2002), pp. 40–41; Gian Luca D'Errico, *L'Inquisizione di Bologna e la Congregazione del Sant'Uffizio alla Fine del*

Data from Malta confirms this latter conclusion. Inquisitors were warned to keep the cardinals "fully informed" of all that went on in the court of faith and to send them a summary of the cases they had dealt with at the end of each year.[91] They were to take no decisions on their own, but only after they had informed the cardinals of the case and waited for their directives.[92] This subjection was also shown by the stereotyped formula which inquisitors' dispatches often commenced with: "In compliance with the supreme orders of Your Excellencies."[93]

In most instances the inquisitors' duty was simply to gather information for the holy congregation to decide.[94] According to a circular sent to all inquisitors in 1674 and repeated in 1718, such cases included solicitation of penitents by priests in the confessional and other crimes that merited the punishment of the galleys.[95] Sometimes an "authentic copy" of the whole trial duly signed by the notary was dispatched to Rome, but usually only a summary of the proceedings was demanded.[96]

The cardinals dispatched detailed instructions (*istruzione*) for the inquisitors to follow.[97] Guidance was especially needed in cases of simulated sanctity, but especially in regards to witchcraft, a crime most difficult to prove.[98] In 1741 a discalced nun who, like so many others could have been forced to take the veil by her parents,[99] accused herself of having had sex with the devil, having flown to the meeting riding on "a big ugly animal which seemed like a cow." In a letter to Mgr. Ludovico Gualtieri, the cardinal inquisitors, basing themselves on the tenth-century episcopal law, the

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XVII Secolo (Rome, 2012), 123; Jeffrey R. Watt, "Love Magic and the Inquisition: A Case from Seventeenth-Century Italy," *Sixteenth Century Journal* 41, no. 3 (2010), 675–89, here 682.

91. AIM, Corr. 3, fol. 43r, Cardinal Mellino to Mgr. Carbonese, 27 Sept. 1613.

92. AIM, Corr. 17, fol. 51r, Cardinal Marescotti to Mgr. Di Masserano, July 16, 1701.

93. AIM, Corr. 95, fol. 34r, Mgr. Durini to Cardinal Otthoboni, Aug. 20, 1735.

94. AIM, Corr. 19, fol. 253r, Cardinal Marescotti to Mgr. D'Elci, April 16, 1712.

95. AIM, Corr. 21, fols. 132r–334, Cardinal Acciaiuoli to Pro-Inquisitor Napulone, July 2, 1718.

96. AIM, Corr. 5, fol. 21r, Cardinal Millino to Mgr. Visconti, 12 July 1625.

97. AIM, Corr. 21, fols. 86r–87r, Cardinal Spada to Pro-inquisitor Giovanni Battista Napoleone, Sept. 19, 1716.

98. For the rigor of inquisitorial investigation of "pretence" cases, see Frans Ciappara, "Simulated Sanctity in Seventeenth- and Eighteenth-Century Malta," in Peter Clarke and Tony Claydon, eds., *Saints and Sanctity*, [Studies in Church History, 47], (Woodbridge, Suffolk, 2011), 284–96. In regards to accusations of withcraft, see Carena, *Tractatus*, 242.

99. R. Canosa, *Il Velo e il Capuccio. Monacazioni Forzate e Sessualità nei Conventi Femminili in Italia tra Quattrocento e Settecento* (Rome, 1991).

Canon Episcopi and the *Instructio pro formandis Processibus in Causis Strigum, Sortilegiorum, et Maleficiorum*,[100] described the incident as a fiction of a corrupt fantasy, the result of some natural infirmity very familiar to women or the working of a depraved spirit very indulgent to lust. Instead of being believed, the nun was to be rebuked and urged to recognize her malice and her evil inclination. She was to be put under the care of a doctor and a spiritual director—though not her own confessor, who was to be reprimanded for not seeing through the deceit but with great credulity had encouraged her add one deception to another.[101]

Defence and Torture

The *processo informativo* having come to an end and if there were sufficient reasons for the case to continue, the prosecutor issued a bill of indictment which charged the defendant of having been driven by a diabolical spirit and of having dared to fear neither God nor His justice. He merited to be punished according to the canons of the church; and in case he did not justify himself, he was to be tortured so that truth would eventually come out.[102]

The next step, then, was for the accused to prepare his defence. He could choose his own lawyer but he could decline such defense and put himself at the court's mercy. The Jew Abraham told Mgr. Giovanni Francesco Stoppani (r. 1731–35) in 1732,

> I renounce the five days assigned to me to prepare my defense. I don't know what defences I should make because all that I have said is the pure truth. I place myself altogether in the justice and piety of this Tribunal and ask that my case end as soon as possible. My imprisonment harms greatly all my family and my interests.[103]

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100. On this tenth-century episcopal law, see M. Ostorero, "*Canon Episcopi*," in *DSI*, vol. 1, pp. 256–57. A copy of the Instructio (1704) is found in AIM, Memorie (Mem.) 21, fols. 99r–102v. For its analysis see Tedeschi, "Appunti sulla *Instructio pro formandis processibus in causis strigum, sortilegium et maleficiorum*," *Annuario dell'Istituto Storico Italiano per l'Età Moderna e Contemporanea* 37-38 (1985–86), 219–41. See also Oscar Di Simplicio, '*Instructio*', in *DSI*, vol. 2, pp. 845–47; A. Panizza, "I Processi Contro le Streghe nel Trentino," *Archivio Veneto* 7 (1888), 1–100, 199–247, here 84–85. Henry Charles Lea, *Materials Toward a History of Witchcraft*, (Philadelphia, Pennsylvania, 1939), vol. 2, pp. 950–63.

101. AIM, Corr. 27, fols. 114r–16r, Cardinal Ruffo to Mgr. Gualtieri, 17 March 1742.

102. For an example of such a bill, see AIM, Proc. 121B, fols. 786r–v.

103. "Io rinuncio al termine dei giorni cinque assegnatimi da V. P. per fare le mie difese, perchè non so che difese farmi, perchè quello cho ho detto è la pura verità. Onde mi rimetto in tutto e per tutto alla giustizia e pietà di questo S. Trible., che prego sbrigarmi presto

In this case he was assisted *ex officio* by the tribunal's public defender (*avvocato dei poveri/re*), who provided him with "wise and helpful counsel."[104]

Legal assistance was an ancient feature of inquisitorial procedure.[105] It was so essential a right that according to Nicholas Eymerich (1320–99), the Spanish general inquisitor, its refusal was a reason for the judicial disqualification or recusal of the inquisitor.[106] But can we refer to this consultant for the defense, as "the collaborating lawyer" (*avvocato collaborista*), as Italo Mereu calls him?[107] Being one of the inquisitor's *consultori* or advisers,[108] was he devoted to the interests of his client or to those of the judge? Can it be argued that a reasoned defense was useless?

It must be admitted that the role of legal counsel might be severely restricted. He did not appear before the court to conduct the case or to cross-examine the adverse witnesses or still to help the accused when he was being interrogated. Nor did he assist him from the start of the trial but only when he was arraigned—when he could have made all or most of his damaging admissions. Moreover, he could not maintain his client's innocence and make him plead not guilty at all costs.[109] If he became convinced of his guilt, he forced him to tell the truth and could withdraw from defense on the grounds that he was "convicted by his own admissions."[110] Otherwise, "if he unduly defends a person already suspect of heresy, he makes himself as it were a patron of that heresy, and lays himself under not only a light but a strong suspicion."[111]

But despite these limits on the lawyers' freedom of action, it cannot be said, as Carena did, that theirs was a secondary role; they did give valid advice to the defendants.[112] Like Giovanni Leonardo Grech Cumbo, they

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per il grave danno che patisce tutta la mia famiglia per la mia carcerazione, e pericolo grave dei miei interessi et interessati." AIM, Proc. 112B, fol. 441v.

104. AIM, Corr. 17, fol. 270r, Cardinal Marescotti to Mgr. Di Masserano, May 2, 1705.

105. W. Ullman, "The Defence of the Accused in the Medieval Inquisition," *The Irish Ecclesiastical Record* 73, series 5 (1950), 481–89; A. Errera, "Difesa," in *DSI*, vol. 1, pp. 479–81.

106. Eymeric, *Directorium Inquisitorum*, p. 451.

107. Italo Mereu, *Storia dell'Intolleranza in Europa. Sospettare e Punire. Il Sospetto e l'Inquisizione Romana nell'Epoca di Galilei* (Milan, 1979), pp. 231–34.

108. That a consultor would not normally act for the defense, see Tedeschi, *The Prosecution of Heresy*, p. 183, note 107.

109. AIM, Proc. 155, fol. 109r.

110. Brian Pullan, "'A Ship with Two Rudders,'" 49.

111. *Malleus Malificarum*, p. 457.

112. Carena, *Tractatus*, p. 36; Tedeschi, *Prosecution of Heresy*, pp. 137–38.

were chosen from among the leading advocates in Malta,[113] some of them being graduates of foreign universities like *La Sapienza* at Rome.[114] Their written defenses could run into as many as twenty-one folios[115] and were based on sound legal expertise and on the teachings of standard canonists whose works were scrupulously cited.[116] Special attention, for instance, was paid to circumstantial evidence, leading possibly to a reduced penalty. Should not a defendant be pardoned for acting in anger, especially after being beaten, whipped or for being so hazy with wine that he could not stand on his feet?[117] An example of the defense counsel's compassionate side is found in a case from 1752. Beatrice Gennaro did admit that she had blasphemed, but was she not desperate, wanting to hurl herself from the bastions having heard that her daughter had drowned?[118] The lawyer could also bring evidence of the defendant's positive reputation and object that the witnesses were his client's mortal enemies[119] or of such bad repute that they merited to be disqualified.[120]

The defendant not only had the services of a lawyer; he could also bring his own witnesses who answered the articles drawn up by the prosecutor (*interrogatoria fisci*).[121] In turn, the accusers answered the questions prepared by the defense lawyer and had also their former denunciations read out to them for their approval.[122] This *repetitio* was so important that it was commonly held that "witnesses' testimony meant nothing" without it.[123]

The counsel was given a transcript of these proceedings so that, together with his client, he could submit the defense (*scrittura di difesa*).[124] Julius III's bull *In multis depravatis* (1554) decreed that the names of the accusers and

113. AIM, Corr. 95, fol. 210v, Mgr. Passionei to Cardinal Ruffo, 30 Nov. 1752.

114. AIM, Corr. 21, fol. 20r, Cardinal Spada to Pro-Inquisitor Giovanni Battista Napoleone, 1 Feb. 1716.

115. AIM, Proc. 131A, fols. 196r–206r.

116. See, for instance, AIM, Proc. 127B, fols. 839r–47r.

117. On acts of anger see AIM, Corr. 10, fol. 97r, Cardinal Barberini to Mgr. Degli Oddi, 19 Aug. 1656. On beating, see AIM, Proc. 122C, fol. 1022r. On whipping, see Ibid., fols. 1661r–v. AIM, Proc. 120A, fols. 114r–33v.

118. AIM, Proc. 123A, fol. 78r.

119. AIM, Proc. 125A, fols. 372r–v.

120. AIM, Proc. 120B, fols. 539r–70v.

121. AIM, Corr. 5, fol. 190r, Cardinal Onofrio to Mgr Serristori, 6 Feb. 1631.

122. AIM, Corr. 13, fol. 5v, Cardinal Barberini to Mgr Ranucci Pallavicino, 13 Jan. 1674.

123. Francesco Beretta, "Giordano Bruno e l'Inquisizione Romana. Considerazioni sul processo," *Bruniana & Campanelliana* 7 (2001), 15–49, here 39.

124. Carena, *Tractatus,* p. 279.

witnesses were to remain absolutely secret.[125] But evidence from Malta contradicts this assertion. Take the case of Antonio Laiosa, a baptized slave of the Order accused of blasphemy in 1743. His accusers Gaetano Schembri, Andrea Crispola, Francesco Pappalardo, and Giuseppe Zerafa are all mentioned in the defense report.[126] Even the depositions read out to the accused were not supposed to contain the names of the accusers and the circumstances of the case, but on 18 August 1756 Carlo de Ruffo, another baptized slave of the Order, was asked whether he knew Ignazio Vella who had accused him of blasphemy and eating meat on prohibited days.[127]

It was only after the defense had been heard that the "rigorous examination" (*rigoroso esame*), the standard inquisitorial jargon for torture, could follow.[128] It could be inflicted on everybody, including priests, but especially on slaves, though as Christopher Black well observes it was reluctantly used.[129] Between 1650 and 1684 it was applied fifty-four times.[130] This is to be compared to the twenty-one instances in the fifty-odd years (1743–98),[131] which shows that the tribunal had abandoned its severity by the eighteenth century.

The cardinal inquisitors, on whose authority only could torture be inflicted and who specified its duration, say a quarter of an hour, knew that it was an insufficient way to elicit the truth. Some defendants like Giuseppa Bella and Grazia Zingara would confess anything not to be tortured.[132] On the contrary, a few fortunates could withstand the pain and even laugh at it[133] because of the strong constitution of their bodies.[134] On account of

125. D'Errico, *L'Inquisizione di Bologna*, p. 60.

126. AIM, Proc. 120B, fols. 539r–70v.

127. Ibid., fol. 547v.; AIM, Proc. 125A, fol. 349r.

128. Oscar Di Simplicio, *Autunno della stregoneria. Malefici e magia nell'Italia moderna* (Bologna, 2005), p. 139.

129. Ciappara, *Society and the Inquisition*, Table 8.1, p. 439; Black, *The Italian Inquisition*, pp. 58, 81, 85. Those who were advanced in age or of ill-health were still taken to the torture-chamber, undressed and bound as if to suffer torture (*tortura per territionem*). See AIM, Corr. 15, fol. 74r, Cardinal Cybo to Mgr. Vidoni, 4 Feb. 1690.

130. Calculated from data in AIM, Proc. 62–83B.

131. The *corda* (hoist) and the *stanghetta* (pressing the ankle between two iron blocks) were the tortures used by the inquisition in Malta. According to Inquisitor D'Elci the *cavalletto* (rack) was never used, "mai però è stato messo in uso in questo Sant'Ufficio." Mgr. D'Elci to Cardinal Marescotti, 12 Nov. 1712.

132. AIM, Corr. 20, fol. 241r, Cardinal Spada to Mgr. D'Elci, 22 June 1715; AIM, Corr. 8, fol. 153r, Cardinal Barberini to Mgr. Gori Pannellini, 29 April 1645.

133. AIM, Proc. 156, fol. 8r.

134. C. Beccaria, *Dei Delitti e Delle Pene*, ed. Piero Calamandrei (Florence, 1965), 215–16.

these disabilities the cardinal inquisitors set up safeguards against possible injustice.[135] It could be applied only on those prisoners against whom there was already cogent incriminating evidence but no full-proof charges.[136] It would have been unbecoming and a most wicked thing against God's and man's laws if there existed no such legitimate evidence, commented the manual *Sacro Arsenale*.[137] Moreover, torture signified the tribunal's obsession with making the defendant confess. And as confession, the bedrock of proof, was to be given freely, statements revealed during the "rigorous examination" had to be ratified outside the torture chamber the next day.[138]

Torture replaced the judgment of God as the arbiter of crime and so, as those who withstood the pain of fire or boiled water were declared innocent, even those who "stood in the negative" were "purged of the strong evidence that there is against them"[139] and were dismissed. Inquisitors, therefore, preferred not to put such defendants like Domenico Fregosi to torture. He was highly suspect of having uttered impieties in conversation. However, it was believed that this "dissolute rascal," as Mgr. Carlo Francesco Durini (r. 1735–39) described him in 1738, would resist the pain. He proved to be right and Fregosi was set free.[140]

Sentence

Then, "having seen and maturely considered the case with the counsel and advice of the theologians and canonists of our congregation," the sentence was laid down. The inquisitors also referred to their manuals and their archives, which constituted a form of perpetual and unfailing memory.[141] By the seventeenth century the bishops' participation in the court of faith had become a mere formality, despite the directives of

135. Di Simplicio, "Tortura," in *DSI*, vol. 3, pp. 1594–95.

136. AIM, Corr. 20, fol. 96v, Cardinal Spada to Mgr. D'Elci, 6 Jan. 1714. See also AIM, Proc. 74, fol. 218v: "It appears to us that you have not said the truth."

137. Masini, *Sacro Arsenale*, p. 263.

138. AIM, Misc. 2, pp. 77–78. See also A. Manzoni, *Storia della Colonna Infame*, ed. Renzo Negri (Milan, 1974), p. 120. For one such example by Thomas Sanchez in 1622, see AIM, Proc. 42A, fol. 86v.

139. AIM, Corr. 5, fol. 77r, Cardinal Millino to Mgr. Herrera, 4 Dec. 1627.

140. AIM, Corr. 95, fol. 61r, Mgr Durini to Cardinal Otthoboni, 22 March 1738. 64v.

141. For the value of these documents, see Frans Ciappara, "Disciplining Diversity: The Roman Inquisition and Social Control in Malta, 1743–98," in Kate Cooper and Jeremy Gregory, eds., *Discipline and Diversity* [Studies in Church History, 43], (Woodbridge, Suffolk, 2007), 354–65, here 357. See also Francesco Beretta, "Le procès de Galilée et les Archives du Saint-Office. Aspects judiciaires et théologiques d'une condamnation célèbre," *Revue des Sciences Philosophiques et Theologiques* 83, no. 3 (1999), 441–90, here 447.

Clement's constitution *Multorum Querela* of 1311. The ordinaries discontinued appending their signatures to the inquisitors' sentences, their interventions being only consultative.[142] This was unlike the practice followed in various tribunals in Italy where, Del Col assures us, it took a long time for the inquisitors to replace the bishops as chief judges of faith.[143]

This does not mean that the inquisitors could issue sentences on their own. It has already been noted that they were not to give the impression that they were the head of an independent tribunal. As one writer has remarked in the case of Milan,[144] inquisitors in Malta decided only cases of minor importance. And even these sentences were dispatched to Rome to be inspected by the congregation's prosecutor "with his usual diligence."[145]

In fact, like other inquisitors on the periphery, such as Giacomo Tinti of Modena (r. 1626–47), they risked being reprimanded by their superiors in Rome.[146] As an example of their "irregular procedures against the practice of the Holy Tribunal"[147] we have the case of Mgr. Raniero D'Elci (1711–15) who on March 14, 1712 condemned the Savoyard Antonio Riccardi to imprisonment for blasphemy, but then released him after barely two months. In the opinion of the cardinal inquisitors, this was a light sen-

142. On ordinaries discontinuing signing inquistors' sentences, see for instance, AIM, Proc. 2B, fol. 275r. On the consultative nature of interventions in this period, see AIM, Corr. 6, fol. 250r, Cardinal Barberini to Mgr. Fabio Chigi, 1 Aug. 1636. Ciappara, *The Roman Inquisition*, 44. T. Deutscher, "The Role of the Episcopal Tribunal of Novara in the Suppression of Heresy and Witchcraft, 1563–1615," *Catholic Historical Review* 77, no. 3 (1991), 403–21.

143. Andrea Del Col, "Organizazzione, Composizione e Giurisdizione dei Tribunali dell'Inquisizione Romana nella Repubblica di Venezia (1500–1550)," *Critica Storica*, Anno 25, no. 2 (1988), 244–94, here 248, 251, 291. See also his "Le Strutture Territoriali e l'Attività dell'Inquisizione Romana," in Agostino Borromeo, ed., *L'Inquisizione. Atti del Simposio internazionale. Città del Vaticano, 29–31 ottobre 1998* (Vatican, 2003), 361–64 and "I Tibunali della Fede: Continuità e Discontinuità dal Medioevo all'Età Moderna," in Susanna Peyronel Rambaldi, ed., *Atti del XLV Convegno di studi sulla Riforma e sui movimenti religiosi in Italia* (Turin, 2007), 83–110. For the difficult relations between the inquisitors and the bishops in seventeenth-century Bologna, see D'Errico, *L'Inquisizione di Bologna*, 191–240.

144. Fumi, "L'Inquisizione Romana e lo Stato di Milano," *Archivio Storico Lombardo*, 5–124, here 43.

145. ACDF, Stanza Storica (St St) HH4–e, Mgr. Ruffo to Cardinal Giudice, Aug. 15, 1722.

146. Black, "The Trials and Tribulations of a Local Roman Inquisitor: Giacomo Tinti in Modena, 1626–1647," *Giornale di Storia* 9 (2012), 1–40. For another case from Modena see Andrea Zanardo, "*Lor Colpa Fu d'Essere Sedotti*—Un Processo dell'Inquisizione Modenese ad Ebrei e Neofiti," *Nuova Rivista Storica* 80 (1996), 525–92.

147. See the 'Istruzione' attached to the letter dated Feb. 24, 1720 from Cardinal Giudice to Mgr. Ruffo, AIM, Corr. 22, fol. 58r.

tence and demanded that this captain of a corsair ship be rounded up again and given another five years.[148] But if the inquisitors could be charged of being lenient with penitents, they could also be condemned for being too harsh with them. In 1722 Stefano Tancredi was accused of various types of witchcraft.[149] As these accusations did not concern the abuse of sacraments or sacramentals, he was found only lightly (*de levi*) suspect of heresy. But still he was tortured, which the cardinal inquisitors condemned severely.[150]

It is dishonest to label the verdicts passed by the Holy Office as being vindictive and unfair. The decision not to proceed with the trial, for instance, was fairly common. The crime of heresy was to be punished only if there were two essential elements present, heretical material and voluntary adhesion to the heresy.[151] For instance, "May God send the devils to take my soul" is an atrocious but not a heretical proposition.[152] Besides, was the defendant conscious of his heretical belief? Take the case of Maddalena, the wife of Domenico Zammit of St Mary's, Mqabba. In 1708, drawing on popular tradition, she took her sick child to an abandoned chapel and, laying it down on the altar, said, "Give me my child because this is not mine." Like other simple women she did not realise the enormity of her crime until the inquisitor made her conscious that she was imploring the malign spirit. If she were addressing God why did she make it a point not to nominate the name of Jesus and why did the chapel contain no images of saints? Why did she not sign herself with the sign of the cross? Why did not the child wear any sacred object? The inquisitor, the representative of a higher culture, asked her whether she believed "that the most holy name of Jesus should be invoked and adored by all Christians." She answered that she did and that she was an ignorant woman who had only desired that her child be cured, for which she was sternly rebuked.[153]

As Table 1 shows, 16 of the 150 persons arrested between 1744 and 1798 (10.7 per cent) were acquitted:[154] "owing to lack of proof it is a point of justice

148. AIM, Corr. 20, fol. 79r, Cardinal Spada to Mgr. D'Elci, 30 Sept. 1713. For the whole proceedings see AIM, Proc. 103B, fols. 601r–710v.

149. AIM, Proc. 108B, fols. 558r–63v.

150. AIM, Corr. 22, fols. 199r–201r, Cardinal del Giudice to Mgr. Ruffo, 24 Oct. 1722.

151. Beretta, "Le procès de Galilée," 449.

152. AIM, Proc. 136A, fol. 320r.

153. Jean-Claude Schmitt, *Medioevo "Superstizioso"* (Rome-Bari, 1997), pp. 132–36; Keith Thomas, *Religion and the Decline of Magic. Studies in Popular Beliefs in Sixteenth and Seventeenth Century England* (London 1971), pp. 612–13; AIM, Proc. 100B, fols. 506r–v.

154. Calculated from dated in Ciappara, *Society and the Inquisition*, Table 9.2, p. 468.

TABLE 1. *Sentences passed on prisoners, 1744–98*
(Ref. AIM. Proc. 120A—Proc. 162)

Imprisoned	41
Acquitted	16
Conditional Release	18
Warned	18
Whipped	13
Shamed	18
Sent on Galleys	3
Others	16
Unknown	7

Others: Hard labor—1; exiled—1; jailers removed from office—2; priest to discontinue pastoral work—1; bigamists to join spouse—3; abjured—8.

to set promptly free this unfortunate (Emanuele Oliveira of Lisbon) after the long imprisonment he has suffered."[155] In eighteen other cases the detained were simply admonished, the same number as those who were released on condition they would be summoned again if ever fresh evidence rose against them. Another eight were let go simply because they agreed to abjure their heresy.

The tribunal's judicial yardstick was both just and sensible. Minors, for instance, were not to get the same punishment as elders.[156] Inquisitors were considerate to the point that parents were to be spared from being flogged publicly lest their daughters failed to find a husband.[157] Another maxim was that the punishment should fit the offender. Prostitutes, therefore, were not made to confess and communicate, but only to fast, pray, and do other penances "proportional to the quality of the unhappy state in which these wretches find themselves."[158]

Following the setting up of the tribunal in 1561 sentences were public spectacles, the well-known *auto da fé*. The notary ascended the pulpit of the cathedral or of some other church, for instance the Dominican church

155. ". . . è debito di giustizia di liberare con sollecitudine un infelice dopo una lunga carcerazione che ha sofferta che dal Processo compilato con accuratezza siasi rilevata alcuna reità contro di lui." AIM, Corr. 33, fol. 171r, Cardinal Antonelli to Mgr. Lante, 31 Jan. 1775.

156. AIM, Proc. 70B, fols. 393r–95v.

157. AIM, Misc. 2, p. 83.

158. "Non solo ha ben bene la S. Congze. che V. S. commuti l'obligo di confessarsi, e di communicarsi quattro volte l'anno imposto alle meretrici penitentiati da cotesta Inqne., ma che per l'avvenire in casi somiglianti non se l'imponga, ma se le diano altre penitenze salutari, come di digiuni, ed orazioni, e di altri si fatti proporzionati alla qualità dello stato infelice in che si trovano coteste misere." AIM, Corr. 6, fol. 175, Cardinal Barberini to Mgr. Chigi, Oct. 16, 1635.

of the Annunciation at Birgu, and read out the verdict in the presence of a large congregation.[159] These ceremonies were catechetical sessions on a grand scale, which, with their exemplary punishments, reaffirmed and endorsed the basic values of the Christian community.[160] However, in another attenuating development in the inquisitorial procedure, the chancellor from 1725 onward started reading the sentences in the *camera secreta* in the presence only of the penitent and two witnesses.[161] Nor did formal heretics, at least from 1714, wear the penitential habit adorned with the sign of the cross over their other clothes.[162]

Next, "to remove from the mind of Christ's faithful this grave suspicion against me" the accused knelt in front of the inquisitor and touching the bible, abjured, cursed, and detested "this heresy and error which contradicts the Holy, Catholic, Apostolic, and Roman Church." It was only then that the penitent, having sworn never again to fall into similar errors, was absolved from the excommunication which he had incurred.[163]

However, "so that your grave errors do not remain totally unpunished and you will be more cautious in the future," a temporal penance was imposed on the "heretic." The inquisitors proceeded with much circumspection because everybody was entitled to his good name and even "the lowliest people wished to preserve that honor and reputation which belonged to their station."[164] The last eight inquisitors meted out thirty-seven sentences of imprisonment, which in four cases entailed fasting on bread and water once or twice a week on Wednesdays and Saturdays. Only three "heretics" were sent to row on the galleys; one was condemned to hard labor while another was exiled. It must be noted that capital sentences, like fines, were only handed down sparingly. On its establishment the inquisition had wanted to impress the inhabitants with its severity and the impenitents were sent to their death and their property confiscated.[165]

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159. AIM, Proc. 28A, fol. 66r; AIM, Proc. 44B, fol. 918v.

160. For the meaning of this religious ritual see M. Flynn, "Mimesis of the Last Judgement: the Spanish *Auto da fé*," *Sixteenth Century Journal* 22, no. 2 (1991), 281–97.

161. AIM, Corr. 23, fol. 47r, Cardinal Paulucci to Mgr. Ruffo, 15 Dec. 1725; AIM, Proc. 122A, fol. 384r.

162. AIM, Proc. 103C, fol. 914v.

163. AIM, Proc. 134A, fols. 201r–v. For abjuration see E. Brambilla, "Abiura," in *DSI*, vol. 1, pp. 5–6.

164. AIM, Corr. 22, fol. 200v, Cardinal Giudice to Mgr. Ruffo, Oct. 24, 1722.

165. V. Lavenia, "I Beni dell'Eretico, i conti dell'Inquisitore. Confische, Stati Italiani, Economia del Sacro Tribunale," in *L'Inquisizione e gli Storici: Un Cantiere Aperto* (Rome, 2000), pp. 47–94.

Gesualdo, an obstinate Protestant, was burnt in 1554 and two other Protestant sympathisers Matteo and Lorenzo Falsone were spared this cruel fate only because they succeeded in escaping and were instead burnt in effigy in 1575.[166] Not so the two apostates Costantino and Giovanni da Paris,[167] who were both burnt alive in 1639. These cases involved relapsed heretics but others could still be executed for some most execrable crime. Take the case of Paolo Somma from Messina, who was consigned to the secular arm in 1643. He had been the chief spy for enslaving the inhabitants of the town of Nicotera (Calabria, Italy) by Muslim corsairs but he was also reported to have said that his only wish was to do so much harm to the Christians that God would say, "Enough! Enough!"[168]

Temporal punishment served as an example to all the Christian community, to whom the heretic's crime had served as a scandal. A way to reaffirm society's moral order and avenge the "collecive conscience" was shamimg. Bareheaded and on his knees the convicted heretic was exposed in front of the main door of the church. A note on his chest proclaimed his crime, while in cases of blasphemy a gag (*mordacchia*) was put in his mouth. Another penalty which inculcated shame was flogging. The condemned, mostly slaves, were first certified by the prison doctor as able to withstand the pain, and those who like Imhammet suffered from hernias had their loins tied before being flogged. They sat with their hands tied on an ass or a donkey, wearing a miter on their head and the ignominious placard on their breast and heralded by a trumpeter, they were beaten at every corner of the cities of Senglea, Cospicua, Vittoriosa and Valletta.[169]

Finally, "so that from God Our Lord you obtain mercy and pardon more easily for your sins and errors," the condemned received a spiritual penance. They were to confess four times a year and with the advice of their confessor receive holy communion at Easter, Pentecost, the Assumption, and Christmas and were required to recite the rosary every Saturday for the next two or four years. They could also be made to say the seven

166. On Gesualdo's burning, see AIM, Mem. 12, fol. 19r; Salelles, *De Materiis Tribunalium S. Inquisitionis*, p. 48; Anne Brogini, *Malte, Frontière de Chrétienté, 1530–1670* (Rome 2006), p. 405; regarding the Falsones, see AIM, Mem. 12, fol. 44r. For the confiscation of their property, see ACDF, St St II 1-e bis.

167. AIM, Proc. 54 Bis, fol. 83r. AIM, Corr. 7, fol. 106r, Cardinal Barberini to Mgr. Chigi, March 26, 1639; AIM, Proc. 54 Bis, fol. 121r. AIM, Corr. 7, fols. 80r–v, Cardinal Barberini to Mgr. Chigi, 27 Nov. 1638.

168. AIM, Corr. 8, fol. 57r, Cardinal Barberini to Mgr. Gori Pannellini, May 23, 1643. For the trial see AIM, Proc. 56B, fols. 1119r–47v.

169. Ciappara, *Society and the Inquisition*, pp. 470–73.

penitential psalms on their knees every Friday with their litanies, and there is one case of a penitent who was to recite the Creed three times every Sunday kneeling before some holy picture.[170] A nun who imagined all sorts of lust was to mortify her flesh and allay its assaults by penitences.[171]

Verdicts were issued with the proviso "reserving to the sacred supreme congregation of the Holy Office the right to increase, moderate, change, and pardon in part or in whole the punishments and salutary penance."[172] The condemned, for example, could ask to spend their prison sentence in a monastery,[173] a convent,[174] or the Jesuit college.[175] Much more importantly, they had the right to appeal to Rome for redress against an unjust sentence.[176] As both G. Bertora and Nicholas Davidson[177] among others have rightly remarked, the cardinals were ready to listen to abuses and see that justice be done.[178] Although outside our period we can take the case of Mgr. Gori Pannellini (r. 1639–46).[179] In 1638 he was involved in a suit concerning the supposed ritual boiling of a five-month-old child in a cauldron of water, wine, oil, and honey. Some forty men and women were alleged to have attended, the men dancing round the container while Mansur the slave read from a book. When the devil appeared, they all knelt down to adore him; they offered their soul to him and foreswore their faith. This scene of the Devil's Sabbath was extracted from the defendants by applying the power of suggestion systematically and subjecting them to psychological stress. They had their bodies searched for the devil's mark and were offered false promises of impunity. They were ordered to plead guilty since if they did not confess they would be flayed and suffocated, have their eyes pulled out, and would be beaten and thrown into the well

170. AIM, Proc. 122B, fols. 440r–585v; AIM, Proc. 131B, fol. 593v.

171. AIM, Corr. 27, fols. 114r–16v, Cardinal Ruffo to Mgr. Gualtieri, March 17, 1742.

172. See, for instance, AIM, Proc. 105B, fol. 376v.

173. Ciappara, *Society and the Inquisition*, pp. 477–78.

174. AIM, Corr. 91, fol. 170v, Cardinal Ruffo to Mgr. Passionei, July 2, 1746.

175. AIM, Corr. 94, fol. 168v, Mgr. D'Elci to Cardinal Marescotti, Dec. 9, 1711.

176. D'Errico, "*Licet ab initio*," in *DSI*, vol. 2, p. 906.

177. G. Bertora, "Il Tribunale Inquisitorio di Genova e l'Inquisizione Romana nel'500," *La Civiltà Cattolica* 11, Anno 104 (1953), 173–85, here 181, 183. Nicholas S. Davidson, "Rome and the Venetian Inquisition in the Sixteenth Century," *Journal of Ecclesiastical History* 39, no. 1 (1988), 16–36, here 26.

178. Appeals could also be launched with the *Penitentieria*. See F. Tamburini, "Suppliche per casi di Stregoneria Diabolica nei Registri della Penitentieria e Conflitti Inquisitoriali (Sec. XV–XVI)," *Critica Storica*, Anno 23, no. 4 (1986), 605–59.

179. For this over-jealous inquisitor see Alexander Bonnici, "A Bad Reputation for the Maltese Inquisition under Mgr. John Baptist Gori Pannellini," *Melita Historica* 6, no. 1 (1972), 50–59.

to be thrashed by the spirits or torn to pieces—the torture chamber being purposely left open to terrify them with its instruments.[180] But on their appeal to Rome the inquisitor was replaced by Mgr. Antonio Pignatelli (r. 1646–49), the future Pope Innocent XII (r. 1691–1700).[181] The case was reopened and justice was vindicated. The assessor and the defence counsel were arrested and on July 2, 1648 the accused were publicly declared innocent, having been imprisoned on fantastic and flimsy illusions.[182]

Conclusion

In conclusion, the Maltese tribunal was one of the numerous tribunals of the Roman Inquisition, but it was original in some respects. None of the inquisitors belonged to the Franciscan or Dominican orders. The first two inquisitors were the local bishops, but unlike in Italy, the ordinaries were soon followed by members of the secular clergy, starting with Mgr. Duzina in 1574. The inquisitors in Malta were also representatives of other Roman congregations, as well as nuncios or apostolic delegates, their stay in Malta serving as training for a later diplomatic career.

By the eighteenth century the Roman Inquisition was no longer preoccupied with Protestants. The inquisitors were now concerned with the "Indians" of Europe who did not lead a true Christian life and instead blasphemed, believed in witchcraft, and did not carry out their Easter duties. But if this was true of all tribunals, the *sant'ufficio* in Malta, unlike elsewhere, was still thriving at its demise in 1798.

The secrecy of the tribunal is a myth, since the defendant could recognize his accusers in various ways. Their names cropped up during interrogation but, what is most revealing, he could confront them face to face. Furthermore, contrary to general belief, it has been shown that in Malta the dossier, which the defendant was given to prepare his defense with, contained their names. In this the accused was assisted by a defense lawyer, who in Malta was also one of the consultors.

This study addresses themes which are generally ignored or else given little importance by the historians of the Inquisition. The accused testified

180. AIM, Proc. 153, fols. 392v, 393v.

181. See the memorial attached to the letter dated 27 Sept. 1648 by Cardinal Barberini to Mgr. Pignatelli: AIM, Corr. 8, fols. 270r–71v; on the replacement of the inquisitor by Mgr. Pignatelli, see Frans Ciappara, "Innocent XII," in *DSI*, vol. 2, p. 800.

182. AIM, Corr. 8, fol. 250r, Cardinal Barberini to Mgr. Pignatelli, Dec. 22, 1647.

under oath, with the possibility that he forswore himself. The trial records give us a glimpse of the way a defendant was identified when he refused to admit his guilt. He stood either alone or, more commonly, between two other persons in the middle of the staircase while his accusers looked through a window. The court trials also reveal the fact that the inquisitors were reluctant to submit to torture an accused who could withstand the pain because then he would have to be set free. The Maltese Inquisition makes it clear that accusers were interrogated a second time to confirm their depositions and to answer the questions prepared by the defense council. Lastly, the tribunal had abandoned its severity by the eighteenth century and the inquisitors were considerate to the extent that they would banish a woman to the island of Gozo rather than flog her publicly lest her husband abandoned her.[183]

183. AIM, Proc. 28A, fols. 65r–69v.

Law and Catholicism in Colonial Maryland

Scott D. Gerber*

Montesquieu famously concluded in The Spirit of the Laws *that each form of government has an animating principle—a set of "human passions that set it in motion"—and that each form can be corrupted if its animating principle is undermined. Maryland is a compelling case study of Montesquieu's theory: founded in 1632 by Lord Baltimore as a haven for Catholics, a mere two decades later that animating principle was dead. This article explores why. More specifically, the article examines the birth, death, and resurrection of Maryland's animating principle by identifying with as much precision as possible the impact of the law itself on regime change in colonial Maryland.*

Keywords: colonial Maryland, Lord Baltimore, religious toleration, law

"The doctrine of toleration in matters of religion, reasonable though it certainly is, has not been long known or acknowledged. . . . [B]ut while immortal honours are bestowed on the name and character of Locke; why should an ungracious silence be observed, with regard to the name and character of Calvert?"

—U.S. Supreme Court Justice James Wilson, *Lectures on Law* (1790–91)

Montesquieu famously concluded in *The Spirit of the Laws* that each form of government has an animating principle—a set of "human passions that set it in motion"—and that each form can be corrupted if its animating principle is undermined.[1] The animating principle of a particu-

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1. Charles de Montesquieu, *The Spirit of the Laws* [1748], ed. & trans. Anne M. Cohler, Basia Carolyn Miller, and Harold Samuel Stone (New York, 1989), pp. 21, 30. It is conceivable that a regime might have more than one animating principle.

lar English American colony is usually easy to discern. To mention two well-known examples, religious toleration was Rhode Island's animating principle, while Connecticut's was the desire to create an ideal Puritan polity.[2] Of course the "legend" is that Maryland was founded as a Catholic colony,[3] although scholars have spent a lot of time disagreeing about the matter over the years.

In 1883, for instance, attorney and former Confederate general Bradley T. Johnson delivered a paper to the Maryland Historical Society that chronicled what he claimed were the three prevailing theories about Maryland's animating principle.[4] The first was financial: "Lord Baltimore, having acquired a principality, in order to develop it by speedy settlement, and promote his fortune, proclaimed and promised the largest liberality in grants of land and liberty of conscience to all who would emigrate to and colonize his new possessions."[5] The second traced to the benevolence of Maryland's Protestant majority: "The Puritan theory that the Protestants having the numerical preponderance in the Colony in 1649, proclaimed freedom of conscience as the fundamental law of the new commonwealth, being moved thereto by a profound conviction of its justice and the example of the Puritans in England."[6] The third was the Catholic account: "The Roman Catholic theory that Lord Baltimore, being a devout Catholic, actuated by a desire to provide a refuge for his oppressed co-religionists, founded a Catholic Colony, composed in the main of Roman Catholics, and by his own authority, with their co-operation and sympathy, and through the promptings and teachings of his Church, adopted and proclaimed the Law of Religious Liberty to all Christians of every creed and sect whatsoever, as the fundamental institution of the new State."[7]

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2. Scott D. Gerber, "Law and the Lively Experiment in Colonial Rhode Island," *British Journal of American Legal Studies* 2 (2013), 453–76; Scott D. Gerber, "Law and Religion in Colonial Connecticut," *American Journal of Legal History* 55 (2015), 149–93.

3. R. J. Lahey, "The Role of Religion in Lord Baltimore's Colonial Enterprise," *Maryland Historical Magazine* 77 (1977), 492–511, here 493. Lahey was referring to the "legend" surrounding George Calvert's founding of Avalon, but the term applies with equal force to his plan for Maryland.

4. See Bradley T. Johnson, "The Foundation of Maryland and the Origin of the Act Concerning Religion of April 21, 1649" (1883), p. 9, https://archive.org/details/foundationofmary00john.

5. Ibid, p. 5.

6. Ibid., p. 6.

7. Ibid., pp. 7–8. Johnson rejected all three of the prevailing theories and proposed a fourth theory of his own: that Lord Baltimore sought to establish a colony in America where the rights of Englishmen, broadly construed, would be secured and guaranteed to "all its people forever." Ibid., p. 9.

Jumping ahead more than a century to the present day, historian Nicholas John Pellegrino summarizes the current state of the literature in his dissertation about Catholics and the pursuit of religious freedom in early America, which is worth quoting at length:

> Historians have assessed the Maryland experiment in religious freedom by weighing the competing religious, political, and economic ideals that motivated Calvert to found his colony in 1632. While some analysts have lauded his commitment to religious liberty by arguing that, along with his son who carried out his ambitions, Calvert "deserves to be ranked among the most wise and benevolent lawgivers of all ages," others sought to correct this "wholly erroneous view of the Religious Toleration stated to have been declared by Lord Baltimore." These competing views split along denominational lines, with Protestant historians like C. E. Smith ascribing the most deceitful and self-interested motives to Calvert and his heirs, and Catholic historians such as Bishop William T. Russell celebrating Calvert's magnanimous plan. Most recently, however, scholars of various persuasions have found a more nuanced way to explain the motivations behind the Maryland experiment. Thomas McAvoy, for instance, includes both interpretations in his studies of early Maryland without assessing the relative importance of one over the other. Perhaps the leading historian on the subject, John Krugler concludes that although "Religious freedom was the modus operandi of the 'Maryland designe,'" it was "not the purpose of the founding of Maryland. It was a means to an end, which was the creation of a prosperous society."[8]

Scholars can never know for certain which of the various interpretations of Maryland's animating principle is correct. As historian Maura Jane Farrelly puts it in her book about the making of American Catholic identity: "we have no documentation on what either of the first or second Lord Baltimore's motives were, other than the fact that they both hoped to make money. To what degree, then, the Act Concerning Religion was a genuine move to create a refuge for Catholics, and to what degree it was a marketing ploy—designed to attract and protect an English population that was disproportionately wealthy—cannot be fully determined."[9]

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8. Nicholas John Pellegrino, "Reviving a Spirit of Controversy: Roman Catholics and the Pursuit of Religious Freedom in Early America" (unpublished Ph.D. diss., University of Nevada, Las Vegas, 2015), pp. 59–60. See also John D. Krugler, "An 'Ungracious Silence': Historians and the Calvert Vision," *Maryland Historical Magazine* 110 (2015), 143–57 (a historiography about the founding of Maryland).

9. Maura Jane Farrelly, *Papist Patriots: The Making of an American Catholic Identity* (New York, 2012), p. 50. But see Matthew Page Andrews, "Separation of Church and State in Maryland," *The Catholic Historical Review* 21 (1935), 164–76, here 174 ("After extensive

What this article now hopes to demonstrate is that, by focusing on the development of the *law* in colonial Maryland—most notably, the charter, instructions, statutes, and judicial decisions[10]—what becomes apparent is the birth, death, and resurrection of a colony designed to provide refuge for Catholics and that tried to do so by promising toleration for all Christian denominations. Although the article discusses the political, social, and economic context of the various Maryland laws about religion, it emphasizes the text and the principles derived from the text. The objective is to identify with as much precision as possible the impact of the law itself on regime change in colonial Maryland.[11] Note also that there are two major styles of writing about history: articles and books that focus in great detail on a narrow period of time and those that chronicle in conceptual terms a broad expanse of time. This article is written in the second style.

Birth of an Animating Principle

George Calvert (see Figure 1) served as a member of the English Parliament and later as secretary of state under King James I. He supported the failed marriage alliance between Prince Charles and the Spanish House of

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study, I should say that idealism was uppermost in the purpose of the Calverts; but, being also practical, they held in view the hope of a profitable enterprise."); Thomas J. Curry, *The First Freedoms: Church and State in America to the Passage of the First Amendment* (New York, 1986), p. 33 ("Unless both father and son shared a desire to make their colonial enterprises havens in some sense for their fellow English Catholics, their policy of encouraging Catholics to emigrate to those colonies, providing them with priests, and securing toleration for them—all actions that jeopardized the commercial success of the ventures—is inexplicable.").

10. Scholars long have debated the meaning of "law" in colonial America. See, for example, Mary Sarah Bilder, "English Settlement and Local Governance," in *The Cambridge History of Law in America*, Volume I: *Early America (1580–1815)*, ed. Michael Grossberg & Christopher Tomlins (New York, 2008), pp. 63-103, here pp. 90–103.

11. Legal historian William E. Nelson emphasizes economics as the basis for regime change in colonial Maryland. See, for example, William E. Nelson, "The Law of Colonial Maryland: Virginia Without Its Grandeur," *American Journal of Legal History* 54 (2014), 168–99. The general scholarship about colonial Maryland is voluminous. A few examples of books that focus on matters other than law include Lois Green Carr, Russell R. Menard, & Lorena S. Walsh, *Robert Cole's War: Agriculture and Society in Early Maryland* (Chapel Hill, 1991) (a case study of local agriculture in colonial Maryland); Jean B. Russo & J. Elliott Russo, *Planting an Empire: The Early Chesapeake in British North America* (Baltimore, 2012) (a comparative analysis of the political economies of colonial Maryland and colonial Virginia); and Antoinette Sutto, *Loyal Protestants and Dangerous Papists: Maryland and the Politics of Religion in the English Atlantic, 1630–1690* (Charlottesville, 2015) (an exploration of the impact of trans-Atlantic politics on colonial Maryland). The *Maryland Historical Magazine* is a treasure trove of articles about Maryland, including many on the colonial period. Relevant additional works are cited throughout this article.

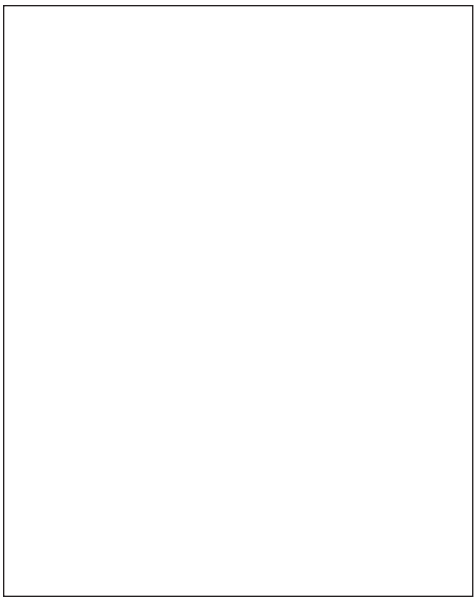

FIGURE 1. Engraving of George Calvert, 1st Baron Baltimore by unknown artist, ca. 1620. Public domain work retrieved via Wikimedia Commons. (https://commons.wikimedia.org/wiki/File:George_Calvert,_1st_Baron_Baltimore.jpg)

Habsburg, which greatly diminished Calvert's political power. He resigned all of his government offices in 1625 except for his position on the privy council and declared publicly that he was Catholic. Later that year the king anointed Calvert as Baron Baltimore of Baltimore in the county of Longford in the Irish peerage as a reward for Calvert's years of loyal service.[12]

Calvert had a longstanding interest in colonization of the Americas, which was initially manifested in 1609 through financial investments in the second Virginia Company and the East India Company. He joined the New England Company in 1622, and in 1623 he obtained a royal charter for a colony he called Avalon in what is now Newfoundland, Canada.[13] When the newly installed Lord Baltimore traveled to Avalon in 1627, he brought with

12. See, for example, John D. Krugler, *English and Catholic: The Lords Baltimore in the Seventeenth Century* (Baltimore, 2004), chap. 3.

13. See, for example, Gillian T. Cell, "Introduction" to *Newfoundland Discovered: English Attempts at Colonisation, 1610–1630*, ed. Gillian T. Cell (London, 1982), pp. 1–59, here pp. 48-49. Calvert had purchased a smaller plot in Newfoundland in 1620.

him two Catholic priests, one of whom remained in the colony through 1629. This marked the first continuous Catholic ministry in English North America. Baltimore secured the right of Catholics to practice their religion unimpeded in the new colony, and he implicitly recognized the principle of religious tolerance for all Christians in Avalon's charter by omitting any requirement that settlers take the Oath of Supremacy acknowledging the monarch as the head of the Church of England.[14] Avalon was thus the initial North American jurisdiction to practice at least some degree of religious toleration.[15] However, the colony failed because Baltimore found the weather too severe and it had become a financial drain on him.[16]

Lord Baltimore was bound and determined not to give up on his dream of colonization. King Charles I, who had succeeded his father on the throne, granted Baltimore a location south of Jamestown. Baltimore asked the king for a different spot in light of opposition from other investors interested in settling the new land of Carolina into a sugar plantation,[17] and he eventually accepted redrawn boundaries to the north of the Potomac River, on either side of the Chesapeake Bay.[18] Tragically, he died five weeks before the charter passed the seals, but his eldest son Cecilius, who became the second Lord Baltimore, carried on his father's design (see Figure 2).[19] Cecilius organized the expedition of colonists to the New World, although he did not travel with them. Cecilius's brother Leonard served as the first governor of Maryland. The colony was named after

14. See, for example, Peter E. Pope, *Fish into Wine: The Newfoundland Plantation in the Seventeenth Century* (Chapel Hill, 2004), p. 289. Religious studies scholar R. J. Lahey emphasized the significance of this omission: "The original grant to the Newfoundland Company in 1610, for example, provided that 'we would be loth that any person should be permitted to pass that we suspected to affect the superstitions of the Church of Rome,' and it specifically required the taking of the Oath of Supremacy, a measure unambiguously obnoxious to Roman Catholics. By that standard, the absence of restriction on Roman Catholic colonization in the Avalon charter is indeed remarkable." R. J. Lahey, "The Role of Religion in Lord Baltimore's Colonial Enterprise," *Maryland Historical Magazine* 77 (1977), 492–511, here 496. The Charter of Avalon of 1623 is reprinted in Cell, *Newfoundland Discovered*, pp. 258–69.

15. See, for example, "Sir George Calvert and the Colony of Newfoundland," http://www.heritage.nf.ca/articles/exploration/calvert-avalon-colony.php.

16. See, for example, Luca Codignola, *The Coldest Harbour of the Land: Simon Stock and Lord Baltimore's Colony in Newfoundland, 1621-1649*, trans. Anita Weston (Kingston, 1988), part One.

17. See, for example, John Fiske, *Old Virginia and Her Neighbours* (Boston, 1897), p. 265.

18. See, for example, William Hand Browne, *George and Cecil Calvert: Barons Baltimore of Baltimore* (New York, 1890), p. 17.

19. See, for example, Aubrey C. Land, *Colonial Maryland: A History* (Millwood, 1981), p. 6.

FIGURE 2. Painting of Cecil Calvert, 2nd Baron Baltimore, by Florence MacKubin (1861–1918), ca. 1910. Public domain work retrieved from the Maryland State Archives. (http://msa.maryland.gov/msa/speccol/sc1500/sc1545/001100/001126/html/cecilcalvert.html)

Queen Henrietta Maria, wife of Charles I. The initial wave of colonists was thought to have consisted of seventeen Catholic gentlemen, two Jesuit priests, and approximately 123 Protestant indentured servants who set sail on the *Ark* and the *Dove* on November 22, 1633.[20] Catholics remained a minority of Maryland's population throughout the colonial period.

The charter of Maryland—the organic law of the colony—announced that "Cæcilius Calvert . . . being animated with a laudable, and pious Zeal for extending the Christian Religion . . . that all that Region . . . may by our Royal Highness be given, granted and confirmed unto him, and his Heirs."[21] The charter then enumerated Lord Baltimore's powers and rights

20. See, for example, Matthew Page Andrews, *The Founding of Maryland* (Baltimore, 1933), p. 22.

21. The Charter of Maryland of 1632 is reprinted at, among other places, http://msa.maryland.gov/msa/educ/exhibits/founding/pdf/charter.pdf.

in religious matters as follows: "We do grant . . . the patronages and advowisms of all churches . . . within the said region . . . together with the license and faculty of erecting . . . churches . . . and places of worship. . .; with all and singular such, and as ample rights, jurisdictions, privileges . . . liberties . . . and royal rights, and by temporal franchise whatsoever, as well as by sea as by land . . . to be had, exercised . . . as any *bishop of Durham* . . . ever heretofore hath had, held, used or enjoyed, or of right could, or ought to have, hold, use or enjoy."[22]

The Bishop of Durham clause endowed Lord Baltimore with regal powers in Maryland, including, at least technically, with the authority to exclude everyone but Catholics, "if Baltimore so willed."[23] Although the charter specified that Maryland's laws had to conform "so far as conveniently may be" to the laws of England and that inhabitants of the colony were entitled to the privileges of native born Englishmen, any ambiguity was to be interpreted in Baltimore's favor.[24]

The charter did not specifically announce the intention to plant a colony protective of Catholics. That should not be surprising. At the time, the laws of England not only forbade the open practice of Catholicism, but King Charles—although married to a Catholic and suspected of being Catholic himself—was demanding stricter enforcement of those laws.[25] Consequently, if George Calvert desired to create a haven for Catholics in Mary-

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22. Ibid.

23. Wm. King, "Lord Baltimore and his Freedom in Granting Religious Toleration," *Records of the American Catholic Historical Society of Philadelphia*, vol. 32 (1921), pp. 295–313, here p. 298.

24. Charter of Maryland. The favorable terms of the charter have been said to be a manifestation of George Calvert's "legal genius." Lois Green Carr & Edward C. Papenfuse, "The Charter of Maryland," *Archives of Maryland Online*, vol. 550 (2003), pp. xii–xxv, here p. xii. Carr was widely regarded as the leading historian of Maryland's seventeenth-century period. Papenfuse was the longtime state archivist of Maryland who was largely responsible for making the Maryland archives accessible via the internet. Citations in this article to the Maryland archives are to the internet version, Archives of Maryland Online (hereafter "*AOMOL*"). See http://aomol.msa.maryland.gov/html/index.html. *AOMOL*, as it is commonly known, currently includes 865 volumes and also publishes occasional essays interpreting the archived records.

25. The origins of anti-Catholic sentiment in England traced to Pope Clement VII's refusal to annul the marriage of Henry VIII and Catherine of Aragon. The high-water mark was the Act of Supremacy of 1534, which decreed the monarch to be "the only supreme head on earth of the Church in England." Any act of allegiance to the pope was considered treasonous. See, for example, I. D. Thornley, "The Treason Legislation of Henry VIII (1531–1534)," *Transactions of the Royal Historical Society* (Third Series) 11 (1917), 87–123.

land, it was unlikely that he would have made that known to Charles during the process of obtaining the charter. Calvert's strategy worked: the Virginia Company had accused Calvert of wanting to establish a Catholic colony—calling him a "Catholic Colonizer"—but Charles dismissed the accusation and granted the charter as a reward for Calvert's loyalty to King James I.

Moreover, the actions taken by Cecilius Calvert immediately after being granted the charter provide strong circumstantial evidence that the Calverts wanted to create a haven for Catholics and that they concealed that plan from King Charles.[26] The day that the *Ark* and the *Dove* set sail for Maryland all of the passengers who were onboard at that moment were administered the same Oath of Supremacy and allegiance to the king that George Calvert had refused, as a Catholic, to take and that had led the senior Calvert to resign his government posts. Shortly thereafter the ships made an unannounced stop to pick up the group of Catholic planters who had been recruited to travel to Maryland, and who were accompanied by two Catholic priests. The extra stop was necessary because the Catholic planters had informed Cecilius Calvert that they would not take the Oath of Supremacy and allegiance to the king.[27]

While on the voyage to Maryland the leaders of the expedition were supplied with a document entitled "Instructions to the Colonists by Lord Baltimore, 1633" written by Baltimore himself.[28] The Instructions provided additional evidence of the Calverts' strategy of keeping the animating principle of the colony under wraps by requiring Catholic planters to practice their religion "as priuately as may be" and "to be silent vpon all occasions of discourse concerning matters of Religion" so that none of the Protestants in the colony would complain to the anti-Catholic forces "in Virginia or in England."[29]

According to the charter, Lord Baltimore could pass a law only with the advice and consent of an assembly of freemen. But the manner of calling such an assembly was left to his will and what constituted "law" was viewed far less formalistically in seventeenth century Maryland than it is

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26. See, for example, Krugler, *English and Catholic*, pp. 133, 134, 137, 138, 143; Thomas O'Brien Hanley, "Church and State in the Maryland Ordinance of 1639," *Church History* 26 (1957), 325–41, here 332.

27. See, for example, Charles M. Andrews, *The Colonial Period of American History: The Settlements*, vol. 2 (New Haven, 1935), p. 286.

28. The 1633 Instructions are available at *The Calvert Papers*, vol. 1 (Baltimore, 1889), pp. 131–40, http://www.loc.gov/resource/lhbcb.3364a/.

29. Ibid., vol. 1, p. 132.

today.[30] For instance, instructions were regarded as law during the colonial period,[31] and the 1633 directive from Baltimore may be fairly characterized as Maryland's first Toleration Act. The second was the Ordinance of 1639, a basic set of laws enacted by Maryland's general assembly after the assembly had rejected an initial code proposed by Baltimore in or about 1637 on the ground that the assembly rather than the proprietor should initiate legislation. Perhaps surprisingly, the 1639 Ordinance was more tolerant about religion than the far more celebrated Act Concerning Religion of 1649.[32] The Ordinance of 1639 extended toleration to Christians and non-Christians alike, whereas Baltimore's proposed code—and the more famous Act Concerning Religion of 1649—afforded toleration to Christians only.[33] The language from Baltimore's proposed code, for example, was "that all the Inhabitants of this Province being Christians (Slaves excepted), shall have and enjoy such rights liberties immunities priviledges and free customs within this Province as any naturall born subject of England hath or ought to have."[34] The 1639 Ordinance, by contrast, omitted the qualifications in Baltimore's proposal and substituted "according to the Great Charter."[35] Indeed, under the 1639 Ordinance a Jewish man served in the legislature.[36] Further, unlike in New England's Puritan colonies, religious felonies were not punishable in court as offenses against religion as such, but rather were sanctionable solely if they rose to the level of a breach of public order.[37]

When the 1647 death of Governor Leonard Calvert was coupled with England coming under the control of a Puritan government, Lord Baltimore decided to appoint a Protestant governor for Maryland. In 1648 he required the governor and council to take oaths of office committing themselves to religious toleration, including of Catholics: "that I will not . . . directly or indirectly trouble molest or discountenance any Person whatso-

30. See Joseph H. Smith, "The Foundations of Law in Maryland: 1634–1715," in *Law and Authority in Colonial America: Selected Essays*, ed. George Athan Billias (Barre, 1965), pp. 92-115. See generally *The Many Legalities of Early America*, ed. Christopher L. Tomlins & Bruce H. Mann (Chapel Hill, 2001).

31. See, for example, Charles M. Andrews, "List of the Commissions and Instructions Issued to the Governors and Lieutenant Governors of the American and West Indian Colonies from 1609 to 1784," *Annual Report of the American Historical Association*, vol. 1 (Washington, DC, 1913), pp. 395–528, here p. 395 (for the year 1911 of the historical association); Smith, "The Foundations of Law in Colonial Maryland," p. 92.

32. See Hanley, "Church and State in the Maryland Ordinance of 1639," p. 325.

33. Ibid.

34. As quoted in ibid., p. 337.

35. As quoted in ibid.

36. Ibid., pp. 337–38.

37. Ibid., p. 339.

FIGURE 3. Painting of Cecil Calvert Presenting the Acts of Toleration to Gov. William Stone, by Tompkins Harrison Matteson (1813–84), completed in 1853. Public domain work retrieved from the Maryland State Archives; original located in the Senate Lounge, Maryland State House. (http://msa.maryland.gov/megafile/msa/speccol/sc3500/sc3520/000100/000191/html/191image.html)

ever . . . professing to believe in Iesus Christ and in particular no Roman Catholick for or in respect of his or her Religion nor in his or her free exercise thereof . . . nor will I make any difference of Persons in Conferring of Offices Rewards or Favours . . . in Respect of their s[d] Religion."[38] In sum, although many scholars characterize the Act Concerning Religion of 1649 as "the first act of religious toleration in the British world," it was actually preceded by several other Maryland laws, including the more tolerant Ordinance of 1639 (see Figure 3).[39]

38. *AOMOL*, vol. 3 (1636–1667), pp. 209, 210. In October 1640, Maryland's Catholic dominated general assembly passed "An Act For Church liberties." The law has been called "obscure, probably deliberately so;" a suggestion that is consistent with the previously mentioned point about the desire to keep the animating principle secret in an anti-Catholic climate. Francis X. Curran, *Catholics in Colonial Law* (Chicago, 1963), p. 19. The law itself stated: "Holy Church within this Province shall haue and enjoy all her Rights liberties and Franchises wholy and without Blemish." *AOMOL*, vol. 1 (January 1637/8–September 1664), p. 96.

39. On the characterization of the 1649 Act, see Farrelly, *Papist Patriots*, p. 63. Rhode Island mandated religious toleration from its founding in 1636. See, for example, Gerber,

That said, the Act Concerning Religion, enacted on April 21, 1649, was almost certainly the most famous law in Maryland's colonial history.[40] The operative provision of the Act provided: "noe person or psons . . . professing to beleive in Jesus Christ, shall from henceforth bee any waies troubled, Molested or discountenanced for or in respect of his or her religion nor in the free exercise thereof within this Province."[41] Settlers who blasphemed by denying either the Trinity or the divinity of Jesus Christ could be punished by execution or by the seizure of their lands. Any person who disparaged the Virgin Mary, the apostles, or the evangelists could be whipped, jailed, or fined. The law outlawed the use of "heretic" and other religious insults.[42]

The Act was inspired in large part by the fact that Lord Baltimore—who wrote most of it—needed to find a way to protect Maryland's Catholics after the 1648 oath that he required the governor and council to take committing themselves to religious toleration had proved insufficient by itself.[43] Baltimore's goal was to compel both Maryland's non-Catholic and Catholic residents to extend a modicum of civility towards one another on matters of religion, at least until they proved themselves ready to do so voluntarily.[44] Maryland's Puritan-Protestant general assembly, rather than Baltimore, inserted the draconian punishments into the Act so as to conform to the spirit of the English Long Parliament's approach to punishing heresies and blasphemies.[45]

Lord Baltimore initially had hoped that manorial courts would resolve religious disputes to keep them from dividing the community.[46] However,

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"Law and the Lively Experiment in Colonial Rhode Island," pp. 453–76. Avalon, George Calvert's first colony, promised it as early as 1623.

40. See, for example, Paul Finkelman, "Maryland Toleration Act (1649)," *Encyclopedia of American Civil Liberties*, vol. 1, ed. Paul Finkelman (New York, 2006), p. 975; Edward C. Papenfuse, Jr., "An Act Concerning Religion, April 21, 1649: An Interpretation and Tribute to the Citizen Legislators of Maryland," http://msa.maryland.gov/msa/speccol/sc2200/sc2221/000025/html/toleration.html.

41. *AOMOL*, vol. 1, pp. 244, 246.

42. Law professor Michael McConnell called the Act's effort to ban the use of religious slurs and insults the first attempt in American history to proscribe hate speech. See Michael W. McConnell, "America's First 'Hate Speech' Regulation," *Constitutional Commentary* 9 (1992), 17–23, here 17.

43. See, for example, John D. Krugler, "Lord Baltimore, Roman Catholics, and Toleration: Religious Policy in Maryland during the Early Catholic Years, 1634–1649," *The Catholic Historical Review* 65 (1979), 49–75, here 74.

44. Farrelly, *Papist Patriots*, p. 99.

45. Andrews, *Colonial Period*, vol. 2, pp. 310–11.

46. See John D. Krugler, "The Calvert Vision: A New Model for Church-State Relations," *Maryland Historical Magazine* 110 (2015), 7–23, here 12.

the provincial court quickly came to dominate the colony's judicial process.[47] A handful of cases illustrated how the animating principle played out in Maryland's colonial courts. The first, a 1638 case involving William Lewis, was decided on the basis of Lord Baltimore's 1633 Instruction prohibiting disputes about religion.[48] Lewis was a devout Catholic and overseer of the Jesuit Plantation of St. Inigoes. He was charged by a group of Protestant servants with harassing them about their religion—he was alleged to have said that Protestant ministers were "Ministers of the divell" and to have banned the reading of Protestant literature on his property—and with trying "with all vehemency craft and subtlety" to convert them and others to Catholicism.[49] The provincial court comprised of Governor Leonard Calvert, Commissioner Thomas Cornwallis, and Secretary John Lewger—Catholics all—convicted the Catholic defendant of disturbing the peace. Lewger faulted Lewis for "offensive & indiscrete speech" and for exceeding his authority in forbidding the Protestant servants "to read a booke otherwise allowed & lawfull to be read in the state of England."[50] He found Lewis's "vnseasonable disputations" on religion tended "to the disturbance of the publique peace & quiett of the colony" in contravention of the proprietor's 1633 Instruction on the subject.[51] Cornwallis likewise emphasized Lewis's violation of Baltimore's Instruction, which was "made for the suppressing of all such disputes tending to the cherishing of a faction in religion."[52] Lewger fined Lewis "500. weight of tobacco to the lord of the Province," while Cornwallis fined him 500 pounds.[53] Governor Calvert concurred. The court also placed Lewis on bond of 3,000 pounds of tobacco until "tenth of November next" and ordered him not to "offend the peace of this colony or the inhabitants thereof by iniurious & vnnecessary arguments or disputations in matters of religion," or use "any ignominious words or speeches touching the books or ministers authorised by the State of England."[54]

A second case occurred when the Ordinance of 1639 was in effect: a March 1641/2 complaint by "the Protestants" against Thomas Gerard, a

47. See William E. Nelson, *The Common Law in Colonial America: The Chesapeake and New England, 1660–1750, volume 3* (New York, 2016), p. 6. For the legal history of the judicial power in colonial Maryland, see Scott Douglas Gerber, *A Distinct Judicial Power: The Origins of an Independent Judiciary, 1606–1787* (New York, 2011), chap. 6.

48. The records for the case are available in *AOMOL*, vol. 4 (1637–1650), pp. 35–39.

49. Ibid., vol. 4, pp. 35–36.

50. Ibid., vol. 4, p. 38.

51. Ibid.

52. Ibid.

53. Ibid.

54. Ibid., vol. 4, p. 39.

Catholic. Gerard was accused of "taking away the Key of the Chappel and carrying away the Books out of the Chappel."[55] The general assembly—still dominated by Catholics at this point in Maryland's colonial history[56]—found Gerard guilty of a misdemeanor, and ordered him to return the key and the books and to pay a fine of 500 pounds of tobacco towards "the maintenance of the first minister as should arrive."[57] As in the William Lewis case, the Catholic-controlled government was thereby willing to punish one of its own for violating the animating principle of the colony.[58]

Four other cases about the animating principle were decided after the passage of the Act Concerning Religion of 1649. Two involved Thomas Hatton, an Anglican who Lord Baltimore had dispatched to Maryland in 1648 to deliver the proposed Act to the general assembly and who, upon arrival, was appointed to the council and named secretary of the province.[59] In March of 1650/1 the general assembly addressed a dispute between a Catholic member of the assembly named Walter Pakes and Secretary Hatton in which Pakes accused Hatton of making several disrespectful comments about Catholicism. The assembly's investigation cleared Hatton of any wrongdoing and Pakes's legislative colleagues demanded that the governor and council ensure that Hatton's "Reputation" was "fully vindicated from that fowle imputation which the said Pakes endevoured to lay vpon him."[60]

The second reported incident involving Hatton came before the provincial court in April of 1654. Hatton had accused Luke Gardiner of

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55. *AOMOL*, vol. 1, p. 119. The British American colonies did not adopt the Gregorian calendar until 1752, and pre-1752 Julian calendar dates between January 1 and March 25 reference both the Gregorian and Julian years.

56. See, for example, Andrews, *Colonial Period*, vol. 2, p. 301. Legislators appointed by the Catholic governor tended to be Catholic during the early years, while those elected by the freemen tended to be Protestant. See David W. Jordan, *Foundations of Representative Government in Maryland, 1632–1715* (New York, 1987), p. 27 (table).

57. *AOMOL*, vol. 1, p. 119. Suffice it to say that the 1641/2 decision against Gerard imposing a fine that would be used to support an Anglican minister did not constitute the establishment of Anglicanism as the state religion of the Maryland colony. That would occur later.

58. A non-judicial example of equal treatment by the Catholic-controlled government in the 1640s involved Lord Baltimore rejecting the claimed right of the Society of Jesuits for special privileges in Maryland, including special tax privileges. See Farrelly, *Papist Patriots*, pp. 87, 89.

59. See "The Origins of Thomas Hatton: Secretary of Maryland," http://freepages.genealogy.rootsweb.ancestry.com/~wrag44/Opinion_Pieces/The_Origins_of_Thomas_Hatton.pdf.

60. *AOMOL*, vol. 1, pp. 318–19.

trying to convert Hatton's twelve year old niece to Catholicism. Unfortunately, the outcome of the proceeding was not memorialized. The court records reported only the charge itself.[61] But the case is additional evidence that Protestants were confident that the Catholic-controlled judiciary would treat non-Catholics fairly.

In 1658 Reverend Francis Fitzherbert, a Catholic, was charged with trying to "seduce, & draw from their Religion the Inhab[ts] there mett together" certain persons who had gathered "att a generall meeting in armes of the poeple of the Vpper parts of Patux[t] Riuer."[62] The provincial court promptly acquitted Fitzherbert because the 1649 Act Concerning Religion permitted all Christians—Catholics included—to preach as much as they liked in the free exercise of their religion.[63]

What was probably the most famous case in Maryland's colonial history involved Jacob Lumbrozo,[64] a Portuguese Jew who had arrived in Maryland in the early-to-mid 1650s. Lumbrozo was charged on February 23, 1658/9 with blasphemy for having spoken in a fashion that two witnesses took as denying the divinity of Jesus Christ. The first witness, John Fossett, testified that Lumbrozo had said that Christ had performed "Negro-mancy, or sorcery," rather than miracles.[65] A second, Richard Preston, testified similarly, alleging that Lumbrozo had said that Christ had performed "Art Magick," not miracles, and that he had taught his disciples "his Art."[66]

Lumbrozo conceded that he had spoken to Fossett and Preston. However, he insisted that, as a Jew, he was merely responding to questions

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61. *AOMOL*, vol. 10 (1649/50–1657), p. 356 ("mr Thomas Hatton his Ldps Secretary and Attorney Generall on his Ldps behalf and on the behalf of himself this day declared against Luke Gardiner for detaining Elinor Hatton his Neece a Girle of about twelve years old from him the Said Secretary and her Mother Endeavouring to trayne her up in the Roman Catholick Religion with other things in the Said Attorneys declaration Contained, the Said Luke appearing in this Suit upon a Speciall Warrant from the Governour and both parties being heard at large touching the Matter in question, The Court for the present pronounced noe other order therein, but onely that the Said Elinor Hatton who was present in Court and brought in upon the Said Speciall Warrant, Should be returned and left to the disposition of the Said Attorney her Uncle. The Said Warrant, declaracon and other proceedings thereupon being hereafter upon Record fol.").

62. *AOMOL*, vol. 41 (1658–62), pp. 144–46.

63. Ibid., vol. 41, pp. 566–67.

64. See, for example, J. H. Hollander, "Some Unpublished Material Relating to Dr. Jacob Lumbrozo, of Maryland," *Publications of the American Jewish Historical Society*, vol. 1 (Baltimore, 1893), pp. 25–40.

65. *AOMOL*, vol. 41, p. 203.

66. Ibid.

about how his religion perceived Jesus and that he had "sayd not any thing scoffingly or in derogaō of him, Christians acknowledge for the Messias."[67]

The provincial court ruled that "the s[d] Lumbrozo remaine in the Sheriffs Custody untill hee putt in security Body for Body to make answere to what shall be layd to his charge, Concerning those blasephemous words & speeches, att the next Prouinciall Court, & th[t] the persons be there present to testify uiua voce in Court."[68] If convicted, Lumbrozo would have been liable to punishment by death and forfeiture of his lands and goods. But the general amnesty proclaimed in the province ten days later, upon the accession of Richard Cromwell to the English protectorate, conferred upon Lumbrozo his freedom. Lumbrozo received letters of denizen in 1663, which imbued him with the rights of a native or natural born subject, including the right to own land. In 1665 he was awarded a commission to trade with Native Americans.[69]

Death of an Animating Principle

Lord Baltimore was said to have referred to the years 1642–1660 as a "time of troubles" in which the ferment in England had profound consequences for his proprietorship of Maryland.[70] In the colorful words of one historian, "As a leading Roman Catholic he could hardly expect forbearance from a government of English Puritans accustomed to calling his church 'the whore of Babylon.'"[71] With the end of the English Civil War and the execution of King Charles I, Parliament wanted to rein in those English American colonies that had Royalist sympathies. William Claiborne, a bitter anti-Catholic critic of Maryland whose disdain for the Calverts antedated the granting of Maryland's charter and who had joined forces with Richard Ingle to seize control briefly of portions of Maryland in the mid-1640s, was appointed as a Parliamentary commissioner of the colonies on the Chesapeake Bay.[72] He overthrew Baltimore's government and secured the enactment of a law on July 22, 1654, which provided that

67. Ibid.

68. Ibid.

69. See, for example, Hollander, "Some Unpublished Material Relating to Dr. Jacob Lumbrozo, of Maryland," pp. 27–29. In another case, the provincial court adjudged in 1669/70 that Robert Pennywell be given twenty lashes in "publique view" for breaking the windows of the Catholic chapel at St. Mary's. *AOMOL*, vol. 57 (1666–70), pp. 610, 611.

70. See Land, *Colonial Maryland*, p. 33.

71. Ibid.

72. See, for example, Timothy B. Riordan, *The Plundering Time: Maryland in the English Civil War, 1642–1650* (Baltimore, 2004), pp. 10–17.

only Protestants could vote.[73] A new anti-Catholic government was elected, and on October 20, 1654, the new government repealed the 1649 Toleration Act. The Act Concerning Religion that replaced it guaranteed religious freedom to all Christians except those "who profess and Exercise the Popish Religion Commonly known by the Name of the Roman Catholick Religion."[74]

As the revised Act Concerning Religion made clear, the animating principle of Maryland was dead, a mere two decades after it was born. It was resuscitated on March 24, 1658/9, albeit temporarily, shortly after Lord Baltimore had managed to convince the Commonwealth government in England that he was not disloyal and that his government should be restored. After it was, Baltimore instructed Maryland officials to reenact the 1649 version of the Act Concerning Religion, which they did.[75] Baltimore's hold on Maryland nevertheless remained precarious, especially when Charles Calvert became the third Lord Baltimore upon the death of his father Cecilius in 1675. A boundary dispute with William Penn was the most celebrated reason that the third Lord Baltimore was forced to travel to England in 1684 to defend his proprietary rights, but he also was required to address other concerns, not the least of which was his alleged partiality towards Catholics in the colony. The high-water mark of Protestant sectarian political ascendancy arrived in the form of the Glorious Revolution of 1688-89 in England and the concomitant Protestant Revolution in Maryland led by John Coode when the overthrow of the Catholic proprietor's government in Maryland followed closely on the heels of the overthrow of the Catholic king in England.[76] Maryland became a royal colony

73. *AOMOL*, vol. 3, p. 313 ("As alsoe that they Summon an Assembly to begin on the 20th day of October Next. For which Assembly all Such Shall be disabled to give any Vote or to be Elected Members thereof as have borne Armes in Warr against the Parliament or doe profess the Roman Catholick Religion.").

74. *AOMOL*, vol. 1, pp. 340, 341. The 1654 Act also omitted the provisions against blasphemy and name-calling. Quakers fared no better than Catholics did under the Act. In July 1658, for example, the governor's council issued a proclamation that all Quakers pledge fidelity to the government or leave Maryland forever. Quakers who failed to do so would be deemed "Rebbells & traitors." *AOMOL*, vol. 3, pp. 352–53. See generally Kenneth L. Carroll, "Quaker Opposition to the Establishment of a State Church in Maryland," *Maryland Historical Magazine* 65 (1970), 149–70.

75. *AOMOL*, vol. 3, pp. 324, 325.

76. Some scholars suggest that the rebellion in Maryland was triggered by longstanding resentment from Maryland's Protestant majority over what they perceived as a Catholic monopoly of power in the colony. See, for example, Lois Green Carr & David William Jordan, *Maryland's Revolution in Government, 1689–1692* (Ithaca, 1974).

in 1691, and remained so until 1716, when the fifth Lord Baltimore (also named Charles Calvert) swore publicly that he was Protestant.[77]

What has been called Maryland's "Penal Period" stretched from 1689 to 1776.[78] It was not a good time to be Catholic in the colony, at least as far as the law was concerned.[79] The self-styled "Articles of Surrender" of 1689 barred Catholics from holding office.[80] In 1691, Sir Lionel Copley, an Anglican, was appointed the first royal governor of Maryland and he promptly announced that the Book of Common Prayer was to be read on Sundays and holidays, "and the blessed Sacrament administred according to the Rites of the Church of England."[81] The "competent maintenance" of Anglican ministers was to be ensured by a "common charge" upon the public.[82] In 1692, Catholics were forbidden to practice law.[83] Also in 1692, the general assembly passed a resolution establishing the Church of England in the colony. King William III rejected it on technical grounds, but in 1702 Queen Anne accepted a similar proposal.[84]

On March 30, 1698, Governor Francis Nicholson issued a proclamation "prohibitting Romish Priests &c: from drawing ov^{r} his Maj^{ties} Subjects

77. See, for example, Andrews, *Colonial Period*, vol. 2, pp. 325–76. Lord Baltimore retained his rights to the soil during Maryland's time as a royal colony. Ibid., vol. 2, p. 376.

78. Farrelly, *Papist Patriots*, p. 136.

79. Legal historian William Nelson argues that the ferocious anti-Catholic sentiment in Maryland during this period was a byproduct of a larger British policy in North America to eliminate Catholicism as a political force and to establish Protestant hegemony that began with King William III. See Nelson, *Common Law in Colonial America*, p. 134. Some social and cultural historians insist that, notwithstanding the anti-Catholic legal environment during the Penal Period, the lived experience of Maryland's Catholics was usually fine in those areas of the colony where they had first settled. In fact, the argument goes, many prospered, including those who ran the Jesuit plantations in Charles and St. Mary's counties, and the Carrolls in Anne Arundel. See, for example, *"Anywhere So Long as There be Freedom": Charles Carroll of Carrollton, His Family and His Maryland*, ed. Ann C. Van Devanter (Baltimore, 1975).

80. *AOMOL*, vol. 8 (1687/8–1693), p. 107 ("2ndly That noe papist in the Province being in any Office Military or Civil as by their Majesties Proclamacōn and the Laws of England."). See also *AOMOL*, vol. 20 (1693–1696/7), p. 144 ("That no Papist in this province be in any office Military or Civill as by their Majties proclamacōn and the Laws of England.").

81. *AOMOL*, vol. 8, p. 276.

82. Ibid.

83. Ibid., vol. 8, p. 448 ("Ordered also that for the future no Roman Catholick or other Person whatsoever unqualify'd by Law do in any manner directly or indirectly practise as an Attorney or Councellor at Law either in publick pleading or otherwise solliciting any Cause.").

84. See, for example, David William Jordan, "The Royal Period in Colonial Maryland, 1689–1715" (unpublished Ph.D. diss., Princeton University, 1966), pp. 172–73, 276, 279–80.

in this Governmt to the Romish faith."[85] A special tax on imported Irish Papist servants was enacted in 1699. The Act's title left nothing to the imagination: "An Act for Raising a Supply towards the defraying of the Publick Charge of this Province and to prevent too Great a number of Irish Papists being Imported into this Province."[86] The amount of the tax was "Twenty Shillings Sterling p poll."[87]

The anti-Catholic legislation continued at a rapid pace during the early eighteenth century. Another law taxing imported Irish Papist servants was passed in 1704, and the tax was doubled in 1717, shortly after the Calverts regained control of Maryland's government when the fifth Lord Baltimore proclaimed publicly that he was Protestant.[88]

The Instructions that Maryland's first three royal governors received omitted the common provision of the day to tolerate any and all religions "except Papists."[89] The provision "except Papists" initially appeared in the 1703 Instructions to John Seymour.[90] Seymour was personally anti-Catholic and his agenda and that of his successor reflected that animus.[91] For example, in 1704 Seymour shuttered a well-known Catholic church in St. Mary's because it was "both Scandalous and offensive to the Government."[92] Thereafter, Catholic services in colonial Maryland were conducted exclusively in private homes, a practice that was permitted by law on December 9, 1704.[93] Earlier that year, on October 3, Maryland enacted a draconian law against "Popery," and the December 9 law was a response

85. *AOMOL*, vol. 22 (March 1697/8–July 1699), p. 48. In 1696 Governor Nicholson had urged the assembly to order Maryland's Catholics to turn in their arms. The assembly declined so as not to upset the "very peaceable and quiet" then existing in Maryland. *AOMOL*, vol. 19 (September 1693–June 1697), pp. 389, 390.

86. *AOMOL*, vol. 22, p. 497.

87. Ibid.

88. See *AOMOL*, vol. 26 (September, 1704–April, 1706), pp. 289, 349; *AOMOL*, vol. 27 (March, 1707–November, 1710), p. 371; *AOMOL*, vol. 33 (1717–20), p. 109.

89. See *AOMOL*, vol. 8, p. 448 (Instructions to Lionel Copley); *AOMOL*, vol. 23 (1696/7–1698), pp. 540, 542 (Instructions to Francis Nicholson); *AOMOL*, vol. 22, pp. 285, 286, 369, 372 (Instructions to Nathaniel Blakiston).

90. See Curran, *Catholics in Colonial Law*, p. 66.

91. See, for example, Charles B. Clark, "The Career of John Seymour, Governor of Maryland, 1704–1709," *Maryland Historical Magazine* 48 (1953), 134–59, here 134, 135, 148, 159.

92. *AOMOL*, vol. 26, p. 46.

93. Ibid., vol. 26, p. 431 ("no Popish Bishop Priest or Jesuite shall by vertue of the said Act of Assembly for or by reason of Exercising his ffunction in a private ffamily of the Roman Comunion be prosecuted or Indicted before any her Majestys Justices").

to it. The "Act to prevent the Growth of Popery within this Province" forbade any "Popish Bishop Priest or Jesuite" from proselytizing, baptizing any person other than those with "Popish Parents," or saying Mass.[94]

The Act to Prevent the Growth of Popery proved too much for English authorities, and on January 3, 1705/6 the Queen in Council ordered that it be suspended indefinitely, which the Maryland legislature did on April 15, 1707.[95] The Act was repealed in 1718.[96]

The year 1715 witnessed the enactment of what can be characterized as the most offensive of all the anti-Catholic laws in colonial Maryland. The context involved a law about the administration of decedents' estates.[97] Included within the necessarily complex rules about the distribution of property upon death was a decree that Protestant widows could be deprived of their children if they got remarried to a Catholic man so as to ensure that the children would be "Securely Educated in the protestant religion."[98] The provision was repeated in a 1729 amendment to the 1715 law.[99]

Catholics were barred from holding office via laws enacted in 1715 and 1716. The 1715 provision was part of an omnibus election law.[100] The portion about excluding Catholics from office read: "Provided also, That no Ordinary-Keeper within this Province, during the Time of his Ordinary-keeping, or any other Person disabled by any Laws of England from sitting in Parliament, shall be elected, chosen, or serve as a Deputy or Representative in the said General Assembly, so to be hereafter called, convened and appointed, as aforesaid."[101] The 1716 law—"An Act for the better Security of the Peace and Safety of his Lordship's Government, and the Protestant Interest within this Province"—spoke more directly to the matter, prohibiting as it did any person in Maryland from holding any public position in the colony without first swearing the oath of abjuration, which denied the doctrine of transubstantiation.[102]

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94. Ibid., vol. 26, pp. 340–41.

95. On the suspension of the Act, see Curran, *Catholics in Colonial Law*, p. 82. On the Maryland legislature's action, see *AOMOL*, vol. 27, p. 146.

96. *AOMOL*, vol. 33, p. 289.

97. See *AOMOL*, vol. 30 (April 26, 1715–August 10, 1716), p. 331.

98. Ibid., vol. 30, pp. 334–35.

99. See *AOMOL*, vol. 36 (1727–1729, with appendix of statutes previously unpublished, enacted 1714–1726), pp. 485, 488.

100. See *AOMOL*, vol. 30, p. 271.

101. Ibid., vol. 30, p. 620.

102. Ibid., vol. 30, pp. 612–15, 617.

In 1718 Maryland's Catholics were disenfranchised by Maryland's Protestants in order to prevent Maryland's Catholics from implementing their "wicked and malicious Designs."[103] The year 1718 further found the members of Maryland's lower house engaged in a maneuver that would have made Niccolò Machiavelli proud: they tried to repeal the 1704 Act to Prevent the Growth of Popery so that the recusancy laws of England would control instead, which meant that any Maryland Catholic who violated the English laws would be deported to face trial in the courts of England.[104] As a result, fewer Catholics would be living in Maryland.

Peter Attwood, a Jesuit who had come to Maryland six years earlier, insisted that the lower house's proposal violated Maryland's "constitution," as he called it.[105] Father Attwood maintained that, although Maryland's Catholics were Englishmen, they also were residents of a colony that had been founded to protect their religious freedom in perpetuity.[106] The transparent attempt to "depopulate" Catholics from Maryland should be rebuffed, he continued, which it was, albeit probably more because of the "squabbling" between the lower and upper houses of Maryland's general assembly than because of Father Attwood's powerful rejoinder.[107]

Father Attwood's contention that Maryland's laws, rather than those of England, controlled religious disputes in Maryland was, however, a powerful weapon in the efforts of Maryland's Catholics to defend their property from Protestant overreaching, as a 1724 case involving the Catholic heirs of Robert Brooke illustrated.[108] Thomas Brooke, an Anglican convert who had held a number of high-ranking positions in Maryland's government, challenged his brother Robert's shares of their father's

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103. *AOMOL*, vol. 33, p. 288.

104. Ibid., vol. 33, p. 289.

105. See, for example, Peter Attwood, "Liberty and Property or the Beauty of Maryland Displayed," *United States Catholic Historical Magazine* 3 (1889–90), 235–63, here 240 (reprinting Father Attwood's manuscript).

106. See ibid., pp. 242, 248, 249, 252.

107. Ibid., p. 256; Farrelly, *Papist Patriots*, p. 201.

108. For a discussion about the general applicability of English law in colonial Maryland, see Jeffrey K. Sawyer, "The Rhetoric and Reality of English Law in Colonial Maryland, Part 1—1632–1689," *Maryland Historical Magazine* 108 (2013), 392–409 and Jeffrey K. Sawyer, "The Rhetoric and Reality of English Law in Colonial Maryland, Part 2—1689–1732," *Maryland Historical Magazine* 109 (2014), 81–95. Both George and Cecilius Calvert had anticipated Father Attwood in maintaining that the English penal legislation did not apply in North America. See, for example, Klugler, *English and Catholic*, pp. 76, 199. The Brooke case is chronicled in *History of the Society of Jesus in North America: Colonial and Federal—From 1646 Till 1773*, vol. 2, ed. Thomas Hughes (New York, 1917), pp. 525–27.

estate when Robert, a Catholic priest, died. Father Robert had conveyed his property rights to a Catholic mission in Maryland, but Thomas insisted that the conveyance was invalid because Father Robert could never own land in the colony under England's Act for the Further Preventing the Growth of Popery. Father Robert's interests were represented by Attorney John Darnall, who made the same argument that Father Attwood had previously made: England's laws did not apply in Maryland. Indeed, Darnall insisted, Maryland had its own Act to Prevent the Growth of Popery, and in Maryland's version clergy were entitled to inherit property. Approximately five years later an English court found in favor of Father Robert's beneficiaries for precisely the reason that Father Attwood, and now Attorney Darnall, had insisted: England's laws did not extend to Maryland.

Father Attwood's argument was re-tested in the 1750s when the lower house of Maryland's assembly again tried to apply England's recusancy laws to Maryland. A unique twist was added this time: anyone who apprehended "any Popish bishop, priest, or Jesuit" was to receive a reward payable from the public treasury.[109] A group of prominent Catholics successfully petitioned the upper house to reject the measure on the Attwoodian ground that it was inconsistent with the animating principle of Maryland.[110] The Maryland Catholics' run of good luck was short-lived, however: taxes on their lands were doubled in 1756 to help finance the French and Indian War.[111] Frederick Calvert, the sixth and final Lord Baltimore, personally approved the double-tax and went so far as to say, albeit in a separate dispute about whether Maryland's Catholic clergy were allowed to perform Mass in private homes, that the laws of England applied in Maryland.[112]

Resurrection of an Animating Principle

The first two Lords Baltimore were endowed with superb political skills. Their successors were not.[113] Maryland was beset by internal bickering between popular and proprietary forces after the death of the second Lord Baltimore, including on the eve of the American Revolution, which

109. Ibid., vol. 2, p. 533.

110. See "Petition of Roman Catholics of Maryland Against a Bill Depriving Them of all Civil and Religious Rights," reprinted in *The American Catholic Historical Researches*, vol. 25, ed. Martin I. J. Griffin (Parkesburg, 1908), pp. 261–64.

111. See *AOMOL*, vol. 52 (1755–1756), pp. 507, 508.

112. See *AOMOL*, vol. 6 (1753–1757), pp. 539–40. Maryland law permitted Catholic priests to say Mass in private homes. English law forbade it.

113. See, for example, Krugler, "Calvert Vision," p. 16.

meant that Maryland's reaction to the increasingly oppressive British program of the 1760s and early 1770s was more restrained than that of neighboring colonies. Eventually, though, Maryland responded in kind and in 1774 held a tea party of its own, "less celebrated but even more dramatic than the Boston frolic nearly a year previous," when the tea-laden brig *Peggy Stewart* was burned at Annapolis in protest of British policies.[114] No significant military battles were waged in Maryland, but Maryland made substantial contributions of men, arms, and ships. The Continental Congress convened in Baltimore during the winter of 1776 and 1777 because of the threat of British occupation faced by Philadelphia.[115]

Maryland's initial state constitution, like those of many of the newly independent states, was prefaced with a declaration of rights.[116] Both Maryland's declaration and its form of government were drafted by a committee of seven at the state constitutional convention that convened during the summer of 1776, and the committee's draft was debated extensively by the committee of the whole.[117] Charles Carroll of Carrollton (see Figure 4)—the widely-respected wealthy scion of a prominent Catholic family, the only Catholic signer of the Declaration of Independence, and a person well-versed in political theory—was a leading member of the committee of seven and he was determined to re-commit Maryland to its animating principle as a haven for Catholics.[118]

Carroll had laid the groundwork for his efforts at the Maryland constitutional convention in a series of 1773 letters in the *Maryland Gazette*

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114. Land, *Colonial Maryland*, p. 301.

115. See, for example, Robert J. Brugger, *Maryland: A Middle Temperament, 1634-1980* (Baltimore, 1988), p. 125.

116. See, for example, Scott Douglas Gerber, *To Secure These Rights: The Declaration of Independence and Constitutional Interpretation* (New York, 1995), p. 90.

117. See, for example, *The Bill of Rights: A Documentary History*, vol. 1, ed. Bernard Schwartz (New York, 1971), p. 279.

118. See Pellegrino, "Reviving a Spirit of Controversy: Roman Catholics and the Pursuit of Religious Freedom in Early America," pp. 220–33; James R. Stoner, "Catholic Politics and Religious Liberty in America: The Carrolls of Maryland," in *The Founders on God and Government*, ed. Daniel L. Dreisbach, Mark D. Hall, & Jeffry H. Morrison (Lanham, 2004), pp. 251–71. Carroll's conciliarist approach to Catholicism provided intellectual support for his commitment to religious toleration by the state. See Michael D. Breidenbach, "Conciliarism and the American Founding," *William and Mary Quarterly* 73 (2016), 467–500. Fifty years after signing the Declaration of Independence Carroll proudly proclaimed that he had, as the only Catholic signer, championed "not only our independence of England but the toleration of all sects professing the Christian religion and communicating to them all equal rights." As quoted in Ronald Hoffman, *Princes of Ireland, Planters of Maryland: A Carroll Saga, 1500–1782* (Chapel Hill, 2000), p. 309.

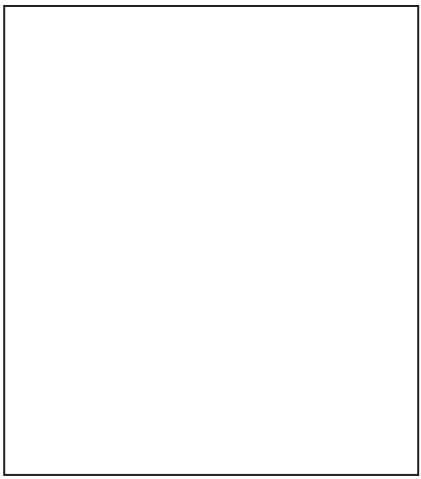

FIGURE 4. Engraving of Charles Carroll of Carrollton from James J. Scharf's *History of Western Maryland*, Vol. II (1882) p. 125. Image on file with the Maryland State Archives. (http://msa.maryland.gov/megafile/msa/speccol/sc3500/sc3520/000200/000209/html/209images.html)

penned under the pseudonym "First Citizen" in which he shifted the intellectual paradigm from distinguishing Marylanders by faith to distinguishing them by those who stood up for liberty and those who sat on their hands as their freedoms receded with each new British infraction.[119] The esteem in which Carroll was held by Catholics and non-Catholics alike owed much to his dedicated and effective service on the eve of the American Revolution and thereafter. Moreover, the fact that Carroll was an important political voice and a major business and social figure, even though he was barred from voting or holding public office until after the American Revolution, spoke volumes about the central place Catholicism occupied in colonial Maryland. The American Revolution itself unified the people of Maryland on many matters, and Carroll used that to his advantage when helping to resurrect Maryland's animating principle.[120] For example, the December 8 minutes of Maryland's 1774 convention

119. See Pellegrino, "Reviving a Spirit of Controversy: Roman Catholics and the Pursuit of Religious Freedom in Early America," pp. 211–20. The First Citizen letters are reprinted in, among other places, *Maryland and the Empire, 1773; the Antilon-First Citizen Letters*, ed. Peter S. Onuf (Baltimore, 1974).

120. See Pellegrino, "Reviving a Spirit of Controversy: Roman Catholics and the Pursuit of Religious Freedom in Early America," pp. 231–33.

included a resolution encouraging the people of the colony to put aside their differences—religious and otherwise—and present a united front to Great Britain.[121]

The drafting committee on which Carroll was a leading member proposed the following language to resurrect the animating principle: "That the rights of conscience are sacred, and all persons professing the Christian religion ought for ever to enjoy equal rights and privileges in the state."[122] This provision "rooted out" the discrimination to which Maryland's Catholics had been subjected for much of Maryland's colonial history that had prevented them from having their own churches and from participating in public life.[123] The committee of the whole altered the language a bit and, as adopted, Article XXXIII read in pertinent part: "That, as it is the duty of every man to worship God in such manner as he thinks most acceptable to him; all persons, professing the Christian religion, are equally entitled to protection in their religious liberty."[124]

Plainly, discrimination against Jews and other non-Christians continued, a state-of-affairs reiterated in Article XXXV: "That no other test or qualification ought to be required, on admission to any office of trust or profit, than such oath of support and fidelity to this State, and such oath of office, as shall be directed by this Convention, or the Legislature of this State, and a declaration of a belief in the Christian religion."[125]

Religion would not cease to be a test for public office in Maryland until *Torcaso v. Watkins*, a 1961 U.S. Supreme Court decision that ruled that Maryland's requirement for a person holding public office to state a belief in God violated the First and Fourteenth Amendments to the U.S.

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121. See *AOMOL*, vol. 78 (1774, 1775, 1776), p. 10.

122. As quoted in H. H. Walker Lewis, *The Maryland Constitution, 1776* (Baltimore, 1976), p. 40. Carroll kept his father apprised of the drafting committee's progress. See *Dear Papa, Dear Charley: The Papers of Charles Carroll of Carrollton, 1748–1782*, ed. Ronald Hoffman, Sally D. Mason, & Eleanor S. Darcy (Chapel Hill, 2001), vol. 2, chap. 6 (letters between the father and the son). For example, the son, "Charley," was particularly pleased to mention to his father "the Pena. Convention's determination respecting religious toleration: they have established it on the broadest basis & admit all persons into offices of trust & profit taking a civil test or oath of fidelity to the Govt." CCC to CCA, 29 July 1776, *Dear Papa, Dear Charley*, vol. 2, pp. 934, 935.

123. Lewis, *The Maryland Constitution, 1776*, p. 40.

124. As reprinted in Schwartz, *Bill of Rights*, vol. 1, p. 283. A provision was added against forced contribution to any particular ministry.

125. As reprinted in ibid., vol. 1, p. 284. Article XXXVI permitted Quakers, Dunkers, and Mennonites to testify in all but capital cases by affirmation rather than oath. Ibid.

Constitution.[126] Reaffirming the Court's 1947 paean to the strict separation of church and state, *Everson v. Board of Education*, Justice Hugo Black wrote for a unanimous Court in *Torcaso*: "We repeat and again reaffirm that neither a State nor the Federal Government can constitutionally force a person 'to profess a belief or disbelief in any religion.'[127] Neither can constitutionally pass laws or impose requirements which aid all religions as against nonbelievers, and neither can aid those religions based on a belief in the existence of God as against those religions founded on different beliefs."[128]

Arguably, then, Maryland's animating principle was not resurrected fully until 1961, although it is important to note that, at least as identified in the initial part of this article, the animating principle of Maryland was to provide a haven for Catholics specifically, not freedom of conscience generally. Of course any colony, state, or nation not completely committed to toleration writ large is vulnerable to criticism, especially with the benefit of four centuries of hindsight. That, however, would be an unfair criticism to levy against George and Cecilius Calvert. After all, what the first Lord Baltimore set in motion—decades before John Locke's more celebrated "Letter Concerning Toleration," no less—and what the second Lord Baltimore was committed to defending, was truly impressive: a polity dedicated to the separation of church and state so that Catholics could practice their faith without fear.[129]

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126. 367 U.S. 488 (1961). In 1826 Thomas Kennedy, a Maryland state legislator, secured for Jewish persons the statutory right to hold offices of public trust. Kennedy had long opposed the injustice of excluding an entire group of people based on their religious beliefs. See, for example, Edward Eitches, "Maryland's 'Jew Bill,'" *American Jewish Historical Quarterly* 60 (1971), 258–79.

127. 330 U.S. 1 (1947). *Everson* applied the Establishment Clause of the First Amendment to state law.

128. *Torcaso*, 367 U.S. at 495.

129. See generally John Locke, "A Letter Concerning Toleration" (1689). As is well known, Locke's famous letter was not tolerant of Catholics. Locke insisted that Catholics did not deserve toleration because, in his opinion, (1) their allegiance was to a foreign prince (i.e., the pope) and (2) Catholics did not grant religious freedom to others.

The Catholic Faith of John Stuart Mill's Stepdaughter: A Note on the Diary and Devotional Life of the Feminist Activist Helen Taylor (1831–1907)

Timothy Larsen*

Helen Taylor (1831–1907) was an advocate for women's rights. She was also the stepdaughter of John Stuart Mill and his most important collaborator after the death of her mother, Harriet Taylor Mill. Although it has never before been the focus of any study, Helen kept a diary as a child and youth. It reveals a deeply religious life. Despite her Unitarian family background and her mother and Mill being religious skeptics or freethinkers, Helen attempted to pursue a life of intense Roman Catholic devotion. She even developed the eccentric habit of performing the Mass at home. It was also reported that Helen Taylor was received into the Roman Catholic Church late in life. Indeed, all three of Harriet's children were drawn to the Catholic Mass. Religion, in fact, continually impinged on John Stuart Mill's personal life. Even his sister Mary, who was entirely homeschooled by Mill himself, was a pious woman who longed for Mill to be a Christian. Mill was "one of the very few examples, in this country, of one who has, not thrown off religious belief, but never had it," but it is important to realize that even such an ostensibly secular path as that was experienced in the nineteenth century in a world in which religion continually impinged upon one's life in specific and substantial ways.

Keywords: John Stuart Mill; Helen Taylor; Catholicism; Victorian Britain

Helen Taylor (1831–1907) is rightly identified in her *Oxford Dictionary of National Biography* entry as a "promoter of women's rights."[1] Her championing of this cause included her role as a key organizer of the

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1. Philippa Levine, "Taylor, Helen (1831–1907)," *Oxford Dictionary of National Biography*, (2004), http://www.oxforddnb.com/view/article/36431, retrieved March 24, 2016.

first-ever petition for women's suffrage presented to Parliament (in 1866); her success in drawing considerable attention to civil restrictions on women by herself attempting to stand for Parliament before women were legally eligible to do so (in 1885); serving on the London School Board; and writing *The Claim of Englishwomen to the Suffrage Constitutionally Considered* (1867).[2] Taylor is also remembered for being the stepdaughter of the philosopher John Stuart Mill; his closest companion and confidant in the last fifteen years of his life; and the editor of his posthumously published books, including the celebrated *Autobiography* (see Figure 1). Delighting to praise her, Mill even claimed that Helen Taylor's intellect was more "considerable" and "original" than his own.[3] As he referred to her simply as "my daughter," correspondents would sometimes mistakenly address her as "Miss Mill."[4] Helen's mother, Harriet Taylor (see Figure 2), and Mill had fallen in love when Helen was a baby.[5] Helen grew up living with her mother separate from her father and with Mill as a strong presence in their lives. Mill habitually spent at least one day a week with them. They would also go on holiday together.

Helen Taylor kept a diary from January 1, 1842 (when she was 10½ years old) until January 18, 1847 (when she was 15½). Although scholars have quoted snippets from it when discussing the lives of her mother and

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Although not a term in use at the time, it is standard in the existing scholarship to refer to Victorians who advocated for the rights of women as feminists: see, for example, Philippa Levine, *Feminist Lives in Victorian England: Private Roles and Public Commitment* (Oxford, 1990).

2. Helen Taylor, *The Claim of Englishwomen to the Suffrage Constitutionally Considered* (London, 1867). (This work had originally appeared in the January 1867 issue of the *Westminster Review*.) For Taylor's efforts on behalf of women's rights, see Philippa Levine, *Feminist Lives in Victorian England: Private Roles and Public Commitment* (Oxford, 1990); Janet Smith, "The Feminism and Political Radicalism of Helen Taylor in Victorian Britain and Ireland," unpublished PhD thesis, London Metropolitan University, 2014.

3. John Stuart Mill, *The Collected Works of John Stuart Mill*, Volume I—*Autobiography and Literary Essays*, ed. John M. Robson and Jack Stillinger (Toronto, 1981), p. 265.

4. John Stuart Mill, *The Collected Works of John Stuart Mill*, Volume XVI—*The Later Letters of John Stuart Mill 1849–1873 Part III*, ed. Francis E. Mineka and Dwight N. Lindley (Toronto, 1972), p. 1233. (Mill had written to Arnold Ruge on February 7, 1867, referring to "my daughter" and her editorial work on the posthumous writings of Henry Thomas Buckle. Ruge therefore wrote to "Miss Mill" herself on February 11, 1867.) Helen would likewise refer to Mill as simply "my father."

5. There has recently been published a new edition of the classic study of this relationship: F. A. Hayek, *Hayek on Mill: The Mill-Taylor Friendship and Related Writings* [The Collected Works of F. A. Hayek, Volume 16], ed. Sandra J. Peart (Chicago, 2015). It was originally published as F. A. Hayek, *John Stuart Mill and Harriet Taylor: Their Correspondence and Subsequent Marriage* (London, 1951).

FIGURE 1. Helen Taylor and John Stuart Mill, photo ca. 1869. Photograph in the Radio Times Hulton Picture Library.

stepfather, it has never been published and it has never been the subject of a sustained analysis.[6]

It would not be inaccurate to say that it is in large measure a spiritual or devotional diary. But its contents are truly startling when it comes to religion. Before presenting that material, however, it is worth highlighting a few other features. One surprise is that John Stuart Mill is never expressly mentioned. Helen typically recorded any visitor, including even her brother Algernon, who was just a year older than her, but had been sent away to be educated by a tutor with whom he was a boarder. Never referring to Mill would mean either that he was considered so much a part of

6. London, London School of Economics Archives, Mill-Taylor Collection, Volume 44, "Diaries of Helen Taylor, 1842–1847." The scholar who draws upon it the most is Jo Ellen Jacobs, *The Voice of Harriet Taylor Mill* (Bloomington, 2002). The best source on Helen Taylor is Janet Smith, "The Feminism and Political Radicalism of Helen Taylor in Victorian Britain and Ireland." Its theme is Taylor's political activities from the 1870s onwards, but it also includes a brief presentation of the contents of the diary.

the household as not to be worth mentioning or, more likely, that she had been instructed not to put anything about him in writing. Harriet Taylor and J. S. Mill were obsessed with their own privacy. In his letters to his few confidants, Mill would refrain from mentioning Harriet by name and would merely comment abruptly on how "she" was doing.[7]

The one possible direct reference to Mill comes on April 8, 1845: "Grandpapa here yesterday, he Mamma and I had a short discussion about him." Nevertheless, the philosopher's presence—including on two continental holidays recorded in this diary—is not only known from other sources, but can even be inferred from what is here. For example, April 16, 1842: "Mr Carlyle came. I like him very much." Thomas Carlyle, of course, was not calling on Harriet Taylor at her retreat home in Surrey alone; he was there with Mill. On September 27, 1846 we are even informed that John's younger brother had paid a visit: "George Mill came here yesterday." (Algernon was also there and the two boys had become friends when they had joined Harriet Taylor and J. S. Mill on a holiday trip.)

Another clue comes on November 12, 1846: "The only remark I have ever seen about the Greeks which seemed to me really true was one in that article on Grote's Greece that their merit consisted not in carrying things to perfection but in inventing them." This is a reference to an article in the current (October 1846) issue of the *Edinburgh Review*, written by J. S. Mill, but published anonymously, as was the journal's practice.[8] Mill's article would have been a topic of discussion among them and thus Helen's decision to read it.

Having finally worn down her mother's resistance, at the age of twenty-five Helen made a concerted, but ultimately abandoned, attempt to become a professional actor. This interest is on display in the diary, with Helen reading plays, performing them for the family ("we have been acting on the little theatre"), and industriously memorizing parts, including the whole of Lady Macbeth. In November 1846, Helen calculated that she had learned 1,500 lines that year. The March 1st, 1845 entry has a hilarious rant against *Romeo and Juliet*, culminating in the indictment: "I do not believe that people do fall in love with one another after this fashion." A

7. See, for example, Letter of John Stuart Mill to J. Fox, January 27, 1837, in John Stuart Mill, *The Collected Works of John Stuart Mill*, Volume XII—*The Earlier Letters of John Stuart Mill 1812–1848 Part I*, ed. Francis E. Mineka (Toronto, 1963), p. 320.

8. [John Stuart Mill], "Grote's History of Greece," *Edinburgh Review*, LXXXIV (October 1846), pp. 343–77.

year later, however, it was on her list of Shakespeare plays that she thought were good: perhaps its depiction of love made more sense once she was nearing fifteen.

There is also evidence that Helen was already committed to women's rights. At the age of thirteen she was reading Mary Wollstonecraft, whom she praises for bravely proclaiming what she thought. Most of all, there is Helen's negative assessment of a recently published novel by Geraldine Jewsbury. Helen condemns it both for being anti-feminist and for being anti-Catholic:

> I was reading all day a story called Zoe, which is full of reflections about Religion, especially Catholic Religion. On the whole I do not like it. She declares women inferior to men. That is enough to "do for her" with me. . . . Either she must be speaking falsely when she says so, or what right has she to place herself in the position of a man, and thrust herself forward as an author . . . what right has she to dispute the religion which many of the greatest men & certainly <u>all</u> of the <u>best</u> have declared to be true?

Which leads on to religion, the main preoccupation of the diary. Quite simply, if all one knew about Helen Taylor came from this manuscript, one would assume that she was a devout Roman Catholic. One would even assume she was being raised in a Catholic family: there is no hint that her faith is in any way distinctive in her life, family, and milieu—let alone contested. How can this be? After all, there were apparently no Catholics even in the extended family: they were all Anglican, Methodist, or Unitarian. Helen's parents, John and Harriet Taylor, were Unitarians who—at the time of Helen's birth—were worshipping at W. J. Fox's South Place Chapel, a congregation so progressive even by Unitarian standards that it was sliding into freethought.[9] After the *de facto* separation from her husband, Harriet was not involved in organized religion. Jo Ellen Jacobs, the leading authority on Harriet Taylor Mill, has pronounced unequivocally that she had become an atheist.[10] (My own reading of the evidence on which Jacobs bases this assumption is that it cannot be pushed further than to say that it reveals Harriet Taylor to have been a critic of orthodox theological assumptions and a freethinker.)

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9. See Moncure D. Conway, *Centenary History of the South Place Society* (London, 1894); S. K. Ratcliffe, *The Story of South Place* (London, 1955). (The latter was published by Watts & Co., a leading freethinking publisher.)

10. Jo Ellen Jacobs, *The Voice of Harriet Taylor Mill* (Bloomington, Indiana, 2002), p. 150.

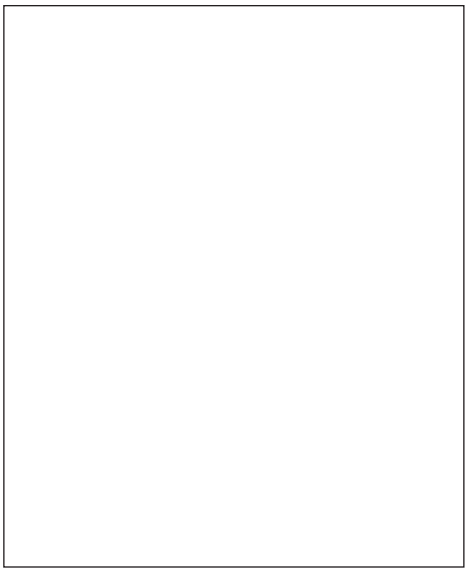

FIGURE 2. Harriet Taylor, painting by an unknown artist, ca. 1834. National portrait Gallery, London.

There are only two traces of Helen's Unitarian birthright in the diary. One entry mentions reading *Self-Culture* (1838) by William Ellery Channing (1780–1842), a prominent American Unitarian minister. The other is the February 10th, 1846 entry: "London. I went on Sunday evening to hear a lecture of Mr. Fox's. It was on Theory and Practice, not so good as most of his are, but still very good."[11] In short, there was no Catholic influence anywhere in Helen's family. The only other major influence in her life was John Stuart Mill. This secret influence, "the Saint of Rationalism," famously observed in his *Autobiography*: "I am thus one of the very few examples, in this country, of one who has, not thrown off religious belief, but never had it."[12]

11. Although she was no longer worshipping regularly at South Place Chapel, Harriet Taylor and J. S. Mill both maintained their friendship with its minister, W. J. Fox. The standard biography is Richard Garnett, *The Life of W. J. Fox* (London, 1909).

12. John Stuart Mill, *The Collected Works of John Stuart Mill*, Volume I—*Autobiography and Literary Essays*, ed. John M. Robson and Jack Stillinger, introduction by Lord Robbins (Toronto, 1981), p. 45. For Mill and religion, see Alan Millar, "Mill on Religion," in John Skorupski (ed.), *The Cambridge Companion to Mill* (Cambridge, 1998), pp. 176–202; Linda C. Raeder, *John Stuart Mill and the Religion of Humanity* (Columbia, Missouri, 2002); Alan

So when and how did this ten-year-old girl throw in her lot with Roman Catholicism? Ironically, the one thing which betrays that she was not a conventional Catholic is her eccentric, *ad hoc* efforts to practice her faith. In the very first entry of her diary we are informed that Helen went to visit her grandmother. This is what she wrote on the following day, January 2, 1842: "Staid at home. performed Mass. We made Nicholas a priest. He behaved extremely well but brother Matthew behaved badly." Then January 4th: "Staid at home. Father Andrew performed Mass twice. Once with Father Thomas." January 5th: "Went to Mrs. Underwood, did not perform Mass." January 6th: "Brothers came home in the evening. Performed Mass twice."[13] Such entries occur less frequent as time goes on—I believe because she had won the right to walk to the nearest Catholic church and therefore could attend Mass—but, throughout the diary, Helen never abandoned this practice. Just a few weeks before the very last entry, aged fifteen, she wrote for Christmas Day 1846: "I performed a Mass at Midnight the altar decorated with green, and sung 'Adeste Fideles.'" There is obviously a prominent component of the imaginative play of children involved here, and one that accords well with Helen's theatrical enthusiasms, but—as will become apparent—this practice is also clearly one part of a life of earnest piety, devotional exercises, and religious reflection.

The first mention of her attending Mass comes on Easter Day, 1842, when she worshipped at the Spanish Ambassador's chapel—as she did again that Christmas. In the summer of 1844, Helen went to Rouen, France, with her mother (and Mill) and she spent her entire holiday trying to get to as many Catholic church services as possible, literally every day and often more than one in a day—even on her birthday. Her greatest disappointment was being thwarted in this desire. July 26th: "I have been out again to the Cathedral, but just missed the service, at this instant the bells are ringing in a most tempting way. I have been out to see if they were ringing for Mass, but they are not." Even a rare account of a different attraction, the Museum of Antiquities, is focused on the Christian objects: "There was a stone crucifix which appeared to me the best thing in the col-

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P. F. Sell, *Mill on God: The Pervasiveness and Elusiveness of Mill's Religious Thought* (Aldershot, Hampshire, 2004). The article to hand presents a portion of the research for a volume that I am currently writing which is contracted to appear in Oxford University Press's Spiritual Lives series: Timothy Larsen, *John Stuart Mill: A Secular Life*.

13. I do not know who Nicholas, Matthew, and Thomas were. Matthew is being called a brother in the general sense of Christian fellowship or (in the role play) the more specific one of a religious vocation. The January 6 entry, on the other hand, refers to her biological brothers: it means that Algernon and their older brother Herbert have paid a visit.

lection." On the trip back home, she writes of how she spent her last day in Rouen: "I went this morning before we started for this place to St Ouen, the Cathedral, and St Maclou. They were all open and service was being performed at each. So I said an Ave Maria and Pater Noster in them all." Her French idyll over, but not yet home, she was in Southampton on Sunday 12 August 1844, and her devotional life carried on: "We went today to Mass to a little chapel which there is here." Year after year, wherever she was and however brief the visit—Arundel, Ryde, Newport—she sought out the local Roman Catholic church in order to attend Mass. ("There is a Catholic chapel here where I mean to go to Mass tomorrow but I could not get into it today.")

By March 1845, Helen could attend Mass much more frequently because she no longer needed a chaperon: she had gained permission to walk by herself the four miles from her home at Walton-on-Thames, Surrey, to the Catholic Church at Weybridge. Helen calls it "the little chapel," and a solitary thirteen-year-old girl from a non-Catholic family must have been conspicuous. *Historical Notes on English Catholic Missions* observes: "The place was so small that not more than a dozen persons could be accommodated in it at one time!"[14] On Palm Sunday 1845: "I received a branch of blessed Palm and kissed the hand of the Priest." On Good Friday: "I went to Weybridge again to day. The Altar was quite plain, no ornaments upon it, all black, and the Priest with Black & Silver robes. I kissed the cross going up to the Altar to it." Algernon joined her for Mass on Easter Sunday and they heard "a joyful sermon on the resurrection." Helen would even sometimes go to Compline on a weekday. Mass now accessible, her *ad hoc* devotional efforts became focused on other services: "Last night I have Vespers again to night I shall have them, and shall preach on the subject of the crucifixion." When she was in London staying at the official family residence in Regent's Park where her father lived, Helen attended Mass at the Spanish Ambassador's chapel, the French Ambassador's chapel or, increasingly, the chapel to Our Lady at St John's Woods.

When she encountered Protestantism, Helen was critical. A visit to Westminster Abbey in January 1845 prompted her to claim that it would be much better in Roman Catholic hands, who would have the sense to include statues and crucifixes: "Protestantism does not suit churches." The few times she attended Anglican worship her comments were scathing: "The sermon was dreadfully full of fine words and smooth expressions." Or

14. Bernard W. Kelly, *Historical Notes on English Catholic Missions* (London, 1907), p. 428.

on another occasion: "The sermon long, unmeaning and excessively pompous." In contrast, she almost invariably reported that a Roman Catholic sermon was good. This was, if anything, even truer when they contained anti-Protestant polemics or Catholic apologetics. In May 1845, a sermon was "extremely good." It argued that persecution was a mark of the true Church and then tellingly expounded on the ongoing persecution of Catholics by Protestants in Britain. She also liked the sermon for Corpus Christi, which sought to prove that "the Catholic Eucharist was truly Corpus Christi" and that this was the teaching of the church fathers: "Then he enjoined everyone there to take the Sacrament describing its effects, and the spirit with which it should be received." Even that statement, alas, does not lead Helen (at least in the diary) to reflect upon the presumed fact that she could not receive the sacrament herself. On another holiday, she went to Vespers at a Roman Catholic Church in Frankfurt but was disappointed by the ways in which she perceived true Catholic worship had been diluted by the influence of the surrounding Lutheranism. Helen was disgusted by a performance she attended of Haydn's "Creation" at Exeter Hall during which the creation of light (the "And God said, Let there be light" of Genesis 1:3) was accompanied by the tacky trick of turning on the gas lights.

Particularly fascinating is an entry from April 8, 1845 on her reading of *The Ideal of a Christian Church* by the Tractarian W. G. Ward:

> I think it very good he seems a splendid controversialist, and I think it would be difficult to refute his attacks on protestantism, which it seems to me can only be the religion of extremely unthinking or intensely cowardly people. It seems to me that Ward ought to profess himself Catholic, as I am sure he is in his heart. His reason for remaining in the English Church seems to be that he is afraid and not sure what he would do, he therefore thinks it safest to remain in the church in which God has placed him.[15]

As Ward would be received into the Roman Catholic Church later that same year, it would seem that this thirteen-year-old girl was not only a careful reader of advanced theological treatises but a prescient one.

Helen's diary is imbued with piety in other ways. It is highly attentive to the church's liturgical year. On one occasion she even wrote "Christmass" as if to emphasize that, however the festival might be observed by others, for her it was a day to go to Mass. The most seemingly inconspicuous of weekdays could prompt her to announce that it was St Thomas's Day, St Michael's Day, and so on. One of the last entries is 5 January 1847:

15. W. G. Ward, *The Ideal of a Christian Church* (London, 1844).

"I have been reading the life of St Simeon Stylites whose festival is to day." Her devotional reading is another recurring theme, including Thomas à Kempis ("It is very pleasant when one reads of feelings which oneself has had"), and the lives of saints—St. Bernard and St. Hildegard being favorites. Saints are "the best and the most courageous people of whom one reads." Or on another occasion: "I always admire Martyrs"—she was particularly pleased by one who literally turned the other cheek when struck by a soldier. Helen was memorizing parts in plays, but longed to find one where she could approve of what the character was saying—eventually identifying one: "I am inclined to Schiller's Joan of Arc." And Helen would also write for spiritual edification. April 2, 1842: "Wrote the first sermon I ever wrote." She would copy out sermons written by others, and had her own altar at home which she would decorate for church festivals. She awoke on Easter Sunday 1846 from "a pleasant dream" in which she was "the chief singer of a splendid cathedral," but found herself unable to fulfil this duty until she was empowered by a gracious look from the bishop.

It is not clear how long these religious interests persisted in Helen Taylor's life. A letter from Mill to Harriet on March 11, 1854 (by which time Helen was twenty-two years old) discussed their plans for a trip to France. He observes that they will need to leave early as Easter, for Helen, "begins with Palm Sunday."[16] When Helen was staying in Newcastle in 1856—aged 25—she was attending Mass there.[17] In other words, we have clear evidence that her early commitment to the Catholic Mass lasted for—at the bare minimum—fifteen years. Likewise, when Algernon was aged twenty-five, he wanted to spend the 1856 Christmas holidays in the house, but Harriet was annoyed by this because they would all be away. Nevertheless, in a letter to Helen, their mother revealed that she thought she understood her son's motivation: "I suppose he wants to return to pass Christmas week near the church."[18] Indeed, there was speculation that he would

16. Letter of John Stuart Mill to Harriet Taylor Mill, March 11, 1854, in John Stuart Mill, *The Collected Works of John Stuart Mill*, Volume XIV—*The Later Letters of John Stuart Mill 1849–1873*, ed. Francis E. Mineka and Dwight N. Lindley (Toronto, 1972), p. 181.

17. Helen Taylor to Harriet Taylor Mill, 23 November [1856]. The original of this letter is in the Mill-Taylor Collection at the London School of Economics Archives, London, but I have only seen a transcript of it which was kindly provided to me by Dr Jo Ellen Jacobs. Helen was in Newcastle because this was the phase of her life when she was pursuing full-time a career in acting. Therefore, it would be wrong to imagine that her commitment to the Mass was merely an expression of her commitment to the theater and that, when she was able to pursue the latter, it replaced the former.

18. Harriet Taylor Mill to Helen Taylor, postmarked December 13, 1856: *The Complete Works of Harriet Taylor Mill*, ed. Jo Ellen Jacobs (Bloomington, Indiana, 1998), p. 530.

become a Catholic—or even a monk.[19] He did spend years visiting Catholic religious houses and eventually wrote *Convent Life in Italy* (1862) and *Scenes in French Monasteries* (1866).[20] In his *Memories of a Student, 1838-1888* there is an entire chapter called, "High Mass," followed by another titled, "Zelus domus tuæ comedit me," in which he recalls: "something approaching to a passion for church-going early manifested itself to me."[21]

It is even possible that it was Algernon's enthusiasm for Catholicism that had rubbed off on Helen. Algernon recounted the first of his own innumerable attendances at Mass: "At eleven years old I begged a Spanish school-companion, Don Lucas Odêro, to take me with him to the French ambassador's chapel on Good Friday and again on Easter day."[22] He recollects attending Mass with Helen, their mother, and with Mill. Algernon's *Memories* are filled with his own pious expressions and also accounts of his avid, lifelong reading of devotional literature. His particular "weakness" was for "the Christian Fathers," but he was a deeply ecumenical Christian in terms of both his worship experiences and his reading, even including an exuberant endorsement of *Natural Law and the Spiritual World* (1883) by Henry Drummond, a Free Church of Scotland evangelist who worked closely with the American evangelical D. L. Moody. In May 1851, John Stuart Mill was arranging for the publication of an article, "Gregory of Nazianzum," in the *Westminster Review*. He said it was by "a young friend" and the editor of *The Collected Works of John Stuart Mill* describes this author as "unidentified."[23] It was actually by Algernon Taylor. [24] The article was not in keeping with the typical contents of the journal, which was known to be a voice for freethought. The book under

19. Letter of John Stuart Mill to Frederick Sinnett, October 22, 1857, in John Stuart Mill, *The Collected Works of John Stuart Mill*, Volume XV—*The Later Letters of John Stuart Mill 1849–1873 Part II*, ed. Francis E. Mineka and Dwight N. Lindley (Toronto, 1972), p. 541.

20. Algernon Taylor, *Convent Life in Italy* (London, 1862); Algernon Taylor, *Scenes in French Monasteries* (London, 1864).

21. Algernon Taylor, *Memories of a Student, 1838–1888*, privately printed, n.d. [1892], p. 38.

22. Algernon Taylor, *Memories of a Student, 1838–1888*, privately printed, n.d. [1892], p. 39.

23. John Stuart Mill to William E. Hickson [May 1851]: John Stuart Mill, *The Collected Works of John Stuart Mill*, Volume XIV—*The Letters of John Stuart Mill, 1849-1873*, edited by Francis E. Mineka and Dwight N. Lindley (Toronto, 1972), p. 66.

24. [Algernon Taylor], "Gregory of Nazianzum," *Westminster Review*, LVI, Art. V (October 1851), 53–65. The authorship of this article can be deduced from Algernon Taylor, *Memories of a Student, 1838–1888*, privately printed, n.d. [1892], p. 164. I have grateful to my post-graduate research assistant David Monahan for identifying this article and helping to make the connection to its author.

review maintained scholarly objectivity by never referring to Gregory as a saint, but Algernon, after noticing this, pointedly speaks himself of "St. Gregory" throughout. He criticizes the author for not offering a full defense of monastic asceticism and makes an appeal to his readers who are "earnestly believing Christians." John Stuart Mill had just married the young author's mother the month before and was in his first weeks of living in the same house with Algernon. It would appear that Mill was looking for some way to relate to his religiously-preoccupied stepson and the best idea he could think of was to commission him to write about a church father for the *Westminster Review*! Algernon's own only son, Cyprian, was eventually committed to an asylum because he suffered from "religious mania."[25] Moreover, even Harriet's other child, Herbert, who had much less contact with her and the other children, spent several months "as a member of the choir at High Mass in St. George's Cathedral, Southwark."[26]

Similar observations could be made about the Mill family. Although all of his siblings were homeschooled by John Stuart Mill himself, at least some of them ended up much more religiously-minded than one would suppose from this fact and from Mill's own narration of his upbringing. For example, his sister Mary's adult letters reveal her to be deeply pious—her greatest prayer for her famous brother being that he would be a Christian.[27] These signs of developing religiosity are evident among the younger Mill family members even before they left home. When Mill's brother Henry was dying of tuberculous at the age of nineteen, his deathbed was marked by nightly readings from the Bible for his spiritual guidance and comfort, and their sister Clara particularly commended to him the hymn, "As thy day, thy strength shall be," which begins, "Afflicted saint, to Christ draw near."[28] In other words, even Mill's own family was not as devoid of religion as his self-reporting would make one assume.

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25. Jo Ellen Jacobs (ed.), *The Complete Works of Harriet Taylor Mill*, Bloomington, Indiana: Indiana University Press, 1998, p. [589].

26. Algernon Taylor, *Memories of a Student, 1838–1888*, privately printed, n.d. [1892], p. 38.

27. John Stuart Mill, *The Collected Works of John Stuart Mill*, Volume XV—*The Later Letters of John Stuart Mill 1849–1873 Part II*, ed. Francis E. Mineka and Dwight N. Lindley (Toronto, 1972), p. 547.

28. Horace N. Pym (ed.), *Memories of Old Friends: being extracts from the Journals and Letters of Caroline Fox of Penjerrick, Cornwall* (London, 1882), p. 69; Edward Davies and John A. Baxter, *A Selection of Psalms and Hymns, chiefly adapted for pubic worship*, third edition (London, 1835), p. 225.

After Harriet's death, Helen helped Mill with his work, composing answers to many letters he received on his behalf and in his name. This is abundantly clear because when a correspondent praised something he had said, he was eager to give Helen credit for actually having written it. Mill, for instance, made this acknowledgement in a letter to Mary Carpenter dated February 3, 1868 in which he went on to reflect on the arrangement:

> Without this help it would be impossible for me to carry on so very voluminous a correspondence as I am at present able to do: and we are so completely one in our opinions and feelings, that it makes hardly any difference which of us puts them into words. It is often with regret that I see attributed to myself work which I think good and which is chiefly hers.[29]

In a letter ostensibly from John Stuart Mill written in that same year, one reads, "The true humiliation is when honorable men become in the words of the Psalm, 'emulous of evil doers.'" The editors of *The Collected Works of John Stuart Mill* comment that this is "an inaccurate quotation from *Ps.* 37:1."[30] It is not, however, a misquotation from the Authorized Version but rather an accurate quotation from the Roman Catholic Douai-Rheims translation. This reveals, in fact, yet another trace of Helen's deep immersion in Catholic devotional resources.

For most of Helen's active adult life she was simply known as a feminist, an advocate for radical political causes, and the close collaborate of her stepfather, the famous religious skeptic, John Stuart Mill. There was no public evidence at all that she had any personal interest in religion and she certainly would have agreed with his political allies that the Church was often a retrograde force politically. Nevertheless, even in this period, one can find a private trace of her young, devotional self. In 1865 the freethinking Lady Amberley (the mother of Bertrand Russell, who would go on to become one of Britain's most vocal religious skeptics) had written in her journal that Helen Taylor had once been "much inclined to R. Catholicism" and that Thomas à Kempis's *Imitation of Christ* "is still her favorite book."[31] In a letter written in 1869 to Lady Amberley, Helen was emphat-

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29. Letter of John Stuart Mill to Mary Carpenter, February 3, 1868, in John Stuart Mill, *The Collected Works of John Stuart Mill*, Volume XVI—*The Later Letters of John Stuart Mill 1849–1873 Part III*, ed. Francis E. Mineka and Dwight N. Lindley (Toronto, 1972), p. 1359.

30. Letter of John Stuart Mill to Thomas Beggs, December 11, 1868, in John Stuart Mill, *The Collected Works of John Stuart Mill*, Volume XVI—*The Later Letters of John Stuart Mill 1849–1873 Part III*, ed. Francis E. Mineka and Dwight N. Lindley (Toronto, 1972), p. 1519.

31. Journal of Lady Amberley, entry for 20 February 1865, John Russell Amberley and Kate Amberley, *The Amberley Papers: The Letters and Diaries of Lord and Lady Amberley*, ed.

ically critical of Catholicism as a pernicious influence in the sphere of politics, but nevertheless reflected tellingly (as will be seen below): "There is so much that is exquisitely beautiful and touching in Catholicism that I never think any one quite safe from becoming a Catholic."[32]

John Stuart Mill himself developed a surprisingly more sympathetic view of religion and Christianity later in life. Mill's posthumously published essay, "Theism," dismayed some of his most loyal followers because of the extent to which it departed from a lifetime of rejecting traditional religious claims. John Morley, for example, registered his "strong dissent" for an essay so written as "to encourage the believer to hope that the account of Christianity as in some degree due to a supernatural interposition of some kind is a true account."[33] Indeed, Mill even went so far as to agree that it was a real possibility that "the Prophet of Nazareth . . . Christ actually was what he supposed himself to be . . . a man charged with a special, express and unique commission from God to lead mankind to truth and virtue."[34] It has been standard to observe that a likely reason for this surprising, new openness to the existence of God and even the unique, divine mission of Jesus Christ was that Mill wrote this essay after his wife had died and therefore the absence of her strong influence must be the decisive reason.[35] That does seem to be a genuine factor as far as it goes. It is also well known, however, that Helen Taylor took Harriet's place in Mill's life as the intellect with which he most desired to work in harmony and service. He went so far as to make the startling assertion that, when it came to his later writings, Helen's mind was more to be credited for their ideas than his own.[36]

Bertrand Russel and Patricial Russell, (2 vols; London, 1937), Vol. I, p. 372. John Stuart Mill and Helen Taylor were Bertrand Russell's godparents. Also illustrating the theme of this article that religion is often closer to home than one might think in this time period and beyond—and had a way of reappearing—even in the case of prominent unbelievers who were raised by religious skeptics, Bertrand Russell's own daughter, Katharine, converted to Christianity: Katharine Tait, *My Father Bertrand Russell* (New York, 1975) pp. 174–89.

32. Helen Taylor to Lady Amberley, September 11, 1869; John Russell Amberley and Kate Amberley, *The Amberley Papers: The Letters and Diaries of Lord and Lady Amberley*, ed. Bertrand Russel and Patricial Russell, (2 vols; London, 1937), Vol. II, pp. 311–13, here 313.

33. [John Morley], 'Mr. Mill's Three Essays on Religion', *Fortnightly Review*, XVII n.s. (January 1875), pp. 103–31 (here 103, 118).

34. John Stuart Mill, *The Collected Works of John Stuart Mill,* Volume 10—*Essays on Ethics, Religion and Society*, ed. John M. Robson and Jack Stillinger (Toronto, 1969), pp. 487–88.

35. For example, Alan P. F. Sell, *Mill on God: The Pervasiveness and Elusiveness of Mill's Religious Thought* (Aldershot, 2004), p. 1; Linda C. Raeder, *John Stuart Mill and the Religion of Humanity* (Columbia, Missouri, 2002), p. 364.

36. John Stuart Mill, *The Collected Works of John Stuart Mill*, Volume I—*Autobiography and Literary Essays*, ed. John M. Robson and Jack Stillinger (Toronto, 1981), p. 265.

Charles Eliot Norton reported, "Her words have an oracular value to him."[37] Leslie Stephen likewise spoke of "Mill's obedience to her."[38]

In contrast, Jeff Lipkes wrote an entire monograph on why Mill's views on economics and religion changed in the last twelve years of his life, but explicitly ruled out any contribution from Helen Taylor—it would seem because he assumed that Helen so entirely concurred with his earlier views that she could not have been an agent in his changing them.[39] We now know, however, that Helen Taylor's attitude to religion was certainly not a mere replica of the skeptical stance her stepfather maintained in the middle course of his life. In other words, we can now also offer an additional reason for the less skeptical approach advanced in "Theism": Mill well knew how much the Christian faith meant to Helen and he was influenced accordingly to offer a more favorable and hopeful assessment of its validity.[40] To highlight one specific detail in that essay, working in continual collaboration with his beloved "daughter" whose favorite book was *The Imitation of Christ*, Mill proclaimed fervently that "the most valuable part" of the influence of Christianity upon society is its offering of Jesus Christ as "a model for imitation."[41]

At the end of her life, Helen Taylor lived in Torquay with Algernon's daughter Mary Taylor, who was her caregiver once Helen could no longer look after herself. We know that Mary worshipped at the Anglican church of St John's there.[42] Helen Taylor's own funeral was conducted by an

37. Charles Eliot Norton to Chauncey Wright, September 18, 1870: Sara Norton and M. A. De Wolfe Howe (eds), *The Letters of Charles Eliot Norton*, 2 vols. (Boston, 1913), I, p. 400.

38. Leslie Stephen to Charles Eliot Norton, December 25, 1874: John W. Bicknell (ed.), *Selected Letters of Leslie Stephen:* Volume 1: *1864–1882* (London, 1996), p. 146. Norton and Stephen regretted Helen's influence, seeing it as demeaning of Mill's greatness. For a sympathetic account, see Ann P. Robson, "Mill's Second Prize in the Lottery of Life," in Michael Laine (ed.), *A Cultivated Mind: Essays on J. S. Mill presented to John M. Robson* (Toronto, 1991), pp. 215–41.

39. Jeff Lipkes, *Politics, Religion and Classical Political Economy in Britain: John Stuart Mill and his Followers* (London, 1999), especially pp. 9, 77.

40. Lipkes argues that, when it comes to Mill's more favorable view of religion late in life, the decisive influence was that of his friend, William Thomas Thornton, who was a Theist. Again, Thornton's contribution seems another genuine factor as far as it goes, but it was a mistake for Lipkes to set aside Helen Taylor's influence.

41. John Stuart Mill, *The Collected Works of John Stuart Mill*, Volume 10—*Essays on Ethics, Religion and Society*, ed. John M. Robson and Jack Stillinger (Toronto, 1969), p. 487.

42. Algernon Taylor, *Memories of a Student, 1838–1888*, privately printed, n.d. [1892], p. 21.

Anglican clergyman, the Reverend James J. Large.[43] Nevertheless, there were reports that Helen had become a Roman Catholic sometime during her years of retirement from public life. She had served with Ernest Belford Bax on the executive committee of the radical political organization, the Social Democratic Federation. Bax wrote snide comments about Helen Taylor in his *Reminiscences*—depicting her as haughty and aloof—and also included the information that she had died "in the bosom of the Catholic Church."[44] Florence Fenwick Miller worked closely with Helen on the London School Board and, in direct contrast to Bax, was a friend and admirer who liked her heartily. In her unpublished memoir, Miller reflected on how puzzled she had been that Helen refused to support efforts to promote birth control. This uncharacteristic stance for a political radical in their common milieu, Miller mused, could be explained "probably from the fact that she had already secretly joined the Roman Catholic Church, as at the end of her life it became known she was a convert to that Church." Indeed, "when Miss Taylor's conversion was at last revealed," Miller felt that it made sense of "many things that I had heard her say that had much surprised me at the time."[45] It is hard to think of how or why these claims would have come to be made if they did not have some foundation in truth.[46] In short, it seems reasonably probable that Helen Taylor really did become a Catholic, and that Mary Taylor arranged for an Anglican burial out of her own preference or for the sake of convenience.[47] If Helen was not actually received into the Roman Catholic Church then, at the very least, it seems highly likely that people had assumed this was the case because they had become aware that, in her later years, she was a Catholic fellow traveler who was attending Mass and otherwise engaging in Catholic devotional practices and expressing Catholic preferences and convictions.

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43. Information provided by John Tucker, Local and Family History Librarian, Torquay Library, Torquay.

44. Ernest Belfort Bax, *Reminiscences and Reflexions of a Mid and Late Victorian* (New York, 1920), p. 111.

45. I learned of the existence of this source from Janet Smith, "The Feminism and Political Radicalism of Helen Taylor in Victorian Britain and Ireland," pp. 27–28. The unpublished memoir of Florence Fenwick Miller is held in the archives of the Wellcome Institute, London. Dr Janet Smith generously provided me with a scan of the page that contains these comments, for which I am deeply grateful.

46. Miller was a freethinker, so this is not a case of the faithful wanting to believe there might have been a conversion.

47. There was no Roman Catholic cemetery in Torquay at this time and an Anglican clergyman and service were required for an internment in the Anglican burial grounds.

The *Oxford Dictionary of National Biography* entry on Helen Taylor makes no mention of religion. The index of *The Complete Works of Harriet Taylor Mill* has sub-entries under "Taylor, Helen" on her career, clothing, friends, health, holidays, independence, money, and her mother's affection for, anger at, and letters to, but not on her religion. I have no quarrel with these secondary sources on this account, but Helen's diary serves to remind us how wrong scholars are who ignore or underestimate just how significantly Christian religiosity shaped and impinged upon even "secular" figures in the nineteenth and early twentieth centuries. John Stuart Mill was "the Saint of Rationalism" who was "one of the very few examples, in this country, of one who has, not thrown off religious belief, but never had it," but it is important to realize that these realities were experienced in the nineteenth century in a world in which religion was highly likely to come close to home in specific and substantial ways.

We do not seem to have sufficient surviving evidence to help us determine to what degree Helen Taylor did or did not continue to foster some kind of Christian piety and pursue religious practices during the years when she and Mill collaborated together after her mother's death and in her years of being active in radical politics after Mill's own death. However, even if one assumes that the middle-aged Helen Taylor was not an especially devout or religiously active person by the standards of traditional, organized Christianity—or as devout as she had been in her youth—that approach to life, nevertheless, meant something different for someone of the Victorian era when one realizes just how much religiosity they often experienced before taking on such an identity—and how often lives of spiritual devotion marked those closest to them.

The Council on Campus: The Experience of Vatican II at Boston College

James M. O'Toole*

This essay presents a case study of the reception and implementation of the reforms of the Second Vatican Council at one American Catholic university, Boston College. The college, one of the twenty-eight Jesuit institutions of higher education in the United States, entered the 1960s in the midst of several decades of programmatic expansion, but it was largely unprepared for the changes that would come in the Council's wake. Student religious practice had been relatively underdeveloped, and the teaching of theology had proceeded along very traditional lines. But by the time the Council concluded, the campus had embraced liturgical reform, most noticeably in the complete renovation of the student chapel. The inadequacies of the theology department were also recognized early, and a major remaking of the faculty and curriculum was undertaken, turning the discipline in a more clearly academic direction. Though accompanied by some controversy, these transformations were accomplished in short order, with a level of enthusiasm for change taking hold.

Keywords: American Catholic colleges; Boston College; student religious practice; liturgical reform; theology faculty and curriculum

In early October 1962, just before he left for Rome to participate in the opening session of the Second Vatican Council, Cardinal Richard Cushing, the archbishop of Boston, welcomed two undergraduates from Boston College to his residence. The students, one an English major and the other an economics major, both of them juniors, presented the cardinal with a "spiritual bouquet" (see Figure 1). Most mid-twentieth century American Catholics would have immediately recognized a spiritual bouquet, defined by one encyclopedia as "an enumerated collection of prayers, devotional exercises, and acts of self-denial offered . . . for spiritual benefit." The idea

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was that a group of the faithful could undertake a large number of religious activities for a particular purpose, and then pool them together so as to increase the power and efficacy of their individual prayers. To symbolize the effort, an elaborate, hand-lettered and illustrated document was usually prepared (as it was in this case) and formally presented to the individual whose spiritual intentions would profit from the exercise. This particular bouquet had been assembled over the previous weeks by the students and faculty of the college, all of it done, they said, "for the success of the Council." It was an impressive effort, amounting to 15,226 Masses attended, 12,350 communions received, 9,972 recitations of the rosary, 9,579 "acts of penance," and 11,333 "acts of fraternal charity." And there was more to come. The Jesuit priests at the school had pledged to offer an additional 304 future Masses for this intention. Mass would be said in the chapel of the Jesuit residence every hour on the hour on October 11, the Council's opening day, and the bells in the tower of the main college building would all be rung at once at noon that day, only the fourth time in the history of the school that this had been done—most recently on VJ Day in 1945.[1]

It would be difficult to prove, one way or another, but this may very well have been the last time that the students of Boston College ever assembled a spiritual bouquet. That common devotion and object, entirely familiar (especially to school children) in the era before the Council, all but disappeared from the American Catholic religious imagination in the years after 1965, swept away like so many other practices that suddenly seemed outdated. "The custom," that same reference book noted with an air of disapproval in the middle 1990s, "passed out of favor because it tended to view spiritual realities, including Mass, as quantifiable entities whose spiritual benefits are readily transferable to others."[2] Perhaps. But that last spiritual bouquet may be taken as a marker of transition, a change prompted by the Vatican Council and its work. We know that the reception and lived experience of the Council varied considerably from place to place, and the impact on local parishes and dioceses was multi-layered.[3]

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1. "15,000 Masses Offered for Success of Vatican Council," *The Heights*, October 11, 1962, 1, 3; see also *Harper Collins Encyclopedia of Catholicism*, ed. Richard P. McBrien (San Francisco, 1995), p. 1214.

2. *Harper Collins Encyclopedia of Catholicism*, p. 1214.

3. For studies of the local reception and implementation of the Council, see Timothy Kelly, *The Transformation of American Catholicism: The Pittsburgh Laity and the Second Vatican Council, 1950–1972* (Notre Dame, IN, 2009), esp. ch. 5; James P. McCartin, *Prayers of the Faithful: The Shifting Spiritual Life of American Catholics* (Cambridge, MA, 2010), ch. 4; and Leslie Woodcock Tentler, *Seasons of Grace: A History of the Catholic Archdiocese of Detroit* (Detroit, 1990), pp. 519–527.

FIGURE 1. Photograph of Boston College students presenting Cardinal Richard Cushing with a spiritual bouquet in October 1962, shortly before his departure to attend the Second Vatican Council. Left to right: James P. Cahill, Cardinal Richard Cushing, and David Shinney. Photo from the Boston College Heights, October 11, 1962.

Other kinds of localities were affected too, including the campuses of Catholic universities.

The era of Vatican II would have been a significant one for Boston College even if the Council fathers had never assembled. Founded in 1863 by Jesuit priests to serve the exploding immigrant population of the city, the school was in the process of celebrating its centennial as the Council met, and its leaders were moving the institution in new directions. Several decades of programmatic expansion, beginning in the 1920s, had added graduate and professional schools to the familiar undergraduate liberal arts curriculum. Though it may thus have technically qualified as such earlier, not until the 1950s did it become common for those on campus to refer to the institution in shorthand as "the university" rather than "the college"; sometimes, it was "the University." (The trustees considered changing the name to reflect this but then rejected the idea, probably because the most obvious name—Boston University—was already taken.) Lay men and women far outnumbered Jesuits as teachers, and the quality of the faculty was being improved through the deliberate hiring of academics with PhDs and other terminal degrees in their respective fields. As late as 1950, nearly half the faculty in the college of arts and sciences had been teaching on the basis of a master's degree, while only slightly more than a quarter of them

held a PhD; by 1960, those percentages had roughly changed places. While the majority of lay faculty members were probably Catholics—it is impossible to tell for sure—academic preparation and distinction in their own fields were becoming the standards by which faculty members were hired and evaluated.[4]

Other Catholic universities in the United States were going through similar transitions. In 1955, in a controversial essay, the historian John Tracy Ellis had criticized the failure of American Catholics to develop a vibrant intellectual life, and the ensuing "warm discussion" (as one commentator called it) had prompted university presidents to concentrate on improving the quality of their faculties and curricula. A historian of Catholic higher education would later write that "availability rather than qualification" had traditionally been the primary criterion in hiring, and judgments about the quality of faculty members, once hired, were "only infrequently" made.[5] Now, in a quest for higher standards, university administrators had come instead to concentrate on identifying teachers with the best credentials, credentials that would earn them employment at any university in the country, whether Catholic or not. At the same time, federal legislation and a broader availability of government support in the form of scholarships, research grants, and other programs meant that colleges would simply have to be better if they were to qualify and compete.

Concern for improving standards and how to achieve them had particular resonance at Jesuit schools. In 1956, George Ganss, S.J., chairman of the classics department at Marquette University, had published a widely influential book, *St. Ignatius' Idea of a Jesuit University*. Anticipating the Council's call for religious communities to return to the sources of their

4. For a general picture of postwar developments, see Charles F. Donovan, et al., *History of Boston College from the Beginnings to 1990* (Chestnut Hill, MA, 1990), chs. 22–25; see also Richard M. Freeland, *Academia's Golden Age: Universities in Massachusetts, 1945–1970* (New York, 1992), ch. 5. I have computed the percentages of faculty degrees from the listings in the annual university catalogs. In 1950, 49.3 percent held a master's as their highest degree and 28.7 percent a doctorate. In 1960, those numbers were 38.0 and 48.5, respectively. There are several examples of "the university" usage (both capitalized and not) in the "University Planning Committee Final Report, July 1959," Michael P. Walsh Papers, Box 6, Folder 3, University Archives, Boston College (hereafter UABC).

5. John Tracy Ellis, "American Catholics and the Intellectual Life," *Thought* 30 (August 1955): 351–88, and Thomas F. O'Dea, *American Catholic Dilemma: An Inquiry into the Intellectual Life* (New York, 1958), p. xi. A general description of the many changes in the postwar years (which he called "a period of awakening" and a "quest for excellence") is in Edward J. Power, *Catholic Higher Education in America: A History* (New York, 1972), chs. 11–13; quotations at pp. 422 and 459.

particular charism, Ganss had studied the writings of the order's founder, which were still not widely available in translation, and he was surprised at much of what he found there. "The growing light of historical evidence compelled me to modify or even abandon educational theses which I once thought were part and parcel of Jesuit educational theory," he wrote. Instead, he found a number of essential "principles" that supported change, including "a care of timeliness, through adaptation of procedures to places and times" and "a care to preserve, discard, and add according to contemporary needs." Any Jesuit college president seeking to enhance his institution's standing could find in such language sufficient warrant to move ahead, and most of them did. The president of the University of Santa Clara, for instance, had left office in 1958 boasting that the number of his faculty who held the PhD had increased by 30 percent in just the last seven years; in 1964, Marquette initiated an extended effort to produce a ten-year master academic plan, one of whose goals was a similar improvement.[6] In one way or another, all the Jesuit universities were consciously striving to remake their institutions.

At Boston College, equal attention was being paid to getting better students. Enrollments had surged after the war, fueled as elsewhere by the G.I. Bill, and the campus, located in Chestnut Hill, Massachusetts (a district that straddled the line between Boston and the suburban city of Newton), was being remade in response. A campus that had consisted of just four buildings in 1940 had seventeen of them in 1960, with several more either under construction or in planning. Moreover, the student body was not merely growing, it was changing. In the middle 1950s, the first dormitories had been built, a sharp turn for a school that had always served mostly local, commuting students who came in every morning and left every afternoon, many for the part-time jobs that were helping to pay their tuition. These dorms made it possible to attract students from beyond the greater Boston area, many of them from the network of Jesuit high schools, especially those in East Coast cities. There was general agreement that this was helping to improve the quality of the undergraduates; an honors program had recently been established with the same goal in mind. Most dramatic of all, the university, governed by rules of the Jesuit order that dis-

6. George E. Ganss, *Saint Ignatius' Idea of a University: A Study in the History of Catholic Education* (Milwaukee, 1956), pp. ix, 197, and 198; Gerald McKevitt, *The University of Santa Clara: A History, 1851–1977* (Stanford, CA, 1979), p. 281; and Thomas J. Jablonski, *Milwaukee's Jesuit University: Marquette, 1881-1981* (Milwaukee, 2007), pp. 310–11. Ganss was subsequently the founding director of the Institute for Jesuit Sources at St. Louis University.

couraged the admission of women, was taking its first hesitant steps toward coeducation. Women had already been admitted to some graduate programs and to the law and social work schools (opened in 1929 and 1936, respectively), and there were also women in the still-new undergraduate schools of nursing (1947) and education (1952). But now there was thought of admitting women to all academic programs. Six freshmen women had essentially been smuggled into the college of arts and science for the first time in 1959—officially admitted to education, they took all their classes in arts and sciences instead, with the collusion of both deans—and the apparent success of that experiment increased both the pressure and the desire to expand on it.[7] Taken together, all these developments meant that the years of the Vatican Council and after were going to be years of transition on campus, regardless of what the Council did. But the changes that came in the Council's wake compounded the sense of ongoing, and even radical, transformation.

Like many—perhaps most—American Catholic colleges and universities, Boston College in the 1940s and 1950s seems to have been largely unprepared for what Vatican II was about to do to the Church. The postwar teaching of theology, for example, proceeded much as it had for decades. There were always a few non-Catholic students on campus, and they were the only ones exempt from the requirement that the catalog spelled out for everyone else: a "carefully integrated" progression of theology courses covering "the entire cycle of Catholic doctrine and moral teaching. In this way the student is provided a solid background of knowledge of his faith and the Christian code of life." Practically speaking, this meant that a student took a prescribed theology course every one of his eight semesters on campus. Freshmen began with a general introduction to the Bible and then a focus on the gospels. Sophomores spent the year studying the Church; juniors focused on God as creator and redeemer; seniors studied the sacraments, with particular attention to marriage and the Eucharist. It was possible for a student to major in theology, though almost none did; in effect, all students completed at least the equivalent of a minor in the subject, whether they wanted to or not. There was no graduate study of theology. A few ambitious faculty in the department, which consisted entirely of Jesuits, had thought about initiating a master's program for lay students, but the dean and the president rejected the idea. There was little demand, they thought, in part because graduates would be unable to put

7. Donovan, *History*, pp. 282–283. All schools of the university became coeducational in 1970.

their degrees to any use. "Would a Catholic college hire a layman" to teach theology? the president wondered in 1959; it seemed unlikely.[8]

Catholic religious practice, too, moved along very familiar tracks as the Council opened. "An atmosphere of religious faith permeates the campus and lecture halls," the catalog said, and the outward signs of Catholicism were everywhere. Jesuit faculty members all wore their order's distinctive black soutane and, when they went outdoors, most wore a clerical biretta on their heads. There was a small crucifix on the wall of every classroom, and many classes, not just those in theology, began with a prayer. The holy days of obligation—All Saints Day in November and the Feast of the Immaculate Conception in December, for instance—were days off from class; classes were also cancelled on St. Patrick's Day (a civic holiday in Boston, though not in the rest of Massachusetts), but this may have been a function of the predominant local ethnicity. Catholic students were required to participate in an annual retreat. This was conducted on campus, with the retreat exercises substituting for the usual class routine for two or three days. Observance of the church's dietary rules was second nature. On Fridays, the small lunch room in the main classroom building served no meat, and students who brought their lunches from home were similarly careful to comply. As late as the opening years of the Council, the laws of fast and abstinence were still taken very seriously. In addition to the regular weekly obligation, for instance, the Church at this time also observed what were known as the Ember Days, four sets of three days each (a Wednesday and a Saturday in addition to the intervening Friday) throughout the year, on which the Friday dietary laws were to be observed. This created a problem in 1963, when a picnic at the beach for graduating seniors had been scheduled for what turned out to be the Ember Wednesday in June. No less a figure than the university president wrote to the archbishop's office, requesting a dispensation so that the seniors could enjoy their hot dogs and hamburgers without sinning. The archbishop's secretary granted the request, though he was careful to specify that it applied only to "those members of the Senior Class who attend the

8. An outline of the theology courses throughout the 1950s is included in Walsh Papers, Box 8, Folder 11, UABC. Some signs of change (mostly the addition of honors sections in each required course) are evident in the *University Bulletin, 1962–1963*, pp. 131–33; see also p. 45 for the general description. (Because the title and format of this publication changed repeatedly, it will hereafter be cited as *Catalog*, with the particular year and, where appropriate, subsidiary school of the university. A complete run of the university's catalog, from 1863 on, is available electronically at www.libguides.bc.edu/univarch/2013.) On the rejection of a graduate program, see Michael Walsh to Richard Rousseau, October 7, 1959, Walsh Papers, Box 8, Folder 12, UABC.

outing"; any senior who stayed home was bound by the usual rule.[9] The Church abolished these dietary regulations soon afterward, starting in 1966, but Boston College students were scrupulous in observing them while they lasted, an indication of how fully the Catholic ethos did indeed "permeate" the campus.

At the same time, factors peculiar to Boston College meant that what we might call the devotional culture of the school was underdeveloped in comparison to many other Catholic colleges. Though there was, for instance, a chapel in Saint Mary's Hall, the Jesuit residence, in which Mass was celebrated daily, there was no student chapel on campus until 1957. Since most undergraduates lived at home, they were expected to fulfill their religious obligations in their own parishes. Pastors of the time jealously guarded the people they considered "theirs," and officials of the college periodically received complaints from local pastors that students were going to Mass and the sacraments on campus, rather than at home. A formally designated university church had been proposed in the 1910s, but the archbishop had rejected the suggestion, lest it draw students away from the churches where, it was thought, they properly belonged. When an archdiocesan parish opened adjacent to the campus—established in 1926, it built a new church building in 1949—it was expressly designated as being for residents of the surrounding neighborhood, not for students, even though it was staffed by Jesuit priests; into the 1960s, the pastor of this parish actively discouraged students from attending services there, often chasing them from his pews. Just five years before the Council began, however, a new dormitory opened, and it contained the first chapel specifically for student use. Those who lived in the dorms (as yet a distinct minority of the student body) were expected to attend Mass there twice a week in addition to Sunday, and attendance was monitored; those who failed to meet their quota were confined to campus on the following weekend.[10]

By the time the Council opened, however, some transition was beginning to be evident, starting slowly but then picking up speed. Enforcement of the rule on compulsory Mass attendance by resident students, for example, had become increasingly difficult. With a growing and diversifying

9. Michael Walsh to Robert Sennott, May 8, 1963, and Sennott to Walsh, May 9, 1963, Walsh Papers, Box 12, Folder 7, UABC.

10. *Catalog, 1962–1963*, p. 45. On the early relationship between the college and Saint Ignatius parish, see David R. Dunigan, *A History of Boston College* (Milwaukee, 1947), pp. 239–41. Several alumni of this era have told me a version of the story of their being asked to leave services at the parish.

student body, it was harder to make distinctions between Catholics and non-Catholics, and there were also practical problems. Besides the priest presiding at any given Mass, one or two other Jesuits had to be stationed at the rear of the student chapel to take attendance and to block the path of those arriving late—they were told to come back at another time—and those trying to leave early. Too often, one Jesuit told the president, "celebrants felt obliged to stop Mass at the Last Gospel and ask the large group leaving to return." This same observer had already despaired of maintaining standards regarding "appearance at Mass (T-shirts, Bermuda shorts, etc.)." Accordingly, with the opening of the new school year in September 1962, just a month before the Council's first session, compulsory Mass attendance was abolished altogether.[11]

The Jesuit provincial had worried about taking this step. "The impression should not be given that frequent attendance at Mass is purely voluntary," Father John O'Connor wrote the president, Father Michael Walsh, "as if we did not care whether or not a student developed a praiseworthy practice in this matter." At least one student agreed, worrying that a "fringe group of tepid Catholics" might now slip away. Walsh reassured his provincial that special steps would be taken to avoid this, including the addition of daily, more convenient noontime and evening Masses and an attendance campaign by those Jesuits who lived in the dorms. The student newspaper, "The Heights," was very happy with the change, reporting it as "an effort to let the students show that they are able to think for themselves." Employing the common language of the time that spoke of a new maturity among Catholics, an accompanying editorial (headlined "A Step Forward") thought making Mass voluntary was a welcome way of "promoting individual spiritual responsibility." The school could no longer think of itself as "an oasis of Catholic security in a desert of non-Catholic hostility," another student said, perhaps a bit overdramatically. No hard data is available, but it is difficult to imagine that regular weekday attendance did not drop off sharply, probably less so (at least at first) on Sundays.[12]

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11. "Spiritual Activity for the Dormitory Students," undated but 1960–1961 school year, Walsh Papers, Box 13, Folder 8, UABC; the author of this report is not identified. See also "Compulsory Mass Regulations Changed," *The Heights*, September 21, 1962, 1.

12. John O'Connor to Michael Walsh, August 28, 1963, and Walsh to O'Connor, August 29, 1962, Walsh Papers, Box 18, Folder 4, UABC. Student reaction is seen in "A Step Forward," *The Heights*, September 21, 1962, 2; see also letters to the editor, ibid., April 5 (p. 8) and 26 (p. 6), 1963, and February 7, 1964, p. 8. Nearby Holy Cross abolished compulsory Mass at about the same time, and other Jesuit schools did the same; see Anthony J. Kuzniewski, *Thy Honored Name: A History of the College of the Holy Cross, 1843–1994* (Washington, DC, 1999), pp. 386–87.

The mandatory annual retreat lasted only a little while longer before it too was eliminated. Managing its logistics and tracking attendance were major undertakings, and school officials made it even more complicated by insisting on distinctions within the student body, some of which were designed simply to keep the sexes separate. For the retreat in March 1963, for instance, students in the college of arts and sciences (all male, except for the handful of illicit girls) and the male students in the school of education were assigned to one location; students in the business school (established 1938, also all men) were in another, and the women from education and the all-female nursing students in yet a third. Such complexity, undermined by changing attitudes prompted by the Council, became unsustainable. In 1965, the retreat requirement was applied to first-semester freshmen only, but the next year even they were exempt. "Frequent retreats are arranged," the catalog was saying by then, resorting to the passive voice, "and students are strongly urged to make a closed retreat"—that is, one conducted at a facility off campus—"during each academic year."[13] As with Mass attendance, the university's attitude toward retreats by its students had moved quickly from one of obligation to one that encouraged individual choice, with students who could "think for themselves" deciding how they would or would not practice their religion.

Soon enough, the form of the celebration of Mass itself changed dramatically on campus, as it did everywhere, beginning with the first appearance of "the new Mass" in 1964. Boston College had hardly been a center of the Liturgical Movement, active elsewhere in the country. A few faculty members (notably William Leonard, S.J., a sometime editor at *America* magazine and a longtime chairman of the theology department) were on the fringes of that movement, but liturgical experimentation got off to a slow start in Chestnut Hill. There had been some occasional efforts to popularize the so-called Dialog Mass as "restored" by Pius XII, in which the entire congregation, not just the altar servers, said the responses to the celebrant aloud. A student observer had been impressed by his first experience of this in 1959: "the priest says Mass," the student noted and then exclaimed "but this congregation is really assisting him!" The number of such services available on campus was never very big, and interest waxed and waned over time, partly on account of the difficulties inherent in the collective recitation of Latin, which had been dropped as a required subject for students in the 1940s. "If you do not know Latin," the draft of a student

13. *Catalog, 1965–1966*, p. 53, and *Catalog: College of Arts and Sciences, 1966–1967*, p. 3. For examples of locations and schedules, see "Retreats," *The Heights*, March 15, 1963, 3, and "Retreat Schedule for Next Semester," ibid., January 7, 1964, p. 3.

FIGURE 2. Photograph of Father Robert F. Hoey, S.J.,from Boston College Faculty and Staff Photographs, box 5, folders 111–115, BC 2000-005_ref. 191_006, John J. Burns Library, Boston College.

guide to the subject said encouragingly, "this fact should not deter you. . . . With the aid of booklets provided, and helped by the frequent hearing of others making the responses, you yourself will soon be able to make them properly." For its part, "The Heights" urged students to create more of a demand for the Dialog Mass. "Priests will not hasten to begin the practice if students do not ask for it," the paper said in 1963, "and once begun, it will scarcely flourish in an atmosphere of embarrassed silence." Dialog services continued off and on and were sometimes conducted in English, though significantly these were usually offered not in the Jesuit residence chapel or in the student chapel; instead, they were most often scheduled for a small auditorium in the library building, thereby underlining their unusual, experimental character.[14]

14. "Dialogue Masses Prove Popular with B.C. Students," *The Heights*, October 2, 1959, 8; "Social Service," ibid., March 15, 1963, p. 8; Undated draft, "Dialogue Mass," William L. Keleher Papers, Box 5, Folder 17, UABC.

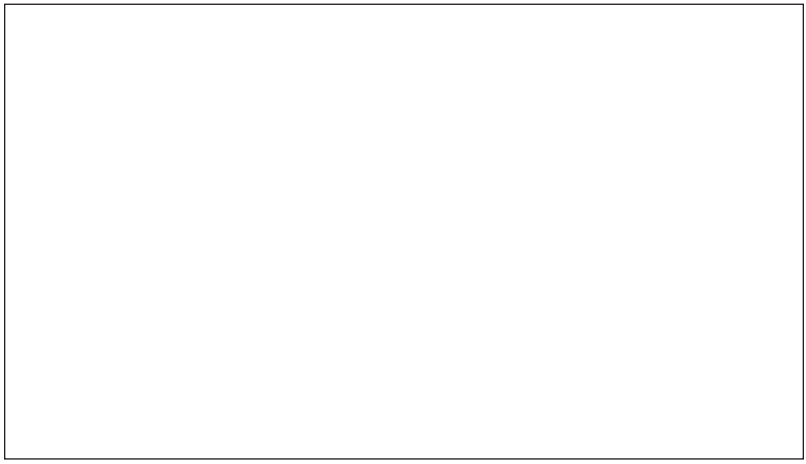
With the Council's reform of the liturgy, however, Boston College students and faculty joined in enthusiastically, and liturgical variety became common almost instantly. By 1966, Masses in the student chapel were marked by a number of innovations, "The Heights" reported, with new kinds of music, "including jazz and folk Masses," some "experimentations in vestments" (which sometimes meant no vestments), and a "discussion homily," in which members of the congregation might have as much to say as the preacher. The most popular student liturgy on campus was a weekly Saturday midnight Mass, done with folk music, into which students crowded. In 1969, the Mass of the Holy Spirit, held every September to mark the opening of classes—before 1963, it had been called the Mass of the Holy Ghost, the usual preconciliar term—was concelebrated by several Jesuits, rather than said by the president alone. Concelebration was not unknown on campus before this, but it was still unusual enough to attract specific notice. That liturgy, held in the hockey rink because it was the biggest indoor space available on campus, had other unusual new features. Participants placed unconsecrated communion hosts in baskets at the door on entering, for example, and these were later brought forward in an offertory procession. Music was provided by the school's band, supplemented by a small group of "folk guitarists." As they left Mass, participants were given balloons "as a symbol of the elevation of the prayers," letting them all go outside the arena. Other, less formal liturgies were also appearing on campus by now. There were non-eucharistic services at noon on the Wednesdays during Lent that year, for example, sometimes led by Jesuits, sometimes by lay members of the faculty. Finally, new Mass texts proliferated in both formal and informal settings. Robert Hoey, S.J. (see Figure 2), head of the university chaplaincy, eventually compiled many of these and published them in the *Experimental Liturgy Book*, a volume that got wide use around the country. A few had been written by Jesuits from the campus and elsewhere; others had been written by lay people (including women), and there was even one by Malcolm Boyd, then a popular Episcopal priest and spiritual writer. "This is a major breakthrough," the book's preface modestly claimed; "the ice packs of centuries have been pierced."[15]

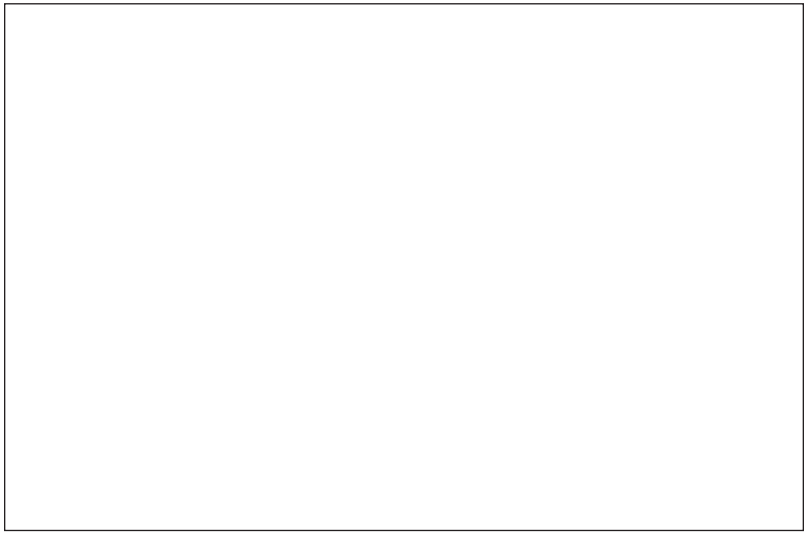
15. "Implementing Conciliar Liturgy," *The Heights*, October 14, 1966, 6; "University Mass Stresses a Sense of Community," ibid., September 9, 1969, 6; "Laymen Lead Wed. Liturgy," ibid., February 18, 1969, 3; "Faculty Speakers Highlight March Liturgy," ibid., March 4, 1969, 9. See also Robert F. Hoey, ed., *The Experimental Liturgy Book* (New York, 1969). The ice packs were not completely melted; the verso of the title page was careful to assure users that this volume had been produced "with ecclesiastical approbation." On the popularity of the Saturday midnight Mass, see Donovan, *History*, pp. 382–384. The shifting language of the opening Mass, from "Ghost" to "Spirit," may be seen in the annual report of the event in *The Heights*.

The most visible change in campus religious life came with the renovation of the students' chapel (see Figures 3 and 4). When it opened in 1957 on the basement floor of one of the new dormitories, this Saint Joseph's Chapel had a traditional design and layout. The flat ceiling was low, and the windows were of opaque glass, without ornamentation. Students entered at the back, took a few steps down, passed by two confessional boxes on either side, and then sat in long rows of fixed wooden pews facing a main altar and two side altars. A freestanding tabernacle occupied the middle of the main altar, with a large painting of the crucifixion on the wall behind it. There were small stations of the cross along the two walls, but the chapel was otherwise unadorned. At the beginning of the 1968–1969 school year, however, largely on student initiative, this chapel was closed for several months of renovations to accommodate the revised liturgy more suitably. (During the renovations, Mass was celebrated in one of the lounges of the principal student dining hall.) The pews, confessionals, and altars were removed, and a plain, cube-shaped aluminum altar was installed on a platform, more or less in the middle of the entire space. The crucifixion scene was taken down, and the tabernacle set on a low table where the altar had once been. A few low, backless benches, crafted from the kneelers in the old pews, were arranged in a semicircle around the new altar, but most students simply sat on the now-carpeted floor. Not everyone liked the new design. "Some of Ours," Hoey told another administrator, using the common term by which Jesuits referred to one another, "who, as far as we know, haven't seen the new St. Joseph's Chapel, have criticized it in their classrooms." No one had said anything directly to him ("which is typical," he remarked acidly), and in the end he was simply saddened by the carping. Students were happier, Hoey thought, and when the chapel was rededicated that March, the space was hailed as being especially suitable for the new form of the liturgy. Perhaps equally significant, though a Jesuit member of the English department presided at the dedication Mass, the preaching on that occasion was done by a local Congregationalist minister.[16]

A non-Catholic clergyman participating in a religious service on campus was part of a new opening to interfaith possibilities. Like most Catholic institutions in the years before the Council, Boston College had generally kept its distance from interdenominational activity. The university had fired three lay faculty members in 1949 because of their association with Leonard Feeney, S.J., who stridently preached a strict interpretation of the ancient

16. "St. Joseph's Rededicated," *The Heights*, March 25, 1969, p. 3. See also Robert Hoey to Francis Shea, March 27, 1969, W. Seavey Joyce Papers, Box 6, Folder 41, UABC.





Figures 3 and 4. *Top*: Photograph of Gonzaga Hall interior—Saint Joseph's Chapel and altar, in its configuration before 1969, box 6, folder 55, Boston College Building and Campus Images, BC.1987.012, John J. Burns Library, Boston College. *Bottom*: Photograph of Gonzaga Hall interior—Saint Joseph's Chapel and simple altar after 1969 renovation, box 6, folder 56, Boston College Building and Campus Images, BC.1987.012, John J. Burns Library, Boston College.

maxim that there was no salvation outside the Catholic Church, but this did not suggest a general willingness to engage in interreligious dialog. When an English Jesuit came to campus in 1961 to give a lecture to faculty and a small group of students on the state of interfaith conversations in Europe, the president asked the archbishop's office for permission to invite "a select group of neighboring ministers and rabbis." Only because the president had promised that "we intend to have no publicity about this" did the chancery approve the request.[17] On the very eve of the Council, getting together with Protestants and Jews was still something that was best done privately.

With the Council opening its own deliberations to non-Catholic observers, however, the warming ecumenical air encouraged communication across denominational barriers that had once seemed impermeable. One of the public symposia organized as part of the school's centennial celebrations in the spring of 1963 was devoted specifically to exploring the longstanding theological differences between Catholics and Protestants. Participants included the French Jesuit Jean Danielou and the Swiss priest, Hans Küng, whose 1960 book, *The Council, Reform, and Reunion*, was already a sensation. More telling as a sign of changing attitudes were the two other panelists: Jaroslav Pelikan, the church historian from Yale (then a Lutheran, later an Orthodox) and Robert McAfee Brown, a Presbyterian theologian and civil rights activist. Brown would be awarded an honorary degree from the university at commencement in 1965, the first Protestant minister ever to receive the honor; in 1970, an honorary degree was given to John Burgess, the Episcopal bishop of Massachusetts. Küng visited campus several times, and the university also gave an honorary degree to the German Cardinal Augustin Bea, who emerged as the leading advocate of interreligious cooperation at the Council. Probably equally noteworthy was the brief 1964 visit to campus by Billy Graham, who was in Boston for one of his two-week crusades. Five thousand students and faculty jammed the basketball arena to hear him one afternoon, and when he was done, the *Boston Globe* reported, they brought him back on the stage "for a second 'curtain call' with prolonged applause."[18] It may well have been the sheer

17. Michael Walsh to Robert Sennott, September 6, 1961, and Sennott to Walsh, September 15, 1961, Walsh Papers, Box 12, Folder 7, UABC. For more on this subject, see Catherine R. Osborne, "Renovating for the New Liturgy: The Boston College Students' Chapel," *American Catholic Studies* 125, no. 2 (Fall 2014), 93–104.

18. "Catholics, Protestants Meet in B.C. Theological Conference," *The Heights*, January 11, 1963, pp. 1 and 2; "B.C. Hails Eminent Churchmen," ibid., March 29, 1963, pp. 1 and 3. On Graham's visit, see "'I Trust in Lord'," *Boston Globe*, October 8, 1964, pp. 1 and 2, and "Rev. Billy Graham Comes to B.C.," *The Heights*, October 9, 1964, pp. 1 and 9.

exoticism of Graham that attracted students, but a similar event would have been unthinkable not too many years before.

More substantially, the traditional ways of teaching theology came under scrutiny and, prompted by the Council, the theology department underwent a dramatic make-over in relatively short order. The subject had long been central to the curriculum, and in number of faculty the department had always been one of the largest, second only to philosophy. It may also have been the weakest. In the 1965-66 academic year it consisted of thirty-two teachers, all of them Jesuits except for two diocesan priests and one Benedictine who taught as adjunct professors. Of that number, only one held a PhD. Five others (including two full professors) held a master's degree only, often in another discipline; fourteen held a master's and an ecclesiastical licentiate (S.T.L.). Nine were teaching on the basis of an ecclesiastical doctorate (S.T.D.), but this was less impressive than it seemed. Most of those degrees had been earned at the Jesuits' own Gregorian University in Rome and, the chairman of the department bluntly told the university president, "You and I both know that this is a most equivocal union card. . . . In no case is the Greg STD a bonafide [sic] doctoral degree according to present-day American standards." (Even the sole PhD might be suspect, as it too was from the Gregorian.) If those standards were applied, he said, "NOT ONE" member of the department was "properly qualified." Even though most teachers were coming to "reflect the spirit" of the Council—"so far, so good"—the members of the department "*do not* reflect the current, post-Vatican [II] tone and preoccupations of academic theology."[19] The faculty in other departments was being steadily upgraded, and that same effort had to be applied to the theologians; perhaps it was even more urgent, given the importance of the subject matter. Major surgery was required.

And it began right away. By the opening of classes in September 1966, for instance, two unusual new teachers had joined the department. The first was a rabbi, David Neiman, who on his arrival became the first Jewish theology professor with a regular appointment at any Catholic university in the United States. A biblical archaeologist, Neiman spent the next twenty-five years teaching courses in Jewish theology and Hebrew literature, as well as a perennially popular course on the Book of Genesis. The second newcomer was a woman, Mary Daly, who had one doctorate from Saint Mary's Col-

19. Robert Richard to Michael Walsh, September 20, 1966, Walsh Papers, Box 8, Folder 13, UABC; emphasis in original. See *Catalog, 1965–1966*, pp. 10–35 and 149, for the members of the department and their degrees.

lege in Indiana and two more (one each in theology and philosophy) from Fribourg. She was a specialist in the thought of Paul Tillich and taught courses about him and other contemporary figures, including Teilhard de Chardin, Karl Rahner, "the secularization theologians, and the death of God school." With the publication of her book, *The Church and the Second Sex* (1968), she moved decisively into the emerging field of feminist theology and also into controversy. Denied promotion in that year, apparently for her increasingly radical thought (and perhaps also because her academic credentials outshone those of most of her colleagues), she was supported by student petitions and demonstrations, and the negative tenure decision was reversed. She remained on the faculty but eventually taught little. By the 1980s, she was refusing to admit males to her classes, and when she ignored administrative orders to relent, the classes were cancelled and she was given indefinite leave; never actually fired, she retired in 2001.[20]

The turmoil surrounding her was unique, but soon all theologians were being hired on the basis of their "bona fide" degrees and their specialties, just as the members of other departments were. Another first, Margaret Schatkin, a patristics scholar with degrees from Fordham and Princeton, was hired in 1969, the first Protestant member of the theology faculty. Other changes advanced the goal of improving the quality of the department. Jesuits, who had once been assigned to teach theology courses simply because they were available or interested, would now have to apply for tenure, just like any other member of the faculty, and "up-or-out" would be the rule, a new department chair said. However "painful" it might be, "the somewhat brutal norm of publication" would be the primary standard. Non-Jesuits came to outnumber those who remained by 1980, with the departmental roster of lay professors and women steadily expanding.[21] Theology at the university was becoming, as the earlier chairman had phrased it, "academic theology," not simply religious instruction. "Present-day American [academic] standards" were being applied in theology no less than elsewhere in the university.

This transition was understandably accompanied by controversy, though it was mild. Resistance to change continued for a few years in some

20. Members of the department and the courses they taught may be charted in the *Catalog* throughout this period. For Neiman and Daly, see "2 Theologians Named at B.C.," *Boston Globe*, May 14, 1966, p. 16, and "Mary Daly, 81, Feminist Writer Challenged Church," ibid., January 6, 2010, p. B12.

21. On applying the usual tenure rules to Jesuits, see Thomas O'Malley to Seavey Joyce, May 29, 1969, Joyce Papers, Box 5, Folder 21, UABC. Schatkin is still teaching today.

quarters, but the direction of that change was never really in doubt. "I am concerned about the Catholicity of Boston College," one Jesuit told the president, using what was already becoming an old-fashioned word; "I worry more about faculty than students, and more about Theology faculty than others." Another wrote the university's academic vice president to say that "it becomes more and more apparent" that too many teachers in the department, particularly the newer hires, were ready to "scuttle the Church doctrine." This seemed to him a fundamental dereliction of duty: "the employment of faculty members whose theological disdain for the traditional and official teaching of the Church has been a scandal to the Catholic students." The administrator, who was himself a Jesuit, did not entirely disagree, but he was calmer. "I am probably less up on current theology than well informed laymen," he admitted. "Like many others I am somewhat bewildered at developments, [and] I am personally opposed to much of what I hear and read—but I am hesitant to label teaching as heretical." Moreover, pressure from students could not be ignored. After several years of growing dissatisfaction with theology courses—theology was "of course" a required subject, a columnist in "The Heights" wrote in 1963; "four years of it is not"—a petition began circulating in the fall of 1968 to eliminate the requirement altogether. Most students probably knew that this would not happen, but the effort raised the question of how many courses should be required (the number had already been reduced from eight to four) and what those courses would be. Accordingly, the department administered an informal survey to the students in all its classes just before the end of the semester. About 20 percent wanted no theology at all, but an overwhelming majority favored retaining some requirements. Half the students thought that two one-semester courses was the right number, with only 4 percent favoring the current requirement of four. The reduction to two courses was implemented with the start of the next school year.[22]

The coursework also expanded into a more broadly based and academically substantial program. The student petition had signaled "a crisis for

22. Patrick Ryan to Seavey Joyce, January 15, 1969, Joyce Papers, Box 5, Folder 20, UABC; Paul Murphy to Charles Donovan, December 11, 1968, and Donovan to Murphy, December 15, 1968, ibid. A report on the survey, with tabulations of the results, is also ibid. For the student effort, see "Petition: 'Abolish Theology and More Student Power,'" *The Heights*, October 1, 1968, 1; see also the editorial "Sign the Petition!" ibid., p. 8, and Bruce Gormley, "Academic Freedom," ibid., February 15, 1963, 5. The petition also called for increased student representation on various university committees, and this may have attracted as many signatures as the demand for fewer theology courses.

our Department," one theologian had said, a crisis "of such proportions that we cannot make a half-hearted response. Mere tinkering with our present curriculum will not satisfy. We must make it clear that we are sponsoring a really radical change, that we are presenting Theology in a totally new guise, that we are making it attractive and challenging."[23] Basic courses on the Bible, Catholic ecclesiology, and the sacraments remained, but even these began to change. The standard theology of marriage course continued, for example, but some sections of it were now taught by a married layman rather than a priest. At the same time, electives proliferated in subjects that would once have been out of the question: the philosophy and sociology of religion, comparative religion, symbolic analysis, and others. Timely courses were also given, including those addressing questions of peace and war and issues of social conflict. A student-generated program (originating in the philosophy department and known as PULSE) began, in which participants worked eight hours a week in local community service agencies and then took specially-designed theology and philosophy classes to frame and reflect on their experiences. Courses in other departments were increasingly cross-listed in theology. Thus, classes in medieval church history and the Reformation, taught by members of the history department, were also theology courses; from the English department a course on the works of John Donne and another on religious literature in the nineteenth century did double-duty. Most important of all, perhaps, the theology requirement was extended to all students, not just those who were Catholics, a change that could not have been sustained had the coursework remained strictly denominational. The number of undergraduate theology majors was never very large (usually ten or fewer graduating seniors), but the opportunity was there nonetheless.[24] Within only a few years of the Council's conclusion, theology had been remade into a more clearly academic area of study.

Vatican II had other impacts on Boston College, developments that a fuller consideration of the topic than is possible here would have to take into account. The theology department began a doctoral program in 1971, for instance, at first conducted jointly with Andover-Newton Theological

23. William Leonard to Theology Department Committee on Curricular Revision, December 19, 1968, Joyce Papers, Box 5, Folder 20, UABC.

24. For a representative listing of the new courses in theology, see *Catalog: College of Arts and Sciences, 1970–1971*, pp. 182–197; the changing theology requirement may be seen by comparing *Catalog, 1968–1969*, p. 20, with *Catalog, 1971–1972*, p. 12. For tables of graduating majors, compare *Boston College Fact Book, 1972*, pp. 86–87, with *Boston College Fact Book, 1978*, p. 29, both available at www.bc.edu/content/bc/publications/factbook.html.

School, a Protestant seminary located just two miles from campus. The university joined the Boston Theological Institute, an interfaith consortium (including the Harvard Divinity School and the Episcopal Theological School, both in nearby Cambridge), and students from Boston College could register for coursework at those institutions—though few actually did. The seminary for the New England Jesuit province, loosely affiliated with the university for the purpose of awarding degrees, moved to Cambridge to take advantage of such cross-registration, and this renamed Weston Jesuit School of Theology began admitting lay people, both men and women, who were interested in various forms of newly-available parish ministry. The number of Jesuits declined in Chestnut Hill, as it did everywhere, shifting the teaching of theology, philosophy, and other subjects more decisively into the hands of academically trained specialists rather than those whose principal qualification had been their priesthood. A significant number of Jesuits left the order and therefore the university, though some who had tenure remained on the faculty, teaching now as laymen. All of these developments may be traced, at least in part, to the ongoing changes of direction wrought by the Council; again, they deserve further investigation. And of course, the experience of all this in the locality that was Boston College must be compared in detail to that on other American Catholic college campuses, both those that were staffed by Jesuits and those that were not. College students and faculty represent a particular clientele through whom to view the impact of the Council and its work.

One of the most difficult interpretive tasks in considering this entire subject is the need to avoid arguing for too direct or causal an impact of the Council on campus. *Post hoc, ergo propter hoc*? The logical fallacy is dangerous here, as it always is. Some changes seem now to have been inevitable: compulsory Mass attendance and retreats simply could not have survived the general turmoil on American campuses in the later 1960s, regardless of what the Council did. What seems most striking about the reception of the Council at Boston College, however, is the relative speed and even ease with which it was accomplished. The larger historiographical debate over whether the Council was an abrupt rupture or a smoother continuity with the past goes on and will probably do so for some time. In Chestnut Hill, it seems more a case of the former than the latter. Liturgical and devotional change came quickly and was accepted readily. There is no evidence of sustained or systematic resistance, no deliberately counter-cultural Latin Masses. There were, in short, no more spiritual bouquets. The inadequacies of theology and how it had been taught were recognized almost immediately, and nearly as quickly a major reorientation of the discipline was undertaken. Rather than an effort merely to reinforce the traditional mark-

ers of Catholic belief and practice, the study and teaching of theology became a more open-ended exploration of an academic subject matter, comparable in its way to the others that made up the university and judged by the same standards.

The Council alone did not accomplish all this, and we should, as always, be wary of attributing changes to an expansive but vague "spirit of the Council." Nor should we be tempted to make broad social and cultural changes, defined equally vaguely as "the 1960s," bear too much interpretive weight. Still, sweeping change did come, and the Council set the context for it. Alumni of any college will tell you that the place is very different now from what it was when they were there, and of course that is true. The differences that came to Boston College in the era of Vatican II were sharp breaks with the past, and a kind of enthusiasm for change itself became the new orthodoxy. Trying to understand that shift helps us gauge the larger impact of the Council.

The History of the 1980 Anglican Pastoral Provision

D. Paul Sullins*

An account informed by contemporary archival records and oral history of the events leading up to the 1980 establishment of canonical permissions to receive married Anglican priests into the Catholic priesthood presents a different perspective than extant media reports and participant memoirs. In this decision can be discerned the confluence of five developments: the sixteenth century English Reformation, which uniquely separated the Catholic and English Churches; the futile attempt to rejoin the two communions in the nineteenth-century Oxford Movement; the Second Vatican Council, which introduced Catholics to a more open stance toward Protestants, and Anglicans in particular, and to a married deaconate; the failure of Anglican-Catholic ecumenical engagement during the 1970s; and the particular interest and force of Bishop Bernard Law. Often considered a liberalizing development, the new policy was actually advanced by some of the most conservative forces in the American Church. The Society of the Holy Cross was more central, while the Pro-Diocese of Saint Augustine of Canterbury was more marginal, to the decision than has heretofore been acknowledged.

Keywords: Anglican Pastoral Provision, Bernard Law, Ecumenism, Anglicanism, Married priests

The reception of married convert priests in the Catholic Church was made possible by a set of policies and permissions established in 1980 that have come to be known as the Pastoral Provision.[1] The term "pastoral provision" refers to a privilege or accommodation that is made for pastoral reasons, to remove barriers to or help facilitate the spiritual growth of a person or group. The accommodation for Anglican converts provided for them to retain certain cultural practices, such as a traditional Anglican liturgy and married clergy, to smooth their entry into the Catholic faith.

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1. Portions of this article have been published in D. Paul Sullins, *Keeping the Vow: The Untold Story of Married Catholic Priests* (Oxford and New York, NY, 2015), chap. 2.

How is it that the Catholic Church came to make such a generous accommodation for Anglicans? And why only for Anglicans, and not other Christian denominations? This article recounts the events and trends that led to the 1980 decision establishing these policies.

Influences on the Pastoral Provision

The 1980 decision reflected a unique confluence of short and long term historical and religious trends both within and outside the Catholic Church. It is a tale that begins in the 16th century religious division between Protestant and Catholic and ends in the contemporary religious division between liberal and conservative, with attempts, ultimately futile, to heal the divisions in between. Conceived as an ecumenical initiative in the spirit of Vatican Council II, its establishment reflected the character of the centuries-old forces separating Catholicism and Anglicanism as well as the particular cultural situations of both churches in the 1970s. Most of all, the Pastoral Provision was an idea whose time had come.

Five elements stand out as particularly important for understanding this development: 1) the 16th century English Reformation, which separated Anglicanism from Catholicism in unique ways; 2) the 19th century conversion of the Anglican priest John Henry Newman, which set a pattern for future clergy conversions; 3) the Second Vatican Council, which introduced Catholics to a more open stance toward Protestants, and Anglicans in particular, and to a married deaconate; 4) the failure of ecumenical engagement amid diverging cultural and religious stances of Anglicanism and Catholicism in the 1970s; and 5) the particular interest and force of Bishop Bernard Law, who, long before becoming embroiled in sex abuse scandal as Cardinal Archbishop of Boston in the 2000s, was one of the American Church's most effective advocates for civil rights and ecumenical unity.

From Reformation to Newman

Few dispute that the English Reformation was more a matter of politics than of national conversion. Though views differ on how far Protestant ideals had taken hold among the English people prior to the 1530s, no historian goes so far as to attribute the break with Rome to this cause. Even A.G. Dickens, probably the strongest proponent of the view that receptiveness to Protestantism was well advanced in the popular mind, only claims that changing religious sensibilities meant that "when the King quarreled with the Pope over his divorce, a permanent schism did not

merely become conceivable; it proved actually manageable without arousing much opposition within the realm."[2]

The Protestant religion was imposed upon, not acquired from, the English people, and was accompanied by a violent and thorough suppression of the Catholic faith. The 1535 Oath of Supremacy, requiring the submission of clergy and religious to the King as the supreme spiritual authority in England on pain of death, was hardly the sign of a popular movement. Under Elizabeth, beginning in 1559, attending the Church of England was enforced by heavy fines, and celebrating a Catholic Mass was punishable by death. Catholic priests, and laypersons publicly affirming the Catholic faith, were subject to painful and humiliating public execution, often without benefit of trial, resulting in almost 300 martyrs by 1670.[3] As the Oxford Catholic historian Eamon Duffy has asserted in recent years,[4] the Catholic character and practice of English parishes was systematically dismantled in a "stripping of the altars" (the title of his study). Altars, chalices, tabernacles for reserving the holy elements, holy-water stocks, pyxes, candles, and other such "superstitious" objects were forcibly removed or destroyed; religious images, stained-glass windows, banners, stoles and crosses were sold or defaced, by order of the Crown; reciting the rosary or praying for the dead was outlawed, bringing heavy fines. It was, as Duffy poignantly concludes, "a relentless torrent carrying away the landmarks of a thousand years."[5] The subjugation of Catholics (and other "dissenters" from Anglicanism) gradually diminished through the succeeding centuries. Active persecution ended with the 1689 Act of Toleration, though Catholic worship continued to be illegal until 1791. Catholics were excluded from Parliament until 1829, and Catholic bishops were not re-established in England until 1850. Catholics continued to suffer discrimination and reduced social standing, which continues to some extent to the present day.

The 1845 Catholic conversion of the Anglican priest John Henry Newman presaged, in many ways, the intellectual dynamics of the Pastoral Provision. Newman, like most of the Pastoral Provision priests, was dismayed at the doctrinal weakness and vacillation of the Church of England

2. A. G. Dickens, *The English Reformation*, rev. ed, The Fontana Library (London:, 1967), p. vi.

3. Catholic Church in England and Wales, "Liturgical Calendar | National Calendar for England II," http://www.liturgyoffice.org.uk/Calendar/National/England2.shtml#May4, accessed August 15, 2013.

4. Eamon Duffy, *The Stripping of the Altars: Traditional Religion in England, c.1400–c.1580* (New Haven, CT, 1992).

5. Ibid., p. 593.

in the face of social and cultural change. At first, he tried to renew Anglicanism in a Catholic direction, becoming a leader of the 1830s Oxford Movement, but an intense study of church history led him to conclude that the English Reformation had been an error, and that the Roman Catholic Church, not the Church of England, preserved the true expression of the Christian faith. Through his writings and example, Newman's intellectual journey inspired many subsequent Anglican converts. To attribute to his influence alone the flow of Anglicans to Catholicism since his time is probably an exaggeration, but not a large exaggeration. The Oxford Movement and the subsequent Anglo-Catholic revival in both England and America disposed generations of Anglican clergy and committed laity to increasing affinity with Roman Catholicism. These considered themselves to be Anglican Catholics rather than Roman Catholics, separated from Rome only by issues of jurisdiction, but in agreement on all important matters of doctrine and worship. In addition to baptismal regeneration and Eucharistic transubstantiation, which, though optional, had always been within the orbit of Anglican belief, Anglo-Catholics also tended to affirm such Roman Catholic beliefs as Mary's Immaculate Conception and Assumption, and practices such as the rosary, sacramental confession, and Eucharistic adoration or benediction. Many also came to affirm papal infallibility and the schismatic position of Anglicanism, justifying their persistence in the Church of England or Episcopal Church by working for the eventual corporate re-union of Anglicanism with Roman Catholicism. As we shall see below, it was from this Anglo-Catholic context that the demand for the Pastoral Provision originated.

Vatican Council II and Ecumenism

Although, for the century following Newman and the Oxford Movement, a stream of Anglo-Catholic clergy were moving toward Rome, there was almost no corresponding movement in the Catholic Church toward welcoming Anglican converts. During this period the Catholic Church was in a process of reaction and opposition to elements of modernity and the secularity which had begun to take root in many Protestant churches. In 1910 Catholic clergy and scholars were required to take an Oath Against Modernism,[6] in which they repudiated relativism, religious pluralism and development, and textual critical Bible scholarship. The difference between Catholic and Protestant was understood as that between truth and

6. Pius X, *Sacrorum Antistitum* [*Motu proprio* on Establishing Certain Laws for Repelling Modernism] (September 1, 1910), *Acta Apostolica Sedis* 2 (1910), 669–72.

error; fellowship or dialogue with Protestants as if they were legitimate Christian believers was explicitly prohibited. In response to the Anglo-Catholic attempt to interpret Anglican ordination in a Catholic sense, in 1896 Pope Leo XIII declared Anglican orders to be "absolutely null and utterly void."[7]

This attitude changed dramatically with the Second Vatican Council of the 1960s, which began to reach out to Protestants as fellow Christians to build positive fellowship and dialogue in a spirit of appreciation and respect. Throughout the Council documents Protestants were referred to as "separated brothers," and the common features that Protestants shared with Catholics were emphasized and commended.[8] For the first time in Catholic discourse, Protestant communions were called "churches,"[9] and the Council acknowledged and asked pardon for the Catholic Church's own sins that led to the schism with Protestants. The Council still affirmed the necessity for individuals to find salvation in the Catholic Church, but the change of language and image was telling: the relation between Catholic and Protestant was no longer that of truth to error but of whole to part. Individual Protestants who found their way to Catholic faith and affiliation had to change only some, more or less depending on their denomination, of their beliefs, and were fulfilling, not repudiating, the Christian faith they already possessed.

The Council set forth a nuanced appraisal of various Protestant communities as being in greater or lesser degrees of communion with Catholics. Protestant communions that no longer practiced holy orders or the sacraments (such as Baptists and Pentecostals) were the furthest from Catholicism; those who had retained a partial sense of sacraments and orders (such as Lutherans and Episcopalians) were much closer. Significantly for the future Pastoral Provision, of the latter group the Council observed: "Among those (separated communions) in which Catholic traditions and institutions in part continue to exist, the Anglican Communion occupies a special place."[10]

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7. Leo XIII, Apostolicae Curae [Apostolic Letter on the Invalidity of Anglican Orders] (September 15, 1896), *Acta Sanctae Sedis* 29, 193–203.

8. Second Vatican Council, Pastoral Constitution of the Second Vatican Council on the Church in the Modern World *Gaudium et Spes*, *Acta Apostolicae Sedis* 58, 1025–1115 (Rome, 1966), §4.

9. Second Vatican Council, Dogmatic Constitution of the Second Vatican Council on the Church *Lumen Gentium*, *Acta Apostolicae Sedis* 57, 5–75 (Rome, 1965), §15,

10. *Gaudium et Spes* §13.

Vatican II also called for the restoration of the ancient office of permanent deacon,[11] which, when it occurred in 1967,[12] for the first time permitted married men to serve as deacons. The permanent deaconate proved to be highly popular in the United States, and deacons were universally well received and well regarded. By 2007 over 15,000 married deacons had been ordained and were serving in Catholic parishes in every diocese in the United States,[13] exposing almost all American Catholics and priests to a positive example of a married man in Catholic holy orders. In 1967 Pope Paul VI cited the Council's decision to permit married deacons to make a suggestion that directly anticipated the eventual character of the Pastoral Provision. In an encyclical on priestly celibacy, he proposed that "a study may be allowed of the particular circumstances of married sacred ministers of Churches or other Christian communities separated from the Catholic communion, and of the possibility of admitting to priestly functions those who desire to adhere to the fullness of this communion and to continue to exercise the sacred ministry."[14]

The Failure of Dialogue[15]

In 1968, spurred by the ideals of Vatican II, an Anglican-Roman Catholic International Commission (ARCIC) was formed following a joint declaration of Pope Paul VI and the Archbishop of Canterbury Michael Ramsey (leader of the Church of England and symbolic head of the Anglican Communion) calling for "a serious dialogue founded on the Gospels and on the ancient common traditions [that] may lead to that unity in truth for which Christ prayed."[16]

Over the next fifteen years ARCIC produced three "Agreed Statements" on the central theological issues of the Eucharist, ordination, and Church authority, culminating with a widely read Final Report in 1982.[17]

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11. *Lumen Gentium*, §29.

12. Paul VI , *Sacrum Diaconatus Ordinem [Motu Proprio on General Norms for Restoring the Permanent Diaconate in the Latin Church]*, *Acta Apostolicae Sedis* 59: 697–704 (Rome, 1967), http://www.vatican.va/archive/aas/index_en.htm.

13. Kenedy and Sons, ed., *The Official Catholic Directory.* (New Providence, NJ, Annual), vol. 2008.

14. Paul VI , Encyclical Letter on the Celibacy of the Priest *Sacerdotalis Caelibatus*, (Vatican City, 1967), §42.

15. For a guide to abbreviations, see Table 1.

16. Quoted in Anglican–Roman Catholic Joint Preparatory Commission, *The Malta Report*, 1968, sec. 2, http://www.vatican.va/roman_curia/pontifical_councils/chrstuni/angl-comm-docs/rc_pc_chrstuni_doc_19680102_malta-report_en.html.

In the eyes of many observers, and certainly of those closest to the dialogue process, substantial progress was made toward a greater level of unity between Catholics and Anglicans. The Anglo-Catholic goal of corporate reunion with Rome seemed, for a time, to be within reach.

But just as the goal of unity seemed to come into view, it suddenly began to move out of reach due to an unprecedented development: In September 1976 the General Convention of the Episcopal Church (the United States-based member church of the Anglican Communion) elected to amend its canons to permit the ordination of women as priests. This action placed two serious obstacles in the path to unity. First, it directly contradicted Catholic doctrine and practice in a serious way. In an exchange of letters prior to the Episcopal Church's action, Pope Paul VI wrote to the Archbishop of Canterbury, by then Donald Coggan, that "a new course taken by the Anglican Communion in admitting women to the ordained priesthood cannot fail to introduce into [the ARCIC] dialogue an element of grave difficulty. . . ," and expressed sadness at "so grave an obstacle and threat on that path [to unity]."[18] In the polite language of ecumenical discourse, such a statement expressed the strongest possible opposition. The Sacred Congregation for the Doctrine of the Faith (SCDF) observed, in a later commentary, that the ordination of women "was formally opposed to the "common traditions" of the two Communions," and that "the obstacle [to unity] thus created was of a doctrinal character."[19] This position was no surprise to Anglicans. Archbishop Coggan had written to Paul VI because, he said, "we are aware that action on this matter could be an obstacle to further progress along the path of unity."[20] Michael Ramsey, Archbishop of Canterbury until 1974, had strongly opposed the ordination of women, due in part, as Peter Stanford notes, to his "realization that any move in the direction of women priests would damage the relations he was fostering with Rome."[21]

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17. Anglican–Roman Catholic Joint Preparatory Commission, *The Final Report* (London/Cincinnati, 1982).

18 Sacred Congregation for the Doctrine of the Faith, *The Ordination of Women: Official Commentary from the Sacred Congregation for the Doctrine of the Faith on Its Declaration* Inter Insigniores (*'Women and the Priesthood'*) *of 15th October 1976 Together with the Exchange of Correspondence in 1975 and 1976 between His Grace the Most Reverend Dr. Frederick Donald Coggan, Archbishop of Canterbury and His Holiness Pope Paul VI* (London, 1977), pp. 27–28.

19. Congregation for the Doctrine of the Faith, *Observations on the Final Report of ARCIC—Animadversiones*, 1982, sec. B.2.3, http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19820327_animadversiones_en.html.

20. Sacred Congregation for the Doctrine of the Faith, *The Ordination of Women*, p. 26.

21. Peter Stanford, *Cardinal Hume and the Changing Face of English Catholicism* (London, 1993), p. 92.

The ordination of women as priests (and, later, the ordination of women and homosexuals as bishops) not only impeded Anglican unity with Rome, it also impeded the unity of Anglicans with each other. As the prominent ecumenists Mary Tanner and Andrew Faley have recently recounted, "Anglicans' initial enthusiasm and hope [for unity with Rome] waned, partly due to . . . the threat to internal unity posed by the pressure to allow the ordination of women. . . ."[22] Though often unacknowledged, this problem of Anglican unity posed an even more intractable obstacle to Anglican-Roman Catholic unity than the underlying issues themselves, because it was rooted in the constitutive institutional arrangements of Anglicanism itself.

The Anglican Communion is not a single church or even a denomination, but a loose federation of forty-four autonomous national churches, mostly located in former British colonies. There is no single authority to which they are subject; the Archbishop of Canterbury holds an honorary and symbolic leadership role, but has no juridical authority outside the Church of England. While the Anglican churches share a common culture, ethos, and history, they are free to disagree on matters of doctrine and practice—and with the loss of the British Empire as a unifying force, they increasingly do so. This institutional arrangement may be beneficial in many ways for the member churches involved, but it has the disadvantage of making virtually impossible a common initiative on which there is not substantial consensus, such as movement toward unity with Rome.

On the Anglican side, persons or groups favorable to unity with Rome face the dilemma that to breach the schism with Rome threatens to create or deepen divisions with their fellow Anglicans. From the Catholic side, it is difficult to know whether one's partner in the dialogue toward unity represents the central Anglican view or only a partisan minority view on issues of discussion and dispute. To this day, the Anglican Communion has not resolved the issue of the ordination of women (or homosexuals); various provinces have determined to go their own way. The result for unity was that, as Tanner and Faley summarize, "both within the Anglican communion and in its previously hopeful ecumenical journey with Roman Catholicism, there was a sense of going nowhere."[23]

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22. Mary Tanner and Andrew Faley, "Anglican-Roman Catholic Relations: A Kick Start?" (*Society for Ecumenical Studies*, May 30, 2007), 2, sfes.faithweb.com/0705sfesagmanglicancatholic.pdf.

23. Ibid., p. 3.

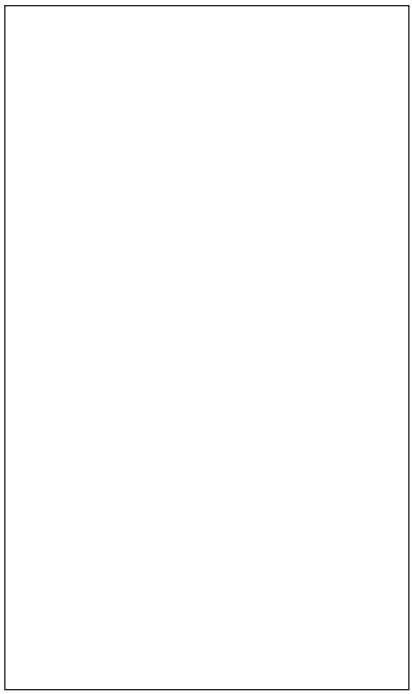

FIGURE 1. 1979 newspaper appeal to disaffected Episcopalians from the Traditional Anglican Church. Reproduced courtesy of the American Catholic History Research Center & University Archives, Catholic University of America.

The hope of corporate reunion with Rome that animated Anglo-Catholic Episcopalians had stalled. It was out of this experience of disappointment that, beginning in 1977, some groups of Anglo-Catholic Episcopalian clergy approached Roman Catholic authorities about becoming ordained as Catholic priests—initiatives that eventually resulted in the Pastoral Provision.

Anglo-Catholics Seek Communion with Rome

The Congress of St. Louis

Like the Catholic Church, American Anglo-Catholics realized that the General Convention's September 1976 decision to authorize the ordination of women seriously compromised for them any further communion with the Episcopal Church. September 16, the day of the vote approving

women's ordination, became known as "Black Thursday." On November 3 the Council of the American Church Union (ACU), the largest and most prominent Anglo-Catholic organization, issued a unanimous statement that "absolutely rejected" the decision authorizing the ordination of women, as "contrary to the doctrine and discipline of the Episcopal Church" and apostolic order, and refused to "obey any existing structural authority which has not the authority of Christ."[24] Thousands of Anglo-Catholic Episcopalians reportedly responded with messages of support and agreement.

But where could they go? The week following the ACU statement, on November 12, 1976, the Fellowship of Concerned Churchmen (FCC)—an umbrella group of fifteen conservative Episcopalian organizations—issued a call for a church congress to be held the following September 14–16 in St. Louis, Missouri, to present "the spiritual principles and ecclesial structure of the continuing Episcopal Church."[25] Many of the leaders of the ACU were also leaders of FCC, and the idea for the congress had come from meetings that were held consecutively with those that produced the ACU statement of November 3. For the year leading up to the congress, the ACU and other organizations worked extensively to bring together the theological and ecclesiological resources to address the crisis they experienced.

The resulting Congress of St. Louis of September 1977 was, by any measure, a signal success. Over three thousand persons were present at its major Eucharist—the largest gathering of traditional Episcopalians ever held. Held one year to the day following the 1976 General Convention's vote to ordain women, the meeting symbolically replaced that depressing loss with a joyful experience of unity and affirmation.[26] More importantly, the Congress produced and presented a statement of theological principles

24. Episcopal News Service, "Church Union Council Rejects Convention Decision (Press Release #76341)," November 10, 1976, http://www.episcopalarchives.org/cgi-bin/ENS/ENSpress_release.pl?pr_number=76341.

25. Episcopal News Service, "Fellowship Calls Church Congress (Press Release # 76342)," November 12, 1976, http://www.episcopalarchives.org/cgi-bin/ENS/ENSpress_release.pl?pr_number=76342.

26. Father James Parker, SSC, an Anglo-Catholic leader later involved in the Pastoral Provision, and chair of the committee that produced the Affirmation of St. Louis, wrote in his journal: "This is one of the [most] awe-inspiring and magnificent experiences of my life. . . . I feel for the first time in [the Episcopal Church] that all of us here have the same religion. . . . Would that the Episcopal Church could have been like this." James Parker, "Journal of the Rev. James Parker, SSC, September 12, 1976 to October 20, 1977: A Record of the Reaction to the 'Ordination' of Women in the Episcopal Church," p. 95, James Parker Papers, archived at the American Catholic History Research Center, The Catholic University of America, 2013.

that met with wide acclaim and agreement among the gathered Anglo-Catholics. The Affirmation of St. Louis was to become the definitive doctrinal statement for the Continuing Anglican Churches, a group of several dozen loosely associated church organizations which were established in the following years. The FCC subsequently became the umbrella group for the Continuing Anglican Churches, with (by 2013) over a thousand parishes in the United States and Canada.[27]

Despite the urging of the FCC members, including the ACU, to remain united and focused for the year leading up to the Congress, a few defections took place and coalitions began to form throughout late 1976 and early 1977. In practice, those who left early helped to lead and organize subsequent defectors as multiple coalitions formed during this time. For example, on November 26, 1976, St. Mary's Episcopal Church in Denver, Colorado, became the first parish to defect. In the days following they were "flooded with phone calls and lots of letters requesting information about how to leave the Episcopal Church." In January 1977 they allied temporarily with a network of defecting churches called the Anglican Church of North America,[28] but in May 1977 the parish joined with eight or nine other defecting parishes to form the Diocese of the Holy Trinity. At the Congress of St. Louis the following September, their pastor, Fr. James Mote, was elected the first bishop of the newly-formed Anglican Church in North America (ACNA).

The months, then years, following the Congress saw a scramble of activity as Anglo-Catholic Episcopalians, never very unified, explored a wide diversity of competing institutional options. It was an unsettling and unstable time. Consciences were challenged and lifelong friendships and alliances strained or broken as dozens of parishes, hundreds of priests and thousands of laypersons left the Episcopal Church. Although many individuals and some parishes and priests realigned with existing churches such as a branch of the Orthodox Church or the Polish National Catholic Church (PNCC), most formed new, independent church groups. The ACNA, established by the Congress as the single continuing church for dissenting Episcopalians, was renamed the Anglican Catholic Church in early 1978, and almost immediately split into three churches as two dis-

27. Fellowship of Concerned Churchmen, "Directory of Traditional Anglican and Episcopal Parishes," accessed August 28, 2013, http://www.anglicanchurches.net/directory.html.

28. Not to be confused with the Anglican Church in North America, a coalition of Anglican church groups formed in 2008 to connect American Anglican traditionalists with theologically conservative Anglican provinces in the developing world.

senting bishops left with their congregations to form the Diocese of Christ the King and the Diocese of the Southeastern United States. By the early 1980s traditional Anglican defectors from the Episcopal Church had splintered into over 25 independent church groups (see Figure 1).[29]

The Turn to Rome

For some Anglo-Catholics, the obvious alternative was to turn to Rome. Following the decisions of the Episcopal Church's 1976 General Convention, three groups of Episcopalians explored the possibility of reconciling with the Catholic Church: The Society of the Holy Cross (abbreviated as SSC, from its Latin name "Societas Sanctae Crucis") and the Evangelical and Catholic Mission (ECM), both associations of priests; and the Pro-Diocese of St. Augustine of Canterbury (PDSAC), a group of parishes that broke off from the ACNA. The first and eventually the most active petitioner was the Society of the Holy Cross.

The SSC is a fraternity of Catholic-minded Anglican priests founded in London in 1855 in the wake of the Oxford Movement. Committing themselves to a disciplined rule of life based in Catholic spiritual practices such as Eucharistic adoration, confession, and the Divine Office of daily prayers, priests of the SSC pledge themselves both to reform Anglicanism in a Catholic direction and to pray and work for "reconciliation with the Holy See."[30] At the time there were about eighty SSC priests in the United States. On December 1, 1976, a synod of American SSC priests delegated the Provincial Vicar of the North American Province, the Reverend James Parker, SSC, to inquire whether properly disposed married Episcopalian priests might be received into the Catholic Church while retaining both their marriage and their priesthood.

For several months Parker consulted and considered the best approach to Rome. Then on February 24, 1977, he received a surprise phone call from a Catholic bishop: Bishop Bernard Law had learned of the SSC's initiative through a mutual friend, and wanted to know if he could help. No contact could have been more auspicious. An early and forceful supporter of the civil rights movement as a priest in Mississippi, Law had a long and impressive history of promoting reconciliation across racial and religious lines. As

29. Wallace Spaulding, "The Continuum and Its Problems" (Paper presented at the Meeting of the Fellowship of Concerned Churchmen, September 2009), anglicanrose.files.wordpress.com/2012/07/continuumproblems.pdf.

30. Society of the Holy Cross, "Rule of Life," n.d., sec. 7.ii, http://www.sscamericas.org/resources/rule.html.

bishop of Springfield-Cape Girardeau following Vatican II, Law had quickly become a leader in ecumenical affairs. At the time he phoned Parker, Law was the Executive Director of the Committee for Ecumenical and Inter-religious Affairs of the U.S. National Conference of Catholic Bishops (NCCB) and a member of the Vatican Secretariat for Promoting Christian Unity (SPCU). A Harvard graduate and student of other faiths and cultures, Law had quickly recognized the stark ecumenical implications and pastoral difficulties for Catholic-minded Anglicans resulting from the Episcopal Church's decision to ordain women.

When Law asked what he wanted from the Catholic Church, Parker said that he would like to see "a uniate arrangement offered with BCP [Book of Common Prayer] and an Anglican ethos with married priests et al."[31] Law was sympathetic. After a long conversation, when Parker told him he would like to approach the Apostolic Delegate (AD)—the Pope's representative in Washington, D.C.[32]—Law offered to contact the AD to recommend Parker and help arrange an appointment.[33] For Law and Parker, the conversation was the beginning of a long and productive association: the two men would work closely together for most of the next thirty years, to bring to fruition and then manage the idea that was the subject of their conversation that day.

On April 12 Parker met with the AD, Archbishop Jean Jadot, to submit his proposal to the Holy See.[34] With him were Fr. Larry Lossing and Fr. John Barker, representing the eastern and western regions of SSC respectively. Jadot observed that "Rome will want to be careful that in considering such an arrangement she will not appear to be offending her ongoing ecumenical conversations with what is left of Anglicanism,"[35] and sug-

31. Parker, "Journal of the Rev. James Parker, SSC, September 12, 1976 to October 20, 1977: A Record of the Reaction to the 'Ordination' of Women in the Episcopal Church," 38.

32. Today the Pope's U.S. representative also holds the office of ambassador to the United States and is known as the papal nuncio, but prior to 1984 the United States did not have full diplomatic relations with the Vatican, and the Pope's representative held only the title of apostolic delegate, to represent the Pope in the internal affairs of the American Catholic Church.

33. Parker, "Journal of the Rev. James Parker, SSC, September 12, 1976 to October 20, 1977: A Record of the Reaction to the 'Ordination' of Women in the Episcopal Church."

34. William Stetson, *History of the Pastoral Provision* (Garden Grove, CA, 2011), http://www.pastoralprovision.org/history; see also William H. Stetson, "A History of the Pastoral Provision (1980–2010)," *Proceedings of the Annual Convention—Canon Law Society of America* 72 (2010), 217–27.

35. Parker, "Journal of the Rev. James Parker, SSC, September 12, 1976 to October 20, 1977: A Record of the Reaction to the 'Ordination' of Women in the Episcopal Church," 65.

gested continued conversation with American Catholic leaders to explore the idea further.

Over the rest of 1977 Law, with Bishop Raymond Lessard of Savannah, worked with the SSC and several other groups of interested Anglicans to clarify their request and present the matter to the NCCB for consideration.[36] In July a meeting between Law, Lessard, Parker, and Fr. Clarence Pope, ECM Representative, as well as two interested Episcopalian bishops, produced a memo which summarized the position of the Anglican petitioners in eleven points. The matter was then discussed at a September 1977 NCCB meeting, where Law and Lessard were named to an Ad Hoc Committee for Convert Married Ministers. In December the same group, with the addition of two other Anglican priests and a Catholic canonist, held an all-day meeting with Bishop Thomas Kelly, O.P., of Louisville, General Secretary of the NCCB, to further clarify questions and problems with the idea.

Canon Albert duBois and the Question of Jurisdiction

Meanwhile, another group was laying the groundwork for what would become its own approach to Rome, under the direction of one of the most prominent and colorful Anglo-Catholic leaders in the Episcopal Church. Canon Albert Julius duBois was the personification of the ideals of Catholic Anglican priesthood. Ordained at age 25, the youngest age possible, and voluntarily celibate, he had been raised in the Wisconsin "biretta belt," the center of High Church Anglo-Catholicism, and served as the Rector of Ascension and St. Agnes Parish, a prominent and historic Anglo-Catholic congregation in Washington, D.C. In 1950 he became the first executive director of the ACU and editor of its journal, the *American Church News*, positions he held until he retired in 1974, at which time the ACU named him honorary president for life.[37]

Tall and physically imposing, with strong convictions and a forceful personality, duBois, typically attired in dark suit and full Anglican collar, was for many the face of Anglo-Catholicism in the Episcopal Church.[38]

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36. Bishop Bernard Law, "A Review of Developments in the Request for Certain Anglican Clergy for Acceptance into the Catholic Church" July 6, 1979, archived at the American Catholic History Research Center, The Catholic University of America. This document is the basis for the timeline of the following paragraphs.

37. Don S. Armentrout, *An Episcopal Dictionary of the Church: A User-Friendly Reference for Episcopalians* (Church Publishing, Inc., 2000), p. 35.

38. Rev. John Barker, Personal Interview, August 27, 2013.

Dubois had a history of uncompromising opposition to the advancing secularism—what he called the growing apostasy—in the Episcopal Church, but also long experience in building coalitions and unifying, as far as possible, a sometimes fractious constituency. Under his leadership the ACU had long been active in various ecumenical initiatives, and he was widely known and trusted by traditionalists in the Episcopal Church and leaders of other Catholic-oriented churches.

DuBois saw clearly that the crucial issue in the crisis of authority that confronted Anglo-Catholic Episcopalians in 1976 was the question of jurisdiction. He emerged as an important early leader, organizing parish groups and proto-dioceses that became the core of several Continuing Anglican churches; but after a short time of exploration, he focused his efforts exclusively on the establishment of an Anglican Uniate rite in the Catholic Church.

In 1975 duBois co-ordinated a new ACU committee known as "Episcopalians United," organized in order to "enlist[] support [to oppose women's ordination] from loyal churchpeople whether or not they are members or supporters of the ACU or endorse the other aspects of our program."[39] Episcopalians United was committed to staying in the Episcopal Church; its motto was "No surrender, No desertion."[40] Following the decision to ordain women in September 1976, the group was renamed "Anglicans United" and pivoted to focus on the contrary goal: to prepare a way to leave the Episcopal Church. Canon duBois and two of the former officers of Episcopalians United, the Rev. John Barker and the Rev. William Turner St. John Brown, formed the primary leaders of Anglicans United. Longstanding confederates in Anglo-Catholic affairs, these three men, all Catholic-minded celibate Anglican priests, would continue working together under a succession of changing organizational incarnations for the next four years, until their petition to Rome for a uniate diocese was answered by the document outlining the Pastoral Provision.

By January 1977, Anglicans United had contacted a preliminary group of defecting parishes and sympathetic foreign Anglican bishops. On Janu-

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39. Episcopal News Service, "ACU and Ordination of Women—No Surrender—No Desertion (Press Release # 75316)," September 15, 1975 (The Archives of the Episcopal Church | 606 Rathervue Place, Austin, Texas 78705), http://www.episcopalarchives.org/cgi-bin/ENS/ENSpress_release.pl?pr_number=75316.

40. Ibid.

ary 20, the ACU, desiring to maintain unity with the FCC in advance of the Congress of St. Louis, refused to endorse the project. It was a difficult and emotional decision. Fr. Parker, present at the meeting, wrote in his journal, "[The] vote is sad for many of us—most of us feel a love and debt to Fr. duBois for his great Catholic virtues and leadership for decades—but unity is vital now. [Canon duBois] is present at this meeting."[41]

DuBois continued organizing a new church organization, intending to affiliate with the PNCC, but in March that group, after communication with the FCC, decided not to receive any parishes or priests until after the upcoming Congress of St. Louis in September. Anglicans United, now a group of defected Episcopalian parishes looking for ecclesiastical legitimacy, began to prepare to launch an independent church at the Congress, but also explore any other options in the meantime. Aware of the SSC's contact with Roman Catholic authorities, in late March Barker asked to accompany Fr. Parker on his upcoming appointment with the papal nuncio; to which Parker agreed. An account of that April 12 meeting is in the previous section of this article.

On May 1, 1977, duBois, Barker, Brown and five other priests, including Fr. James Mote of St. Mary's, Denver, met with retired Episcopalian bishop Albert Chambers to form themselves into the Diocese of the Holy Trinity (DHT). Altogether they represented six parishes that had recently left the Episcopal Church. In July twelve clergy gathered at St. Mary's in Denver for the first synod of the incipient diocese.[42] On September 16, 1977, as already noted, Fr. Mote was elected the first bishop of the new Anglican Catholic Church at the Congress of St. Louis.

Division and Delay

But duBois continued to search to unify dissenting Anglo-Catholics with existing ecclesiastical structures rather than create a new splinter church. In November 1977, Barker and Brown, representing duBois, who had a phobic fear of flying, traveled to London and Rome to hold confidential discussions with Anglican and Roman Catholic authorities respectively about the possibility of some sort of jurisdiction to accommodate

41. Parker, "Journal of the Rev. James Parker, SSC, September 12, 1976 to October 20, 1977: A Record of the Reaction to the 'Ordination' of Women in the Episcopal Church," 24.

42. "St. Mary's Anglican Catholic Church—A 30-Year History of the Diocese of the Holy Trinity," accessed August 30, 2013, http://www.saintmarysacc.org/about-us/history-of-our-diocese/.

Catholic-minded Anglicans who could not conscientiously remain in the Episcopal Church but would be in communion with Canterbury or Rome. They presented themselves as delegates of the still-forming Anglican Catholic Church, though that group would repudiate their overture to Rome within two weeks of their return. Anglican and Catholic authorities both rejected the idea of an affiliate jurisdiction,[43] but Cardinal Franjo Seper, Prefect of the SCDF, did express interest in "the possibility of Episcopalians returning to the Catholic Church while retaining something of their Anglican heritage"[44]—precisely the idea proposed by Fr. Parker to Bishop Law ten months earlier and presented to the papal nuncio the previous April.

Seper evidently communicated with Law about his discussion with Barker and Brown, because shortly after their visit to Rome, as Parker later recounts to his SSC superior, Law contacted him to ask if "a group of a few priests who had withdrawn from [the Episcopal Church] but did not affiliate with the Anglican Church in North America . . . could be attached to our SSC request so that the Vatican could be in official correspondence with an organized entity (our Province)."[45] Since their concerns were in general agreement with those of the SSC and ECM, with the consent of those groups the DHT was attached to the request already in process.[46] One of the DHT representatives was Fr. John Barker, who had been present at Parker's meeting with the Apostolic Delegate in April of the previ-

43. Stetson, *History of the Pastoral Provision*. Stetson states that the reaction of the SCDF to duBois' 1977 approach "reject[ed] the idea of any kind of 'ritual diocese'."

44. Rev. John (Jack) Barker, "The Pastoral Provision for Roman Catholics in the U.S.A.," 1993, http://anglicanpatrimony.blogspot.com/2011/08/pastoral-provision-for-roman-catholics.html.

45. Ad Hoc Committee for Convert Married Ministers, "Report in Response to Bishop Marshall's Memo and Outline" (Unpublished manuscript, September 16, 1977), James Parker Papers, archived at the American Catholic History Research Center, The Catholic University of America.

46. Close students of this history will note that the account presented here, based on archival documents, differs substantially from other extant accounts of these events, based on media reports, which present the actions and documents of the PDSAC as the central focus of consideration that prompted the Pastoral Provision decision. There is no basis for this interpretation in the extensive correspondence and reports that document the Catholic consideration of the question. Apart from an oblique personal reference by Cardinal Seper, the November 1, 1979 petition presented by the PDSAC is never even mentioned by the SCDF, and their particular concern, for a corporate jurisdiction of parishes, was ultimately rejected. According to the primary evidence, the involvement of the PDSAC in the Pastoral Provision petition, while not unimportant, appears to have been belated and secondary, and not at all essential to the progress or eventual outcome of the process.

ous year. In February 1978 Law asked the SCDF, which seemed generally favorable to receiving the Anglicans, to clarify the process needed to resolve the matter. In early March, meeting with leaders of the NCCB in Rome, Archbishop Jean-Jérôme Hamer, Secretary of the SCDF, asked the NCCB to develop concrete proposals for the corporate identity and the Anglican liturgy being considered, which could form a specific basis for further consideration. The SCDF also asked the NCCB to express its opinion, as a body, on three issues: the acceptance of married priests, either individually or corporately; the impact such acceptance may have on the discipline of celibacy; and the acceptance of a corporate Anglican group, either independent of or subject to the local diocesan bishop.

On April 1, 1978, principals of all three interested Anglican groups met with Fr. Henry Bowen, a Catholic canon lawyer, to draft "A Proposal for the Reconciliation of Certain Members of the Anglican Communion to the See of Peter," which spelled out the form and character of the proposed body for an Anglican common identity. The Proposal called for the establishment of a separate ecclesiastical jurisdiction, with its own bishop in communion with the Pope, in which Anglican traditions and customary usages, particularly married priests and bishops and a liturgy based on the Book of Common Prayer, could be preserved. The ordination of women was explicitly excluded. Membership would be available only to converts, not those raised Catholic. Priests ordained as Anglicans may be subject to conditional (re)ordination as Catholic priests, though they preferred to have their Anglican orders accepted as valid. The new jurisdiction would be financially self-supporting, and would be able to solemnize marriages, own property, and develop its own internal laws and governance with the approval of the Holy See. This document, sent to the SCDF on April 5, was the basis for all subsequent considerations of the question by Catholic leaders.

In May 1978 the NCCB considered this Proposal and the SCDF's questions. The bishops voted overwhelmingly to admit married Anglican priests. They could not agree on whether they should be admitted as individuals or as part of a common corporate identity, but were, by a large majority, willing to continue exploring this question further so long as any corporate identity envisioned was under the jurisdiction of the local diocesan bishops. These opinions were communicated to the SCDF for further consideration.

On June 29, 1978, duBois, Barker, Brown and several other priests with parishes, formerly of the Diocese of the Holy Trinity, had formed the

Pro-Diocese of St. Augustine of Canterbury,[47] the name "Pro-Diocese" indicating that it could not become a legitimate diocese until ratified by an authentic Apostolic church. The group elected no bishop; duBois led the venture with the title of "Senior Priest." The Pro-Diocese was perhaps the first instance of the category of Continuing Anglican groups which Spaulding calls "New Partners as Vehicles for Relating to a Larger Body."[48] It had no reason to exist other than to be a vehicle for corporate reunion with Rome, a fact duBois publicized widely. Barker's account also makes clear that the Pro-Diocese was developed because, in his mind, "the positive conversations held with the [SCDF] were predicated upon the premise of an existing corpus. . . ."[49]

At this point progress in addressing the question appears to have been interrupted for about a year by the death of Pope Paul VI in early August 1978, followed by the untimely death of his immediate successor, Pope John Paul I, only seven weeks later. Among the flurry of matters facing the newly-installed Pope John Paul II in late October 1978, the disposition of the petition(s) of a small group of American Episcopalian priests was displaced for a time by more urgent affairs.

During this hiatus duBois and his associates, to the consternation of the Catholic leaders, continued to press publicly for an Anglican jurisdiction. In late summer 1978 Parker met with the group in Los Angeles "to ask the Pro-Diocese to remain hopeful and quiet."[50] But duBois and associates disagreed. They were convinced that by meekly co-operating with the U.S. bishops, as Parker was doing, the SSC proposal would be buried by the ecumenists at the Council for Promoting Catholic Unity (CPCU),[51] and that they must "badger" the Holy See in order to get results.[52] They also felt that they had a special personal relationship with Cardinal Seper that favored an approach to the SCDF, due to a mutual acquaintance with Fr. Milan Mikulich of Portland, Oregon, a close friend of Seper's who had grown up with him in Croatia. On February 13–15, 1979, following months of publicity, they convened the first international synod of the Pro-

47. Armentrout, *An Episcopal Dictionary of the Church*, p. 35.

48. Spaulding, "The Continuum and Its Problems," 9.

49. Jack Barker, "A History of the Pastoral Provision for Roman Catholics in the USA," in *Anglicans and the Roman Catholic Church: Reflections on Recent Developments*, ed. Stephen Cavanaugh (San Francisco, 2011), p. 19.

50. Ad Hoc Committee for Convert Married Ministers, "Report."

51. Barker, Personal Interview.

52. Ad Hoc Committee for Convert Married Ministers, "Report."

Diocese, claiming to have 45 congregations in the U.S. and England.[53] DuBois's actions may have reflected his experience in the ecclesiastical conflicts of the Episcopal Church, in which media pressure and personal contacts were often deployed to advantage. But in approaching the Catholic Church, the use of such tactics was a serious miscalculation.

In July 1979, in an apparent effort to unify the divided petitioners and reinforce the urgency of a decision, Law suggested that representatives of the petitioning groups travel to Rome to meet with the SCDF and other dicasteries. In October 1979, at the invitation of the SCDF, a delegation of nine leaders from the ACU traveled to Rome again to present a formal petition to be received into the Catholic Church, which they signed on November 1 of that year. This petition said nothing about a separate jurisdiction, asking only for "the oversight, direction and governance of a Catholic bishop" and that the Pope would determine "the polity and use that would be ours to follow in obedience to and union with the Holy See."[54]

Shortly thereafter the SCDF indicated that, though approval of a corporate identity was unlikely, it was favorable in principle to receiving the married Anglican priests. The issue was then returned to the NCCB for a formal tally of support, to ensure that there was no substantial objection among the bishops to the possibility of convert married Episcopalian ministers functioning as priests in the United States. Once again, in April 1980, the U.S. bishops indicated their overwhelming support.

Split Decision

Finally, on June 20, 1980, the norms of the Pastoral Provision were approved by Pope John Paul II, and were communicated by way of letter to Archbishop John Quinn, President of the NCCB, on July 22.[55] [See Appendix II for full text of letter.] On the question of married priests, the document provided that "reordination of the Episcopalian clergy, even

53. Episcopal News Service, "News Brief—San Antonio, Texas (Press Release #79011)," January 18, 1979, http://www.episcopalarchives.org/cgi-bin/ENS/ENSpress_release.pl?pr_number=79011.

54. Stephen E. Cavanaugh, *Anglicans and the Roman Catholic Church: Reflections on Recent Developments* (San Francisco, 2011), Appendix B.

55. Franjo Seper, Prefect of the Sacred Congregation for the Doctrine of the Faith, "Letter to Archbishop Quinn Outlining the Pastoral Provision, July 22, 1980," in *Into Full Communion: Pastoral Provision for Former Clergy of the Episcopal Church* (Office of the U.S. Ecclesiastical Delegate for the Pastoral Provision, 2009), pp. 11–13, http://www.pastoralprovision.org/.

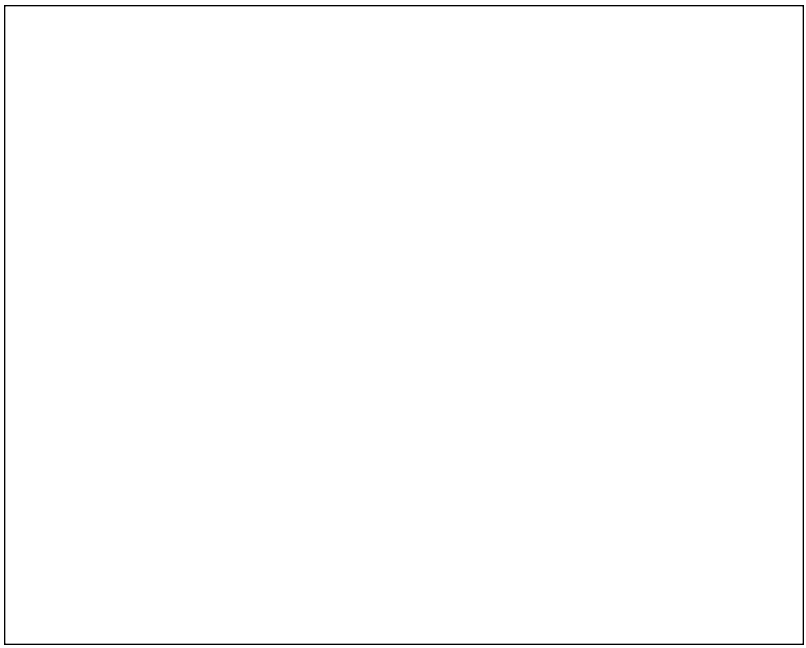

FIGURE 2. Bishop Bernard Law (seated, left) and Fr. James Parker (seated, fourth from left) concelebrate Mass with Pope John Paul II (at prie-dieu) in November 1983 during meetings to organize the new Pastoral Provision.

those who are married, shall be allowed"[56] after approval of the candidate by the SCDF. Each candidate must make a profession of faith and undergo any necessary theological or catechetical preparation. The married priests were to be ordained subject to the conditions that they may not become bishops, may not remarry if widowed, and any future candidates for the priesthood from reconciled former Anglican parishes would be expected to conform to the rule of celibacy. "Special care," advised the document, "must be taken on the pastoral level to avoid any misunderstanding regarding the Church's discipline of celibacy."[57] On the question of corporate identity, the document stated as a general principle that the "admission of these persons, even in a group, should be considered the reconciliation of individual persons,"[58] and not as an ecumenical unification or

56. Ibid., p. 11.
57. Ibid., p. 13.
58. Ibid., p. 11.

merger. The document also directed, under the heading of "Structures," that the reconciled Anglicans would be incorporated into existing dioceses under a local bishop, thereby rejecting the possibility of a separate Anglican jurisdiction. However, noted the letter, this was not intended to exclude the possibility of establishing some other type of jurisdiction for reconciled Anglicans in the future.

The ordination of convert clergy under these conditions and their insertion into existing dioceses were presented as two of three elements, under "Discipline" and "Structure," constituting a "pastoral provision" designed to permit the retention of a common identity as Anglicans. Under "Liturgy," the document also approved the use of Anglican liturgical elements by former Anglican priests for former Anglican converts only. Any liturgy celebrated outside this group would have to conform to the regular Roman Rite.

Ironically, the decision communicated by the short letter was a characteristically Anglican resolution: compromising, vague, and subject to competing interpretations. On the two main questions presented—whether married Anglican ministers could be ordained as Catholic priests, and whether parishes of Catholic-minded Anglicans could form their own diocese or similar jurisdiction—the Catholic Church had approved the former but denied the latter. Priests and parishioners could reconcile with the Catholic Church as individuals, but the vision of a corporate reunion of parishes that retained a collective Anglican identity was rejected, though not completely.

In large part the limited and qualified nature of the decisions reflected the concerns of Catholic leaders that neither the rule of clergy celibacy nor ongoing Anglican ecumenical dialogue would be compromised by their action. The married priests were being received under a very narrow, limited and temporary exception to the rule of celibacy, and not as a precursor to a change in the rule itself; and they were being received as individual converts, not as a uniate jurisdiction that might complicate ecumenical relations with Canterbury. The letter of July 22, 1980 reinforced these concerns, cautioning Archbishop Quinn to be careful about "the sensitive areas of ecumenism and celibacy" in publicizing the provision.

Despite this, the announcement of the Pastoral Provision was met with widespread publicity that aggravated both issues, to the jubilation of many American Catholics and the concern of the Vatican and many Protestants. "The First Married Priests" announced the headline in *Newsweek*, over a story that reported that "[t]he unexpected announcement

seemed to be a first step toward a married Catholic clergy."[59] "Married Anglican priests could become Roman Catholic priests and remain married," reported the Associated Press.[60] In a sharp break with the SCDF, Archbishop Quinn's office fanned the flames: "A lot of people are going to see this as a foot in the door," said Quinn's spokesman Father Miles Riley. "A precedent-shattering breakthrough like this has got to have enormous implications."[61] Quinn himself also described the decision as "precedent-setting."[62] The SCDF, reportedly upset at the announcement, "replied angrily [to reporters' questions]: "We know nothing about it. Ask Archbishop Quinn—he has all the answers."[63]

Ecumenical concerns were heightened by Quinn's statement that the new policy set a precedent in providing for "a continuing 'organizational structure and common identity' of the newcomers with the Roman church,"[64] despite the fact that the provision had explicitly rejected establishing a new organizational structure, in part due to ecumenical concerns. The misunderstanding was heightened by the fact that the PDSAC, an organized Anglican jurisdiction, was the only petitioner identified in initial press accounts. Archbishop Quinn had never met the SSC or ECM representatives, and did not mention their involvement, citing only the PDSAC. He may also have been respecting the desire of those two groups to avoid publicity. On the other hand, the PDSAC actively sought publicity; and their statements magnified their involvement. "[W]e are the only identifiable entity involved in this," Fr. Barker told the press,[65] relating a dramatic story of slipping into the Vatican to present a sensitive petition to reconcile Anglicanism with the Pope. The president of the World Council of Churches commented, "There's no question but that [the decision] will have a damaging effect" on ecumenical dialogue.[66] Liberal Episcopalian bishops William Swing and John Spong publicly denounced the decision, and the latter called for an end to further dialogue with the Catholic Church.[67]

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59. Kenneth Woodward, "The First Married Priests," *Newsweek*, September 1, 1980, 67.

60. "Washington Dateline-PM Cycle," *The Associated Press*, August 20, 1980.

61. Woodward, "The First Married Priests," 67.

62. Marjorie Hyer "Vatican to Allow Ordination of Dissident Episcopal Priests," *The Washington Post*, August 21, 1980.

63. Woodward, "The First Married Priests."

64. "Vatican to Allow Ordination of Dissident Episcopal Priests."

65. "Anglicans Admitted into Catholic Church on 'Common Identity,'" *Religion News Service*, August 20, 1980.

66. "Vatican to Allow Ordination of Dissident Episcopal Priests."

67. "Episcopal Bishop Criticizes Action by Roman Catholics on Dissidents," *The New York Times*, September 29, 1980.

Successful Conclusion, Disappointing Beginning

In a startling act of ecumenical accommodation, the Catholic Church had chosen to contravene one of its most controversial and definitive rules in its decision to receive married men as Catholic priests. At the root of this remarkable decision lay, as has been shown, the unique history of the English Reformation, the Oxford Movement and the Second Vatican Council. The proximate causes were, on the Episcopalian side, the stresses caused by the Episcopal Church's decision to ordain women, and the fractious nature of the emerging Continuing Anglican movement. On the Catholic side, the decision was enabled by an unusual congruence between liberal and conservative forces.

Certainly some would consider it ironic that the Episcopal Church's acceptance of the ordination of women led to the Catholic Church's acceptance of the ordination of married men. However, though both actions were goals of American Catholic progressives in the 1970s, in Catholic thought they are hardly comparable. The male-only priesthood is a matter of theological principle and universal and unbroken practice, while the celibate priesthood is a matter of varying discipline, which has always had exceptions and is not universal today. Pairing the two issues in the persons of these Anglican petitioners appears to have fostered a unique coalition among the bishops in the 1970s. Conservatives supported receiving these Anglican priests who objected strongly to ordaining women, despite their being married. Progressives supported receiving these Anglican priests who were married, despite their objection to the ordination of women.

All of these forces may have come to naught, however, but for the commitment and leadership of one man: Bishop Bernard Law. Although the impetus that led to the Pastoral Provision clearly came from disaffected Episcopalians, American Catholic leadership was quick and welcoming in responding to their concerns; and none was so responsive or so welcoming as Bishop Law. From his first surprise contact with Father Parker to his eventual acceptance of the responsibility to develop and administer the policy as the first Ecclesiastical Delegate, Law actively guided and shepherded the process to its successful conclusion. Within four months of Parker's meeting with the Apostolic Delegate—an appointment Law had arranged—Law had brought together representatives of disparate groups of dissidents, including two Episcopalian bishops, to produce a consensus draft petition that became the basis for preliminary NCCB action only a month later, and produced a decision from the U.S. bishops in little more than a year. Given the novelty and complexity of the issues, and the highly

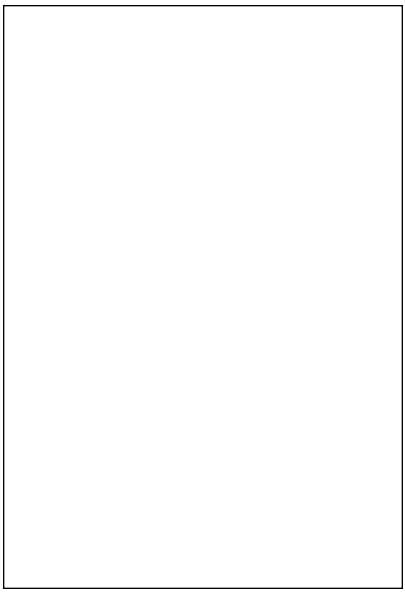

FIGURE 3. Fr. Christopher Philips with wife and family after his ordination by Archbishop Patrick Flores in the Cathedral of San Fernando in San Antonio, on August 15, 1983. Fr. Philips founded the first Anglican Use parish, Our Lady of the Atonement, in San Antonio in 1983 in the same year, as authorized under the Pastoral Provision. Photo generously provided by, and reproduced by kind permission of Fr. Christopher G. Phillips of the Personal Ordinariate of the Chair of St. Peter, Pastor Emeritus, Our Lady of the Atonement Catholic Church, San Antonio, Texas.

deliberative nature of church decision-making processes, this was remarkable progress to make in such a short amount of time. Although many parties contributed to the progress of the question, it was Law's commitment that was paramount. When in mid-1979 it seemed that the process had stalled, with no response for over a year, it was Law who single-handedly prodded both the SCDF and the leadership of the American hierarchy to resume their consideration of the question.

But it was more than just an impressive feat of management. By providing leadership that brought the petitioners together, Law exerted, from the beginning, the necessary Catholic authority to make the efforts of these Protestant postulants intelligible to Catholic leaders. The SSC, ECM and PDSAC explored the idea of becoming Catholic in a typically Protestant manner, that is, individualistic and disordered; Law received their con-

cerns, from the start, in a typically Catholic manner, that is, collective and ordered. Without Law's leadership, there is every possibility that the separate petitions would not have persisted, but might have foundered and fragmented through competition and minute disagreements—as they ultimately did to a large extent anyway, and as the efforts of so many Continuing Anglican groups had done. Law provided the solidarity that held the concerns of the petitioners together, combined with the patience and persistence to present them to the magisterium in Rome, that eventually led to a successful conclusion in the Pastoral Provision (see Figure 2).

If the initial publicity of the Pastoral Provision implied more structure than was intended by the new policy, it also anticipated far more participation than eventually occurred. The PDSAC alone reported that it had 63 priests and over a thousand laity prepared to reconcile with Rome, but it was not the only group to forecast sizable numbers.[68] Throughout the process of considering the petition of the three Anglican groups, all parties were convinced that the few persons inquiring at that time were the vanguard of a much greater number of interested persons. In early 1977, at the very beginning of the process, the Ad Hoc Committee had reported to the bishops that it was "quite realistic" that over a thousand Episcopalian clergy and as many as 300,000 laity would be highly sympathetic to being received into full communion with the Catholic Church.[69] Parker was convinced, at first, that all or almost all SCC priests, and later, that at least a substantial portion of them, would convert to Rome.

All of these estimates proved to be highly inflated. In the five years following the August 1980 announcement of the Pastoral Provision, just 27 married men were ordained Catholic priests; the subsequent five years saw only an additional 17 ordained (see Figure 3). The much-heralded PDSAC turned out to be more promise than substance, yielding only three parishes and the same number of priests. Neither Fr. Barker nor Fr. Brown, who had an unsupportive bishop, were ever ordained under the Pastoral Provision (though both, being celibate, eventually became Catholic priests by ordinary petition). By 2007 the total of married priests ordained had only reached eighty-four. The expected spate of applicants, in short, turned out to be a

68. Marjorie Hyer "Vatican to Allow Ordination of Dissident Episcopal Priests," *The Washington Post*, August 21, 1980.

69. Ad Hoc Committee for Convert Married Ministers, "Report in Response to Bishop Marshall's Memo and Outline" (Unpublished manuscript, September 16, 1977), 1, Archived at the American Catholic History Research Center, The Catholic University of America.

trickle. But for those who had worked so hard to achieve a favorable decision, the expectation of large numbers was hard to relinquish. Even as late as December 1982, observing that only 24 priests and three parishes had yet submitted petitions, Law commented, "There are reasons to believe that after [the first group] there may be an increase of requests in this matter."[70]

The tentative decision on an Anglican jurisdiction was to prove toxic, in all but a small handful of dioceses, to the reception of Anglican parish groups. Under the Pastoral Provision, an Anglican parish or lay group could enter the Catholic Church, retaining its married pastor and a familiar form of worship; but it could not combine with other such parishes to form a common institutional identity; it could only be inserted into an existing Latin Rite diocese, under the authority of the local Latin Rite bishop. Consequently, the "Anglican Use" parishes, as they were destined to be called, were at best relegated to the status of isolated exceptions or anomalies within Latin Rite dioceses. Although some bishops welcomed them, many were not favorable to their formation or continuance; only nine such parishes were ever established, most very small; a third have ceased to exist. [71] After a decade, these bleak results led some Catholic ecumenical observers to call for a less cramped institutional solution for the reception of Anglican Catholics[72]—a call which may have been answered

70. Bernard Law, "A Progress Report to the Sacred Congregation for the Faith from Its Ecclesiastical Delegate for the Pastoral Provision" December 1982, 3, Archived at the American Catholic History Research Center, The Catholic University of America.

71. It is timely to note a recent epilogue to this aspect of the Pastoral provision story. After the erection of the Personal Ordinariate of the Chair of St. Peter in North America in 2012, all but two of these nine parishes ended up abandoning their Pastoral Provision parish status in favor of joining the Ordinariate in its first few years—a development the Holy See encouraged. The two remaining holdouts—Our Lady of Atonement in San Antonio (by far the largest and best known, founded and led until 2017 by Fr. Christopher Philips, depicted in Figure 3) and St. Athanasius in Boston—commenced the process of joining the Ordinariate as well in 2017 at the behest of the Congregation for the Doctrine of the Faith, which currently has oversight of the personal ordinariates. "At the direction of the Holy See, all parishes of the Pastoral Provision are to be incorporated into the Ordinariate: a special diocese for Roman Catholics who were nurtured in the Anglican tradition or whose faith has been renewed by the liturgy and evangelizing mission of the Ordinariate." See "Becoming One," The Personal Ordinariate of the Chair of St. Peter, accessed August 9, 2017, https://ordinariate.net/news/becoming-one. This new development brings this particular aspect of the Pastoral Provision story to a close, while at the same time belatedly fulfilling for these communities in some real sense the aspiration of Archbishop Quinn's suggestion that "the possibility of some other type of structure as provided for canonical dispositions, and as suited to the needs of the group, is not excluded." (See Archbishop Quinn Letter, Appendix II.)

72. Daniel S Hamilton, "Knocking at the Papal Door," *America*, April 24, 1993.

in the North American Ordinariate for Anglican converts established in 2012, following the promulgation of the *motu proprio Anglicanorum Coetibus* by Pope Benedict XVI in November 2009.[73]

The equivocal nature of the decision establishing the Pastoral Provision resulted in two tracks of priests entering the Catholic Church. For Anglican priests reconciling individually with Rome, without accompanying an Anglican congregation, the Pastoral Provision's goal of retaining an Anglican identity turned out to be largely unworkable. Other than being married, these men served in Latin Rite dioceses and parishes much the same as any other Latin Rite priest. These priests, beginning with Fr. Parker, willingly conformed to the Latin Rite, being inserted into diocesan structures, if not the presbyterate, relatively seamlessly. Over ninety percent of the men received under the Pastoral Provision have been of this type.

On the other hand, pastors of the Anglican Use have more often exhibited an entrepreneurial spirit that has not always been well received by the hierarchy. In permitting a "common identity" and "ethos," Catholic leaders were clearly concerned to make an accommodation, a pastoral provision, that would enrich the Church, if they thought in those terms, by adding to its already extensive diversity of cultural and liturgical expressions. The proponents of the Anglican Use have often envisioned enriching the Catholic Church in another sense, by exemplifying a superior liturgy, spirituality, and form of pastoral care that would be attractive to Latin Rite Catholics and a model for improvement of the Latin Rite. In becoming Catholic, the individual petitioners have largely left Anglicanism behind, to learn humbly what it is to be Latin Rite Catholic; the Anglican Use pastors have explicitly, and sometimes aggressively, brought Anglicanism with them to help restore, as they see it, a patrimony that Catholicism has lost. The tension between these two understandings of the place or mission of Catholic Anglicanism has never been resolved over the three decades of applying the Pastoral Provision, and lives on in new ways in the newly-formed North American Ordinariate established in 2012.

73. Benedict XVI, *Anglicanorum Coetibus [Apostolic Constitution Providing for Personal Ordinariates for Anglicans Entering into Full Communion with the Catholic Church]*, *Acta Apostolicae Sedis* 101, 985–90 (Rome, 2009), http://www.vatican.va/archive/aas/index_en.htm.

Appendix I: Table of Abbreviations

Table of Abbreviations	
ACNA	Anglican Church in North America
ACU	American Church Union
ARCIC	Anglican-Roman Catholic International Consultation
DHT	Diocese of the Holy Trinity
ECM	Evangelical and Catholic Mission
FCC	Fellowship of Concerned Churchmen
NCCB	National Conference of Catholic Bishops
PDSAC	Pro-Diocese of Saint Augustine of Canterbury
PNCC	Polish National Catholic Church
SCDF	Sacred Congregation for the Doctrine of the Faith
SSC	Society of the Holy Cross (Societas Sanctae Crucis)

Appendix II: Archbishop Quinn Letter

SACRA CONGREGATIO
PRO DOCTRINA FIDEI

Roma, July 22, 1980
Piazza del S. Uffizio, 11

Prot. N. 66/77
(In responsione fiat mentio huius numeri)

Your Excellency,

The Congregation for the Doctrine of the Faith, in its Ordinary Session of June 16, 1980, has taken the following decisions in regard to the Episcopalians who seek reconciliation with and entrance with and entrance into the Catholic Church.

I. General Decisions:

1) The admission of these person, even in a group, should be considered the reconciliation of individual persons, as described in the Decree on Ecumenism "Redintegratio Unitatis," n.4, of the Second Vatican Council.

2) It will be appropriate to formulate a statute or "pastoral provision" which provides for a "common identity" for the group.

II. Elements of the "Common Identity":

1) Structures: The preference expressed by the majority of the Episcopal Conference for the insertion of these reconciled Episcopalians into the diocesan structures under the jurisdiction of local Ordinaries is recognized. Nevertheless, the possibility of some other type of structure as provided for canonical dispositions, and as suited to the needs of the group, is not excluded.

2) Liturgy: The group may retain certain elements of the Anglican liturgy; these are to be determined by a Commission of the Congregation set up for this purpose. Use of these elements will be reserved to the former members of the Anglican Communion. Should a former Anglican priest celebrate public liturgy outside of this group, he will be required to adopt the common Roman Rite.

3) Discipline: (a) To married Episcopalian priests who may be ordained Catholic priests, the following stipulations will apply: they may not become bishops; and they may not remarry.

(Enclosure)

His Excellency
The Most Reverend John R. QUINN
Archbishop of San Francisco
President, N.C.C.B.

[Handwritten instructions to send copies to designated persons appended at end:]
Copies to Abp. [John] Q[uinn]/[Bernard]Law/[Raymond]Lessard/[Russell] Shaw/[David]Hoye

Book Reviews

General and Miscellaneous

Armsbearing and the Clergy in the History and Canon Law of Western Christianity. By Lawrence G. Duggan. (Rochester, NY: The Boydell Press, an imprint of Boydell and Brewer. 2013. Pp. xiv, 264. $99.00. ISBN 978-1-84383-865-4.)

Archbishop Turpin's fighting valiantly next to his comrade in arms, Roland, is one of the most dramatic scenes in medieval literature. In the early Middle Ages clerics fought and fought very well. Clerics continued to make their presence felt on the fields of battle during the medieval and early modern period. Duggan paints a broad picture of the moral conflict between a cleric who should never shed blood and the powerful right of self-defense that was a part of the *Ius commune* of the time. Duggan begins his account in ancient Roman law and carries the story up to the *Codices iuris canonici* of 1917 and 1983. He points out that by the twentieth century, the issue of warrior clerics had almost disappeared from canonical sources. Duggan writes well and lucidly, and the story he tells will be of interest to historians of many different stripes. The book will also interest people in political science, peace studies, military studies, and maybe even an anthropologist or two.

The medieval prohibition of clerics to bear arms in canon law begins with a series of provincial and legatine conciliar canons promulgated at the height of the Gregorian Reform movement in the second half of the eleventh century. One of them, a canon from the Council of Poitiers (1079), made it into the body of canon law at the end of the twelfth century. Gratian, the father of canon law, had simply repeated the traditional prohibition in Causa 23 on war of his *Decretum* (1140). Bernardus Papiensis, however, included the canon from the Council of Poitiers that had circulated in earlier decretal collections in his path-breaking decretal collection (1191). The Poitiers canon became the place where the jurists discussed the right of the clergy to bear arms for centuries. Through devilishly clever arguments, primarily based on the right of every human being to defend himself, the canonists quickly turned the prohibition to bear arms into a maybe, perhaps, and it depends. Duggan gives a superficial overview of the evolving rich jurisprudence based on the Poitiers canon in a few, scant pages. Much more research could have revealed a complex and rich concatenation of ideas that influenced legal thought far beyond the Middle Ages. Medieval theologians also had much to say about bellicose clerics. There is very little about them and their thought in this book. The late medieval and early modern canonical jurisprudence is also ignored. One of the most important canonists of the seventeenth century, Emanuel Gonzalez Tellez, wrote on the canon from the Council of Poitiers:

> Natural reason permits that we defend ourselves from danger . . . consequently the law that it is permitted to repel armed force with armed force is said to be conferred by nature. . . . Notwithstanding the reason for doubting this above, in spite of the general prohibition, cases of necessity must be excepted and clerics may defend themselves and their home land. . . . By the same reason if a city is besieged by enemies, clerics can take up arms based on the principle of defense. (*Commentaria*, [1776] to X.1.2.)

How Tellez came to that conclusion can be understood only by knowing the thought of his predecessors. In spite of the chronological wingspan of Duggan's book, the seventeenth century is neglected. Further, the discussion of the most important lawyer-pope of the early modern period, Pope Benedict XIV, should have received more detailed treatment (pp. 167–168).

The most important part of the story that Duggan overlooks is the issue that brought the right of self-defense based on natural law and rights into conflict with the duty to moderate any defense. After much discussion the jurists decided that the natural law's right to self-defense was limited by human reason. The medieval and early modern jurists would not have approved of "stand your ground" laws. Pope Innocent III's curia grappled with this issue in 1209 when it decided a case in which a priest had attacked a man with a shovel. The principle of moderation was applied to clerics who bore arms. The right of self-defense was a powerful right but did not overwhelm the moderation inspired by an ancient text of Roman law.

The history of canon law in the book suffers from mistakes of fact and terminology. Gratian was not a Camadolese monk (p. 128). Duggan calls Pope Alexander III "the first great lawyer pope" (p. 135). On page 138, Duggan confesses that Rolando Bandinelli was not the canonist Roland, citing Weigand and Noonan bonae memoriae, and strips Alexander of his law degree. On page 136 Duggan claims that the Vulgate version of Gratian's *Decretum* finished ca. 1140 contained no Roman law. Roman law texts were added later (p. 130). When or by whom is not explained. In fact, all the Roman law in Gratian's *Decretum* was in the final version of 1140. Even more basic, Pope Alexander was not "an extraordinary lawgiver." His curia did decide several thousand appellate court decisions that entered into canonical collections. His pontificate was important for canonical jurisprudence. Alexander did preside over the Third Lateran Council (1179) and a Council of Tours in 1163, but these canons do not compare to the legislation of Pope Innocent III's Fourth Lateran Council of 1215. The legal decisions of his curia were important as establishing a firm footing for canonical case law, especially in marriage. He was not, however, a "lawgiver." Innocent III did not order a "digest" of his decretal letters (*Compilatio tertia*) (p. 136). The description of canonical collections and commentaries on page 140 is particularly muddled. These few examples should warn the reader that the book is not a vademecum for the history of canon law and its "facts" should be checked.

This book is a well-written account that gives the reader many examples of clerics who went to war, their participation in warfare, their role in the crusades, and the peculiar rise of clerical military orders. It has the virtue of covering the entire

span of European civilization. For readers who are interested in the subject, a recent book by Daniel M. G. Gerrard, *The Church at War: The Military Activities of Bishops, Abbots and Other Clergy in England, c.900–1200* (Routledge, 2017) with a particularly intriguing manuscript illumination on the cover, will provide further depth.

The Catholic University of America KENNETH PENNINGTON

Indispensable Immigrants: The Wine Porters of Northern Italy and their Saint, 1200–1800. By Lester K. Little. (New York: Oxford University Press. 2015. Pp. x, 229. $110.00 hardback. ISBN 978-0-7190-9522-1; $30 paperback. ISBN 978-1-5261-1669-7.)

Fernand Braudel looms large over Lester K. Little's deeply researched and highly readable new monograph. The title borrows a phrase from Braudel to describe the importance of foreign workers—often low-paid and unskilled—who, then as now, contributed their all-important labor to any given economy. The subtitle also evokes the great practitioner of *longue durée* history indicating that Little will take a long view of its subject: six hundred years and then some as he interlaces a social history of the rise and slow demise of the *brentatori* (wine porters) in northern Italy with a religious history of the rise and slow demise of the cult of St. Alberto of Villa d'Ogna.

St. Alberto was venerated as a "lay saint," one of a new breed of saints whose status was made possible thanks to the revival of both religious and urban life that indelibly marked the cities of northern and central Italy, beginning in the twelfth century. Alberto's extraordinary trajectory starts after his death. One local annal reported that a miracle occurred upon Alberto's death, after which news spread, pilgrims journeyed to the tomb, and—lo—further miracles ensued. Fra Salimbene de Adam, the Franciscan chronicler, poured scorn on this new "saint." With a withering pun, he dismissed the miracles as fake news because, he inferred, the wine carrier (*portator vini*), was also a wine drinker (*potator vini*). Though Salimbene penned a *damnatio memoriae* of this new saint, he failed to make it stick.

Little pieces together the fragmentary shards of evidence of Alberto's cult to trace it as it spread through northern Italy at the end of the thirteenth century, but not before he takes his readers off on an excursus that explores the history of wine porters of the region, a trade that boomed in this period. In these chapters that draw upon city and guild statutes, compendia on the trades, and striking visual material, Little teaches us everything we always wanted to know about *brentatori*—a little studied trade—but were afraid (or too uninformed) to ask. Among the informational nuggets Little delivers are that *brentatori* take their name from the *brente*, tall wooden cornucopia-shaped containers that they carried on their backs, a term that itself derives from the Brenta territory of southern Switzerland and northern Italy where they were manufactured, and from which the river also takes its name. We also learn that when circumstances demanded, these laborers were required to carry water in their *brente*, enabling them to serve as fire-fighters or street cleaners, according to the urban exigencies at hand. Consequently, we are

relieved to learn that they were not allowed to use their *brente* to carry trash or corpses, much less to use them to clean out sewers. Some *brentatori* even managed to rise to positions of rank in society, as Little demonstrates. In a touching homage to his old friend and fellow medievalist Robert Brentano, he unearths the first known coat of arms of the Brentano family of Como dating to 1480. It depicts a wooden *brenta* positioned beneath the family name*: de brentanis*. In these anecdotes, told with dry wit, and often explained by recourse to contemporary analogies, one grasps how Little developed his *fama* as a teacher par excellence, a métier at which he excelled during his long career.

The third and final part of the monograph answers the question posed at the outset of this study: "how did it happen that a humble worker in thirteenth-century Italy, a historical nobody, embarked immediately after his death upon an afterlife of fame and honor that gained him sainthood?" Little gives us St. Alberto as he was likely first adopted as patron saint of the guild of wine porters in Cremona in the later Middle Ages, then as transformed into a Dominican tertiary in the seventeenth century by the Order of Preachers, from whence Alberto's case for canonization moved to the desk of the bishop of Cremona, and finally on to Rome, where, having withstood the scrutiny of the Congregation of Rites, he was declared a saint in 1748. The great irony, however, was that by the end of that century, the guilds—including that of the wine porters—began to lose their monopolistic grip on their trades. Once the guild of *brentatori* lost their importance, so too did their saint. The study concludes with a priceless photograph, taken in 1903, of a horse-drawn wagon that transported the saint's relics in procession from Cremona, where they no longer served the needs of the wine porters, back to obscurity in Villa d'Ogna, Alberto's natal village.

What Little's study discloses through his careful scholarship and close reading of St. Alberto's cult over time is that ideas of sanctity are very much time-sensitive. They are shaped by a politics of canonization, informed not only by the demands of the official process, but also by the intellectual milieu of the period, and finally by the partisans who saw utility in promoting an individual's cause for sainthood. Though *Indispensable Immigrants* does not quite pack the walloping great thesis of *Religious Poverty and the Rise of the Profit Economy* (full disclosure: it was one of the books that made me want to become a medieval historian), it nevertheless makes clear that Lester K. Little is still one of our foremost interpreters of the social history of medieval religion, a field that he helped to pioneer in North America.

The Catholic University of America KATHERINE L. JANSEN

La coexistence confessionelle en France et en Europe germanique et orientale. Du Moyen Âge à nos jours. Edited by Catherine Maurer and Catherine Vincent. [Chrétiens et sociétés. Documents et Mémoires, no. 27.] (Lyon, 2015. Pp. 360. €25,00 paperback. ISBN 979-10-91592-12-3.)

This collection of articles dates back to a 2012 conference held in Strasbourg. The articles cover a broad sweep of history, from the early Middle Ages into the

twentieth century. Most focus on German-speaking lands, with a particular focus on Alsace, but there are articles about France, Lithuania, Geneva, Poland, and the Netherlands. As always in such collections, the quality is mixed, a situation that is further exacerbated by the fact that many of the articles appear to be only lightly edited since being delivered orally.

The theme of the conference, "confessional coexistence," is understood broadly here. While the focus of the collection is on relations between the Christian confessions, articles also engage the experience of Jews, heretics, Muslims, and pagans. This broadening of subject matter is of course a reflection of current concerns with religious coexistence in an increasingly diverse Europe, but the concept "confessional" loses some of its meaning when used in this broad way.

The largest group of articles focuses on confessional relations in the Holy Roman Empire and Switzerland in the early modern period. As Catherine Maurer points out in her concise but excellent introduction, confessional relations in this period were characterized by coexistence, often contested but also defended and supported. This coexistence was not the same as tolerance and was usually based on legal and constitutional safeguards for all parties. Furthermore, this coexistence varied in character depending on the locality, and it evolved over time. Finally, Maurer points out that coexistence in the early modern period had antecedents in the medieval period, in Christian-Jewish relations and in relations with heretics like the Cathars. Unfortunately, there is no discussion of the *convivencia* in medieval Spain, where Jews, Muslims, and Christians coexisted for centuries.

Most of the contributions emphasize a kind of pragmatic relationship between religions. Laurent Jalabert's discussion of some of the western territories of the Holy Roman Empire in the seventeenth and eighteenth centuries shows how political and jurisdictional fragmentation let to a bewildering mix of confessions, even within villages. In this setting, members of religious minorities were willing to appeal for protection to princes and noblemen, and few majority groups could or even tried to suppress confessional opponents. Christophe Duhamelle's presents an interesting analysis of the "Two Easters" of 1724. In this year, Easter fell a week later for Protestants than Catholics, despite the fact that Protestants had moved to a calendar that coincided in most ways with Gregorian calendar used by the Catholics. The dispute, Duhamelle argues, was carried out first by astronomers and then by the states, particularly Prussia on the Protestant side, as an assertion of confessional rights. In the local context, however, there were few problems, as Catholics celebrated a week earlier and local people, including the clergy, stayed out of each other's way. In fact, in quite a few mixed confessional places Protestants decided to celebrate Easter on the same day as the Catholics, in order to avoid the problem of multiple holidays in one community. The Imperial Chamber Court which was organized on the principle of confessional parity, decided to take both weeks off from work.

Kaspar von Greyerz's discussion of Switzerland, by contrast, emphasizes ongoing confessional tensions and even conflict. All confessions believed strongly

in the communal and state function of the Church, which meant that minorities were considered a problem. There was violence, for example in 1620 in the Valtelline and low levels of insult and conflict in mixed regions like the Turgau. By the eighteenth century, however, people accepted biconfessionalism, but that did not mean they were tolerant of other confessions, even in daily interactions.

The early modern heritage of biconfessionalism and confessional coexistence in places like Alsace, Western Germany, and Switzerland continued to play out in the nineteenth century, and even into the twentieth century. Claude Muller's discussion of the *Simultaneum* churches in Alsace, where Catholics and Protestants shared village churches, shows that tensions rose after the French Revolution. The French administration struggled with an increasingly aggressive Catholic clergy and hierarchy, which sought to limit the use of these churches by Protestants. Often disputes revolved around traditional Protestant rights to the church nave, which seemed to make less sense as the Protestant population declined and the Catholic population became too large for the choir. Conflicts also arose during World War I, when the predominantly Protestant German military suspected Catholic priests in Alsace of sympathy with the French. Annette Jantzen shows that these priests were not so much pro-French as focused on their parochial duties, particularly in comforting their parishioners during the difficult wartime, in which Alsace was on the front line. Protestant soldiers stationed in Catholic villages could cause conflict and a number of priests were punished for insufficiently supporting the war effort and reassigned to military postings.

One lesson from this collection is that religious coexistence was common and possible, even in the "confessional age." Furthermore, that coexistence was pragmatic and made possible by legal and constitutional protections for all parties. At the local and even the regional level, solutions were sought, often by physically separating different groups, hoping to reduce the inevitable tensions and low-level conflicts. Finally, the modern era was often tension filled and religious conflicts remained difficult to resolve, even in a supposedly more tolerant modern society. There is even a sense that the kind of pragmatic solutions found in societies where relationships were predominantly face-to-face were harder to find in more complex modern communities. Perhaps there is a lesson here for the twenty-first century.

Connecticut College MARC R. FORSTER

Liturgie et société. Gouverner et réformer l'Église XIX^{e}–XX^{e} siècle. Edited by Bruno Dumons, Vincent Petit, and Christian Sorrel. [Collection: Histoire.] (Rennes: Presses Universitaires de Rennes. 2016. Pp. 236. Euro 21,00 paperback. ISBN 978-2-7535-4915-9.)

Study of the relationships between liturgy and society within francophone Catholicism is given new impetus in this interdisciplinary collection of thirteen essays by authors writing from perspectives in political science, history, sociology, musicology, art history, and theology. The editors alight on two historical 'slices' to focus discussion of what Bruno Dumons calls the 'historical anthropology' of litur-

gical reform: the Romanization of the liturgy across France between 1839 and 1875; and the lead-up to Vatican II, and its aftermath. Though the nineteeth century is less well represented than the twentieth, this attempt at a dialogue between the two periods works promisingly well.

'Does liturgy make society? Does society make liturgy?' With these bold questions about a liturgy that Vincent Petit describes, in an opening contextual chapter, as permanently under construction, the editors push the boundaries of historical enquiry beyond the examination of Vatican and diocesan legislation or the waxing and waning of popular religious observance, and move towards the detailed coal-face study of liturgical reform and its implementation within francophone dioceses and other Catholic communities ranging from France to Switzerland to Canada. The book's authors address three main subjects: the activity of central and maverick reformist agents across the two centuries (Xavier Bisaro, Augustin Laffray, Daniel Moulinet, Benoit-Marie Solaberrieta, Paul Airiau); instances of liturgical resistance, provocation, and experiment (Francis Python, Yvon Tranvouez, Isabelle Saint-Martin); and shifting relationships between church governance and liturgical reform (Séverine Blenner-Michel, Sarah Scholl, Gilles Routhier, Florian Michel).

Alongside colourful individuals such as the would-be plainchant scholar Bottée de Toulmon, the Oratorian (and former Anglo-Catholic) Louis Bouyer, and the renegade abbot Bernard Besret, the book's authors tackle the distinctly less glamorous subject of committees and councils as sites of negotiation and influence. Bisaro is persuasive on why members of the Comité des Arts et des Monuments tried and failed to institutionalize plainchant as national heritage in the 1840s; likewise Blenner-Michel on why, conversely, the provincial liturgical councils of the Second Empire helped create the momentum that brought about Romanization, and how and why seemingly intractable dioceses such as Paris, Lyon, Rouen, Tours, and Besançon were brought into line. For the twentieth century, Python and Routhier respectively explain the background to resistance to reform in French Switzerland (where lay converts from Protestantism had no wish to return to practices they had rejected) and acceptance in Québec (where pre-council activity involved the youth groups and the press alongside the episcopal committee on liturgy, meaning that Vatican II reformers eventually pushed at an open door).

The move to vernacular worship—bringing with it both sudden revelations of meaning and 'euphemistic' or theologically inappropriate translations—emerges as a lightning rod for debate and experimentation across all constituencies in France (Airiau on Boyer; Michel on the increasing sophistication with which French systems of church governance were adapted in the 1960s and '70s to respond to conflicts over francophone liturgical texts; Tranvouez on the 'transgressive' [sauvage] French liturgies of the same period). These responses to a need for congregational involvement—already present in 1840s arguments about how plainchant might supplant more complex music—return in Saint-Martin's study of 1960s immersive and non-hierarchical church architecture, and the return of the church artisan (as opposed to the artist).

Together these essays on art and architecture, music, liturgical texts, and church organization, effectively challenge the traditional view of a 'clerical' and rather closed nineteenth century followed by a twentieth century more attuned to the needs of the faithful and to congregational participation. More importantly they illustrate the value of taking a holistic and emphatically lateral view of church reform—one that recognizes the interrelated contributions of lay individuals (antiquarians, journalists, artists) and communities, the monastic orders (especially the Dominicans and the Benedictines), and committees and councils allied to both Church and State.

University of Cambridge KATHARINE ELLIS

ANCIENT

The Triumph of Empire: The Roman World from Hadrian to Constantine. By Michael Kulikowski. (Cambridge, MA: Harvard University Press. 2016. Pp. xxvi, 360. $35.00. ISBN 978-0-674-65961-2.)

The third century of the Christian era has been a killing field for courses in Roman history, in more ways than one. Most obviously, the disruptions of that century—from barbarian invasions to plague to a more aggressive Persian empire to a dizzying turnover in holders of the imperial office—stands in unhappy contrast to Edward Gibbon's "most happy and prosperous" second century. But it has been almost equally devastating for scholars who entered Roman history through the study of classical texts, since they find the absence of a narrative in a reliable primary source unpalatable. Hence a tendency either to end a course with the death of the philosopher-emperor, Marcus Aurelius, or to take a deep breath and with a few sentences jump to the end of this century, where events become more settled with the advent of Diocletian.

Michael Kulikowski's *Triumph of Empire* supplies precisely what has been needed to reduce these casualties. Even though he begins in the same century that took Gibbon's breath away, Kulikowski's aim in so doing is not to chart a decline and fall but to identify for the reader second-century trends that shaped the course of the third and resulted in "an entirely new Roman empire" (p. 264). The effect is to change the third century, for all its turmoil, from an aberration into an integral part of imperial history.

Kulikowski accomplishes this feat by reconfiguring two well-known characteristics of the later empire—its extensive bureaucracy and the threats it faced on its borders. Instead of bureaucracy, Kulikowski writes of a process that he calls "equestrianization," by which he means "the rise of a new equestrian elite that penetrated much deeper into provincial lives than earlier types of Roman government had done" (p. 118). Far from being the product of either a "levelling policy" long attributed to the Severan dynasty or the controlling temperament of emperors like Diocletian, Kulikowski finds that increasing reliance on Rome's traditional second class derives from nothing more sinister than the inability of its first, senatorial,

class to supply the needs of an empire of some 2,000,000 square miles from its own ranks. Turning an old argument on its head, Kulikowski decides that this administrative extension was the cause, rather than the result, of imperial ambitions in the later empire, for the existence of this civil service "meant that governmental uniformity could be envisaged as a real possibility in a way that it could not in the second century or before" (p. 247).

But it is in looking at the frontiers that Kulikowski has made his most impressive changes. Devoting an entire chapter to "Eurasian history," he brings the disruptions on Rome's frontiers into a global perspective. Although "contemporaries on both sides of the frontier had little real idea of what was going on" (p. 154), we can now see that the movements of the third century brought Rome for the first time into broader Eurasian history. Later Roman history "cannot be understood without reference to this much wider world" (p.119). This chapter is an example of the way Kulikowski has been able to harvest studies of a wide variety of non-literary evidence—from prosopography, numismatics, archaeology, anthropology, and even epidemiology—to bring much-needed clarity to a period that, when seen primarily through Roman literary sources, has often seemed murky and confusing. His book might easily have been titled "The Long Third Century," for its real strength is the way Kulikowski knits this century into the fabric of an imperial program that began in the second century and was not fully completed until the middle of the fourth.

University of California, Santa Barbara H. A. DRAKE

Evagrius and His Legacy. Edited by Joel Kalvesmaki and Robin Darling Young. (Notre Dame, IN: University of Notre Dame Press. 2016. Pp. x, 404. $ 39.00 paperback. ISBN 978-0-268-03329-3.)

In recent decades, scholars have grown increasingly interested in the writings of Evagrius of Pontus and in his influence on subsequent Christian thought in east and west. The originality and complexity of his teaching continually challenge academics to understand correctly his spirituality and theology as well his manifold legacy and the reasons for his condemnation after his death. This volume is the fruit of a recent, two-year workshop organized by Dumbarton Oaks and the University of Notre Dame, and it collects studies of excellent scholars from very different areas of patristic and medieval studies, all of whom investigate Evagrian thought and its history.

The indisputable merit of this book is that it presents, with impressive thoroughness, Evagrius' reception in different ages of church history and in various geographical and linguistic environments. It contains studies that fill gaps by integrating the discoveries and results of research in the last decades. The authors lead the reader along the paths of Evagrian influence in different periods of Latin, Syriac, and Byzantine theological and spiritual literature.

Although the volume introduces very well various streams and tributaries of Evagrian thought that permeated the history of Christian spirituality, nevertheless

the headwaters themselves are less explored. The person of Evagrius and his theology are given less attention or at least appear in a unilateral light.

The valuable contribution of Robin Darling Young does approach the person of Evagrius through his letters as the "workshop of his thought," offering the first deepened study of his letters in English. Other articles in the first half of the book place a great emphasis on offering a clearer view of that theological and philosophical context in which Evagrian thought can be situated: Cappadocian theology, Platonic philosophy, and fourth-century Origenism. At the same time, with the exception of the fine exegetical study of L. Dysinger, there is almost no word as well about that monastic milieu and tradition in which his writings were born. To claim that Evagrius "reflects not a later monastic setting but the setting of an ascetic Christian philosophical circle" (Introduction, p. 5) and further to claim that "the greater part of his life was spent in the company of scholars, theologians, and urbanites, and that consequently his work can be seen as part of a chain of philosophical commentary from ancient Athens and Alexandria to the fourth century" (Introduction, p. 12)—well, this not only contradicts the way Evagrius presented himself in his writings, but it also leaves out of account a whole contemporary school of interpretation of his teaching. At the round table of Evagrian studies, as presented by the editors of the book, in fact, there is missing the voice of those like G. Bunge, J. Driscoll, or A. Casiday, who see in Evagrius not primarily and simply an intellectual or a "Christian thinker," but a great monastic theologian, a disciple of the first generation of desert fathers.

How this lack can limit the research can be seen, for instance, in the very original study of B. Stefaniw on Evagrian authority. The review offers a new perspective concerning the condemnation of Evagrius when it analyzes how the spiritual master and writer uses the concept of authority and how it leads to conflict with other kinds of authorities. However, this development could be much better founded if it took account of how authority was exercised in monastic communities by focusing on Scripture and spiritual progress.

In the book *Evagrius and His Legacy* Evagrius is presented by great scholars mainly as a great scholar: "the intellectual of the desert." But from the same book it results that when his legacy was judged in terms of speculative theology, he was found wanting, while where his thought survived was always in a monastic context. This suggestive contradiction in part calls into question the image of Evagrius that emerges in this volume, and a move toward its resolution will hopefully inspire further investigation.

Pontifical Atheneum of St. Anselm, Rome IZSÁK ZSOLT BAÁN, O.S.B.

Rufinus of Aquileia: History of the Church. Translated by Philip R. Amidon, SJ. [Fathers of the Church, Volume 133.] (Washington, D.C.: The Catholic University of America Press. 2016. Pp. xiii, 509. $39.95. ISBN 978-0-8132-2902-7.)

Philip Amidon has already translated Epiphanius's massive *Panarion* (from Greek) and Cyril of Alexandria's *Festal Letters* (from Greek). He had previously published a translation from Latin of the additional two books that Rufinus of Aquileia added to his Latin translation of Eusebius of Caesarea's *Ecclesiastical History*. Amidon's former translation is incorporated in a revised and updated form in this new English translation of the entirety of Rufinus's Latin translation of Eusebius.

In the Introduction Amidon summarizes the career of Rufinus of Aquileia (345–411) and narrates the Origenist controversies with great skill and brevity. The request to translate Eusebius's *Church History* was made by St. Chromatius of Aquileia (on whom Pope Benedict XVI gave a Wednesday audience). Amidon has saved students work by noting and discussing Rufinus's alterations of Eusebius. Amidon does not do this exhaustively (unfortunately), but the work overall will aid students in understanding how Rufinus interprets for his Latin audience the meaning of Eusebius's Greek formulations. One essential point is that Rufinus clearly views Eusebius as a proto-Nicene and not a proto-Arian (as the later Jerome viewed Eusebius). Rufinus translates Greek language that could easily be read in a subordinationist sense as equivalent with Nicene orthodoxy (for example, see p. 27, n. 23; p. 34, n. 38). Amidon summarizes the tendency as follows:

> For him [Rufinus] the one faith of Christianity is that declared by the Council of Nicaea of 325, whose creed and canons are the final documents he cites in his history. Their crowning place at the beginning of his continuation suggest their sufficiency as the constitution of the church. All passages of even the mildest subordinationist flavor in the original version of Eusebius's history are overwritten with a broad pro-Nicene nib (pp. 8–9).

Rufinus conceals any evidence of change in doctrine or discipline in the Christian faith (see p. 53, n. 91). Whereas Eusebius does speak of a church united in doctrine and practice throughout its generations, Rufinus tries to accentuate the unity by muffling any hint of alteration in faith and order throughout the Christian centuries among those in communion with reputable bishops. Amidon notes additionally that Rufinus tends to accentuate the divine punishment of the Jews (p. 98, n. 1). He downplays the status of women in comparison with the original (p. 193, n. 12). He copies out Tertullian's original Latin directly instead of back-translating Eusebius's Greek renderings (p. 94, n. 84). When rendering Eusebius's discussion of canonical and disputed books of Scripture, Rufinus is not strictly faithful to Eusebius's wording but sometimes modifies it (pp. 250, n. 38; 263, n. 74).

Probably the most important modifications are found in Bk 6 and pertain to Origen's biography. I discussed these alterations in some detail in my *Erasmus's Life of Origen*. Amidon sheds much light too. I wish his translation would have

appeared ten years ago! Examples are found on pages 235, n. 2, and 243, nn. 20 and 23. Sometimes Rufinus clarifies material that was left unclear in Eusebius, for instance, pertaining to the arrangement of the *Hexapla* (p. 253, n. 43). Sometimes Rufinus adds accurate historical information from Origen's letters to supplement Eusebius's texts (p. 258, n. 54). Rufinus fills in Eusebius's report of persecution with language taken from Pliny (p. 132, n. 92).

The importance of Amidon's translation should be obvious. It was Rufinus's Latin translation of Eusebius that was known in the West during the Middle Ages and Renaissance. Erasmus for instance used it when composing his biography of Origen (1536). The modifications to the original were not really discovered or publicized until the modern era when John E. L. Oulton rendered Eusebius into English in the Loeb series. Now, thanks to Amidon, the playing field is completely level and a great opportunity for new research by non-specialists has been provided.

Ave Maria University THOMAS P. SCHECK

La Iglesia como sistema de dominación en la Antigüedad Tardía. Edited by José Fernández Ubiña, Alberto J. Quiroga Puertas, and Purificación Ubric Rabaneda. [Colección Historia.] (Granada: Universidad de Granada. 2015. Pp. 358. €23,00 paperback. ISBN 978-84-338-5763-7.)

Max Weber defined domination (*Herrschaft*), the cornerstone of his sociology of political, religious, and economic organizations, as "the probability that a command with a given specific content will be obeyed by a given group of persons" (*Economy and Society*, edd. Guenther Roth and Claus Wittich [Berkeley and Los Angeles: University of California Press, 1978], p. 53). The culmination of a three-year international research project based at the University of Granada, this book seeks to investigate the applicability of Weber's theory of domination to the political establishment of Christianity in the later Roman empire. Given Weber's continuing importance and influence, this is an exciting prospect. Unfortunately, while a few of the book's authors do engage with Weber—above all, Gonzalo Bravo Castañeda, the only author to actually quote him—most do not, except indirectly in their titles, introductions, or conclusions. This will prove a disappointment to readers interested in a comparative approach to the sociology and politics of the early Church. Yet because the papers, written by experts, are so informative for the wide range of religious and political topics they do cover, the book as a whole is far from being a disappointment.

The book's overall structure reinforces its Weberian intentions. Part One is introduced by the most theoretical piece in the book, Bravo Castañeda's assessment of church and empire as "systems of domination." The remaining papers in this section survey the confluences between theology and politics—Arian/Nicene Christian and Muslim—in the fourth-century Roman empire (Andrew Fear), Visigothic Spain in the late sixth century (Pedro Castillo Maldonado), and al-Andalus in the early eighth century (Luis A. García Moreno). Part Two examines

the role that bishops and monks played in the consolidation of ecclesiastical domination. Bishops are featured in papers on the definition of episcopal power in the pre-Constantinian period (José Fernández Ubiña), the historiography of the schism surrounding Meletius of Antioch (Alberto Quiroga Puertas), and the collaboration between bishops and barbarian rulers in the fifth- and early sixth-century West (Purificación Ubric Rabaneda). This part concludes with an essay on monks and the practice of charity as reflected in Spanish monastic rules of the sixth and seventh centuries (Francisco Salvador Ventura). Part Three focuses on the instruments of domination. Under this heading are gathered a more diverse group of papers. Immacolata Aulisa studies the process by which imperial territory was organized into ecclesiastical dioceses, governed by bishops, and furnished with church buildings. Chantal Gabrielli investigates the political value of martyr cults in Donatist and Caecilianist North Africa. Jamie Wood analyzes preaching as a form of education and persuasion in Augustine's *De catechizandis rudibus* and Martin of Braga's *De correctione rusticorum.* Amparo Pedregal examines models of exemplary women (martyrs, ascetics, wives, and mothers) as mechanisms for church control. Céline Martin identifies definitions of paganism in Visigothic legislation of the sixth and seventh centuries as forms of domination. And in the final paper—there is no conclusion—Raúl González Salinero traces the transformation of anti-Jewish polemic into legislation and violence against those who along with heretics and pagans "evaded [church] control and refused to accept its claims to universal authority" (*escapaban a su control y se resistían a aceptar su pretendida autoridad universal*, p. 308).

In their introduction, the editors express the hope that their work will be useful in future investigations of the subject (p. 19). One might begin by suggesting that further research place more emphasis on two points with which Weber was greatly concerned and which have continued to draw the attention of scholars (Mark Haugaard, "Domination," in *Encyclopedia of Social Theory*, ed. Austin Harrington, Barbara L. Marshall, and Hans-Peter Müller [New York: Routledge, 2006], pp. 147–48). These are first, the reciprocal process by which domination is established, that is, "the desire to dominate on the one hand and the desire to obey on the other" (Dirk Käsler, *Max Weber: An Introduction to his Life and Work*, trans. Philippa Hurd [Chicago: University of Chicago Press, 1988], p. 162), and second, the means by which domination is legitimated (Iván Szelenyi, "Weber's theory of domination and post-communist capitalisms," *Theory and Society,* 45 [2016], pp. 1–24). The essays in this collection expend a good deal of effort on one side of this relationship—intentions and means of domination—but not much on the other—the attitudes and behaviors of those toward whom prescriptions and commands were directed. Exploring these points would require as much attention to the agency of the ruled as of the rulers. And that would be a result worthy of the scholarship exemplified in this fine book.

The Catholic University of America WILLIAM E. KLINGSHIRN

MEDIEVAL

The World of Medieval Monasticism: Its History and Forms of Life. By Gert Melville. Translated by James D. Mixon. [Cistercian Studies Series, No. 263.] (Collegeville, MN: Cistercian Publications, an imprint of Liturgical Press. 2016. Pp. xviii, 444. $45.00 paperback. ISBN 978-0-87907-263-6.)

For almost fifty years, Cistercian Publications has given Anglophone readers access to the medieval history of monasticism—first through scholarly (yet inexpensive) translations and studies of key Cistercian authors and later by making available a broader catalogue of monastic work. James D. Mixon's admirable translation of Gert Melville's *Die Welt der mittelalterlichen Klöster: Geschichte und Lebensformen* (2012) continues this tradition, introducing a wider English-speaking audience to the work of one of the foremost scholars of medieval religious life of the past forty years. As the author of countless studies of medieval religious history, the mentor of a generation of researchers and the director of Dresden's influential Research Centre for the Comparative History of Religious Orders (FOVOG), Melville has helped shape the current state of monastic history in Europe and North America. This survey of the history of monasticism from the fourth to the fifteenth century draws on his extensive scholarship and employs his typical focus on the development and transmission of legal (charters, royal and papal privileges) or normative texts (rules, customaries, statutes) as well as the concomitant changes in organizational structures.

In the first sixteen chapters, Melville adopts a roughly chronological organization, viewing the history of monasticism as punctuated equilibrium—a cycle between charismatic innovation (typified usually by eremitical leaders; see chaps. 1, 4-5, 9, 12–13), its codification in textual form (chaps. 2, 6, 10, 14) and its institutionalization (chaps. 3, 7, 11, 15). This Weberian framework encourages Melville to explain, for example, the "invention" of the Cistercian Order (chap. 6) as developing from the spirituality of earlier eremitical movements, but distinguishing itself when it adopted new "collegial" governance. In Melville's hands, Cistercian monasticism may have been inspired by Robert of Molesme, but it was Cîteaux's legal privileges, its codified foundation narratives, and its uniformity of customs, as well as its system of oversight that made it an attractive model both to contemporary Benedictine monks and to future religious movements. This account thus challenges the representation of Cistercian success typical in earlier surveys of monastic history which is predicated on the decline/corruption of Cluniac monasticism or depends on simplifying the Cluny-Cîteaux relationship into a contest between their twelfth-century figureheads, Peter the Venerable and Bernard of Clairvaux. This structural focus is the strength of Melville's approach. He takes familiar figures, places, and movements (and many less familiar ones) and constructs a new overarching narrative for monastic history—one dependent less on the idea of the uniqueness of each Order or the exceptionality of each founder and more on shared core ideas, processes, and structures which define successive ages of monasticism. Melville's careful attention to these trends means, among other things, that he interweaves male and female

monastic history, which is a considerable improvement on past surveys which have tended to relegate women's religious life to the footnotes.

It is inevitable that a survey of this breadth must sacrifice some detail. In describing monasticism as a system, Melville's narrative subordinates individual biography to institutional history, and this focus is reflected in the material treated. Discussion of works of art, literature, and architecture is kept to a minimum. Normative texts (rules and statutes) abound, while hagiographic *vitae*—a typical set piece of monastic surveys—appear rarely and usually only buttressing arguments about the transmission of rules and customs. One of the few lengthy quotations cited in Melville's text is taken, surprisingly, from the *Life* of Stephen of Obazine (p. 108) less to discuss his life than to give context to how this twelfth-century charismatic leader transmitted the "legally binding norms" of his intended way of life by voice and presence. I was also not always convinced that sources, like customaries, were as authoritative and normative to medieval monks as Melville represents them.

The final chapter of the book ("Fundamental Structures of the *Vita Religiosa* in the Middle Ages") seems designed to address the constraints of his narrative chapters. It provides a methodological treatise—fruitfully read first—laying out a series of analytical axes (among others: individual vs. community, lived experience vs. legal texts, cloister vs. secular world, spiritual vs. temporal care), which encourage a more nuanced view of medieval monastic life. In his concluding remarks, Melville highlights that medieval religious houses "shaped" and "taught" their contemporaries, they "cultivated" and "tested" their systems of thought and organization, becoming true "laboratories of innovation that laid down essential foundations of modernity" (p. 372). By drawing attention to the unexpected (and unintended) consequences of medieval monasticism, he implicitly defends the value of careful intellectual inquiry and argues for the contemporary relevance of studying the history of religion. This is a claim one hopes will resonate with the intended audience of senior undergraduates and scholars who will benefit from this learned survey of western monasticism.

Carleton University, Ottawa MARC SAURETTE

The Chronicle of Pseudo-Turpin: Book IV of the Liber Sancti Jacobi (Codex Calixtinus). Edited and translated by Kevin R. Poole. [Medieval and Renaissance Texts.] (New York: Italica Press. 2014. Pp. xlviii, 128. $35.00. ISBN 978-1-59910-289-4.)

Beyond its earliest-known copy, the twelfth-century *Codex Calixtinus* preserved in the cathedral archives of Compostela, more than 200 manuscripts of the *Pseudo-Turpin* survive, copied across at least four centuries and translated into most all medieval European vernaculars. The reasons behind its inception and then redistribution are just as varied: to construct a legendary and miracle-laden account of Charlemagne's wars in the Iberian Peninsula, to advertise the great pilgrimage route to Santiago de Compostela, to supply sermon writers with trenchant *exempla*,

to transmit catechism, to source subjects for the visual arts (perhaps most famously in the Charlemagne Window at Chartres), and considerably more. The English translation under review unfortunately renders an often unreliable, dulled-down, and dismissive working-over of the obviously potent Latin original.

Space permits detailed examination of just one example, nevertheless illustrative of endemic problems.

From the seventeenth chapter:

> In playing the zither there are three things: knowledge, strings and the hands. However, it is still one zither. In the same way, in God there are three—the Father, the Son and the Holy Spirit—and it is still one God. (pp. 44-45)

> *Sicut in cithara, dum sonat, tria sunt, ars scilicet, cordæ et manus, et una cithara est, sic in Deo tria sunt, pater et filius et spiritus sanctus, et unus est Deus.* (155.xxiii–xxv)[1]

In the original, initial *Sicut* ("Just as," "So as," "As"), sets up a single-sentence simile syntactically and rhetorically appropriate for demonstrating multiplicity in oneness. But the translation—in a form of rhetorical heresy, one might say—breaks one sentence into three. As in many other instances, this deconsecration of the original is exacerbated with a footnote convinced of the medieval author's ineptitude: "Roland's logic is fallacious: God is manifest in three forms that share the same essence—the Father, the Son and the Holy Spirit; knowledge, strings and the hands exist independently of one another, do not share the same essence and taken together still do not form an instrument known as a zither." This remark (which, one might add, denies the eternal reality of the Trinity and commits the Modalist [or Sabellian] heresy), depends upon the isolation of "one zither" into a separate middle sentence, rather than the emphatic qualification *dum sonat* ("while it sounds") that governs the single-sentence analogy in the original. To use the translator's own word, the analogy is to the *playing* of the instrument, not to the instrument itself, at which point music becomes an apt and beautiful analogy for divine essence. Throughout, one will find similar examples of this near-diffident suppression of the vibrant phrase- and clause-level signification in the original, let alone its role as a reasonably sophisticated vehicle of Christian ministry.

Likewise, the section in the Introduction on "Islam and the *Pseudo-Turpin*," at pains to stress the work's participation in a defamatory and theologically inept "textual war on Islam" (p. xviii), pays little corresponding attention to a real-world pastoral "war" the original author seems to have known all too well and was attempting figurally to address: that against ignorance or confusion, amongst simple Christians—here ventriloquized by querulous non-Christians—about even the most basic articles of their Faith.

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1. C. Meredith-Jones, *Historia Karoli Magni et Rotholandi* ou *Chronique du Pseudo-Turpin* (Paris, 1936), p. 91, ll. v–vii.

Students of medieval Latin may find the translation a useful control against which to measure their own, and, one can hope, more sensitive efforts. Pilgrims on the Camino de Santiago looking for editorial context regarding the very important devotional aspects of the original might feel more validated if they were to consult the substantial annotations to the detailed and otherwise more neutral English synopsis in H. M. Smyser's edition, freely available online.[2]

Loyola Marymount University, Los Angeles STEPHEN SHEPHERD

Thomas Aquinas: A Historical and Philosophical Profile. By Pasquale Porro. Translated by Joseph G. Trabbic and Roger W. Nutt. (Washington D.C.: The Catholic University of America Press. 2016. Pp. xiii, 458. $65.00. ISBN 978-0-2805-1.)

This book is a translation of Porro's *Tommaso d'Aquino: Un Profile storico-filosofico,* published in 2012. Porro is well known as an expert on Aquinas, and in the present volume he offers a magisterial contribution to Aquinas scholarship. Anyone with serious interests in Aquinas who lacks fluency in Italian will be grateful to the translators and to the Catholic University of America Press for making the book available in English.

It has rightly become common to stress that Aquinas was not a philosopher in the modern sense. He did not formally lecture on philosophy. He was a Dominican friar whose interests were chiefly theological. Yet his writings contain much that contemporary philosophers can recognize as philosophical. And Porro picks up on this fact to great effect. He offers a wonderful account of Aquinas's philosophy. He also has much to say about the biography of Aquinas.

Books on the philosophy of Aquinas typically adopt a thematic approach. They expound and comment with an eye on topics or questions addressed by Aquinas. By contrast, Porro turns to his philosophy as it evolved over time. He moves chronologically through Aquinas's writings while also trying to place them in their precise historical contexts. Porro is aware of reasons that might be given for not taking Aquinas to be someone who wrote philosophy. But he explains very well why we can think of Aquinas as sometimes doing just this. In his preface he briefly

2. *The Pseudo-Turpin,* Edited from *Bibliothèque Nationale, Fonds Latin, MS. 17656, with an Annotated Synopsis* (Cambridge, Mass., 1937). Note that Poole (p. xi) misquotes Smyser, and, in an opening effort to diminish the *Pseudo-Turpin's* competencies, neglects Smyser's additional reference to the text's "amiable mendacity." Cf. Christopher Hohler, who, while contending (not altogether successfully) that the work was conceived as a pedagogical tool requiring boys to detect and correct errors, concludes that "it escapes the appalling longeurs of consciously literary writing of the twelfth century, it is full of action, packed with fascinating detail, and at the same time witty, full of allusion and parody and governed by an admirable sense of measure," "A Note on *Jacobus*," *Journal of the Warburg and Courtauld Institutes* 35 (1972), 31–80, here 71.

notes four reasons for thinking that, theologian though he was, Aquinas was also concerned to engage philosophically with many philosophical problems. In the chapters that follow he goes on to make it abundantly clear why those reasons are good ones. The result is an admirably judicious approach to the question "Was Aquinas a theologian or a philosopher?"

When it comes to biographical and related textual matters, Porro is familiar with the most recent findings of the Leonine Commission, to which he frequently draws attention when trying to say how various works of Aquinas can be dated in relation to each other. He does not give us a biography of Aquinas comparable to books such as Jean-Pierre Torrell's *Saint Thomas Aquinas: The Person and His Work* (1996). Yet his book exhibits the same high standard of historical scholarship as that displayed by Torrell and scholars similar to him. And Porro's expositions of Aquinas are always solid and defensible. A single volume cannot provide detailed analyses of all philosophically interesting writings that Aquinas produced. So Porro selects some to be noted in detail while passing over others in a cursory way or in silence. But his selection gives readers a good sense of what Aquinas's philosophy amounted to as it evolved. I was especially impressed by his discussion of Aquinas's commentaries on Aristotle. I was also impressed by the way in which he brings out the seriously negative approach to God that Aquinas develops in the wake of his claim that we do not know what God is. Some readers of Aquinas do not seem to realize that he meant what he said when stating that we do not know what God is. Porro explains to such people why Aquinas meant exactly what he said.

Porro seems to favor Aquinas's philosophical thinking, but not rigidly so. He occasionally laments some of Aquinas's conclusions. He does not develop his reasons for approving or disapproving of Aquinas's philosophy to the extent that certain contemporary philosophers might wish him to have done. But then, of course, there is only so much that one can do in a book reporting on a huge number of Aquinas's writings while also trying to contribute to the history of philosophy and the history of Aquinas himself.

Fordham University BRIAN DAVIES

The Wise King: A Christian Prince, Muslim Spain, and the Birth of the Renaissance. By Simon R. Doubleday. (New York: Basic Books. 2016. Pp. xxix, 304. $29.99. ISBN 978-0-46-506699-5.)

In this highly readable new biography of Alfonso X *el Sabio* of León-Castile, Simon Doubleday takes a fresh look at a ruler who styled himself "king of the three religions"—that is, of Christianity, Judaism, and Islam. Alfonso X (r. 1252–1284) came to power in a kingdom that was struggling to absorb a vast amount of territory and people recently conquered from Muslim Iberia, and devoted himself to expanding his borders still farther. But he was also keenly aware of, and eager to participate in, the rich intellectual heritage created by generations of Muslim, Jewish, and Christian scholars in the lands he now ruled. He and the diverse scholars he patronized produced a dazzling array of books on a whole library of subjects, including his-

tory, astrology, chess, the miracles of the Virgin, the properties of stones, and—perhaps most famously—law, in the great compendium known as the *Siete partidas*.

Doubleday uses this tour de force of cultural production as a lens through which to view the often tumultuous events of Alfonso's life and reign. The result is a gently humanizing portrait of the Wise King, which allows his personal aspirations and failures (he had plenty of both) to illuminate his creative and intellectual interests. Each of the nine chapters explores a theme of Alfonso's work—such as humor, friendship, medicine, or love—and relates it to significant episodes in his life. Yet the book's thematic structure also manages to be roughly chronological, so that the reader follows along the course of Alfonso's life from childhood to death. Doubleday's skill in making this complex structure so accessible should not be overlooked.

The subtitle's reference to "the birth of the renaissance" may rouse medievalists' suspicions, accustomed as we are to the constant discovery of "renaissances" throughout the Middle Ages. But Doubleday is very clear that the late thirteenth century in León-Castile, culturally vibrant and innovative as it was, did not inaugurate the Italian Renaissance. Nevertheless, he argues, Alfonso's wide-ranging intellectual pursuits did not happen in a vacuum. Doubleday shows the broader European impact of Alfonso's work and patronage, ranging from a widely read treatise on astrology produced under his aegis to his personal acquaintance with the Florentine statesman and scholar Brunetto Latini. The book is thus a welcome reminder that later medieval Iberia had a profound cultural and political influence on the rest of western Europe, and was not merely a passive recipient of ideas and pressures from outside the peninsula.

The Wise King is a welcome addition to Alfonsine studies. Impeccably researched, it is also easily accessible to a non-specialist audience, including undergraduates. One certainly hopes it will help acquaint a general English-speaking readership with this extraordinary Iberian monarch.

University of Maryland JANNA BIANCHINI

Translating Clergie*: Status, Education, and Salvation in Thirteenth-Century Vernacular Texts*. By Claire M. Waters. [The Middle Ages.] (Philadelphia: University of Pennsylvania Press. 2016. Pp. xviii, 289. $69.95. ISBN 978-0-8122-4772-5.)

In the Romano-German pontifical compiled at Worcester under Wulfstan and his successors, the bishop is instructed to prostrate himself with fellow penitents during the recitation of the litany on Maundy Thursday, physically making him both their companion and intercessor in the *ordo*. Managing the postures of humility is one of the important sociologies of the regular life, as Rachel Fulton has argued, and abbots or bishops have a duty to enact these gestures for the community.

This episcopal gesture came to mind as I read Claire M. Waters' intriguing exploration of Anglo-French works of religious instruction. She argues that the

relationship between master and disciple in these texts is grounded in a shared knowledge of their "common fate as mortal sinners" (p. 8), a stance that allows for an assimilation of their respective roles. Some of the texts central to Waters' argument include: Honorius Augustodunensis's *Elucidarium* and *Speculum Ecclesiae*, William of Waddington's *Manuel des pechiez*, Robert of Gretham's *Miroir*, Pierre d'Abernon's *Lumere as Lais*, and Robert of Grosseteste's *Chasteau d'Amour*. The first chapter outlines the shift of exegetical authority from the master to disciple through the refashioning of the text as a mirror for both. Waters argues convincingly that the claims of humility and love that motivate this refashioning (such as those made by Pierre d'Abernon) should not be dismissed. The second chapter introduces the debate about lay access to knowledge (reaching back to some of the well-known disputes between Abelard and Bernard). This problem is especially relevant to teachings about death and the fate of the soul, which highlight the master's responsibility for his students' salvation and the students' responsibility for moral decision-making. The third chapter introduces the textual pivot of Waters' argument, the Anglo-French apocryphal gospel *L'Évangile de Nicodème*, with its elaboration on the Harrowing of Hell and on the good thief as the paradigmatic lay witness who understands Christ's significance. The fabliaux in chapter four are arguably the most challenging group of texts to integrate into an argument that turns on the lessons of the deathbed and the exemplar of the good thief. But Waters provides a thoughtful analysis of cleric-jongleurs whose "catechetical questioning" (appropriated by lay characters) is both a witty distillation of theology and a critique of the categories of saint and sinner. Chapter five on Marian miracles (primarily Gautier de Coinci's; and the Anglo-French miracles in BL Royal MS 20.B.XIV) undertakes the fullest critique of a clerical learnedness that is blind to the value in even the most rudimentary lay witness.

Waters suggests that the collaborative relationship between master and disciple in these Anglo-French texts is a counterpoint to the preaching on sin that aims to instill fear and guilt in the laity, an argument advanced by Jean Delumeau in *Le péché et la peur* (1983). Waters may be right, and her careful analysis adds to the growing evidence on the sophistication of lay spirituality; yet it is not clear that she really advances her point by citing Delumeau generally. His arguments about the laity have been specifically challenged elsewhere. In the *Afterword*, Waters muddies the matter of the negative counterpoint further with a reference to R. I. Moore's *Formation of a Persecuting Society* (1987).

While this study does not definitively answer the question Waters poses at the outset about whether the laity were seen to possess the qualities of Latin learning ("clergie") associated with their teachers, it amply demonstrates that clerics writing in Anglo-French saw their audiences as capable fellow travelers, able to parse complex doctrinal questions and deserving of respect for their spiritual insight and moral judgment. The volume is an important and welcome addition to the scholarship on religious instruction in the vernacular.

University of Illinois at Springfield DONNA ALFANO BUSSELL

John of Paris: Beyond Royal and Papal Power. Edited by Chris Jones. [Disputatio, vol. 23.] (Turnhout: Brepols. 2015. Pp. xiv, 421. €100,00. ISBN 978-2-503-3280-6).

John of Paris has not been studied as systematically as other Dominicans like Thomas Aquinas or as other anti-papal polemicists such as Dante, Marsilius of Padua, or John Wyclif. This makes him a prime candidate for that latest milk cow of academic publishing: the "Companion" genre of collected articles.

The editor, Chris Jones, introduces his apt volume with a nice survey of John of Paris's life and of recent scholarship. On June 26, 1303, John of Paris signed a petition originating at the court of King Philip the Fair that called for a general council against Pope Boniface VIII. John's famous work, *De potestate regia et papali*, forms part of this conflict. It is not, however, his only surviving work: John also authored an attack on critics of Thomas Aquinas with the *Correctorium Corrupti 'Circa,'* a criticism of secular attacks on mendicant privileges in *De confessionibus audiendis,* and a censure of Arnald of Villanova's prediction of the Antichrist's advent with his *Tractatus de Antichristo,* a critique of transubstantiation in his *Determinatio de modo existendi corporis Christi in sacramento altaris*, some comparatively uncontroversial sermons, and a neglected *Sentences Commentary*. Each of these receives some attention—though the treatment of preaching and confession is scant—but the book really does not go all that far beyond *Royal and Papal Power*. The majority of articles are focused on the *De potestate regia et papali*. There are traditional analyses of its political theory by Joseph Canning, Gerson Moreno-Riano, Takashi Shogimen, and Bettina Koch. A more unconventional theoretical analysis is offered by Lidia Lanza and Marco Toste, who examine John's distinct use of the Aristotelian four causes (efficient, formal, material and final) when discussing the relation of temporal to spiritual power.

But the stand-out piece in the collection is by historians' historian, Karl Ubl, who recently argued that *On Royal and Papal Power* went through several revisions and originated in early 1302 as a response to a Quodlibet in Paris by James of Viterbo, O.E.S.A., (the papalist author of *De regimine Christianorum*). Ubl builds on his now foundational work by taking issue with Brian Tierney's *Foundations of Conciliar Theory,* which reduced John of Paris's ideas to nothing more than a logical consequence of canonistic thought. Looking at the treatment of jurisdiction from the *Sentences Commentary* to *On Royal and Papal Power*, Ubl demonstrates how John came to formulate his radical idea of consent—that rightful jurisdiction comes from below rather than from above—and that this formulation was little influenced by canon law. Having precisely traced the radicalization of John's thinking on papal immunity/accountability, Ubl comes to the general conclusion: "Canonists . . . contributed nothing to conciliarism. Between them and vociferous critics of papal power (chief among them John) there *is* no common denominator" (p. 295).

Andrew Theng attempts to take Ubl's argument about the academic origins of *On Royal and Papal Power* a step further back into the Parisian secular-mendicant

conflict of the 1290s. He thinks the *proemium* reveals an intended audience of secular masters and sees the work's purpose as providing a blueprint for constitutionalism in its compromise of traditional mendicant (*alias* papal) ecclesiology. Accordingly, Theng strives to detach *On Royal and Papal Power* from the 1302–3 conflict by pointing out that not all of John of Paris's positions are royalist ones. This curious piece is probably meant more to provoke thought than to change minds, but the whole intellectual exercise would have been more demanding if it had contained some consideration of Ludwig Hödl's scholarship on secular-mendicant arguments over papal jurisdiction.

Chris Jones brings the volume back to earth when he examines John's use of history: though a dependence on Vincent of Beauvais, O.P., is well known, the *scoperta* of Jones' meticulous research is that John used Martin of Troppau, O.P., and James of Voragine, O.P., as well. Jones extrapolates from these writers "a Dominican template of history" in which the Roman Empire and its ruler fulfilled a necessary role in the unfolding of history. This "template of history" helps explain John's apparently inconsistent retention of some notion of universal temporal authority in the person of the Emperor, while generally arguing for a variety of independent local polities. More evidence would need to be produced to demonstrate a *distinctively* Dominican vision of history: for example, John's contemporary confrere Ptolemy of Lucca, O.P., would have provided an interesting comparison.

In any event, Anna Milne-Tavendale similarily appeals to the particular eschatological tradition of the Order of Preachers as an explanation for John's *Tractatus de AntiChristo*. The Dominican-identity theme continues in Holly Hamilton-Bleakley 's article on the will as a rational appetite where she suggests that John did not simply parrot Aquinas's views in defending him but rather reformulated them in light of the criticisms of Henry of Ghent. The volume concludes with a short but stimulating article by Gianluca Briguglia on the Christological connection between John's radical reinterpretations of the Eucharist and of the Papacy.

As this John of Paris companion volume will undoubtedly be an important point of reference for future study, it is a great pity that it lacks indices of subjects, of modern scholars, and of chapters in *De potestate regia et papali* itself.

The University at Albany (SUNY) PATRICK NOLD

Saint Vincent Ferrer, His World and Life: Religion and Society in Late Medieval Europe. By Philip Daileader. [The New Middle Ages Series]. (New York: Palgrave Macmillan. 2016. Pp. 282. $99.00. ISBN 978-1-137-54041-6.)

The medieval Dominican saint Vincent Ferrer, who conducted a twenty-year preaching campaign throughout continental Europe and played a decisive role in contemporary ecclesiastical and political affairs, has long attracted scholarly attention, particularly in his native Iberia. Scholars have consequently produced a relatively large collection of edited primary sources by and about the saint as well as a plethora of geographically and topically specific studies about various aspects of the

saint's activities and thought. What has been notably lacking from this wealth of published materials, however, has been a single cohesive and comprehensive survey of the charismatic preacher revealed by these sources. Philip Daileader's well-researched study of Ferrer's life fills this scholarly lacuna.

The monograph recreates the events of Ferrer's life and presents them chronologically, beginning with his childhood in plague-ridden Valencia, intellectual training in the Dominican Order, and his eventual ascent through the ecclesiastical hierarchy in the service of the Avignon papacy before turning to his preaching campaign. Daileader spends the majority of the study analyzing the complex social issues surrounding his preaching, which inspired enthralled audiences to act upon several issues important to the Dominican friar, namely, moral reform, the segregation of Jews, and acceptance of the Ferdinand of Castile as the Valencian monarch, ultimately linking these ideas to Ferrer's apocalyptic thought. Finally, Daileader argues that the saint left Iberia amidst waning popularity among Valencian audiences due to his involvement in the Council of Constance, which placed him between the Spanish monarch and the Valencian pope Benedict XIII, preaching in France until his death.

It is, however, in the highly contextualized recreation of Ferrer's worldview, motivations, and intentions that this study particularly shines. Interpreting published sources by and about Ferrer through the lens of political, ecclesiastical, and intellectual history, Daileader vivifies long-standing historiographic debates about the extent of the friar's apocalyptic thought, intentions toward Jewish communities, and relationship to Iberian monarchs and Avignon popes. Notably absent from this otherwise nuanced evaluation of Ferrer's mentality, however—and one largely absent from existing historiography on the saint as well—is the friar's specifically Dominican worldview, one created by years of Dominican education, liturgical practice, and inundation in the Order's vocational propaganda. Such a perspective could have shed light, for example, on the seeming contradiction between Ferrer's letter to the Dominican master general describing the anti-heretical orientation of his activities and his apocalyptic sermons preached about the same time (pg. 49–50) as well as the saint's approach to moral reform beyond his apocalyptic thought (pp. 79–100). Nevertheless, the book successfully positions a complex and controversial preacher within the equally complex and often overlapping political, ecclesiastical, and theological pressures that shaped his life's work.

The monograph closes with some tentative conclusions about the extent to which Ferrer's story can be used to assess more general social trends from the early fifteenth century (pp. 183–187). Although full development of these tantalizing suggestions about Ferrer's relationship to the apocalyptic fears of the period and the oft-studied inter-religious conflicts that rocked the Crown of Aragon is beyond the scope of the text, Daileader's monograph nonetheless provides an important interpretation of the existing evidence on this influential Dominican preacher and a clear consolidation of the most common scholarly debates about his intentions to which research on the wider social trends pertaining to Ferrer can be related. It

does so, moreover, in refreshingly fluid prose that allows the charisma of the Iberian saint so beloved by late medieval audiences to reach through the centuries and grip the modern reader.

University of Toronto KATHERINE LINDEMAN

EARLY MODERN EUROPEAN

Mother Juana de la Cruz, 1481–1534: Visionary Sermons. Edited by Jessica A. Boon and Ronald E. Surtz. Translated by Ronald E. Surtz and Nora Weinerth. [The Other Voice in Early Modern Europe: The Toronto Series, Medieval and Renaissance Texts and Studies, Volume 494.] (Toronto: Iter Academic Press; Tempe: Arizona Center for Medieval and Renaissance Studies. 2016. Pp. xiii, 243. $39.95 paperback. ISBN 978-0-86698-549-9.)

This edited volume of selections from the visionary sermons of Juana de la Cruz (1481-1534) is an exciting addition to the scholarship on women, gender, and religion in early modern Europe.

Juana de la Cruz is a complex figure for scholars of female spirituality. We know her best through the collection of her "sermons"—meditations on biblical themes and events that she delivered in a semi-conscious state, first to her sisters at the third-order Franciscan convent in Cubas where she was the abbess, and later to more public gatherings that would have included secular attendees. She claimed that she delivered these sermons in Jesus' voice. Her narrations often included elaborations on established biblical narratives and provided new interpretations. These meditations were interspersed with her accounts of heavenly celebrations or festivals that she observed during her raptures. The sermons were collected and exist in two manuscript editions and one modern published edition under the name *El libro de conorte* (*The Book of Consolation*). The editors and translators have selected six of her seventy-two sermons for presentation in this volume. Those chosen are "representative of Juan's combination of biblical narrative and allegorical pageantry" (p. 7).

Very significantly, the publication of this work shifts scholarly attention both geographically and chronologically. As the editors note, scholarship on female visionaries has tended to focus on England, the Low Countries, and Italy. And yet Juana de la Cruz deserves a place alongside her more celebrated sisters like Margery Kempe, Mechthild of Magdeburg, and Catherine of Siena. For scholars of female mystics and visionaries in Spain, focusing on Juana de la Cruz also moves the discussion to the period before Teresa of Avila began shaping Tridentine spirituality.

In that vein, the introduction prepared by Jessica Boon is outstanding. Her synthesis and explication of work on religion and gender in pre-Teresian Spain is an excellent resource. She ably guides the reader through the terrain of Spanish mysticism, spirituality, and theology in the first half of the sixteenth century. This allows her, for example, to make important observations about the distinctiveness

of Marian devotion in Spain during this period. Although Jesus was the narrator of Juana's experiences, Boon rightly argues for the prominence of the Virgin Mary in Juana's experiences and how this shaped her claim to authority and legitimacy.

Finally, the introduction also provides a thoughtful consideration of the concept of authorship. Juana did not write these experiences—one of the nuns at the convent did. And she did not, like other female mystics, record her experiences at the behest of a male spiritual director. Boon also weighs the issue of the reception of the text in her discussions of the text's "composition history" (p. 18). One of the manuscripts is heavily annotated and even blacked out in parts. This provides fascinating insight into the reception of her experiences. Notably, where relevant, the introductions provided for the individual sermons in this edition include commentary on this censorship.

The translations are accessible and read comfortably. The introductions to each sermon provide useful explanatory material. The sermons themselves are well-annotated, making them accessible to modern readers. This would be an excellent book for use in courses in history, Spanish language, religious studies, or gender studies. In all, this volume is an important addition to our understanding of female spirituality in a formative religious period.

Cleveland State University ELIZABETH A. LEHFELDT

Patron Saint and Prophet: Jan Hus in the Bohemian and German Reformations. By Phillip N. Haberkern. [Oxford Studies in Historical Theology.] (New York: Oxford University Press. 2016. Pp. xiv, 334. $74.00. ISBN 978-0-19-028073-4.)

A Reformation legend recounts a dream wherein a Saxon prince saw a German monk writing words on a church door with a quill that stretched from Wittenberg to Rome. The monk claimed that the quill came from a 100-year-old Czech goose. Visual depictions featured the quill dislodging the papal tiara while remaining impervious to all efforts to break it. While the ancient goose perished in a bonfire, the dream of Elector Frederick the Wise was about Luther and Jan Hus (after the stake). Though the text of the dream and its visual depictions reflect the thesis of Phillip Haberkern's book, this tale is curiously omitted from his study.

The title notwithstanding, this is not a book about Jan Hus. That said, it is a study devoted to the posthumous memories of Hus. The book might be characterized instead as a volume devoted to dreaming about Hus. The Hus of history is less important than the Hus of faith and portraits imagined by Luther and others.

It is especially challenging to review a book on a topic on which one has already written five monographs. The natural tendency to compare must be suppressed. Phillip Haberkern cannot be compared with Matthew Spinka or any of the others who have essayed judgments on Hus. This is important because the book represents a new approach and the argument is generally reliable. Unlike Spinka,

Haberkern has shifted attention away from Hus to the uses, misuses, and abuses of the martyred priest. This is very much the case in the second half of the book where Hus virtually vanishes. This is not a critique, for this is precisely what Haberkern wants to do. Hence, the figure of Hus, in Haberkern's hands, is an important recognition of the invented Hus on the sacred landscape of fifteenth- and sixteenth-century Europe among communities of Hussites, Utraquists, Lutherans, Protestants, and Catholics. Thus, it is not Hus himself which matters as much as the multiple images produced by this mixed multitude.

What Haberkern succeeds in doing is underscoring the politicizing of history and theology which occurred in breathtaking leaps and bounds across the multiple religious worlds of Europe at the frontier between medieval and modern eras. That politicizing reveals an interest in controlling history rather than participating in it. The treatment of Jakoubek Stříbro (important for Anglophone scholarship) and a sustained analysis of sixteenth-century sources are both new and welcome. What is particularly good about the study is that the narrative and arguments are straightforward and Haberkern avoids confessional prejudice. The bibliography is useful, and while the pictures are not new they are beneficial. Haberkern exhibits a sound grasp of manuscripts and international scholarship, pertinent to the several topics, and his transition of page to stage, or written text to dramaturgical performance, develops a new methodology in Hus studies. The crux of the book remains an elaboration of inventing the past to support the present in hopes of creating the future. Both Luther and Cochlaeus gave Hus a wax nose.

The index is grossly inadequate, and there are far too many copy-editing issues. There are more than fifty errors of one sort or another ranging from inconsistent referencing, spelling, wrong dates, to say nothing of some relevant sources overlooked. Most of this is not serious but it does detract. Nevertheless, as a first book, Haberkern has successfully turned a Ph.D. dissertation into a monograph which advances our understanding of the *memoria* of Jan Hus and the role he was forced to play in the drama of religious conflict in the time of Reformation, Counter-Reformation, and nascent modernity.

University of New England, Australia THOMAS A. FUDGE

Preaching and Inquisition in Renaissance Italy. Words on Trial. By Giorgio Caravale. Translated by Frank Gordon. [Catholic Christendom, 1300-1700.] (Leiden: Brill. 2016. Pp. xii, 274. €125,00. ISBN 978-90-04-32545-6.)

This is the story of Ippolito Chizzola of Brescia (early 1520s–1565). He became a Lateran Canon Regular at the age of twelve, then became a well-known preacher by his late twenties. But he preached heresy by means of carefully chosen words, hints, implications, and omissions. Summoned to Rome, he began to testify before the Congregation of the Holy Office in July 1549. Under questioning Chizzola equivocated on confession, the Eucharist, and other Catholic doctrines. On July 1, 1550, the Holy Office ordered him to make the abjuration of someone

under strong suspicion of heresy. It sentenced him to return to Venice to read the text of abjuration publicly, then to preach sermons admitting his guilt in the same churches in which he had preached heresy in early 1549. After that, he returned to Rome where he lived in a Lateran Canons Regular convent. Then in the early 1560s he became "a zealous Catholic controversalist," who wrote works answering and refuting one of the chief Italian Protestant exile polemicists, Pier Paolo Vergerio. Chizzola also became a Roman informer for Duke Cosimo I de' Medici of Florence, and Chizzola relayed news of papal diplomatic maneuvering and other political and religious matters. Chizzola also tried to influence popes and key cardinals, with little success. Then he suddenly died in 1565. It is an interesting story well told by Caravale. An appendix prints the Italian and Latin transcription of Chizzola's inquisition trial plus an English translation. The English edition surprisingly does not give the provenance of the trial document, a manuscript that Caravale found in the Biblioteca Queriniana in Brescia.

The book was originally published in Italian in 2012; spot checking indicates that the translation is very accurate. However, one wishes that the translator had divided paragraphs as much as four pages long into multiple paragraphs. The Italian edition also included fifty-four letters by and to Chizzola; they are omitted here. While interesting, they are less important than the trial document. Caravale deserves full credit for always giving the original Italian in the notes for translations in the text and for quite thorough documentation. There are two historical slips. Girolamo Savonarola was not burnt at the stake (p. 2); he was hanged and his body burnt. And relying on an old secondary source, Caravale states that Pietro Pomponazzi taught Greek to Celso Martinengo, who influenced Chizzola and later fled to Protestant Europe, at Ferrara (p. 56). However, Pomponazzi (1462–1525) was not known as a Greek scholar; he taught natural philosophy at the University of Ferrara between 1509 and 1512, and Martinengo was not born until 1515.

Overall this is a good book that tells an interesting story that advances our knowledge of the complex religious situation in the middle of the sixteenth century.

University of Toronto Emeritus PAUL F. GRENDLER

"Wie ein Apostel Deutschlands." Apostolat, Obrigkeit und jesuitisches Selbstverständnis am Beispiel des Petrus Canisius (1543–1570). By Patricio Foresta. [Veröffentlichungen des Instituts für europäische Geschichte Mainz, Abteilung für Abendländische Religionsgeschichte, Band 239.] (Göttingen: Vandenhoeck und Ruprecht. 2016. Pp. 528. €90,00. ISBN 976-3-525-10100-1.)

This is not a biography of the Jesuit Saint Peter Canisius (1521–1597), who is usually considered the first German Jesuit though he was a Dutchman. It is rather an investigation of Jesuit identity as "apostles," and of the influence of authorities, especially of secular authorities but also of the pope on the evolution of Jesuit ministries especially in Germany, all as seen principally from the perspective of Peter Canisius. According to Foresta, the Jesuits discovered their apostolic and

pastoral mission, and by extension, their identity in Germany more than elsewhere where they became champions of the Counter-Reformation. As far as Canisius's life is concerned, the book does not extend beyond 1570, the year after he completed his term as the first provincial superior of the Upper German Province, a position assigned him in 1556, though he lived until 1597.

Ignatius Loyola and his first companions saw themselves as living in the manner of the apostles of Jesus; they were active as wandering preachers and teachers much as the early Franciscans. But this life as itinerant apostles was lost to a degree as the Society founded institutions, especially the colleges, which, we should note, also served as pastoral centers. Some Jesuits were not happy with this development including one member of the founding group, Nicholas Bobadilla, and this caused tension in the Society. Jerome Nadal, one of Ignatius's closest associates, when he undertook an official mission to Spain after the death of Ignatius, insisted on the character of the Jesuit as an "apostle," and the famous volume, *Imago Primi Saeculi*, published by the Flemish Jesuits in 1640 to celebrate the centennial of the founding of the Jesuits, compared the spread of the Gospel by the Jesuits to the mission of the initial twelve Apostles.

With regard to the personal vocation of Canisius as apostle, Foresta discusses the vision of the Sacred Heart that he experienced at the time of his final vows in the Jesuits in Rome on September 4, 1549, after which he experienced the Apostles Peter and Paul sending him north as the "Apostle of Germany." The young Canisius had been summoned to Rome where he made the *Spiritual Exercises* under the direction of Ignatius himself and then had been dispatched to Sicily in 1548 as one of the team of Jesuits that established the first Jesuit college principally for lay students at Messina. The Jesuits followed up on initiatives of secular authorities and drew support from them. They contributed significantly to the formation of Jesuit apostolic identity. It was the city fathers of Messina who urged the Jesuits to establish a college in that city. In 1549 Duke William IV of Bavaria requested from Ignatius Jesuits to reform academic life at the University of Ingolstadt, where John Eck had taught earlier, and Ignatius dispatched three there including Canisius, who would then serve as rector of the university for one year when he was thirty years old. At the behest of King (then Emperor) Ferdinand I Ignatius then sent Canisius to Vienna to teach theology at the university, where he also served as acting bishop for one year. While there he wrote, at the urging of Ferdinand among others, his great catechism, the *Summa Doctrinae Christianae,* which was initially intended for use in the Habsburg lands of Ferdinand. Foresta chronicles in detail the negotiations between Canisius, Ferdinand, and other Jesuits over the content and the form of the catechism. Ignatius for his part, it seems to me, interpreted these requests from secular rulers as inspired by the Holy Spirit to point the Society in a particular direction.

This is a difficult, densely written book, and one sometimes loses sight of where the author is heading. One might certainly question the extent to which he assigns to Germany the evolution of Jesuit identity. The book contains many insights and is

valuable also for its exhaustive presentation of the literature in the notes and bibliography and a concluding appendix on the current state of Canisius research to which the author has significantly contributed in this and in other publications.

Loyola University Chicago (emeritus) ROBERT BIRELEY, S.J.

Lifting Hearts to the Lord: Worship with John Calvin in Sixteenth-Century Geneva. By Karin Maag. [The Church at Worship.] (Grand Rapids, MI: William B. Eerdmans Publishing Company. 2016. Pp. xiv, 209. $28.00 paperback. ISBN 978-0-8028-7147-3.)

This is a volume in the series "The Church at Worship," "a series of documentary case studies of specific worshiping communities from around the world and throughout Christian history—case studies that can inform and enrich worship practices today" (back cover). For contemporary Reformed communities, it can perhaps be recommended: Karin Maag has assembled and, in the majority, herself translated a range of different kinds of sources which speak to many different aspects of worship in Geneva during Calvin's time there. The sources include, in roughly the order arranged in the volume, excerpts from the Registers of the Consistory; black and white photographs of early modern objects and images; treatises, letters, and other works by Calvin; a "Catholic" polemical treatise; the various orders of service; Calvin's sermons; Calvin's teaching on baptism, prayer, and the Supper; the Ecclesiastical Ordinances; Consistory records; Genevan Council minutes; Ordinances for Supervision of Churches in the Country; Statutes of the Genevan Academy. As this quick list suggests, the documents are neither in chronological order nor organized according to topic.

But these splendid sources are framed in ways that interfere directly with their use, even, one might argue, by those today who view Calvin as the founder of their Church, and certainly by historians. The largest of those frames impedes her own interpretation of the sources and perpetuates a number of old chestnuts of Reformation polemics. Throughout the volume Maag uses the term, "the Reformation." She neither offers a definition nor acknowledges how very contested the term is, nor does she at any point acknowledge that "reform" might precede the sixteenth century. Instead, she uses the term foremost to refer to the changes in Geneva's practice of Christianity that were instituted during Calvin's time there. "The Reformation," then, becomes an act of a particular time and place, against what she repeatedly calls "Roman Catholicism," which she equates, without discussion, with medieval Christianity. This leads to a number of errors, not least confusion about the protean nature of the Mass, its own changes over time, of liturgy more generally, and about medieval prayers. Her confessional lens leads to her errors of definition, embedded in the margins ("Chrism," for example, or "paternoster"); and to perpetuate a number of caricatures from Protestant polemics, one of the most egregious, the notion that medieval Christians received communion only once a year, which was the minimum—not the maximum—of medieval practice; depending on a person's prior practice, then, four times a year could also be a reduction in access

to the sacrament. Following those polemics, she also elides the categorical difference between popular appropriations and formal rites, particularly in the section of sources drawn from the Consistory records.

The literature that appears in notes or as recommended reading at the end of the volume is confessionally exclusive and monolingual. Most critically missing is Christian Grosse's careful and archivally rich study of worship in Geneva, *Les Rituels de la Cène*. Maag recommends no readings in English outside those exclusively on the Reformed tradition.

Sadly, it is also not possible simply to direct students to read the sources, as they are also visually framed in the margins by those errors of definition, as well as directions that reinforce sixteenth-century "Protestants'" own representation of history and liturgy. I hope very much that Karin Maag will publish the sources she has so carefully gathered in a form open to multiple readings and to other understandings of the sixteenth century.

University of Wisconsin–Madison LEE PALMER WANDEL

Bad Queen Bess? Libels, Secret Histories, and the Politics of Publicity in the Reign of Queen Elizabeth I. By Peter Lake. (New York: Oxford University Press. 2016. Pp. xii, 497. $60.00. ISBN 978-0198753995.)

Peter Lake's new study of Elizabethan politico-religious conflicts extends both his recent efforts to relocate Catholic texts and culture at the center of early modern English historical studies and his techniques of reading literary and polemical texts as historical evidence. Lake examines the ongoing dialogue between, on the one hand, Latin and vernacular Catholic texts and, on the other, Elizabethan Protestant polemics: despite their common use of paranoid, conspiracy-obsessed discourse, they highlight the national *and international* political and religious stakes involved in such subjects as the mixed monarchy, religious persecution or toleration, the succession question, the uncertain boundary between Church and State, foreign intervention for religious or political reasons, and papal temporal (and deposing) power. Lake focuses on several crisis moments from the late 1560s through the early 1590s, highlighting the texts generated by the Northern Rebellion (1569) and the prospective match of the Duke of Norfolk with Mary, Queen of Scots; Queen Elizabeth's negotiations for a royal marriage with the French Catholic Duke of Anjou; the conspiracies and assassination plots associated with the Scottish queen; the 1588 Spanish Armada and its aftermath; and the resurgence of Catholic polemic in the early 1590s following new anti-Catholic legislation.

Departing somewhat from ordinary historiographical procedures, Lake devotes a lot of space to the close examination of each of the propagandistic texts he has chosen—not only summarizing what is said in them, but also including a *very large* number of quotes in order to "animate and inhabit imaginatively, certain sorts of Catholic political thought" (p. 4): he enters the mindset of the authors he

discusses and ventriloquizes their voices, repeatedly postponing critical analysis. He argues that the Catholic texts pioneered the kinds of political critique that were elaborated throughout the seventeenth century and that, without them, our understanding of Elizabethan politics is distorted.

William Cecil, Lord Burghley, emerges as the main shaper and defender of the English Protestant state, usually hiding behind other authors (such as his client Thomas Norton) or the pose of anonymity to produce answers to Catholic libels and critiques of the Elizabethan regime. "Bad Queen Bess" is not really the focus of the book, since she is the explicit target only in the most radical of the Catholic pamphlets. Most of the Catholic texts, addressing religious and political moderates, eschewed religious controversy and directed their attack on those who served the Queen. Though Lake (rightly) identifies *Leicester's Commonwealth* (*The copy of a letter written by a Master of Art* [1584]) as "one of the great political tracts of the early modern period" (p. 116), a masterpiece of Catholic propaganda employing the "evil counsellor" trope to criticize the Earl of Leicester as a Machiavellian villain, most of the other tracts were aimed at Burghley (and other agents of the regime). Lake criticizes the notion that, according to Patrick Collinson and others, there was an Elizabethan "monarchical republic." He acknowledges the national and international constraints under which Queen Elizabeth operated as well as the attempts of Cecil and others to use parliament and popular opinion to control her behavior, but he thinks it goes too far to characterize Elizabethan government in "republican" terms.

In an age of minimal political transparency that generated fantasies about secret Machiavellian machinations, "secret histories" and libels could fill the vacuum, the space Lake carefully explores in this important study. He makes two interesting points about the uses of media by both Catholic and Protestant polemicists: first, that the Catholic texts written in Latin (such as Nicholas Sander's viciously libelous *De origine ac progressu schismatis Anglicani* [1585]), addressed primarily to a Continental audience, were more politically radical and hostile to the English Queen than the ones presented in English, and, second, that, largely because of the limits of what Queen Elizabeth would tolerate, some responses to Catholic libels were only allowed to circulate in manuscript, a medium exploiting the politics of publicity in a more restrained way (not as official governmental position papers). At the end, Lake gestures toward his subsequent book (*How Shakespeare Put Politics on the Stage: Power and Succession in the History Plays* [2017]), pointing out that the history play of the 1580s and 1590s dealt with the same political material addressed in the pamphlets he examines, making "the politique mode and paranoid style of political analysis . . . available to socially mixed and miscegenated ('popular') audiences" (p. 479). In our own age of "fake news" and paranoid political fantasies, Lake's study is a reminder that history presents us with a messy confluence of fantasy, lies, and partisan distortions more than with the world of civilized rational behavior Habermas envisioned in the "public sphere."

Wayne State University ARTHUR F. MAROTTI

Letters of a Peking Jesuit: The Correspondence of Ferdinand Verbiest, SJ (1623-1688). Edited by Noël Golvers. Revised and Expanded. [Leuven Chinese Studies, Volume XXXV.] (Leuven: Ferdinand Verbiest Institute, University of Leuven. 2017. Pp. 962. €82,00. ISBN 978-908-2090-987.)

With the exception of Matteo Ricci, few figures loom larger over the history of the Jesuit mission to China than that of Ferdinand Verbiest. He stands as the exotic counterpart to the European court Jesuits of the early modern era, employing his skills as an astronomer and engineer in the service of the Kangxi Emperor at Beijing. Indeed, it is primarily due to the prestige of Verbiest, as well as of his immediate predecessor in the role of court astronomer Johann Adam Schall von Bell, that the Jesuit mission to China was for centuries considered a metropolitan affair; that is, one centered upon the Chinese imperial capital in the hopes of bringing about the conversion of the emperor himself. Scholarship in recent decades has revised this rather limited view of the Jesuit enterprise, thanks in no small part to the reconsideration of the missionaries at court whose role was understood by contemporaries to provide protection and, indirectly, patronage to missionaries in the far-flung provinces of the Qing Empire. This new volume of Verbiest's correspondence, painstakingly compiled by Noël Golvers over the course of two decades, is an essential contribution to that on-going project of reimagining the Jesuits in the court of the Chinese emperors in the seventeenth and eighteenth centuries.

Letters of a Peking Jesuit wholly supersedes an earlier edition of Verbiest's correspondence published by H. Josson and Léopold Willaert in 1938, a work that built on the research of H. Bosmans in the early twentieth century. The identification of a substantial number of other documents, as well as a number of errors in the previous edition, gave ample justification for Golvers' new volume. The result of his efforts—including his many other publications on the court Jesuits—is the most complete testament of Verbiest's work that will likely be possible. This volume of correspondence includes not only letters written by Verbiest, but also those sent to him by other missionaries and prelates around the globe. The volume therefore includes documents in several languages including Latin, Portuguese, Spanish, French, and Dutch; a variety of tongues that demanded of Golvers a polyglottism on par with his subject. *Letters of a Peking Jesuit* is also a triumph of bibliographic sleuthing: Golvers tracked down autograph and copied versions of Verbiest's correspondence in libraries and archives throughout the world, cataloging the extant copies in the edition's apparatus. And finally, the editor's depth of knowledge of late Renaissance culture, as well as his many years of studying neo-Latin literature and missionary writings on China, enabled him to provide invaluable annotations to the letters, replete with references to modern and early modern scholarship.

The letters included in Golvers's edition describe several of the iconic moments associated with the Jesuits at the Kangxi court. Verbiest's scientific endeavors are described in considerable detail, as well as his personal relationships with imperial officials and the emperor. Verbiest's work on behalf of the interests of the Society of Jesus, as well as his repeated interventions in favor of the Catholic

missions in China more broadly, are also documented throughout. The variety of topics discussed in the letters themselves are contextualized by a succinct biography of Verbiest, as well as by the numerous explanatory notes that accompany the texts and the comprehensive indices. This large volume will therefore be of great interest to specialists, primarily as a reference work and a source for future scholars working on the Jesuits in China, the early Kangxi period, and early modern missions.

Michigan State University LIAM MATTHEW BROCKEY

The Search for the Man in the Iron Mask: A Historical Detective Story. By Paul Sonnino. (Lanham, MD: Rowman and Littlefield, 2016. Pp. xiv, 252. $35.00. ISBN 978-1-442-25363-6.)

It is not common to begin an academic book review with a spoiler alert, but Paul Sonnino has carefully arranged *The Search for the Man in the Iron Mask* so that the solution unfolds across the volume. Scholars who plan to read the book might skip this to save for themselves the pleasure of having Sonnino, who always writes with verve, lead them through his impressive archival research and decades-long hunt on his own terms.

Sonnino begins by suggesting that "we don't know very much about the age of Louis XIV until we can liberate ourselves from the mystery of the man in the iron mask." He frames this in contrast to "*longues durées,* discourses, and representations [. . .] models, paradigms, and structures" that, he claims, offer dubious insight into the time. (p. 9) He returns to this theme when a line of investigation is destroyed by notarial documents: "how many theories, much more abstract and intricate than this one, which enjoy wide credence among historians [. . .] would stand for a moment if they were subject, like this one, to invalidation or verification by a single document?" (p. 35) These comments, first given in 1991, reflect Sonnino's well-known take on historiography, a "radical empiricism" that avoids dogmatic skepticism through the investigation of the particular and the human. Speculation and inference are still allowed by Sonnino's rules, but only in limited domains.

Some of the connections that Sonnino draws may lose readers, although the overall reasoning, which ties the prisoner to a valet privy to the secretive dispersal of Cardinal Mazarin's estate, including, it seems, jewels from Henrietta Maria, hangs together. Chapters 7 and 9, on the death of Mazarin and the experiences of Nicolas de Fouquet and the unfortunate valet in prison, are particularly inspiring examples of how Sonnino's efforts to combine fact and imaginative sensitivity can open convincing windows into the *mentalités* of individuals. This reader found it unlikely that the man in the iron mask kept himself sane during his imprisonment by serving "for the libidinal relief" of Bénigne Dauvergne de Saint-Mars and other officers, a suggestion that Sonnino thinks may explain the evidence that he was treated with deference by them because he was "an object of their fantasies." (p. 154 and 152) Many grand narratives of history might appear more plausible than that a prisoner of over eighteen years could command such erotic passions, since time

and familiarity would surely have withered his charms. But then, tastes and preferences do vary, as Sonnino himself would acknowledge.

Other readers may balk at the idea that Fouquet would be put to such a scandalous trial—with the opportunity to drag out his accusations against Mazarin—if Louis XIV were so concerned to bury his secrets. But Sonnino's depictions of the tensions and inconsistencies on both the cultural level (prisoners who were isolated from all contact with the world but maintained with a valet who would also need to be kept quiet) and the personal (Louis XIV as "a terrifying monarch in terror of his most helpless subject") reinforce Sonnino's approach to conspiracies as neither too perfect nor too rational to be human (p. 144).

Sonnino's sense of people—from the repulsive Mazarin to the hapless Anne of Austria—resonates throughout. True to his theory, Sonnino denies himself some opportunities to draw larger themes, but the less abstemious can find some: the many legacies of Mazarin, the perilous intimacy of valets with their masters, the willingness of some to bend or break the law but not to violate social custom, and the tendency of eighteenth-century political gossip to imagine some kinds of corruption (heterosexual love affairs, hidden pregnancies or twins, or revenge plots) but not others, like that admixture of venality, ambition, and fear so well described here.

The Catholic University of America CAROLINE R. SHERMAN

A Plague of Informers: Conspiracy and Political Trust in William III's England. By Rachel Weil. [The Lewis Walpole Series in Eighteenth-Century Culture and History.] (New Haven: Yale University Press. 2013. Pp. xvi, 344. $40.00. ISBN 978-0-300-17104-4.)

Professor Weil has written a disappointing book on an interesting subject. She sets out to study informers in Williamite England because this "illuminates the complex interplay of the credit of the state with the credit of individuals" (p. 11). The 1690s were undoubtedly difficult years, with a new governing regime that was simultaneously keen to emphasize how different it was from the Catholic rule of James II, and anxious to downplay accusations of novelty and illegitimacy after a massive invasion of the country. As Weil notes, "The two major goals of the new regime, securing itself against enemies and winning the trust of subjects, were mutually interdependent but sometimes contradictory" (p. 68). The new regime trumpeted its commitment to "liberty," but was forced to lean on the testimony of shady informers to put to death enemies who plotted its overthrow with worrying frequency. How to construct trust was thus pivotally important, both for the Williamite government, and for plot "witnesses." The book is organized in three sections: the first considers matters from the perspective of the state; the second reverses things and turns to informers; the third offers two case-studies, the Lancashire Plot of 1694 and the Assassination Plot of 1696.

It is an unfortunate irony that a book about trust undermines itself so often from beginning to end. The first sentence of main text is deeply tendentious: "In

1688, the English people deposed the Catholic king James II and installed the Protestant William and Mary as joint monarchs (p. 1). There is no overall conclusion, and the index to the book is extremely patchy in its coverage. In between, there are a number of errors of fact, for instance the dates of foundation of the Royal Society, the coronation of William and Mary, and the death of Mary II. The names of places, seventeenth-century people, and modern historians are misspelled. Exclamation marks are rampant. (So too modern slang: "dish dirt"; "pack rat"; "whopping"; "trashed"; "revving up.") In terms of argument, Professor Weil is keen to emphasize the contemporary relevance of her story, and largely approves of Steven Pincus's depiction of 1688 as "the first modern revolution." Thus William's government was "the first liberal post-revolutionary regime" (p. 278). Discussions of informing and trust tend therefore to be couched in terms explicable to social scientists, and to draw on comparisons with modern totalitarian states. Why this is a better approach than examining informing in other parts of the early modern world—the Venetian Republic, say—is not clear. Nor is it obvious why so little secondary literature on courts, witnesses, and testimony is deployed. Finally, Weil's approach to the problematic written evidence of the period becomes wearisomely repetitious. Time and again the reader is offered variants on the theme that "it is impossible to tell at this distance" whether something is true: "We cannot tell"; "it is not always possible to tell the difference"; "it is hard to confirm or disprove the charge"; "remains mysterious"; 'often obscure"; "maddeningly elusive." Since analysis generally hovers at the lit.-crit. level, "whether there was or was not plotting is not important" (p. 224). *A Plague of Informers* is certainly not without merit—the case-studies in particular are suggestive, and will no doubt stimulate future researchers—but it remains a frustrating and ultimately underwhelming account.

Lady Margaret Hall, Oxford GRANT TAPSELL

Ignazio Gaetano de Buset. Visita Spirituale del 1788 in Istria. Edited by Elvis Orbanić. [Associazione Archivistica Ecclesiastica. Quaderni di "Archiva Ecclesiae," 13.] (Vatican City, 2016. Pp. 277. ISBN 978-953-7640-30-9.)

Elvis Orbanić, Ph. D., is an assistant professor, historian, and Director of the State Archives in Pazin. The book is co-published by the Croatian State Archives and the State Archives in Pazin. It deals with the record made during the spiritual visitation on 178 sheets preserved in the archives of the Diocese of Pićan (Pedena) and today kept in the Diocesan Archives in Trieste. The four small tomes recording the visitation were written in Italian and were drafted between March 31 and August 31, 1788. It is worth mentioning that the Pićan Diocese was dissolved on August 20, 1788, as part of the major changes of the diocesan borders carried out by the Austrian Emperor and King Joseph II, and continued after his death until the prominent reform of 1828 under the papal bull issued by Leon XII *Locum beati Petri* intervened.

The volume comprises a transcription of the visitation and its translation into the Croatian language. It also brings the Report on the behavior of the parish

priests and curators of the Pićan Diocese and the Austrian part of the Poreč Diocese, and the internal status of the churches.

The author of the spiritual visitation, Ignazio Gaetano de Buset (1745–1803), was external vicar of the Poreč Diocese for its Austrian part. The understanding of this spiritual visitation requires familiarity with the administrative and ecclesiastical structure of Istria, in particular of the Pazin County. Orbanić, the editor and author of the introductory chapter, offers the readers and the scientific community an overview of the relevant bibliography essential for the church history whereby, unlike numerous other historiographers, he integrated the authors and archives of Croatia, Slovenia, and Italy.

If Josephinism was the context in which this visitation was undertaken, the year 1788 can be considered as the "heart" of Josephinistic measures adopted in the area. Namely, the dissolution of monasteries and fraternities and the rearrangement of the diocesan borders were well under way. Josephinism was in the background of this visitation in the sense that measures and observations made by de Buset, an engaged church officer, cannot be understood without familiarity with its bearings. De Buset asked the priests of Pićan about the burial of the dead, education, collection of alms, and processions. State intervention in spiritual matters is obvious in cases when liturgical books had to be censored if contrary to Josephinism. The regular questions asked by de Buset were also those relating to processions and the cult of relics. Josephinism, and its later component Jansenism, presented a reaction to Baroque piety. Processions and relics were important constituents of the Baroque-type religious life, which shaped the time of Catholic renewal, i.e., the Counter-Reformation. The Josephinistic intention to reform the religious life is obvious in these questions.

The visitation shows to what degree the State, shaped under the Josephinistic principles, counted on the role and operation of the Church and its servants to improve the life and promote health and hygienic measures among the population. Regardless of the numerous anti-church measures, Josephinism, this Austrian-type enlightenment, furthered the life conditions of people in most respects.

The 1788 visitation by de Buset took place in the times of the most forceful interventions of the state authorities into church life. In the same year the Diocese of Pićan and the Diocese of Trieste were dissolved (permanently and temporarily respectively), together with numerous monasteries and fraternities.

The translation of the text from the Italian language into the Croatian language was made by Jakov Jelinčić and Elvis Orbanić. An excellent translation from Croatian into Italian was made by Marino Manin.

The text is accompanied by geographical maps presenting the borders of the Austrian and Venetian division of the Istrian peninsula. Diocesan borders crossed the secular borders and the carrying out of the regular church administration required finding various ways to enable successful care of the religious life.

By confiding the publication of the visitation to a first-class publisher of church history in the Vatican, the editor, Elvis Orbanić, made a step forward rarely dared by other Croatian historians. However, the success of this endeavor does not only rest in the place of publication and the institute co-publishing this work. Namely, by publishing the source relating to the Poreč and Pićan Dioceses, today kept in the Diocesan Archives of Trieste, Orbanić overcame administrative and linguistic boundaries. By citing profuse bibliography, integrating bibliography stemming from Croatia, Slovenia, and Italy, he has proved himself to be a serious and thorough historian who is showing the way to those who in the future will want to study the church (and social) history of Istria.

Zagreb University MARKO MEDVED

Wesley and the Anglicans: Political Division in Early Evangelicalism. By Ryan Nicholas Danker. (Downers Grove, IL: InterVarsity Press Academic. 2016. Pp. 304. $26.00 paperback. ISBN 978-0-8308-5122-5.)

In this work, Ryan Danker explores the significant but often contentious relationships between John Wesley and other Anglican clergy involved in the eighteenth-century Evangelical Revival. Danker challenges the standard explanation that the separation of Wesley and Evangelicals within the Church of England toward the end of the 1760s was simply the outcome of theological debate, primarily about predestination and Christian perfection—the Arminianism of the Wesleyan Methodists versus the Calvinism of Anglican Evangelicals. He argues instead that while theology certainly played a role in the Evangelical Revival and in the ultimate separation of these two groups, important social and political pressures also need to be considered.

Chapter One describes the Evangelical clergy within the Church of England in order to begin to delineate their relationship to Wesley. In Chapter Two Danker shows how Wesley fit within the larger picture of English Evangelicalism. He situates Wesley and his evangelical conversion at Aldersgate, where his heart was "strangely warmed," in the overarching context of the trans-Atlantic revival. Use of public tracts by Wesley and his opponents alike is the subject of Chapter Three, which provides a fascinating glimpse into the power of print materials in shaping public perceptions of the broader evangelical movement.

That section is followed by a contextual examination of Methodist structure and its implications for the eventual separation between Wesleyan Methodists and Anglican Evangelicals, an endeavor that spans the next three chapters and covers a range of topics including Methodist society, class, and band meetings; Wesley's use of lay preachers; and eucharistic administration by lay preachers. These distinctive practices espoused by Wesleyan Methodists strained their relationships, and particularly Wesley's relationships, with Evangelical Anglicans, to the point of sometimes arousing suspicion of Methodist rebellion against the Church of England. For example, the work of Methodist lay preachers within parishes with an already established Evangelical Anglican presence raised concerns about Methodist incursions into

Anglican Evangelical enclaves and contributed to growing divisions between these two groups. Taken together, these practices critical to the formation of Methodist identity reflected an increasingly distinct ethos and polity for Wesleyan Methodists over against Anglicans, and those social and structural differences contributed in their own right to the later split between Methodists and Anglican Evangelicals.

Chapter Seven highlights political dynamics that further divided these groups. A changing political environment under George III led to a certain imperialistic hegemony and tainted public impressions of evangelicalism. Danker describes the expulsions of six Oxford students in 1768 for "methodistical behaviour" and the ensuing political and ecclesiastical fallout, which exemplified a larger political and cultural trend toward marginalizing Evangelicals and squashing dissent, perceived or actual. These emerging political realities added to the forces pushing Wesley and the Methodist movement to the periphery of Anglican life.

In chapter Eight, Danker proposes a new Anglican historiography, one that views Wesley as a high churchman influenced by traditional elements common to Anglican, Roman Catholic, and Orthodox Christianity (such as an emphasis on the centrality of the Eucharist and ancient forms of liturgy) and focused on patristic writings. By contrast, the Evangelical Anglicans of Wesley's day were primarily influenced by renewed interest in the theology of the English Reformers and the Puritans. This paradigm sheds light on the theological controversies that erupted between these groups throughout the eighteenth century. The conclusion brings together salient themes and analyzes Wesley's failed attempts in the 1760s to form an Evangelical union based on shared theological commitments. As Danker concludes, such efforts had little or no chance of effectiveness, given the convergence of various factors—including social, political, and ecclesiastical dynamics, and not simply theological concerns—that together account for the deterioration of Evangelical/Methodist relations.

From beginning to end, Danker effectively locates ecclesiastical and theological differences within their broader context in eighteenth-century England. The result is an engaging and richly detailed account of the development of evangelicalism and early Methodism. Any readers—whether Anglicans, Methodists, Calvinists, Catholics, or others—who desire to learn more about this period of history and its implications will benefit from reading Danker's contextualized and convincingly argued book.

Spry Church (United Methodist), York, Pennsylvania KENNETH M. LOYER

The Scots College, Spain, 1767–1780: Memoirs of the Translation of the Scotch College from Madrid to Valladolid. By John Geddes. Compiled by Michael Briody. (Salamanca: Universidad Pontificia de Salamanca. 2015. Pp. 202. €17,00; £15.00 paperback. ISBN 978-84-16066-61-2.)

The Catholic Church was almost wiped out in Scotland at the Reformation, surviving only as a tiny remnant, poor, illegal, and persecuted. Because of the dan-

gers at home Scottish seminaries were established in several Catholic cities abroad, whence priests could return to lead the slow rebuilding. One was in Madrid, where a property had been gifted to the Scots for this purpose in 1627. It was administered by the Jesuits, and when in 1767 that Society was expelled from Spain it passed into the custody of the Spanish Crown. Three years elapsed before the Scottish bishops sought to save their College, by which time it was about to fall into the hands of the Irish.

The priest they sent over to Spain, Mr. John Geddes, had the delicate task of securing their right to the College against rival claimants, and at the same time to effect its transfer from Madrid to the more congenial climate of Valladolid. He was only 34 and had no knowledge of Spain or Spanish. But in every other respect he was an ideal choice—energetic, mature beyond his years, a consummate tactician, meticulous, patient yet dogged, and with a winning integrity and charm. Few could have picked their way through the labyrinths of bureaucracy and opposition that he encountered, but he succeeded: in spring 1771 the College re-opened in Valladolid with himself as rector. But it would take a further eight years before all the old College's possessions were recovered and every loose end tied up. In autumn 1779 John Geddes was appointed bishop for the Lowland District of Scotland, and a year later he returned home to take up his new post.

The full story of the long negotiations between 1770 and 1779 is chronicled in *Memoirs of the Translation of the Scots College from Madrid to Valladolid*, which he penned during his last months in Spain for the benefit of future rectors and his fellow Scottish bishops. It is a remarkable document, running to almost 70,000 words and so detailed that one must assume that he had kept a diary of all his meetings, journeys, and correspondence throughout those years, on which he based the work. The text would probably prove somewhat "prolix and minute" for the casual reader, as he himself noted; but for the historian it provides an invaluable resource. And his fear that it might read like "coarse bulky ore," which he would have sifted and refined had time permitted, is quite unwarranted: in fact, it is fluently argued, measured, and written with authority and style, as one would expect of the man.

Father Michael Briody, himself a Valladolid alumnus, has performed an important service in transcribing and editing the *Memoirs* for publication. To accompany the text he provides an introduction, explanatory notes, and further useful information—including, for example, brief sketches of Geddes' first students, some of whom later became key figures in the Catholic Church both in Scotland and the New World. He does not offer a bibliography, but the footnotes include several published sources to which the reader may refer in order to fill out the religious and political background. The detailed "Summary of the Contents" of Geddes' text is especially helpful for finding one's way quickly to particular events or protagonists.

The volume is most attractively presented and illustrated. It will be warmly welcomed as an excellent addition to the corpus of works now available on the

Scots Colleges in Europe, and will be required reading for every serious student of the Scottish Catholic Church in the Penal era.

Addiewell, West Lothian, Scotland JOHN WATTS

LATE MODERN EUROPEAN

Mother of the Church: Sofia Svechina, the Salon, and the Politics of Catholicism in Nineteenth-Century Russia and France. By Tatyana V. Bakhmetyeva. (DeKalb: Northern Illinois University Press. 2016. Pp. xii, 332. $45.00. ISBN 978-0-87580-737-9.)

Bakhmetyeva provides a compelling portrait of Svechina, of early nineteenth-century Russian Catholicism, and of the wider world of nineteenth-century French Catholicism, where Svechina played an important role. She uses extensive primary and secondary printed and archival sources, particularly those of the Bibliothèque Slave. Born into an aristocratic family in Moscow in 1782, Sofia Soimonova early demonstrated unusual intellectual talent and received an excellent education in languages, literature, science, and philosophy. Married at seventeen to the forty-year-old General Nikolai Svechin, she played an active role in St. Petersburg's salons, where women, who had little public role, became "deeply enmeshed" (p. 36).

The Russian nobility had become increasingly westernized and, like elites in Western Europe, were shaken as Enlightenment humanism was challenged by the French Revolution and Napoleon. While almost all aristocrats were baptized into the official Russian Orthodox Church, its clergy, with few exceptions, like Metropolitan Filaret Drozdov, were scorned as uneducated and its theology as lacking. Hence, many, like Emperor Alexander I, looked for answers elsewhere: Masonry, Pietism, mysticism, and, for a few, Catholicism. In the salons, Svechina encountered Russian converts to Catholicism, Jesuits, and Catholic émigrés, most importantly, Joseph de Maistre. Like other converts, she first sought certainty in Orthodoxy before becoming a Catholic in 1815.

Bakhmetyeva exaggerates the number of converts; at most there were several dozen, not two to three hundred (p. 55), as well as the number of male converts. Men ran "the risk of jeopardizing their careers" (p. 69), if they rejected the official church, which was condemned as unpatriotic, especially under Nicholas I. It is misleading, however, to claim that converting meant choosing "Catholic France" (p. 4) over Russia, for as Bakhmetyeva says later, Napoleon was seen as the Anti-Christ (p. 52) and the Catholic Church as a bulwark of legitimacy. The author shows how the expulsion of the Jesuits, welcomed by Russia earlier, from St. Petersburg in 1816 dismayed the small Russian Catholic community, leading some to emigrate to Catholic Western Europe, like Svechina in 1816. The author also discusses later Russian converts to Catholicism.

The strongest part of Bakhmetyeva's book is her description of Svechina's influence in Paris, where she lived until her death in 1857. There, her salon

attracted prominent Catholics like Lamennais, Lacordaire, Falloux , Montalembert, Ravignan, Ozanam, Tocqueville, and Dupanloup. Fervently devout, she promoted a liberal Catholicism which looked to the pope against state control of the Church in France but saw her hopes diminish after Pius IX condemned modern thought. She remained loyal to Russia and depended on income from her estates there, condemning the Polish Revolution of 1831 and lamenting the Crimean War as a civil war.

There are a few errors and typos. The Russian Bible Society was not an "innocuous" expression of universal Christianity (p. 75), but was promoted by the emperor himself and condemned by the Catholic Church. Gabriel Gruber was not "deported to Russia" in 1784 (p. 83), but went voluntarily. Some French and Russian transliterations are inconsistent. For example, Jean Gagarine and Ivan Gagarin are the same person. Also, it should be St. Francis Xavier, not St. Xavier (p. 84), laissez, not laissât (p. 158), Raeff, not Raef (p. 276), obrashchenii, not obrashtchenii (p. 283), Kozlovskii, not Kozlocskii (p. 283), Gesù, not Gésu (p. 299), and Fidelis Grivel, not Fidelio Grivel (p. 313). And there were not 300,000,000 French in Russia after 1812 (p. 277).

The book is strongly recommended as a comprehensive account of Sofia Svechina and of Catholicism in early nineteenth-century Russia and in the ensuing decades in France.

Saint Louis University DANIEL L. SCHLAFLY

Religious Experience in the Work of Richard Wagner. By Marcel Hébert. Edited by C.J.T. Talar. Translated by C.J.T. Talar and Elizabeth Emery. (Washington, D.C.: The Catholic University of America Press. 2015. Pp. xlvii, 128. $65.00. ISBN 9 8-0-813-227412.)

Although the Jesuit philosopher Abbé Marcel Hébert (1851-1916) left seminary "a convinced Thomist" (p. xxi), his philosophical outlook was to change considerably after studying Kant and Schopenhauer. This, together with the growing interest in Wagner in France (see especially the *Revue wagneriénne*) and the symbolist movement which looked to Wagner for its inspiration, meant that it was natural for this priest to turn to the composer for new inspiration in what was later to be termed "Modernism." Hébert taught at the École Fénelon in Paris, becoming its director in 1895. However, when his unorthodox views become known to the Church hierarchy, he resigned his position and in 1903 "quietly left the church" (p. xxiv n. 10). Although his book *Le sentiment religieux dans l'œuvre Richard Wagner* (1895) sparked interest, its impact being enhanced by the review of the Wagnerian Abbé Arthur Mugnier, "the confessor of all Paris," it has fallen into obscurity, unjustly in my view. Therefore I welcome this translation with its foreword by Stephen Schloesser and introduction by the translators C.J.T. Talar and Elizabeth Emery (who have also included a translation of Mugnier's review). Their rendition reads well and Hébert's original footnotes are supplemented by references to Eng-

lish translations of Wagner's prose work by William Ashton Ellis, to modern translations of the Ring, and to English translations of secondary literature.

The purpose of Hébert's book is to trace the evolution of Wagner's view of "religious experience" ("sentiment religieux") in key stage works and theoretical writings, starting with the sketches *Jesus of Nazareth* (1849) and finishing with *Parsifal* (1882). The book is full of insightful remarks showing, for example, a close study of Arthur Schopenhauer with nuanced comments on the relation of Wagner to the philosopher (pp. 52–56). I wonder though whether he does full justice to Christian theology in the *Jesus of Nazareth* sketches, where he claims that the composer had replaced the ancient beliefs of Christianity with "an entirely naturalistic and humanitarian faith" (p. 36) and that he "interpret[s] the doctrine of Jesus through his own anarchist doctrine" (p. 31). I may add that although Houston Stewart Chamberlain was impressed on meeting Hébert (letter to Cosima Wagner of December 16, 1893) he made a similar criticism of the Abbé in this book *Richard Wagner*.

Hébert closes his work by reflecting on the then current situation in France "in which the renewal of philosophical, scientific, and historical ideas has rendered Christian theology a dead letter for the intellectual elite" (p. 97). Wagner appears to come to the rescue in that he breaks us free from 'dogma' since, as he puts it in his essay *Religion and Art* (1880), music alone has the capacity to "reveal in incomparable accuracy the very essence of the Christian religion" (p. 95 n. 11). The composer certainly suited Hebert's Symbolist agenda.

Generally speaking, Hébert knows his Wagner although it is striking that the actual music is not discussed. Wagnerians may wonder why he dates Georg Herwegh's introduction of Wagner to the philosophy of Schopenhauer as early as 1852 (rather than 1854); but there is some justification for this view and the editors' Introduction (p. xxxii) refers to Edouard Sans' 1969 book on Wagner and Schopenhauer and qualify Hébert's claim. Note that Hébert quotes from "The Work and Mission of My Life" and "Letter on Music" to provide "an accurate summary" of his thought in the ten-volume selected works. However, the former was actually written by Hans von Wolzogen, and although Wagner did sign the original English manuscript he later distanced himself from it. The latter work is better known as "Music of the Future" and is a rough French equivalent of "A Communication to my Friends."

University of Nottingham RICHARD BELL

Historians and the Church of England: Religion and Historical Scholarship, 1870–1920. By James Kirby. [Oxford Historical Monographs.] (New York: Oxford University Press. 2016. Pp. xi, 257. $100.00; £60.00. ISBN 978-0-19-876815-9.)

The central argument of James Kirby's elegant monograph on British historical scholarship between the mid-nineteenth century and the end of World War I is that many of the most influential and widely-read historians of the period were committed members of the Church of England, some lay and many ordained.

Kirby begins by establishing the importance and prestige of history in late-Victorian and Edwardian Britain, noting that a popular work like J. R. Green's *Short History of the English People* (1874) vastly outsold the novels of George Eliot and Charles Darwin's *On the Origin of Species*. He explores the formation of the "Anglican historians"—E. A. Freeman, William Stubbs, J. S. Brewer, Nicholas Pocock, J. E. Thorold Rogers, J. R. Green, R. W. Dixon, Mandell Creighton—noting the influence of the worldview of the Oxford Movement, with its emphasis on the historical continuity of the Church. The opportunities for scholarship are then examined by investigating "the learned Church," with its well-endowed parishes, its tradition of intellectual activity among the cathedral clergy, and its near-monopoly of tenured posts at the universities of Oxford and Cambridge. Having set the scene, Kirby then investigates four themes in British history, showing how they were addressed by his Anglican scholars. He considers the Nation (and the role of the national Church), the Constitution (and the vexed question of the English Civil War), social and economic history from the Middle Ages to the industrial revolution, and the particularly neuralgic issue of the Reformation Settlement. Kirby's scholars were not necessarily in agreement on all of these topics. Dixon, Freeman, and Stubbs, for example, emphasised the continuity of the English Church across the Reformation, praising the Elizabethan Settlement as a triumph of authentic English (and Anglican) Catholicism. Brewer and Pocock, on the other hand, espoused a more thorough-going Anglo-Catholic view, owing something to the polemics of Hurrell Froude, and vigorously repudiating the English Reformers and all their works. As Freeman wrote to Green in May, 1869: "once a month (as some men get drunk), [Pocock] roasts a Reformer in the Sat. [urday] Rev. [iew]" (p.181). In his final chapter, Kirby turns to providence and teleology, showing that these historians eschewed the Positivist theories of H. T. Buckle ("an ignorant windbag," in Freeman's opinion—p. 191), and espoused a subtle and flexible teleology which allowed for an ultimately mysterious Providence drawing good out of the contingent choices of flawed but free human beings. Kirby persuasively connects this with a theological focus on the Incarnation, and with an ecclesiological emphasis on the Church as an extension of the Incarnation. An epilogue reflects on the gradual decline of the Anglican school of English historiography, blaming agricultural depression, the equalization of stipends and the expansion of other career opportunities for bright graduates for the demise of the "learned Church."

James Kirby has written a well-researched and erudite study. One reservation: Kirby's heroes are almost all High Churchmen or Anglo-Catholics, with an occasional reference to Broad Churchmen. The Evangelicals are discounted, as are Nonconformists of all shades—the dismissive reference to the Countess of Huntingdon's Connexion, in which J. N. Figgis was raised, as "a Methodist sect" (p. 102) speaks volumes. Evangelical Anglicans and Nonconformists wrote and read history in this period, and more might be made of this constituency. And although it is gratifying for a reviewer to find his own work cited, it is disappointing when his name is consistently misprinted in the footnotes and the bibliography.

Oxford Methodist Circuit MARTIN WELLINGS

Hitler's Religion. The Twisted Beliefs That Drove the Third Reich. By Richard Weikart. (Washington, D.C.: Regnery History. 2016. Pp. xxx, 386. $29.99. ISBN978-1-62157-500-0.)

In this eminently readable and insightful book, Richard Weikart investigates Adolf Hitler's personal beliefs. Questions about Hitler's religion continue to animate and divide scholars, not least because Hitler frequently lied about his religious convictions to mollify and mislead his supporters and gain political advantage.

Not surprisingly, Hitler was much preoccupied with Christianity and the Catholic and Protestant churches in Germany. Weikart takes to task scholars, most notably Richard Steigmann-Gall, who, in part based on Hitler's early conciliatory tone toward the churches, concluded that Hitler was "a sincere Christian, at least until 1937" (p. 71). Weikart instead contends that "the evidence is preponderant against Hitler embracing any form of Christianity for most of his adult life" (p. 105). Aside from his vicious private condemnation of the churches and "Christianity with its meekness and flabbiness," a careful reading of Hitler's speeches that are often cited as proof of his Christian faith reveal such a distorted conception of Christianity that few would recognize it as such (p. 96). Hitler endorsed a kind of *Kampfchristentum* (Christianity of the sword) that cast Jesus as "a pugnacious anti-Semite" in order to persuade Christians to join in his persecution of Jews (p. 77).

Although Weikart acknowledges the role of Christian antisemitism in "preparing the soil for the Holocaust," he nonetheless posits that Hitler's antisemitism "had little or nothing to do with Christianity or religion" (p. 171). Some scholars no doubt will bristle at this assertion, which is consistent with the author's conclusion that Hitler rejected Christianity in its entirety and, in the long-term, sought to destroy the churches. In this discussion, Weikart closely follows the extant historiography on the topic, and many of the arguments and evidence he presents will strike scholars of the churches as familiar. This is the case because the author did not conduct archival research for this monograph but relied on published primary and secondary sources. What makes Weikart's work noteworthy and important, however, is his methodical and broad analysis that situates the familiar history of Hitler's complex relationship with the Christian churches within a wider discussion of myriad philosophical schools of thought and spiritual movements that may have influenced Hitler's beliefs.

If Hitler was not a Christian, what did he believe, if anything? Weikart shows just how difficult it is to connect Hitler to specific individuals and movements. Hitler, for instance, admired Friedrich Nietzsche with his emphasis on "the primacy of the will to power" (p. 23). Still, it is difficult to pinpoint to what degree Nietzscheanism influenced Hitler's beliefs, not least because Nietzsche was unconcerned with biological racism. Hitler's obsession with racism, antisemitism, and Social Darwinism at times has led to the popular conclusion that occult movements like Ariosophy shaped Hitler's religious views. Weikart offers a fascinating review of nineteenth- and twentieth-century German and Austrian occult movements that

will be of great interest to many readers. But, like most scholars, he rejects the claim that Hitler was an occultist for the simple reason that the Nazis persecuted the occult. Moreover, the pernicious racist ideas the formed the core tenets of Nazism were in such wide circulation at the time that Hitler certainly had no need to look to the occult to learn about them.

Weikart concludes that most likely Hitler was a scientific pantheist, who equated nature and the cosmos with God. As a pantheist, Hitler believed that humanity had to bow to the brutal laws of nature that demanded "uninterrupted killing, so that the better will live" (p. 269). It is for this reason, Weikart argues, that elucidating Hitler's religion cannot be dismissed as a mere footnote in history, as a curious but ultimately unimportant piece of trivia. Rather, Hitler's religion, his "devotion to nature as a divine being had a grim corollary: the laws of nature became his infallible guide to morality" (p. xiii). Plainly put, Hitler's belief in scientific pantheism drove and justified Nazi genocidal policies. Weikart's thought-provoking conclusion about the centrality of Hitler's religion to the Holocaust no doubt will stimulate much discussion and be of great interest to scholars of the era.

Bluffton University, Bluffton, Ohio MARTINA CUCCHIARA

A Church Undone: Documents from the German Christian Faith Movement, 1932–1940. Selected, translated, and introduced by Mary M. Solberg. (Minneapolis: Fortress Press. 2015. Pp. xvii, 486. $59.00 paperback. ISBN 9781451464726.)

In selecting, translating, and introducing over twenty documents composed by members of the pro-Nazi "German Christian Faith Movement," Mary M. Solberg has filled a significant gap in the English-language literature concerning both the German Church Struggle (*Kirchenkampf*) and the religious dimension of the Holocaust. Asking "What were they *thinking*?" Solberg concludes that the German Christians constructed a powerful myth "that complemented, strengthened, and served National Socialist goals" (p. 3). They were "true believers, not only in Jesus Christ, but also in Adolf Hitler and his Nazi revolution," whose work enabled other Germans to understand life in the Third Reich "as fully compatible with their Christian faith" (p. 13).

In her introduction, Solberg outlines her rationale for selecting documents, which includes chronology, key issues, and diverse authors and document types (pp. 27–31). She also reflects on what these sources can teach about the momentum of antisemitism, the power of public discourse, Christian self-identity, and the power of cultural context to shape the church (pp. 32–41).

In terms of the Protestant Church Struggle, *A Church Undone* enables scholars and students to study the words and ideas of the (mostly) men who are often known simply as the enemies of Karl Barth, Martin Niemöller, and the Confessing Church. Solberg has selected an illuminating mixture of theological, church-polit-

ical, and popular texts, many by prominent figures like Ludwig Müller, Joachim Hossenfelder, Reinhold Krause, Emmanuel Hirsch, and Gerhard Kittel. They envision a new church order in which German Protestantism would be remade in the image of National Socialism, reordered as a unified Reich Church ruled by an authoritarian Reich Bishop. (Solberg settles for the more muted terms "National Church" and "National Bishop.") As a vigorous *Volk* church, membership would be based on German blood, ministry directed solely to the racial community, and ultimate authority vested in the Nazi regime (pp. 48–50, 109–14, 400–04).

One striking aspect of this vision was the invocation of Martin Luther, as in "The German Prophet," a section in "The Handbook of the German Christians" (1933) written by Anna Ilgenstein-Ratterfeld. In this short biography, she describes Luther as a Führer struggling against the "mixed-blood" emperor Charles V. When he nailed his *95 Theses* to the Wittenberg church door, "the hammer blows echoed like the strokes of a bell ringing the beginning of a new era. The German soul had freed itself from the Roman straightjacket. . . . The German eagle stretched out its wings and . . . awakened the German people." These obvious allusions to Nazi Germany were then made explicit. Even as Martin Luther had "fashioned the German Reformation and with it freed the core of the German soul, just so Adolf Hitler, with his faith in Germany, as the instrument of our God became the framer of German destiny and the liberator of our people from their spiritual misery and division" (pp. 179, 185, 187, 189, 195–98).

In terms of the Holocaust, *A Church Undone* reveals how deeply hostile German Christians were towards Jews, whom they sought to exclude from both the German church and racial community. As Reinhold Krause proclaimed in his 1933 Sport Palace speech, "The Jews are certainly not the people of God." He then added, to enthusiastic applause, "If we National Socialists are ashamed to buy a necktie from a Jew, then we should really be ashamed to accept from a Jew anything that speaks to our soul, the most intimate matters of religion" (p. 258). Similarly, and also in 1933, Gerhard Kittel argued that "*the baptism of a Jew does not affect his Jewishness*." Just to be clear, he added, "the converted Jew does not become a German" (p 222). Several authors argued Jesus was not ethnically Jewish, including Walter Grundmann of the Institute for the Study and Eradication of Jewish Influence on German Church Life (pp. 408–09, 439–41, and 456–69). Finally, in the 1939 Godesberg Declaration, leading German Christians pledged their unreserved service to Adolf Hitler, acknowledged the full authority of National Socialism, and asserted that "The Christian faith is the unbridgeable religious opposite of Judaism" (pp. 445–46).

These few examples offer a taste of the terrible ability of *A Church Undone* to illuminate the heretical and antisemitic message of the German Christian Faith Movement. For anyone who studies or teaches on the German Church Struggle or the Holocaust, this is an essential collection of documents.

Ambrose University, Calgary, Alberta KYLE JANTZEN

David Maria Turoldo. La vita, la testimonianza (1916–1992). By Mariangela Maraviglia. [Storia, vol. 74.] (Brescia: Morcelliana. 2016. Pp. 464. €30,00 paperback. ISBN 978-88-372-2956-6.)

David Maria Turoldo was one of the most influential Italian Catholics of the twentieth century, and Mariangela Maraviglia has written an incredibly detailed and complete biography that covers his whole life. A priest of the Order of Friar Servants of Mary (Servites), Turoldo lived the most important moments of Italian church history, in the most important places in Italy. He is a key figure for those who try to understand the complex relations between religion, culture, and politics in the last century in Italy.

The first chapter discusses the origins of Giuseppe (David Maria was his monastic name), born into a poor family of sharecroppers in northeastern Italy during World War I, not far from the frontline with Austria. His first experiences of clerical formation (beginning in 1929–30) in the institute of the Servite order were shaped by the legacy of the anti-Modernist purge of 1907 and an environment suspicious of intellectualism that Turoldo would have to deal with his whole life. Maraviglia delves also into Turoldo's early fascination, that he shared with many Italian Catholics, with the Fascist regime. The second chapter sees Turoldo as one of the members of the Catholic resistance against Fascism during World War II, after his arrival at the convent of San Carlo in Milan in 1941, disabused of the illusion of a restoration of Catholicism thanks to Fascism. In Milan Turoldo got in touch with important figures of Italian Catholicism, thanks to his enrollment at the Università Cattolica del Sacro Cuore (1942), which began to work as the cradle of the post-World War II Italian Catholic political leaders: there he read French *nouvelle théologie*, but also Jacques Maritain, Romano Guardini, Gilbert K. Chesterton, and, in 1946, the pastoral letter of Cardinal Emmanuel Suhard of Paris, deciding afterward to publish an Italian translation (chapter three).

Chapter four follows Turoldo in the effervescent postwar Italian Catholicism: Turoldo moved from Milan to the small college town of Urbino to teach philosophy (1947), and wrote for the journal *Cronache Sociali* edited by Giuseppe Dossetti. In this period, Turoldo began to publish poetry, an activity that was to make him known to a large audience in Italy. His relations with the leadership of the Servite order continued to be complicated, if not difficult, because of his intellectual and political contacts (Christian-Democrats but also Communists) and friendships (for example, Father Primo Mazzolari), contacts considered unorthodox and lacking prudence. Between 1949 and 1951 (chapter five) Turoldo was at the community of Nomadelfia, one of the most famous experiments of Christian community in Italian modern Catholicism, but also an occasion of divisions between the Servites and their superiors: Turoldo was forced to leave the community, in a decade when the pontificate of Pius XII intervened to suppress many different kinds of pastoral experiments, not only in Italy.

In 1953 Turoldo was transferred to Innsbruck but lived in the Benedictine monastery of Schäftlarn, near Munich, where he came into contact with the litur-

gical movement. The next important stop was in Florence where he arrived in 1954 (chapter six): he had to leave Florence, again ordered by his superiors, in 1958, after having met and dialogued with the most interesting figures of Italian Catholicism, most of them based in Florence in the 1950s (among them: Father Lorenzo Milani, Father Divo Barsotti, Father Ernesto Balducci, and Giorgio La Pira). Between 1958 and 1960 he was on the road again: London, Montreal, and New York. In 1960 he was transferred again to Verona and then Udine near his birthplace. The pontificate of John XXIII was a turning point: between 1963 and 1964, after the death of John XXIII, he decided to settle down in the birthplace of Roncalli, Sotto il Monte (near Bergamo), in order to create a community of prayer, of dialogue, and of encounters for lay Catholics (chapter seven). Chapter eight deals with the beginning of the new community, with a library, rooms for guests, and spaces for conferences and meetings: Scripture, liturgy, ecumenism are the major interests of Turoldo's community. After a life of exiles imposed by his religious order, Sotto il Monte remained his home and at the same time his public stage during the tumultuous and dangerous 1970s in Italy shocked by domestic political terrorism and by the difficulties and enthusiasms of the post-Vatican II period (chapter nine). In the last few years of his life, from Sotto il Monte, Turoldo lent his voice to Scripture (his friendship with the archbishop of Milan, Cardinal Carlo Maria Martini, was important), prison ministry, working for peace, poetry (among his friends there are Italian authors and poets such as Pier Paolo Pasolini, Andrea Zanzotto, Alda Merini) and also introducing Italian Catholics to the theology of liberation.

This book meets the gold standard of a biography for the sources from which it draws: countless archives (in many cities, in Italy and abroad), oral interviews with important witnesses and partners in dialogue with Father David, and his published works. It completes the many years of study by Maraviglia on this twentieth-century Italian Catholic who was a priest, member of a religious order, poet, author, preacher, ecumenist, and also citizen of his country in difficult times. It is the first biography dedicated to Turoldo, and it sets the standard for all future endeavors, especially for its non-hagiographic and non-apologetic intent.

Villanova University MASSIMO FAGGIOLI

Spies in the Vatican: The Soviet Union's Cold War Against the Catholic Church. By John D. Koehler. (New York: Pegasus Books. 2009. Pp. 296. $34.95. ISBN: 978-1-60598-050-8.)

When one hears about spy activities it is usually not associated with a religious entity. Perhaps this is just one reason why this book is unique and thus will be an eye-opening opportunity to learn that any institution can be subject to the scrutiny of a foreign government and with good reasons.

Having a background as a former intelligence officer with the United States Army and the profession of a journalist, the author uses a substantial amount of information secured from government documents, transcripts, and numerous indi-

viduals associated with intelligence activities to give us a penetrating insight into how Russia and Eastern European governments secured what they considered important information about the Vatican's role in international affairs affecting their well-being. Specific targets of communist religious spies within the Vatican included the Secretary of State's office, Vatican Radio, international Catholic organizations, and educational institutions. The Russians and their associates were using the tools of espionage and counter-propaganda at ending what they considered subversive activities (p. 227).

Much of the work in this book centers on the religious clergy associated with one of the most Catholic countries in the world—Poland—a country traditionally conservative and anti-communist, but in reality greatly controlled by the Russians. Yet, the author identifies a number of reasons why Polish priests who would rise within the religious community in terms of rank and prestige became spies for a foreign espionage agency. Some of these are not especially unique and include the usual reasons such as fear, alcohol, money, and women. In addition, the author notes that there was the motivation of being able to study and travel abroad. Like some other types of spies, a number of Polish priests provided information for a long period of time, and also held important and prestigious positions.

Yet, it is ironic that the Catholic Church in Poland, which has traditionally been characterized as strongly anti-communist and anti-atheist, had so many of its clergy spying on the Church and its associations. As noted in the book, the Institute of National Remembrance in Poland revealed that about ten to fifteen percent of the nation's Catholic clergy had collaborated with the secret police to provide information that reached communist authorities (p. 272).

One may wonder why the Russians and their espionage associates from other countries under its control such as Poland would invest valuable resources into securing information from the Vatican. However, in this book the reasons become obvious. For example, although the Vatican has no standing armies, it does have influence in world politics. There were millions of Catholics in the world, and many of them lived under a communist type of government. In addition, when the Pope makes a public comment this could affect the views of many Catholics around the world and influence their behavior toward a certain government in terms of support or opposition. In addition, it is fairly common for national leaders to meet with the Pope, and these discussions could have international repercussions. One example of such a meeting cited in the book refers to the time when United States Secretary of State Henry Kissinger met with Pope Paul VI and discussed a number of agreements between the United States and the Soviet Union. Another example occurred when President Reagan met with Pope John Paul II to express support for the Polish people's human rights (pp. 53, 223).

There were also other reasons for the communists to spy on the Vatican. It is noted that "Communist case officers tasked their Vatican spies to concentrate on gathering information on the activities of the Holy See in supporting the Polish opposition to the communist regime" (p. 177). In addition, the communists

believed that the Roman Curia supported the behavior of the United States in Latin America which was against their interests, and that it prevented Catholics in that region from participating in the revolutionary process (p. 226). Hence, from the communist point of view the Vatican and its connected associations had the potential to work against their national and international goals.

So what do we learn from this book? First, it is apparent that espionage agencies do see value in securing information about the Vatican. Second, they are willing to use covert or spy means of securing this information; and third, such information could give a particular country an advantage in reacting to a national or international problem. From an intelligence view it also shows us that a country is willing to secure information from a source that few of us would expect to be used by it. Hence, perhaps the major lesson for intelligence agents from this interesting work is not to downplay the significance of any source of information for a country.

Auburn University WILLIAM E. KELLY

Vatican II behind the Iron Curtain. Edited by Piotr H. Kosicki. (Washington, D.C.: The Catholic University of America Press. 2016. Pp. x, 225. $64.95. ISBN 978-0-824-339236.)

This book consists of six articles about the impact of the Second Vatican Council of 1962–65 on the Roman Catholic Church in eastern Europe. It explores how the *Ostpolitik* of Pope John XXIII represented a reaching out to the Communist world and brought significant change to the position of individual churches in eastern Europe.

These studies represent a major step forward in scholarship about the role of the Vatican in twentieth-century Europe. The Vatican has been slow to open its archives to scholars, with the result that in 2017, these archives are open only as far as 1939. Those historians writing on later topics, such as Pius XII's reaction to the Holocaust or the role of the Vatican in the origins of the Cold War have been forced to find alternative sources to explain Vatican behavior. By making use of accessible east European archives and scholarship, the authors of these articles have now moved Vatican scholarship into the 1960s and 1970s, the period directly influenced by the Second Vatican Council during the reigns of John XXIII (1958–63) and Paul VI (1963–78).

In his introduction, editor Piotr Kosicki writes of the need to fill in the scholarly gaps between Stalin's persecution of the east European churches in the 1940s and 1950s and the election of the first Polish pope (John Paul II) in 1978. Gerald Fogarty provides an overview on the origins of Vatican *Ostpolitik* under John XXIII, noting that pope's outreach to Nikita Khrushchev which paid a dividend for peace during the Cuban Missile Crisis. Fogarty's essay is followed by four essays on individual Eastern European states: Hungary (Arpád von Klimó), Yugoslavia (Ivo Banac), Czechoslovakia (James Ramon Felak), and Poland (Piotr Kosicki).

In Hungary, Yugoslavia, and Czechoslovakia, the Catholic Church was under heavy-handed Communist repression by the early 1960s. Repression in Hungary followed the suppression of the 1956 Hungarian revolution; in Yugoslavia, Marshal Josip Tito wanted to control the separatist tendencies of Catholic Croatia, while Czechoslovakia was under continuing repression following the 1948 Communist takeover. As a result, these governments restricted the number of bishops allowed to attend Vatican II and bolstered their delegations with secret policemen. In the atmosphere of Vatican II, however, Hungary and Yugoslavia saw advantages to be gained by resolving their differences with the Vatican, which resulted in an agreement of the Holy See with Hungary in 1964 and a protocol with Yugoslavia in 1966. Both agreements reduced pressure on their respective Catholic churches. In the case of Czechoslovakia, Vatican II coincided with the rise of a liberal socialism in the 1960s, culminating in the brief Prague Spring of 1968, with related benefits for the Church.

Unlike the other countries, the situation in Poland was both more complex and more optimistic. The Polish Church had a fair degree of freedom under Communism until the Stalinist clampdown of the early 1950s. De-Stalinization in 1956 saw the rise of Wladysław Gomulka as prime minister, who granted privileges to the Church and worked closely with the primate, Cardinal Stefan Wyszynski. The period between 1956 and the opening of Vatican II was also marked by the activism of the Catholic laity, many of whom advocated the coexistence of the Catholic Church with state socialism. Poland's large delegation of clergy and laity to Vatican II were particularly effective as they sought to resolve issues internal to Poland as well as improve the Polish relationship with the Vatican. Unfortunately, Gomulka's relationship with the Church began to sour during Vatican II, and he eventually destroyed the Catholic celebration of the Polish Millennium in 1966 by denying a visa to Pope Paul VI to visit Poland. One of the most articulate leaders of the Polish delegation at Vatican II was the Archbishop of Krakow, Karol Wojtyła, who launched his transnational career at that event, culminating in his election as pope in 1978.

University of New Brunswick PETER C. KENT

Rwanda before the Genocide: Catholic Politics and Ethnic Discourse in the Late Colonial Era. By J. J. Carney. (New York: Oxford University Press. 2014. Pp. xi, 343. $78.00. ISBN 978-0-19-998227-1. Paperback: 2016. $35.00. ISBN 978-0-19-061237-5.)

As a tragic failure of Catholic leadership the role of bishops in the 1994 genocide in Rwanda is unique in the history of the Church. This does not make it easier to emancipate Rwanda's historiography from contemporary attempts to condemn or defend the Church. Carney brings both diligent scholarship and theological insight to a range of sources, deploying what Alisdair MacIntyre defines as the core virtues in politics and ethics: generosity, justice, truth and—a degree of—intellectual courage (*Ethics and the Conflicts of Modernity,* p. 97).

"Courage" because Church history on Rwanda is invariably scrutinized for evidence supporting the defense or prosecution. My co-author of *Christianisme et Pouvoirs au Rwanda* (Karthala, 2001*),* Guy Theunis, W.F., a few years ago, was pulled off a flight transiting in Kigali to spend a considerable time in a Rwandan jail for his liberal approach, prior to the genocide, to editing a journal of record expressing political opinions, some extreme. This qualified him for allegations of complicity in genocide.

Was leadership failure a product of a defective anthropology of a feudal society in transition, flawed ecclesiology allowing a lapse into a triumphalist caesaropapism, or an inherent problem in the missiology of inculturation? I would tick all of above.

Carney makes the Swiss missionary Archbishop Andre Perraudin of Kabgayi exemplar of his major thematic critique: the Church's acceptance of the colonial and trusteeship administrators' account of the nature of Tutsi and Hutu identities. Social differences and inequalities were "for *a large part* linked to racial differences" (p. 97, my emphasis in his 1959, pastoral letter "*Super Omnia Caritas*"). But the sense is ambiguous. Linked by whom?

There is much evidence that all three factors colluded to jeopardize preventative action by the Church. The racialization of the two identities was a product of a transition in a socio-economic relationship fast-forwarded by the Belgian trusteeship government. Perraudin missed that. Archbishop Vincent Nsengiyumva served on the central committee of President Juvenal Habyarimana's *Mouvement Révolutionnaire Nationale Développement* (MRND). He was forced off by Pope John Paul II, visiting in 1990, but retained a direct phone line to the President's office.

Nsengiyumva took to extremes Perraudin's informal advisory relationship to Gregoire Kayibanda, who became President thanks to the Hutu revolution of 1959. The friendship was informed by a shared commitment to Catholic Social Teaching—evoked by the injustice done to the Hutu majority. Perraudin saw it as an antidote to the inter-racial tensions evoked by Rwandan nationalism.

Where Carney particularly takes the Rwandan Church story forward from my own *Church and Revolution in Rwanda* (Manchester, 1977) is in his counterfoil to Perraudin: a sympathetic portrayal of Archbishop Aloys Bigirumwami, a noble of mixed Hutu-Tutsi ancestry from Gisaka. Against a stereotype of a pro-Tutsi traditionalist—*mea culpa*—he sets convincingly a complex picture of a prophetic leader alert to the dangers of ethnicism and fearful of politically induced violence. Bigirumwami represents for Carney the nearest the Rwandan hierarchy got to what Guy Theunis calls "a prophetic charism in service to the Gospel of Peace" (pp. 203).

Finally, Carney's outstanding book raises two theological questions. Like Cavanaugh he wants a Catholic politics that is the praxis of Theunis' "prophetic charism." So Perraudin was not "political enough."

But prophets end up in the wilderness rather than negotiating peace settlements where to prioritize the virtues of peace and justice, one over the other, is often unavoidable. Then comes the dilemma of inculturating the Church in divided societies where in Cardinal Roger Etchegaray's words "the blood of tribalism ran deeper than the waters of baptism." Northern Ireland for example.

St. Mary's University, Strawberry Hill, London IAN LINDEN

AMERICAN

John Eliot and the Praying Indians of Massachusetts Bay: Communities and Connections in Puritan New England. By Kathryn N. Gray. (Lewisburg, PA: Bucknell University Press. Co-published with The Rowman and Littlefield Publishing Group, Inc., Lanham, MD. 2013. Pp. xix, 171. $70.00. ISBN 978-1-61148-503-5.)

Kathryn N. Gray's *John Eliot and the Praying Indians of Massachusetts Bay* focuses on a small number of books, letters, and pamphlets written by John Eliot and his fellow missionaries in seventeenth-century New England. The texts include Eliot's Algonquian translation of the Bible and his *Indian Dialogues*, a set of imaginary conversations between Puritan ministers and Indian leaders that were, as Eliot said, "partly historical . . . and partly instructive to show what might or should have been said" (quoted in Gray, p. 46). Gray also discusses various occasional pieces by Eliot and others, including the eleven multi-authored reports known collectively as "the Eliot Tracts." The tracts described progress on the missionary front, offered detailed accounts of Indian conversions, and solicited funding from potential supporters back home.

Though much shorter and less comprehensive than the massive records of Catholic priests in New France and New Spain, the works discussed by Gray constitute the most substantive account of Puritan missionary work in New England through the first century of settlement. As such, they have long served historians as a primary source for British attitudes toward the native people they encountered. In addition, despite their thoroughly conventional and obviously Euro-centric nature, these accounts also provide detailed and often surprisingly intimate glimpses of indigenous people across the irremediable differences between the two cultures.

Historians have long been interested in the Puritan missionary project and the native people whom it engaged. There is a large body of contemporary work on those topics, ranging from Alden Vaughan's *New England Frontier: Puritans and Indians, 1620–1675* (1965), to Richard W. Cogley's *John Eliot's Mission to the Indians Before King Philip's War* (1999), which is the best study of John Eliot's missionary career in its theological and historical contexts. Readers familiar with that historical corpus will find little new in Gray's book. Nevertheless, her work contributes significantly to the more recent interest in rhetorical and discursive properties of colonial writing, especially generic innovations associated with the literature of contact and their role in the symbolic construction of cultural identity.

The first two chapters of Gray's book focus on Eliot's use of personal correspondence to solicit financial support for his missionary project, and on the broader network of readers established through the circulation of the Eliot tracts. The remaining three chapters focus on less predictable elements of the discursive communities constituted by other books and letters associated with that project. First Gray analyzes the physical spaces that support the conversion narratives reported by the English missionaries—varying from wigwams, campsites, homes and churches, to Harvard's Indian College. Then she turns to the inhabitants of those spaces whose voices were subordinated to the dominant discourse: colonial women and their Indian counterparts, and the native converts known as Praying Indians.

Gray's attention to the physical sites of discursive interactions is the most distinctive feature of her work. Otherwise, her claims often resemble those of other literary historians and cultural theorists who have written on early America, including Mary Louise Pratt, Thomas Scanlan, Hilary Wyss, and Kristina Bross among many others. Gray calls up those predecessors so frequently that the citations become distracting at times, and there are omissions of more recent work that would have enhanced her argument, including Allan Greer's analysis of generic complexities in the Jesuit *Relations* and Andrew Newman's study of the impact of literacy on relations between European settlers and the Delaware Indians. In addition, the numerous theoretical sources she invokes are not always as compatible as she implies. She persistently conflates reception theory with Stanley Fish's notion of interpretive communities, and she confuses performance theory with the more specific linguistic category of performative speech acts. Overt attention to this somewhat inchoate conceptual framework waxes and wanes throughout the book, and the theoretical inconsistency undercuts Gray's most ambitious conceptual claims. Fortunately, it does not compromise the most original and important parts of her book, her close readings of texts that that have seldom received such precise and productive attention.

The most intriguing of those readings focus on rhetorical strategies used to create discursive communities and forms of personal identity that differed from those reinforced by colonial norms. So, for example, Gray explores the discursive middle ground between the conversion narratives reported as eyewitness accounts by various authors in the Eliot tracts, and the fictional examples imagined by Eliot in the *Indian Dialogues*. Within this purely discursive space between historical events and imaginary scenes emerged new forms of "performative" identity, Gray says, ones that could not easily be mapped onto the patriarchal forms of English society. The new forms of identity Gray locates in these discursive spaces included the Praying Indians, who were alienated from their native past yet excluded from English society, and a female discursive community of British readers and Indian women that crossed racial boundaries and that was largely invisible within the public record.

Gray also argues that the imaginary accounts of native conversions created an "Indian mask" that Eliot used to critique English society through the apparently

naïve questions of Indian converts trying to understand the customs of their spiritual teachers. That was a familiar motif in the literature of contact, but Gray argues that Eliot used it in a new way. Rather than simply adopting the pose of the naïve innocent, he positioned the colonial author alongside the Praying Indian to create a new perspective on the historical scene that was distinct from that of the British metropole and the local indigenous communities. Gray is less convincing when, in the last chapter, she reverses this process and argues that some Algonquians sought to appropriate written discourse as a subversive strategy to "reclaim their voices" in the margins of dominant discourse—literally in the case of their marginal notes on Bibles and others texts they owned or borrowed. Nevertheless, her account of the discursive spaces created by the production and circulation of these texts and of the new kinds of readers and writers who emerged within it is new and important, and it enhances our understanding of how cultural identities were formed and transformed by the discourse of Christian conversion in colonial New England.

University of California, Irvine MICHAEL P. CLARK

Patriotism & Piety: Federalist Politics and Religious Struggle in the New American Nation. By Jonathan J. Den Hartog. (Charlottesville: University of Virginia Press. 2015. Pp. xiv, 262. $39.50. ISBN 978-0-8139-3641-3.)

In this year of political turmoil, religious fear, and major challenges to federal institutions and what used to be touted as American values, Jonathan Den Hartog's 2015 book merits careful study. Federalists played a large role in establishing the norms and institutions that defined politics and religion in the early United States and in shaping forms of social organization that persist to this day. Federalists also played a decisive role in establishing a culture of religo-political factionalism that even now thrives with a vengeance.

Den Hartog's main thesis is that Federalism passed through three phases—Republican, Combative, and Voluntarist. John Jay represents the Republican phase. As a devout Episcopalian, second Governor of New York, and first Chief Justice of the U.S. Supreme Court, Jay placed self-governing institutions under the aegis of divine authority and viewed co-operation between religious and political institutions as central to God's providential design for America. Representing the Combative stage of Federalist history, Massachusetts Governor Caleb Strong and New England Congregational ministers Timothy Dwight and Jedidiah Morse attacked skepticism of biblical revelation as a threat to the American republic and its providential role in world history. These men railed against the immorality, anarchism, and infidelity they ascribed to French Jacobins, and to Thomas Jefferson and his proto-Democratic followers.

As the party of Jefferson gained strength and the Federalist party declined, the next generation of Federalists built voluntary organizations to recoup their losses and promote faith in republican order and providential design. Representing this Voluntarist phase of Federalist history, New Jersey Presbyterian Elias Boudinot

retired from government office to serve evangelical organization, and John Jay's sons Peter and William devoted much of their lives to the American Bible Society, the American Anti-Slavery Society, and other voluntary organizations. The spirit of Federalism lived on through these evangelicals and their national organizations after the political party's demise.

Two troublesome groups inside the Federalist camp contributed to that demise. On one flank, Unitarian Federalists rejected the Trinitarian theology espoused by Episcopalians, Presbyterians, and Calvinist Congregationalists, and balked at religious intolerance, supernaturalism, and demands for conversion. On the other flank, Southern Federalists embraced the institution of slavery and resented the idea that it was immoral and unchristian, as many Northern Federalists believed. Men like the younger Jays freed Federalism from the Unitarians and slave owners who complicated it.

Den Hartog's argument provides a nice complement to that of Nathan Hatch's influential book written three decades ago, *The Democratization of American Christianity*, which placed the rise of evangelicalism in the early United States at the center of American cultural history. While Hatch focused on the transformation of democratic politics into evangelical populism, Den Hartog focuses on the transformation of Federalist republicanism into evangelical organizations. Taken together, they make a strong case for interpreting American evangelicalism as a political as well as religious movement.

Though Den Hartog's voice is not Combative, he does tell a partisan story. Readers of this journal might be surprised by his claim on page 202, that "Federalists had a strong hand in formulating how traditional Christianity would shape the new nation." Den Hartog is not referring to Catholicism here, but to a particular American version of Reformed Protestantism headquartered in Connecticut, elevated to "traditional" status by its evangelical proponents in the early nineteenth century. Passing up opportunities to engage critically the Federalists he admires, Den Hartog never scrutinizes the common-sense realism ubiquitous among them, or the grounding of morality in supernaturalism that some of them insisted upon. Den Hartog does not explain exactly what he means by "traditional Christianity," leaving this reader wishing he had made the effort to explain why some Federalists thought republican virtue impossible without it.

Florida State University AMANDA PORTERFIELD

Yankee Bishops: Apostles in the New Republic, 1783 to 1873. By Charles R. Henery. [Studies in Episcopal and Anglican Theology, Volume 7.] (New York: Charles Lang. 2016. Pp. xxiv, 352. $93.95. ISBN 978-1-4331-2361-0.)

Readers of this volume should be aware of two elements that are not entirely evident from the title. First, the bishops that are the subject of this volume are bishops of the Protestant Episcopal Church in the United States of America (more

commonly known by the shorter title as the Episcopal Church). There is little or no reference to the bishops of the Roman Catholic Church, the Orthodox Church, the Methodist church, or to any other denomination in America that made use of the title "bishop" in the period covered by the study. This work is the seventh volume in the Studies in Episcopal and Anglican Theology series for which C. K. Robertson serves as the general editor. It is an internal denominational study that looks at the establishment and growth of the episcopate following the American Revolution in one church from that church's sources.

The second element in the title that may not be immediately evident to all readers is that the term "Yankee" is used as a synonym for "American" and not as a descriptor of a particular geographic region within the United States. As Henery explains in the introduction, "the title of this book comes from the British usage of the term 'Yankee' to refer to American bishops in the nineteenth century" (p. 6). Henery surveys the first hundred bishops ordained to serve the Episcopal Church, regardless of where they served in the United States or in the overseas mission field.

Henery organizes his material in seven chapters. Two initial chapters focus on the establishment and expansion of an American episcopate before (chap. 1) and after (chap. 2) the year 1811. The dividing date is one that has long been used in Episcopal histories to distinguish early bishops who had experience in the colonial Anglican Church from a younger second generation that came to maturity after the Revolution. Five thematic chapters follow, which deal with the background and character of the bishops (chap. 3), the bishops as spiritual fathers (chap. 4), the bishops as pastors to clergy (chap. 5), the bishops as chief evangelists and missionaries (chap. 6), and the bishops as institutional leaders (chap. 7).

The volume includes an initial listing of the bishops studied and nine appendices and illustrations, with such information as the educational institutions attended, the design of the mitre worn or the text of the confirmation certificates issued. There is a well-constructed and useful index.

The volume does what it sets out to do; it provides a portrait of the nineteenth-century development of the idea of the episcopate in the Episcopal Church, illustrated by such sources as the ordination sermons that bishops preached at one another's consecrations (an apparent departure from the British pattern in which prominent presbyters were usual ordination preachers). One thing is immediately evident, that these early bishops had a vision of a more substantial role for the episcopate that had most of the clergy and laity of the Episcopal Church at the time of the Revolution—some of whom had argued (as had layman Richard Bland of Virginia) that the office of bishop was "a relic of papal encroachment upon the common law" (p. 10) and as a Virginia Convention of May, 1785 (not cited by Henery but illustrative of the attitude cited by him), had stated that the office of bishop "differs in nothing from that of other ministers of God's word, except in the power of ordination and confirmation, the right of superintending the conduct of clergy, and of presidency in ecclesiastical assemblies." Henery's work is a demon-

stration of an expansion of that limited vision to a more robust understanding of the role of the episcopate.

Virginia Theological Seminary ROBERT W. PRICHARD

LATIN AMERICAN

Maya and Catholic Cultures in Crisis. By John D. Early. (Gainesville: University Press of Florida. 2012. Pp. xvi, 499. $74.95. ISBN 978-0-8130-4013-4.)

This lengthy text concludes an ambitious study of Catholicism's encounter with highland Maya indigenous in Mexico and Guatemala beginning with the Conquest[1] and, in this second volume, into the new millennium. Drawing on a lifetime of field experience and reading across several disciplines, John D. Early, professor emeritus of anthropology at Florida Atlantic University, insists on the indispensability of religion to cross-cultural understanding and focuses on its decisive significance for the Maya.

The "crisis" of the title refers, in the Maya sphere, to disruption of the articulation between social-cultural tradition and peasant subsistence that explains the persistence of the Maya in the modern era. Early agrees with the scholarly consensus on the causes of this crisis. Scarce arable land was lost to ladinos, plantation labor opportunities evaporated, and population exploded, while national economic policies and global market forces accelerated Maya impoverishment in the last third of the last century. Deepening deprivation undermined belief in the saints who, according to Maya tradition, guaranteed well-being in return for ritual propitiation under what Early calls the Maya "covenant."

In his account "crisis" also denotes the rupture within Catholicism ensuing from Vatican Council II's revision of Catholic orthodoxy as defined in early modern Europe by the Council of Trent ("Tridentine Catholicism" in Early's vocabulary). In the context of the Maya "subsistence crisis," the teachings of the Council (1962–65) challenged longstanding sacramentally and doctrinally oriented missionary practice. Early points further to the rise of biblically-inspired critical liberation praxis and the attempt to "inculturate" Catholic teaching and liturgy known as *teología india* (Indian theology).

Of particular value, the study shows how these two crises figured in contentious undertakings by well-known Catholic missionaries (e.g., Father Stanley Rother) and bishops Juan Gerardi (Guatemala City) and Samuel Ruiz Garcia (San Cristóbal de Las Casas, Chiapas). Those interested in the theological permissibility of violence and Catholic entanglement in widely-reported political upheavals—

1. The first volume is *The Maya and Catholicism: An Encounter of Worldviews* (same publisher, 2006).

civil war in Guatemala and the Zapatista uprising and its effects in Chiapas—will find enlightening detail here, some from the author's personal experience.

The book also relies substantially on the multiple case studies, political-economic analyses, and historical narratives produced by anthropologists, historians, journalists, and other observers drawn to the Maya in recent decades. Extended quotations from such sources invite readers to pursue these and other studies included in an ample bibliography. Evocative photographs and clear prose enhance the study.

Perhaps inevitably, given its broad scope, the book repeatedly directs readers to consult earlier or later chapters to grasp the author's meaning. Many unfamiliar with the recent history of the Catholic Church and/or the highland Maya could find such referrals perplexing. Others might treat the book as a compendium to be consulted rather than read straight through.

Expertly researched and richly informed, the book's value is nonetheless diminished by questionable theoretical moves. For one, it subsumes culture, social formations, and religion under the concept "worldview" deployed as an all-purpose heuristic. Doing so blurs distinctions essential to the meaning and analytic usefulness of these notions. It also neglects substantial contemporary advances in social thought. The text's coinage "Action Catholicism" collapses Catholic Action and liberation practice, though the difference between them remains quite consequential politically and theologically. Finally, the dubious proposition that the biblical idea of "covenant" entails cycles akin to Maya calendrical myth obscures the author's paramount point: the Bible's historical realism is precisely what moved Maya Catholics to reject ancestral myth and reassert their own historical agency.

This book and its companion volume remain a significant achievement that will serve anthropologists, church historians, missiologists, and others who understand that theory risks sterility without local knowledge, amply displayed here.

DePaul University and University of St. Mary of the Lake RUTH J. CHOJNACKI

Miguel Pro: Martyrdom, Politics, and Society in Twentieth-Century Mexico. By Marisol López-Menéndez. (Lanham, MD: Lexington Books, an imprint of Rowman & Littlefield Publishing Group. 2016. Pp. xxxii, 187. $85.00. ISBN 978-1-4985-0425-6.)

During the most intensely anticlerical phase of the Mexican Revolution, the period corresponding with the presidency of Plutarco Elías Calles (1924–28), the spilt blood of churchmen blended with that of rebels. For the Calles regime, there was no difference. However, Professor Marisol López-Menéndez successfully argues that for the faithful, the difference could not have been greater. In *Miguel Pro: Martyrdom, Politics, and Society in Twentieth-Century Mexico*, López-Menéndez examines the making of a martyr in the memorialization of the death of Jesuit Father Miguel Agustin Pro in 1927 at the hands of Calles' forces. López-Menén-

dez blends a variety of analytical approaches to paint a complex portrait of Pro, and in doing so, blurs the boundaries of history and theology, sociology, and politics.

At first blush, this book appears to be a disposition on the life and death of Father Miguel Pro. Indeed, the author's examination of the context of Pro's arrest and execution deftly establishes his death as a signal event of the Revolution. But it quickly becomes clear that this examination of Pro's death is most appropriately used as a case study of how martyrdom is inextricably intertwined with institutional and social goals and ambitions. The identity and broader meaning of the martyr archetype is a result of "narrative constructions which shape real events and real lives to make them fit into a pattern able to give meaning to social causes, and promote loyalty and obedience in social configurations and hierarchies" (p. xx).

López-Menéndez masterfully constructs the Pro-as-martyr narrative by first examining the death of Father Miguel Pro within the context of Church-State relations in the 1920s. An important element of the development of Pro's martyrdom was the ways his death changed, and was changed by, the conversations on the meaning of the struggle undertaken by the Catholic Church and the added meanings—both clerical and secular—of Pro's death developed by the Society of Jesus. The book then outlines the contexts within which the narrative construction of Pro's martyrdom gained broader nationalist meaning for both Church and State, and juxtaposes that nationalist program within the Revolutionary agenda of each. López-Menéndez also explores the physicality of martyrdom—the disposition of Pro's body and the broader analysis of his final gestures (he extended his arms as a symbol of the Christian cross just before the executioners' fusillade). López-Menéndez places Pro's martyr status within a comparative analysis of others martyred during the same period, and explores the institutional influences by which Pro's death took on a more profound importance than those of others who died for their faith. Finally, the book ends with a comprehensive examination of the ways and means of making sense out of Pro's martyrial death through "modes of remembrance," including films, books, museum exhibits, Facebook pages, and international tours of his relics.

Perhaps the most notable strength of this scholarly work is the contextualization the author establishes in the debate about the martyrdom of Father Pro. From examining period newspapers and contemporary remembrances of the death of Pro, to in-depth sociological expositions on Durkheim and Foucault, this book does an excellent job of viewing the issue of the ways in which Pro's execution constituted martyrdom.

López-Menéndez's *Miguel Pro* is an engagingly written, carefully researched, and impressively diverse examination of the making of a martyr. It makes a major contribution to the fields of religious studies, sociology, and Mexican history and politics in the twentieth century. It will surely be established as a significant synthetic text and find its way into many scholarly libraries.

Montana State University Billings MATTHEW A. REDINGER

Notes and Comments

Association News

The annual meeting for 2018 of the American Catholic Historical Association will be held in conjunction with the American Historical Association in Washington, D.C. at the Omni Shoreham Hotel with the meeting of the Executive Council on Thursday, January 4 at 3:30 and the sessions on Friday and Saturday, January 5–6.

Exhibitions

To commemorate the 375th anniversary of the founding of the city of Montréal, Canada, the Société canadienne d'histoire de l'Église catholique announces that the Maison Saint-Gabriel is sponsoring until December 22, 2017 an exhibition titled "375 ans au Coeur de l'action! Le legs des communautés religieuses féminines de Montréal." From the founding in 1642 of Ville-Marie, religious women have contributed significantly to the history of the Catholic Church in Canada. Numerous objects and documents from archives will be on display to witness to their important role. For more information, please visit http://www.maisonsaint-gabriel.qc.ca/fr/communiques/2017/exposition-375-ans-au-coeur-de-l-action.php.

Another exhibition to commemorate the same event, titled "De l'idéal mystique, à l'entreprise seigneuriale," will be housed at the Séminare de Saint-Sulpice, the most ancient building in Montréal that is still in use and has the same proprietors. The building and its garden that are usually closed to the public, will be open for the exhibition, which will include objects and historical documents. For more information, please visit https://domainedesmessieursdesaintsulpice.com/about/.

The Centre d'archives Mgr-Atoine-Racine, attached to the Cathedral of Saint-Michel of Sherbrooke, is offering a virtual exposition of some of its holdings related to the construction of the cathedral and the history of the archdiocese, including photographs, architectural plans, and account records. To view it, please visit http://expo.rassas.org/. The archive is now the depository of the records of four religious communities: Petites Soeurs de la Sainte-Famille, the Filles de la charité du Sacré-Coeur de Jésus, the Soeurs Missionnaires de Notre-Dame-des-Anges, and the Frères du Sacré-Coeur.

Fellowships

The Newberry Library of Chicago announces the availability of long-term and short term fellowships for academic year 2018–19. For more information on how to apply, please visit its website www.newberry.org.

CONFERENCES

On September 14–15, 2017, Georgetown University is sponsoring the conference "1517–2017: Lutherans and Catholics, Then and Now." Among the speakers are: John W. O'Malley, "Martin Luther, Trent, and Vatican II"; Kenneth Appold, "Lutheran-Catholic Colloquies of the 16th Century and Today"; Christine Helmer, "What Is Distinctive about the Fifth Centenary of the Lutheran Reformation?"; Kathryn Johnson and Susan Wood, "Lutheran-Catholic Dialogue: Accomplishments and Challenges"; Phil Krey, David Collins, and Amy Leonard, "Martin Luther, Ignatius of Loyola, and (the) Catholic Tradition"; Al Acres, Julia Lamm, Jo Ann H. Moran Cruz, and Phil Krey, "Teaching the Reformation after 50 Years of Dialogue."

On September 29, 2017 the Société canadienne d'histoire de l'Église catholique will hold its 84e Congrès Annuel de la SCHEC with the theme "Les univers religieux de Montréal: 375 ans d'histoire" in the Salle Gauthier of the Oratoire Saint-Joseph in Montréal, Canada. The session "Montréal: espace religieux" will include the papers: "La place du religieux dans la commémoration de fondation à Montréal au XXe siècle: l'exemple du tricentenaire" by Émilie Girard; "Anthony Walsh ou le mythe de la solitude" by Matthieu Langlois; and "La paroisse Bienheureuse-Marie-Anne-Blondin de Montréal: regards sur un territoire marqué par le processus de sécularisation du catholicisme canadien-français" by Louis Georges Deschênes. The session "Montréal et le monde: les missionnaires à l'oeuvre" will include the papers: "Le *Précurseur*, notre histoire d'un couvert à l'autre!" by Audrey Charland; and "«Retours» à Montréal: la métropole vue par les yeux de missionnaires catholiques canadiens-français au XXe siècle" by Éric Desautels. The session "Le religieux en mutation" has three papers: "Les figures religieuses fondatrices de Montréal dans les manuels scolaires de culture religieuse, entre mémoire et perte de sens" by Mireille Estivalèzes; "La réception de Vatican II à travers les lettres circulaires des supérieures générales; le cas de la Congrégation Notre-Dame de Montréal, 1959–1984" by Dominique Laperle; "Mort apprivoisée et mort inversée: exposition du corps, privatisation et suppression des funérailles à travers les chroniques nécrologiques montréalaises (1975–2015)" by Marie-Pier Beauséjour.

On September 30, 2017, the Gesellschaft zur Herausgabe des Corpus Catholicorum will sponsor a lecture by Professor Dr. Volker Leppin of Tübingen Universität titled "Von der Kontroverse zur Historisierung. Das Corpus Catholicorum und die katholische Reformationsforschung im 20. Jahrhundert" at 7:00 pm in Philosophicum P3 of the Universität Mainz.

On October 19–21, 2017, the Società Internazionale di Studi Francescani and the Centro Interuniversitario di Studi Francescani of the Università degli Studi di Perugia will sponsor the 45o Convegno internazionale di studi: "Identità Francescane agli inizi del Cinquecento" in the Palazzo Bernabei in Assisi, Italy. Among the papers to be presented are: "Leone X e gli Ordini mendicanti" by Nelson H. Minnich; "I *Fratres Minores*" by Luciano Bertazzo; "Gli *Observantes de familia*" by

Letizia Pellegrini; "L'altra Osservanza: I *Reformati sub ministris* e i 'Colettani'" by Ludovic Viallet; "Gli Amadeiti" by Giancarlo Andenna; "Da Poveri Eremiti a frati Minori della Custodia di S. Girolamo '*de Urbe*': il complesso iter intrapreso dai frati di Angleo Clareno e gli spazi di autonomia conquistati a margine della *Ite Vos* (1517)" by Arnaldo Sancricca; "Dai *fratres de sancto evangelio* ai discalceati: identità riformistiche in Spagna dal XV secolo fino alla bolla *Ite vos* di Leone X (1517)" by Francisco Victor Sanchez Gil; "«…*aut alios similes, quocunque nomine nuncupentur*». I margini dell'identità francescana agli inizi del Cinquecento" by Michele Lodone; "L'iconografia delle identità francescane" by Roberto Cobianchi; and "Conclusioni" by Grado Giovanni Merlo.

On November 3–4, 2017 The Center of Renewal Studies of the School of Divinity of Regent University in Virginia Beach, Virginia, will host the conference "The Holy Spirit and the Reformation Legacy."

On March 8–10, 2018 the Twenty-first Biennial New College Conference on Medieval and Renaissance Studies will be held in Sarasota, Florida. Abstracts of proposed papers should be sent to http://www.newcollegeconference.org/cfp.

On March 14–16, 2018 the German Historical Institute in Paris will sponsor a conference on "Nationalstaatsbildung und Reformationsgedenken: Deutungen und Instrumentalisierung von Reformation und katholischer Reform im 19. und 20. Jahrhundert." The role religion played in forming national identities in the modern period (e.g., Lutheranism in Germany, Catholicism in Ireland and Poland) will be studied by looking at the discourse of the educated portion of the population in their writing of history, especially in their debates on when the medieval period ended and the modern began; by artistic disseminations in paintings, music, and literature with a basis in the Protestant and Catholic Reformations; by secular and religious commemorations and festivals; by transfers and adoptions among overseas and diaspora populations; and by the daily instrumentalization of their ideas in the media and political discourse. For more information, please visit nachwirkungreformation@dhi-paris.fr.

PERSONALS

Professor Emeritus Nicolas K. Kiessling of Washington State University in Pullman has received the Chartered Institute of Library and Information Professionals' History Group's Essay Award for 2017 for his article "James Molloy and Sales of Recusant Books to the United States" that appeared in the *Catholic Historical Review* 102 (2016), 545–80.

Monsignor Robert Trisco received the Founders' Award of the Alumni Association of the Pontifical North American College at its annual reunion on June 21, 2017, in Indianapolis.

PUBLICATIONS

The *Anuario de Historia de la Iglesia* in its volume (26) for 2017 has commemorated the quincentenary of the death of Fernando el Católico de Aragón with the following articles: "El «otro príncipe»: piedad y carisma de Fernando el Católico en su entorno cortesano," by Álavro Fernández de Córdova Miralles (pp. 15–70); "Fernando de Aragón, Isabel de Castilla y la temprana percepción del peligro turco (1472–1480)," by Nicasio Salvador Miguel (pp. 71–105); "Fernando el Católico ante la Muerte: el atentado de Barcelona y sus relatores," by Teresa Jiménez Calvente (pp. 107–140); "La percepción de los judíos bajo el reinado de Fernando II según el inquisidor Martín García (ca. 1441–1521)," by Manuel Montoza Coca (pp. 141–56); "Fernando el Católico y la reforma de los benedictinos y benedictinas españoles (1474–1516)," by Ernesto Zaragoza Pascual (pp. 157–84); "Una aproximación a la integración del servicio religioso en la Corte de Fernando el Católico: su papel dentro y fuero del séquito regio," by Germán Gamero Igea (pp. 259–84); and "Formas y funciones de la poesía religiosa de Antonio Geraldini escrita en la época Fernandina," by Martin Früh (pp. 285–317).

Two articles in the first issue for 2017 (Volume 17) of the *International Journal for the Study of the Christian Church* "mark the 500th Anniversary of the Reformation," viz., "Why a common commemoration of the Reformation?" by Cardinal Kurt Koch (pp. 3–10), and "The ecumenical commemoration of the 500th anniversary of the Reformation in Western Europe," by Theodor Dieter (pp. 11–25).

"Démarche scientifique et universités catholiques" is the theme of the issue for April-June, 2017 (Volume CXVIII, Number 470) of the *Bulletin de Littérature Ecclésiastique* (Toulouse): François Couderc, "Pie XI et les sciences expérimentales" (pp. 7–44); François Couderc, "Les sciences expérimentales à l'Institut Catholique de Toulouse aux temps de la controverse moderniste" (pp. 45–67); and Luc Brogly, "Pierre Batifol à Dominique Ningres: une correspondence méconnue à l'époque de la crise moderniste" (pp. 69–87).

LETTERS TO THE EDITOR

August 14, 2017

Dear Dr. Minnich:

I wish to call attention to the factual errors in Ms. Debra Caruso Marrone's brief review of my *Fordham: A History of the Jesuit University of New York, 1841–2003* in the last issue of the *CHR* lest your readers think that I am the source of this misinformation. The seminary at Fordham to which she alludes was founded in 1840, not 1841. John Hughes was the bishop, not the archbishop of New York, in 1846. Thomas Gaffney Taaffe was not a Jesuit priest, but a layman. Father Thomas Gannon, S.J., was president of Fordham University from 1891 to 1896, not "in the 1930s and 40s." She has obviously confused him with Father Robert I.

Gannon, S.J. What is one to make of the statement that, when the college became a university, it "was renamed Fordham after the manor to which it had been born?" No one remotely familiar with Jesuit education in nineteenth-century New York City would consider the College of St. Francis Xavier peripheral to the development of the future Fordham University. As for allegedly relying heavily on Taaffe and [Robert] Gannon, the bulk of my research is based on materials from a dozen institutional and ecclesiastical archives, including the Roman Archives of the Society of Jesus, as should be evident to anyone from even a cursory glance at the footnotes. Caveat lector.

Thomas J. Shelley
Emeritus Professor of Church History,
Fordham University

Ms. Debra Caruso Marrone replies:

August 16, 2016

Thank you for the opportunity, Nelson. Here is my response:

I am sorry that Monsignor Shelley feels he must quibble with a few minor misstatements, but St. John's College, from which Fordham evolved, was indeed founded in 1841, though the tiny seminary from which it derived may have been conceived some months earlier. And while John Hughes may have been bishop in 1846, he was certainly archbishop in 1850.

As for his mocking criticism, "What is one to make of the statement that, when the college became a university, it 'was renamed Fordham after the manor to which it had been born?,'" I take issue. St. John's College, originally part of "Fordham Manor," was indeed renamed Fordham University at the beginning of the 20th century when additional colleges were added.

Further, what I meant to say about the digression into much copy about the College of St. Francis Xavier was that few readers would be interested in that lengthy sidebar.

I do admit to confusing the Fordham presidents, the Jesuits, Robert Gannon and Thomas Gannon, and I apologize for not checking that before submitting my review.

I will leave it to Msgr. Shelley to defend the sources from his book.

Sincerely,
Debra Caruso Marrone

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