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Abbreviations:

biog	biography
b.n.	brief notice
men.	mentioned
obit.	obituary
rev.	review

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Unity, Authority, and Ecclesiastical Power: Augustinian Echoes in the Works of Jean Gerson at the Council of Constance

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This article analyzes the presence of Augustine in the texts which Jean Gerson (1363–1429) wrote during the years of the Council of Constance. In particular, it focuses on how the Parisian chancellor made use of quotations from Augustine on doctrinal authority (De civitate Dei 10.23), biblical exegesis (Epistola 40 3; Contra epistolam Manichaei 5.6), and on the power of the keys (Sermo 295 2) to support his views on the role theologians had in defining the truths of the faith, their place within the ecclesiastical hierarchy, the nature and limits of papal power, and the relationship between pope and council.

Key Words: Ecclesiology, Conciliarism, Biblical Exegesis, Reception of Augustine

1. On the Trail of Augustine in Constance

Between 1414 and 1418, an exceptionally large number of delegates coming from all over Europe met on the shores of the Bodensee with the

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threefold aim to end the schism that had divided Western Christendom for thirty-six years, to fight heresy, and to reform the Church in head and members.[1] The Council of Constance was a crucial moment in the history of Pre-Reformation Europe, as it meant the coming together of the political, religious, and intellectual elites of the time, and became the arena of an extraordinary exchange of texts and ideas that substantially contributed—together with the later Councils of Basel and Ferrara–Florence—to the reshaping of the cultural framework of early modern Europe. In particular, the Council of Constance represented a political and ecclesiological workshop where the theories on authority, sovereignty, dominion, and the right of resistance elaborated upon by the scholastic tradition in the previous centuries, and especially in the years of the Great Western Schism (1378–1417), were put to the test.[2] This holds especially true for the discussions on the structure of the ecclesiastical institution and on the nature and limits of papal power *vis-à-vis* the authority of general councils.[3] A papalist ecclesiology based on the principle that the *vicarius Christi* was above all human judgment and endowed with an unlimited fullness of power could not solve the dramatic state of affairs, consisting of the splitting of Christendom into two 'obediences', one to Rome and the other to Avignon, further complicated by the election of a third pontiff

1. On the Council of Constance, see Walter Brandmüller, *Das Konzil von Konstanz*, 2 vols. (Paderborn, 1991 and 1997; rev. ed. of vol. 1 2000); Giuseppe Alberigo, *Chiesa conciliare: Identità e significato del conciliarismo* (Brescia, 1981), esp. 134–256; Phillip H. Stump, *The Reforms of the Council of Constance (1414–1418)* (Leiden, 1994); Nelson H. Minnich, *Councils of the Catholic Reformation: Pisa I (1409) to Trent (1545–63)* [Variorum collected studies series, 890] (Aldershot, 2008). A large part of the acts of the Council are edited in *Magnum oecumenicum concilium Constantiense*, ed. Hermann von der Hardt, 6 vols. (Frankfurt a. M.–Leipzig, 1692–1700); *Sacrorum conciliorum nova et amplissima collectio*, ed. Gian Domenico Mansi (Venice, 1785; repr. 1960, vol. 27–28—hereafter cited as Mansi); and *Acta concilii Constanciensis*, ed. Heinrich Finke, 4 vols. (Münster im W., 1896–1928). For a survey of the sources, see Chris L. Nighman and Phillip H. Stump, "A New Bibliographical Register of the Sermons and other Speeches Delivered at the Council of Constance (1414–18)," *Medieval Sermon Studies*, 50/1 (2006), 71–84.

2. On the history of the Great Schism, see Noël Valois, *La France et le Grand Schisme d'Occident*, 4 vols. (Paris, 1896–1902); Étienne Delaruelle, Edmond-R. Labande, and Paul Ourliac, *Histoire de l'Église depuis les origines jusqu'à nos jours. L'Église au temps du Grand Schisme et de la crise conciliaire 1378–1449*, 2 vols. (Paris, 1962–64); Howard Kamisky, *Simon de Cramaud and the Great Schism* (New Brunswick, N.J., 1983); and, more recently, Thomas M. Izbicki and Joëlle Rollo-Koster, *A Companion to the Great Western Schism (1378–1417)* [Brill's Companions to the Christian Tradition, 17] (Leiden, 2009).

3. Among the studies on conciliarism, see Brian Tierney, *Foundations of the Conciliar Theory: the Contribution of the Medieval Canonists from Gratian to the Great Schism* [Studies in the History of Christian Thought, 81] (Oxford, 1998); and Francis Oakley, *The Conciliarist Tradition. Constitutionalism in the Catholic Church 1300–1870* (Oxford, 2003).

during the Council of Pisa (1408–09). The conciliar solution proved successful, at least temporarily, in Constance, where the council fathers eventually brought the schism to an end by removing the three claimants to the Holy See and electing Otto Colonna under the name of Martin V.

The Council of Constance has been a long-standing object of interest for modern and contemporary historians, and yet there remain gaps in the available scholarship. One of these is the study of the use of patristic sources during the conciliar debates; in particular, this gap crosses with a further line of research that still has many unexplored corners: the reception of Augustine in the "waning" of the Middle Ages.[4] As was pointed out by Heinrich Finke, Augustine was the Father most frequently quoted in the Acts of the Council.[5] And yet, with the exception of studies dedicated to Jan Hus, the scholarship on the reception of Augustine at the Council of Constance is rather scarce.[6]

This article is a case study that places itself in the framework of a wider project that aims to study the use of Augustine's *auctoritas* in the discussions on authority, sovereignty, dominion, and right of resistance held in Constance.[7] Its particular focus is the reception of Augustine in the con-

4. As Karla Pollmann has remarked, the study of the "protean" reception of Augustine is still a work in progress (*The Proteanism of Authority*, in: *Oxford Guide to the Historical Reception of Augustine*, eds. Karla Pollman and Willemien Otten, 3 vols. [Oxford, 2013] [henceforth, OGHRA], 1:3–14). Among the most recent studies which attempt to fill this gap, see, *Agostino, agostiniani e agostinismi nel Trecento Italiano*, eds. Johannes Bartuschat, Elisa Brilli, and Delphine Carron [Memoria del Tempo, 62] (Ravenna, 2018).

5. *Acta concilii Constanciensis*, 2:377.

6. See for instance, Paul de Vooght, "La Part de Saint Augustin dans le *De ecclesia* de Huss," in: Id., *Hussiana*, [Bibliothèque de la Revue d'histoire ecclésiastique, 35], (Louvain, 1960), 66–92. Among the studies on the use of Augustine by particular authors engaged in the resolution of the Great Schism, see Irena Backus, "Limits of the Augustinian Paradigm: Use of Augustine in Treatises on the Church, 1378–1580," in: Id., *Historical Method and Confessional Identity in the Era of the Reformation (1378–1615)*, (Leiden, 2003), 6–62, and Hugues Labarthe, "Bernard Alaman, un évêque lecteur de Saint Augustin en vue de résoudre le Grand Schisme d'Occident," *Revue Mabillon, Revue Internationale d'Histoire et de Littérature Religieuses*, 18 (2007), 193–216.

7. See fn. *. The research project considers the presence of quotations from the *De civitate Dei* and Augustine in general on the conciliar Acts as a whole, as well as its impact on theological and philosophical writings of a selected group of relevant participants at the Council (e.g. Guillaume Fillastre [1348–1428], Giovanni Bertoldi da Serravalle [1360–1445], Johannes Falkenberg [1363–1429], and Paulus Vladimiri [1370–1435]). The first case study, that analyzes Augustine's *auctoritas* in the framework of the discussions on the legitimacy of tyrannicide, can be read in Serena Masolini, "Public Authority and Right to Kill in the 'Petit' and 'Falkenberg Affairs' at the Council of Constance (1414–1418)," *Freiburger Zeitschrift fur Philosophie und Theologie*, 67/2 (2020, forthcoming).

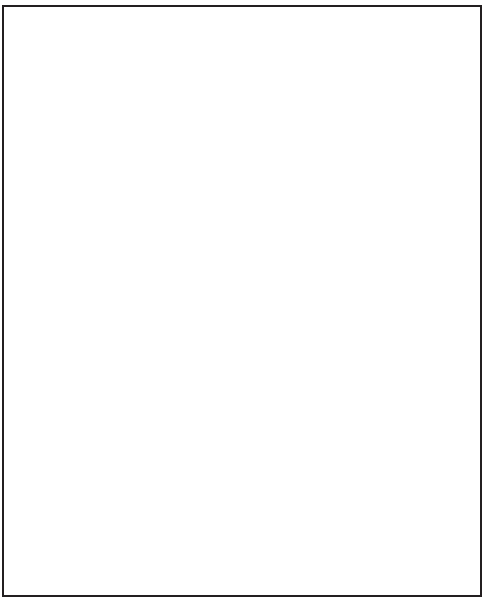

FIGURE 1. Jean Charlier de Gerson (1363–1429). Courtesy of the Bibliothèque municipale de Lyon. Public Domain. PICRYI.com

ciliar ecclesiology in Constance through the works of Jean Gerson (1363–1429), Chancellor of the University of Paris and prominent member of the French "nation" at the Council[8] (Figure 1).

The presence of Augustine within the ecclesiological debates of the Great Schism is unquestionable—as is his general influence on all fields of

8. Among the most recent general studies on Jean Gerson, see Brian P. McGuire, *Jean Gerson and the Last Medieval Reformation* (Philadelphia, 2005); Id., ed., *A Companion to Jean Gerson* [Brill's Companions to the Christian Tradition, 3] (Leiden, 2006); and Daniel Hobbins, *Authorship and Publicity before Print: Jean Gerson and the Transformation of Late Medieval Learning* (Philadelphia, 2009). On Gerson's ecclesiology, see at least John B. Morrall, *Gerson and the Great Schism* (Manchester, 1960); Louis B. Pascoe, *Jean Gerson: Principles of Church Reform* [Studies in Medieval and Reformation Thought, 7] (Leiden, 1973); Guillaume H. M. Posthumus Meyjes, *Jean Gerson—Apostle of Unity: His Church Politics and Ecclesiology*, trans. John Christopher Grayson [Studies in the History of Christian Thought, 94] (Leiden, 1999); Francis Oakley, "Gerson as Conciliarist," in: McGuire, ed., *A Companion to Jean Gerson*, 179–204. For a study of Gerson's ecclesiology in the framework of the "intertextualité polémique" during the latest phase of the Great Western Schism (1394–1418), see Bénédicte Sère, *Les débats d'opinion à l'heure du Gran Schisme. Ecclésiologie et politique* [Ecclesia militans, 6] (Turnhout, 2016).

late-medieval philosophy, theology, and spirituality. What should be questioned, however, is the extent and the modality of this presence. In his entry on ecclesiology in the *Oxford Guide to the Historical Reception of Augustine* (= OGHRA), Eric L. Saak has remarked that "Augustine's understanding of the Church played no role in the ecclesiological developments in the Middle Ages, even if Augustine's texts did."[9] This article intends primarily to investigate further the second part of this claim, i.e. the "textual" influence of Augustine. The aim of this work is not to make a comparison between the conception of the Church expressed by the historical Augustine with that of fifteenth-century conciliarism(s)—although some indications on Augustine's own ideas will be briefly presented.[10] Nor is it to define a set of ecclesiological doctrines according to which a fifteenth-century author might have been understood as "Augustinian" and then try to spot their influence on Gerson's ecclesiology. Rather its main intent is to examine the way in which Gerson explicitly referred to Augustine—even when he did so at second-hand or in aberrant forms—in the writings he composed in the framework of the Council of Constance, and how he used Augustine's authority as a functional instrument for the elaboration and defense of his own vision of the *ecclesia* and of its operations.

As remarked by Saak, Gerson's quotations of Augustine in his most important ecclesiological texts are few and thus one should not overestimate the relevance of even a simple "textual" influence of the Bishop of Hippo on the Chancellor.[11] Nonetheless, these few quotations touch upon central themes in Gerson's ecclesiology and are worthy of some consideration, especially if put in dialogue with other passages, cited by Gerson in

9. Eric L. Saak, "Ecclesiology," in: OGHRA, 2:913.

10. For a discussion of the variety of historiographical perspectives on the study of the late medieval reception of Augustine, see the entries "Augustin(ian)ism" and "The Augustinian Renaissance. Textual Scholarship and Religious Identity in the Later Middle Ages" by Saak in OGHRA, respectively at 2:596–8 and 1:58–67. See also Id., *Creating Augustine: Interpreting Augustine and Augustinianism in the Later Middle Ages,* (Oxford, 2012), esp. 1–21; Id., "The Episcopacy of Christ: Augustinus of Ancona, OESA and Political Augustinianism in the Later Middle Ages," *Quaestio* 6 (2006), 259–75; Id., "The Reception of Augustine in the Later Middle Ages," in *The Reception of the Church Fathers in the West*, ed. Irena Backus, (Leiden, 1997), 2 vols., 1:367–404; as well as Backus, "Limits of the Augustinian Paradigm," 1–15.

11. Saak, "Ecclesiology," 2:914: "Though Gerson knew Augustine well, he did not use Augustine for his ecclesiological writings, an evaluation that holds even given his lack of propensity to cite his authorities. (. . .) Gerson signifies the lack of influence of Augustine in the ecclesiology of conciliarism." Saak bases his evaluation on the references included by Gerson in the *De potestate ecclesiastica* (i.e., the statements "claves ecclesiae datae sunt unitati," and "leges instituuntur cum promulgantur; firmantur autem cum moribus utentium approbantur," which will be considered in § 4).

his works dealing with heresy and biblical exegesis, where the Chancellor places the basis for his understanding of the "profession" of theologian and its role within the ecclesiastical hierarchy. Marc Vial follows in part this perspective in his entry for the OGHRA: on the basis of Gerson's use of *De civitate Dei* 10.23, he concludes that the role of the *auctoritas* of Augustine in Gerson is mainly to "authorize the work of the theologian."[12]

Building upon Vial's suggestion, this article investigates Gerson's use of a series of Augustine's references (including *De civitate Dei* 10.23, *Epistola* 40 3, and *Contra epistolam Manichaei* 5.6) in the context of his position on doctrinal authority and the principles of biblical exegesis, and then connects this perspective with Gerson's understanding of ecclesiastical power and Augustine's place in it (*Sermo* 295 2). In particular, this study will analyze how Gerson utilized these and other references revolving around the ideas of *unitas* and *auctoritas,* while discussing the role of the theologian in defining the truths of faith, their place within the ecclesiastical hierarchy, the nature and limits of papal power, and the relationship between pope and council.

§ 2 will give an account of Gerson's ecclesiology as summarized in his first sermon delivered at the Council, the *Ambulate dum lucem habetis*, and briefly present the way in which Gerson used Augustinian quotations to express his ideas on unity, order, and peace within the *ecclesia*. § 3 will focus on his understanding of *auctoritas* taken in the epistemological and intellectual sense: what are the sources of doctrinal authority?—the Holy Writ alone, or the Apostolic tradition and the teaching of the Church as well? Who has the primary responsibility for the interpretation of Scripture and the determination of the truths of faith? § 4 will then deal with the idea of authority in the jurisdictional sense, i.e. the actual possession and exercise of power. The points at issue in this case are the definition of *potestas ecclesiastica*, the nature and limits of the *plenitudo potestatis* of the pope, the role of the council and their respective positions within the Church. These two perspectives are firmly entangled. On the one hand, the discussion on doctrinal authority entails a distinction between the functions and offices within the hierarchical structure of the Church and, especially, of the role

12. Marc Vial, "Jean Gerson," in: OGHRA, 3:1038–40, here 1040: "It seems that for G.[erson], Augustinian doctrine in its essentials functions as a rule for true Christian thought, thus guaranteeing the doctrines held to be true by the chancellor (. . .) and furnishing, relative to others, the principle if not the particulars of the act of censure. (. . .) The theoretical and particular role of the *auctoritas Augustini* is to authorize the work of the theologian, as understood by G.[erson]."

of theologians within the council. On the other hand, the discussion on the papal plenitude of power is connected to the definition of Christian truth and heresy, and the question as to who is authorized to give a determination in matters *de fides et moribus*. For it is above all on the grounds of heresy that the Church is entitled to judge a pope, and perhaps to depose him, according to the dictum that the pontiff *a nemine est judicandus, nisi deprehendatur a fide devius* (*Decretum*, dist. 40, c. 6). § 5 and 6 will provide a short preliminary note on the philological questions linked to this inquiry and draw some conclusions.

2. On Unity, Order, and Peace

On the Saturday before Palm Sunday, March 23, 1415, Jean Gerson delivered his first official sermon in Constance, in order to reinforce the self-confidence of the council fathers which had been shaken by the sudden flight of John XXIII from the town a few days earlier.[13] In his sermon, the *Ambulate dum lucem habetis*, the Parisian chancellor recapitulated his position on the relationship between the papal office and the council, identifying in the latter the highest representation of the *ecclesia*—bride and mystical body of Christ—and the ultimate authority for the resolution of the three issues that the Council was asked to solve. The idea of *ecclesia* emerging from that sermon—which was shared, *mutatis mutandis*, by many of the supporters of the conciliarist solution and reflected in the decree *Haec sancta* of April 6th—is that of a hierarchically-ordered institution in which power is retained and exercised for the sake of the entire community: a harmonious and multifaceted body, having Christ as its head and united by the Holy Spirit, which is endowed with the faculty of maintaining the integrity of its members.[14] It is on the basis of this "organicist"

13. Jean Gerson, *Ambulate dum lucem habetis*, in: Id., *Œuvres complètes*, ed. Palémon Glorieux, 13 vols. (1960–74) [henceforth, Gl.], 5:39–45. A partial English translation of the sermon is provided in Christopher M. D. Crowder, *Unity, Heresy and Reform, 1378–1460: the Conciliar Response to the Great Schism* (London, 1977), 76–82.

14. Gerson, *Ambulate*, Gl. 5:44: "Ecclesiastica unitas ad unum capum Christum fit et agglutinatur per amorosum Spiritus Sancti vinculum, mediantibus divinis charismatibus, tamquam qualitativis dispositionibus reddentibus in corpore mystico complexionalem harmoniam vivificam et decentem ad opera vitae spiritualiter sufficienter exercenda (. . .) Ecclesia habet potestatem seu facultatem ex vivifico germine sibi insito per Spiritum Sanctum quod seipsam potest continuare in integritate et unitate membrorum suorum" (English translation below). On Gerson's view of the Church as body, see also a passage from the *De auferibilitate sponsi ab Ecclesia*, cons. 4, Gl. 3:295–6: "Itaque sicut non permanet corpus aliquod verum et vivum si non habuerit qualitativas dispositiones reddentes complexionem harmonicam et decentem pro manutenentia formae cum corpore organico secundum exigentiam accidentis ipsius formae et operationum suarum, nam cur aliunde provenit mors nisi quia solvitur isthaec

understanding of the Church as body of Christ that Gerson builds his conciliar theory and claims the right of resistance of the *ecclesia* against a tyrannical pope: the Church has indeed the right to defend itself against anything or anyone (including the vicar of its head) which might constitute a threat to its unity and health.

The topos of the unity of the Church as body of Christ underpins the first three of the twelve considerations that the Chancellor provides in the sermon *Ambulate*:[15]

(1) The unity of the Church consists in one head, Christ. It is bound fast together by the love of the Holy Spirit by means of divine gifts, by qualities and attitudes, so to speak, which renders the constitution of the mystical body harmonious, lively and seemly, so as to undertake the exercise of the spiritual aspects of life.
(2) The unity of the Church consists in one secondary head, who is called the supreme pontiff, vicar of Christ (. . .).
(3) By the life-giving seed instilled in it by the Holy Spirit the Church has the power and capacity to be able to preserve itself in the integrity and unity of its parts (. . .).

After the metaphor of the Church-body, Gerson then refers to the metaphor of the Church-bride, maintaining that while the bond linking the Church and her proper groom, Christ, is indissoluble, the same does not necessary hold for the bond between the Church and the vicar of the groom:

(4) The Church has in Christ a bridegroom who will not fail her. Thus, as the law stands, neither can Christ give the bride, his Church, a bill of divorce, nor the other way around.
(5) The Church is not so bound by the bond of marriage to the vicar of her indefectible groom that the council fathers are unable to agree on a dissolution of the tie and give a bill of divorce.

Gerson then defines the authority of the council *vis-à-vis* that of the pope:

(6) The Church, or a general council representing it, is so regulated that everyone, of whatsoever rank, even papal, is obliged to hearken and

harmonia, non aliter sentiendum est de corpore mystico Ecclesiae. Ipse enim Spiritus Sanctus qui est Spiritus Christi, est etiam suo modo forma corporis Ecclesiae, praebens ei vitam, unitatem et motum; et hic non permaneret in eodem corpore cessantibus qualitativis dispositionibus praenominatis diffusis per totum corpus Ecclesiae et per membra varia, prout unicuique membro donatum est et prout opus habet ad aedificationem corporis universi."

15. Here and below, the English translation by Crowder (*Unity, Heresy and Reform*, 81–2) is quoted. For the original Latin, see Gerson, *Ambulate*, Gl. 5:44–5.

> obey it. (. . .) A general council is an assembly called under lawful authority at any place, drawn from every hierarchical rank of the whole Catholic Church, none of the faithful who are required to be heard being excluded, for the wholesome discussion and ordering of those things which affect the proper regulation of the same Church in faith and morals.
> (7) When the Church or general council lays anything down concerning the regulation of the Church, the pope is not superior to those laws, even positive laws. So he is not able, at his choice, to dissolve such legislation of the Church contrary to the manner and sense in which it was laid down and agreed.
> (8) Although the Church and general council cannot take away the pope's plenitude of power, which has been granted by Christ supernaturally and of his mercy, however it can limit his use of it by known rules and laws for the edification of the Church. For it was on the Church's behalf that papal and other human authority was granted. And on this rests the sure foundation of the whole reform of the Church.

In the considerations following, Gerson maintains: (9) the possibility for the Church to assemble without explicit consent or mandate of the pope; (10) the pope's duty to accept the ways found by the council in order to end the schism; (12) the establishment of a continuous sequence of general and provincial councils in order to keep the process of general reformation alive and functioning; and he returns, once more, to the theme of the unity of the Church, describing it as a hierarchically-ordered structure which should mirror the heavenly hierarchy:

> (11) The Church or general council ought to be particularly dedicated to the prosecution of perfect unity, the eradication of errors and the correction of the erring, without acceptance of persons. Likewise to this: that the Church's hierarchical order of prelates and curates should be reformed from its seriously disturbed state to a likeness to God's heavenly hierarchy and in conformity to rules instituted in early times.

The desire to achieve and preserve the *unitas ecclesiae* is a long-standing theme of Gerson's ecclesiological writings and one of the leading purposes of his engagement at the Council of Constance. From this perspective, Jean Gerson can be indeed defined as the "apostle of unity," as the title of Guillaume H. M. Posthumus Meyjes' monograph reads.[16] Unity, for Gerson, is both a real aspiration *vis-à-vis* the contingent situation—a concrete goal to look forward to in face of the schism tearing through Christendom—and a

16. Posthumus Meyjes, *Apostle of Unity.*

structural principle which is intrinsic to the nature and operations of the Church. His concept of the *ecclesia* is that of a hierarchically-ordered institution in which the prelates are entrusted with the powers of purgation, illumination, and perfection (*purgare, illuminare, perficere*), aimed at leading the flock to union with God in charity, which results in peace.[17] The very aim of the ecclesiastical hierarchy and its function is therefore "the production of love, union and peace which terminate in the edification of the mystical body." Louis B. Pascoe has highlighted the influence of Augustine—alongside the pseudo-Dionysius—on this view.[18]

Firstly, one can point to the presence in Gerson of traditional images of the "one and universal" Catholic Church which were central in Augustine and then passed on through the Christian tradition:[19] for instance, the Pauline analogies describing the relationship of the Church to Christ, such as the Church as mystical body (I Cor. 12:12–31; Rom. 12:4–8; Eph. 4:1–16) or as bride (Eph. 5:21–32),[20] and the image of the Church as city of God (Ps. 87:3). Besides the "organicist" image of the Church as body of Christ and that of the Church as Christ's spouse, which we have mentioned above, Gerson also made use of the celestial archetype of the Church as *église* or *cité de paradis*, on which Augustine built his *De civitate Dei*.[21] According to Gerson, the *ecclesia* is indeed the "strongest, most

17. This idea is examined in detail in Pascoe, *Jean Gerson: Principles of Church Reform,* 17–48.

18. Pascoe, *Jean Gerson: Principles of Church Reform*, 39. Cf. Jean Gerson, *Responsio ad errores de orationibus privatis fidelium*, in: Id., *Opera Omnia, Novo ordine digesta et in V. Tomos distributa*, ed. Louis Ellies du Pin (Antwerp 1706), 2:654B: "Valor et dignitas actuum hierarchicorum in Ecclesia principaliter attenditur per reductionem corporis mystici seu politici ad Corpus Christi verum quod in eucharistia sacramentaliter continetur, et quod usque in finem seculi permanebit nobiscum."

19. Among the copious literature on Augustine's understanding of the Church, one should mention Stanislaus J. Grabowski, *The Church: An Introduction to the Theology of St. Augustine* (St. Louis, 1957); Émilien Lamirande, *Études sur l'ecclésiologie de saint Augustin* (Ottawa 1969); Michael A. Fahey, "Augustine's Ecclesiology Revisited," in: *Augustine from Rhetor to Theologian*, ed. J. McWilliam (Waterloo, Ont., 1992), 17–81. More recently: Michael Root, "Augustine on the Church," in: *T&T Clark Companion to Augustine and Modern Theology*, eds. Chad C. Pecknold and Tarmo Toom (New York, 2013), 54–74; and James K. Lee, *Augustine and the Mystery of the Church* (Minneapolis, 2017).

20. On the analogies between bride-bridegroom/body-head and Church-Christ in the New Testament, see Gregory W. Dawes, *The Body in Question. Metaphor and Meaning in the Interpretation of Ephesians 5:21–33* (Leiden /Köln, 1998).

21. Jean Gerson, *La mendacité spirituelle*, Gl. 7:250: "la noble cité de paradis de qui tant glorieuses choses sont dittes." Cf. Augustine, *De civitate Dei* 11.1, eds. Bernhard Dombart and Alphonsus Kalb [Corpus christianorum. Series latina (hereafter CCSL), 48] (Turnhout, 1955), 321. See Pascoe, *Jean Gerson: Principles of Church Reform*, 20–21.

explicit, and closest" manifestation of the hierarchical order of the heavenly city, which structures the entire universe—from the laws that govern the heavens, stars, and natural elements, to the political power exercised on this earth, according to Rom. 13:1: "Let every soul be subject to higher powers: for there is no power but from God: and those that are, are ordained of God."[22]

Secondly, one should note that, besides employing "Augustinian" images, Gerson borrowed Augustine's words to describe his vision of the Church as a hierarchically ordered institution. For instance, Gerson explains the presence of order within the Church-bride-of-Christ by using definition of *ordo* as "an arrangement of like and unlike things whereby each of them is disposed in its proper place," given by Augustine in *De civitate Dei* 19.13.[23] Similarly, he relies on Augustine's definition of *pax* provided in the same chapter of the *De civitate Dei*: peace is the tranquility which comes from order.[24]

In Gerson's works discussing the threats of the Great Schism, heresy, and moral corruption—understood as deformations of the mystical body and of its harmonious complexion—the ideas of *unitas*, *ordo,* and *pax* are strictly intertwined, and constitute the principles that should guide Church reform. It is on unity, order, and ultimately peace that the good health of the ecclesiastical hierarchy and its activity depends. "For what is heaven if not an endless peace, as Augustine says in *De civitate* 19," Gerson declares in the sermon *Pax hominibus*—delivered before the French King, Charles VI (1380–1422), on December 18, 1409, after the election of Alexander V (1409–10) at the Council of Pisa (1409)—while making a plea for the realization of unity both within the Western Church and with the Greeks.[25]

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22. Jean Gerson, *Domine si in tempore hoc*, Gl. 5:212.

23. Jean Gerson, *Gratia vobis* (letter to Guillaume Minaudi dated Lyon, October 30, 1422), Gl. 2:233: "Quid autem magis processit a Deo quam religio christiana, quam Ecclesia Christi sponsa? Est igitur in ea ordo qui describitur esse *parium dispariumque rerum sua unicuique tribuens dispositio* seu collatio" (italics added). Cf. Augustine, *De civitate Dei* 19.13, CCSL 48, 679; Id., *De ordine*, ed. Pius Knöll [Corpus Scriptorum Ecclesiasticorum Latinorum (hereafter CSEL), 63] (Vienna, 1922), 121. On this point, see Pascoe, *Jean Gerson: Principles of Church Reform*, 22–23.

24. Jean Gerson, *Dedit illi gloriam regni*, Gl. 5:185: "Est autem pax tranquillitas ordinis secundum Augustinum." Cf. Augustine, *De civitate Dei* 19.13, CCSL 48, 679. See Pascoe, *Jean Gerson: Principles of Church Reform*, 37.

25. Jean Gerson, *Pax hominibus bonae voluntatis*, Gl. 7*:763: "Car n'est autre chose paradiz fors pais sans fin, sicut dicit Augustinus, XIX de Civitate." Cf. Augustine, *De civitate Dei* 19.10–11, CCSL 48, 674–5.

In the second part of the sermon *Apparuit gratia dei*, preached on January 1, 1404 in Tarascon, Gerson appeals to the value of peace to strengthen his critique of Pope Benedict XIII's lack of humility and reluctance to resign the papacy for the good of the Church. Peace, Gerson asserts before the pontiff himself, is the goal of the ecclesiastical institution, since the mystical body desires its own unity and peace just as the bodies of natural beings do, according to the teachings of Dionysius, Augustine, and Boethius.[26] Peace, the Chancellor adds, should also be the end of the laws that govern the *ecclesia*, as is the case with all laws in general. If a law is discovered to be in conflict with the creation and maintenance of peace, it lacks of *firmitas*, and therefore must either be interpreted in such a way that it could promote peace or be simply abolished.[27]

The principle in the background of this last claim is the Aristotelian virtue of *epikeia* (*Eth. Nicomac.* 5.10, 1137a32–1138a3) or *aequitas*, according to which one should look at the intention of the lawgiver instead of the bare letter of the text, rectifying the law in the light of the arrangements required by the particular situation to which the law applies.[28] The need to distinguish between the intention and the bare text of the law—or between spirit and letter, according to St. Paul's statement, "For the letter kills, but the Spirit gives life" (2 Cor. 3:6)—represents a pervasive leitmotiv in Gerson's oeuvre.[29] This principle applies both to the laws regulating polit-

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26. Jean Gerson, *Apparuit gratia Dei*, Gl. 5:84–90, here p. 84 (*prima consideratio*): "Finis politiae ecclesiasticae et cujuslibet legis eam regulantis, est pax salutifera. Hoc satis expressit divinus noster philosophus Paulus qui finem legis et praecepti nunc dilectionem esse dixit nunc Jesum, intelligens in dilectione pacem, in Jesu salute ut sit finis salutaris. Neque opus est anxia deductione alia, cum natura nos doceat ens quodlibet non minus suam unitatem aut pacem appetere quam entitatem, secundum deductionem divini Dionysii, Augustini et Boetii, ita ut pax sit bonum quod omnia appetunt; adeo quod particularis ordo naturae plerumque mutatur in rebus ut unitas conservetur. Manifestat hoc ascensus gravis sursum et levis deorsum. Si in corpore vero, cur non in mystico qui sursum est?"

27. Gerson, *Apparuit*, Gl. 5:84–5: "Cum igitur secundum exigentiam finis cetera debeant moderari et finis est qui imponit necessitatem rebus, necessitas vero legem non habet, perspicuum est quod nulla lex habeat aliquid firmitatis si paci faciendae vel conservandae invenitur contraria; sed debet interpretari ut serviat paci vel penitus aboleri. (. . .) Nullo pacto igitur servatur lex non observato legis fine qui est pax." Cf. Gerson, *De auferibilitate,* cons. 11, Gl. 3:301: "Finis autem legum omnium, nedum humanarum sed divinarum, est dilectio quae unitatem operator. Si igitur casus ubi legis alicujus observatio dissiparet unitatem et adversaretur publicae salutis; quis ratione utens diceret tunc eam tenere oportere?"

28. See, for instance, Francesco D'Agostino, *La tradizione dell'epikeia nel Medioevo latino: Un contributo alla storia dell'idea di equità* [Pubblicazioni dell'Istituto di filosofia del diritto dell'Università di Roma, 3rd ser., 15] (Milano, 1976).

29. On this topic, see Posthumus Meyjes, *Apostle of Unity*, 207–46; Yelena Mazour Matusevich, "Some Aspects of Jean Gerson's Legal Influence in Sixteenth Century England:

ical communities and to the interpretation of Scripture (and consequently of the laws deriving from it): "a text of the Sacred Scripture does not preserve in its exposition the sense intended by the Holy Spirit if it does not build up in love (*aedificet caritatem*), which is the end of the precept."[30] Albeit not referring directly to Augustine, Gerson is proposing here an idea—echoing 1 Cor. 8:1–2 ("Knowledge puffs up, but love builds up")—displayed, for instance, in *De doctrina christiana* 1:36: "anyone who thinks that he has understood the divine scriptures or any part of them, but cannot by his understanding build up this double love of God and neighbor, has not yet succeeded in understanding them."[31]

The principle of *epikeia* is central in both Gerson's understanding of biblical exegesis and in his approach to canon law. On the one hand, it is a virtue that theologians should learn to master: the role of theologians within the *ecclesia* is indeed to decipher the "true literal sense" of the Scripture intended by the Holy Spirit beyond the "bare letter" of the text; this topic will return in § 2. On the other hand, it leads to a reconsideration of the authority of the ecclesiastical laws in force at the time and their interpretation. Gerson

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The Issue of *epikeia*," *Journal of Early Modern Christianity*, 4:1 (2017), 47–62. At the Council of Constance, this theme was central in the discussions of Wyclif and Hus concerning their approach to the reading of Scripture, as well as in the debates over the orthodoxy of Jean Petit's *Justification du duc de Bourgogne*. Jean Petit had indeed appealed to 2 Cor. 3:6 and the principle of *epikeia* in order to defend the legitimacy of tyrannicide against a literal interpretation of the precept, "Thou shall not kill." The claim that "toujours tenir le sens litteral en la sainte Escriture est occire son âme" constituted the eighth of the nine assertions allegedly maintained by Petit condemned at the Council of the Faith of Paris in 1414, and then brought before the Council of Constance under the insistence of Jean Gerson. The author is currently working on an article that considers the use of Augustine's *auctoritas* (esp. D*e doctrina christiana* 3.5; *De spiritu et littera* 4.6 and 21.36; *Epist.* 40 3; *Epist.* 93 8) in the deliberations for and against the condemnation of Petit's eighth assertion at both the Council of the Faith of Paris and the Council of Constance. One of the few studies on this topic is Karlfried Froelich, "*Always to keep the literal sense in Holy scripture means to kill one's soul*: the state of Biblical Hermeneutics at the Beginning of the Fifteenth Century," in: *Literary Uses of Typology from the Late Middle Ages to the Present*, ed. Earl Miner (Princeton, NJ, 1977), 20–48.

30. Gerson, *Apparuit*, Gl. 5:85: "nullus textus Sacrae Scripturae in sua expositione retinet sensum Spiritus Sancti nisi ille caritatem aedificet qui finis est praecepti."

31. Cf. Augustine, *De doctrina christiana* 1.36, ed. Paul Tombeur [CCSL 32] (Turnhout, 1982), 29: "Quisquis igitur Scripturas divinas vel quamlibet earum partem intellexisse sibi videtur, ita ut eo intellectu non aedificet istam geminam caritatem Dei et proximi, nondum intellexit." The translation by Roger P. H. Green (Oxford 1995), 49 is here used. Augustine's teaching of the senses of the Scripture is an important source for Gerson's own understanding of biblical exegesis. Augustine's *De doctrina christiana*, for instance, is one of the main sources of Gerson's *De sensu litterali sacrae scripturae*, alongside Nicholas of Lyra's *Postillae super bibliam*, and Henry Totting of Oyta's commentary on the *Sentences* (cf. Posthumus Meyjes, *Apostle of Unity*, 323).

claims that if one looks at the real purpose of ecclesiastical laws, one should not be afraid, in order to resolve the schism, of going against those customary human rules that actually preserve division (e.g., those concerning the modalities of papal election) or to fight the "obstinate defense of human inventions" which are ruinous for the Church and its true goal—i.e., the salvific peace (*pax salutifera*). These *humanae inventiones*, according to the Chancellor, include the idea that it is forbidden to discuss the nature and extent of papal power, to judge the orthodoxy of a pontiff, to congregate in assembly without him, and to call him in council, or that it is an article of faith to assert that Benedict (or someone else) is pope, that without a pope there is no salvation, and that he is *impeccabilis* and omnipotent.[32]

In Gerson's view, the restoration of the correct hierarchical order, aiming at realizing unity and peace, is the key to re-establishing health in the body of the Church, and constitutes the end for which it is allowed to question and define the primacy of its head over the other members. This, of course, requires clarification as to who ultimately possesses the *auctoritas* to investigate the true meaning of Scripture, to determine what does and does not conform to the *regula fidei*, and to make pragmatic decisions for the preservation of the *ecclesiastica unitas*, by exercising the jurisdictional power given to the Church by Christ when the *vicarius Christi* is proved to be inadequate for the role. Beginning from the time of the Council of Pisa, and especially during the Council of Constance, Gerson describes the general council as the most effective instrument and highest authority for the performance of these tasks.

3. Between Ecclesiology and Biblical Exegesis

Among the Augustine statements on doctrinal authority which Jean Gerson cites frequently, a passage taken from *De civitate Dei* 10.23 certainly takes pride of place.[33] In the chapter, "On the principles which, according to the Platonists, regulate the purification of the soul," after

32. Gerson, *Apparuit*, Gl. 5:85–6. The theme of *pax* is further expanded upon in three other *considerationes* (Gl. 5:86–90), which is here omitted.

33. On the use of this citation, see in particular Wolfgang Hübener, "Der theologisch-philosophische Konservativismus des Jean Gerson," in: *Antiqui und moderni. Traditionsbewußtsein und Fortschrittsbewußtsein im späteren Mittelalter,* ed. Albert Zimmermann [Miscellanea Mediaevalia, 9] (Berlin/New York, 1974), 171–200. See also Vial, "Jean Gerson," 1038–39; and Hobbins, *Authority and Publicity,* 44–45. For the understanding of the concept of *doctrina* in Gerson, see Zénon Kałuża, "La doctrine selon Jean Gerson," in: '*Vera Doctrina.*' *Zur Begriffsgeschichte der Lehre von Augustinus bis Descartes,* eds. Philipp Büttgen *et al.* [Wolfenbütteler Forschungen, 123] (Wiesbaden, 2009), 115–40.

having explained the positions of Porphyry and Plotinus in comparison to the Christian doctrine of Trinity, Augustine remarked that

> philosophers speak as they have a mind to, and in the most difficult matters do not scruple to offend religious ears; but we are bound to speak according to a certain rule, lest freedom of speech beget impiety of opinion about the matters themselves of which we speak.[34]

Quoted by Gerson in many contexts before, during, and after Constance, this passage embodies, for the Parisian Chancellor, the "Fundamentalprinzip seines Verständnisses des theologischen Lehramts,"[35] or "his golden rule for theological expression."[36]

Considering the way in which Gerson uses this statement throughout his oeuvre, again and again, "repeating only these words (. . .) brandished as a formula,"[37] and never really discussing the context in which it was originally formulated, one can suppose that he did not draw it from the *De civitate Dei* directly, but from a different source. The most reasonable hypothesis is that Gerson came into contact with this passage in the context of the controversy that pitted the University of Paris—and especially Gerson's mentor, Pierre d'Ailly (1351–1420)—against the Dominican Juan de Monzon (1340–1412), who in 1387 was accused by non-mendicant members of the Faculty of Theology of having publicly taught a series of suspicious theological doctrines.[38] The quote from *De civitate Dei* 10.23 is indeed found in the text of the condemnation, issued by the Faculty of Theology and the bishop of Paris, of fourteen articles taken from Monzon's works—a condemnation against which the Dominicans appealed to the Pope Clement VII as they did not recognize any other the authority for the determination of the errors of faith than the Holy See.[39] It was not long before the focus of the conflict shifted from the theological content of Monzon's doctrines to the definition of the nature and limits of authority in matters of faith of popes, bishops and theologians. On this occasion,

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34. Augustine, *De civitate Dei* 10.23, CCSL 47, 297: "Liberis enim verbis loquuntur philosophi, nec in rebus ad intellegendum difficillimis offensionem religiosarum aurium pertimescunt. Nobis autem ad certam regulam loqui fas est, ne verborum licentia etiam de rebus, quae his significantur, impiam gignat opinionem."

35. Hübener, "Der theologisch-philosophische Konservativismus," 171.

36. Hobbins, *Authority and Publicity*, 45.

37. Hobbins, *Authority and Publicity*, 45.

38. Hübener, "Der theologisch-philosophische Konservativismus," 171; Hobbins, *Authority and Publicity*, 45. For a dossier of the "Monzon affair," see Gl.10:3–5.

39. *Chartularium Universitatis parisiensis*, ed. Heinrich Denifle and Émile Chatelain, 4 vols. (Paris, 1889–1897), 3:492 (no. 1559); cf. Hobbins, *Authority and Publicity,* 45.

Pierre d'Ailly distinguished between two ways of determining a Christian truth: "scholastically" and "judicially."[40] The second kind of determination is the responsibility of the bishops and, ultimately and more eminently, of the bishop of Rome; the first belongs to the office of the theologians. Although the "scholastic" determination of the theologians lacks judicial authority, it should however precede that of the bishops, as it is the theologians' duty to define through doctrinal inquiry what is true and what is not.

Gerson's frequent use of *De civitate Dei* 10.23 falls within this framework, as he utilizes it in support of his claims on (i) the principles that rule theological inquiry; (ii) the role of theologians in the definition of what is truth and heresy, and their place within the ecclesiastical hierarchy; (iii) the authority of theologians, bishops, and general councils with regard to imposing censorship.

Firstly, (i) Gerson uses this Augustinian dictum as a call for an appropriate use of language, which should be pertinent and suitable to the context and discipline in which it is used. In particular, *De civitate Dei* 10.23 advocates the pursuit of theological science according to its proper terminology and methods.[41] According to Gerson, Sacred Scripture cannot be interpreted according to logic or dialectic, which serves the speculative sciences, as it expresses itself in a narrow way of speaking which does not accommodate the use of metaphors or figures of speech.[42] The discipline proper to the study of the Scripture is rather the *ars rhetorica*, which attends to the moral and political sciences, and uses figures, tropes, and colors so as to successfully move the *affectum* of the audience—as Augustine also teaches in the *De doctrina christiana*.[43] It is with the instruments of rhetoric

40. Pierre d'Ailly, *Tractatus ex parte universitatis studii parisiensis pro causa fidei contra quemdam fratrem ordinis praedicatorum*, in: *Collectio judiciorum de novis erroribus...*, ed. Charles du Plessis d'Argentré, 3 vols. (Paris 1724–36), 1:75–129. For Pierre d'Ailly's defense of the role of the theologians in the determination of the truth of faith in the context of the case Monzon, see Duglass Taber, Jr., "Pierre d'Ailly and the Teaching Authority of the Theologian," *Church History*, 59:2 (1990), 163–74.

41. Gerson referred to this passage to this end, for instance, in the treatises *Contra curiositatem studentium*, dated 1402 (Gl. 3:244); *De sensu litterali Sacrae Scripturae*, 1413–14 (3:336); *De examinatione doctrinarum*, 1423 (9:466); in a note on the reformation of the theological teaching attached to an epistle to Pierre d'Ailly, dated Bruges April 1, 1400 (2:26); as well as in two letters to Barthélemy Clantier, dated Paris, March 1402 and April–June 1408, where Gerson criticizes the use of terminology used by John van Ruysbroeck in the *De ornatu spiritualium nuptiarum* (2:61, 97).

42. Jean Gerson, *De duplici logica*, Gl. 3:58.

43. Gerson, *De duplici logica*, Gl. 3:58, and 60: "Hic est quod egregius doctor Augustinus tum in locis plurimis tum specialius in libro de Doctrina christiana regulas pro expositione

that theologians can truly interpret the Holy Writ and understand the 'true literal sense' of Scripture.[44] The 'literal sense', indeed, goes beyond the logical or grammatical sense of the biblical text as it should be understood by looking at the intention of its author, the Holy Spirit.[45] In this respect, the Augustine dictum is brought in support of Gerson's consideration of the peculiarity of the instruments and methods of the theological inquiry against the methods of the other sciences.

The second context (ii) in which Gerson refers to *De civitate Dei* 10.23 logically follows the first one. This passage stands as a declaration on the prominent place occupied by theology with respect to the other disciplines, and on the role of theologian—and especially the Parisian theologians—in judging what conforms to the *regula fidei*.[46] According to Gerson, theologians are the professionals of exegesis. For this reason, as we have seen in Pierre d'Ailly, their role in the Church is to discriminate, *scholastice* and *doctrinaliter*, between truth and heresy, so that at a second stage the bishops, and the Church as a whole, in council, can confirm their doctrinal determination *sententialiter* and *auctoritative*.[47] In this sermon dated 1410, addressed to the *licentiandi in decretis*, Gerson will refer to *De civitate Dei* 10.23 when he discusses the relationship between theology and canon law

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Sacrae Scripturae dedit et ab aliis data collaudavit inter quas una est per synecdoche ubi pars pro toto sumitur, alia per hyperbolen ubi veritas ad exaggerandum exceditur, alia ubi locatum pro loco accipitur."

44. Gerson, *De sensu litterali*, Gl. 3:334: "Sensus litteralis Sacrae Scripturae accipiendus est non secundum vim logicae, seu dialecticae (. . .) Habet enim Scriptura Sacra, sicut et moralis et historialis scientia, suam logicam propriam, quam rhetoricam appellamus."

45. Jean Gerson, *Declaratio compendiosa quae veritates sint de necessitate salutis credendae*, Gl. 6:185: "aliud est littera, aliud est sensus litteralis . . . Est enim sensus litteralis vere et proprie dictus, ille quem Spiritus Sanctus principaliter intendebat et qui ex circumstantiis litterae Scripturae Sacrae trahi potest et debet, sicut expositores sacri fecerunt et docuerunt." On Gerson's principles of biblical exegesis, see, for instance, David Zachariah Flanagin, "Making Sense of It All: Gerson's Biblical Theology," in: *A Companion to Jean Gerson,* 133–77; and Ian C. Levy, "Holy Scripture and the Quest for Authority among Three Late Medieval Masters," *The Journal of Ecclesiastical History*, 61 (2010), 48–68.

46. As we will see below, fn. 51, reporting the statement "nobis autem ad certam regulam loqui fas est," Gerson specifies: "nobis autem *scilicet theologis* ad certam regulam loqui fas est."

47. See, for example, how Gerson treats this point in the *Pro unione ecclesiae*, dating 1391, Gl. 6:1–21. On the role of theologians in the definition of the Christian truths, and on their place within the *ecclesia*, see Kałuża, "La doctrine selon Jean Gerson"; Burrows, *Jean Gerson and "De consolatione theologiae,"* 120–25, 220–40; Posthumus Meyjes, *Apostle of Unity*, 314–39; and Daniel Hobbins, "The Schoolman as Public Intellectual: Jean Gerson and the Late Medieval Tract," *The American Historical Review*, 108:5 (2003), 1308–37. For a study of the actual role played by theologians in Councils, see Nelson H. Minnich, "The Voice of Theologians in General Councils from Pisa to Trent," *Theological Studies*, 59 (1998), 420–40.

in order to claim the disciplinary primacy of the first over the latter.[48] According to Gerson, the task of judging what is heresy and who is a heretic belongs to the theologians; that of the jurists is simply deciding what punishment should be applied when the rules are broken.[49]

The third context (iii) concerns Gerson's considerations on the authority to exercise doctrinal censorship. In a letter to a friar minor, dated Lyon, December 7, 1426, Gerson describes *De civitate Dei* 10.23 as the basis for the Parisian condemnations of 1241, 1270, and 1277, as well as to those issued against Jan Hus and Jerome of Prague at the Council of Constance.[50]

In his third sermon before the Council, *Prosperum iter faciat nobis*, Gerson supplies a substantial part of *De civitate Dei* 10.23, bringing the three above-mentioned aspects together.[51] The sermon was delivered on 21 July 1415, in the wake of the departure of the Emperor-elect Sigismund for Nice, where he would meet the ambassadors of Benedict XIII to urge him to resign. While describing the ways in which the Council can lead the Church *ad viam veritatis*, Gerson refers to Augustine's dictum that "we are bound to speak according to a certain rule," and complements it with the *auctoritates* of Hilary of Poitiers, "the understanding of what is

48. Jean Gerson, *Dominus his opus*, Gl. 5:288.

49. Gerson, *Dominus his opus*, Gl. 5:226: "Cum praeterea videtur in corpore naturali membra turpiora et infirma plus habere necessitatis quam pulchriora et perfectiora qualia sunt oculus et auditus. Denique manifestum est ex his ad quam facultatem spectat judicare de haeresibus et haereticis. Constat quod ad theologiam; modum vero puniendi magis determinat facultas decretorum, sed executionem judices et clientes seu bourrelli magis sciunt."

50. Gl. 2:278.

51. Jean Gerson, *Prosperum iter faciat nobis,* Gl. 5:471–80; here the full passage, at 476–7: "Tertia directio. Concilium generale potest damnare propositiones multas cum suis auctoribus licet habere glossas aliquas vel expositiones vel sensus logicales veros possint. Hoc practicatum est in hoc concilio de multis articulis Wiclef et Johannis Hus, quorum aliqui poterant vel de vi logicae vel grammaticae defensionem aliquam recipere, ut in articulis qui sunt indefinite traditi, vel qui loquuntur de possibilitate, prout esse logicum est latum nimis, vel qui possent ad aliquem sensum verum trahi si seorsum ponerentur. Sed concilium hoc solerter attendit primo quod juxta Hilarium, intelligentia dictorum ex causis est assumenda dicendi. Iterum illud Augustini: *liberis verbis utuntur philosophi et in rebus ad intellegendum difficillimis offensionem piarum aurium non pertimescunt; nobis autem* scilicet theologis *ad certam regulam loqui fas est.* Illud denique vulgatum fundatum in Aristotele quod sermones accipiendi sunt secundum materiam subjectam; unde moralis scientia, similiter et theologia suam habet propriam logicam et sensum litteralem aliter quam speculativae scientiae. Haec directio vel lex praeservavit hactenus praeclaram Universitatem Parisiensem a pluribus erroribus dum scholasticos suos semper ad certam regulam fidei loqui jussit et compulit. Utinam in aliis studiis haec similiter disciplina teneatur. Mala libertas est male et erronee loqui posse" (italics added).

said should follow the causes of the speech,"[52] and of Aristotle's *Nicomachean Ethics*, "the accounts we demand must be in accordance with the subject-matter."[53]

The function of these three references is, above all, to confirm the right of doctrinal censorship proper to the council. Gerson maintains that the council has the authority to condemn those statements in matters of faith and morals which—taken in some particular sense or extrapolated from their context—could be defended to a certain extent and be logically or grammatically true, but instead, from a theological or moral perspective, are erroneous and might be misleading for the flock.

The hermeneutical mission of the theologians has a large effect on the extent to which the right of censorship might be exercised by the council fathers. As Gerson adds in the *quarta directio* of the sermon *Prosperum iter*, the council has the authority to condemn a false theological statement even when it cannot justify this condemnation with an explicit biblical verse, unglossed, but can find support in the explanation of the doctors and in the well-known use of that passage in the Church.[54] The Council of Constance indeed claimed the right to condemn many of the assertions held by Wyclif, Hus, and of the Utraquists—who would only recognize refutation by passages from the Scripture, since they disregarded the authority of the doctors' expositions, decrees, and decretals—even without an explicit biblical text as an authority.[55]

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52. Hilarius Pictaviensis, *De trinitate* 4.14, ed. Pieter Frans Smulders [CCSL 62] (Turnhout, 1979), 116.

53. Aristotle, *Ethica Nicomachea* 2.2, 1104a3. Kałuża notices that this rule was referred to in the framework of the anti-Ockhamists statutes of 1340, and that Pierre d'Ailly used it against Jean de Monzon; see "La doctrine selon Jean Gerson," 136–37; Id., "Les sciences et leurs langages. Note sur le statut du 29 décembre 1340 et le prétendu statut perdu contre Ockham," in: *Filosofia e teologia nel Trecento: studi in ricordo di Eugenio Randi*, ed. Luca Bianchi [Textes et études du Moyen Age, 1] (Louvain-la-Neuve, 1994), 197–258.

54. Gerson, *Prosperum*, Gl. 5:477: "Concilium generale potest et debet damnare propositiones multas vel assertiones hujusmodi quamvis non possent ex solo et nudo textu expresso Sacrae Scripturae patenter reprobari seclusis expositionibus doctorum vel uso celebri Ecclesiae et ceteris."

55. Gerson, *Prosperum*, Gl. 5:477: "Hoc practicatum est in hoc concilio in multis assertionibus ipsius Wiclef et Joannis Hus, immo et de ista quod est communicandum per laicos sub utraque specie panis et vini. Haec directio vel lex prosperum facit iter ad haeresum et haereticorum exterminationem, quoniam haeretici quos vidimus, defensionem suam ut plurimum accipiunt quia nolunt haereses absolute revocare sed tantum conditionaliter, si videlicet ex rigore textus Sacrae Scripturae convincantur errare, dicentes quod expositiones doctorum, decreta, et decretales sint apocryphae neque de illis curandum est."

The possibility for the council to condemn as heretical a proposition that is not explicitly condemned by the surface meaning of Holy Writ based on the fact that it does not conform to the interpretation given by the ecclesiastical tradition depends on Gerson's position regarding what constitutes the ultimate source of *auctoritas*. A clear summary of this matter can be found, precisely, in a treatise against Utraquism, the *Contra haeresim de communione laicorum*, written in Constance in 1417. The first part of this text consists of a methodological essay in ten *regulae speculativae* on the principles of biblical exegesis.

The departure point is obvious:

(i) the Holy Writ represents the highest and unquestionable source of authority.[56] Scripture, however, should be understood like a *propositio copulativa* where all parts are connected, so that one confirms and explains the other. In order to express this concept, Gerson refers to the consideration, taken from a letter from Augustine to Jerome (presumably *Epistola* 40), that "if some proposition posited assertively by its own author, which is the Holy Spirit, would be false (*falsa*), the entire authority of the Holy Scripture would be called into question (*vacillaret auctoritas*)."[57]

An interlude on this passage is due, since it has at its origin an episode of the New Testament that caused rivers of ink to flow among its commentators. The quotation is taken from one of the letters written by Augustine to Jerome discussing the correct understanding of the "Incident at Antioch," reported by Paul in his Epistle to the Galatians (Gal. 2.11–14).[58] Paul reports how in the city of Antioch he had a confrontation with Peter. Peter used to eat with the Gentiles but, upon the arrival of a group of Jews, he drew back and separated himself from the Gentiles for fear of the Jews' judgment. In reprobation of Peter's hypocritical behavior, Paul "withstood him to the face, because he was to be blamed" (Gal. 2.11).[59] From a moral and ecclesiological point of view, this passage became a *locus classicus* for

56. Jean Gerson, *Contra haeresim de communione laicorum*, Gl. 10:55: "Scriptura Sacra est fidei regula, contra quam bene intellectam non est admittenda auctoritas vel ratio hominis cujuscumque."

57. Gerson, *Contra haeresim*, Gl. 10:55: "Sacra Scriptura debet considerari quasi sit una propositio copulativa connectens singulas partes, et unam confirmans per alteram, elucidans et exponens; quoniam si propositio aliqua Sacrae Scripturae posita assertive per auctorem suum, qui est Spiritus Sanctus, esset falsa, tota Sacrae Scripturae, sicut dicit Augustinus, vacillaret auctoritas."

58. *Epist.* 28, 40, and 72.

59. On the dispute, see John N.D. Kelly, *Jerome, His Life, Writings and Controversies* (London, 1975), 217–8, 263–72.

discussions on fraternal correction, and, in particular, on whether it was possible and who was entitled to correct an erring pope.[60] From the perspective of biblical exegesis, the issue arose about whether or not this episode ought to be taken seriously, and, if not, what the consequence would have been regarding the veracity of the entirety of Scripture. Augustine and Jerome disagreed about whether Paul's narration of his rebuke to Peter was actually accurate. Jerome claimed that either Peter was simulating or Paul was lying about the episode, merely making up a pedagogical story for his audience. Augustine was instead strongly opposed to this interpretation: Paul did rebuke Peter in Antioch, otherwise, the belief in the presence of just one lie in Scripture could urge the reader to call into question the veracity of the entire biblical text and open the door to an uncontrolled number of interpretations.[61] The confrontations with Jerome led Augustine to investigate further the themes of lying and falsehood, which he recorded in his treatises *De mendacio* and *Contra mendacium*.[62]

Gerson refers to this passage several times within his writings, and in different ways. Augustine's *Epistola* 40 3 reads: "For, if the validity of the polite lie be admitted in the Holy Scriptures, how will their authority be maintained?"[63] In the *Contra haeresim de communione laicorum*, this text is found strongly paraphrased. Gerson replaces Augustine's word 'lies' ("si . . . admissa fuerint . . . officiosa mendacia") with 'falsity' ("si propositio aliqua . . . esset falsa"). Another peculiarity is his use, here and elsewhere, of the verb, *vacillare* (i.e., the authority of the Scriptures would waver), rather

60. On Gerson's use of the topos of fraternal correction and Gal. 2:11–14, see Thomas M. Izbicki, "The Authority of Peter and Paul: The Use of Biblical Authority During the Great Schism," in: *A Companion to the Great Western Schism*, 375–93, esp. 388–90; Sère, *Les débats d'opinion à l'heure du Gran Schisme*, 200–23; and, more generally, Guillaume H. M. Posthumus Meyies, *De controverse tussen Petrus en Paulus. Galaten 2:11 in de historie* (Graveghage, 1967).

61. In his commentary to the Epistle to Galatians, Augustine reinstated his certainty in the fact that Paul did rebuke Peter; cf. *Expositio ad Galatas* 15, ed. John Divjak, [CSEL 84] (Vienna, 1971), 69–71.

62. On this point, see Matthew Kempshall, *Rhetoric and the Writing of History, 400–1500*, (Manchester, 2011), 380–82. More generally, for Augustine's reflections on the nature of lying, see the studies by Thomas Feehan; Marcia L. Colish; as well as, more recently, Erika T. Hermanowicz, "Augustine on Lying," *Speculum*, 93/3 (2018), 699–727; and Giovanni Catapano, "Literary Fiction According to Augustine's *Soliloquia*," (forthcoming in *Mediaevalia. Textos e estudos*).

63. Augustine, *Epistola* 40 3, ed. Klaus-D. Daur [CCSL 31] (Turnhout, 2004), 160: "Si enim ad scripturas sanctas admissa fuerint velut officiosa mendacia, quid in eis remanebit auctoritatis?" Cf. Gratian, *Decretum,* dist. 9, cap. 7. Here and below, the English translation by Wilfrid Parsons (Saint Augustine, *Letters* [Fathers of the Church, 12] [Washington, 1951]) is quoted.

than Augustine's word, *remanere* (i.e., how will their authority be maintained?). Gerson's expression seems closer to that used by Augustine in:

- a later passage of the same *Epistola* (40 5): "Otherwise, the Holy Scripture, which has been given to preserve the faith in generations to come, would be wholly undermined (*fluctuet*) and thrown into doubt, if the validity of lying were once admitted";[64]
- another letter to Jerome on the same topic (*Epistola* 28 5), while making a similar argument: "the authority of the Divine Scriptures is undermined (*fluctuare auctoritatem*)—leaving anyone to believe what he likes and to refuse to believe what he does not like—once the opinion has gained ground that the men through whose ministry the Scriptures have come down to us could be telling a lie."[65]

In the *Queritur utrum novem assertiones fidei judicio sint reprobandae* (Gerson's answer to the consultation of the masters on his position regarding the orthodoxy of the nine assertions by Jean Petit, dated December 4, 1415), Gerson quotes the passage twice, opting for Augustine's words *officiosa mendacia*.[66] Two other references to this passage are found in the *Declaratio compendiosa*: first, Gerson mentions the passage, not offering a direct quotation but rather a short paraphrase, and reports that it is found in the *Decretum* (dist. 9, cap. 7); in the second instances, he provides a version that follows almost verbatim Augustine's text of the *Epistola* 40 3.[67]

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64. Augustine, *Epistola* 40 5, CCSL 31, 162: "Ita et ipse vere correctus est, et Paulus vera narravit, ne sancta scriptura, quae ad fidem posteris edita est, admissa auctoritate mendacii, tota dubia nutet et fluctuet."

65. Augustine, *Epistola* 28 5, CCSL 31, 95–6: "Ad hanc autem considerationem coget te pietas, qua cognoscis fluctuare auctoritatem divinarum scripturarum, ut in eis quod vult quisque credat, quod non vult non credat, si semel fuerit persuasum aliqua illos viros, per quos nobis haec ministrata sunt, in scripturis suis officiose potuisse mentiri."

66. Jean Gerson, *Queritur utrum novem assertiones fidei judicio sint reprobandae*, Gl. 10:241: "Denique sic arguitur unica ratione, quae omni consideranti facere fidem debet, arguendo similiter ad Augustinum contra Hieronymum: *si*, inquit, *ad Scripturam Sacram admissa fuerint vel officiosa mendacia tota ipsius Sacrae Scripturae vacillabit auctoritas*"; Gl. 10:242: "*admisso uno mendacio* quod est licitum pro quocumque bono fieret, tunc prout arguit Augustinus contra Heronymum, *tota Scripturae Sacrae vacillaret auctoritas*; similiter et apud homines universa fidelitas" (italics added).

67. See also Gerson, *Declaratio compendiosa,* Gl. 6:185: "alioquin periret omnis soliditas probationis a Sacra Scriptura, sicut arguit Augustinus ad Hieronymum, et habetur dist. 9, si in aliquo sensu litterali esset falsa"; and Gl. 6:188: "in epistola Ia ad Hieronymum: *si ad Sacras Scripturas vel causas admissa fuerint vel officiosa mendacia, quid in eis remanebit auctoritatis?*" (italics added). The reference to the "epistola Ia" is found in *Decretum*, dist. 9 cap. 7.

Let us return, however, to Gerson's argument on what constitutes the ultimate source of *auctoritas*.

Since Scripture is a whole, in which all parts are connected as stated in (i), a single passage cannot be considered *per se et nude*, but must be compared with the others, and understood according to the *intentio dicentis*, i.e., the intention of the Holy Spirit, which is the author of the whole (ii and iii).[68] Otherwise—and here Gerson refers to Augustine, *De civitate Dei* 21.19—one could assume on the basis of the statement "Whoever believes and is baptized will be saved, but whoever does not believe will be condemned" (Mk. 16:16) that faith and baptism are sufficient for salvation, even in absence of other virtues.[69]

The correct understanding of Scripture requires intelligence, dedication, humility, and virtue, as well as—at least in the times of the early Church—the assistance of divine revelation and the inspiration of the Holy Spirit (iv). For this reason (v), when approaching the reading of the doctors who commented on Scripture, one should compare them on the basis of the aforementioned conditions and determine who should be preferred. It is indeed important to discern levels of authority among the doctors—preferring those who were inspired and those who exhibited the required virtues. Gerson was an attentive reader, aware of the problems with authorship of the books he read, and careful in evaluating the worth of his sources.[70] In a letter to the College of Navarre dated 1400, Gerson prepared a reading program for the students of theology, indicating a list of the great authors and books that they should have read thoughtfully and consulted again from time to time—and thus not only encountered in a

68. Here Gerson refers once more to the dictum of Hilary of Poitiers that we have mentioned above (see fn. 52). Three years later, Gerson himself would carefully engage with this task, facing the endeavor of harmonizing the *concordissima dissonantia* of the Gospels while composing his *Monotessaron*. For literature on this work, see Marijke De Lang, "Jean Gerson's Harmony of the Gospels (1420)," *Nederlands Archief voor Kerkgeschiedenis*, 71:1 (1991), 37–49; Marc Vial, "Zur Funktion des *Monotessaron* des Johannes Gerson," in: *Evangelienharmonien des Mittelalters*, eds. Christoph Burger, August den Hollander, and Ulrich Schmid [Studies in Theology and Religion, 9] (Assen, 2004), 40–72; and Serena Masolini, "How to Order Four into One. Harmonizing the Gospels at the Dawn of Biblical Humanism," in: Antony Dupont *et al.*, eds., *Authority Revisited: Towards Thomas More and Erasmus in 1516* (Turnhout: forthcoming).

69. Gerson, *Contra haeresim*, Gl. 10:56. Cf. Augustine, *De civitate Dei* 21.19, CCSL 48, 785–6.

70. On Gerson's reading practices, see the first chapter of Hobbins, *Authorship and Publicity*.

scattered way through florilegia.[71] Among these, one finds Augustine's *Confessiones*, the pseudo-Augustinian *Meditationes*, and the *De civitate Dei*—the latter also indicated as a repertory, alongside Orosius, Jerome, and Lactantius, for the pagan classics.

This critical screening of the sources is crucial, since Scripture should not be received *nude et in solidum* (vi and viii). The reader must approach the biblical texts while taking into consideration the heritage of human laws, canons, and decrees, and, above all, the interpretations of the fathers and doctors, accumulated in the course of history. The Holy Writ undoubtedly represents the supreme *auctoritas,* but should be read as a whole and in the light of tradition.[72] As Gerson explained a few years earlier in the *De sensu litterali Sacrae Scripturae,* the literal sense of the Scripture was first revealed to the Apostles and displayed by miracles, then confirmed through the blood of the martyrs, then further doctrinally examined by the holy doctors while fighting the heretics, and finally determined by the Church in the councils ("ut quod erat doctrinaliter discussum per Doctores, fieret per Ecclesiam sententialiter definitum").[73]

Nonetheless, (vii) the authority of the fathers and doctors has also to be taken as a whole: one cannot rely on one single passage of an author, ignoring that somewhere else another passage is saying the opposite. The *auctoritates* should be read critically and contextualized. The Utraquists, for example, who believed that communion under both kinds could be administered to the laity during the Eucharist, could have easily found a gloss in which Augustine apparently stated that drinking the blood of Christ was necessary for salvation; but one may as easily find a passage where Augustine claims the opposite.[74]

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71. Gl. 2:30–35. See Zénon Kałuża, *Les querelles doctrinales à Paris: nominalistes et réalistes aux confins du XIV^e^ et du XV^e^ siècles*, (Bergamo, 1988), 13–15; and Hobbins, *Authorship and Publicity*, 32–33. For other lists of readings recommended by Gerson on other occasions, see Ibidem, 35.

72. Gerson, *Contra haeresim*, Gl. 10:57.

73. Gerson, *De sensu litterali*, Gl. 3:335.

74. Gerson, *Contra haeresim*, Gl. 10:57: "Scriptura Sacra recipit interpretationem et expositionem nedum in suis verbis originalibus, sed etiam in suis expositoribus. (. . .) Unde si allegatur Augustinus, exempli gratia, quod dixerit in una glossa sua sumendum esse sanguinem Christi in communicatione laicorum et hoc de necessitate salutis, et alibi dicat vel observet oppositum, secundum intellectum qui prima facie colligeretur ex dictis verbis, attendendum est ex dictis aliis qualiter est concordandus sibi ipsi; invenitur enim dixisse: *crede et manducasti*, et ita dicere potuit: *crede et bibisti*."

Therefore, Gerson concludes, (ix) the authentic exposition of the Scripture must reside in the *auctoritas* of the *ecclesia universalis*, and especially of the *ecclesia primitiva*, since the Church is inspired by the Holy Spirit and for this reason is infallible.[75] It is on the basis of the authority of the Church, for instance, that one believes that Matthew wrote a true Gospel and Nicodemus did not. To stress this point, Gerson refers to what probably constitutes Augustine's most famous ecclesiological dictum—i.e., the famous passage from the *Contra epistolam Manichaei* 5.6, here reported in the words, "I would not believe the Gospel if the authority of the Catholic Church had not compelled me."[76] It is interesting to note that, here and elsewhere, when Gerson uses this quotation it is in a "strikingly aberrant form,"[77] using the stronger verb *compellere* rather than Augustine's *commovere*.

According to Gerson, the doctrinal authority of the Church taken as a whole—exercised first by the doctors and then confirmed by the council, the Church's supreme representation—is higher than that of any of its members, popes included. In the process of evaluating the orthodoxy of a statement, the role of the theologians is decisive. As successors of Paul, they indeed possess the right to correct fraternally the successors of Peter, in the same way as, according to Gal. 2:11–14, Paul rebuked Peter in Antioch.[78]

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75. Gerson, *Contra haeresim*, Gl. 10:58: "Scriptura sacra in sua receptione et expositione authentica finaliter resolvitur in autoritatem, receptionem et approbationem universalis Ecclesiae, praesertim primitivae, quae recepit eam et ejus intellectum immediate a Christo revelante Spiritu sancto in die Pentecostes, et alias pluries."

76. Gerson, *Contra haeresim*, Gl. 10:58: "Patet quia quod Matthaeus scripserit veraciter evangelium et Nicodemus non, solum habemus ab auctoritate Ecclesiae; juxta illud Augustini: *evangelium non crederem nisi me auctoritas Ecclesiae compulisset*. Haec enim est infallibilis regula a Spiritus Sancto directa, quae in his quae fidei sunt nec fallere potest nec falli" (italics added). Cf. Augustine, *Contra epistolam Manichaei quam vocant fundamenti* 5.6, ed. Joseph Zycha [CSEL 25:1] (Vienna, 1891), 197: "Ego vero Evangelio non crederem, nisi me catholicae ecclesiae commoveret auctoritas." See also Gerson, *Declaratio compendiosa*, Gl. 6:182: "Est autem haec Ecclesiae auctoritas tanta ut dicit Augustinus: evangelio non crederem nisi me auctoritas Ecclesiae compelleret; quamquam vicissim dici possit: Ecclesia non crederem si non auctoritas Sacrae Scripturae impelleret. Et ita diversis respectibus auctoritas utraque mutua se confirmat." Among the other places where Gerson quotes this passage, see Gerson, *De sensu litterali*, Gl. 3:335.

77. Vial, "Jean Gerson," 1040.

78. Jean Gerson *De auferibilitate*, Gl, 3:302. Cf.: Id., *An liceat in causis fidei a papa appellare*, Gl. 6:284: "Ex quibus palam elicitur quod Summus Pontifex qui succedit Petro in apostolatu reprehendi potest publice per doctorem theologum qui in officio praedicationis succedit Paulo, etiam ubi non haereticaret vel erraret in fide." Cf. Id., *Apparuit*, Gl. 5:71–2. For literature on this topic, see above, fn. 60.

4. On the Commitment of the Keys (Mt. 16:18–19)

The core of Gerson's position on the relation of power between the council and the pontiff is summarized in the eighth consideration of the sermon *Ambulate*, which we considered above in § 2:

> (8) Although the Church and general council cannot take away the pope's plenitude of power, which has been granted by Christ supernaturally and of his mercy, however it can limit his use of it by known rules and laws for the edification of the Church. For it was on the Church's behalf that papal and other human authority was granted. And on this rests the sure foundation of the whole reform of the Church.[79]

This statement is the conclusion of the argument that the Chancellor would lay down a couple of years later in his most famous ecclesiological treatise, the *De potestate ecclesiastica*, which he presented to the Council on February 6, 1417. In this work, Gerson cites Augustine only three times; two of these reports the same statement—*claves ecclesiae datae sunt unitati* ("the keys are given to/for the sake of the unity")[80]—which Gerson uses in support of his claim that "it was on the Church's behalf that papal and other human authority was granted." This formula can be found also in the *De auferibilitate sponsi ab ecclesiam*.

The Gospel reference behind this statement is Mt. 16:18–19, where Christ committed the Church to the apostle Simon, by renaming him Peter and giving him the 'keys of the Kingdom of Heaven':

> 18 And I tell you, you are Peter, and on this rock I will build my church,
> and the gates of Hades will not prevail against it. 19 I will give you the
> keys of the kingdom of heaven, and whatever you bind on earth will be
> bound in heaven, and whatever you loose on earth will be loosed in
> heaven.

The Fathers of the Church, Augustine included, generally understood these lines as proof of the power of the Church, granted by Christ through Peter, to forgive sins. However, in the medieval tradition, and especially

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79. Gerson, *Ambulate*, Gl. 5:45: "Ecclesia vel generale concilium quamvis non possit tollere plenitudinem potestatis papalis a Christo supernaturaliter et misericorditer collatae, potest tamen usum ejus limitare sub certis regulis ac legibus in aedificationem Ecclesiae, propter quam papalis auctoritas et altera hominis collata est; et in hoc est totius ecclesiasticae reformationis stabile fundamentum."

80. On this reference, see the short note by Georges Bavaud, "Un thème augustinien repris par le Conciliarisme," *Revue d'Études Augustiniennes et Patristiques*, 10:1 (1964), 45–49.

from Pope Innocence III onwards, this passage became the *locus classicus* used as the basis to assert (or to discuss the extent of) the papal authority within the Church—including not only his sacerdotal power of absolution, but also his jurisdictional power (*clavis potentiae*), and the power to define in questions of faith and morals (*clavis scientiae*).[81]

Augustine dealt with Mt. 16:18–19 on several occasions.[82] As for his understanding of the words *Tu es Petrus*, he pointed out that Christ did not call Simon 'the rock' (*petra*), but rather Peter (*petrus*), insofar as the true Rock on which Christ built his Church was Christ himself.[83] With regards to the power of the keys, Augustine maintained that the authority to bind and loose and the power of forgiving sins was not a gift personally given to Peter, but it was rather conferred upon him insofar as he was the representative of the whole Church. It is thus the *ecclesia* that has the power to absolve, although it received this power from Christ through Peter. Among the Augustine's passages commenting on Mt. 16:18 that are included in the *Decretum,* one finds a quote from the *In evangelium Iohannis tractatus* (tr. 50, c. 12), where Augustine describes Peter as the representative of the "whole body of the good" in the Church, as opposed to Judas who represented the bad. Peter's role is shown by the fact that if he had received the keys alone, Christ would have given no ground for action to the Church; but indeed the Church itself has the power to excommunicate and reconcile; thus, when Peter received they keys, he did so insofar as he represented the holy Church.[84]

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81. Karlfried Froehlich, "Saint Peter, Papal Primacy and the Exegetical Tradition, 1150–1300," in: *The Religious Roles of the Papacy: Ideals and Realities, 1150–1300*, ed. Christopher Ryan (Toronto, 1989) 3–44. For a short account of the history of exegesis on Mt. 16:18–19, see Ian Christopher Levy, "John Wyclif and the Primitive Papacy," *Viator*, 38:2 (2007), 159–89, here 169–74. On the interpretation given by the canonist tradition, see Tierney, *Foundations of the Conciliar Theory*, 25–36.

82. On Augustine's interpretation of Mt. 16:18–19, see Stanislaus J. Grabowski, "St Augustine and the Primacy of the Church of Rome," *Traditio*, 4 (1946), 89–113, esp. 92–99.

83. Augustine, *Retractiones* 1.21, ed. Almut Mutzenbecher [CCSL 57] (Turnhout 1984), 62: "ac sic Petrus ab hac petra appellatus personam ecclesiae figuraret, quae super hanc petram aedificatur et accepit claues regni caelorum. Non enim dictum illi est: *Tu es petra*, sed: *Tus es Petrus*. Petra autem erat Christus, quem confessus Simon, sicut eum tota ecclesia confitetur, dictus est Petrus."

84. Augustine, *In evangelium Iohannis tractatus* 50.12, ed. Radbod Willems [CCSL 36] (Turnhout, 1954), 438: "Petrus [significat] corpus bonorum, immo corpus ecclesiae, sed in bonis. Nam si in Petro non esset ecclesiae sacramentum, non ei diceret Dominus: *Tibi dabo claves regni coelorum; quaecumque solueris in terra, soluta erunt et in caelo; et quaecumque ligaveris in terra, ligata erunt et in caelo*. Si hoc Petro tantum dictum est, non facit hoc ecclesia. Si autem et in ecclesia fit, ut quae in terra ligantur, in caelo ligentur, et quae solvuntur in terra, sol-

Within the framework of the ecclesiological debates which arose during the Great Western Schism, Augustine's interpretation of the commitment of the keys could represent a fruitful instrument to argue against an absolutistic vision of the Petrine primacy. Besides Jean Gerson, Pierre d'Ailly also made use of Augustine's *auctoritas* to defend the idea that the ecclesiastical power was not entrusted to Peter and his successor personally, but only on behalf of the *ecclesia*. In a passage of his *Tractatus de materia concilii generalis* (1402–03), that he also reported in his later *Tractatus de ecclesiastica potestate* presented at the Council of Constance (1416), Pierre d'Ailly collects three references taken from Augustine in support of his position.[85] First, d'Ailly maintains that ecclesiastical power or authority comes *immediate* from Christ and not from Peter—this is shown by the fact that Christ said "on this rock I will build" (*aedificabo*), and not "you will build" (*aedificabis*), "my Church" (*Ecclesiam meam*) and not "your Church" (*tuam*). Then, he refers to:

(i) *De agone Christiano* 30, where Augustine maintains that when the keys were granted to Peter they were granted to the Church;[86]
(ii) *In evangelium Iohannis tractatu*s 118.4, according to which the keys where given to Peter because he was the one who answered to Christ on behalf of the all the others; thus, he received the power

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vantur in caelo: quia cum excommunicat ecclesia, in caelo ligatur excommunicatus; cum reconciliatur ab ecclesia, in caelo solvitur reconciliatus; si hoc ergo in ecclesia fit, Petrus quando claves accepit, ecclesiam sanctam significavit. Si in Petri persona significati sunt in ecclesia boni, in Iudae persona significati sunt in ecclesia mali." Cf. *Decretum*, C. 24 q. 1 c. 6 (cf. Gratianus, *Decretum*, in Emil Friedberg, ed., *Corpus iuris canonici* (Leipzig, 1879 [repr. Graz 1955]), col. 968.

85. Pierre d'Ailly, *Tractatus de materia concilii generalis,* pars. 2, ed. in: Francis Oakley, *The Political Thought of Pierre d'Ailly; the Voluntarist Tradition* (New Haven, 1964) [Yale Historical Publications, Miscellany, 81], 308: "Ex quibus omnibus sequitur quod potestas seu auctoritas Ecclesiae immediate est a Christo, et non a Petro. Et hoc notatur in verbo Christi, quia non dicit: *Tu es Petrus et super hanc petram aedificabis*, sed *aedificabo*; nec dicit *tuam*, sed *Ecclesiam meam*. Item ad hoc facit quod ait Augustinus *Libro De Agone Christiano*, cap. 22 [*i.d.* 30] ubi dicit quod *Ecclesiae claves regni caelorum datae sunt, cum Petro datae sunt*; et quod *ei dicitur, ad omnes dicitur*. Et super Johannem, sermone 116 [*i.e.* 118] dicit quod non est dictum Petro, *Tibi dabo claves regni caelorum*, quia solus ligandi et solvendi acceperat potestatem, *sed ideo unus pro omnibus, quia unitas est in omnibus*. Et ibidem, sermone 122 [*i.e.* 124] dicit quoniam nec solus Petrus, sed universa Ecclesia ligat et solvit peccata." Cf. Id., *Tractatus de ecclesiastica potestate*, edited with the title *Tractatus de Ecclesiae Concilii Generalis, Romani Pontificis, et Cardinalium Auctoritate* in: Gerson, *Opera Omnia,* 2:956–60. This passage is referred to also in Bavaud, "Un thème augustinien," 46–7.

86. Augustine, *De agone christiano* 30, ed. Joseph Zycha [CSEL 41] (Vienna, 1900), 134–5: "Non enim sine causa inter omnes Apostolos huius ecclesiae catholicae personam sustinet Petrus; huic enim ecclesiae claves regni coelorum datae sunt, cum Petro datae sunt."

along with all the others, as if personifying the unity itself ("one stands for all, because there is unity in all.")[87]

(iii) *In evangelium Iohannis tractatu*s 124.5, claiming that *petra* is not derived from Peter, but Peter from *petra*; and that it is the Church, being founded on Christ-rock which received in the person of Peter the power of binding and loosing sins."[88]

If Pierre d'Ailly provided explicitly the reference to his Augustinians quotations, the same does not hold for Gerson.

As we mentioned, the Chancellor referred three times to Augustine on the power of the keys in his own *De ecclesiastica potestate* and *De auferibilitate*, by using the same formula:

claves Ecclesiae datae sunt unitati (*De potest. eccl.*, cons. 4, Gl. 6:217);
claves Ecclesiae datae sunt non uni sed unitati, et datae sunt Ecclesiae (*De potest. eccl.*, cons. 11, Gl. 6:232);
claves datae sunt nedum uni sed unitati (*De auferibilitate*, cons. 12, Gl. 3:301).

This statement is not found within the *corpus augustinianum* in this actual form, and it is not possible, at the moment to ascertain whether Gerson paraphrased a specific passage from Augustine (and which one) or he quoted this formula at second-hand.[89] A possible source might be *Sermo* 295 2, where one reads: "Has enim claves non homo unus, sed unitas accepit ecclesiae."[90] As we have seen in the aforementioned Augustine pas-

87. Augustine, *In evangelium Iohannis tractatus* 118.4, CCSL 36, 656–7: "Sicut in apostolis cum esset etiam ipse numerus duodenarius, id est quadripartitus in ternos, et omnes essent interrogati, solus Petrus respondit: *Tu es Christus Filius Dei vivi; et ei dicitur: Tibi dabo claves regni caelorum* . . . cum et illud unus pro omnibus dixerit, et hoc cum omnibus tamquam personam gerens ipsius unitatis acceperit; ideo unus pro omnibus, quia unitas est in omnibus."

88. Augustine, *In evangelium Iohannis tractatus* 124.5, CCSL 36, 684–5: "sed quando ei dictum est: *Tibi dabo claves* . . . universam significabat ecclesiam, quae in hoc saeculo diversis tentationibus velut imbribus, fluminibus, tempestatibus quatitur, et non cadit, quoniam fundata est super petram, unde Petrus nomen accepit. Non enim a Petro petra, sed Petrus a petra. (. . .) Ecclesia ergo quae fundatur in Christo, claves ab eo regni caelorum accepit in Petro, id est potestatem ligandi solvendique peccata. Quod est enim per proprietatem in Christo ecclesia, hoc est per significationem Petrus in petra; qua significatione intellegitur Christus petra. Petrus ecclesia."

89. Saak ("Ecclesiology," 2:914) identifies this passage with *Ep.* 98 [i.e., 93], 10.42, PL 33:341. This solution does not seem correct, as this passage does not mention the power of the keys; it rather explains that no man can be stained by the guilt of the sins of other men.

90. Augustine, *Sermo* 295 2, ed. Clemens Weidmann [CSEL 101] (Berlin, 2015), 143: "Inter hos [apostolos] paene ubique solus Petrus totius ecclesiae meruit gestare personam. Propter ipsam personam, quam totius ecclesiae solus gestabat, audire meruit: *Tibi dabo claves*

sages, also in the *Sermo* 295 Augustine maintains that it was the Church in its unity, and not Peter alone, that was the receiving subject of the keys. Peter was simply the representative of the *ecclesia* in its entirety and unity: even if the keys were handed to him, they were intended to be given to the whole community.

This reference is at the core of Gerson's understanding of the distribution of powers within the Church. As previously mentioned, in the *De potestate ecclesiastica,* Gerson refers to Augustine on the power of the keys twice. First, he cites this formula while giving his definition of *potestas ecclesiastica*—in particular, in explaining what the power of spiritual jurisdiction in the external forum is and to whom it belongs. Secondly, Gerson uses it when he discusses the extent of the papal *plenitudo potestatis*.

According to the four Aristotelian causes, Gerson defines the *potestas ecclesiastica* as the power supernaturally given by Christ (*causa efficiens*) to the apostles, disciples, and their successors (*materialis*), until the end of time, according to the laws of the Gospel (*formalis*), for the edification of the Church and the achievement of the eternal happiness (*finalis*).[91] This consists of a multifaceted power that can be distinguished in different capacities, assigned at times to different members of the body of the Church.

One can find the first mention of the Augustinian quotation on the *potestas clavium* when Gerson outlines the *potestas jurisdictionis in foro exteriori spiritualis*—namely, the coercive power that serves to direct the unwilling towards eternal beautitude. This includes the *potestas excommunicandi, definiendi, determinandi, statuendi, decernendi, constituendi praecepta*, *leges et canones*, and the power to pursue, even as far as a sentence of excommunication, those who do not obey.[92]

In order to determine who is endowed with this power, Gerson first comments on the obligation of fraternal correction, remarking that the ultimate authority to which the erring neighbor should be reported is the Church, not the pope. The text of Mt. 18:15–17 has:

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regni caelorum. Has enim claves non homo unus, sed unitas accepit ecclesiae. Hinc ergo Petri excellentia praedicatur, quia ipsius universitatis et unitatis ecclesiae figuram gessit, quando ei dictum est: *Tibi trado* quod omnibus traditum est."

91. Jean Gerson, *De potestate ecclesiastica*, cons. 1, Gl. 6:211 "Potestas ecclesiastica est potestas quae a Christo supernaturaliter et specialiter collata est suis apostolis et discipulis ac eorum successoribus legitimis usque in finem saeculi ad aedificationem Ecclesiae militantis secundum leges evengelicas pro consecutione felicitatis aeternae."

92. Gerson, *De potestate ecclesiastica*, cons. 4, Gl. 6:216–7.

> [15] If another member of the church sins against you, go and point out the fault when the two of you are alone. (. . .) [16] But if you are not listened to, take one or two others along with you, so that every word may be confirmed by the evidence of two or three witnesses. [17] If the member refuses to listen to them, tell it to the church; and if the offender refuses to listen even to the church, let such a one be to you as a Gentile and a tax collector.

Christ, Gerson remarks, said expressly: "tell it to the church" (*dic ecclesiae)*; and by *ecclesia* Christ did not mean the pope, since he was talking directly to Peter—otherwise, he would have said to Peter to "tell it to himself." Moreover, Gerson adds, the text of Mt. 18:18 "whatever you loose on earth will be loosed in heaven" (*quaecumque ligaveritis super terram*) employs a plural (*ligaveritis*) et not singular verb, therefore this sentence was addressed to a collective group of people, not at one individual.

The jurisdictional power in *foro exteriori*, for spiritual matters, therefore belongs to the Church, and to the council which represents its highest expression. In confirmation of this point, Gerson cites the first two conclusions of the *Haec sancta,* promulgated during the fifth session of the Council on April 6, 1415: (i) the council represents the militant Church, it has its powers immediately from Christ, and each and everyone of whatever state or dignity, even if it be papal, is bound to obey it in those things which pertain to faith, to the eradication of the schism, and to Church reform; (ii) anyone, including the pope, who should disdain to obey the ordinances of the council will be duly punished.

The *potestas ecclesiastica*, it should be noted, does not belong to the Church if by Church one intends a scattered gathering of its members: it is in its being an ordered community, reunited in the general council, that the *congregatio fidelium* becomes able to exercise it.[93] To make the point that the ecclesiastical power of jurisdiction is based in unity (*unitate vel unitione*), Gerson states *claves Ecclesiae datae sunt unitati*.[94] The jurisdictional power is grounded on *unitas*—or, to put it better, as said in § 2, in a kind of unity which is hierarchically ordered—and although this power

93. Gerson, *De potestate ecclesiastica*, cons. 4, Gl. 6:217: "Concluditur autem ex praemissis quod si potestas praedicta sit Ecclaesie data, concilium generale repraesentans Ecclaesiam habet illam; immo videtur quod Ecclesia ut sparsim considerata non habet illam potestatem nisi in quodam materiali seu potentiali; sed congregatio sua et unitio quae fit in concilio generali dat quasi formam, sicut in aliis communitatibus exemplum dari potest."

94. Gerson, *De potestate ecclesiastica*, cons. 4, Gl. 6:217: "Et fundatur praedicta potestas ecclesiastica jurisdictionis in unitate vel unitione tali quaemadmodum notasse videtur elevatus Augustinus dum dixit quod *claves Ecclesiae datae sunt unitati*" (italics added).

is handed to Peter as a monarch and to his heirs, it is given *principalius* to the Church. It is indeed the Church which is unerring (*ratione indeviabilitatis*), has legislative authority (*ratione regulabilitatis*), embraces all powers (*ratione multiplicitatis*), and has the authority to obligate its members, pope included (*ratione obligabilitatis*): the Church can establish laws that bind also the pope, both in respect to his person and in respect to his office; on the contrary the pope cannot judge the Church in its whole or limit its power.[95]

Right after, while expanding on the legislative authority of the pontiff, Gerson ascribes to Augustine (although the *auctoritas* is probably drawn from *Decretum,* dist. 4, c. 3) the statement "A law is instituted when it is promulgated, confirmed, and approved through the customs of those who receive it."[96] By stressing on the moment of the promulgation of a law and on its acceptance by the governed, Gerson contests the pretensions of those popes and their followers who wanted to defend as a principle that "the prince's will has the force of law" (*Dig.* 1.4.1) and he does not have to answer to anybody for his legislative activity.

The second appearance of the *claves Ecclesiae datae sunt* occurs in the section of the *De potestate ecclesiastica* where Gerson examines the relationship between pope and Church from the viewpoint of the fullness of power which is given to the pontiff insofar as he is Christ's vicar.[97] Gerson does not deny that the pope possesses such a power, but refuses a position of papal absolutism, developing instead a theory where the entire hierarchical church has a share of it, or has a modality to exercise it. Here Gerson states that the *potestas ecclesiastica in sua plenitudine*, in the absolute sense (*formaliter* and *subiective*), certainly belongs to the pope. It is a power of order and of jurisdiction, given by Christ to Peter as first monarch and to his successors "for the edification of the militant church for the attainment of eternal happiness."[98]

The *plenitudo potestatis*, however, resides also in the Church, "sicut in fine et sicut in regulationem, applicationem et usum," either *per se ipsam* or through a general council. The Church (or the council) possesses therefore

95. Gerson, *De potestate ecclesiastica*, cons. 4, Gl. 6:217: "quoniam Ecclesia potest condere leges obligantes et regulantes etiam ipsum papam, tam quoad personam quam respectu usus suae potestatis: non sic e contra potest papa judicare totam Ecclesiam vel usum suae potestatis limitare."

96. *Decretum,* dist. 4, c. 3: "leges instituuntur cum promulgantur; firmantur autem cum moribus utentium approbantur."

97. Gerson, *De potestate ecclesiastica*, cons. 10–11, Gl. 6:227–36.

98. Gerson, *De potestate ecclesiastica*, cons. 10, Gl. 6:228.

the fullness of ecclesiastical power, insofar as it embodies the very goal of that power, and can regulate the way in which the pope exercises it, if there is an abuse:

> "For this reason Augustine and others says that the keys of the Church are given not to one but to the unity, and that they are given to the Church (*claves Ecclesiae datae sunt non uni sed unitati, et quod datae sunt Ecclesiae*) (. . .) because the keys are given for the sake of the Church and its unity as for its end. This plenitude of ecclesiastical power can be said [to reside] in the Church or in the council, not formally in itself, but in the other two ways, namely with respect to application to this or that person, and with respect to regulating its use, in case it laments to be turned into abuse.[99]

Supported by the *auctoritas* of Augustine and not identified *alii quidam*, Gerson can hence maintain that the keys are given to the Church and for the sake of the Church (*datae sunt Ecclesiae/propter Ecclesiam*, *tamquam propter finem*), and, if the *vicarius Christi* uses his power not in *in aedificationem,* but *in destructionem ecclesiae* (2 Cor. 10:8), the council has the right to use that power on his behalf.

The *De ecclesiastica potestate* is the work in which Gerson offers the most complete overview of his ideas on the distribution and functioning of powers and offices within the *ecclesia.* However, one can find these ideas already displayed, *in nuce*, in the *De auferibilitate sponsi ab ecclesiam*, a short treatise written for the most part in the years of the Council of Pisa, and then completed while in Constance in 1415. For the scope of this article, one should notice that, in the *De auferibilitate*, Gerson had already made use of Augustine's *auctoritas* on the power of the keys, bringing together the nuances presented in the *De potestate ecclesiastica*. Moreover, he combined this passage with a quotation from Augustine which was mentioned in § 3, while analyzing Gerson's discussion on the relationship between Scripture and Tradition in the *Contra haeresim de communione laicorum*—i.e., the statement "Evangelio non crederem nisi me auctoritas Ecclesiae compulisset" taken from the *Contra epistolam Manichaei* 5.6. In the *De*

99. Gerson, *De potestate ecclesiastica*, cons. 11, Gl. 6:232: "Propterea loquitur Augustinus cum aliis quibusdam *quod claves Ecclesiae datae sunt non uni sed unitati, et quod datae sunt Ecclesiae*. Et hoc convenienter potest intelligi modis quos explicat consideratio, quoniam claves datae sunt propter Ecclesiam et unitatem ejus tamquam propter finem. Potest etiam dici in Ecclesia vel in concilio haec plenitudo ecclesiasticae potestatis, nedum in se formaliter sed aliis duobus modis, videlicet quoad applicationem ad hanc vel illam personam et quoad usum regulandum, si fortassis in abusum verti quereretur."

auferibilitate, Gerson therefore brings together the two perspectives that, in the present article, has been considered separately: doctrinal authority and the power of the keys.

The *De auferibilitate* is based on the the analogy between the relationship of Christ with the Church and the bond joining a bridegroom to his bride. It consists of an analysis of the nature and extent of the bond of marriage between the Church and Christ, and that of the Church and the pope, expanding the ideas that one finds summarized in the considerations (4) and (5) of the sermon *Ambulate.*[100] The use of this metaphor allowed Gerson to clarify the indissolubility of the marriage between Christ and the Church, and at the same time to leave open the possibility for the bride-Church to divorce the vicar-bridegroom (i.e. the pope) should her safety and integrity be at stake.

The marriage between the Church and her bridegroom Christ is indissoluble; it is as permanent as the link between the head and the body, as no body—be it a real body or a mystical body—can stay alive without a head.[101] Also indissoluble is the link between Christ and the members of the Church, to which are assigned different offices of different hierarchical degrees—to put it briefly, according to Gerson, the ecclesiastical hierarchy should remain permanently a hierarchic, and monarchical, institution: the *ecclesia* could not stand embodied in a single woman, nor in a community of women or laymen.[102]

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100. See above, § 2. Cf. Gerson, *Ambulate*, Gl. 5:44.

101. Gerson, *De auferibilitate,* cons. 1, Gl. 3:294: "nemo concesserit quod absque capite valeat permanere corpus aliquod, verum vel mysticum."

102. Gerson, *De auferibilitate,* cons. 5, Gl. 3:296: "Auferibilis non est ab Ecclesia militante sponsus suus Christus homo quin semper influat in eamdem Ecclesiam sponsam suam per membra varia gradus hierarchicos officiorum et administrationum et dignitatum et statuum ab ipso constitutorum dum Ecclesiam fundavit primitus et aedificavit"; Ibid., cons. 7, Gl. 3:298: "Auferibilis non est sponsus Ecclesiae Christus ab Ecclesia sponsa sua et filiis ejus sic quod remaneat Ecclesia in sola muliere, immo nec in solis mulieribus omnibus, immo nec in laicis solis, lege stante et non facta divinitus nova institutione"; this position was instead held by William of Ockham. Gerson explicitly rejects Marsilius of Padua's position, according to which the Roman pontiff has no primacy over the other bishops; see Ibid., cons. 8, Gl. 3:298: "Auferibilis est aut mutabilis, lege stante, quaelibet politia civilis, monarchica seu regalis ut fiat aristocratica, et non sic de Ecclesia quae in uno monarca supremo per universum fundata est a Christo (. . .) nullam aliam politiam instituit Christus esse immutabiliter monarchicam et quodammodo regalem nisi Ecclesiam. Et oppositum sentientes de Ecclesia, quod scilicet fas est esse plures papas, aut quod quilibet episcopus est in sua diocese papa vel pastor supremus aequalis papae Romano, errant in fide et unitate Ecclesiae contra articulum illum: Et in unam sanctam; et si pertinaces maneant judicanti sunt haeretici sicut Marsilius de Padua et quidam aliorum."

Notwithstanding the perpetuity of the papal office, what is not, however, indissoluble is the marriage of the Church to the individual bridegroom-vicar, which could be untied for three reasons: (i) to avoid scandal that might affect the flock—heresy falls into this case; (ii) for his own health; (iii) or when maintaining the office will impede a greater good for the community—in exceptional situations, the pope can be deposed also "without being guilty, although not without a cause."[103] In all three cases the separation can occur either with the voluntary *cessio* or *renunciatio* of the pope himself, or by the authority of the Church, or of the general council, or by some who are appointed by the Church for this task, whether the pope gives his consent or not.[104]

Among the situations which fall within the first case, Gerson maintains that the Church can give the bill of divorce to the vicar-bridegroom if he forces his bride into prostitution, and if he acts as a tyrant, dragging her to ruin, tearing her apart, or dilapidating her belongings. The power of the pope is indeed given by God to edify the Church and for the common utility, and not for its destruction. Christ gave the *potestas regitiva et auctoritativa* to the pope to exercise it for the good of the Church; and that authority belongs to the rest of the Church insofar as it is one: once more, *claves datae sunt nedum unitati*. And this would not be the case, if the Church in its entirety, or the council, which represents it, were not able to exercise a *jurisdictio auctoritativa* whenever the papal see is vacant or inadequately occupied—in the latter circumstance, by correcting or restraining the pope, and preventing him from harming himself or the Church, as a madman or someone who is intoxicated by evil passions would do.[105]

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103. Gerson, *De auferibilitate,* cons. 9, Gl. 3:299, and cons. 19, Gl. 3:310. Cf. Id., *De potestate ecclesiastica*, cons. 8, Gl. 6:223.

104. Gerson, *De auferibilitate,* cons. 10, Gl. 3:300.

105. Gerson, *De auferibilitate*, cons. 12, Gl. 3:301–02: "Nolumus tamen impugnare quin summus pontifex habeat potestatem regitivam et auctoritativam respectu omnium hominum quantum Christus voluit et cognovit expediens sibi dare pro exercendo eam non pro se tantummodo sed magis ad utilitatem Ecclesiae; qualem auctoritatem non habet totum Ecclesiae residuum nisi unitive quodammodo vel elective. Et ex ista verum est quod *claves datae sunt nedum uni sed unitati*. Ex hoc tamen non habetur quod Ecclesia tota vel concilium absente papa, praesertim suo demerito, non possit auctoritativam jurisdictionem exercere sicut lex quaedam divina et indeviabilis ad reducendum ipsum vel corrigendum vel compescendum ne noceat ipse, nedum Ecclesiae sed sibimet, tamquam freneticus vel ut pessima malarum passionum ebrietate seductus; sicut enim tradit Aristoteles, V Politicae [8], quod ad communitatem totam spectat principis vel correctio vel totalis destitutio si inemendabilis perseveret." (italics added)

The defense of the common good of the *unitas ecclesiae*, to which and for the sake of which the ecclesiastical power exists, is hence the ground on which Gerson finds the rational possibility for the council to impose boundaries on the pope's fullness of power. Again, this does not imply that the papal power is erased or diminished: the power connected to the office remains, but is now used by the council, so that it can be exercised in a virtuous way for the utility of the Church itself and of its members—in other words, the council does not limit the power of the pope *in esse* but *in usu*. In this framework, the Augustine quotation taken from *Contra epistolam Manichaei* 5.6 serves to support the idea that the Church (and therefore the council) is the unerring judge in matters of faith and morals. Since the character of *indeviabilitas* is proper to the Church as a whole, it is therefore a mistake to assume that the deliberations of the pope carry more weight than the deliberations of the ecclesiastical community assembled in council.[106]

The interpretation of the commitment of the keys provided by Jean Gerson and Pierre d'Ailly based on Augustine was not universally shared among the participants at the Council of Constance. Scholarship on the English "nation," for instance, showed that some of the council fathers coming from across the Channel were reluctant to embrace this interpretation of Mt. 16:18–19 (and conciliarism in general).[107] In the eyes of English theologians, Gerson's defense of the right of resistance against a tyrannical pope might have been looked suspiciously close to the teaching of John Wyclif on the conditional nature of the obedience due to temporal and spiritual rulers. According to Wyclif, the rightful holding of a dignity of power was rooted in the moral worth and state of grace of the holder; thus, it would have been possible to correct or resist an unworthy lord or priest. This was regarded as a risky exhortation to possibly unjus-

106. Gerson, *De auferibilitate*, cons. 12, Gl. 3:302: "Fundatur in hac radice possibilitas rationalis limitandi plenitudinem papalis potestatis per sanctorum concilium, non quidem ut tollatur vel ut diminuatur ipsa potestas, sed in usu suo virtuoso, decenti, et expedienti pro tota Ecclesia in se vel in suis partibus accipiendo modum virtuosum hujusmodi potestatis in suo usu prout Ecclesia vel sanctorum concilium eam raepresentans judicabit. Est enim finalis reductio, nedum agendorum sed et credendorum, ad ipsam Ecclesiam tamquam ad judicem indeviabilem, tam conciliative quam determinative. Hinc est illud Augustini: *evangelio non crederem nisi me auctoritas Ecclesiae compulisset*. (. . .) Et ita consequenter apparet enormis error dicentium quod deliberatio papae praeponderat super deliberatione ex consilio Ecclesiae seu concilii generalis, nec tenetur concilium insequi aut eidem acquiescere nisi velit" (italics added).

107. Alexander Russell, "Conciliarism and Heresy in England," in: Id., *Conciliarism and Heresy in Fifteenth-Century England: Collective Authority in the Age of the General Councils* (Cambridge, 2017), 116–47.

tified disobedience and an attack upon legitimate religious, social, and political bonds.[108]

The Carmelite Thomas Netter, for instance, in his *Doctrinale* criticized Wyclif's reading of Mt. 16:18–19 as incorrect and dangerous.[109] Wyclif had abided by Augustine's interpretation of Mt. 16:18–19: Peter, by speaking on behalf of the other apostles and receiving the keys, represented the universal Church; The power of the keys, which is intended primarily as spiritual power and power of knowledge, belongs to the *congregatio fidelium*; The pope has no prerogative in the power of absolving from sin, as it shares in the general power of order possessed by all priests. The naming of Peter should not be understood as that Peter personally was the rock, but that "the rock referred to Peter figuratively, so that the true rock upon which the Catholic church must be built is Christ."[110] Reporting this last passage in the fifth chapter of his *Doctrinale,* Netter wandered what would be left, according to this interpretation, of the power of the *potestativum principatum ecclesiae* which was granted with the keys.[111] Referring to the dictum "sicut in Salvatorem erant omnes causa magisterii, ita et post Salvatore in Petro omnes continetur,"[112] Netter presented a strong under-

108. The Council of Constance examined and condemned Wyclif's statements that "nobody is a secular lord, a prelate or a bishop while he is in mortal sin" and that "people can correct their sinful lords at their discretion" (*Sacrorum conciliorum,* ed. Mansi, 27:633). On the Wyclif and Hus trials at Constance, see Edith C. Tatnall, *The Condemnation of John Wyclif at the Council of Constance*, in: *Councils and Assemblies*, eds. Geoffrey J. Cuming and Derek Baker [Studies in Church History, 7] (Cambridge 1971), 209–18; Henry A. Kelly, "Trial Procedures against Wyclif and Wycliffites in England and at the Council of Constance," *Huntington Library Quarterly*, 61 (1998), 1–28; Paul De Vooght, *L'Hérésie de Jean Huss* [Bibliothèque de la revue d'histoire ecclésiastique, 34] (Louvain, 1960).

109. Russell, "Conciliarism and Heresy in England," 137–44. On Netter's views on the Church, see also Kevin J. Alban, *The Teaching and Impact of the Doctrinale of Thomas Netter of Walden c. 1374–1430* (Turnhout, 2010), 87–122; Kirk S. Smith, "An English Conciliarist? Thomas Netter of Walden," in: *Popes, Teachers and Canon Law in the Middle Ages*, eds. James Ross Sweeney and Stanley Chodorow (Ithaca, 1989), 290–99.

110. Levy, "John Wyclif and the Primitive Papacy," 174–89. The quotation, taken from Wyclif's *Sermone domini in monte*, c. 18, is found in Thomas Netter, *Doctrinale Antiquitatum Fidei Ecclesiae Catholicae*, c. 5, ed. Bonaventura Blanciotti, 3 vols. (Venice, 1757–9; repr. Farnborough, 1967), 262 ff.: "non intelligendo quod Petrus erat personaliter illa petra, sed quod Petrus figurative dicebatur a Petra, quae est Christus, super quam petram est Ecclesia catholica erigenda."

111. Netter, *Doctrinale* c. 5, 1:262: "Videtis qualiter implicat se, qualiter fugiat veritatem. Quid hoc est ad potestativum Principatum Ecclesiae, quo per claves sibi datas dignos admittat et indignos a regno secludat?"

112. Ps.-Augustine, *Quaestiones ex Novo Testamento,* 75, PL 35:2270, cit. in Netter, *Doctrinale* c. 5, 1:263.

standing of Peter's *magisterium* and consequently of papal power, claiming Peter was a true vicar of Christ, who inherited fully all the functions of teaching, punishing, and pardoning which Christ exercised before he ascended to heaven: "all the authority which, in the conciliarists' view, resided in the Church, was said by Netter to belong personally to Peter."[113]

5. A Note Aside

For a thorough study of the reception of Augustine at the Council of Constance, some specific philological considerations certainly become relevant: where did Gerson get his references from? Did he have the opportunity to consult original texts of Augustine during his stay on the Bodensee? And, if he had the chance, did he actually use the Augustinian *corpus* first-hand, or did he have recourse by way of mediating sources, by reporting the quotations he could have found in the works of Thomas Aquinas, Giles of Rome, Bonaventure, in *Decretum* by Gratian and Peter Lombard's *Sentences*, or perhaps in compilations? According to Chris Nighman, some preachers at the Council of Constance might have had available and used one or more copies of Thomas of Ireland's *Manipulus florum*—a *florilegium* of six thousand textual excerpts from classical, patristic, and medieval authors composed in Paris in 1306, which was particularly popular during the late Middle Ages.[114] Nighman has shown how Richard Fleming (1385–1431), one of the most illustrious members of the English "nation," made use of the *Manipulus florum*, which he owned (MS. Oxford, Lincoln College, lat. 98), in the composition of his eulogy for Robert Hallum, suddenly deceased in Constance on September 4, 1417.[115]

We do not know if Jean Gerson ever had access to this source or to other *compendia* which were popular at the time, such as Bartholomew of Urbino's *Milleloquium veritatis sancti Augustini*.[116] The "aberrant forms" of

113. Russell, "Conciliarism and Heresy in England," 141. For a further analysis of Netter's position, see Russell.

114. An annotated bibliography compiled by Chris L. Nighman is provided on the website of "The Electronic *Manipulus florum* Project" (http://web.wlu.ca/history/cnighman/page2.html, last accessed September 13, 2020), where one can find a searchable critical edition of the text.

115. Chris L. Nighman, "*Prudencia*, Plague & the Pulpit: Richard Fleming's Eulogy for Robert Hallum at the Council of Constance," *Annuarium historiae conciliorum*, 38:1 (2006), 183–98.

116. *D. Aurelii Augustini Milleloquium veritatis*, a F. Bartholomaeo de Urbino digestum (Lyon, 1555). The *Milleloquium* was composed in 1346 and consists of 15.000 extracts from Augustine, gathered alphabetically under around one thousand entries. See Rudolph

Augustinian references used by Gerson that we considered in this article seems included neither in the *Manipulus florum*[117] nor in the *Milleloquium*.[118] The renewed interest emerging in scholarship on the Augustinian *florilegia* and their readership throughout the Middle Ages might shed further light on their circulation during the fifteenth century.[119]

During the years of the Council, Constance and the surrounding areas became a lively center of trade, exchange, and discovery of books and texts—consider, for example, Poggio Bracciolini's wanderings among the libraries of St Gallen, Reichenau, Fulda, and then France.[120] This does not mean, however, that the Council sessions themselves were a place of research and extensive reading: some scholarship speaks of the Council of Constance as a council "without books." This 'lack of books' (or lack of use

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Arbesmann, "The Question of the Authorship of the *Milleloquium Veritatis S. Augustini*," *Analecta Augustiniana*, 43 (1980), 163–85; Vincent A. Fitzpatrick, "Bartholomaeus of Urbino: The Sermons Embraced in his *Milleloquium S. Augustini*," (M.A. thesis Catholic University of America, Washington, D.C., 1954); Bernard M. Peebles, "The Verse Embellishments of the *Milleloquium Sancti Augustini*,' *Traditio*, 10 (1954), 555–66.

117. The following entries have been consulted in the edition provided on the website of "The Electronic *Manipulus florum* Project" (see fn. 114, above): *ecclesia, fabula, mendacium, Scriptura sacra.* A general search of the Augustinian references considered in this article has been conducted through Janus Intertextuality Search Engine (https://cs.uwaterloo.ca/%7earkane/cgi-bin/janus.html, last accessed September 13, 2020), but none of them seems included in this *florilegium*.

118. The following entries have been consulted in the edition Paris 1649: *absolvere, charitas, claves, ecclesia, evangelium, fabula, falsum, figura, mendacium, ordo, pax, petra, Petrus, Petrus & Paulus simul, Scriptura sacra, unitas, unus & unum.* This *florilegium* includes however some of the references considered in this article; see *Milleloquium*, 364 (*In evang. Io. tract.* 124.5), 281–2 (*In evang. Io. Tract.* 118.4), 367 (*De ag. christ*. 30), 238 (*De civ. Dei* 19.13), 280 (*Retractiones* 1.21), 424 (*De doctr. christ.* 1.36).

119. See, for instance, the forthcoming proceedings of the international colloquium at Leuven in 2017 on the composition, transmission, and reception of late antique and medieval florilegia: *'Flores Augustini'. Augustinian Florilegia in the Middle Ages*, eds. Jérémy Delmulle, Gert Partoens, Shari Boodts, and Anthony Dupont [Spicilegium Sacrum Lovaniense, 57] (Leuven, expected 2020). Among the classic studies on Augustinian florilegia, see Joseph T. Lienhard, "The Earliest Florilegia of Augustine," *Augustinian Studies*, 8 (1977), 21-31; Eligius Dekkers, "Quelques notes sur des florilèges Augustiniens anciens et médiévaux," in: *Collectanea Augustiniana. Mélanges T. J. Van Bavel*, eds. Bernard Bruning, Mathijs Lamberigts, and Jozef Van Houtem = *Augustiniana*, 40 (1990), 27–44. See also Anthony N. S. Lane, "Anthologies (Patristic)," in: OGHRA, 2:536–40.

120. Remigio Sabbadini, *Le scoperte dei codici latini e greci nei secoli XIV e XV*, ed. Eugenio Garin (Firenze, 1967), 1:72–84; and Giovanni Fiesoli, "Nella biblioteca di Poggio Bracciolini," in: *Memorie Valdarnesi*, 179:3 (2013), 81–152. On Constance as book-market, see, for instance, Paul Lehmann, "Konstanz und Basel als Büchermärkte während der grossen Kirchenversammlungen," *Zeitschrift des deutschen Vereins für Buchwesen und Schrifttum*, 4 (1921), 6–11, 17–27.

of books) might have been due, partly, to the absence and weak conditions of the libraries of the three claimants to the Holy See; partly, to the fact that many of the issues discussed in Constance had been already discussed beforehand, and thus the fathers might have already had a dossier of references at their disposal to be used in their arguments.[121]

Gerson himself might not have had many books at his command while preparing his sermons and treatises. In a sermon delivered on January 17, 1417, he admits his lack of first-hand sources: "lately I consulted Thomas Aquinas and Bonaventure, here I do not have the books of others [*i.e.*, of other authors]."[122] On the basis of this passage, Guillaume H. M. Posthumus Meyjes suggests that, for the composition of his *De ecclesiastica potestate*, Gerson might also have relied mostly on memory.[123] As we have seen, scholars suggest that Gerson drew the passage from *De civitate Dei* 10.23 not from the original source but from the texts circulating at the University of Paris concerning the Juan de Monzon affair.[124] Considering the quotations that were discussed in this article, one can note that Gerson uses different referencing practices. In many circumstances, he refers to Augustine by either paraphrasing or using aberrant forms of the original passages. At times, he reports a quotation ascribed to Augustine by giving its reference within the *Decretum*.[125] That the *Decretum* represented a useful repertory for Augustinian references within the conciliar debates is shown, for instance, in the discussion on the legitimacy of tyrannicide concerning the "Petit affair." The council fathers made use of Augustinian stock-quotes on public authority and the right to kill which were all found in *Causa* 23.[126] The best way to approach this issue, which goes beyond the scope of the present study, is to consider each citation individually, looking for possible patterns.

The present article does not have the ambition of finding a definitive answer as to how Gerson accessed his "Augustinian" sources and made use

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121. Both points are made by Antonio Manfredi, "Papi, prelati, umanisti. Libri, biblioteche, studi. Il Concilio di Costanza tra medioevo ed età moderna," *Archivio storico lodigiano,* 136 (2017), 21–41, esp. 22, and, here 27: "è quindi anche per la debolezza delle biblioteche pontificie coeve che quello di Costanza fu un concilio 'senza libri'."

122. Jean Gerson, *Nuptiae factae sunt*, Gl. 5:385: "Vidi nuper sanctum Thomam et Bonaventuram, hic reliquorum libros non habeo."

123. Posthumus Meyjes, *Apostle of Unity*, 250–51.

124. See above, fn. 39.

125. See above, fn. 67. See also fn. 96.

126. Masolini, "Public Authority and Right to Kill," § 2. On the "Petit Affair," the fundamental study remains Alfred Coville, *Jean Petit: la question du tyrannicide au commencement du 15e siècle* (Paris, 1932). See also Claudio Fiocchi, "Una teoria della resistenza: Jean Petit e la Justification du Duc de Bourgogne," *Rivista di Storia della Filosofia*, 55:2 (2000), 161–86.

of them, but it rather represents an initial piece of a larger mosaic, which will hopefully take shape when other elements will be fitted together.

6. In Conclusion

The present article is a case study within a wider project which aims to analyze the presence and use of Augustine's *auctoritas* in the Acts of the Council of Constance and in the works of some of its most prominent participants. This work has attempted to show how, while deploying his ecclesiological vision in his sermons and treatises, Gerson made use of a small but solid cluster of Augustine quotations as persuasive threads in support of his own claims, integrating them within a larger rhetorical tapestry.

This study has offered a short introduction on Gerson's understanding of the Church as the body of Christ and the centrality of the concepts of unity, order, and peace in his ecclesiology, showing how Gerson made use of Augustinian images and terms to describe his own view (esp. *De civitate Dei* 11.1, 19.10–11, 19.13). It then considered Gerson's use of quotations from Augustine, while outlining his position on doctrinal authority, on biblical exegesis, on the methods and tasks proper to the profession of the theologian, and on the authority of the general council to exercise doctrinal censorship (esp. *De civitate Dei* 10.23, *Epistola* 40 3, *Contra epistola Manichaei* 5.6). Finally, it presented Gerson's position on the nature and extent of ecclesiastical power, and the relationship between pope and council, analyzing how he, Pierre d'Ailly, and Thomas Netter dealt with Augustine's interpretation of Mt. 16:18–19, especially with regard to the power of the keys (*Sermo* 295 2, *De agone Christiano* 30; *In Joannis Evangelium* 118.4 and 124.5).

Following the trail of the Augustine quotations in the writings which Gerson composed around the years of the Council of Constance, it has sketched an outline of the ecclesiological view of the Chancellor. According to Jean Gerson, the *ecclesia* is the ultimate authority for the interpretation of the literal sense of Scripture and the determination of the truth of faith—first, through the doctrinal examination of the doctors of theology; then, through the ratification of the bishops. Insofar as it consists of a unitary and hierarchically-ordered body, the Church is the primary keeper of the *potestas ecclesiastica* and of the right to correct its members when they are in error. This power is given in plenitude, *formaliter et absolute*, to the pope, vicar-head of the Church, so that he can administer it for the edification of the Church and for the eternal beatitude of its members. However, this plenitude of power remains in the Church *finaliter* and *in usu*.

The latter is responsible to ensure that the pope exercises the ecclesiastical power for the good of the Christian community, and when he does not, it has the right to exercise that power in his place.

The intent of this article was not to demonstrate that Augustine's own conception of the Church and of biblical exegesis substantially contributed to Gerson's conciliar theory or hermeneutics. Nor was its aim to claim that the Bishop of Hippo represented for Gerson the privileged authority while composing his treatises. However, one can at least argue that Augustine's texts—be they authentically Augustinian or simply ascribed to him by the Chancellor—to some extent did provide him with a set of images or formulas which would lend strong support to his own view.

A Catholic International or Transregional Catholicism? The Printing Press, English Catholics, and Their Hosts in the Early Modern Ecclesiastical Province of Cambrai

Alexander Soetaert and Violet Soen*

Using Impressa Catholica Cameracensia (ICC), a new database of early modern Catholic books printed in the Ecclesiastical Province of Cambrai, a border zone in the south of the Habsburg Low Countries, this article examines encounters and exchanges between expatriate English Catholics and their francophone hosts in the continental book world. It is argued that religious book production represents an illuminating case for the study of these interactions between Catholics across, along, and beyond borders. From this perspective, the continental production process of English Catholic books rather testifies to the "transregional" character of early modern Catholicism as a whole, rather than to English Catholicism's specific "international" orientation.

Keywords: English Catholicism; transregional history; Catholic print culture; confessional mobility; Habsburg Low Countries

In recent years, historians have judged the early modern English Catholic community to be far more "international" than "insular," reassessing the impact of exile, diaspora, and cross-border networks and

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diplomacy.[1] This historiographical revision gave rise to newer interpretations of a "Catholic International" or "International Catholicism,"[2] and an important, if not crucial, role has been attributed to books, the printing press, and the clandestine book trade in connecting the British Isles to the wider Catholic world.[3] Alexandra Walsham championed this new interpretation, first demonstrating how books produced on the continent came to function as "dumb preachers" for Catholic audiences in England, and more recently, unravelling how much this distribution of continentally printed books relied upon the active processes of appropriation and negotiation within the Counter-Reformation.[4] Likewise, Earle Havens has connected book ownership in Elizabethan England to International Catholicism, concluding that English collectors felt themselves spiritually and materially connected with the "continental Roman Catholic Church as an international, indeed global, and vitally reformed ecclesiastical institution" through their books.[5]

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1. Alexandra Walsham, "In the Lord's Vineyard: Catholic Reformation in Protestant Britain," in: *Catholic Reformation in Protestant Britain* (Farnham, 2014), 1–49, gives alternatives to the historiographical tradition focusing on related dynamics in the Reformed tradition; see Mark Greengrass, "Thinking with Calvinist Networks: From the 'Calvinist International' to the 'Venice Affair' (1608–1610)," in: *Huguenot Networks, 1560–1780: The Interactions and Impact of Protestant Minority in Europe*, ed. Vivienne M. Larminie (New York, 2018), 9–27; or publications by Ole Peter Grell, including his "The Creation of a Transnational, Calvinist Network and its Significance for Calvinist Identity and Interaction in Early Modern Europe," *European Review of History*, 16 (2009), 619–36.

2. Brian Lockey, *Early Modern Catholics, Royalists, and Cosmopolitans: English Transnationalism and the Christian Commonwealth* (Farnham, 2015), 8. Considering the French and Spanish diplomatic and military support for the English Catholic cause, Brad Gregory has recently concluded that "English Catholicism remained politically a part of international Catholicism." See Brad Gregory, "Situating Early Modern English Catholicism," in: *Early Modern English Catholicism. Identity, Memory and Counter- Reformation*, eds. James E. Kelly and Susan Royal (Leiden, 2017), 17–40, here 26. For a similar understanding of "International Catholicism," see Glyn Redworth, "Between Four Kingdoms: International Catholicism and Colonel William Semple," in: *Irlanda y la Monarquía Hispánica: Kinsale 1601–2001. Guerra, política, exilio y religión*, eds. Enrique García Hernán *et al.* (Madrid, 2002), 255–64.

3. James Kelly, "England and the Catholic Reformation: The Peripheries Strike Back," *Journal of Early Modern Christianity,* 8 (2020), (forthcoming), summarizes in the second section most of the recent historiography about the (illicit) book trade and its importance for English Catholicism.

4. Alexandra Walsham, "Dumb Preachers: Catholicism and the Culture of Print," in: *Catholic Reformation in Protestant Britain* (Farnham, 2014), 235–82 [first published in *Past & Present*, no. 168 (2000), 72–123]; *idem*, "Religious Ventriloquism: Translation, Cultural Exchange and the English Counter-Reformation," in: *Transregional Reformations: Crossing Borders in Early Modern Europe*, eds. Violet Soen, Alexander Soetaert, Johan Verberckmoes, and Wim François [Refo500 Academic Series, 61], (Göttingen, 2019), 123–55.

5. Earle Havens, "Lay Catholic Book Ownership and International Catholicism in Elizabethan England," in; *Publishing Subversive Texts in Elizabethan England and the Polish-*

Rather than questioning the extent to which the publishing activities of expatriates influenced confessional developments in Britain, or analyzing the reception and readership of these books once successfully smuggled into the British Isles, this article deals with another critical aspect with regards to the English Catholic community and their books. It examines the networks behind the books produced on the continent, and the many encounters and exchanges between English Catholics and their hosts there, tracing where "it all began." Focusing on the Spanish-Habsburg Low Countries in general, and its francophone borderlands of the Ecclesiastical Province of Cambrai in particular, this examination showcases important features of the authors'database *Impressa Catholica Cameracensia* (ICC). It includes Douai and Saint-Omer, the two towns that became the most prolific printing centers for English Catholicism after 1600. In the current endeavor, books printed in these towns appear as vectors to map encounters and exchanges between Catholics from varying regional and cultural backgrounds in and beyond borderlands, rather than solely as vehicles for English Catholic readership.[6]

Both English Catholic history and book history have not accounted for the specific borderland location of Cambrai and its significance as a hub for encounter and exchange. From its creation in 1559, the Ecclesiastical Province consisted of a conglomerate of primarily French-speaking (hence Walloon) territories, while it continued to function as a transit zone between the Low Countries, France, the Holy Roman Empire, and England.[7] Its proximity to the Channel, when combined with its reputation as an early stronghold of Tridentine Catholicism, turned the province into a welcoming and attractive site for Catholic expatriates from across the sea, as well as from France or other Habsburg provinces in the Low

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Lithuanian Commonwealth, eds. Teresa Bela, Clarinda Calma, and Jolanta Rzegocka, [Library of the Written Word—The Handpress World, 52], (Leiden, 2016), 217–62, here 261.

6. The database *Impressa Catholica Cameracensia* (ICC) can be consulted through the website of the Early Modern History Department at KU Leuven, and reconstructs the intellectual world through books and especially the networks and persons linking these books: https://www.arts.kuleuven.be/nieuwetijd/english/odis/ICC_search. In the notes below, a unique record number is given for each publication listed in the database; a general evaluation of this database is offered in Alexander Soetaert, *De katholieke drukpers in de kerkprovincie Kamerijk. Contacten, mobiliteit en transfers in een grensgebied (1559–1659),* [Verhandelingen van de KVAB. Nieuwe reeks, 34], (Leuven, 2019).

7. Yves Junot and Marie Kervyn, "Negotiating Consensual Loyalty to the Habsburg Dynasty: Francophone Border Provinces between the Low Countries and France, 1477–1659," in: *Transregional Territories: Crossing Borders in the Early Modern Low Countries and Beyond*, eds. Bram De Ridder, Violet Soen, Werner Thomas, and Sophie Verreyken, [Habsburg Worlds, 2] (Turnhout, 2020), 73–102.

Countries. Here, encounters and exchanges were not so much happening at an "international" level, but at an intermediate level between Tridentine Catholicism's global outreach and local business at the Franco-Habsburg frontier, along, across, and beyond multiple borders at once. Hence, the authors of this article argue that forms of interaction between English expatriates and Walloon printers and patrons within the Cambrai book world, and the cultural and textual transfers that resulted from them, testify more to the "transregional" character (meaning: across regions and borders) of early modern Catholicism as a whole, rather than to the specific "international" orientation of English Catholicism (in between nations or beyond their boundaries).

The argument of this study will unfold in four steps. The first section, treating the production of one particular English-language translation printed in Douai, provides an introduction to these "transregional" dimensions behind book production at the frontier and to the cooperation between English Catholics and the local book world. The second section unravels more general patterns of joint ventures between English expatriates and their francophone hosts. The third section stresses the broader hub function of Cambrai for the transfer and translation of early modern Catholic books, including those from France and Spain, while the last section dissects the vital role of go-betweens, acting as amphibious actors straddling worlds of exiles, settlers, and natives alike. In this way, the alternative concept of "transregional Catholicism" can highlight the extent to which contacts and mobility across multiple borders—including not only the experience of exile and confessional mobility, academic peregrination and pilgrimage, migration and relocation, but also that of cultural transfer and translation in frontier regions—informed early modern Catholicism.[8]

A. "The Printers Being Walloons"

In 1630, a printing house in Douai, a town twenty miles north of the French frontier, produced a book entitled *The reply of the most illustrious*

8. As Liesbeth Corens has demonstrated, mobility within the English Catholic community was not restricted to episodes of flight and exile, since long- and short-time pilgrimages and educational opportunities could also spark cross-border movements; see her *Confessional Mobility and English Catholics in Early Modern Europe* (Oxford, 2018), 2–3, 79–104. English Catholic students, for instance, quintessentially embodied this concept of mobility; see Violet Soen, "Containing Students and Scholars Within Borders? The Foundation of Universities in Reims and Douai and Transregional Transfers in Early Modern Catholicism," in: *Transregional Reformations,* 267–294.

Cardinal of Perron, to the answeare of the most excellent King of Great Britain.[9] Written in France, translated in England and produced in the Habsburg Low Countries, this book was the result of complicated itineraries and a back-and-forth repositioning along borders and boundaries, rather than a simple bilateral transfer or translation between England and France. The hub of the Douai printer mattered. It was not so much the publication of an English-language Catholic text on Spanish Habsburg territory that was novel. During the later decades of the sixteenth century, English, Welsh, and Scottish Catholics had found refuge there, founded convents and colleges,[10] and often sought printers in major typographic centers such as Antwerp and Paris. After 1600, the francophone university town of Douai, in particular, swiftly emerged as one of the most prolific centers for English Catholic publishing on the continent, later to be joined by Saint-Omer.[11] By the mid-seventeenth century, printers in Douai and Saint-Omer produced nearly 500 English-language editions and over 180 editions written by English Catholic authors or dealing with the English Catholic cause in both Latin and various vernaculars.[12] Even so, the aforementioned 1630 Douai edition does represent a significant accomplishment: it stemmed from a joint venture between translators and printers on both sides of the

9. Jacques Davy Du Perron, *The reply . . . to the answveare of the most excellent King of Great Britaine* (Douai, 1630). Antony F. Allison and David M. Rogers, *The Contemporary Printed Literature of the English Counter-Reformation Between 1558 and 1640*, 2 vols. (London, 1989–94) [hereafter: *ARCR*], vol. 2, no. 127, ICC 36349.

10. Recent studies of these institutions include: Claire Walker, *Gender and Politics in Early Modern Europe. English Convents in France and the Low Countries* (Basingstoke/New York, 2003); Caroline Bowden and James E. Kelly, eds., *The English Convents in Exile, 1600–1800: Communities, Culture, and Identity* (Farnham, 2013); Liam Chambers and Thomas O'Connor, eds., *College communities abroad. Education, Migration and Catholicism in Early Modern Europe* (Manchester, 2017); Liam Chambers and Thomas O'Connor, eds., *Forming Catholic Communities: Irish, Scots, and English College Networks in Europe, 1568–1918* (Leiden, 2017); and Laurence Lux-Sterrit, *English Benedictine Nuns in Exile in the Seventeenth Century. Living Spirituality* (Manchester, 2017). See also the ongoing "Monks in Motion" project on English and Welsh Benedictines, directed by James Kelly at Durham University (https://www.dur.ac.uk/mim/), and his publications referenced elsewhere in the notes.

11. For recent reappraisals of the francophone book world in the Habsburg Low Countries, see Alexander Soetaert, "Printing at the Frontier. The Emergence of a Transregional Book Production in the Ecclesiastical Province of Cambrai (ca. 1560–1659)," *De Gulden Passer: Journal for Book History*, 94 (2016), 137–63; and Sébastien Afonso, "Imprimeurs, société et réseaux dans les villes de langue romane des Pays-Bas méridionaux (1580–ca. 1677)" (unpublished PhD dissertation, Université libre de Bruxelles, 2016).

12. These figures are based on a combined evaluation of *ARCR* and *ICC*. See also Alexander Soetaert, "Catholic Refuge and the Printing Press: Catholic Exiles from England, France and the Low Countries in the Ecclesiastical Province of Cambrai," *British Catholic History,* 34 (2019), 532-61.

Channel and the collaboration of Catholics from different regional backgrounds, both on the spot and from a distance, in the book world of a frontier town.

The interplay between title page and paratext unravels how the actors involved in the production of this particular edition seized upon the possibilities created by multiple border crossings and the resulting transfers. The original author of the book was the long-deceased French Cardinal Jacques Davy Du Perron (1556–1618). Born into a Huguenot family, Du Perron fled Paris during the St. Bartholomew's Day Massacre. By the late 1570s, however, he had converted to Catholicism and embarked on a remarkable ecclesiastical career, first as bishop of Évreux, then as cardinal, and finally as archbishop of Sens and Great Chaplain of France.[13] Du Perron sustained a strong interest in both English affairs and religious controversy throughout his life. The text published at Douai fits within the context of the 1611 controversy between him and Isaac Casaubon, who wrote on behalf of King James VI of Scotland and I of England.[14] In 1620, the cardinal's brother oversaw the posthumous printing, by the Parisian printer Antoine Estienne, of a voluminous treatise that rehashed this debate.[15] Although not very innovative, the treatise's reissue in 1622 editions, and its translation into English in Douai in 1630, demonstrate its continued resonance within the intellectual community along the Paris-Douai-London axis, or what John Bossy once coined to be the "French route."[16]

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13. For a good biographical introduction, see Remi Snoeks, "Du Perron (Jacques-Davy)," in: *Dictionnaire d'histoire et de géographie ecclésiastiques* (Paris, 1912–), vol. 14 (1960), cols. 1130–33.

14. A letter dated July 15, 1611, sent by Du Perron to Casaubon, was printed in 1612 in Paris (USTC 60225710, 6009601, 6011410 6803920), Bordeaux (USTC 6800230), Caen (USTC 600951), and Rouen (USTC 6815039, 6813012). The Jesuit Thomas Owen swiftly translated the letter into English and printed it at the English Jesuit College in Saint-Omer (*ARCR*, vol. 2, no. 580). Du Perron's letter provoked a reply in Latin by Casaubon, printed in London in 1612 (ESTC S95999 and S95600), which was later translated into French (USTC 6016513) and Dutch (STCN 860330079). For more on this correspondence, see Pierre Féret, *Le Cardinal du Perron, orateur controversiste, écrivain; étude historique et critique* (Paris, 1877), 264–67; and John Considine, "Casaubon, Isaac," in: *Oxford Dictionary of National Biography Online Edition* [hereafter: *ODNB*]. Consulted April 30, 2019, at https://doi.org/10.1093/ref:odnb/4851. For more on Casaubon, see also Anthony Grafton and Joanna Weinberg, *"I have always loved the Holy Tongue": Isaac Casaubon, the Jews, and a Forgotten Chapter in Renaissance Scholarship* (New Haven, 2011).

15. Jacques Davy Du Perron, *Réplique a la response dv Serenissime Roy de la Grand [sic] Bretagne* (Paris, 1620), USTC 6024647. A second edition was published in 1622 (USTC 6024955). See Féret, *Le Cardinal du Perron*, 274–88 for a summary of this treatise.

16. John Bossy, "Rome and the Elizabethan Catholics: A Question of Geography," *The Historical Journal*, 7 (1964), 135–42.

The translator, whose name—unlike that of Du Perron—did not appear on the title page, was Elisabeth Cary (1585–1639), *née* Tanfield, better known as the first female English playwright. She was born into a recently ennobled Anglican family from Oxfordshire, learned French, Italian, and Latin at a young age, and devoted her time to writing and translating. After marrying Sir Henry Cary, Viscount Falkland, she continued her literary endeavors while raising eleven children in Ireland, where her husband served as lord deputy. In 1625, Cary returned alone to England, converted to Catholicism, and developed a keen interest in theological controversy. Following her husband's death in 1633, she sent four of her daughters to the English Benedictine convent in Cambrai, fifteen miles southwest of Douai. Recently, James Kelly has shown how much these female convents on the continent, despite enclosure, were networked, and were hubs of networking between the British Isles and the local Walloon communities.[17] In 1636, Cary failed in an attempt to also send two of her sons to convent schools on the continent.[18] The translation of Du Perron's treatise and its edition in Habsburg Douai further demonstrates her connections with the expatriate community in the Low Countries, even though she never visited the region, neither taking refuge nor exile there.

In a preface to the reader, Cary stressed that she did not see translating as a virtuous female pastime, but that she was primarily "moved [. . .] by her beleefe" and that it was her intention to "make those English that understand not French, whereof there are manie, even in our universities, reade Perron," subtly taking pride in her own linguistic skills.[19] She contextualized her motivations with an assertive position within contemporary theological controversies. As a myriad of publications over the last few decades have unraveled, English Catholic women, both religious and lay, not only collected and patronized books, but also participated in shaping scribal, textual, and translation communities, betraying contemporary literary tastes and religious sensibilities. They sometimes did so to keep their dispersed family together, sending books, letters, and poems to their expatriate family members, but, just like Cary, often also authored and trans-

17. Regarding the geography, James Kelley shows how these female convents "acted first and foremost, as Catholic institutions" and should be recognized as "part of the Catholic Reformation boom in female convents." James E. Kelly, *English Convents in Catholic Europe, c. 1600–1800* (Cambridge, 2020), 188, 191.

18. Stephanie Hodgson-Wright, "Cary [née Tanfield], Elizabeth, Viscountess Falkland," in: *ODNB*. Consulted April 30, 2019, at https://doi.org/10.1093/ref:odnb/4835.

19. Du Perron, *The reply of the Cardinal of Perron. . .* (Douai, 1630), sig. a2 v°. The most recent study of her translation activities as a pre-teen is found in Elisabeth Tanfield Cary, *The Mirror of the Worlde: A Translation,* ed. Lesley Peterson (Montréal, 2012).

lated with very specific religious goals in mind, holding an otherwise linguistically divided Catholicism together.[20]

As was the case for most English-language translations from French texts, Cary's translation was neither printed in France nor on clandestine presses in England, but on Martin Bogart's press in Douai in the Habsburg Low Countries. As the title page also informs, Bogart worked "under the sign of Paris," an allusion to the intense interest that Douai booksellers and customers took in the trade with the French capital. A son to one of the first and most prominent printers in Douai, Martin Bogart had opened his own printshop only the year before. Trying to secure the survival of his new business, he started reprinting editions previously issued in France, but also turned to printing books for the English Catholic community.[21] The Cary translations were the first of a series of seven editions in English, that mostly consisted of works by Franciscan writers.[22]

To a greater extent than the title page and the impressum, the preliminaries of the edition provide some interesting details about the contacts between English and Walloon behind the publication process. An "Admonition to the Reader," commenting upon the changes made during the translation process, also includes a curious remark about the production process and the countless typographical errors committed by Bogart's workshop. Ironically, in this passage the typesetter made an additional error, not captured by the corrector:

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20. Ulrike Tancke, *'Bethinke Thy Selfe' in Early Modern England. Writing Women's Identities*, [Costerus New Series, 180], (Amsterdam, 2010), 39; Helen Hackett, "Women and Catholic Manuscript Networks in Seventeenth-Century England: New Research on Constance Aston Fowler's Miscellany of Sacred and Secular Verse," *Renaissance Quarterly*, 65 (2012), 1094–1124. See also Caroline Bowden, "Patronage and Practice: Assessing the Significance of the English Convents as Cultural Centres in Flanders in the Seventeenth Century," *English Studies*, 92 (2011), 483–95; *idem*, "Building Libraries in Exile: The English Convents and Their Book Collections in the Seventeenth Century," *British Catholic History*, 32 (2015), 343–82; Jaime Goodrich, "Early Modern Englishwomen as Translators of Religious and Political Literature, 1500–1641" (PhD dissertation, Boston College, 2008); Jaime Goodrich, "'Ensigne-Bearers of Saint Clare': Elizabeth Evelinge's Early Translations and the Restoration of English Franciscanism," in: *English Women, Religion, and Textual Production, 1500–1625*, ed. Micheline White (Farnham, 2011), 83–100; and Jaime Goodrich, "Translating Lady Mary Percy: Authorship and Authority Among the Brussels Benedictines," in: *The English Convents in Exile, 1600–1800: Communities, Culture, and Identity*, eds. Caroline Bowden and James E. Kelly (Farnham, 2013), 109–22.

21. Soetaert, *De katholieke drukpers in de kerkprovincie Kamerijk*, 370, 410, 427, 429.

22. Antony F. Allison, "Franciscan Books in English, 1559–1640," *Biographical Studies* (subsequently *Recusant History*), 3 (1955), 16–65.

> The printers being Walloons, and our English strange unto them it was incredible to see how may [*sic* instead of "many"] faults they committed in setting; so that in overlooking the proofes for the print, the margin had not roome enough to hold our corrections: and do what we could, yet the number of our corrections being so many, a great many of them remained uncorrected by the fastidious fantasy of our workman. Yet we iudge there is no fault that may hinder, or change the sence, but is amended; and for the rest we desire thee to pardon vs, considering how hard it is to make a stranger here to expresse our orthography.[23]

This "Admonition" was signed F.L.D.S.M., an acronym for the Welsh Benedictine John Jones (1575–1636), better known by his religious name Leander a Sancto Martino. Another convert, like Cary and Du Perron, Leander studied in Spain, where he entered the newly-founded English Benedictine congregation, before holding the royal chair of Hebrew at the University of Douai for twenty-five years.[24] In that capacity, the English scholar also provided the ecclesiastical approbation for the book, which was printed just beneath his comment on the errata and signed by his full name and titles. For more than a decade, Leander extensively published with several Douai printers.[25] It is likely that he not only acted as a broker between translator Elisabeth Cary and printer Martin Bogart, but also as a link to the female Benedictine community in Cambrai, where, as mentioned above, Cary sent four of her daughters in 1633.

While Alison Shell has used Leander's quote to point to the logistical difficulties English Catholics faced on the continent,[26] these and similar complaints that can be found in at least an additional thirteen English language-editions from Douai and Saint-Omer,[27] also reflect the necessary

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23. Du Perron, *The reply*, sig. e v°.

24. David Daniel Rees, "Jones, John [name in religion Leander a Sancto Martino]," in: *ODNB*. Consulted April 30, 2019, at https://doi.org/10.1093/ref:odnb/15025. . See also David Lunn, *The English Benedictines 1540–1688: From Reformation to Revolution* (London, 1980), 29–30 and *passim*.

25. *ARCR*, vol. 1, nos. 693–700.

26. Alison Shell, *Catholicism, Controversy and the English Literary Imagination, 1558–1660* (Cambridge, 1999), 44 (n. 33).

27. Robert Persons, *An answere to the fifth part of reportes* (Saint-Omer, 1606), *ARCR*, vol. 2, no. 608. ICC 36418, sig. 3Cv; Humphrey Leech, *A triumph of truth* (Douai, 1609), *ARCR*, vol. 2, no. 497. ICC 36282, sig. I4v; James Wadsworth, *The contrition of a Protestant preacher* (Saint-Omer, 1615), *ARCR*, vol. 2, no. 774. ICC 37922, sig. P4r; Anthony Champney, *A treatise of the vocation of bishops* (Douai, 1616), *ARCR*, vol. 2, no. 134. ICC 36314), sig. TT2r; Matthew Kellison, *The right and iurisdiction of the prelate, and the prince* (Douai, 1617), *ARCR*, vol. 2, no. 470. ICC 36318, sig. V8r; François de Sales, *A treatise of the loue of God* (Douai, 1630), *ARCR*, vol. 2, no. 647. ICC 36351, sig. **r; Edmund Lechmere, *A disputation*

joint ventures between English Catholics and French-speaking craftsmen, printers, and publishers in Douai. Collaboration could be frustrating at times, but was imperative for the publication of English-language books. Scholars of English Catholic print culture rarely notice the contacts between English Catholics and their continental host societies, as historians of the phenomenon generally question the extent to which the output of continental presses sustained the missionary endeavors of English Catholics and contributed to the survival of the Catholic faith across the Channel.[28] Although print was only one of the many means by which early modern religious confessions shaped their beliefs, it offers a good proxy of interactions, not only between the laity and clerics, but also between expatriates and their hosts, and it can serve to illuminate the regional impact of developments.[29] In fact, as will appear here, from their initial production, books represented the main agent by which Catholics established their faith across both linguistic and territorial borders,[30] even though title pages

of the Church (Douai, 1629 [=1631]), *ARCR*, vol. 2, no. 490. ICC 36343, sig. †8r; *idem*, *A disputation of the Church* (Douai, 1632), *ARCR*, vol. 2, no. 491. ICC 36366, sig. SS3v; Andrés de Soto, *The ransome of time being captive* (Douai, 1634), *ARCR*, vol. 2, no. 398. ICC 36370, sig. N4r; Pietro Aretino, *A paraphrase vpon the seauen penitentiall psalmes* (Douai, 1635), *ARCR*, vol. 2, no. 397. ICC 36377, †6v; Edmund Lechmere, *A disputation of the Church* (Douai, 1640), *ARCR*, vol. 2, no. 492. ICC 36393, sig. SS4r; Henry Turberville, *An abridgment of Christian doctrine* (Douai, 1648), Clancy, no. 974. ICC 36395, sig. P6v; Richard Mason, *A manuell of the arch-confraternitie of the cord of the passion* (Douai, 1654), Clancy, no. 651. ICC 36398), sig. L6r.

28. Among the few exceptions are Allison, "John Heigham of S. Omer," *Biographical Studies*, 4 (1958), 226–42; Allison, "Franciscan Books"; and Joannes M. Blom, "The Post-Tridentine English Primer" (PhD dissertation, Katholieke Universiteit Nijmegen, 1979; reissued in 1982 as vol. 3 in the Monograph Series of the Catholic Record Society).

29. Alexandra Walsham, "In the Lord's Vineyard," 49; here Walsham stresses that British Catholics "were conscious . . . of their membership of an international Church which transcended national boundaries" and that "they saw their own struggles as part of a wider spiritual revival within Europe." Brian Lockey observes that, amongst English Catholics, there was a form of "Catholic cosmopolitanism . . . rooted in the transnational imperium of the Roman curia," demonstrating how late-sixteenth-century English Catholic exiles and missionaries like Robert Persons and Edmund Campion "sought to reintegrate the English realm into the transnational Christian commonwealth," in his *Early Modern Catholics, Royalists, and Cosmopolitans: English Transnationalism and the Christian Commonwealth* (Farnham, 2015), 8.

30. Also Geert Janssen, studying a to some extent parallel Catholic exile during the Revolt in the Netherlands, advocates that the confluence of exiles in border towns such as Cologne and Douai contributed to the formation of an International Catholicism or Catholic International. He states that the printing presses in Douai and Cologne fostered a more militant and international brand of Catholicism, just as the presses in Emden could do to the Reformed churches. Geert Janssen, *The Dutch Revolt and Catholic Exile in Reformation Europe* (Cambridge, 2014), esp. 8, 109–11. Janssen uses both "Catholic International" (e.g., 8) and "International Catholicism" (e.g., 111) to describe the same phenomenon. For the use of the

or other discursive strategies silenced the connections and collaborations between migrants and hosts. By mapping the different spatial dimensions of Du Perron's posthumously published English translation, a triangular relationship emerges among France, England, and the Habsburg Low Countries, in which the Cambrai borderlands function as a crucial node.

B. Joint Ventures

The highly complex spatiality behind Cary's English translation of a long-dead French theologian published in Habsburg Douai offers a window to wider patterns which can now be better traced through the online database *Impressa Catholica Cameracensia* (ICC). Traditional research questions have frequently reduced Cambrai to a backwater, a mere stop-over between London, Paris, and Rome.[31] French and Belgian historiography on early modern printing has similarly viewed the province as marginal and peripheral when compared to large neighboring typographic centers such as Antwerp, Paris, and Cologne.[32] In the past few decades, English Catholic book production in continental Europe has already been subject to cutting-edge bibliographical research, most notably by Antony Allison and David Rogers.[33] These pioneering bibliographical overviews consider the continental output as a sign of the vitality of English Catholic

term "Catholic International" in relation to the religious conflicts in the Low Countries, see also Judith Pollmann, "How to Flatter the Laity? Rethinking Catholic Responses to the Reformation," *BMGN-Low Countries Historical Review*, 126 (2011), 97–106, here 104–05.

31. However, Catholicism in and beyond Cambrai has been subject to an ongoing reappraisal: Andrew Spicer, "After Iconoclasm: Reconciliation and Resacralization in the Southern Netherlands, ca. 1566-85," *Sixteenth Century Journal*, 44 (2013), 411–33; Andrew Spicer, "Consecration and Violation: Preserving the Sacred Landscape in the (Arch)diocese of Cambrai, c. 1550–1570," in: *Foundation, Dedication and Consecration in Early Modern Europe*, eds. Maarten Delbeke and Minou Schraven (Leiden, 2012), 253–74, and his forthcoming Brill monograph; Violet Soen and Aurelie Van de Meulebroucke, "Vanguard Tridentine Reform in the Habsburg Netherlands. The Episcopacy of Robert de Croÿ, Bishop of Cambrai 1519–1556," in: *Church, Censorship and Reform in the Early Modern Habsburg Netherlands*, eds. Violet Soen, Dries Vanysacker, and Wim François [Bibliothèque de la Revue d'histoire ecclésiastique, 101], (Turnhout, 2017), 125–44; Violet Soen and Laura Hollevoet, "Le Borromée des anciens Pays-Bas? Maximilien de Berghes, (arch)évêque de Cambrai et l'application du Concile de Trente (1564–1567)," *Revue du Nord*, 99 (2017), 41–65.

32. For some recent reappraisals, see Nicole Bingen and Renaud Adam, *Lectures italiennes dans les pays wallons à la première modernité (1500–1630)* (Turnhout, 2015); Afonso, "Imprimeurs," passim; and Soetaert, *De katholieke drukpers*, passim.

33. Antony F. Allison and David M. Rogers, *The Contemporary Printed Literature of the English Counter-Reformation between 1558 and 1640,* 2 vols. (London, 1989–94). For later periods, see Thomas Clancy, *English Catholic Books 1640–1700. A Bibliography* (Aldershot, 1996) and Frans Blom *et al.* eds., *English Catholic Books 1701–1800. A Bibliography* (Aldershot, 1996).

print culture despite dislocation, but do not question how publishing these books also created encounters between English Catholics and their hosts. Therefore, ICC sets out to systematically map these encounters. In addition to book titles and names of authors, translators, publishers, and printers—information that is usually provided by bibliographical inventories—the database also records dedicatees, eulogists, ecclesiastical approbators, and illustrators, and thus brings to the fore brokers such as the above-mentioned Welsh censor John Jones. ICC thus links the networks behind English Catholic book production with those involved in the Cambrai book world, publishing for local and remote audiences alike.

Most strikingly, the data stored in *Impressa Catholica Cameracensia* demonstrate how English Catholic expatriates continued to collaborate with local francophone printers in Douai and Saint-Omer, even after they established their own presses in both towns in the early 1600s. In 1603, the English printer Laurence Kellam, best known for his edition of the Old Testament of the *Douay-Rheims Bible* (1609–10), opened a printshop in Douai, which his Walloon widow Marguerite Lanseart and (grand)sons continued after their parents' death.[34] Five years later, the so-called English College Press started operating on the premises of the English Jesuit College in Saint-Omer.[35] Notwithstanding these two remarkable initiatives, the ICC database shows that forty-four percent of the English-language editions printed in Douai and Saint-Omer between 1603 and 1659 still came from the presses of Walloon printers. This share almost equaled that of the extremely prolific College Press (forty-six percent) and greatly outnumbered that of the Kellam press (ten percent).

In the years immediately following his arrival in Douai, Kellam printed most of the town's English-language editions, but the Wyon and Auroy families quickly increased their output in the same segment. In the first sixty years of the seventeenth century, more than two thirds of the English-language editions issued in Douai came from the presses of these local craftsmen in the printing business. In Saint-Omer, this share was

34. Alexander Soetaert and Heleen Wyffels, "Beyond the Douai-Reims Bible: The Changing Publishing Strategies of the Kellam Family in Seventeenth-Century Douai," *The Library* (forthcoming); Alexandra Walsham, "Unclasping the Book? The Douai-Rheims Bible," in: *Catholic Reformation in Protestant Britain* (Farnham, 2014), 286–314 (first published in *Journal of British Studies*, 42 (2003), 141–66).

35. Michael J. Walsh, "The Publishing Policy of the English College Press at Saint-Omer, 1608–1759," in: *Religion and Humanism: Papers Read at the Eighteenth Summer Meeting and the Nineteenth Winter Meeting of the Ecclesiastical History Society*, ed. Keith Robins (Oxford, 1981), 239–50.

TABLE 1. English-Language Editions in Douai and Saint-Omer, 1601–1659

	Douai							Saint-Omer					
Period	Kellam	Taylor	Heigham	Boscard	Auroy	Wyon	Others	College Press	Heigham	Bellet	Boscard	Seutin	Total
1601–10	20	0	4	5	8	0	2	17	0	8	0	0	64
1611–20	9	0	19	0	4	0	2	72	8	0	4	0	118
1621–30	8	2	3	0	4	3	9	74	38	0	11	7	159
1631–40	7	0	1	0	0	18	14	50	6	0	15	4	115
1641–50	3	0	0	0	0	2	0	5	0	0	0	0	10
1651–59	1	0	0	0	0	1	5	3	0	0	0	0	10
s.d.	0	0	0	4	0	0	0	0	0	0	0	0	4
Total	48	2	27	9	16	24	32	221	52	8	30	11	480

only half as high, mainly due to the large number of editions produced by the College Press, which, however, were almost exclusively written by Jesuit authors. Nevertheless, English-language texts dominated the output of Charles Boscard and his widow Jeanne Burée, who first practiced in Douai, but settled in Saint-Omer in 1610. Georges Seutin, a printer who had previously worked for the Jesuit press, almost entirely focused on English-language texts or books written by English writers after he started printing under his own name.[36]

Cooperation between English Catholics and continental printers was more the rule than the exception during the early seventeenth century, as the presence of English printers and presses was unique to Douai and Saint-Omer.[37] The more limited number of English-language books manufactured in Antwerp, Leuven, Paris, and Rouen all came from local presses.[38] For Latin books written by English Catholics, aimed at readers beyond their own linguistic community, the facilities offered by the continental book world were even more important. Continental booksellers even played an increasingly vital role in distributing books across Europe, participating in events such as the Frankfurt book fair.[39] The recurrent complaints voiced by authors, translators, and editors in the preliminaries of English-language books certainly point to real difficulties, but they likewise demonstrate the increasingly close ties between English Catholics and the continental book world. Indeed, more frequent cooperation with printers who had no prior experience in printing in English significantly contributed to the growing

36. Georges Lepreux, *Gallia typographica ou Répertoire biographique et chronologique de tous les imprimeurs de France depuis les origines de l'imprimerie jusqu'à la Révolution.* 1. *Flandre—Artois—Picardie* (Paris, 1909), 130–31.

37. Between 1611 and 1623, the expatriate printer Henri Jaye also issued some twenty English-language editions in Mechelen, but his descendants did not continue this publishing program. See David M. Rogers, "Henry Jaye (15?–1643)," *Biographical Studies* 1 (1951), 86–11 and Diederik Lanoye, "Mechelse drukkers en Mechelse drukken tijdens het Ancien Régime," in: *Gedrukte stad: drukken in en voor Mechelen (1581–1800)*, eds. Diederik Lanoye, Goran Proot, and Willy Van de Vijver (Mechelen, 2010).

38. For the seventeenth century only, the contribution of Rouen printers has received some attention: Jean-Dominique Mellot, *L'édition rouennaise et ses marchés (vers 1600–vers 1730): dynamisme provincial et centralisme parisien* (Paris, 1998), 77, 100–101, 158–59, 204; Blom, *The Post-Tridentine English Primer*, 52–54, 63–64, 130–33. On sixteenth-century English-language printing in Paris and Antwerp, see Katy Gibbons, *English Catholic Exiles in Late Sixteenth-Century Paris* (Woodbridge, 2011), 74, 86–88 and Francine De Nave, Gilbert Tournoy, and Dirk Imhof, eds., *Antwerp, Dissident Typographical Centre. The Role of Antwerp Printers in the Religious Conflicts in England (16th century)* (Gent, 1994).

39. The catalogue for the 1604 spring fair, for example, advertised works by William Allen and Alan Cope recently issued by Balthazar Bellère in Douai: *Catalogus universalis pro nundinis Francofurtensibus vernalibus de anno 1604* (Frankfurt, 1604), sig. A4r.

number of English Catholic books issued in the early seventeenth century. The intense collaboration between natives and expatriates adds nuance to the biased perception of segregated networks that seemed to have existed around the English, Irish, and Scottish colleges and convents within continental Europe, and which James Kelly set out to counter.[40]

Locally crafted illustrations included in some English-language editions represent another striking example of the ties between English Catholics and their hosts in Cambrai. Members of the English community unsurprisingly turned to Martin Baes to illustrate some of their editions, as he was the only engraver based in the ecclesiastical province.[41] Generally solicited to engrave title-pages or author portraits, Baes twice received a larger assignment for English-language books. In 1614, he delivered an engraved title-page and eleven full-page plates for the *The life and death of Mr. Edmund Geninges*, which was the biography of a priest martyred in England in 1591[42] (see figure 1). An even more sizeable assignment followed in the mid-1630s, consisting of sixteen portraits of English, Scottish, and Irish saints for Jerome Porter's *Flowers of the lives of the most renowned saincts of the three kingdoms England, Scotland and Ireland*.[43] The portraits in Porter's book promoted personal devotion to local saints in England, Scotland, and Ireland, much like the prints of saints that widely circulated in the Low Countries and on the greater European mainland.[44] Although more research into the iconographic meaning of these images would be valuable, their purpose was no doubt to reinforce the emotional and devotional effect of texts upon readers.[45]

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40. James Kelly, *English Convents,* passim. For a more mitigated view on language barriers and the way to cope with these, see Emilie K.M. Murphy, "Exile and Linguistic Encounter: Early Modern English Convents in the Low Countries and France," *Renaissance Quarterly,* 73 (2020), 132–64.

41. On Baes, see Albert Labarre, "L' œuvre d'illustrateur de Martin Baes à Douai," *Gutenberg-Jahrbuch*, 57 (1982), 270–76. A more complete list of his engravings can be found in the ICC database.

42. [J.J. = John Jeninges], *The life and death of Mr. Edmund Geninges* (Saint-Omer, 1614), *ARCR*, vol. 2, no. 338. ICC 36467.

43. Jerome Porter, *The flowers of the liues of the most renowned saincts of the three kingdoms England Scotland and Ireland* (Douai, 1632), ARCR, vol. 2, no. 653. ICC 36364.

44. For more on the meaning of these saints' images, see Corens, *Confessional Mobility*, 28, 37–40, 139; Alfons K. L. Thijs, *Antwerpen, internationaal uitgeverscentrum van devotieprenten 17de–18de eeuw*, [Miscellanea Neerlandica, 7], (Leuven, 1993); Evelyne M. F. Verheggen, *Beelden voor passie en hartstocht: bid- en devotieprenten in de Noordelijke Nederlanden, 17de en 18de eeuw* (Zutphen, 2006).

45. The images accompanying Gennings' life emphasized the cruelty of the torments that he was put through by the authorities. Interestingly, earlier research has dealt with

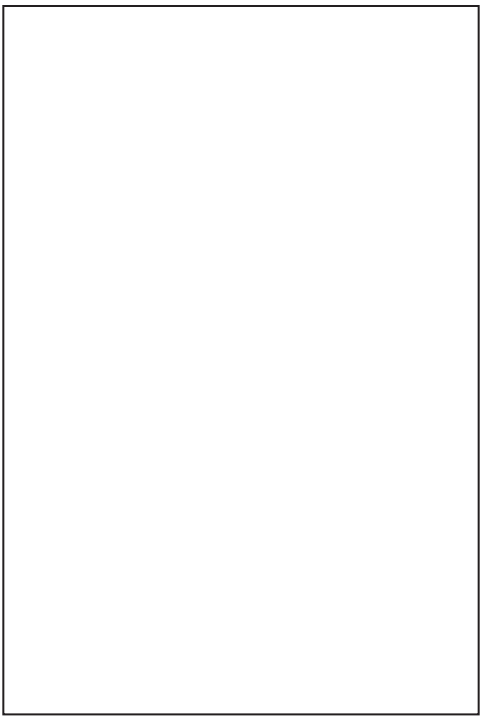

Figure 1. A scene from the prosecution of the English priest Edmund Gennings, as engraved by Martin Baes. From John Geninges, *The life and death of Mr. Edmund Geninges priest* (Saint-Omer, 1614), 82. © Washington, DC, Folger Shakespeare Library, STC 11728 copy 1 (CC BY-SA 4.0).

Baes' contribution to English-language editions must have rested on close collaboration with his English commissioners. In addition to the larger projects mentioned above, for one smaller edition, they also asked him to produce an engraving of Holywell in Northern Wales, the focal point of Saint Winifred's cult.[46] In all likelihood, the engraver never visited

images of English martyrs directed towards continental audiences. See Anne Dillon, *Construing Martyrdom in the English Catholic Community, 1582–1602* (Manchester, 2005), and *idem*, *Michelangelo and the English Martyrs* (Farnham, 2012). Chapters 3 and 4 of the first book mainly deal with the engravings in Richard Verstegan's *Theatrum crudelitatum*.

46. *The admirable life of Sainte Wenefride*, trans. Robert of Shrewsbury (Saint-Omer, 1635), *ARCR*, vol. 2, no. 268. ICC 36686. On this cult, see Alexandra Walsham, "Holywell and the Welsh Catholic Revival," in: *Catholic Reformation in Protestant Britain* (Farnham, 2014), 178–205.

this distant pilgrimage site, but the expatriate Catholics managing the edition likely provided him with accurate sketches of the well. Similarly, he must have received precise instructions on the iconography of the English, Scottish, and Irish saints, which were similarly beyond his usual repertoire. Baes, however, seems to have retained some freedom regarding the precise execution of the plates. The land, cityscapes, and interiors, for example, likely derive from his imagination. This gave him a unique opportunity to shape the mind of Catholics across the Channel. It was through Baes' images that they visualized the martyrdom of Edmund Gennings, the cruelty of English authorities, and their native saints. As a result, the continental engraver not only helped to produce, but also to contribute to the contents and the effect of English-language editions.

C. Transfer and Translation

Beyond an English readership "back home," English Catholics residing in Cambrai saw their texts and books, especially those written in Latin, as an ideal way to strengthen their bonds with local ecclesiastical elites and, as such, as a way to introduce their hosts to the cause of English Catholicism. By the late sixteenth century, Richard Hall (ca. 1537–1604), a theologian and former student at Cambridge, approached wealthy patrons in the areas surrounding Douai, having obtained a lectureship at the nearby Marchiennes Abbey.[47] His first publication, a Latin translation of John Fisher's *Treatise of prayer* (1576), acquainted local audiences with an older English devotional text. He dedicated it to Thomas de Parenty, abbot of the Benedictines of Saint-Vaast in nearby Arras.[48] Five years later, his *Opuscula quaedam his temporibus pernecessaria*, discussing causes and solutions for the ongoing Dutch Revolt, includes dedicatory letters to Louis de Berlaymont, archbishop of Cambrai, and the Benedictine Abbots Arnould de La Cambe of Marchiennes and Jacques Froye of Hasnon.[49] Seeking patrons among local dignitaries not only added luster to his writings, but, since patrons often remunerated authors for such an honor, they also helped finance his publications.[50] Hall's dedication strategies might also have boosted his

47. John J. LaRocca, "Hall, Richard," in: *ODNB*. Consulted May 3, 2019, at https://doi.org/10.1093/ref:odnb/11979.

48. John Fisher, *Tractatvs de orando Devm, et de fructibvs precvm*, trans. Richard Hall (Douai, 1567 [=1576]), *ARCR*, vol. 1, no. 435. ICC 35924.

49. Richard Hall, *Opuscula quaedam his temporibus pernecessaria* (Douai, 1581), *ARCR*, vol. 1, no. 627. ICC 35999.

50. On similar financial arrangements for a book by Thomas Stapleton dedicated to the abbot of Saint-Vaast, see Jan Machielsen, "How (Not) to Get Published? The Plantin Press in the Early 1590s," *Dutch Crossing*, 34 (2010), 99–114, here 102.

ecclesiastical career, since he obtained canonries in both Cambrai and Saint-Omer and became the diocesan official in the latter town.

Similar practices blending transfer and translation with local patronage emerge from the portfolio of the English Jesuit Richard Gibbons (1547/53–1632), who settled at the Collège d'Anchin, Douai's Jesuit college, in 1605.[51] During the succeeding two decades, hardly a year passed in which Gibbons did not either author or edit a publication. Similar to Hall, he took advantage of dedicating his work to local patrons, most often those who served high-ranking ecclesiastical functions. With the *Life of the Blessed Goswin*, abbot of Anchin in the early twelfth century, Gibbons remembered Goswin's contemporary successor, Jean de Meere.[52] For the collected works of the twelfth-century Cistercian Abbot Aelred of Rievaulx, Gibbons found a suitable patron in Martin Tirant, abbot of Clairmarais, an abbey of the same order.[53] In 1622, Gibbons dedicated the posthumously published English church history by Nicholas Harpsfield to François Vander Burch, archbishop of Cambrai.[54] The generous support that usually went together with such dedicatory letters would have been indispensable for covering the printing costs of Gibbons' extensive folio and quarto volumes. This patronage by local abbots and bishops enabled English writers to sell books by the martyred bishop John Fisher, the works of the medieval English Abbot Aelred, and Harpsfield's history of the English Church to continental readers, making Walloon and wider audiences familiar with the cause of English Catholicism.

Beyond this transfer between Catholics in England and the francophone Low Countries, Cambrai served as a crucial hub for reprinting and later translating texts imported from France. At the end of the sixteenth century, book publishers in the Province of Cambrai discovered that operating in a French-speaking region bordering France, while not being subject to its printing privileges, placed them in a very advantageous commercial position to publish reprints. Over the next few decades, they counterfeited over 250 titles previously issued in Paris, Lyon, Rouen, or

51. Thomson Cooper (revised by Thomas H. Clancy), "Gibbons, Richard," in: *ODNB*. Consulted May 3, 2019, at https://doi.org/10.1093/ref:odnb/10599; Thomas McCoog, *English and Welsh Jesuits, 1555–1650* (London, 1994–95), 190–91.

52. Richard Gibbons, *Beati Gosvini vita* (Douai, 1620), *ARCR*, vol. 1, no. 1428. ICC 38036.

53. Aelred of Rievaulx, *Opera*, ed. Richard Gibbons (Douai, 1616), *ARCR*, vol. 1, nos. 531–32. ICC 38912.

54. Nicholas Harpsfield, *Historia anglicana ecclesiastica* (Douai, 1612), *ARCR*, vol. 1, no. 639. ICC 38182.

elsewhere in France, and played a prominent role in the early dissemination of innovative currents in French religious literature.[55]

Included in this was the *Introduction à la vie dévote* by François de Sales, bishop of Geneva and one of France's most acclaimed authors. In the three years following the publication of the first edition in Lyon in 1609, the book went through four print runs in the border towns of Arras, Cambrai, and Douai. While translations in other European languages did not appear until after 1615, an English-language translation received two typographically different editions in Douai as early as 1613. This *Introduction to a deuoute life* was prepared by John Yakesley, an English priest with few known biographical details, but he seems not to have been the driving force behind this edition. Instead, it was John Heigham, an expatriate publisher and resident of Douai and Saint-Omer who had collaborated with local printers for nearly a decade, that first noticed this very promising book and the impact that it made within the local book world.

Likewise, Cambrai served as a privileged gateway for translating texts from Mediterranean Catholicism. A complete English-language translation of the Spanish Jesuit Luis de la Puente's *Meditations* appeared in Douai in 1619.[56] A French-language translation of this prayer book remained in print in Douai for a decade.[57] Around 1610, the aforementioned Jesuit Richard Gibbons, residing in Douai, translated the first two parts of the book into English, but the final four parts still awaited their translator.[58] The immense popularity of La Puente's book must have inspired Heigham to finish the English-language translation. Heigham not only introduced a bestselling continental book into England, but he also took the opportunity to explain the Catholic faith's virtues in a lengthy "Preface to all deceived Protestants." Heigham amply illustrated the blossoming of Catholic religion in his expatriate environment by offering a survey of convents in Saint-Omer and stating that he would put himself "through a million of martyrdoms, to see these virtues in publicque practice

55. Soetaert, "Printing at the Frontier," 148–52.

56. Luis de la Puente, *Meditations vpon the mysteries of our holie faith*, 2 vols., trans. John Heigham (Saint-Omer, 1619), *ARCR*, vol. 2, no. 424. ICC 36505; Soetaert, "Transferring Catholic Literature to the British Isles," 164–66.

57. Luis de La Puente, *Meditations des mysteres de nostre saincte foy*, 2 vols., trans. Antoine de Balinghem (Douai, 1609), ICC 38200.

58. Luis de la Puente, *Meditations vppon the mysteries of our holy faith. . . . The first part*, trans. Richard Gibbons (Douai, 1610), ARCR, vol. 2, no. 351 and *idem*, *Meditations vppon the mysteries of our holie faith. . . . The second part*, trans. Richard Gibbons (, 1610), ARCR, vol. 2, no. 352. ICC 36286.

in my countrie of England."[59] These translations not only uncover the intermediary role that the Province of Cambrai played in the exchange of religious texts between France and England, as already suggested in the aforementioned case of Cardinal Du Perron's treatise, but also between continental Europe and the larger Mediterranean.

D. Brokers and Go-Betweens

Hence, French and Spanish books did not travel to England along bilateral and straightforward processes of exchange; often brokers and go-betweens in Cambrai borderlands played a crucial role in these transfers and translation.[60] While a broader examination of the role of these brokers should still be undertaken, this article will focus here only on the role of John Heigham, who is responsible for the origin of the just mentioned translations of François de Sales and Louis de la Puente. Heigham presents a compelling case, being an English layman, marrying a Walloon bride, and turning refuge into settlement, while seizing the opportunities of the cross-Channel Catholic book trade and translation. Operating under the alias of Roger until 1610, he primarily worked with the urban merchant elites outside of the university and religious institutions. The records of the Brussels Privy Council, concerned with granting printing privileges, describe him not as a printer or a bookseller, but as a "marchand Anglois demeurant présentement à St Omer," equating him with his fellow countrymen engaged in cross-Channel trade.[61] In at least one work he writes about the theological discussions he held with other tradesmen in the French harbor town of Calais.[62]

Heigham's early life in England remains largely undocumented, although he later testified about his Protestant past. Other evidence hints

59. De la Puente, *Meditations* (1619), vol. 1, sig. A2r.

60. François de Sales, *An introduction to a deuoute life* (Douai, 1613), *ARCR*, vol. 2, no. 870. ICC 36295; *idem*, *An introduction to a deuoute life. . . . The 2. edition* (Douai, 1613), *ARCR*, vol. 2, no. 871. ICC 36296. On this translation, see also Alexander Soetaert, "Transferring Catholic Literature to the British Isles: The Publication of English Translations in the Ecclesiastical Province of Cambrai (*c.* 1600–50)," in: *Transregional Reformations*, 157–85, here 169–71; and Soetaert, "Printing at the Frontier," 151–2. On François de Sales' reception in England, see Mary Hardy, "The seventeenth-century English and Scottish reception of Francis de Sales' An Introduction to a Devout Life," *British Catholic History*, 33 (2016), 228–58; and Nigel W. Bawcutt, "A Crisis of Laudian Censorship: Nicholas and John Okes and the Publication of Sales' *An Introduction to a Devout Life* in 1637," *The Library*, 7th series, 1 (2000), 403–38.

61. Cited in Allison, "John Heigham of S. Omer," 238.

62. Ibid, 236.

that he assisted the London bookbinder and clandestine printer William Wrench during the final years of the sixteenth century. Imprisonment may have inspired Heigham to relocate to Douai around 1603. From this safe haven, he developed a wide-ranging interest in writing, editing, translating, publishing, and trading.[63] He not only wrote and translated books into his native English, but also published over eighty editions and shipped these across the Channel, averting the Antwerp-based publisher and polemicist Richard Verstegan, who organized this transport during the 1590s.[64] According to William Udall, an English historian, spy, and informer, Heigham visited England in 1608 and was responsible for sending "into England all the seditious bokes which come from Doway and other parts."[65] A year later, he was recognized in Calais, where he received a shipment of books from Paris that he would later send to England. This indicates that he did not limit his illicit import activities to the books that he edited and published himself. His role in smuggling books across the Channel may explain why, in 1613, he eventually relocated from Douai to Saint-Omer, a town located within thirty miles of four Channel ports (Dunkirk, Gravelines, Calais, and Boulogne).[66] Heigham's activities in Saint-Omer reinforced the town's significance for English Catholic publishing, that had begun with the establishment of the college press five years earlier.

Turning refuge into settlement, Heigham soon got closer to his host society. He married Marie Boniface, a native from Arras, with whom he had at least seven children, all born in Douai and Saint-Omer.[67] His continuous contact with the local society is most evident from his long-term ventures with local printshops. Surprisingly, the imprints from many of his editions only specify that they were printed *for*, rather than *by*, John Heigham. Indeed, typographical evidence reveals that printers in Douai and Saint-Omer printed many of his editions.[68] Moreover, Heigham never collaborated with the Kellam family, and only one of his editions came from the College Press—thus collaboration with the much-maligned Walloon printers accounted for almost the entirety of his output.[69] In Douai, he primarily commissioned his editions from Pierre Auroy, a novice printer

63. Ibid., 227–29. On Heigham, see also Paul Arblaster, "Heigham, John," in: *ODNB*. Consulted May 14, 2019, at https://doi.org/10.1093/ref:odnb/12868; and Blom, *The Post-Tridentine English Primer*, 59–60, 127.

64. Paul Arblaster, *Antwerp and the World: Richard Verstegan and the International Culture of Catholic Reformation* [Avisos de Flandes, 9] (Leuven, 2004), 48–53.

65. Cited in Allison, "John Heigham," 231.

66. Ibid., 230–32.

67. Ibid., 232–33.

68. Ibid., 230–31. Heigham's editions are identified in *ARCR*.

who undoubtedly welcomed all assignments. Through these contacts with Douai printers, Heigham likely met the aforementioned Martin Baes, who in 1612 received his first assignments for English-language editions from him.[70] Following his relocation to Saint-Omer, Heigham produced no fewer than fifty editions together with Charles Boscard (who had already printed a few editions for him before 1610 in Douai) and, later, with Jeanne Burée, Boscard's widow. The advantages of such a joint venture were reciprocal: while Heigham could develop a sizeable publication and book export program, the Boscard family gained an additional income since their English partner likely financed the venture.

Heigham's long-standing partnership with the host book world not only facilitated the production of dozens of editions, but also fostered the transfer of continental Catholic texts. One of Heigham's first editions in Douai was *The Spiritual Pilgrimage of Jerusalem* (1604 or 1605), a book conceived as a one-year pilgrimage to Jerusalem, that offered meditations for each day of the year.[71] A companion for daily spiritual practice, it encouraged the kind of personal devotion perfectly suited to Heigham's home country, which lacked regular spiritual care.[72] The edition does not mention an author, but it is clearly a translation of a Dutch-language book by Jan Van Passchen, originally issued in Dutch by the Leuven printer Hieronymus Welle in 1563.[73] In 1566, Jean Bogart, another Leuven printer, published a French translation, which he reissued twice in Douai (1576 and 1584) after he opened a branch store in the town.[74] Valuing this older book for its spiritual instructions, Heigham maintained its general structure.[75]

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69. Luis de Granada, *A memoriall of a Christian life*, trans. Richard Hopkins (Saint-Omer, 1625), *ARCR*, vol. 2, no. 442. ICC 36605. According to *ARCR*, George Seutin, or someone using the English College Press, might have printed the book.

70. *ARCR*, vol. 2, nos. 441, 445, 870, 871.

71. Jan van Passchen, *The spiritual pilgrimage to Hierusalem*, trans. John Heigham (Douai, 1604 or1605), *ARCR*, vol. 2, no. 423. ICC 36279. The book has no imprint, but a preface to the reader is signed R. H. (for Roger Heigham).

72. On the significance of these virtual or spiritual pilgrimages for English Catholics, see Corens, *Confessional Mobility*, 118.

73. Jan van Passchen, *Een deuote maniere om gheestelyck pelgrimagie te trecken tot den heyleghen landen als te Jherusalem/ Bethleem/ ter Jordanen/ etc.* (Leuven, 1563), USTC 409466. BT 3938.

74. Jan van Passchen, *La peregrination spiritvelle vers la terre saincte*, trans. Nicolas de Leuze (Leuven, 1566), USTC 13548. BT 3941; *idem*, *La peregrination spiritvelle vers la terre saincte*, trans. Nicolas de Leuze (Douai, 1576), ICC 35956; *idem*, *La peregrination spiritvelle vers la terre saincte*, trans. Nicolas de Leuze (Douai, 1584), ICC 36022.

75. Unfortunately, Heigham remained rather vague about the book's origins, stating that he had "found this little Treatise of a *Spiritual Pilgrime*, assuringe my selfe that it vvould

However, while the Dutch- and French-language versions began the pilgrimage route in Leuven, Heigham's edition started in London "or the like place," making it more appropriate for English readers.[76]

Fifteen years later, Heigham again proved crucial in providing an English translation of a Walloon book. In 1622, Heigham's profound knowledge of local book production provoked the swift translation of a book composed by the local Jesuit Father Philippe d'Outreman and printed by Charles Boscard in the same year.[77] The English publisher must have been informed about the book at an early stage, possibly by his partner Boscard, as work on a translation might have started before the original appeared on the market. Although *The true christian catholique* mainly intended to provide catechism teachers (usually parish priests) with suitable *exempla*, the English publisher appears to have also recognized its value for a wider readership among the laity.[78] On the continent, this potential was not discovered before the second half of the seventeenth century.[79]

Heigham or fellow Englishmen, many of whom belonged to the Society of Jesus or were alumni and lecturers of Douai's English College, wrote most of the books that he published. Continental authors, however, still accounted for about twenty different titles, or over one third of his total output. In addition to the aforementioned books by François de Sales, Luis de la Puente, Jan van Passchen, and Philippe d'Outreman, Heigham also published the writings of many other contemporary continental authors, including Italian Jesuits such as Ignazio Balsamo, Luca Pinelli, and Cardinal Roberto Bellarmino, and Spanish and Portuguese friars like Diego de Estella, Andrés de Capilla, Marcos da Silva, and Luis de Granada. Together with the directors of the English College Press, he turned Douai and Saint-Omer into a crucial hub for the transfer of continental religious texts across the Channel. The expatriates never lost sight of the faithful's needs at home, selecting those books that best stirred piety among readers lacking regular priestly assistance and adapting these for English readers by

be athinge very agreable to al maner of devout and pious persons. . . ." Van Passchen, *The spiritual pilgrimage*, sig. +4r.

76. Van Passchen, *The spiritual pilgrimage*, 11. Accordingly, the pilgrimage ended "at thy lodging in London, or from vvhence thou departest" (173).

77. Philippe d'Outreman, *Le vray chrestien catholiqve: ov la maniere de viure Chrestiennement* (Saint-Omer, 1622), ICC 37843; *idem*, *The true Christian catholique or The maner how to liue Christianly* (Saint-Omer, 1622), ARCR, vol. 2, 422. ICC 36553.

78. Soetaert, "Transferring Catholic Literature to the British Isles," 175–76.

79. Philippe Martin, *Une religion des livres (1640–1850)* (Paris, 2003), 15, 19–20.

applying small, but significant, changes.[80] Yet, the end product was neither wholly English, Netherlandish, or even "Continental," but rather a unique—"transregional"—creation that resulted from collaborations between expatriates, local craftsmen, and networks of knowledge exchange at frontier hubs.

E. Conclusions

Concepts such as "International Catholicism" and the "Catholic International" have proven beneficial in countering the strongly held assumption that exile and transnational networks remained a distinct feature of Calvinist communities, as was seizing the borderland presses for reaching out to those who had remained in the "motherland."[81] Through this research, it became clear that English expatriate printers and brokers replicated what Calvinist craftsmen and merchants had done during their diaspora and, like them, they married into local families, diversifying their networks and publication strategies during their time abroad. But exile or expatriate life was never a firm prerequisite for the transfer or translation of Catholic texts, and the book trade's infrastructure significantly contributed to the making of bestsellers across borders. While the broker John Heigham indeed translated the Walloon author Philippe d'Outreman's aforementioned book into English, others created editions of that same text in Latin, Dutch, German, and even Bisaya, an indigenous language in the Philippines.

Rather than taking the supposedly bilateral or international connections between Spain, France, England, and its respective capitals for granted, or dividing Europe's book world into clear-cut centers and peripheries, the transregional perspective urges one to look at the past through differentiated spatialities and to consider the crucial role of border regions and frontier zones. Towns such as Douai and Saint-Omer did not figure among Europe's most prolific typographic centers, but their location at the frontier gave them a prominent place within the production and distribution for the English Catholic community, as well as within transfer and translation processes between France, the Low Countries and England, as well as the Mediterranean. The examination of collaboration of

80. One can find more examples of this process in Walsham, "Religious Ventriloquism."

81. Cf. Ole Peter Grell, "Merchants and Ministers: The Foundations of International Calvinism," in: *Calvinism in Europe, 1540–1620*, ed. Andrew Pettegree (Cambridge, 1996), 254–73.

English expatriates and Walloon printers and patrons shows that editions printed on the continent not only catered to the demands of the English Catholic community specifically, but also to those of local patrons and audiences in the Cambrai book world. English Catholics adapted and appropriated the output of local Walloon presses, which in their own turn were significantly informed by French and also Spanish and Italian influences. As a result, the Cambrai portfolio of religious book production helps us to unravel transregional dimensions within early modern Catholicism.

A New Aspiring Saint for an Ancient-New Order: Tomás Sánchez Dávila in the Construction of a *Historia Sacra Carmelitarum Discalceatorum* and a Baroque Saint at the Beginning of the Seventeenth Century

Facundo Sebastián Macías*

As the British historian Simon Ditchfield pointed out some years ago, in early modern Europe, people used the saints in various ways to fulfill a variety of cultural roles. Following this path, the present article proposes to observe one of the possible ways in which devotees used saints: the construction of a past for a new religious family, the Discalced Carmelites. Specifically, Tomás Sánchez Dávila (1564-1627) engaged in a Carmelite attempt to create a history both universal and specific by presenting Teresa of Ávila (1515-82) as a sign and proof of divine action and by connecting a past of biblical-millenary dimensions with more recent times, thus projecting the Order into a distant past. Thus, the historia sacra *acquires a transforming genitive: the* historia sacra carmelitarum discalceatorum. *A new symbol emerges from this construction: The Baroque Counter-Reformation sanctity.*

Keywords: Tomás Sánchez Dávila; Teresa of Ávila; *historia sacra carmelitarum discalceatorum*; Baroque sanctity.

In his *Book of Antiquity* (*Libro de la antigvedad*, 1599), Tomás Sánchez Dávila, O.C.D. (Baeza 1564–Rome 1627) states that when he started writing a history of the Carmelite Order, the impulse that most moved him to this task was its geographical origin.[1] The Order's origin in far Syria caused western writers ("latinos") to ignore its genealogy. In this allegedly

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1. Tomás Sánchez Dávila was born in Baeza in 1564. He studied at the Universities of Baeza and Salamanca. After coming into contact with Teresa's *Book of her Life*, he decided to join the Discalced Carmelites. He remained in Spain until 1607. After founding several hermit Deserts, he embraced the missionary zeal and departed for Rome, fighting with the Spanish Discalced authorities, who from General Nicolás Doria onwards rejected the mission

great mistake, the Carmelites themselves shared responsibility. They had neglected their past and made no effort to assimilate the order's antiquity into Western Europe.[2] His prose reveals a concern: the collective urgency to strongly affirm the past of the Discalced Carmelites. It is possible to trace, with relative certainty, the beginning of the Discalced reform to 1562, the year when the first Discalced convent was founded in the Spanish city of Ávila. The order then waited for a few more years to obtain their legal autonomy. They only settled as an autonomous branch within the Carmelites by a papal brief in 1580, as a Congregation in 1588, and as an independent order in December 1593. Therefore, only a few years elapsed between this institutional development and the publication of Dávila's *Book of Antiquity*. A new order, then, was in search of a past.

Tomás did not forget this historical background years later. Under the name of the Hieronymite Diego de Yepes (c.1529–1613), in 1606, Dávila published a hagiographic text about Teresa of Ávila (1515–1582). The nun had experienced various ecstasies and visions during her life but had not remained enclosed in the monastery. Teresa was the main impulse behind the Discalced Reform movement of the Spanish Carmelites that would spread throughout the world, founding several convents for women and men.[3] Tomás's pious biography was titled *Life, virtues, and miracles of the*

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as an aim of the order. Already in Italy, he departed in a few years toward northern Europe (France and Flanders) and founded several convents. He returned to the end of his life at Rome, and died in 1627. He was the author of several works, especially on contemplative and missionary issues. For a biographical introduction: José de Jesús Crucificado, "El P. Tomás de Jesús, escritor místico," *Teresianum*, 3, no. 2 (1949), 310–19; Elisabetta Zambruno, *Tra filosofía e mistica. Tommaso di Gesù* (Vatican City, 2009), 15–18; Silvano Giordano, "Tomás de Jesús y Teresa de Jesús, evolución de un proyecto," in: Tomás de Jesús, *Sumas y compendio de los grados de oración* (Madrid, 2011), 9–22; Juan Cruz Cruz, *Neoplatonismo y mística. La contemplación en la obra de Tomás de Jesús (s. XVI)* (Pamplona, 2013), 29–48. The reference in the abstract is: Simon Ditchfield, "Thinking with Saints: Sanctity and Society in the Early Modern World," *Critical Inquiry*, 35, no. 3 (2009), 552–84.

2. Tomás de Jesús, *Libro de la Antigvedad, y sanctos de la orden de nuestra Señora del Carmen: y de los especiales Priuilegios de su Cofradia* (Salamanca, 1599), 1.

3. Teresa of Ávila was born in 1515. She entered the Carmelite convent of La Encarnación in 1535 as a novice, in the Spanish city of Ávila. After a hesitant start, he finally embraced religious life with fervor. In 1562 she founded the first convent for Discalced nuns in the city of Ávila, which was followed by Medina del Campo (1567), Malagón and Valladolid (1568), Toledo and Pastrana (1569), Salamanca (1570), Alba de Tormes (1571), Segovia (1574), Beas de Segura (1575), Sevilla and Caravaca—this last without her present in the city—(1576), Villanueva de la Jara (1580), Palencia and Soria (1581), and Burgos (1582). She also promoted the masculine convents founded in Duruelo (1568; later moved to Mancera), and Pastrana (1569). Teresa died in 1582 in Alba de Tormes. Pope Paul V beatified her in 1614, and Pope Gregory XV canonized her in 1622. The biographical corpus about

Blessed Virgin Teresa of Jesus, Mother and Foundress of the new Reformation of the Order of the Discalced [men], *and Discalced* [women] *of Our Lady of Carmen* (*Vida, virtvdes y milagros de la Bienaventvrada Virgen Teresa de Iesus, Madre y Fundadora de la nueva Reformacion de la Orden de los Descalçoz, y Descalças de Nuestra Señora del Carmen*).[4] The *Life* was aimed at promoting a saint for the order. This saint would legitimize it against doubtful and contrary views on its history.[5] Thus, at a time of inter-confessional conflicts, his hagiographical work also betrays an intra-confessional struggle. How was Teresa used in this struggle? How integrated was her image into the historical narrative that sought Carmelite roots in the very depths of the biblical text? What role did she play in that history? What character did Tomás bring to light in Counter-Reformation times?

A Religious Order in the Depths of Biblical Past

Let us briefly consider the aforementioned *Book of Antiquity*. This book was intended to weave a continuous genealogical thread from the prophet Elijah to the Discalced Reform.[6] Tomás proposed eight periods

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her is immense. In particular, see Efrén de la Madre de Dios y Otger Steggink, *Tiempo y vida de Santa Teresa* (Madrid, 1977); Rosa Rossi, *Teresa d'Avila: biografia di una scrittrice* (Rome, 1983); Jodi Bilinkoff, *The Avila of Saint Teresa: Religious Reform in a Sixteenth-century City* (Ithaca, 1989); Alison Weber, *Teresa of Avila and the Rhetoric of Femininity* (Princeton, 1990); Carol Slade, *Teresa of Avila: Author of a Heroic Life* (Berkeley, 1995); Elena Carrera, *Teresa of Avila's Autobiography: Authority, Power and the Self in Mid-Sixteenth-Century Spain* (Oxford, 2005); Joseph Pérez, *Teresa de Ávila y la España de su tiempo* (Madrid, 2007); Mónica Ballton-dre, *Éxtasis y visiones. La experiencia contemplativa de Teresa de Ávila* (Barcelona, 2012); and Rosa María Alabrús and Ricardo García Cárcel, *Teresa de Jesús. La construcción de la santidad femenina* (Madrid, 2015).

4. This study uses the modern edition: Tomás de Jesús and Diego de Yepes, *Vida, virtudes y milagros de la bienaventurada virgen Teresa de Jesús, madre y fundadora de la nueva reformación de la Orden de los Descalzos y Descalzas de Nuestra Señora del Carmen,* ed. Manuel Diego Sánchez, O.C.D. (Madrid, 2014). Diego de Yepes was Felipe II's confessor and, circumstantially, of Teresa, too. He was also bishop of Tarazona from 1599 until his death. Manuel Diego Sánchez, "Introducción general," in Tomás de Jesús, *Vida, virtudes y milagros*, xv–xvii; and Guido Mancini, "La obra histórico-apologética de fray Diego de Yepes," *Thesaurus*, 9 (1953), 137–40. About Tomás, and not Yepes, as the author of the book, see Matías del Niño Jesús, "¿Quién es el autor de la Vida de Santa Teresa a nombre de P. Yepes?," *Monte Carmelo*, 64 (1956), 244–55; and Tomás Álvarez, "El ideal religioso de Santa Teresa de Jesús y el drama de su segundo biógrafo," *Monte Carmelo*, 86 (1978), 203–38.

5. Nicolas Mollard, *De l'invocation à l'évocation. Sainte Thérèse d'Avila entre le divin et l'humain dans ses biographies espagnoles (1882–1982)* (PhD Diss., Université de Caen, 2001), 77 and 80.

6. The construction of an identity by linking the present to the remote past was also practiced by nobles and cities. See Roberto Bizzocchi, *Genealogie incredibili. Scritti di storia nell'Europa moderna* (Bologna, 2009); also mentioned by Ángela Atienza López, "Las

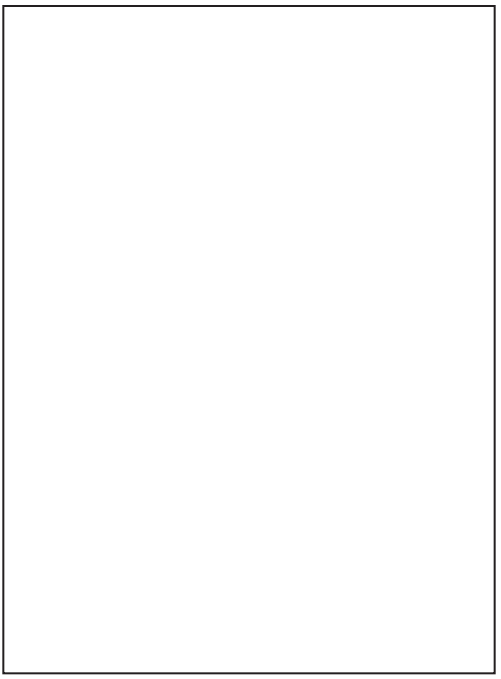

Figure 1. Tomas de Jesus, *Libro de la antigvedad* . . . (Salamanca: en casa de Andres Renaut, 1599). Courtesy of Hathi Trust Digital Library.

covering the Carmelites' history, each of which was associated with a rule or way of life. The genealogical approach pursued an ascending logic from the descendants to their ancestors as follows:

- The first period covers the new reform of Carmel with its return to the primitive rule, whose outstanding figure was Teresa.[7]

crónicas de las órdenes religiosas en la España Moderna. Construcciones culturales y militantes de época barroca," in *Iglesia memorable: crónicas, historias, escritos . . . a mayor gloria. Siglos XVI–XVII*, ed. Ángela Atienza López (Madrid, 2012), 38.

7. As is clear from the Carmelite rule's history written by Tomás de Jesús, *Vida, virtudes y milagros*, 254–55. The author explicitly recognizes that by primitive rule he means not the one given by Albert, but that mitigated by Innocent IV. He says the same in *Libro de la Antigvedad*, 39, 54 and 86; but in his *Commentaria in Regvlam primitvam fratrvm Beatae Mariae Virginis de monte Carmeli, quae in noua Discalceatorum reformatione seruatur. Ubi etiam plures aliorum ordinum Regula obiter explanatur, potissimum vero Basilij, Agustini, Benedicti et Francisci, et alia quae in margine notantur* (Salamanca, 1599), 164, he says: "Appelo Regulam

- The second one goes from the mitigation made by Eugene IV (dated 1431) to the beginning of the Teresian reform.
- The third one develops from the mitigation of Innocent IV (dated 1248) to the mitigation of Eugene.
- The fourth one runs from the rule of Albert (dated 1171), patriarch of Jerusalem, to the mitigation of Innocent.[8]
- The fifth one elapses from the translation of the rule made by Aimery (dated 1120), Patriarch of Antioch, to Albert.
- The sixth one covers an extended period between 400–1120, ranging from the rule of John of Jerusalem to Aimery.[9]
- The seventh one goes from the early Church until the year 400, with John of Jerusalem as a point of denouement.[10]
- The eighth one, finally, is dedicated to reviewing the time from the prophet Elijah until the beginning of the Christian era.

This retrospective projection is a centenary heritage of the history that the Carmelites had constructed since the thirteenth century, when they began to settle in Western Europe. This narrative was written as a response to a decree, *Diversity of religious lives* (*Religionum diversitatem*) from the Second Council of Lyon (1274), which attempted to dissolve all orders born after 1215. This was actually a restatement of *Ne nimia* promulgated by the Fourth Lateran Council (1215). Although Albert's rule was prior to *Ne nimia*, the Carmelites' position was still not secure. They only appeared in a papal source some years later, in the confirmation of Honorius III in 1226. Furthermore, ignorance about them in the West had likely generated the impression that the Order had been founded after 1247. In that year, Innocent IV promulgated the bull *Whatever Is for the Honor of the Creator of All* (*Quae honorem conditoris omnium*) and it was with this promulgation that the Carmelites juridically became a religious order and took their first steps to becoming mendicants. The mitigating bull of Eugene IV in 1432 was the

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pimitiuan, eam, quam Albertus Patriarcha fratribus suis Eremitis in Carmelo monti, et aliis Syriae partibus de gentibus tradidit" ("I call primitive Rule that Patriarch Albert has given to his brother hermits on Mount Carmel and the people of the other parts of Syria").

8. Albert's rule would have been established actually between 1205 and 1214. Andrew Jotischky, *The Carmelites and Antiquity: Mendicants and their Pasts in the Middle Ages* (Oxford, 2002), 9–10 and 117. On the rule of Albert, see also Carlo Cicconetti, *La regola del Carmelo: origine, natura, significato* (Rome, 1973). This study uses the English translation: *The Rule of Carmel*, trans. Gabriel Pausback (Darien, IL, 1984), 50–84.

9. Amery was patriarch from 1140 until his death, occurred *c*. 1193. Jotischky, *The Carmelites and Antiquity*, 116.

10. John would not be a patriarch but a bishop because, by the year 400, the seat of Jerusalem was not yet a patriarchy. Jotischky, *The Carmelites and Antiquity*, 113 note 35.

end of the journey. Therefore, in 1247 the Carmelites immediately sought to legitimize their existence in a distant past before 1215. This was attempted through texts which include anonymous treatises and other works signed by John Baconthorpe, Jean de Cheminot, Jean de Venette, William of Coventry, John of Hildesheim, and Philip Ribot. Despite their similarities and differences, these treatises provided a backward look in support of the Elianic origin of the order, the transmission of a rule since antiquity, and its papal confirmations.[11] However, this genealogy was faced with detractors from its beginnings, who, in early modern times, affected both the Discalced and the unreformed branch of the Carmelites.[12] These struggles climaxed when the first volume of April of the *Acta sanctorum*, edited by the Jesuit Daniel Papebroch, was published in 1675. Papebroch himself denied any historical antecedents of the Order of Carmel before the rule given by Albert. The member of the Society of Jesus was indeed historically correct in his conclusion. For example, there is no historical connection between the Carmelites and the ancient monks of Egypt. However, the Carmelites' attachment to their mythical past was too entrenched for them to give up their projected genealogy. The dispute lasted for years, and was only suppressed by the silence imposed by Pope Innocent XII in 1698.[13] Nevertheless, before this dispute, the discalced narrative had a new figure to affirm the veracity of their constructed history: the aspiring saint, Teresa of Ávila.

Dávila is part of this long chronological evolution of Carmelite historiography.[14] It is this scheme that allowed him to link his order with the

11. *Ibid*., 8–44 and 106–50. On the juridical structuration of the Carmelites, see also Cicconetti, *The Rule of Carmel*; and Joachim Smet, *The Carmelites: A History of the Brothers of Our Lady of Mount Carmel. Vol. I: Ca 1200 AD until the Council of Trent* (Barrington, 1975). On Carmelite hagiography, see Ludovico Saggi, "Agiografia carmelitana," in: *Santi del Carmelo*, ed. Ludovico Saggi (Rome, 1972), 23–108. The early Carmelites' works are published in *Medieval Carmelite Heritage: Early Reflections on the Nature of the Order*, ed. Adrian Staring (Rome, 1989).

12. Jotischky, *The Carmelites and Antiquity*, 1–2.

13. See Aurelio Palmieri, "The Bollandists: The Period of Trial," *The Catholic Historical Review*, 9 (1924), 517–29; and the Jesuit Hippolyte Delehaye, *L'oeuvre des Bollandistes. 1615–1915* (Brussels, 1920), 120–61. Previously, the Spanish Inquisition promulgated a decree on November 14, 1696 prohibiting the sale and purchase of the volumes of March, April and May of the *Acta sanctorum* under penalty of excommunication. The Jesuit's comments were recently published in English translation: Daniel van Papenbroeck, *The Bollandist Dossier on St Albert of Jerusalem* (Rome, 2015).

14. A long evolution which find its synthesis in the compilation made by Daniel de la Virgen María, *Speculum Carmelitanum* (Antwerp, 1680), which compiled editions of the most important medieval texts, and presented apologetic arguments in defense of the Order against its critics.

temporal depths of the Judeo-Christian past, a past of biblical-millenarian dimensions. A clear essentialist vision stimulates his gaze. Elijah had not only given birth to the monastic institute on Mount Carmel, but had also kept the three traditional vows since its very origins: obedience, chastity, and poverty.[15] In this relatively static painting, another repetitive facet, based on successive phases of decay and recovery, marks the chronological succession of stages.[16] Thus, for example, Saint Anthony "was restorer and reformer, for having raised it up [the order] in his time, when it was already fallen," and Saint Albert repaired and raised up with his rule "the religion of the Hermits of Mount Carmel, which was fallen and relaxed."[17] Teresa is not an exception: "God chose her as an instrument to raise the Order of the Holy Prophet Elijah, who was already falling, to its first state, both in men and women."[18]

An Aspiring Saint for an Aspiring History: Teresa of Ávila as the New Sign of the Past in the Present

The *Book of Antiquity* is not the only text where Tomás proposes this interpretation of the past. He also does so in his Teresian biography, specifically in the initial chapter of Book I. There, he sums up the origin and development of the Order on Mount Carmel based on the same recurrent circle: the deterioration of religion and the providential appearance of a crucial figure to revitalize it. After the foundation by Elijah and Elisha, we read about the Order's decay and subsequent recovery by John the Baptist. Then, after the persecutions that almost depopulated the deserts, the famous Saint Anthony and his disciple Hilarion emerged. Afterward, new tyrants lashed their lives and few monks remained in the East until the figure of Saint Albert appeared with a divinely communicated rule. Then followed two mitigations: a slight one issued by Innocent IV and a counterproductive one granted by Eugene IV. However, God, once again, provided someone who would uplift the order. It was then that Teresa arrived.[19] Thus, the nun is linked to very distant characters of the same his-

15. Tomás de Jesús, *Libro de la Antigvedad*, 9–24.

16. In this sense, it would distance him from the vision of the Carmelite past produced by the medieval works which, according to Jotischky, *The Carmelites and Antiquity*, 258–59 and 335, was based mainly on continuity rather than on the fall and reformation. The Discalced character serves to explain this distance: Tomás himself is the son of a "reformation." For the continuity scheme, see the example presented in *Ibid*., 154–66, of John Baconthorpe and his link with ecclesiological emergencies at the beginning of the fourteenth century.

17. Tomás de Jesús, *Libro de la Antigvedad*, 83 and 126.

18. *Ibid*., 159. See also 30 and 240.

19. Tomás de Jesús, *Vida, virtudes y milagros*, 52–56. The same in 318–19.

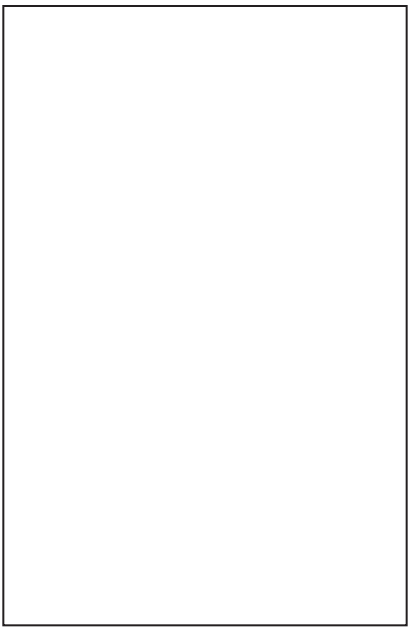

Figure 2. Diego de Yepes [Tomás de Jésus / Tomas Sánchez Dávila], *Vida, virtvdes y milagros de la Bienaventvrada Virgen Teresa de Iesus* . . . (Çaragoça: por A. Tavanno, 1606). Courtesy of the White Friars Hall, Washington, Carmelitana Collection, No. 242.49 Ye4 1606.

torical line. As a result, an aspiring saint in Counter-Reformation Europe, subject to the judicial process of canonization, is related to a recent order aiming to write a new history.

Nevertheless, the images of Teresa depicted in both books are somehow dissimilar. While Teresa's figure is highlighted in the *Life* because she is the protagonist, the *Book of Antiquity* seems to diminish her value, portraying her merely as a less central character, among many in the order's history, where her image appears blurred. The nun is only one character among others, not the most important one. The real protagonist is the Order and *the saints*, conceived in their plurality.

It is possible, however, that the biography subtly offers a similar reading. Isabelle Poutrin has pointed out that the Discalced Carmel preferred a collective rather than an individual reading, privileging the character of Teresa and designing an encompassing portrait of the Order. According to the French historian, this tendency was displayed in the title change that the

Teresian biographies and chronicles were suffering. Therefore, Ribera's *The life of the Mother Teresa of Jesus, foundress of the Discalced* [women] *and Discalced* [men] *Carmelites* (*La vida de la Madre Teresa de Iesus, fundadora de las Descalças y Descalços Carmelitas*), is followed by Tomás's *Life, virtues, and miracles of the Blessed Virgin Teresa of Jesus, Mother and Foundress of the new Reformation of the Order of the Discalced* [men]*, and Discalced* [women] *of Our Lady of Carmel*. In this way, Tomás prioritized the reformation idea (*Reformacion*). This change is vital because the substitution was intended to postulate the antiquity of the Order and its superiority over the other religious families.[20] Indeed, in his *Book of Antiquity*, the Friar warns that all monastic religions derive from Elijah and, consequently, from the Carmelites.[21]

It would seem that Tomás conveys contradictory messages about the reformation. First, he writes, following Teresa's words, that God "chose her to found a new Order."[22] However, only four chapters later in the same Book II, he emphatically asserts that what Teresa did is more of a reform than a new foundation. For Dávila, the reason for this claim is that the Discalced continued the same ancient rule without the mitigations. He emphasizes continuity (or a return to the origin).[23] The very title of the work provides the key to understanding this oscillation: *Foundress of the new Reformation*. Faced with the division that had taken place after

20. Isabelle Poutrin, *Le voile et la plume. Autobiographie et sainteté feminine dans l'Espagne moderne* (Madrid, 1995), 227–28.

21. "las demas religiones, e institutos monasticos, basta saber que todos fueron vnos traslados del instituto de los monjes de Egypto, y Palestina, que eran los verdaderos sucessores del propheta Elias." Tomás de Jesús, *Libro de la Antigvedad*, 250. This Carmelite precedence was already suggested by Felipe Ribot, as shown by Andrew Jotischky, *The Carmelites and Antiquity*, 141–42.

22. Tomás de Jesús, *Vida, virtudes y milagros*, 299. The Teresian text in Teresa de Jesús, "Cuentas de Consciencia," in: *idem*, *Obras completas* (Madrid, 1967), 482–83.

23. "Y si bien se mira en rigor, esta es más reformación que fundación de nuevo, pues los mismos de la Regla mitigada fueron los que continuaron en la misma Orden y con la misma Regla, quitadas las mitigaciones que tenía." For that reason they are the true and perfect Carmelites: "son verdaderos y perfectos carmelitas que profesan la misma Regla y Orden con más perfección." Tomás de Jesús, *Vida, virtudes y milagros*, 323. We should note that even with the idea of reformation, biographies about Teresa have the privilege of being able to present a movement of institutional change as well as to reinterpret its content. Not all biographies about potential saints have it. For example, in the *life* written in 1609 by the Jesuit Vicenzo Puccini on the religious Maria Maddalena de' Pazzi, the calls for an observant institutional reform on the part of the mystic are absent, since the author of the biographical text judged it of little help for her promotion to official holiness. See Clare Copeland, *Maria Maddalena de' Pazzi: The Making of a Counter-Reformation Saint* (Oxford, 2016), 60–62 and 92–93. Note that the chronological distance between this work and that of Tomás is extremely short, which indicates different writing possibilities in the same context.

Teresa's death among those who saw her as a foundress—such as Jerónimo Gracián—and those who thought of her as a reformer and recognized Juan de la Cruz as their founder (a man, not a woman), Dávila sought to build a mid-point, tilting the balance only slightly toward the idea of reform followed by the authorities of the Order since Doria's government (1585–94).[24] Dávila proposed a meeting place that could generate greater cohesion to present a unified image to the outside world, with Teresa's canonization process in progress. A meeting place was also constructed inside the Order, allowing the coexistence of ideas presented as contradictory only in appearance: both the foundation-reformation as well as his own project to combine the contemplative and the missionary life for the Carmelite institute, so important when he writes the *vita*.[25]

Toward the Adoption of a Genitive Possessive: The History as *Historia Sacra Carmelitarum Discalceatorum*

As pointed out a few lines above, Teresa stands out in the biography as the protagonist. In the Order's history, on the other hand, she shares protagonism with other reformers. The nun certainly is the most spectacu-

24. The division into two groups is underlined by the Carmelite Ildefonso Moriones, "Santa Teresa ¿fundadora o reformadora?," *Teresianum*, 41, no. 2 (1990), 669–84. He assumes Teresa is a founder. He also sees this conciliatory attempt on behalf of Tomás in 677–78. This is not the only turn which Tomás's biographical work betrays. As several specialists warn, along with the attempt to establish the antiquity of the order, Dávila produces a significant investment: while in Ribera *descalzas* is before *descalzos*, with Tomás that order is altered, placing first the masculine over the feminine and not respecting thus the chronological facts of the reform. This aspect will be accentuated in successive years, particularly with the book of Francisco de Santa María, who with the title *Reforma de los Descalços de nuestra Señora del Carmen de la primitiva observancia. Hecha por Santa Teresa de Jesus en la antiquisima religion fundada por el Gran Profeta Elias* (1644 y 1655), removes the founding character of Teresa and includes everyone under the "neutral-masculine" term *descalzos*. See Mollard, *De l'invocation à l'évocation*, 79-80; Álvarez, "El ideal religioso," 204.

25. About the project to combine the contemplative and the missionary life, see Facundo Sebastián Macías, "Delatando el *yo* en el *otro*: Tomás Sánchez Dávila y su compuesto eremítico-misional en la *Vida, Virtvdes y Milagros de la Bienaventvrada Virgen Teresa de Iesvs* (1606)," *Teresianum*, 70, no. 1 (2019), 47–77; Teófanes Egido, "El tratamiento historiográfico de Santa Teresa. Inercias y revisiones," *Revista de Espiritualidad*, 40 (1981), 173–74; Álvarez, "El ideal religioso," 217–21; Silvano Giordano, "Tomás de Jesús y Teresa de Jesús," 26–32; Sánchez, "Introducción general," xvii, xxix–xxx and liv. This project supposes a change in Tomás's mind. First, he founded Deserts to practice isolated prayer. But some time before he finished his *Vita*, he changed his view and adopted a missionary zeal. Once he published the book, he moved to the Italian Congregation of Carmelites, where the missionary attitude was welcome. However, while significant to explain his evolution and some aspect of his pious biography, this change is no so important in this article, because we think the historiographical scheme Tomás had in mind in his *Vita* was already developed in his book of 1599.

lar character because she is the best example of the power of God: the labile woman takes the central role leading a structural change in a religious corporation. However, she loses weight as the main character and appears subordinated to the Carmelite history. Tomás's prose brings to an extreme the *historia sacra*—the history of the continual manifestation of God among humans. He gives it an intra-historical scale.[26] If divine signs pervade society as a whole, then these signs can also appear within the Carmelite history in the heroes who re-founded the Order.

In this sense, Isabelle Poutrin is right in saying that Carmelite historiography preferred a collective rather than an individual reading, emphasizing the figure of Teresa and designing a more global and absorbing order history. So absorbing was it, it is possible to argue, that Tomás's history ends up encompassing even the visionary of Ávila. The absorption is such that even when he sought to exalt her, Teresa's silhouette remained blurred. The idea proposed here is that although Tomás highlights Teresa in his prose, it is not she who functions as an encompassing symbol in the global narrative, but the Order itself as a collective unity. It is possible to resolve the issue between the secondary character of the *Book of Antiquity* and the celebrity of the *Life*: the protagonist of the latter is a case study of the former.[27] To rephrase: the protagonist is both the Order and the plurality of saints that compose it. It is in this way that Teresa finally integrates a distant past into a contentious present. Thus, in the textual dimension, the two books are blended together and complemented by each other, precisely like Teresa's and the Order's past.

Teresa plays a role that appears in every *historia sacra*: the figure whose mortal humanity points to the immortality of eternity. Tomás states that the admirable examples that the reform was providing had already been revealed to Teresa and, before that, to Fray Luis Beltrán, as explained in the following passage:

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26. About the concept of *historia sacra,* see Jetze Touber, *Law, Medicine, and Engineering in the Cult of the Saints in Counter-Reformation Rome: The Hagiographical Works of Antonio Gallonio, 1556–1605*, trans. Peter Longbottom (Leiden, 2014), 56–62; Simon Ditchfield, "What Was Sacred History? (Mostly Roman) Catholic Uses of the Christian Past after Trent," in: *Sacred History: Uses of the Christian Past in the Renaissance World*, eds. Katherine van Liere, Simon Ditchfield, and Howard Louthan (Oxford, 2012), 72–97; and also Ruth Noyes, *Peter Paul Rubens and the Counter-Reformation crisis of the Beati moderni* (London, 2018), 16–17 and 55–58.

27. Jotischky, *The Carmelites and Antiquity*, 191, stresses that in late medieval Carmelite hagiographical prose, "The catalogue of Carmelite saints is a microcosm of the order's history, but it also reveals the identity which Carmelites wished to portray to the outside world. . . ."

> As it is the same spirit that speaks and reveals to the saints the hidden secrets of the breast of God, necessarily, even if people and times are different, the substance and truth of what it reveals must be the same, because God cannot be contrary to Himself. So, by this revelation, God gave her to understand that she was to be the founder and mother of this new reformation.[28]

Transcendence thus approaches immanence. The timeless God appears in the temporality of the creatures. His message is always identical—for, otherwise, the constructed image of a perfect Being would fall into a logical contradiction that religious authors cannot (or do not want to) conceive.

Tomás shows the same understanding when he writes about the virtue of poverty. For him, Teresa carried the spirit with which God has always created the founders of the mendicant orders, such as Saint Francis and Saint Dominic. God, magnanimous distributor of the proportion of things, would like the principles and means to correspond to the ends, which is why he endowed those who founded mendicant families with a zeal for poverty. The nun of Ávila, chosen to reform, restore, and raise the Order to its mythical origin, appears thus bearing the same mendicant spirit as the famous founders of the Friars Minor and the Order of the Preachers.[29] This association is not a small detail, as both figures had already become official saints. The implicit syllogism leads to an inevitable conclusion: If all the saints are founders, like Francis and Dominic, and Teresa is also a founder sharing the same spirit, then Teresa is also holy. The logical construction, however, remains tacit.

In this interpretive framework, the association of the nun with the mendicant founders necessarily ties them also to the Discalced Carmelites. As we noted earlier, the mythical founder Elijah was the origin of the monastic institution. Therefore, he was also the initiator of all regular religions. In this sense, every religious corporation is related in some way to the Carmel. In his *Book of Antiquity,* Tomás postulates that the Carmelites shared the practice of enclosure with the monastic orders, the praise of poverty with the mendicants, penance with the "narrow," and the dedication to manual work with those dedicated to

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28. Tomás de Jesús, *Vida, virtudes y milagros*, 268–69. "como es un mismo espíritu el que habla y revela a los santos los escondidos secretos del pecho de Dios, necesariamente, aunque las personas y tiempos sean diferentes, la sustancia y verdad de lo que revela ha de ser la misma, que no puede ser Dios contrario a sí mismo. Y así, por esta revelación, le dio Dios a entender que había de ser fundadora y madre de esta nueva reformación."

29. *Ibid*., 530–31.

the active life.[30] He outlines the same ideas years later in his biography of Teresa.[31]

The role of the Castilian visionary in this history does indeed acquire a greater uniqueness. At the beginning of the first chapter of Book I, Tomás proposes that the Order's reform is the main reason God had for infusing a divine spirit in her.[32] It is at this point in his biography that the friar introduces the short version of the Carmelite history. In this sense, Teresa's biographical history—as a recurrent sign of divine intervention in the world—is tightly interwoven with the specific past of the Carmelite institution. He captures the former in the absorbing narrative of the latter, giving meaning to Teresa's existence as a cyclical celestial sign in the world of the living. The *historia sacra* is specified and implicitly assumes a genitive possessive, shaping what can be defined as an *historia sacra carmelitarum discalceatorum* (sacred history of the Discalced Carmelites). The revelation that Teresa had envisioned, collected by Tomás from the testimony of Diego de Yangüas during the informative process of 1595 in Piedrahita, shows this connection.[33] In this experience, Jesus leaves the patriarch Albert with the contemplative nun. This is an extraordinary circumstance in which Albert, himself a saint, tells her that she must separate the discalced branch of the Carmelites from the unreformed branch, and that the former should have their own friars.[34] Thus, Teresa appears tied to Albert. She is a present connected to a past: the words of the previous character who raised the Order before it fell into mitigation are the same words that lead her to raise it again. Teresa, thus, appears subjected to double captivity on a different scale: on the one hand, the macro circularity of God; on the other, the micro circularity of the Carmel. The nun goes from one to the other, but never separates from either of them.

The Beginning of a Baroque Character

At this point, a question remains: what character does Tomás present to us? Since the Renaissance, many humanists have believed that, in order to display truly convincing rhetoric, the object of study must be a

30. Tomás de Jesús, *Libro de la antigvedad*, 27.

31. Tomás de Jesús, *Vida, virtudes y milagros*, 260.

32. *Ibid*., 52–58 and 72.

33. *Procesos de beatificación y canonización de Sta. Teresa de Jesús,* ed. Silveiro de Santa Teresa, 1 (Burgos, 1935), 239-43.

34. Tomás de Jesús, *Vida, virtudes y milagros*, 373-74. A few pages later, when the nun has news of the promulgation of the separation brief (1580), Tomás will remind us of this meeting. See *Ibid*, 420.

recognizable human being. The classic example of such an approach is Erasmus's *Life of Jerome* (*Hieronymi Stridonensis Vita*) (1516). Erasmus argued that the usefulness of a sacred life did not lie in a creature that is perfect since birth, but in the tireless effort to achieve the purity of virtues. He believed that faults and sins should be explicit in the hagiographies and that the recovery of the penitent would be an example of piety to the readers.[35]

The text of the Carmelite friar does not seem very distant from these ideas. In several passages, he points out Teresa's uncertainty and fears, as well as the psychological transformation she underwent over time and her ability to look back at her own life with new eyes.[36] However, this initial impression is misleading. In the first place, much of the psychological complexity of the character reproduces the humanist biographies that preceded his work, those of Luis de León and Francisco de Ribera.[37] For example, Teresa's inner transformation is presented in a verbatim account taken from the Jesuit Ribera, depicting the increasing and decreasing phases in the divine connection with God that can cause alterations in inner spiritual movements and seem novel to those who have not experienced these intimate events.[38] Luis's prose also echoes in some pages of the Carmelite's work. For example, Dávila takes up the significant passage in which the Augustinian postulates a war in Teresa's breast between God and the devil, which affected the nun's emotions and submerged her in

35. Alison Knowles Frazier, *Possible Lives: Authors and Saints in Renaissance Italy* (New York, 2005), 312–13; see also Jacques Chomarat, "La *Hieronymi Stridonensis Vita* d'Erasme," *Helmantica*, 50 (1999), 109–38.

36. See Tomás de Jesús, *Vida, virtudes y milagros*, 74, 106, 108, and 210.

37. For Luis's case, see María Jesús Mancho, "Estudio lingüístico," in: Fray Luis de León, *De la vida, muerte, virtudes y milagros de la santa Madre Teresa de Jesús. Libro primero*, ed. María Jesús Mancho (Salamanca, 2015), 15–20; in Ribera's case, see Mollard, *De l'invocation à l'évocation*, 76. We know Tomás read both works. In Tomás de Jesús, *Libro de la antigvedad*, 29, he says that there exist two biographies, but he does not mention the authors. However, they surely were Luis's and Ribera's, as the *life* suggests by the (almost) textual transcriptions of Luis and the explicit mention by Dávila of Luis's unfinished biography, *Obras completas* and the *Carta-dedicatoria*. As for Ribera, Tomás not only mentioned his biography, but also comes to quote it in the body of the text. All this shows that Dávila read them well in advance of the writing of his own biographical narrative. For direct mentions of Ribera, see Tomás de Jesús, *Vida, virtudes y milagros*, 25–26, 44, 485, 620, 631, and 775–77; and of Luis at 44–45, 164, and 643–46.

38. Tomás de Jesús, *Vida, virtudes y milagros*, 296–97. The reference is Francisco de Ribera, *La vida de la Madre Teresa de Iesus, fundadora de las Descalças y Descalços Carmelitas, Compuesta por el P. Doctor Francisco de Ribera de la Compañia de Iesus, y repartida en cinco libros* (Salamanca, 1590), 169–70.

grief, agony, and restlessness.[39] It is in the gap between what he takes from the other author's book and what he transfers to his own work that the presumed portrait of a complex character begins to disintegrate. Here is a passage from the Augustinian:

> It is God, in everything wonderful, who is able to keep in the same tenor of good those He wants to make saints and able to make them keep the first innocence always clean, lets them disdain it at times, and allows the devil to take them, so that, among His gifts, our weaknesses and ills be shown, *so that holiness does not appear as something born and necessary, but a thing of freedom in which the holy one can do and undo something, and so that the glory being of all of His*, a part of it comes to them, and so that the devil after having tested his strength will be overcome by the weakest of God's favored ones.[40]

Now the reproduction of Tomás:

> It is God in everything wonderful; who, being able to keep in the same spirit those whom He wants to make saints, and being able to keep always clean their first innocence, lets them disregard it, allowing the devil to press them and, among His gifts, shows our weaknesses, *so that holiness in us does not seem like something born and necessary; and so that, being the whole glory of Him*, a part of it may come to His own [creatures], and so that the devil after having proven his strength may be overcome by our weakness, by the help of God.[41]

Although the passages are almost identical, the fact that a sentence was deleted from Dávila's text is significant. This removal suppresses the

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39. Tomás de Jesús, *Vida, virtudes y milagros*, 86–87. See Luis de León, "De la vida, muerte, virtudes y milagros de la santa Madre Teresa de Jesús. Libro Primero", in *idem*, *Obras completas castellanas* (Madrid, 1951), 1334.

40. Luis de León, *De la vida, muerte, virtudes y milagros*, 1329. My emphasis. "Es Dios en todo maravilloso, que pudiendo conservar en un mismo tenor de bien a los que quiere hacer santos, y pudiendo hacer que conserven siempre limpia la primera inocencia, los deja desdecir de ella a las veces y permite que el demonio los prenda, y que entre sus dones se muestren nuestras flaquezas y males, *para que no parezca la santidad cosa nacida y necesaria, sino cosa de libertad y en que puede hacer algo y deshacer el que es santo, y para que siendo la gloria toda de El,* les venga a los suyos parte de ella, y para que el demonio después de haber probado sus fuerzas sea vencido de las más flacas favorecidas de Dios."

41. Tomás de Jesús, *Vida, virtudes y milagros*, 90. My emphasis. "Es Dios en todo maravilloso; que, pudiendo conservar en un mismo espíritu a los que quiere hacer santos, y pudiendo hacer que conserven siempre limpia la inocencia primera, los deja desdecir de ella, permitiendo que el demonio los prensa y que, entre sus dones, se muestren nuestras flaquezas, *para que no parezca la santidad en nosotros cosa nacida y necesaria; y para que, siendo la gloria toda de él,* les venga a los suyos parte de ella, y para que el demonio, después de haber probado sus fuerzas, sea vencido de las nuestras flacas, favorecidas de Dios."

humanity of the subjects, their freedom to choose whether to act or not, taking responsibility for their actions and accepting the desired or undesired consequences, their joys or fears, their certainties or doubts. The Carmelite friar discards Luis's idea that the agent plays a role in the pursuit of holiness. Instead, Tomás postulates that every human action towards sanctity is only the product of the Creator's will.

It is important to emphasize that, in this seventeenth century biography, the providential framework acquires such an overwhelming weight that it reduces the complexity of the character in question, converting the doubts and fears into a compulsory schematic reproduction rather than a conviction. Humanist historiography, as Peter Burke pointed out, left its mark in Counter-Reformation hagiography.[42] But so did the new times. The emotional development of the saint becomes a literary topic that resembles an empty shell. There is a metaphysical power of unparalleled magnitude that makes the psychological evolution of Teresa less indispensable than it was for the biographers who preceded Tomás.[43] As Nicolas Mollard argues, Tomas's text abounds with images of high emotional impact.[44] It should be remembered that one of the features of Baroque literature was its delight in the use of metaphors and the multiplication of nouns, adjectives, and subordinate clauses.[45] This is precisely our author's style. Tomás is a clear example of what Fernando de la Flor calls the *Hispanic paradox*: the time at which Spanish aesthetic productivity flourished coincides with Spain's period of material and imperial decadence. The result of this paradox would be the expansion of the metaphorical and metaphysical space in contrast to the narrowing of political expectations and material culture: an aesthetic development where the Iberian Peninsula's society sublimated its economic and social deterioration. The subjects would recognize their finitude and their ephemeral and contingent nature in the extension of symbolic expressions.[46] This paradox inflated the

42. See Peter Burke, "How to be a Counter-Reformation Saint," in: *idem*, *The Historical Anthropology of Early Modern Italy: Essays on Perception and Communication* (Cambridge, 1987), 48–62.

43. With this in mind, when Tomás de Jesús, *Vida, virtudes y milagros*, 90, says that it is not right in the life of the saints "to cover up sins and weaknesses" ("encubrir los pecados y flaquezas") of the saints, the sentence appears to us insincere. Moreover, we know it is a passage copied from Francisco de Ribera, *La vida de la Madre Teresa de Iesus*, 67.

44. Mollard, *De l'invocation à l'évocation*, 80-83; Alabrús and García Cárcel, *Teresa de Jesús*, 114–15.

45. Eric Cochrane, "The Transition from Renaissance to Baroque: The Case of Italian Historiography," *History and Theory*, 19, no. 1 (1980), 32.

46. Fernando Rodríguez de la Flor, *Barroco. Representación e ideología en el mundo hispánico (1580–1680)* (Madrid, 2002), 15–41. See also Víctor García de la Concha, "Barroco:

abstract (and the Abstract-God) and reduced the concrete. The *historia sacra carmelitarum discalceatorum* ends up encapsulating the terrestrial subject. It is here, and not in Francisco de Ribera, as Teófanes Egido suggests, where the construction of Teresian sanctity begins with the pompous decorum of Counter-Reformation Baroque.[47]

Conclusions

It is known that Tomás's biographical prose openly expressed a personal project: that of the eremitic-missional complex as a unit of contemplation-action within the Discalced Carmel. However, it is necessary to state that he unified his aspirations within a collective project: the *historia sacra carmelitarum discalceatorum*. There, the Order's past and its search for legitimacy moved Tomás to capture the symbol (Teresa) and to incorporate it into a larger one (the Discalced), accommodating the distant past with the recent one, and the author's present with the urgency it imposed on him. Thus, the projection of a new aspiring saint fulfills a prominent role for the entire Order: Teresa's canonization—finally achieved in 1622—would be the pontifical confirmation that legalized the latest link in

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categoría, sistema e historia literaria," in: *Estado actual de los estudios sobre el Siglo de Oro. Actas del II Congreso de la Asociación Internacional del Siglo de Oro*, ed. Manuel García Martín (Salamanca 1993), 66: "la atención ya no se fijará en el referente - la realidad que la literatura anterior se proponía imitar—sino que se contrae a la propia superficie del discurso . . . todo es posible en la página en blanco definida como autosuficiente en sí misma, sin necesidad de referente externo, ideológico o factual." About the Spanish Baroque is still useful José Antonio Maravall, *La cultura del Barroco* (Barcelona, 1975). Following these stances, the Baroque can be understood as the expansion of symbolic and metaphysical dimension over the human reference in literary devices. So, the Baroque is specifically considered in its literary dimension. Then, Tomás is part of a transition: he is starting to develop the new character of Baroque hagiography. This is a transition that finds its parallel in the reformulation that the canonization process went through between the end of the sixteenth century and the beginning of the seventeenth century, when the figure of the saint acquired more defined juridical outlines and started to be separate from the emerging legal figure of the blessed. For example, see Miguel Gotor, *I beati del papa. Santità, Inquisizione e obbedienza in èta moderna* (Florence, 2002); Pierluigi Giovannucci, *Canonizzazioni e infallibilità pontificia in età moderna* (Brescia, 2008); Touber, *Law, Medicine, and Engineering*, 102–3 and 119–25; Copeland, *Maria Maddalena de' Pazzi*, 107–8; Noyes, *Peter Paul Rubens*, 45–46; and Facundo Sebastián Macías, "El laboratorio textual de la santidad en la Europa temprano moderna: *La vida de la Madre Teresa de Iesus* (1590) de Francisco de Ribera y el diseño de una santa católica en las postrimerías del siglo XVI," *Bulletin of Spanish Studies*, 96 (2019), 1598–1602.

47. Egido, "El tratamiento historiográfico de Santa Teresa," 173. In this sense the author Macias shares the reading of Mollard, *De l'invocation à l'évocation*, 81: "Plus que chez Ribera, qui écrit en 1587, cette dimensión baroque du modèle Térésien est très marquée chez Tomás de Jesús."

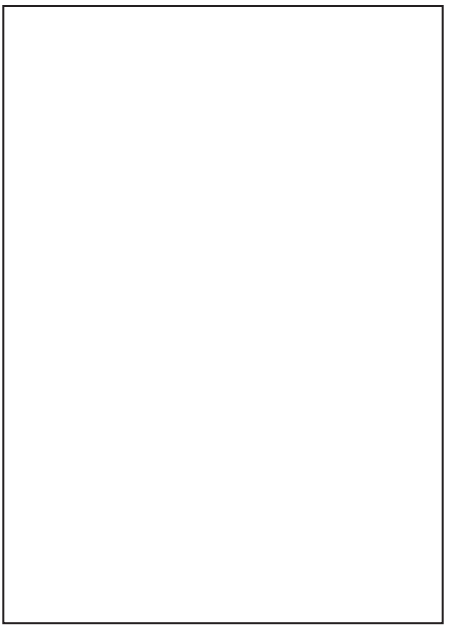

Figure 3. Diego de Yepes [Tomás de Jésus / Tomas Sánchez Dávila], *Vita della gloriosa vergine S. Teresa di Giesu fondatrice de' Carmelitani Scalzi, scritta in lingua castigliana da monsig. Diego de Yepes dell'Ordine di S. Girolamo . . . E tradotta nella toscana dal sig. Giulio Cesare Braccini da Giouiano di Lucca, . . . Con aggiunta di quello, che la medesima santa scrisse sopra la cantica, tradotto dall'istesso* (Bracciano: per Andrea Fei stampator ducale, 1622). Courtesy of the White Friars Hall, Washington, Carmelitana Collection, No. 242.49 Ye4 1622.

the chain. The demonstration that the nun from Ávila was blessed was meant to make visible to the world the bond that united her (them) to the Old Testament prophet. Teresa's sanctity was not only equivalent to the Order's sanctity but also to the recognition of its historical precedence over all other religious communities, that is, to the validation of its self-proclaimed history. Teresa, the last divine sign of that unbreakable thread, would be the irrefutable proof of an undeniable past shared with the unreformed Carmel, as well as a unique present of the Discalced. Still, in this image of Teresa within a macro-organic history, there is another significant aspect: the existence of a definite conservative turn. The humanist words of Luis de León and Francisco de Ribera, which sought some degree of human complexity, begin to blur in the face of increasingly symbolic abstraction. Despite the continued use of the quote of authority as a mech-

anism to legitimize speech—coupled with the novelty of using the statements provided in the canonization processes—the loss of a direct reference to Teresa's humanity gains ground.[48] If it is possible to trace the evolution of the *vitae sanctorum* (life of the saints) from an iconic saint, much emptied of human reference, to a humanist character full of reflexivity and doubts, Tomás's books show us a turn back toward preterit models.[49] Thus, as the thread connecting the ancient to the new historical events that he proposes, the Baroque prose promotes the construction of a new (old) sanctity at the beginning of the seventeenth century. The human matters less than the divine. The pious model gains grandiloquence and heroism, but globally it becomes even more unattainable than before. It does not matter, it seems. The Discalced can legitimately reflect themselves in the legendary Elijah.

48. Sánchez, "Introducción general," xviii–xx, xxv and xxviii, speaks of a massive and abundant use of this material "warning of it when he deems necessary" (xxv). On the other hand, for Mollard, *De l'invocation à l'évocation*, 75–76, Tomás exercises a testimonial economy: unlike Ribera and his need to specify each testimony, the degree of legitimacy acquired by Teresa would have allowed the Carmelite friar to ignore that exercise. Now, regardless of which hypothesis is more accurate—and the author Macias believes in the one of the French scholar, since he can observe in Tomás a tendency to look for in Teresa the only source of reference—the certain thing is that the friar could not be abstracted from the probative demands required of any work with historical aspirations in the early modern world. Humanism could be in retreat, but it had left its mark.

49. For this evolution from early Christian to Renaissance times, see: Donald Weinstein and Rudolph Bell, *Saints and Society: The Two Worlds of Western Christendom, 1000–1700* (Chicago, 1982), 36–37, 112–13; André Vauchez, *Sainthood in the later Middle Ages*, trans. Jean Birrell (Cambridge, 1997), 19 and 34–35; Aviad Kleinberg, *Prophets in Their Own Country: Living Saints and the Making of Sainthood in the Later Middles Ages* (Chicago, 1992), 23–25; *idem*, *Flesh Made Word: Saints' Stories and the Western Imagination*, trans. Jane Marie Todd (Cambridge, 2008); Frazier, *Possible Lives*; David Collins, *Reforming Saints: Saints' Lives and Their Authors in Germany, 1470–1530* (Oxford, 2008).

The Sacred Heart of Early Haiti

Maria Cecilia Ulrickson*

This article examines lived religion in early Haiti under the presidency of Jean-Pierre Boyer (1818–43). It considers how Haitian citizens imagined their relationship to God at a time when the state hoped to build a national Haitian Catholic church. The article takes as its starting point a lay confraternity dedicated to the Sacred Heart in Cap-Haitien. The article shows that both lay Catholics and statesmen built Catholic institutions during the early independence era before the state regularized its relationship to the Holy See. Lay devotions had diverse origins from across the Atlantic world. Moreover, lay worship shaped the process of nation building in Haiti, especially the presidency's goal of a nationalized, Haitian Catholicism.

Keywords: Haiti, Church-State relations, Sacred Heart, popular piety, confraternities

Introduction

Several decades after the Haitian revolution (1791–1804) that created Haiti out of the colony of Saint Domingue, a group of lay Catholics founded a religious confraternity on the northwest coast of Haiti.[1] For these lay people, the confraternity served as an institution for mutual aid and fellowship as well as communal worship. All around them in Haiti, the

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1. A confraternity is an association of lay Catholics who gather for communal worship, charitable works, and mutual spiritual and material support. The confraternity (in French, *cofrerie*; in Spanish, *cofradía* or *hermandad*; in Portuguese, *irmandade*) was an established institution in the Spanish and Portuguese Americas with roots in early modern Iberia and, even earlier, the early medieval church. Throughout the text, the terms confraternity, brotherhood, and lay association are used interchangeably.

Catholic Church was expanding in new ways. Many priests and religious had fled the island during the revolution, but Haitians did not abandon their churches. The lay association met in Notre Dame de l'Assomption, the colonial-era church in the main square of Cap-Haïtien (previously Cap-Française, also known as Le Cap).[2] Confraternity members could see the sky through the patchwork roof above the church's choir loft and two chapels.[3]

The confraternity chose the Sacred Heart of Jesus as its patron. The Sacred Heart was an image of Jesus' crowned, wounded, and sometimes-flaming heart that had ignited devotions across Europe beginning in seventeenth-century France.[4] Devotion to the Sacred Heart connected worshippers to the carnal, sacrificial love of Jesus Christ. The devotion encouraged pious Catholics to commune with God through external, embodied acts of worship—kneeling in churches on the first Friday of the month to consume the Body of Christ in Holy Communion, consecrating one's own heart to God, enshrining and honoring images of His heart, and reciting prayers (including litanies and the rosary) that meditated on the qualities of the Sacred Heart. In exchange, the devout received mercy, blessings, comfort, and refuge within Christ's burning, loving heart.[5] During the eighteenth century, the devotion also became associated with a strain of conservative politics, as a rallying symbol for monarchists opposing the French Revolution and for critics of the Spanish American independence wars. The devotion enshrined and elevated a doctrine of God's presence and access to that presence that outsiders (and some insiders) found presumptuous or even sacrilegious: that God was present in the

2. The archive does not reveal the exact location of worship in the nineteenth century, but by the twentieth-century the confraternity was formally linked to the Cathedral Notre Dame de l'Assomption. See Jean-Marie Jan, *Collecta,* 4 vols. (Port-au-Prince and Rennes, 1955–67), I: *Pour l'histoire du Diocese du Cap-Haitien*, 283.

3. Jan, *Collecta,* I:272. During the Revolution in 1802, French troops under General Leclerc burned parts of Cap and damaged the cathedral roof.

4. Jean Croiset, S.J., *Devotion to the Sacred Heart of Jesus* (London, 1863); Daniele Menozzi, *Sacro Cuore: Un culto tra devozione interiore e restaurazione cristiana della società* (Rome, 2001). The devotion to the Sacred Heart appears in the writings of twelfth-century Saint Bernard of Clairvaux and likely grew out of Johannine theology of love and a subsequent practice of reverence for Christ's five wounds. As a subject of devotion, the Sacred Heart surged in popularity among Catholic laity in seventeenth-century France, first through the work and writings of Jean Eudes and later through the publicized visions of Visitation nun Margaret Mary Alacoque. The Sacred Heart then spread in geographic scope and popularity in the eighteenth century.

5. On the pieties that encompass the Sacred Heart devotion, see the account of the visions of Margaret Mary Alacoque in: Émile Bougaud, *Life of Blessed Margaret Mary Alacoque: Revelations of the Sacred Heart to Blessed Margaret Mary* (New York, 1895), 160–80.

world in the flesh, and that Catholics could encounter God by their bodily worship and feel Him in bodily terms.[6] Members of a Sacred Heart confraternity additionally elevated communal over individual worship as a means for sanctity. In nineteenth-century Haiti, the theology of the Sacred Heart brotherhood became a political matter.

In 1833, a priest recently arrived in Cap-Haïtien preached against the confraternity's patron. Jean (or Juan) Echevarría announced to Cap that the Sacred Heart was "an invention (*innovation*)" and that the city's confraternity was "a forbidden society in the [Catholic] religion (*société défendue dans la religion*)." But another local Spanish priest, Narcisse, furiously contradicted the first. Narcisse spread the word that Echevarría had been excommunicated and urged Cap's Catholics "to have nothing to do with him (*n'avoir aucune communication avec lui*)."[7] Another of Jean Echevarría 's critics called him "the Jansenist," figuratively casting him into a category of unwelcome, renegade Catholicism. What was welcome, acceptable Catholicism in early Haiti?

As a Catholic affair, the Sacred Heart controversy resurrected a debate that was centuries in the making. Echevarría "the Jansenist" may not have had personal connections with the movement called Jansenism, but his suspicion toward the bodily piety of the Sacred Heart made the description quite apt. Jansenists in seventeenth-century France discouraged both externalized worship (including frequent reception of the sacraments) and communal worship as a consequence of their neo-Augustinian theology of human dependence on God and distrust of the world.[8] If Echevarría considered himself a Jansenist (though it is unclear), he was in good company in Haiti; Jansenism had reached Haiti's shores even before the Haitian Revolution.

The controversy that consumed the confraternity was a Catholic affair, a question about the right way to encounter and worship God. But the practice of Catholicism was also a political affair. Haitian leaders since the time of the Haitian Revolution claimed to have inherited the right to oversee and direct the local Catholic church. In the early independence period, Haiti looked to the French Gallican church—a stronghold of Jansenist

6. Ann Taves, "Context and Meaning: Roman Catholic Devotion to the Blessed Sacrament in Mid-Nineteenth-Century America," *Church History,* 54, no. 4 (1985), 486.

7. Jacques J. Nicholas Jaubert, letter to Propaganda Fide, March 10, 1833, Archivio Storico de Propaganda Fide (hereafter ASPF): Scritture Rif. nei Congressi, America Antille (hereafter Antille) 4 (1820–1834), 490–93.

8. Alison Forrestal, "Revisiting Sacred Propaganda: The Holy Bishop in the Seventeenth-Century Jansenist Quarrel," *Reformation and Renaissance Review,* 6.1 (2004), 18–26.

FIGURE 1. Jean-Pierre Boyer, President of Haïti and Dominican Republic (1822–1843). Author unknown. Public domain. Wikipedia.

theology—as a model for a national, Haitian Catholic Church. The legislature under President Boyer (1818–43) developed its own version of Gallicanism. Boyer nationalized the Church's purse, appointments and priestly formation, public works, and sacraments, while welcoming Gallican clergymen to the country.[9] Few of Boyer's reformed priests would have had any patience for neo-baroque pieties like the Sacred Heart. Cap's confraternity was too fleshy, too communal, and perhaps too African for the Gallican-inspired, Roman-aspiring Haitian church (Figure 1).

A New Current in Catholic Historiography

The only archival record left by this confraternity is a record of this controversy, created by a free woman of color who had been educated in Baltimore and was living with her Haitian family in Cap. During the quarrel, the

9. Even while Boyer drew the local church into the state, the church he built up was not at all a copy of the Gallican Church, foremost because Haiti had no bishops and few clergy (who in France met in councils and developed a theology and politics of a national church). In contrast to the Gallican strategy of church governance, Boyer also invited Rome into his church, as he sought Roman recognition of both the Haitian Church and Haitian independence.

unnamed woman wrote to a trusted friend, a religious sister in the Catholic Church's first religious community of African-American women (the Oblates of Providence), located in Baltimore.[10] The religious sister, in turn, passed the letter on to her superior the Sulpician Fr. Hector James Nicholas Joubert (1777–1843) who had lived in Saint-Domingue (1800–03). Writing from Baltimore, the superior Joubert copied the letter into his own missive to the Propaganda Fide, in which he called Echevarría "the Jansenist."[11]

After two Atlantic crossings, today the letter sits in the archive of the Propaganda Fide in Rome along with other letters from Catholics in Haiti. Correspondence from Catholics living in Haiti and Haitian Catholics living abroad in the mid-nineteenth century additionally found their way onto the desks of Baltimore's archbishops, into the Papers of Venerable Pierre Toussaint (today in the New York Public Library), the diocesan archives of the Dominican Republic, and (accessed in print) in the national archives of Haiti. An Atlantic set of archives allow us to trace where the devotion to the Sacred Heart came from, and why it took root in Haiti.

This article tells a tale of globalizing Catholicism.[12] The path opened by religion brought foreign traffic in "goods" (ideas, devotions, and rituals)

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10. For the masterful study of the Atlantic origins of the Oblates of Providence and their transformation of the American Catholic Church, see Dianne Batts Morrow, *Persons of Color and Religious at the Same Time: The Sisters of Providence, 1828–1860* (Chapel Hill and London, 2003).

11. Jacques J. Nicholas Joubet, letter to Propaganda Fide, March 10, 1833, ASPF: Antille 4 (1820–1834), 490–93. The letter reads, "I am quite pleased to be in the country, being above all in the bosom of my family: but I am not pleased regarding religion, I cannot even tell you, my good friend, of the horrible state that it is found in, and the ill effects among us of the schism caused by Augustin in our church. [Here follows a description of Augustin]. . . . I say Augustin, my good friend, because it is by his plotting that he induced a Spanish priest named Jean Matha Chevaria to come here. I give his name so that you might show my letter to M l'abbé Jaubert [sic] and ask him to tell us what we should do. It is said that this priest is excommunicated; at least that is what the priest Narcisse another Spaniard has assured us while strongly recommending that we have nothing to do with him [;] please ask M Jaubert [sic] to give us guidance in this matter: we are burdened [in] asking for his prayers for Haiti, as we have great need of it. This priest yesterday Sunday 10 February announced to the church [assembly] that the devotion to the Sacred Heart of Jesus was an invention and that the Confraternity of the Sacred Heart was [now] abolished for being a forbidden society in the [Catholic] religion. All this contradicts not a little what we learned in Baltimore—tell M Jaubert [sic] to have pity on us and to tell us what we should do."

12. In recent decades, American Catholic historiography has considered subjects that were shaped by the trans-oceanic, transnational, institutional Catholic Church. After all, the American Catholic Church cut across national boundaries. The work of historians of American Catholicism now emphasizes networks of communication, affiliation, and influence that

and people onto the island of Hispanola.[13] More importantly, this article uses global Catholicism as a method, a way to identify and interpret lay Catholics of the past. Lay Catholics in the nineteenth-century Americas understood that they were part of an institution that cut across language, region, and nation. The letters and works of Haitian Catholics preserved today in archives outside of Haiti demonstrate that nineteenth-century Catholics intentionally cultivated patrons, advocates, mentors, authorities, and friends who lived abroad. What sustained these connections was a common Catholicism. The laity in contact with distant Catholics called upon them for spiritual insight and levied these contacts as spiritual authority in their local communities.

This is a new story in the unwritten history of local religious practices in early nineteenth-century Haiti.[14] Much of Haitian historiography today

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spanned regions, oceans, national lines, and language, and reveals how the global character of institutional Catholicism directed micro events and even national debates in the United States. See for example: Peter R. D'Agostino, *Rome in America: Transnational Catholic Ideology from the Risorgimento to Fascism* (Chapel Hill and London, 2004); Gerald McKevitt, *Brokers of Culture: Italian Jesuits in the American West, 1848–1919* (Stanford, 2006); and Michael Pasquier, *Fathers on the Frontier: French Missionaries and the Roman Catholic Priesthood in the United States, 1789–1870* (Oxford, 2010).

13. Julia Gaffield, *Haitian Connections in the Atlantic World: Recognition after Revolution* (Chapel Hill, 2015); Charlton W. Yingling, "Colonialism Unraveling: Race, Religion, and National Belonging in Santo Domingo During the Age of Revolutions," PhD diss. (University of South Carolina, 2016); Anne Eller, *We Dream Together: Dominican Independence, Haiti, and the Fight for Caribbean Freedom* (Durham, NC, 2016); Délide Joseph, *L'Etat Haïtien et ses intellectuels: Socio-histoire d'un engagement politique (1801–1860)* (Port-au-Prince, 2017); Maria Cecilia Ulrickson, "Esclavos Que Fueron in Santo Domingo, 1768–1844," (PhD diss., University of Notre Dame, 2018); and Julia Gaffield, "The Racialization of International Law after the Haitian Revolution: The Holy See and National Sovereignty," *American Historical Review*, 2020 (forthcoming, cited with author's permission). Haiti's global Catholic connections take on even more significance given that the Atlantic world withheld formal recognition of Haitian sovereignty after the Haitian Revolution. Historians now argue that early Haiti was not as isolated as the literature produced immediately after the revolution had led the world to believe.

14. The first written history of the Catholic Church in Haiti (1853) was an account of Haiti's relations with the Holy See written under Haitian emperor Faustin I. After several decades of failed negotiations between the Haitian state and Rome, Faustin I asked two priests, Pierre André and François Aclocque, to make a record of the relations as they stood. This work is lost but selections survive in later works. See for example selections in early twentieth-century scholarship: Ignace Marie Le Ruzic, *Documents sur la mission des Frères-Prêheurs à Saint-Domingue, du Schisme au Concordat.* (Lorient, France, 1912), 198; and Adolphe Cabon, *Notes sur l'histoire religieuse d'Haïti. De la Révolution au Concordat (1789–1860)* (Port-au-Prince, 1933), 244. Since André and Aclocque's treatise, scholarship on Haiti's Catholic church has used the Concordat as a temporal and thematic frame and tends toward diplomatic and institutional history. See Jan, *Collecta,* I: *Pour l'histoire du Diocese du Cap-Haitien*,

frames Haitian Catholicism as an invention of the late nineteenth century state, something thrust upon unwilling citizens after the state signed a Concordat with Rome in 1860. Writing that came out of the Concordat inspired an entire branch of scholarship on Haitian religion that assumed an antagonistic state of affairs between new (and imposed) Catholicism and pre-existing (and entrenched) vodou, the diverse and syncretic worship and beliefs developed by Haitian's colonial-era, African-descent ancestors.[15]

What if the Church was indeed present in the early independence era, not just as the state level but also in the flesh, among the people? The question then becomes how Haitians shaped Catholic worship in early Haiti, what those practices looked like, and what they imagined their Church to be. This article shows that Haiti's 1860 Concordat with the Church formal-

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(Port-au-Prince, 1955); Jean-Marie Jan, *Collecta*, III: *Documents pour l'histoire religieuse. Port-Au-Prince* (Port-au-Prince, 1956); Anne Greene, *The Catholic Church in Haiti: Political and Social Change* (East Lansing, MI, 1993); Kawas François S.J., *L'etat et l'église Catholique en Haïti aux XIX^{e} et XX^{e}siècles (1860–1980). Documents officiels, déclarations, correspondences etc*, 2nd ed., vol. I (Paris, 2009).

15. English-language historical considerations of Haitian religion begin with several staple texts, including Leslie Desmangles' 1992 *Faces of the Gods*, David Nicholls' 1996 *From Dessalines to Duvalier*, and Kate Ramsey's 2011 *The Spirits and the Law.* Desmangles' narrative is framed by the accords that established Haiti's relationship with the Holy See and the Catholic Church in the second half of the nineteenth century. For Desmangles, the 1860 Concordat was the too-little, too-late moment for the Catholic Church in Haiti. The Concordat came two generations after the revolution that had expelled French colonial rule and the colonial Catholic Church. Meanwhile, Haitians invested in their own de-centralized religious institutions. After decades absent, the Church under the Concordat could not un-make vodou, despite violent efforts. Desmangles' account of the absent Catholic Church permits one story of the genesis of vodou, of the birth of religious practice outside the purview of Catholic priests, liturgies, or artifacts. Desmangles never considers how the war between Church and vodou, officially declared at the 1860 Concordat, may have shaped mid-nineteenth century accounts of religion in the immediately preceding generation. Ramsey's argument that Haitians used anti-superstition laws to enforce local justice allows her to place both Catholics and vodou practitioners in the center of her story, but only vodou—and not Catholicism—is Haitian. The exception in her narrative is the chronicle of the chronicle of the Church's 1941 *campagne anti-superstitieuse*, which began as a grassroots movement against "superstition." Leslie G. Desmangles, *The Faces of the Gods: Vodou and Roman Catholicism in Haiti* (Chapel Hill, 1992); David Nicholls, *From Dessalines to Duvalier: Race, Colour and National Independence in Haiti* (New Brunswick, NJ, 1996); and Kate Ramsey, *The Spirits and the Law: Vodou and Power in Haiti* (Chicago, 2011). A counter-current of scholarship examines Catholicism and vodou together. See for example: Hein Vanhee, "Central African Popular Christianity and the Making of Haitian Vodou Religion," in: *Central Africans and Cultural Transformations in the American Diaspora*, ed. Linda Heywood (Cambridge, England, 2002); Terry Rey and Karen Richman, "The Somatics of Syncretism: Tying Body and Soul in Haitian Religion," *Studies in Religion* 39, no. 3 (2010), 379–403; and Terry Rey, *The Priest and the Prophetess: Abbé Ouvière, Romaine Rivière, and the Revolutionary Atlantic World* (New York, 2017).

ized Catholic structures, like lay confraternities, that Haitian Catholics had sustained for decades. It follows the Haitians who imagined themselves a part of the Catholic Church before Roman recognition. Lay Catholics created their own church institutions, practices, and networks of sympathy and support. The early Haitian state, in its various iterations, also built up its own version of Haitian Catholicism in the pre-Concordat years.

A Church in Haiti's Image

Haiti's national church began even before the formation of the independent state of Haiti. In 1801, the abbé Henri Jean-Baptiste Grégoire sent four priests to Saint Domingue in response to a request from revolutionary leader and Saint Domingue governor Toussaint Louverture (Figure 2). The plan was to integrate Saint Domingue's Catholic Church under France's national church. The entire island at this point lacked an obvious ecclesiastical authority. One of Grégoire's priests, Guillaume Mauviel, had recently received episcopal ordination in France and also had orders to ordain a local black clergy. Gregoire's theological and political ideals did not correspond perfectly with his context, but in general terms, he represented a Catholic tradition here referred to as "reformed."

The movement known as Gallicanism developed out of the conflicts between the papacy and the Crown in early modern France. Its adherents advocated for a number of Gallican Liberties specific to the French church, including a rejection of papal authority over France's temporal powers. In the late seventeenth century, an assembly of French clergy together with the king proposed to limit the pope's authority over episcopal appointments (that is, appointments of bishops).[16] Although the Crown and papacy eventually reconciled, France's clergy cultivated an independent spirit and a suspicion of the pope that would take institutional form a century later. The National Assembly during the first phase of the French Revolution (1789-99) moved the clergy onto the state's payroll, nationalized all ecclesiastical property, and created the French constitutional church.[17]

16. These were the Four Gallican Articles of 1682. For context as well as an analysis of Gallican theology and politics, see Joseph Bergin, *The Politics of Religion in Early Modern France* (New Haven, 2014).

17. Jacob Soll, "The Antiquary and the Information State: Colbert's Archives, Secret Histories, and the Affair of the Regale, 1663–1682," *French Historical Studies* 31, no. 1 (2008), 3–28; Dale Van Kley, "Grégoire's Quest for a Catholic Republic," in: *The Abbé Grégoire and His World*, ed. Jeremy D. Popkin and Richard H. Popkin (Dordrecht, Boston, and London, 2000), 84.

Figure 2. Henri Jean-Baptiste Grégoire (1750–1831). Portrait ca. 1800 by Pierre Joseph Célestin François. Public Domain. Wikipedia.

Gallicans had, by the mid-eighteenth century, found a theological home in Jansenism.[18] Jansenists were inspired by the seventeenth-century writings of the Flemish bishop Cornelius Jansen (1585–1638) and defined themselves according to the question of the extent and consequences of Adam's fall. Fallen man, bereft of the capacity to will the good, must depend completely on God's grace to be inclined toward the charity by which he gains access to salvation. Jansenists also defined themselves in opposition to the Molinism that most Jesuits embraced, which proposed that God dispenses to all humans a grace sufficient for salvation. After a series of papal bulls that condemned Jansenist principles, Jansenists allied with the Paris Parlement and took up the cause of Gallicanism and a French state free from undue international influence.[19] From their stronghold in the Parlement, Jansenists played a hand in the expulsion of the Society of Jesus from the Americas and its eventual disbanding in the mid-

18. Dale Van Kley, "The Rejuvenation and Rejection of Jansenism in History and Historiography: Recent Literature on Eighteenth-Century Jansenism in French," *French Historical Studies* 29, no. 4 (2006), 667.

19 Van Kley, *The Jansenists and the the Expulsion of the Jesuits from France*.

eighteenth century. Even after the waning of Jansenism, the movement had created a generation of French citizens who bristled at absolutism, affirmed equal authority up and down the rungs of the clerical hierarchy, and advocated for the autonomy of the laity, including expanded lay parish administration, mass-catechism and literacy, and the translation of church liturgies from Latin into the vernacular. An ascetic, interior spirituality also set Jansenists apart from their fellow Catholics.[20]

Grégoire's 1801 plan to recreate Haiti's church in France's image started off poorly. Six priests in the colony's north region wrote to Rome and their governor in protest against the new constitutionalist clergy.[21] The Gallican bishop Mauviel's companions (Desportes, Fontaine, and Bonamy) died within a year of their arrival.[22] Despite the fact that Toussaint Louverture had petitioned Grégoire for priests, Louverture now scorned the constitutionalist bishop and assigned him to Santiago de los Caballeros on the Spanish side of the island.[23] Mauviel had hoped to serve as the island's only bishop (both the archbishop of Santo Domingo and the French colony's apostolic prefects had recently fled the island).[24] But neither his luck nor his

20. Van Kley, "The Rejuvenation and Rejection of Jansenism," 671. Jansenism also flourished in other parts of Europe. The writings of Italian Jansenist Scipione de' Ricci scorned the "Court of Rome" and criticized the Jesuits for their fidelity to the papacy and the Sacred Heart. Samuel J. Miller, "Review Article: The Limits of Political Jansenism in Tuscany: Scipione de' Ricci to Peter Leopold, 1780–1791," *The Catholic Historical Review,* 80, no. 4 (1994), 762–67.

21. Maube/Maccbe, letter to M. Fontana, Cardinal Prefeto della Propaganda, 1820, PF: Scritt Rifferite nei Congressi: America Antille 4: 1820–1834, 52–56; Jan, *Collecta pour l'histoire du Diocese du Cap-Haitien,* I (1955), 201; Gabriel Debrien, *Guillaume Mauviel. Evêque Constitutionel de Saint-Domingue (1801–1805)*, (Basse-Terre, Guadeloupe, 1981), 19. The six priests were Corneille Brelle (of Cap), Balthazar (of Borgne, also in the north), Placide (of Milot in the north), and Torrelli-Dubuch, Loyer, and Antheaume (no region specified). At least one of these priests (Corneille Brelle) remained in the north and served within Henri Christophe's kingdom/empire along with two other priests (Jean-de-Dieu Gonzalez, and Vincent Fernandez). Brelle remained in the north through at least 1820.

22. Debrien, *Guillaume Mauviel,* 46. Desportes served in Hinche and died in Acul in the north in 1802. Fontaine followed Mauviel to Santiago and then to Santo Domingo, where he died. Bonamy served Port Margot near Cap and fled the island in the winter of 1802. He died of yellow fever in Tortuga.

23. Jean-François Brière, "Abbe Grégoire and Haitian Independence," *Research in African Literatures,* 35, no. 2 (2004), 37.

24. Governor of Havana, letter to the consejo de Yndias, August 27, 1830, Archivo Histórico Nacional (Spain), Ultramar, Leg. 1608, Exp. 65, no. 1; Guillaume Lecun, letter to Pere Luc Concanen, O.P., May 4, 1804, ASPF: Antille 3 (1790-1819), Exp. 380; Paul Collins, "Jeremiah Francis O'Flynn,1786-1831," *Journal of the Australian Catholic Historical Society* 35 (2014), 3–9. The archbishop of Santo Domingo, Francisco del Portillo y Torres,

position improved, even after the Napoleonic General Leclerc expelled Louverture from Saint Domingue. Leclerc, too, rejected Mauviel's episcopal pretentions and assigned him to remain in the Spanish-speaking, French-occupied side of the island.[25] During his stay in, first, Santiago and, later, the city of Santo Domingo, Mauviel alternated weekly preaching in French and Spanish and reported great strides with his new "Spanish" community.[26] His influence grew as the port flooded with French-speaking emigrants who fled the ruins of the former colony of Saint Domingue. But Mauviel left the island in 1805, the year after Haiti's independence.[27]

However, the French church's influence upon Saint Domingue did not disappear with the failure of Grégoire's first mission. At some point during Mauviel's tenure, Grégoire sent another sympathetic priest, Cailleau, to the island with his personal letter of introduction. Cailleau served as priest of Jérémie in Haiti's south for decades, under both President Alexandre Pétion and Jean-Pierre Boyer.[28] During the Presidency of Jean-Pierre Boyer, Grégoire's man Cailleau ingratiated himself with General Balthazar Inginac, secretary-general of the nation and one of the president's closest advisors. Cailleau used his place of influence to circulate his own form of Haitian Gallicanism. At Inginac's bidding in 1823, Cailleau wrote a memoire encouraging the government to break ties with Rome. A decade later, in 1833, he composed a tract addressed to Boyer that criticized clerical celibacy. The tract generated serious conflict among local clergy and soon after its publication, Boyer exiled the priest.[29] Cailleau's

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fled the Spanish colony when it fell to French rule in 1798. One of Saint Domingue colony's two apostolic prefects, Guillaume Lecun, O.P., also fled to Cuba from Port-au-Prince on an American vessel in 1804 (it is unclear what happened to Saint Domingue's other apostolic prefect). The island remained without bishop or apostolic representative for many years. In 1814, following the restoration of Spanish rule in the eastern two-thirds, Pedro Varela y Jimenez was appointed bishop of Santo Domingo. The French side of the border briefly had an apostolic vicar, Pierre Glory, from 1820 to 1821, but after ordaining three seminarians he was expelled from the island under orders from the president. The entire island technically fell under Santo Domingo Archbishop Pedro Varela y Jimenez upon its political unification (beginning in 1822), though the archbishop was loath to acknowledge his position as a Haitian citizen. Varela y Jimenez fled the island to Cuba in 1830 with a number of other Spanish speakers.

25. Debrien, *Guillaume Mauviel*, 27.

26. Ibid., 54.

27. Brière, "Abbe Grégoire and Haitian Independence," 37.

28. Jan, *Collecta: Pour l'histoire du Diocese du Cap-Haitien,* I (1955), 215. Cailleau's year of arrival does not appear in the archive. In 1833, he was re-assigned from Jérémie to Grand-Rivière in the outskirts of Cap-Haitien.

29. Another priest, José Salgado of modern-day Venezuela, condemned Cailleau's writings. Perhaps Salgado criticized Cailleau because they jeopardized his own pretensions to

Gallicanism could not co-exist with Boyer's express wishes to regularize his national church with the Holy See.[30]

In addition to sponsoring missionaries to Haiti, Grégoire also tried to influence the country's leadership and people directly. He exchanged letters with secretary-general Joseph Balthazar Inginac and Boyer, and published manuals and treatises aimed at a Haitian audience. His relationship with Haiti was more than theoretical; it was personal. In 1818, President Boyer asked Grégoire to serve as Haiti's bishop (Grégoire politely refused) and Grégoire sent Boyer two hundred religious books to form a library.[31] In his writings over the following years, Grégoire encouraged Boyer (and Haiti generally) to adopt religious liberty toward Protestants, to champion the cause of women's education (the means he proposed for "civilizing" Haitian society), and to practice obedience to the clergy.[32] Upon Grégoire's death in 1831, Boyer called for a Mass of repose "in every parish that has a priest," an act of piety for the Haitian Church's founding father.[33]

Apart from Grégoire's influence, the reformed tradition travelled on several other pathways into Haiti. The "Spanish" priest Jean Echevarría (the

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the episcopate; Salgado had been appointed vicar-general to southwest Haiti under Santo Domingo's archbishop and he hoped to ingratiate himself with then-apostolic delegate to Haiti, John England. His hopes for an episcopal appointment certainly rode on friendly relations between Haiti and Rome. Although Salgado's criticisms met their mark, he did not receive the awaited appointment. He was not held in very high esteem in Rome and died a year later. Le Ruzic, *Documents sur la Mission des Frères-Prêheurs à Saint-Domingue, du Schisme au Concordat.*, 191; Cabon, *Notes sur l'histoire religieuse d'Haïti: De la Révolution au Concordat (1789–1860)*, 157; Peter Guilday, *The Life and Times of John England First Bishop of Charleston (1786–1842)*, vol. II (New York, 1927), 290–91; Thomas Madiou, *Histoire d'Haïti (1819–1826)*, 3 vols. (Port-au-Prince, 1847–40; reprinted in 8 vols. Port-au-Prince, 1989–91), 6:206.

30. Le Ruzic, *Documents sur la Mission,*199. By all accounts, Boyer welcomed John England in the first two of England's three visits to Haiti and attempted to establish relations with Rome. He also willingly placed Haiti under the episcopal authority of Santo Domingo's archbishop Valera. Boyer in 1823 wrote to Leo XIII to petition the release of Archbishop Pedro Valera y Ximenes from an oath of loyalty to Spain. Leo XIII granted his petition in 1824.

31. Jean-François Brière, *Haïti et La France, 1804–1848: Le Rêve Brisé* (Paris, 2008), 91; Alyssa Goldstein Sepinwall, "Exporting the Revolution: Grégoire, Haiti, and the Colonial Laboratory, 1815–1827," in; *The Abbé Grégoire and His World*, ed. Jeremy D. Popkin and Richard H. Popkin (Dordrecht, Boston, and London, 2000), 51.

32. Sepinwall, "Exporting the Revolution," 55–61.

33. Circulaire du Président d'Haïti, aux commandants d'arrondissement, qui ordonne un service solennel dans toutes les paroisses de la République, à l'occasion de la mort de l'évêque H. Grégoire, 22 August 1831, M. Linstant Pradine, *Recueil Général des Lois et Actes du Gouvernement d' Haïti, Depuis la Proclamation de son Indépendence jusqu'à nos jours*, vol. V (Paris, 1866), no. 1264, 386.

one who was called a Jansenist during the Sacred Heart controversy) was appointed as priest of Cap-Haïtien by the President.[34] Echevarría was perhaps actually Spanish, but likely by way of the mainland Americas (perhaps Gran Colombia).[35] He moved to Haiti in 1831 on the advice of a layman, an émigré of color named Augustin living in Cap. Augustin had grown up enslaved in Baltimore, and later moved to Louisiana where he himself became a school master, a choir master, and a free man.[36] Augustin's recruitment suggests that Baltimore produced reformed Catholics alongside the more incarnational ones, and that Haiti offered haven to both.

Despite his superficial alignment with the state's version of Catholicism, Father Echevarría could not count on the state to enforce his religious politics. Besides his beef with the Sacred Heart confraternity, he also clashed with another priest, Le Gros of Limonade (to the southeast of Cap), in 1832. The substance of their argument has not been recorded, but it likely also pertained to matters of public worship, as the argument spilled out onto the public sphere and involved Cap's laity and local authorities. Echevarría enjoyed the favor of then secretary-general Balthazar Inginac, but his image in the Roman Catholic Church was suffering. The defender of Cap's confraternity claimed that Echevarría was an excommunicated priest. In a memoire published a decade later, Inginac recalled the rumors that circulated at the time, that the pope had excommunicated the "esteemed pastor" ("*pastor recommendable*") Echevarría , "for having mixed himself up in revolutions fighting for the liberal cause in Spain."[37] Perhaps Echevarría was one of the enlightened reformers that supported and later resurrected Spain's 1812 liberal constitution. At least in Spain, the *letrados,* nationalists, and revolutionaries who advocated a liberal cause were also consciously Catholic, never going so far as French or American religious liberty.[38] The fidelity of Spanish

34. Jan, *Collecta: Pour l'histoire du Diocese du Cap-Haitien,* I (1955), 202.

35. Jeremiah O'Flynn, letter to Zeducini, April 28, 1820, ASPF: Antille 4 (1820-1834), 31–34. Echevarría and Narcisse were probably not from the Spanish-speaking east of the island, Santo Domingo. Although Haiti's rule stretched across the entire island at this point, political unification did not integrate the Spanish-speaking and French-speaking church. Correspondence to the Propaganda a decade earlier suggests that the country harbored several "fugitive Spanish priests from the American continent."

36. Jacques J. Nicholas Jaubert, letter to Propaganda Fide, March 10, 1833, ASPF: Antille 4 (1820–1834), Exp. 490–93. In the letter written by the Baltimore woman and cited by Jaubert, she wrote, "it is by his [Augustin's] plotting (intrigues) that the Spanish priest came."

37. Joseph Balthazar Inginac, *Memoires* (Kingston, Jamaica, 1843), 87. ". . . *pour s'être mêlé de révolutions pour la cause libérale en Espagne*."

38. Scott Eastman, "The Ruin of a State Is Freedom of Conscience: Religion, (In)Tolerance, and Independence in the Spanish Monarchy," *Bulletin for Spanish and Portuguese Historical Studies,* 44, no. 1 (2019).

reformers to the Church was not enough for Pope Gregory XVI, who watched Europe's revolutions with great skepticism.[39] When President Boyer intervened in the Echevarría-Le Gros affair and found that he could not reconcile the two, he re-assigned both priests: Echevarría to Port-de-Paix (just up the coast from Cap) and Le Gros to Aquin (on the southern peninsula near Les Cayes).[40] Echevarría continued to minister in Haiti and eventually moved out of the periphery to Port-au-Prince, but he never again recovered the political clout he had once wielded.[41]

Boyer likely wanted to distance himself from a priest under suspicion of papal censure, given his ambitions for an accord with the Holy See. Perhaps also Echevarría's views were not sufficiently Haitian for Boyer, who preferred his reformed Catholicism along nationalist, Haitian lines. Finally, the President may have intervened because of a reformed suspicion toward communal pieties, or a reformed inclination to use political power to adjudicate moral affairs. Boyer's interest in the nuts and bolts of Catholic worship had surfaced before; Haitian historian Le Ruzic recounts that Boyer in 1821 "ended scandals caused by confraternities" in Cap and in Miragoâne, in southern Haiti.[42]

Boyer understood that his vision for a state church required Roman support, resources, and priests. Beginning around 1820, he had resurrected Henri Grégoire's goal of a national clergy. He wrote to a missionary named Guidicelli (who was connected to the Propaganda's missions in Africa), asking him to travel to Haiti for this purpose. At least one other petition arrived in Rome requesting resources (and permission) for a national seminary.[43] Rome ignored the request for a decade, perhaps just as much out

39. Alan J. Reinerman, "Metternich, Pope Gregory XVI, and Revolutionary Poland, 1831–1842," *The Catholic Historical Review* 86, no. 4 (2000), 603–19.

40. Jan, *Collecta: Pour l'histoire du Diocese du Cap-Haitien,* I (1955), 202.

41. Stafford Poole, "The Diplomatic Missions of Bishop Joseph Rosati, C.M.," *The Catholic Historical Review* 91, no. 4 (2005), 633–87, here 659; Le Ruzic, *Documents sur la Mission*, 207; Joseph Rosati, C.M., apostolic delegate to Haiti in 1842, was welcomed to Port-au-Prince by "Father A. Echevarría, the pastor of the only functioning parish in the city." In 1843, Santo Domingo's capitular vicar (representative of the bishop) de Portez nominated Echevarría as a candidate for vicar-general of Haiti, a promotion flatly refused by then-President Hérard.

42. Le Ruzic, *Documents sur la Mission,* 199. This information comes from a history written in 1912 and based on a (now-lost) history of Haitian Catholicism published very near the events described.

43. Guidicelli, letter to Vicenzio di Parigi, January 29, 1820, ASPF: Antille 4 (1820–1834), 21–22. See also the petition sent to the Propaganda of a missionary in correspondence with the local clergyman Corneille Brell of Cap. The petitioner was not in touch with Boyer

of theological fears as racial ones, as Haitian Catholicism was already under suspicion of trending toward Gallicanism.[44]

As apostolic delegate to Haiti, John England offered Boyer a compromise on the matter of native clergy; during his second visit in 1836, he ordained an African-descent man (Irish-born George Paddington) in the Port-au-Prince cathedral.[45] Boyer appointed Paddington as professor at a newly-established seminary in Pétion-Ville (then also called La Coupe) outside of Port-au-Prince.[46] The newly-ordained Paddington considered himself England's man and not Boyer's, however. Within four years he left Haiti "realizing that he could not exercise his [priestly] functions . . . under laws that subordinated him to judges," in the words of a close friend.[47] The national seminary project died by 1841 and would not resurrect until the 1860 Concordat.[48]

The young priest Paddington must have bristled under the oversight of the state. Since 1819, the judges of the council of notables enjoyed the right to install the clergy whom the President appointed and to issue (or withhold) priests' authority to officiate baptisms, marriages, and burials. The state additionally issued clerical salaries and collected the tithe on behalf of the church.[49] These state privileges were grounded in Haitian

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and may have received the idea from Brell. Maube/Maccbe, letter to M Fontana Cardinal Prefeto della Propaganda, n.d. 1820, ASPF: Antille 4 (1820–1834), 52–56.

44. In the United States, no bishop would ordain an openly-colored priest until the last decade of the nineteenth century. The first priest with known African-descent in the United States, James Augustine Healy, "passed" for white and distanced himself from his African heritage. In the Spanish Americas and greater Caribbean, on the other hand, the church ordained mixed-ancestry men in the eighteenth-century, if not earlier. Stephen Ochs, *Desegregating the Altar The Josephites and the Struggle for Black Priests, 1871–1960* (Baton Rouge, 1993); James M. O'Toole, "Passing: Race, Religion, and the Healy Family, 1820–1920," *Proceedings of the Massachusetts Historical Society,* 108 (1996), 1–34; and Ann Twinam, *Purchasing Whiteness: Pardos, Mulattos, and the Quest for Social Mobility in the Spanish Indies* (Stanford, 2015).

45. George Paddington, letter to Pierre Toussaint, July 25, 1836, New York Public Library (hereafter NYPL): Pierre Toussaint Papers, Box 3 (1836–1842), Folder 1. Also transcribed in full in Cyprian Davis, O.S.B and Jamie Phelps, O.P., eds., *"Stamped with the Image of God": African Americans as God's Image in Black* (Maryknoll, NY, 2003), 28.

46. George Paddington, letter to Pierre Toussaint, March 30, 1836, NYPL: Pierre Toussaint Papers, Box 3 (1836-1842), Folder 1; George Paddington, letter to Pierre Toussaint, November 28, 1837, NYPL: Pierre Toussaint Papers, Box 3 (1836-1842), Folder 1.

47. Diego Moya, letter to Pierre Toussaint, April 22, 1840, NYPL: Pierre Toussaint Papers, Box 3 (1836–1842), Folder 1.

48. Poole, "The Diplomatic Misions," 653.

49. Loi sur les droits curiaux, et portant les attributions des marguilliers (Chapitre III: Des curés ou ministres du culte catholique), March 16, 1819 and Loi sur l'administration des

claims to patronage that began under Toussaint Louverture and continued under Alexandre Pétion and Jean-Pierre Boyer. The first apostolic mission to independent Haiti, undertaken by the French titular-bishop Pierre de Glory in 1820, fell apart over the 1819 law; when de Glory publicly opposed the law, the President deported him.[50] The Haitian state's claims to patronage also inclined Rome to reject draft after draft of negotiations during England's various missions to Haiti.[51]

The twentieth-century Franciscan and historian Ruzic described the church in early Haiti as "a department of public works upon which the State exercise[d] control."[52] Since the governorship of Toussaint Louverture, the Haitian military assisted Catholic liturgies and the state embedded Catholic rites into national festivals. At the conclusion of Jean-Jacques Dessalines' coronation in 1804, the military guard and full procession of dignitaries marched into Port-au-Prince's church for a public *Te Deum*.[53] In 1827, Boyer planned a national Agricultural Festival to inaugurate his 1826 labor reform. The festival was to feature a "civic coronation" of citizen-cultivators from each region "to the noise of drums and music (*au bruit des tambours et de la musique*)," and to conclude with Vespers.[54] Public, Catholic worship offered Haiti's leaders spiritual graces and popular prestige. These religious acts were also choreographed for an international audience, and on that stage, Catholicism gave the Haitian state respectability, divine favor, and the grounds for demands upon Rome.[55]

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droits curiaux et sur les attributions des marguilliers, August 2, 1820, cited in Pradine, *Recueil Général des Lois et Actes,* (1860), III: no. 599, 111–19 and no. 671, 308–9.

50. Le Télégraphe Gazette Officielle, August 19, 1821 (an 18), No. XXXII, accessed via Bibliothèque nationale de France (BnF), Gallica.

51. Boyer wrote to England, "You are aware that one of the principal conditions of the projected concordat between you and my commissioners was the recognition by the Holy See of the right that belongs to the President of Haiti, as chief of state, to appoint the bishops who will be in charge of the religious administration of Haiti." Cited in Poole, "The Diplomatic Missions of Bishop Joseph Rosati, C.M.," 649.

52. Le Ruzic, *Documents sur la Mission,* 189. Also cited in Jan, *Collecta: Pour l'histoire du Diocese du Cap-Haitien* (1955), II:16–17.

53. Program issued to direct the Order of Ceremonies on the Coronation of Jean Jacques, the First Emperor of Hayti, cited in Marcus Rainsford, *An Historical Account of the Black Empire of Hayti: Comprehending a View of the Principal Transactions in the Revolution of Saint Domingo; with Its Ancient and Modern State* ([London],1805), 456–58.

54. Circulaire . . . relative à la célébration de la fête de l'agriculture, March 17, 1826; Pradine, *Recueil Général des Lois et Actes*, vol. IV (Paris, 1865), no. 1007, 359.

55. Doris L. Garraway, "Empire of Freedom, Kingdom of Civilization: Henry Christophe, the Baron de Vastey, and the Paradoxes of Universalism in Postrevolutionary Haiti," *Small Axe: A Caribbean Journal of Criticism,* 16, no. 39 (2012), 1–21; Marlene Daut, *Tropics of Haiti: Race and the Literary History of the Haitian Revolution in the Atlantic World, 1789–1865*

The Church also served the Haitian state more overtly by furnishing a moral code that celebrated the state. In 1837, Boyer instructed Haiti's priests to preach patriotism on every Sunday and holy day, on "devotion to country, respect of law and office, love of work, and horror of vice."[56]

The dependence of state on church was more complicated than a one-way siphon, however. In May 1818, Boyer institutionalized public assistance that had traditionally belonged to the Church. His executive act created a poorhouse for the infirm and poor in each department or region. The houses guaranteed food, housing, and medical care for the infirm and directed (and coerced) able-bodied poor to agricultural work.[57] All of this strengthened the bridge between church and state that Boyer himself sought to build. Boyer also attempted to monopolize his privilege of using the church for political purposes. In 1832, the president banned political gatherings in churches, "out of respect for the sanctity of the Lord's temple." Although Haitians regularly used their churches for political gatherings, Boyer took issue with the "morally reprehensible disorder" that took place during the recent elections (perhaps a reference to political agitation). Haiti's political communal assemblies could gather "in any place but the church of God."[58]

The Origins of Haiti's Sacred Heart

Cap's Sacred Heart was a neo-baroque piety that became a universal Catholic symbol and devotion.[59] The older members of Cap-Haïtien's confraternity may have first worshipped the Sacred Heart of Jesus under the direction of the Jesuits of Cap-Français (the colonial name for the same city). In the seventeenth and eighteenth centuries, Jesuits popularized devo-

(Liverpool, 2015); and Doris L. Garraway, "Print, Publics, and the Scene of Universal Equality in the Kingdom of Henry Christophe," *L'esprit Créateur,* 56, no. 1 (2016), 82–100.

56. Circulaire du Président d'Haïti, aux conseils des Notables, concernant les devoirs des curés des paroisses. Port-au-Prince, June 28, 1837, Pradine, *Recueil Général des Lois et Actes,* VI (1881), no. 1420, 352.

57. "Loi portant établissement d'un hospice de charité et de bienfaisance dans chaque département de la République " cited in Pradine, *Recueil Général des Lois et Actes,* III (1860), III,:no. 552, 61–64.

58. Circulaire du Président d'Haïti, aux commandants d'arrondissement, portant défense de réunir dans les églises les assemblées communales, February 13, 1832, Pradine, *Recueil Général des Lois et Actes,* V, no. 1276, 402.

59. Taves, "Context and Meaning: Roman Catholic Devotion to the Blessed Sacrament in Mid-Nineteenth-Century America," 486. The devotion became "universal" under Pius IX in 1856.

tion to the heart of Jesus across the Atlantic and Pacific through images, publications, and sermons.[60] Jesuits held up the devotion as an encounter with God's mercy and sufficient grace, especially because of the devotion encouraged reception of the sacraments of confession and communion.

During the division of Saint Domingue's spiritual care and conquest in the early eighteenth century, Cap had been entrusted to the Jesuits. Critics of the Jesuits at that time also thought of Cap-Français as a center of "lax" Catholicism, heavy on symbols and weak on words or dogma. The Jesuits used the Church's sacraments and worship as an occasion for teaching.[61] They also cultivated the particular favor of the region's enslaved population, offering them the use of sanctuaries for their own religious services.[62] Given that Cap's Black Catholics enjoyed access to the sacraments, it is also possible that they practiced formal devotions to the Sacred Heart. However, given colonial prohibitions against black organizations, Cap's Black Catholics could not institutionalize their devotion as a confraternity with formal ecclesiastical recognition. This and the Jesuits' missionary style would have permitted Cap's unaffiliated Catholics a degree of lay autonomy outside clerical supervision.

However, the Jesuit's influence in Cap was cut short. In 1761, the Society of Jesus was expelled from the colony by the Cap Français attorney general and the French Crown, encouraged in part by politically powerful French Jansenists. The same happened to Jesuits across Europe and the Americas.[63] In the French Crown's other Caribbean possessions (Guadeloupe and Martinique), most Jesuits secularized (transferring their obedience from a Jesuit provincial superior to a bishop), took an oath of loyalty to the French Church, and took up posts in secular churches (without con-

60. Lauren G. Kilroy-Ewbank, "Holy Organ or Unholy Idol? Forming a History of the Sacred Heart in New Spain," *Colonial Latin American Review,* 23, no. 3 (2014), 320–59; Ji Li, "'Sacred Heart' and the Appropriation of Catholic Faith in Nineteenth-Century China," in: *Reshaping the Boundaries: The Christian Intersection of China and the West in the Modern Era*, ed. Song Sang (Hong Kong, 2017), op. 80.

61. Sue Peabody, "'A Dangerous Zeal': Catholic Missions to Slaves in the French Antilles, 1635–1800," *French Historical Studies,* 25, no. 1 (2002), 72. Other orders, the Dominicans especially, withheld the sacrament of baptism as a privilege that could only be accessed after the completion of catechesis.

62. Rey, *The Priest and the Prophetess,* 111; Vanhee, "Central African Popular Christianity and the Making of Haitian Vodou Religion," 258.

63. Dale Van Kley, *The Jansenists and the the Expulsion of the Jesuits from France* (New Haven, 1975). The Jesuits were expelled from the French Caribbean in 1761 and from the Spanish Americas in 1767. The pope suppressed the order in 1773.

nection to a religious order). The fate of Saint Domingue's Jesuits is uncertain, although the legal battle that preceded their expulsion was vicious and it is unlikely that many were allowed to remain as secular priests. In the wake of the expulsion from Saint Domingue, Capuchins took over former Jesuit missions, including those in Saint Domingue's north.[64]

By the 1830s, the Society of Jesus had been absent from Cap for decades. However, piety to the Sacred Heart also took root outside of Jesuit influence, so the devotion could have entered Cap through other pathways. Colonial-era Saint Domingue had been the center of the French commercial world, and merchant and missionary activity did not stop with the revolution. During the period that Haiti was divided into a kingdom (in the north) and a republic (in the south and west), port traffic in southern Les Cayes kept up connections with the Spanish-speaking Americas.[65] To the north, the town of Cap hosted American and British commercial vessels.[66] The city also communicated with ships, boats, and canoes that traveled from the island's Spanish-speaking north coast. Meanwhile, ports across divided Haiti welcomed newly-arrived missionaries and priests who hoped to fill gaps of influence in the local church under the cover of revolutionary disorder. Some fled their own disordered past—scandal, criminal sentences, or ecclesial disputes—while others hoped that they could satisfy personal ambitions or achieve neocolonial plans in the young country. These newly-arrived priests brought their own religious traditions and interpretations with them. They came from Italy, Corsica, North America, France, Colombia, and other parts of the Spanish-speaking mainland.[67] They enjoyed considerable freedom in both urban and rural parishes.[68]

The two priests who fought over the future of Cap's Sacred Heart in the 1830s were "Spanish," very likely from the mainland Spanish-speaking Americas. The Sacred Heart was found everywhere in late-colonial New Spain (what would become independent Mexico). Convents acquired and produced Sacred Heart images and collected relics of holy people that

64. Peabody, "'A Dangerous Zeal': Catholic Missions to Slaves in the French Antilles, 1635–1800," 81–84.

65. Ernesto Bassi, *An Aqueous Territory: Sailor Geographies and New Granada's Transimperial Greater Caribbean World* (Durham and London, 2016).

66. Gaffield, *Haitian Connections in the Atlantic World: Recognition after Revolution*.

67. Jan, *Collecta: Pour l'histoire du Diocese du Cap-Haitien*, vol. II (1955), 18.

68. The relative freedom of the clergy can be traced to the fact that divided Haiti did not have a bishop in residence. Moreover, neither Alexandre Pétion of the south republic nor Henry Christophe of the north kingdom/empire pursued the nationalization of Catholicism begun under Louverture.

encouraged this devotion.[69] The Spanish Crown ordered the destruction of the image during the expulsion of the Jesuits from the Spanish Americas in 1767.[70] However, the Sacred Heart survived in lay and semi-lay circles, including as the symbol of a group of Ultramontane royalists in late-eighteenth century Mérida (in southern Mexico on the Yucatan Peninsula).[71] Spanish Americans of the late eighteenth and early nineteenth centuries practiced other forms of corporate, bodily piety, too. The faithful participated in elaborate funerary traditions, patronal feast-day processions, communal self-mortification, and other public-facing religious ceremonies. The mostly-reformed church hierarchy in late eighteenth-century New Spain denounced these traditions (and the missionary mentality that encouraged them). For example, a reformed bishop inspired by Jansenism encouraged his flock to practice internalized, silent prayer over voiced prayer.[72] However, reformed clergy also showed themselves open to theological compromise, endorsing traditional, public-facing pieties if they helped to fortify the church against intrusive state reforms.[73] Beyond the Spanish Americas, corporate Catholicism and the Sacred Heart also entered the French and American Atlantic by way of a wave of monarchists who left France during the French Revolution.[74]

In the late-eighteenth century, French Sulpician émigré priests brought the Sacred Heart to the first seminary on American soil (St. Mary's in Baltimore), and indirectly, to Baltimore's Black Catholics. The Sulpicians set a stained-glass enflamed heart in one of the upper windows

69. Asunción Lavrin, *Brides of Christ: Conventual Life in Colonial Mexico* (Stanford, 2008), 103.

70. Kilroy-Ewbank, "Holy Organ or Unholy Idol?" 326.

71. Pamela Voekel, personal correspondence, July 2018. Ultramontanes supported papal primacy over local bishops and their collective voice in councils. In the nineteenth and twentieth centuries, they supported the restitution of the Papal States to the papacy and the pope's authority in other temporal matters. D'Agostino, *Rome in America;* John O'Malley, *Vatican I: The Council and the Making of the Ultramontane Church* (Cambridge, MA, 2018).

72. Matthew D. O'Hara, "The Supple Whip: Innovation and Tradition in Mexican Catholicism," *American Historical Review,* 117, no. 5 (2012), 1380.

73. O'Hara, "The Supple Whip: Innovation and Tradition in Mexican Catholicism." O'Hara considers a fascinating exception. The Santas Escuelas of eighteenth-century New Spain were fraternal organizations that espoused ritual physical mortification but still secured reformed episcopal support.

74. Raymond Jonas, *France and the Cult of the Sacred Heart: An Epic Tale for Modern Times* (Berkeley, 2000). In eighteenth-century France, devotees adopted the Sacred Heart as the symbol of the Catholic resistance during the first phase of the French Revolution. French followers of the Sacred Heart designed and cultivated a new form of French nationalism that was centered on the continued existence of the monarchy and the public practice of Catholicism.

of the seminary chapel.[75] The city's Black Catholics formed a community at St. Mary's Lower Chapel and worshipped there until 1836. The door descending to the chapel sits several paces from the Sacred Heart window.[76] Knowledge of the Sacred Heart spread beyond the chapel; Baltimore laity in at least one parish formed a confraternity to the Sacred Heart by 1818, perhaps with influence of the Sulpicians or of former Jesuit missions in the United States. By the mid-century, the image inspired formal, documented devotions across the country.[77]

The Sacred Heart crossed back into Haiti from Baltimore. The unnamed confraternity member who appealed to Baltimore's Father Joubert recalled the devotion she had learned under the Oblates of Providence in that city: "All this contradicts not a little what we learned in Baltimore."[78] She was likely Haitian-born, but her faith had been formed within Baltimore's Black Catholic community At some point she and Baltimore's Catholics probably reunited in Haiti. In 1820, sixty Black Catholic families of Baltimore declared their intention to emigrate to Haiti. They were responding to Haitian President Boyer's call for Black immigration from the US.[79] Although no record exists of a subsequent Baltimore Catholic crossing en-masse, their Sacred Heart devotion certainly made the journey, as did the influence of their patrons and institutions.

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75. Robert L. Alexander, *The Architecture of Maximilian Godefroy* (Baltimore, 1974). The chapel was built in the first decade of the nineteenth century.

76. Fanny Montepensier, letter to Pierre Toussaint, May 10, 1852, New York Public Library, Pierre Toussaint Papers, Box 4 (1842–1853); Morrow, *Persons of Color and Religious at the Same Time,* 135, 237. In 1836, Baltimore's African-American religious sisters, the Oblates of Providence, dedicated St. Frances chapel, and this became the new meeting point of many of Baltimore's Black Catholics. Black Catholics also worshipped as a community in another chapel beginning in 1857: a chapel dedicated to Blessed Peter Claver located in the basement of the Jesuit St. Ignatius church.

77. John Tracy Ellis, *Documents of American Catholic History: 1493–1865* (Chicago, 1967), 207; Ann Taves, *The Household of Faith: Roman Catholic Devotions in Mid-Nineteenth Century America* (Notre Dame, IN, 1986). The Baltimore confraternity appears in Archbishop Ambrose Maréchal's letter to the Propaganda Fide in 1818. By the mid-nineteenth century, American devotees accessed Sacred Heart spirituality through printed devotional texts, through religious images in households, and of course in their churches.

78. Jacques J. Nicholas Joubet, letter to Propaganda Fide, March 10, 1833, ASPF: Antille 4 (1820–1834), 490–93.

79. Jeremiah O'Flynn, letter to the Most Rv. D. D. Moranvilliers, Archbishop of Baltimore [Marechal], May 6, 1820, Associated Archives at St. Mary's Seminary and University, Marechal Correspondence, 16 V1.

Lay Worship

The confraternity of Cap-Haïtien was remarkable not just because of its patron but also because it was a confraternity in Haiti, perhaps the first confraternity in the history of the new nation.[80] As late as the mid-eighteenth century, there were no Black confraternities in any French Caribbean colony. Colonial officials feared that lay public devotions might engender "unrest" among the enslaved.[81] Elsewhere in the colonial Americas, enslaved and free people of African descent used confraternities to direct their own worship and to gain entrance to out-of-reach spaces and privileges. Some confraternities provided an occasion to invert colonial rule and privilege. Members elected kings and queens and dressed them in sumptuous clothing to preside over carnival processions. They contributed money for the freedom suits and manumission price of their enslaved confraternity brothers or sisters. Black confraternities also provided autonomy of worship. Their meetings and worship often took place without clerical oversight in the chapels of parish churches. On feast days, their distinctive devotions moved out of doors. African voices, song, and drums occupied streets, public squares, and chapels of cathedrals. Confraternities could be at once brazenly public and inaccessible to colonial authorities. These lay communities served as channels of communication and certainly spread news and inspiration for uprisings.[82]

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80. Before the Sacred Heart of Cap, the only legal confraternities on the island were found on other side of the border in Spanish Santo Domingo. Santo Domingo had some confraternities of specifically African-descent membership. See the *cofradía* of the Holy Spirit of enslaved members (in La Vega) and the *cofradía de morenos* of San Juan Bautista (Santo Domingo Cathedral). Petición de Pedro de Vardesia Thesorero, January 26, 1610, AHASD: Documentos de Cofradías, Hermandades e Instituciones de Piedad: Documentos de la Cofradía de Nuestra Señora del Carmen y Jesús Nazareno, Exp. 76; Debrien, *Guillaume Mauviel,* 49. A document from late-colonial Saint Domingue suggests that enslaved people also formed illicit confraternities in the Cap region. See the reference to a slave confraternity in "Urban Slave Culture: Report of the Chamber of Agriculture (1785)" cited in David Geggus, ed., *The Haitian Revolution: A Documentary History*, trans. David Geggus (Indianapolis/Cambridge, 2014). Another exception to this rule was a confraternity of charitable works, the *Confrérie de la Miséricorde*, founded under Jesuit supervision after 1704 in Cap-Français and soon after disbanded. This confraternity was almost certainly not open to enslaved members. Jan, *Collecta: Pour l'histoire du Diocese du Cap-Haitien,* I (1955), 251.

81. Peabody, "'A Dangerous Zeal': Catholic Missions to Slaves in the French Antilles, 1635–1800," 79.

82. On confraternities of African-descent Catholics in the colonial-era Spanish and Portuguese Americas, see Elizabeth Kiddy, *Blacks of the Rosary: Memory and History in Minas Gerais, Brazil* (Philadelphia, 2005); Mariza de Carvalho Soares, *People of Faith: Slavery and African Catholics in Eighteenth-Century Rio de Janeiro* (Durham, 2011); Karen B. Graubart, "'So Color de Una Cofradía': Catholic Confraternities and the Development of Afro-

Without confraternities in colonial-era Saint Domingue, enslaved and free inhabitants found alternate ways to direct "licit" religious experiences within Catholicism. In Cap-Français in the mid eighteenth-century, for example, colonial authorities complained that free and enslaved blacks met unsupervised in churches and supplied their own lay catechists, preachers, choir masters, beadles, and churchwardens. The laity entrusted with these positions influenced liturgies, devotional practices, charitable projects, and parish finances. Churchwardens, for example, collected and registered alms, regulated clocks and bells, called and presided over parish meetings, maintained parish grounds, and made purchases on behalf of the parish council.[83] Colonial administrators also claimed that lay black catechists led their own catechism campaigns in plantations and homes outside the city. Dissatisfied slave owners and authorities lambasted the Jesuits, who permitted and perhaps encouraged these practices.[84]

Free Black laity had the means to form their own religious communities and select their own clergy. A decade after the expulsion of the Jesuits, a free black community in Saint Domingue's southern region of Les Cayes tried to purchase religious services from a priest of their choosing (a Dominican priest who was exiled from the colony soon afterward on account of his "disreputable" lifestyle).[85] Around this same time, lay trustees in communities and parishes in the northeast United States also purchased lots, built churches, and selected and paid their own clergy. Lay patronage of clergy was nothing novel; the Church had conceded the right to appoint bishops and priests to the (lay) Spanish Crown centuries earlier.[86] However,

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Peruvian Ethnicities in Early Colonial Peru," *Slavery & Abolition,* 33, no. 1 (2012), 43–64; Miguel Valerio, "Kings of the Kongo, Slaves of the Virgin Mary: Black Religious Confraternities Performing Cultural Agency in the Early Modern Iberian Atlantic" (Columbus, OH , 2017).

83. "Extract of a Letter of a Religious of the Jesuit Mission at Saint Domingue to the Apostolic Prefect of the Dominican Mission in the same Island (Cap)," April 30, 1750, cited in George Breathett, ed., *The Catholic Church in Haiti (1704–1785): Selected Letters, Memoirs, and Documents* (Salisbury, NC, 1982), 30–36.

84. Peabody, "'A Dangerous Zeal': Catholic Missions to Slaves in the French Antilles, 1635–1800," 82–83. Records of these practices were used as evidence against the Jesuit order during their expulsion from the French Americas in 1761.

85. Letter from Apostolic Prefect F. Maubert to Monseigneur de Sartine regarding Fr. Raguet (Léogâne), July 23, 1777, cited in Breathett, *The Catholic Church in Haiti (1704–1785): Selected Letters, Memoirs, and Documents*, 62–70.

86. On the right of *patronato* (the right to nominate clergy for papal confirmation) claimed by the Spanish Crown and later, the Viceroyalty of New Spain, see Nancy Farris, *Crown and Clergy in Colonial Mexico, 1759-1821: The Crisis of Ecclesiastical Privilege* (London, 1968); J. Lloyd Mecham, *Church and State in Latin America: A History of Politico-Ecclesiastical Relations* (Chapel Hill, NC, 1934).

the papacy jealously withheld this delegated authority from the independent states that emerged from America's revolutions.[87] Moreover, the lay trustees of the early United States enjoyed no political authority and faced increasing hostility from their local bishops, especially trustees from national, foreign-speaking parishes. Lay ownership of church property in the United States was forbidden by the Holy See and the American hierarchy in the 1820s.[88] Wealthy laity in colonial-era Saint Domingue likely enjoyed more freedom to act as "patrons" of favored clergy because the region had only papal delegates and superiors, and no bishops.

Following Haitian independence, Haiti's citizens developed traditions of worship that reflected their own religious preferences. Beyond Cap to the south, Catholics in Port-au-Prince practiced a liturgy which a foreign observer characterized by its "distractions, divergence, and speed." This criticism of Port-au-Prince religious services came from John England, an Irish-born priest and the first bishop of Charleston who was appointed as the first apostolic delegate to independent Haiti in 1834. England visited Port-au-Prince to begin the process to establish formal relations between Haiti and Rome. After witnessing a Mass on Haitian soil, England wrote comparing American "silence, decorum, reflection, the use of books of prayer, and solemnity" with a Haitian "flippancy of manner and noise."[89]

What made Port-au-Prince's liturgical practices unpalatable to John England? England's words—"noise" and "flippancy"—might have been an observation of actual noise made by the dancing feet or drums of Haiti's African-descent Catholics.[90] When nineteenth-century Haitians composed and performed rhythms, some made music while others celebrated the Haitian military. They additionally made claims about political identity and authority and made contact with the divine. During Toussaint Louverture's governorship (1801–02), Haitians accompanied the elevations during the consecration at each Sunday Mass with a gun salute, drums, and

87. Poole, "The Diplomatic Missions," 633–87.

88. Patrick W. Carey, *People, Priests, and Prelates: Ecclesiastical Democracy and the Tensions of Trusteeism* (Notre Dame, IN, 1987). The American lay trustee movement was shaped by European traditions of nationalist churches, lay claims to church property in colonial America, and additionally, the widespread model of American Protestant ecclesial governance. The movement grew from the late eighteenth century and gathered momentum alongside the immigrant Catholics' demands for national parishes.

89. John England to Propaganda, Relazione della missione di Haiti, June 9, 1834, ASPF: Antille 5 (1834–1836), 55–58.

90. Odilio Urfé, "Music and Dance in Cuba," in: *Africa in Latin America. Essays on History, Culture, and Socialization*, ed. Manuel Moreno Fraginals (New York, 1984).

song in the governor's honor.[91] During the presidency of Alexandre Pétion, communal work societies created novel rhythms to pace their work with the slowest member of the community. These rhythms defied the Haitian state's pretentions to agricultural production, became the rallying point for a developing peasantry, and later were adopted by elites.[92] Noise-making is still part of the fabric of contemporary Haitian religious worship; ceremonies of Petwo vodou feature whistles, whips, and gunpowder.[93] Following Vatican II, the Haitian Catholic Church permitted drums in Haitian Catholic Mass, part of an olive branch to vodou practitioners and a concession to vodou's cultural ubiquity in Haiti.[94]

England's expectations of how the faithful ought to encounter the sacred did not correspond with the practices of Port-au-Prince's laity. This difference alone may have inspired his use of the word "noise" to describe an abrupt sensory experience. American Catholic visual and aural culture was only now departing from its subdued English Catholic roots.[95] In contrast, Haitians of African descent could remember the beliefs and deities of their homelands. Most African-born Haitians had roots either in West-Central Africa (including Kongo and Angola) or in the Bight of Benin (specifically, the Oyo Yoruba state and Dahomey state). Africans from these regions understood that the spiritual world could be directed by human action and manipulation of the natural world: consider for example the Yorubas' ritual construction of drums to activate certain spirits and the playing of particular kinds of drums for specific deities.[96] Once in Saint Domingue, Africans transformed their cosmologies and practices during encounters with other Africans and missionary Catholicism.[97] Even more relevant for an emerging

91. Louverture also promulgated his 1801 constitution with military fanfare and drums. Madiou, *Histoire d'Haiti*, II: 103–04.

92. Jean Alix René, "Le Culte de l'égalité: Une Exploration du Processus de Formation de l'Etat et de la Politique Populaire en Haïti au Cours de la Première Moitié du Dix-Neuvième Siècle (1804–1846)," (PhD thesis, Université Concordia, 2013), 196–98.

93. Gage Averill and Yuen-Ming David Yih, "Militarism in Haitian Music," in: *The African Diaspora: A Musical Perspective* (London, 2003).

94. Terry Rey, "Catholic Pentecostalism in Haiti: Spirit, Politics, and Gender," *Pneuma,* 32, no. 1 (2010), 83.

95. Ryan K. Smith, *Gothic Arches, Latin Crosses : Anti-Catholicism and American Church Designs in the Nineteenth Century* (Chapel Hill, NC, 2006), fig. 2. American Catholic visual culture took off between 1820 and 1850. Before this date, most Catholics worshipped in whitewashed chapels with little ornamentation or sounds.

96. Ademola Adegbite, "The Drum and Its Role in Yoruba Religion," *Journal of Religion in Africa,* 18, no. 1 (1988), 15–26.

97. David Geggus, "Haitian Voodoo in the Eighteenth Century: Language, Culture, Resistance," *Jahrbuch Für Geschichte Lateinamerikas,* 28, no. 1 (1991), 21–51; Kevin Roberts,

Haitian Catholicism, African-born Haitians from Kongo and Angola remembered the Catholicism they practiced in Central Africa. They inherited a Catholicism rich in color and texture (of textiles, hats, crucifixes, crosses, and swords), sounds (of percussion, chimes, artillery), and smells (artillery smoke) all associated with Catholic practices.[98]

Haiti's Central African Catholics understood that the material and spiritual permeated each other and that creating, manipulating, and worshiping cult objects were all spiritual acts. The spiritual sensibilities that circulated in Haiti would have inclined Haitian Catholics to favor worship by sacramentals (that is, holy material objects like a crucifix and holy rituals such as blessing by holy water) that contain spiritual power and grace. It is not a stretch to see how Haitian Catholics might have viewed the Sacred Heart as one more sacramental, one more physical encounter infused with spiritual significance and presence.

Laity and Their Priests

The Haitian Revolution transformed the institutional Church. As colonists packed up their belongings and left plantations, city homes, and shops, clergy and consecrated religious also fled their convents and parishes. Most fleeing colonists saw their flight as a temporary measure. They imagined that they would return, and some residents and missionaries did return over the ensuing decade.[99] However, by the end of the revolution, only a few priests and no bishops remained on the island. In 1828, a British traveler reported that there were about thirty or forty priests total on the island. A decade later, a French traveler put the number at about seventy—that for a

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"The Influential Yoruba Past in Haiti," in: *Yoruba Diaspora in the Atlantic World*, ed. Matt D. Childs and Toyin Falola (Bloomington and Indianapolis, 2005), 177–82. Geggus argues for the Kongolese (as opposed to Yoruba) origins of vodou and the existence of distinct practices along ethnic lines within what is known today as vodou. These findings support his argument that vodou was not a unifying political force during the Haitian Revolution even if it mobilized resistance. He concludes, "insofar as the Black revolution expressed an attitude to Christianity and the Catholic Church, it was surprisingly favorable." On the intertwining of Catholicism and "vodou," see John K. Thornton, "On the Trail of Voodoo: African Christianity in Africa and the Americas," *The Americas,* 44, no. 3 (1988), 261–78; Rey, *The Priest and the Prophetess,* Introduction.

98. Cécile Fromont, "Foreign Cloth, Local Habits: Clothing, Regalia, and the Art of Conversion in the Early Modern Kingdom of Kongo," *Anais Do Museu Paulista: História e Cultura Material,* 25, no. 2 (2017), 11–31.

99. R. Darrell Meadows, "The Planters of Saint-Domingue, 1750–1804: Migration and Exile in the French Revolutionary Atlantic," (PhD Diss., Carnegie Mellon University, 2004).

population of about four hundred thousand.[100] Hostile outsiders used these numbers to support the idea of Haitian un-civilization, and mostly glossed over how Haitians themselves reacted to gaps in Church hierarchy.[101]

The lay brothers and sisters of the Sacred Heart confraternity knew Cap's clergy personally, but many other Haitians did not have access to Catholic priests. In the absence of priests, many faithful met in churches and in substitute places to catechize, and this even before Haiti's independence. During the colonial era, enslaved catechists taught the faith to newly-arrived African slaves under and outside the supervision of priests.[102] In 1802, during Napoleon's invasion of the island, a woman named Guillaume sang and taught catechism at the chapel on Sarrebousse plantation, which had become a refugee camp for Leogane women and children.[103] Even in urban places with multiple priests in residence, priests themselves also encouraged lay Catholic leadership. When Irish priest Jeremiah O'Flynn set up residence in Port-au-Prince in 1819, he appointed three lay catechists to assist his mission. Within a year, he reported that he (and the lay catechists) had prepared two hundred youth for first communion and were instructing six hundred faithful at the Port-au-Prince church.[104] During the presidency

100. Levasseur, May 1838, Centre de Recherches des Archives Nationales (site de Paris), AE/B/III/458, "Notes sur la république d'Haïti," 16; James Franklin, *The Present State of Hayti (St. Domingue) with Remarks on the Its Agriculture, Commerce, Laws, Religion, Finances, and Population* (London, 1828), 331, 393. This population estimate is very rough and corresponds to numbers reported thirty years earlier under Louverture. Boyer reported that his country had a population of over nine hundred thousand.

101. Critics of independent Haiti published stories and data of Haiti's empty missions, churches in ruins, and renegade priests. These details fed and legitimated their fears of Haiti, slave-revolt, and black self-determination. For accounts of the Santo Domingo church in ruins under Boyer's rule, see Luis Martinez-Fernandez, "The Sword and the Crucifix: Church-State Relations and Nationality in the Nineteenth-Century Dominican Republic," *Latin American Research Review* 30, no. 1 (1995), 69–93.

102. Peabody, "'A Dangerous Zeal': Catholic Missions to Slaves in the French Antilles, 1635–1800," 67, 83.

103. Madiou, *Histoire d'Haiti*, II:397.

104. Jeremiah O'Flynn, letter to Zeducini, April 28, 1820, ASPF: Antille 4 (1820–1834), 31–34. The priest, Jeremiah Francis O'Flynn, moved to Port-au-Prince after landing first in Cap. He received a warm reception from Henri Christophe's "bishop," a man described as Jean de Deois, Apostle of the Order of Mercy of Cuba. O'Flynn left Cap and traveled over land east to Montechristi and then south to Port-au-Prince. Jeremiah O'Flynn, letter to Cardinal Litta, April 28, 1820, ASPF: Antille 4 (1820–1834), Fols. 37–42. O'Flynn was a secularized former Trappist with considerable worldly experience. For a timeline of O'Flynn's travels to Martinique, St. Croix, London, Rome, New South Wales (Australia), Haiti, and the United States, see Collins, "Jeremiah Francis O'Flynn, 1786–1831," 3–9. See also Madiou, *Histoire d'Haïti (1819–1826)*, VI: 200–05.

of Jean-Pierre Boyer in 1829, the priest-less Catholics of San José de las Matas maintained contact with a stray missionary, wrote to regional Catholic authorities, spoke of their faithful practice of Christian services, and imagined themselves as very much part of the fold.[105]

Lay Catholics also celebrated Catholic rites on their own. In 1791, during the revolution, a free man of color named Romaine-la-Prophetess gathered a massive religious following (and army) in the Leogane/Jacmel region. The proto-Haitians who joined Romaine-la-Prophetess entrusted themselves to the Virgin and worshiped at an altar that they kept at the Trou Coffy coffee plantation chapel.[106] In the Boyer era, lay leaders in parishes without priests presided over burials, services, and prayers. These leaders were not connected to the formal hierarchy, nor were they political appointees. Since the beginning of Boyer's presidency, the state had claimed particular oversight over parish priests and lay churchwardens. Legislation from 1817 reserved for the council of notables the right to appoint churchwardens each December.[107] The 1819 legislation that had established the state's right to patronage also delineated the responsibilities of churchwardens: to administer and maintain the church, to allocate and spend funds for its upkeep, to record church expenses and assets as well as any accounts payable to the church by the state, and finally, to collect the daily collection and fees donated for sacraments and turn this money over to the council.[108] In 1834, the council of notables caught wind that churchwardens of priestless parishes were charging for burials and other services as if they had been performed by a priest when in fact they had been performed by the laity. The council passed a resolution condemning the practice as "immoral" and "contrary to good order."[109]

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105. See the petitions of the Spanish-speaking community of San José de las Matas in unified Haiti. Antony Keanes-Dawes, "A Divisive Community: Race, Nation, and Loyalty in Santo Domingo, 1822–1844," (PhD diss., University of South Carolina, 2018), chap. 3.

106. Rey, *The Priest and the Prophetess,*145.

107 Citation of June 18, 1817 law within Circulaire du Président d'Haïti, aux conseils des notables, concernant l'administration des fabriques, August 15, 1818, Pradine, *Recueil Général des Lois et Actes,*. III (Paris, 1860), no. 563, 81.

108. Loi sur les droits curiaux, et portant les attributions des marguilliers (Chapitre III: Des curés ou ministres du culte catholique), March 16, 1819, Pradine, *Recueil Général des Lois et Actes*, III, no. 599, 111–19.

109. Circulaire aux Commandants des arrondissements des Gonaïves, du Môle, du Port de Paix, du Limbe, du Cap Haïtien, du Fort Liberté, de la Grande Rivière et de la. Marmelade, concernant la suppression des Marguilliers de leurs Paroisses (No. 1342) and Circulaire aux Commandants des arrondissements de Monte-Christ, de St-Yague, de la Vega, de Macoris, de Cotui, de Moca, d'Azua et de St-Jean (No. 1343), October 13, 1834,

Some Haitian Catholics also doubted the usefulness or legitimacy of the priests who could be found. In post-revolutionary, post-missionary Haiti, Haitians looked to Rome, Baltimore, Africa, and elsewhere in their search for clarity on the status of the local church. Was Haiti still mission territory under the Propaganda? Did the country's status change when Haiti annexed Santo Domingo in 1822? Under whose authority did local priests administer sacraments, say public Mass, or celebrate the Divine Office?

Catholics from outside the country wrote to Haiti to satisfy concerns about priests in Haiti. In 1820, a Baltimore African-American man, M. Gardere, wrote to a clergyman in Port-au-Prince specifically asking about the validity of sacraments in Haiti. He and sixty other African-American families wished to emigrate to Haiti but had met resistance from their Baltimore pastors, who claimed that in the absence of a bishop or apostolic prefect, all sacraments on the island were invalid.[110] Given their independent investigation, these African-American families did not trust their Baltimore pastors' knowledge but they did care enough about sacramental validity to seek news on the ground. The sixty Baltimore families may have been the first wave in a Baltimore-Haiti connection that would persist for at least a generation.

Haitian Catholics were also suspicious of the priests who were available to them. In 1836, Msgr. William Clancy observed that "generally speaking, the people do not trust the clergy in the confessional."[111] John England (who in 1834 called Port-au-Prince's Catholic liturgy "noisy") also had nothing positive to say of the nation's clergy. In a letter on the state of Haitian Catholicism, England claimed that the "evil" lives of Haiti's priests had convinced African American Catholics who had emigrated to Haiti to stop frequenting the church and sacraments once they reached their new home.[112]

Members of the Sacred Heart confraternity in Cap must have imagined their brotherhood as a way to practice faithful, communal Catholicism within an incomplete church hierarchy. Their confraternal life may

110. Jeremiah O'Flynn, letter to the Most Rv. D. D. Moranvilliers Archbishop of Baltimore [sic, actually received by Archbishop Marechal], May 6, 1820, Associated Archives at St. Mary's Seminary and University, Marechal Correspondence, 16 V1.

111. Clancy was John England's coadjutor and the general vicar to Haiti during his one visit to the island. See correspondence of Clancy cited in Cabon, *Notes sur l'histoire religieuse d'Haiti,* 243.

112. John England, letter to Propaganda, Relazione della missione di Haiti, June 9, 1834, ASPF: Antille 5 (1834–1836), 55–58.

have depended less on the traditional Eucharistic practices associated with Sacred Heart devotion and more on lay-led initiatives, such as communal prayer. However, the confraternity remained within a clerical, Roman Catholicism exactly because the confraternity's brothers and sisters also sought out local and distant priests to affirm their daily practices of Catholicism.

Conclusion

Early Haiti was a laboratory for experiments: experiments in political empires, autocracies that were not-so-republican, and republics. The Sacred Heart controversy of Cap provides a glimpse of the theological experimentation and exploration of early Haitians. Their devotion to the Sacred Heart tapped into the offerings of the global Catholic church. These strains of Catholicism (reformed, neo-baroque, lay, clerical, African, and Gallican) met under one broken church roof in Cap-Haïtien. But the content of acceptable "Haitian" Catholicism was not yet clear. In Cap and across Haiti, lay citizens discovered that their state had assumed authority over the Church in the process of nation-building; the President claimed to direct churches, appointments, charity, and devotions. Lay Haitians practiced their faith within this national church. They also expanded the boundaries of Haitian Catholicism, drawing on their preferred clerical authorities as well as a tradition of lay autonomous Catholicism to defend their Sacred Heart.

Ecclesiastical Participation of the Catholic Laity in the Late Modern Period: The Case of Italian Immigrants in the United States

Massimo Di Gioacchino*

This article focuses on two ancient ecclesiastical institutions, the lay patronage (Ius Patronatus) and the council of the upkeep of the church (Consilium Fabricae Ecclesiae). It attests to how those two institutions, in decline in Italy and almost unknown in the United States in the late modern period, diffused and developed among Italian immigrants in the United States. The aim is to contribute to the historical understanding of the evolution of the ecclesiastical culture of the Catholic laity in the late modern period, in particular before the promulgation of the Codex Iuris Canonici (1917).

Keywords: Catholic Laity, Canon Law, Italian Emigration, Lay Patronage, Trusteeism, US Catholic History

A. Historical Premise

The involvement of Catholic laity in the spiritual and material management of local churches is one of the elements that have defined the Catholic Church in the United States for a long time. As a result, the topic has received notable attention in the past.[1] Nevertheless, studies have often limited their attention to the end of the eighteenth century and the first

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1. The main studies on the matter are: Patrick W. Carey, *People, Priests, and Prelates. Ecclesiastical Democracy and the Tensions of Trusteeism* (Notre Dame, IN, 1987); and John P. Beal, "It's Deja Vu All Over Again: Lay Trusteeism Rides Again," *The Jurist,* 68 (2008), 497–568. See also: Donald E. Adams, "Rights and Duties of Trustees and Their Appointment," *The Jurist*, 18 (1958), 175–190. On the issue of the tenure of church property, see Joseph C. Polking, "Church and State in the United States (Legal History), § Tenure of Church Property [2003]," *New Catholic Encyclopedia, Supplement 2010* (Gale, 2010), vol. 3, 656–57. Encyclopedia.com. Consulted Aug. 11, 2020.

half of the nineteenth century. Historians have thus not considered Italian immigrants, believing that conflicts arising from lay involvement had ceased by the time Italians began arriving on American shores (1876–1921) and so did not affect that group.[2]

The aim of this article is to contribute to the historical understanding of the evolution of the ecclesiastical culture of the Catholic laity in the late modern period, in particular before the promulgation of the *Codex Iuris Canonici* (1917). More specifically, this article focuses on the development of two traditional ecclesiastical institutions which historically have been the

2. Patrick Carey, "Two Episcopal Views of Lay-Clerical Conflicts: 1785–1860," *Records of the American Catholic Historical Society of Philadelphia*, 87. 1/4 (1976), 94; and Roger Aubert, Johannes Beckmann, and Patrick J. Corish, eds., *The Church between Revolution and Restoration*, [History of the Church, 7] (London, 1981), 174. Italian emigration to the United States began in the early modern era, but the experiences of emigrants and travelers before 1876 were mostly isolated, connected to limited intellectual circles and to cases of political and religious dissidence. Such experiences of the pre-unitary period often received the approval of American society, and their presence was usually considered positively. Catholic Italians were very few, and they were subject to the hegemony of anti-clerical groups. From the 1870s onward, Italian emigration increasingly became a mass phenomenon. Dozens and then thousands of emigrants left Italy with the intention of rejoining their relatives, their friends, or local communities; sometimes they carried the certainty or the promise of a steady job. The majority of those who abandoned their lands hoped to take advantage of the economic growth and wealth that the United States promised at the time. In choosing where to settle, almost all Italians flocked to ethnic enclaves, known as "Little Italies." Mostly illiterate, many Italian emigrants only spoke their local dialect. Many originally worked in agriculture, in which they mainly had been employed as day laborers. Some of them had owned a plot of land in Italy, that was often sold to pay for the journey. In the United States, however, almost no one continued to work as a farmer, and many chose to resettle in urban areas. The most common employment opportunities in the Northeast were in seasonal construction, building railways and roads, and in mining. Employment conditions were perilously insecure, in terms of both the guarantee and duration of contracts. Skilled workers represented an insignificant percentage of new arrivals. Italian immigrants were considered the main cause of the increase of suburban crime rates, the decrease in industrial wages, and the sanitation problems in urban districts. At the same time, anti-Catholic groups suspected Italians of wanting to overturn American democracy, of disobeying civic authorities, and of corrupting public offices. Between the nineteenth and the twentieth centuries, "The Italian Problem" was the expression used by the press and in public discourse with reference to the sum of all social and economic problems supposedly caused by the presence of Italian immigrants in the United States. For a general overview on Italian emigration to the United States, see Stefano Luconi and Matteo Pretelli, *L'immigrazione negli Stati Uniti* (Bologna, 2008); Michele Colucci and Matteo Sanfilippo, *Guida allo studio dell'emigrazione italiana* (Viterbo, 2010); Matteo Pretelli, *L'emigrazione italiana negli Stati Uniti* (Bologna, 2011); and Antonio Golini and Flavia Amato, "Uno sguardo a un secolo e mezzo di emigrazione italiana," in: Piero Bevilacqua, Andreina De Clementi, and Emilio Franzina, eds., *Storia dell'emigrazione italiana, Partenze* (Rome, 2011), 51.

basis for lay involvement, the lay patronage (*Ius Patronatus*) and the council of the upkeep of the church (*Consilium Fabricae Ecclesiae*). It demonstrates how those two institutions, in decline in Italy and almost unknown in the United States in the late modern period, diffused and developed among Italian immigrants in the United States.

In the early Church, there was not a clear distinction between the clergy and the laity. The latter could indeed participate in ecclesiastical administration: lay people could be elected priests or bishops, participate in the election of the bishop, and take part in large assemblies with advisory voting rights.[3] They also made their homes available for religious services and were considered to be an indistinct part of the same church community.

Already in the writings of John Chrysostom and Augustine, the laity began to be described as recipients of the clergy's care, and in the following centuries almost all ecclesiastical responsibilities became the prerogative of the clergy. The Council of Trent, held between 1545 and 1563, responded to the threat that Luther's theses posed to the universal priesthood of believers by reaffirming "the presence in the Church, by divine institution, of a visible priesthood, hierarchically ordered, which is composed of bishops, presbyters and ministers."[4] According to the decrees of the Council of Trent, since the lay state constituted itself as distinct from the clerical state—the latter being a divine institution dating back directly to Jesus Christ—the distinction between clergy and laity was one of divine right.[5] Laymen could nonetheless hold administrative positions within the diocese, whether as actual administrators or as advisors, under the supervisory authority of the ordinary.[6]

Such a distinction lasted through the centuries. In fact, at the beginning of the nineteenth century the laity was not yet considered part of the Church, strictly speaking:

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3. Cf., "Laici," *Enciclopedia Cattolica* (Vatican City, 1951), VII, 814; Alexander O. Sigur, "Lay Cooperation in the Administration of Church Property," *The Jurist*, 13 (1953), 171–85.

4. Massimo Marcocchi, Claudio Scarpati, and Giuseppe Alberigo, eds., *Il Concilio di Trento: istanze di riforma e aspetti dottrinali* (Milan, 1997), 16 [original text in Italian].

5. Cf., "Laici," *Enciclopedia Cattolica*, 814. For a theological overview on the matter, see Paul Lakeland, "The Laity," in: *From Trent to Vatican II: Historical and Theological Investigations*, eds. Raymond F. Bulman and Frederick J. Parrella (Oxford, 2005), 193–208.

6. *Decrees of the Ecumenical Councils*, 2 vols., ed. Norman Tanner (Washington, DC, 1990), II, 740 (Council of Trent, session 22, *de reformatione*, canon 9); Sigur, "Lay Cooperation in the Administration of Church Property," 180.

> [In 1803] the category of "Church" essentially included only the clergy, while the devotees of the time were included, in general terms, in what was called Christian society or Christianity. As a consequence, Catholic laity did not exist yet and was not considered as an organizational reality.[7]

In Europe, the end of the *Ancien Régime* entailed the reduction of the role and the presence of the clergy in society and started the process of secularization. In the early decades of the nineteenth century, the Church rejected any form of participation of the Catholic laity in European society: it believed that the new social order would devolve into crisis and that the Church, together with conservative social forces, would then regain primacy. However, the French Revolution had stimulated new political engagement by European Catholics in the external society. The so-called "Christian Friendships," promoted between the late eighteenth and early nineteenth centuries by the Swiss Nikolaus Diessbach, were among the first expressions of Catholic interest in contemporary debate.[8] They were restricted to circles of lay people and clergymen who met to discuss current issues and promote a selected Catholic press. The Christian Friendships anticipated a lay interest in contemporary public debate, but their commitment remained elitist and private. More public initiatives followed in the first decades of the nineteenth century: in 1825 Daniel O'Connell founded the *Catholic Association* in Ireland to achieve the emancipation of Catholics in the United Kingdom; in France, Félicité de Lamennais, Charles de Montalbert, Charles de Coux, and Jean Bapstiste Henri Lacordaire founded the *Agence générale pour la défense de la liberté religieuse* in 1831 to contest the French state monopoly on education; in Italy, in 1848 the Jesuit Luigi Tapparelli d'Azeglio in his *Programma per l'istituzione di un comitato per gli interessi della chiesa in Sicilia* proposed the foundation of clubs and Catholic associations in Sicily that could participate in and influence public life.

During the second half of the nineteenth century, the Church gradually began to change its attitude. Through the social role of the Catholic laity and its associations, the Church saw an instrument with which it could retake society from within. There were two key moments in this shift: the establishment in Italy of the *Opera dei Congressi* in 1874, which

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7. Giuseppe Battelli, *Cattolici. Chiesa, laicato e società in Italia (1796–1996)* (Turin, 1997), 31 [original text in Italian].

8. Regarding the first requests for Catholic participation in liberal societies, see Liliana Ferrari, "La Chiesa e il potere politico," in: *La Chiesa e il potere politico dal Medioevo all'Età contemporanea*, eds. Giorgio Chittolini and Giovanni Miccoli [Annali della Storia d'Italia, 9] (Turin, 1986), 933–74.

organized the Italian Catholic opposition to the liberal State, and the 1891 promulgation of the encyclical *Rerum Novarum* by Leo XIII, which laid the foundations for Catholic political activism in late modern society.

During the nineteenth century, the first demands for greater lay participation in ecclesiastical life arose in Europe.[9] While the hierarchies gradually accepted, in a wider political context, the growing participation of Catholics in liberal societies, the already limited space for lay participation in the life of the Church decreased. The First Vatican Council, and in particular the dogmatic constitution *Pastor Aeternus* (1870), further emphasized the hierarchical dimension of the Church, affirming both papal primacy and the infallibility of the pontifical ministry. The role of the laity in the life of the Church during the nineteenth and early twentieth centuries was strictly subject to the clergy, in line with what Giacomo Martina has defined as a "pyramidal" ecclesiology.[10]

In 1917, the second book of the *Codex Iuris Canonici* (hereinafter, "1917 CIC") confirmed this approach.[11] Although the 1917 CIC affirmed that any believer became "a person in the Church of Christ" (Can. 87) by baptism, it also defined the laity negatively as compared to clerics and members of religious orders. According to canons 118–119, "Only clerics can obtain powers, whether of orders or of ecclesiastical jurisdiction, and benefices or ecclesiastical pensions. All the faithful should show reverence toward clerics according to the diversity of their grades and responsibilities, and they are struck by the crime of sacrilege if they ever inflict real damage on a cleric."

The reversal of this ecclesiological structure began only after the events of World War II, beginning with the publication of the works of Yves

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9. Giacomo Martina, *L'atteggiamento della gerarchia di fronte alle prime iniziative organizzate di apostolato dei laici alla metà dell'Ottocento in Italia* (Padua, 1969), 314 [original text in Italian].

10. Giacomo Martina, *Storia della Chiesa. Da Lutero ai nostri giorni,* 3 (Brescia, 1995), 117–18. The same perspective can be found in the encyclical letter *Vehementer Nos* of Pope Pius X, dated February 11, 1906. Full text available at: http://www.vatican.va/content/pius-x/en/encyclicals/documents/hf_p-x_enc_11021906_vehementer-nos.html.

11. If not otherwise indicated, all translations of the *Codex Iuris Canonici* of 1917 are taken from: Edward N. Peters, ed., *The 1917 Pio-Benedectine Code of Canon Law* (San Francisco, 2011). "The entire second book is actually based on the fundamental principle of hierarchy. . . . The consequences of such clerical privilege, acquired through ordination, established two sources of juridical membership: that of the *Ecclesia dominans* and that of the *Ecclesia oboediens*, that of the *Ecclesia docens* and of the *Ecclesia discens.*" Gaudenzio Zambon, *Laicato e tipologie ecclesiali: ricerca storica sulla «teologia del laicato» in Italia alla luce del Concilio Vaticano II (1950–1980)* (Rome, 1996), 73 [original text in Italian].

Congar and Gérard Philips in France, and of Raimondo Spiazzi in Italy.[12] This change was only fully realized with the dogmatic constitution *Lumen Gentium* of the Second Vatican Council, which placed the "people of God" as the protagonists of the Church, during a period long after the one studied here.[13]

Given this general framework, throughout the history of the Church there have been ways through which the laity has been allowed to contribute locally to ecclesiastical life in a position of subordination and dependence. This is the case for two institutions, the lay patronage and the council of the upkeep of the church, which had a new diffusion and original developments among Italian immigrants in the United States.

This article examines certain urban areas of Massachusetts, New York, New Jersey, and Pennsylvania. In addition to referring to the appropriate bibliography regarding the events of Italian immigration in the United States, it is important to recognize that the following case studies existed within a broader context of the redefinition of the ecclesial life of Italian communities in the United States.[14] These case studies focus on the years from 1860 to 1880 with regard to the rights of the upkeep of the church, and from 1880 to 1920 with regard to patronage rights.

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12. Yves Congar, *Jalons pour une thèologie du laïcat* (Paris, 1953); Gérard Philips, *Le rôle du laïcat dans l'Église* (Paris, 1954); Raimondo Spiazzi, *La missione dei laici* (Rome, 1952) (all cited in: *s.v.* "laicato," in: *Dizionario di ecclesiologia,* Gianfranco Calabrese, Philip Goyret, and Orazio Francesco Piazza, eds. (Rome, 2010), 789.

13. Jean Delumeau, *Histoire vécue du peuple chrétien* (Toulouse, 1979).

14. See the encyclical *Quam Aerumnosa,* written on December 10, 1888, by Pope Leo XIII and addressed to the bishops in the Americas. Leo XIII, *Quam Aerumnosa*, Vatican City, December 10, 1888 (original text in Latin. Official Vatican translation available at: http://www.vatican.va/content/leo-xiii/en/encyclicals/documents/hf_l-xiii_enc_10121888_quam-aerumnosa.html). For an updated analysis of the ecclesial life of Italian communities in the United States: Massimo Di Gioacchino, "La 'Questione Religiosa negli Stati Uniti'. Canone religioso e pratiche ecclesiali nelle comunità italiane nel Nordest degli Stati Uniti" (Ph.D. Dissertation, Pisa, 2018). See also Maddalena Tirabassi, "La religiosità degli immigrati attraverso le inchieste dell'epoca della grande emigrazione," in: *L'Europa e la sua espansione religiosa nel continente americano,* Luciano Vaccaio, ed., (Milan, 2012), 477–514; Richard N. Juliani, "Italian Americans and Their Religious Experience," in: *The Routledge History of Italian Americans*, William J. Connell and Stanislao G. Pugliese, eds. (New York, 2018), 193–211; Peter D'Agostino, *Rome in America. Transnational Catholic Ideology from the Risorgimento to Fascism* (Chapel Hill, NC, 2004); and Robert A. Orsi, *The Madonna of 115th Street: Faith and Community in Italian Harlem*, *1880–1950,* 3rd. ed. (New Haven, CT, 2010).

B. *Consigli di fabbrica*, Board of Trustees, and Upkeep of the Church Rights

In Italy, the right of the upkeep of the church (in Italian, *diritto di fabbriceria*) has been that set of customs and concessions through which the laity, over the centuries, has been allowed to participate in the maintenance and management of ecclesiastical assets.[15] In the early Church, the management of ecclesiastical assets was the prerogative of the bishops. With the increase of assets over the centuries, it became necessary to delegate the administration of the buildings to clerics and local laity. Such rights were usually bestowed temporarily on certain individuals by a bishop, and they would then constitute themselves as a council. The first regulation of the councils of the upkeep of the church came from the Council of Trent, but particular diocesan traditions and customs made up the law in following centuries.[16]

In the United States, even before the official establishment of the Catholic hierarchy in 1789, the councils of the upkeep of the church became soon identified by European immigrants with their American civil counterparts, the "board of trustees" or vestry in the Episcopal Church. Such boards were administrative committees of ecclesiastical patrimony, in particular of the parish, composed in part or exclusively of laymen. Boards of trustees recalled the European councils of the upkeep of the church, but gained their strength from and were subject to American civil law. Historically, they did not just manage ecclesiastical assets under clerical supervision, as they should have if authorized to do so. In some cases, they also claimed the right to manage the spiritual administration of the churches, for example electing a priest—a privilege usually enjoyed by patrons. Whereas for the Church such boards were subject to canon law and to the episcopal authority—who had absolute authority and could decide, without having to give explanations, if and when to authorize the boards—for American civil courts, churches were subject to civil law.[17] Their management was the owners' and their representatives' right.[18]

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15. For an overview on the evolution of canon law on church property, see John F. Coughlin, *Canon Law: A Comparative Study with Anglo-American Legal Theory* (New York, 2011), 97–138.

16. See note 6 above.

17. In the United States, the relevant civil law governing church property has been state, not federal, law. In 1863, the State of New York permitted the incorporation of church property in the form of a "parish corporation" with five trustees—three ecclesiastics and two laymen chosen by them. This form of incorporation resembled the canonical model of a parish benefice and provided hierarchical control of property. In 1933, when Patrick Dignan wrote

Among American Catholic historians, the term *trusteeism* refers to the disputes and conflicts that happened between boards of trustees and ecclesiastical hierarchies.[19] One of the most common disputes between bishops and parishioners involved the choice of the pastor. The phenomenon of trusteeism, which had spread in the United States between the late eighteenth and nineteenth centuries, was controlled by American episcopacy with decrees approved during their synods and councils, which progressively reaffirmed the bishops' authority over their parishioners and the supremacy of canon law over American civil law.

The First Synod of Baltimore of 1791 allowed each parish priest to have two or three *curatores* who could assist him in financial matters.[20] Such concessions immediately led to so many abuses that the First Provincial Council of Baltimore (1829) determined that no church could be erected without being legally assigned to the respective bishop, and that

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his study, the law stated, "No act or proceeding of the trustees of any such incorporated church shall be valid, without the sanction of the archbishop or bishop of the diocese to which such church belongs." In the same year, Massachusetts allowed church property to be incorporated in the form of a "parish corporation" with a clergy majority, very much like New York State. The archbishop of Boston incorporated as corporation sole through special laws. New Jersey also required a "parish corporation," but with the advantage of having only ecclesiastics as trustees. Today, Massachusetts, New York, and New Jersey still require the creation of corporation aggregate to incorporate church property. Patrick Joseph Dignan, *A History of the Legal Incorporation of Catholic Church Property in the United States (1784–1932)* (Washington, DC, 1933), 252, 256. See also Vicenc Feliu, "Corporate Soul: Legal Incorporation of Catholic Ecclesiastical Property in the United States: A Historical Perspective," *Ohio Northern University Law Review* 40, no. 2 (2014), 446, 449; and Beal, "It's Deja Vu All Over Again: Lay Trusteeism Rides Again," 551.

18. As this article will clarify later (see below, n. 39), this had not been the case in Italy, except for a short period. Indeed, after the French revolution, the concordat signed by Napoleon and Pope Pius VII on July 15, 1801 was followed by similar arrangements in the territories controlled by the French empire (1804–15), such as Italy. In the northern area of Italy, the new arrangements transformed the councils of the upkeep of the church into independent institutions not controlled by the clerical hierarchy, and in many cases attributed the spiritual administration of the local church to the civil entity that administered the property.

19. McNamara defines trusteeism as "a form of insubordination in which lay parishioners, particularly lay parish trustees, on the basis of civil law claimed excessive parochial administrative powers and even the right to choose and dismiss pastors." Robert. F. McNamara, "Trusteeism," *New Catholic Encyclopedia* (Washington, DC, 1967), XIV, 323–25, here 323. See the whole encyclopedia entry for an overview on the matter (323–25). In defining the hierarchy's approach to trustee demands, Carey identifies two different strategies: a "republican approach" and a "monarchical response." See Carey, "Two Episcopal Views of Lay-Clerical Conflicts: 1785–1860," 85–98.

20. On the decisions of the plenary councils of Baltimore, see Peter Guilday, *A History of the Councils of Baltimore (1791–1884)* (New York, 1932), 242, 268.

trustees did not have any patronage rights over churches. The Fourth Provincial Council of Baltimore (1840) invited bishops to sue trustees if American civil law allowed them to regain ecclesiastical property. Subsequent councils referred several times to the importance of bishops leaving a clear will before their death: this would encourage a legitimate episcopal succession within the Church. Title IX of the decrees of the Third Plenary Council of Baltimore (1884) reaffirmed that bishops were the supreme administrators of the entire ecclesiastical property of the diocese, and that parish priests were their direct representatives. The same council established that trustees must be appointed by the parish priest with the bishop's authorization, and that trustees had to be model Catholics within their own community. Moreover, all the property had to be registered under the bishop's name.

It is important to emphasize that trusteeism was not only a form of lay participation and opposition in American history, but also one of the ways through which Catholicism established itself in the newborn American republic. This is shown in the juridical itinerary with which the first Catholic church was established in New York in 1785. Immediately after the foundation of the republic, New York Catholics requested the city authority's permission to build a Catholic church, and appealed to the constitutional principle of religious tolerance. City authorities rejected the petition, as they considered the presence of the Catholic Church to be a threat. New York Catholics thus decided to incorporate and form their own board of trustees, subject to civil law, and to purchase land lots. As Dolan has noted, under property rights, they managed to build the first church in New York, St. Peter's Church, in 1785.[21]

Trusteeism spread, in specific periods, to the oldest Italian parishes in the United States: St. Anthony of Padua in New York and St. Mary Magdalen de Pazzi in Philadelphia.[22] In Philadelphia, parishioners of St. Mary Magdalen de Pazzi—who were in conflict at that time with Bishop James Wood over the management of the parish priest Gaetano Sorrentini—wrote to Propaganda Fide on June 4, 1867 to inform them that they had taken possession of the Italian parish and had formed a board of trustees:

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21. Jay P. Dolan, *The American Catholic Experience. A History from Colonial Times to the Present* (Garden City, NY, 1985), 159–60.

22. On the history of Italian communities in Philadelphia, see Richard N. Juliani, *Building Little Italy: Philadelphia's Italians before Mass Migration* (Philadelphia, 1998); and Richard N. Juliani, *Priest, Parish and People: Saving the Faith in Philadelphia's "Little Italy"* (South Bend, IN, 2007).

> Following those excesses, the Italian Congregation was solicited to organize a general assembly of all the Italians residing in Philadelphia in order to elect trustees [*Fabbriceri*] to manage the material interests of the church, and also to suggest the best way to administrate it spiritually, and in fact on January 22, 1867, nine trustees [*Fabbriceri*] were elected. . . . Under such pressure, since they could not receive any answer to their legitimate questions and wanted their rights granted by United States Law, on May 20, they entrusted the church to the elected Administrators, and simultaneously requested the installation of Father Massi in order to administer the holy sacraments to devotees. . . .[23]

This letter, written by the Italian immigrants, contains important facts worth highlighting. First of all, the congregation summoned all the Italians who lived in Philadelphia, giving the assembly and the consequent election, held on January 22, 1867, a distinctly "democratic" and popular character. Secondly, among the responsibilities that the trustees claimed was that of suggesting "the best way to administrate spiritually" the church. They actually elected their own priest, Father Massi, in order for him "to administer the holy sacraments to devotees." Thirdly, in their letter to ecclesiastical authorities, Italians appealed to "the rights given to them by the laws of the United States," thus using American civil law to support their ecclesiastical claims.

As a response, Bishop Wood closed the parish and threatened to excommunicate anyone who attended church functions. In a letter to Propaganda Fide dated December 1867, he wrote:

> First of all, to show clearly the interest that I had for them, I sent them my secretary or some priest of my [religious] family to celebrate Mass twice every Sunday. What did these scoundrels do? Through an announcement in the Gazette they gathered Italians and by a law of the civic government, whose aim was to disturb every ecclesiastical property, they elected Trustees, *Fabbriceri*, people as bold and presumptuous as rude and ignorant. I came to the church, with the Gen. Vic. Rev. O'Hara and his secretary, and I preached in Italian, asking them to abandon this illicit procedure, which could only bring unfortunate consequences. . . . Continuing with their arrogance, they changed locks on the church doors and on the priest's house, and made new keys, proclaiming their intention to manage the temporal goods of the church as if they owned it.[24]

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23. Archives of Propaganda Fide (hereinafter, "APF"), SCAC (1868–1869), vol. 22, ff. 320–321, Congregazione italiana della Chiesa di Santa Maria Maddalena de Pazzi to Pio IX, Philadelphia, June 4, 1867 [original source in Italian].

24. APF, SCAC (1868–1869), vol. 22, ff. 323v.–324, James Wood to Cardinale Barnabò, Philadelphia, December 1867 [original source in Italian].

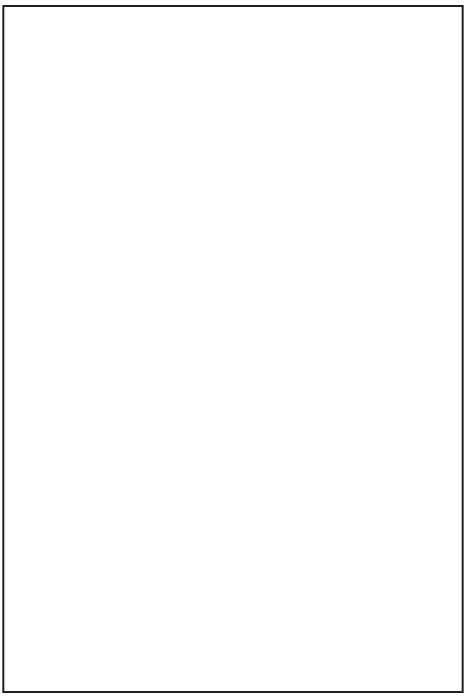

Figure 1. St. Mary Magdalen de Pazzi Church. Public Domain. Source: Edwin F. Durang, *E. F. Durang's Architectural Album* (Philadelphia, ca. 1900), 46.

Bishop Wood's letter describes the Italian immigrants' ability to carry on their battle against ecclesiastical authorities on a concrete level, for example by changing the locks of the vicarage and the church. A note written on the letter by the Propaganda Fide secretary, Annibale Capalti, testifies that in the hearing on August 11, 1867, Pope Pius IX expressed his disapproval of the "semi-schismatic conduct used by Italians," but he also asked the bishop to "use zeal to elect a respectable Italian priest . . . that by his example could make them come to their senses," thus acknowledging in part their demands.[25]

25. APF, SCAC (1868–1869), vol. 22, f. 319, Congregazione italiana della Chiesa di Santa Maria Maddalena De Pazzi to Pius IX, Philadelphia, June 4, 1867. The precise conclusion of the conflict is still not clear. As Juliani points out, "After months of silence, in a letter to Propaganda Fide in early April 1868, Wood reported 'the happy news that our good Italians have made a full and most perfect submission'" (Juliani, *Priest, Parish, and People,* 30). The first rector after the turmoil was the Jesuit Charles Cicaterri.

Less than ten years after that episode, on April 26, 1875, the Italian immigrants of the parish of St. Anthony of Padua in New York sent a letter of protest to Propaganda Fide against the administration of the Franciscan friars. It started by mentioning the origin of the church:

> It has been eight years since we, the Italians living in New York, understanding how difficult it is for our recently arrived compatriots to fulfill their religious duties in a foreign state for the difference in language, erected with Archbishop McCloskey's approval a church that, officiated by Italian priests, would serve as a consecrated temple to the duties of our religion. . . .[26]

After recalling the hopes that had accompanied the Franciscan friars' arrival, the letter accused the friars of having offended Italian immigrants, having refused to help them on several occasions, including with a dying person, and finally of having acted as "the owners of the Church." The letter continued:

> The way in which they administer the interests of the church is so deplorable that if, as in any other church of the city, we had trustees as promised, not only we would have a church second to no other, but we could also support other pious institutions. . . .[27]

The letter is significant for multiple reasons. First of all, the Italians declared that the parish was founded by them "with the archbishop's consent," and not by the archbishop himself. Secondly, they referred to the Franciscan friars as those who had been "entrusted" with the church and who had only to "officiate." Thirdly, even though the immigrants stated that all other churches of the city had trustees, at the time trustees were usually elected by the archbishop and had a merely legal role. Fourthly, from the letter it seems that the Franciscan friars had promised to elect the trustees without following through. This was perhaps a strategy used by the friars to placate a potentially rebellious congregation.

Trusteeism had profoundly American legal and cultural traits, that were difficult to understand even for an experienced bishop like Giovanni Scalabrini[28] (see figure 3). This is evident from a letter that Scalabrini sent to Michael Corrigan on April 13, 1889:

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26. AANY, G-69, Pietro Soldini to Mons. Cesare Arata [Prior of the Confraternity of St. Anthony], New York, April 26, 1875 [original source in Italian].

27. Ibid.

28. Giovanni Battista Scalabrini (Fino Mornasco, Italy, 1839—Piacenza, Italy, 1905) was bishop of Piacenza from 1876 until his death in 1905. In 1887, he founded the

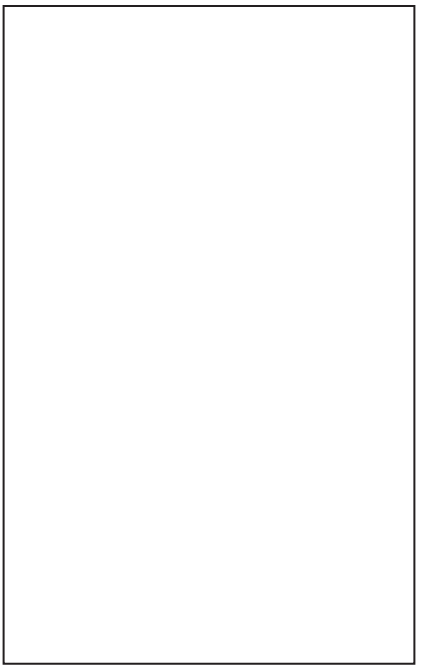

FIGURE 2. The 1886 architect's drawing of St. Anthony of Padua Church, New York City. n.d. Public Domain. Source: www.nycago.org©.

> I received several letters from the Italians of New York which contained bitter lamentations and threats of riots over assets, I do not know which, that ecclesiastical Curia, as they say, holds and that should be theirs for the purchase of the church. They also mentioned the legal ownership of the church, in a way that I can understand very little.[29]

Congregazione dei missionary di San Carlo for Italian emigrants, commonly known as Scalabrinians. Supporter of the conciliation between State and Church in Italy, in 1885 he wrote the pamphlet *Intransigenti e transigenti, osservazioni di un vescovo italiano* (Bologna, 1885). He was the author of several letters and writings concerning catechetical issues (e.g., *Il Catechismo Cattolico* [Piacenza, 1877]) and the problems of Italian emigration to the Americas (e.g., *L'emigrazione italiana in America* [Piacenza, 1887]). He died in Piacenza in 1905.

29. General Scalabrinian Archives, EB 01-04 (photocopy of the original in AANY), Giovanni Scalabrini to Michael Corrigan, Piacenza, April 13, 1889 [original source in Italian], reported in Silvano M. Tomasi and Gianfausto Rosoli, eds., *Scalabrini e le migrazioni moderne. Scritti e carteggi* (Turin, 1997), 258.

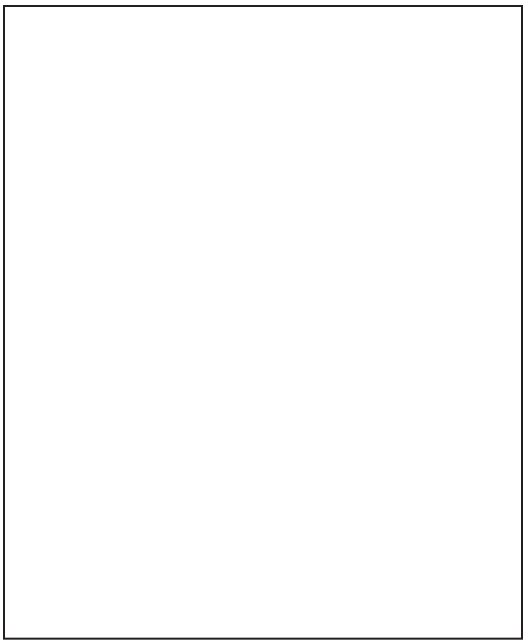

FIGURE 3. Giovanni Battista Scalabrini (1839–1905), Bishop of Piacenza (1876–1905). Public Domain. Source: https://commons.wikimedia.org.

This indicates that some Italian immigrants were so competent in American civil law that they could regularly correspond with a bishop and support their claims. It also attests to the existence of claims potentially similar to those previously described among Italian immigrants in the following period. From what can be inferred, as in the cases described, Italians had collected a significant amount of money and wanted to use it to buy the church themselves. Presumably, they aimed to claim legal possession of the church and to create a board of trustees. The curia perfectly understood the risks and "kept in its hands," according to the words used by Italian immigrants, the capital they had collected.

According to the 1917 CIC, later approved, there were rules and customs by which lay people could participate in the administration of the ecclesiastical patrimony: "If there are others, whether clerics or lay, who work together in the administration of the goods of some church, they constitute, together with the ecclesiastical administrator. . . , the Council of the upkeep of the church. Members of this Council . . . are appointed by the Ordinary or his delegate, and by him for grave cause they can be

removed" (Can. 1183).[30] According to the 1917 CIC, councils were chosen and dismissed by the ordinary, and lay people lacked any independent right to be part of them.

Unlike what was affirmed by the provincial and plenary American councils, and afterwards by the 1917 CIC, some Italian immigrants in the United States claimed and formed boards of trustees without authorization. They considered the boards to be representative of the community, and they legitimated them, as in the case in Philadelphia, with popular elections. Italians considered such councils as entities which administered the general well-being of a parish, even though they were theoretically only responsible for the material patrimony of the church—i.e. of the "building," as subsequently prescribed by the CIC: "The Council of the upkeep must take care of the correct administration of the goods of the church. . .; but in no way shall it involve itself in those things that pertain to spiritual duties" (Can. 1184). The fact that in some cases such councils claimed the right to elect their parish priest is one of the elements that suggests, as will be clarified later, the existence of a certain confusion among Italian immigrants between "rights of the upkeep of the church" and "patronage rights."

This article has noted that trusteeism in the United States preceded the arrival of Italian immigrants. Also, in the period preceding the Civil War, it probably played a more prominent role than it did among Italian immigrants in later years. Moreover, trusteeism among Italians was not as widespread as it was among German immigrants, and the tradition of the secular care of the ecclesiastical building existed in Italy too.[31] Therefore, at first glance, certain ecclesial practices that seem to be common in the history of American Catholicism apparently can be tracked back also to Italy.

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30. While the 1917 CIC is not necessarily relevant to the understanding of the facts described here, it is necessary to understand its place in the evolution of canon law. The goal of the 1917 CIC was to aggregate the enormous number of rules and popular customs developed within the Catholic Church throughout the centuries into a universal text for easy reference. The redaction started earlier than 1917, in March 1904, with the *motu proprio*, *Arduum Sane Munus*. On the one hand, the 1917 CIC is an instrument that reflects neither the historical nor the geographical evolution of canon laws, and its publication tried to correct more than to validate certain rules and customs. At the same time, however, the 1917 CIC systematized a general juridical frame of Canon Law of the time. In this case, it confirmed the rulings of the American bishops regarding patronage rights and rights of the upkeep of the church produced throughout the nineteenth century (see below note 64).

31. Dolan, *The American Catholic Experience*, 175–76.

However, there were differences. In Italy, the parish priest usually chose the *Fabbricieri* according to his will, while in the United States Italian trustees were elected by parishioners and aimed at being the representatives of the church community. In Italy, and more generally in Europe, these individuals usually came from the local aristocracy and represented the interests of wealthy families;[32] in the United States the access to the upkeep of the church was extended to lower social classes, even though they were relatively wealthy in the context of impoverished Italian immigrant communities. Moreover, late-eighteenth- and early-nineteenth-century trusteeism was situated in a profoundly different period of American Catholic history, in which many dioceses were not yet formed, and bishops could not even visit them all during their lives. It was the product of a Church which was growing spontaneously in a time that was characterized by the absence of a solid ecclesiastical structure. Trusteeism in the late nineteenth century and early twentieth century, on the other hand, occurred in an era during which Catholicism had already established its roots in the urban areas of the Northeast, when there were seminaries in many American dioceses and a North American College in Rome, and when anti-Catholic hostility had diminished.[33]

C. Lay Patronage and Patronage Rights

Patronage was the right possessed by a cleric or a layperson to choose the rector of a vacant benefice and to present them to the ecclesiastical authority in order to obtain their formal investiture.[34] In Italy, over time, ecclesiastical benefice often became disconnected from its original office. It became an honorary asset whose value, together with the possible right to an annuity, had precedence over the existence of the corresponding sacred

32. Carey, *People, Priests, and Prelates,* ix.

33. Carey, *People, Priests, and Prelates*, 288.

34. See Gaetano Greco, "I giuspatronati laicali nell'età moderna," in: *La Chiesa e il potere politico dal Medioevo all'Età contemporanea*, eds. Giorgio Chittolini and Giovanni Miccoli, [Annali della Storia d'Italia, 9] (Turin, 1986), 538; John A. Godfrey, *The Right of Patronage according to the Code of Canon Law*, including the appendix regarding the United States (Washington, DC, 1924), 141–45; and John J. Coady, *Appointment of Pastors* (Washington, DC, 1929), especially 25–27. Unknown to many American scholars, Gaetano Greco's studies are probably the most comprehensive and complete historical analysis of the *Ius Patronatus* and *Consilia fabricate ecclesiae* in Italy. Ecclesiastical benefice can be defined as "those sacred offices enjoyed individually by clerics and founded with two essential characteristics, the intervention of a power of the ecclesiastical hierarchy and a presumable perennialism of the office itself." Greco, "I giuspatronati laicali nell'età moderna," 535 [original text in Italian].

office and its possible obligations. Benefice could be, then, the dowry of a sacred office, such as the parish or an episcopacy.

In addition to choosing the rector, patronage was characterized by other rights, such as having a special place within the church, preserving and maintaining the church building, and being able to request a pension in case of poverty. As noted by Gaetano Greco, the social value of the honorific rights of the patronages should not be underestimated:

> Even if difficult to evaluate in economic terms, the social relevance of the honorary *ius* should not be overlooked: both in a desolate country village or in a populous district of a rich city, [in Italy] the enjoyment of the perpetual use of a separate place in the church was the visible and conspicuous sign of prestige, which was the result of a remote origin or of a sure and substantial wealth.[35]

Laypeople could become patrons in different ways, mainly by participating in the establishment of a church, a chapel, or a benefice. Historically, the lay patronage had a specific characteristic when compared to the ecclesiastical patronage: it was situated on a juridical level between the civil and religious spheres.[36]

In the history of the Church, one can recognize three types of lay patronage: a private type linked to individuals or families; a public or community type; and a third linked to the holders of state political power. Within the second category, that of the community patronage, two types can further be identified: a community patronage linked to an official magistracy or to a restricted group, and a community patronage extended to a whole village or a specific territory.

In the United States, even though the right of patronage has never been legally recognized by the Holy See due to the absence of canonical requirements, it was often invoked and legitimized through the lay ownership of church property.[37] This happened despite the fact that lay patronage

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35. Greco, "I giuspatronati laicali nell'età moderna," 539.

36. "But the substantial difference [between secular and ecclesiastical patronage] . . . is another. . . : while the ecclesiastical patronage was strictly contained within the ecclesiastical jurisdiction and, consequently, was liable to any reform or intervention coming from the Church, instead the lay patronage lay in a border area, between Church and society, where the common law could not be trampled and violated gratuitously." Ibid., 540.

37. "The right of patronage was not granted to the Catholic people in the United States for a multitude of reasons. First, it was a privilege of the common law of the Church. Since we were a missionary country, and under the jurisdiction of Propaganda, the common law

in Europe had not required and had not been linked to the civil status of church buildings since the Gratian era.[38] Granting patronage historically has been a free act of the church authority, even if the outcome resulted from the generosity of a layperson. In Italy, the recognition of the juridical person of the Catholic Church, valid in several Italian states before the Italian unification, made it sufficient for a place to be officially considered "sacred place" in order to be subject to canon law.[39]

More generally, before 1917, Canon Law did not reference the ownership of a church. Canon Law was only concerned with the *aedificatio* (establishment) and *reparatio* (upkeep) of the buildings. The same view is present in the Holy See documents of the early nineteenth century that concerned the United States, such as the apostolic letter *Non Sine Magno,* issued by Pope Pius VII on August 24, 1822. In that letter, he asserted "the bishop's right to indirect or supervisory administration over the trustees' direct administration of the goods of their churches."[40] John Beal has explained that "these episcopal rights derived not from a claim to ownership of the property of the church but from the fact that the building had been solemnly dedicated to divine worship."[41]

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did not apply in our country. Secondly, ever since the Council of Trent, it was the mind of the Church to limit the right of patronage as much as possible. Furthermore, in mission countries (such as the United States was at the time of the councils quoted) where the common law does not obtain, and where benefices in a strict sense do not exist, great freedom is necessary in the election and removal of priests, and hence the right of patronage is ordinarily not admitted. Wherefore, in the collection of the Propaganda of the Faith, there is but very rare mention of the jus patronatus—perhaps only two references to it in the whole collection." Godfrey, *The Right of Patronage according to the Code of Canon Law*, 142–43.

38. Paul G. Kauper and Stephen C. Ellis, "Religious Corporations and the Law," *Michigan Law Review,* 71 (1973), 1520–27.

39. Giuseppe Corazzini, *La parrocchia nel diritto italiano: storia, legislazione, dottrina, giurisprudenza* (Turin, 1900), 700–26, in particular 702–04. As Corazzini notes, in the Albertine Statute (which is the constitution that Charles Albert of Sardinia conceded to the Kingdom of Sardinia in Italy on March 4, 1848), all the single benefices and ecclesiastical institutions were recognized as the property of the same universal juridical person named "Church". The same kind of legislation existed in the statutes of Parma, Ferrara, and Naples (Corazzini, *La parrocchia nel diritto italiano: storia, legislazione, dottrina, giurisprudenza*, 703). After the Italian unification, the Italian Civil Code did not recognize the universal juridical person of the Church anymore—only that of ecclesiastical institutes, the only institutions that could enjoy rights derived from being a juridical person. As a consequence, parishes were no longer automatically considered property of the Church.

40. Beal, "It's Deja Vu All Over Again: Lay Trusteeism Rides Again," 529.

41. Beal, "It's Deja Vu All Over Again: Lay Trusteeism Rides Again," 529. Even today, through canon 113 of the 1983 CIC, the Church claims to be a "moral person" by "divine ordinance itself," which means that it does not need to be recognized by any civil law. In

It is important to be cautious when using the term "patronages" for the United States, for at least three reasons. First of all, as previously mentioned, there was no concept of ecclesiastical benefice in the United States and, therefore, canonically speaking, of patronage as it was known in Italy. Secondly, in many cases there is no documentation proving that actual patronage rights were granted to those invoking them, such as groups of laypeople. It is clear, instead, that many claims were made to push ecclesiastical authorities to grant patronage rights, and that many people or groups *de facto* exercised those rights. Third, it should be stressed that such rights occasionally were claimed by the "board of trustees," that is, by civil institutions based on American civil law, and not on canon law. This shows the complex relationship between patronage rights and rights of the upkeep of the church in the American context, and more generally between canon law and civil law.

Although establishing places of worship has always been the juridical prerogative of the clergy, it can be attributed historically to different subjects and interests. As Jay Dolan explained, in the United States during the late nineteenth and early twentieth centuries, the founding of Italian churches was often the result of actions by Italian lay committees and confraternities.[42] When Italian immigrants promoted, supported, or actively participated in establishing a church, they claimed in some cases their presumed patronage over the churches. Italian immigrants were aware that being involved in founding a church would later allow them to claim patronage rights, sometimes appealing to civil law, and other times to canon law, depending on which served them better.

One of the most interesting cases relates to the founding of the Sacred Heart Church in Boston in 1884.[43] In that year, the Italian immigrants of

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canon 1254, it also claims to have the "innate right" to "acquire, retain, administer, and alienate temporal goods independently from civil power." Constitutio Apostolica Ioannis Pauli PP. II « Sacrae disciplinae leges», 25 Ianuarii 1983. Official Vatican translation to English available at: < https://www.vatican.va/archive/cod-iuris-canonici/cic_index_la.html >

42. Dolan, *The American Catholic Experience,* 174. See also: Jay P. Dolan, ed., *The American Catholic Parish. A History from 1850 to the Present,* 2 vols. (New York, 1987), I, 45–46. In his 1985 work, Dolan mostly relied on secondary literature to inform his interpretations due to the limited secondary sources and information available at the time. In particular, the canon law studies relevant to trusteeism and lay patronage in the U.S. were few or nonexistent. For this reason, the volume should be used as an introductory text and should be accompanied with the more specific texts mentioned in this article.

43. Regarding the events described in this paragraph, see Anna Maria Martellone, *Una Little Italy nell'Atene d'America. La comunità italiana di Boston dal 1880 al 1920* (Naples, 1973), 268–70. While one would commonly translate the term *Fabbriceria* as "rights of the upkeep of the church," in this case the Italian term is maintained due to its link to the specific Italian context.

Boston formed the *Società San Marco* (St. Mark Society) in order to establish an exclusively Italian church. Their desire was to free themselves from the management of the Franciscan priests of the parish of St. Leonard of Port Maurice, and to become autonomous "according to the Italian *Fabbriceria* system."[44]

In the following year (1885) about 420 members, being heads of families, added to the Society about two thousand people. In May 1884, the Society purchased a Baptist church in North Square with the purpose of converting it into an Italian Catholic church, and in June 1885 the Society asked the archbishop of Boston, John Williams, to acknowledge it officially. The archbishop refused the request. On the one hand, he preferred keeping the community under the care of the Franciscans of St. Leonard of Port Maurice; on the other hand, he feared the methods of constitution of the church and the possible future claims by the members of the Society. The Society, disappointed by the decision, in 1886 directly addressed the Holy See, sending to Rome its own representative, Tommaso Brichetto, to request an intervention in the issue of the parish recognition. The Holy See acknowledged the requests of the Society, but urged it to proceed in a hierarchical way, and thus to pass through the authorization of the archbishop of Boston. After that attempt, Anna Maria Martellone wrote:

> As the conflict with Mons. Williams continued, the members of the Society resigned themselves to listen to Mass in English-speaking churches but gathered in what they considered as their church for every other religious ceremony that did not need a consecrated place. In the North Square church, lay members of the Society gathered to read and explain excerpts from the Gospel, to celebrate vespers, to recite the rosary, to sing litanies.[45]

The Scalabrinian priest, Francesco Zaboglio, who arrived in New York on July 20, 1888, contacted the Society to resolve the dispute.[46] Giovanni

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44. On St. Leonard of Port Maurice Church, see Leonard Bacigalupo, OFM, *A Franciscan Saga: The History of the Province of the Immaculate Conception* (New York, 1986); and Giacomo Gambera, *A Migrant Missionary Story: The Autobiography of Giacomo Gambera* (New York, 1994).

45. Martellone, *Una Little Italy nell'Atene d'America,* 270.

46. Francesco Zaboglio (Campodolcino, Italy, 1852—Como, Italy, 1911). A Scalabrinian priest, Zaboglio was born in Campodolcino, Lombardy, on February 25, 1852. He entered the Scalabrinian congregation on April 10, 1888 and left the same day for the United States as first secretary general of the Scalabrinian congregation. Zaboglio became the first parish priest of Sacred Heart in Boston from September 1888, to February 1889. In October 1890, Scalabrini appointed him vicar general of the congregation and the following year he

Scalabrini, informed of the situation by Zaboglio himself, wrote to the Propaganda Fide prefect on September 8, 1888:

> I do not know if Y.E. knows it, but in Boston there is a congregation of Italians which has its own church, but that is not willing to depend on the local clergy, I do not know why. Those poor people, many thousands of them, gather in the church for every celebration; here, they chant Kyrie, Gloria, Credo, etc., and they recite the Rosary. Then they return there at night for Vespers and for a second recital of the Rosary, all of this always without a priest. They are not willing to go to the church that has been assigned to them by the archbishop. After many petitions by those immigrants, therefore I decided to send there F. Zaboglio, General Secretary of our Congregation, to see if and how the serious issue can be resolved: let us hope so and, if the archbishop consents, I will send there two missionaries with some catechists. I will not fail to write you again soon about that.[47]

As Giovanni Scalabrini wrote, the crucial issue of the church of the Sacred Heart was that the Italian immigrants did not want to "depend on the local clergy." In order to preserve their autonomy, they gathered in what they considered to be their church "always without any priest." Anna Maria Martellone, in 1973, perceived it to be an extraordinary situation and wrote:

> We are certainly in the presence of an experience of conscious involvement of the community in religious life, which would surely be surprising for the period and place. . . ; a sort of community self-management of the religious experience which would surprise and deeply trouble the Boston episcopate and which at least partly contradicts what has always been said, and to what I would readily subscribe, on the mediocre religious interest of Italian emigrates.[48]

The dispute between the San Marco Society and the archbishop of Boston was resolved through a negotiation led by Zaboglio. The archbishop demanded the closure of the church of North Square as a prerequisite for a signed agreement. He declared that he was willing to recognize the

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contributed to the founding of the New York headquarters of the Saint Raphael Society for Italian Immigrants. In 1892, he first established the parish of St. Lazarus in Orient Heights, Boston, then returned to Piacenza on the orders of Scalabrini, who wanted him to be rector of the motherhouse of the Congregation. In 1896, he replaced the priest Pietro Bandini as the head of the Saint Raphael Society and became parish priest of Our Lady of Pompeii in Manhattan, a role he held until 1899. Zaboglio died on September 3, 1911.

47. Mario Francesconi, *Inizi della Congregazione scalabriniana (1886–1888)* (Rome, 1969), 128 [original source in Italian], quoted in Martellone, *Una Little Italy nell'Atene d'America,* 271–72.

48. Martellone, *Una Little Italy nell'Atene d'America,* 270–71 [original text in Italian].

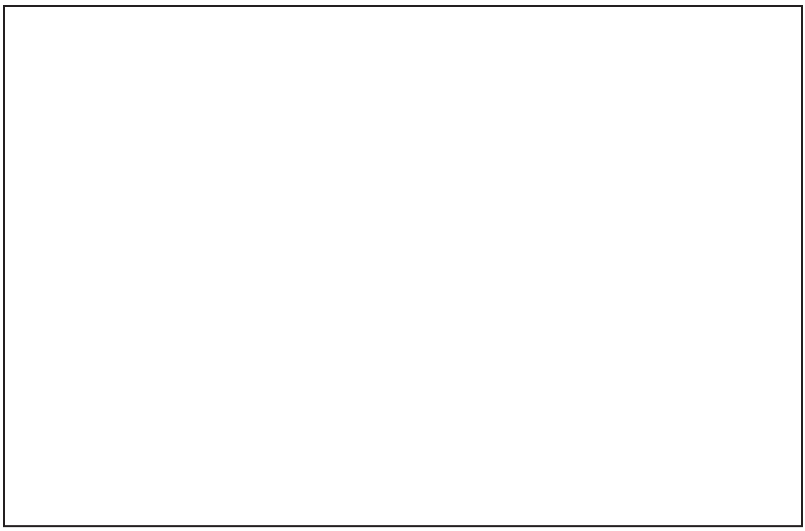

FIGURE 4. The Sacred Heart Church in North Square, Boston, in a postcard of 1909. Source: Kathys Postcard Emporium©.

church if the Society ceded the property to him, and he would, according to the potential agreement, give Italians exclusive use of the church.[49] The agreement was signed. The parish was inaugurated on May 25, 1890 and entrusted to the Scalabrinians.

In April 1903, Italian immigrants residing in New York's Fordham area established a committee to obtain the archbishop's authorization to construct an Italian church. The committee, called *Società di Mutuo Soccorso della Madonna Ss. Del Carmine,* asked the archbishop to build an Italian parish in the area that was inhabited by about 2,000 Italians:

> Excellency, interpreting the need and the feelings of 2,000 Italians residing in Fordham, we have assembled a committee to obtain from his Excellency the construction of a Catholic church for Italians in this country. The lamentations of so many people missing a temple for religious practices are huge and we omit any description, because you better than anyone else realize the impossibility of this state of things.[50]

49. Martellone, *Una Little Italy nell'Atene d'America,* 272.

50. Archives of the Archdiocese of New York (hereinafter, "AANY"), D7 B-13, M. Socc. Della M. SS. del Carmine to Michael Corrigan, New York, April 1903 [original source in Italian].

The committee wrote that it had "a sole request": the concession of a room for the committee's social gatherings, in which "to keep a visible plaque of names and sums of the donators, and to keep the money collected from us deposited in the bank."[51] Such requests were fundamental for Italian immigrants: to keep a visible plaque with the names and the sums of the initial Italian donors in the church could later let them claim patronage rights over priests and other ethnic communities; to manage the "money collected" meant to be in part independent from the local clergy in organizing social events, like processions, and in other aspects of the administration of the church.

The petition that the Italian immigrants of Corona, Queens, wrote in 1914 to the Bishop of Brooklyn, Charles McDonnell, is also notable. They similarly wished to establish an Italian church:

> For several times the Italian people of Corona, L.I., have presented formal request to Your Excellency to have an Italian church. In the past summer the same request was renewed with 60 more signatures added, but in vain we waited for your answer. Now, the same Italian people, gathered in religious congregation under the title of Maria SS. Assunta in Cielo in Corona, L.I., in its extraordinary meeting of yesterday, February 13, nominated a Committee charging it to beg Your Excellency to consider the following: The Italian people of Corona, L.I., do not have a Church in which they may be instructed in the faith according to the traditional, glorious, millenary *decoro* of which Italy is the noble example to the world. The Italian people, as any other people, share in the benefits derived from the passion of Jesus and the sorrows of Mary. Since they have only one soul to save and since they must receive the sacraments, they need to have a church in their language and not in a foreign one. Two lots are ready where we can build; and therefore we ask your authorization and the ritual blessing at the proper time. We have two Italian priests, who, having given us proof of their correct behavior, prudence, and priestly zeal through the school of Italian and music, deserve our satisfaction and our gratitude. We of the Committee hope to have a consoling and decisive answer that we demand in the name of Jesus and Sorrowful Mary.[52]

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51. Ibid.

52. Archives of the Diocese of Brooklyn, Francesco Paolo Riccardi *et alia* to the bishop McDonnell, Corona, February 14, 1914, quoted in Silvano M. Tomasi, *Piety and Power: The Role of Italian Parishes in the New York Metropolitan Area, 1880–1930* (New York, 1975), 119–20 [Tomasi does not clarify whether the original text is in Italian or English. From the collation of some archival documents with the respective transcripts of Tomasi, it emerges that the publisher occasionally used ellipsis, without square brackets, to indicate a portion of non-transcribed text].

In the petition, the Italians stressed that they had already sent a first request to the bishop to ask for an Italian church. Even the second request, signed by another 60 people, had not received any response. That was why Italians established the confraternity of the *Ss. Maria Assunta in Cielo*. They wrote that two lots of land were ready and that they were assisted by two priests with whom they were happy. In this way, the Italians showed the bishop a potentially threatening ability to organize themselves autonomously. The following year, similar requests were made of Archbishop John Farley by the Italian immigrants in the Bronx, New York:

> A short time ago in the church of St. Matthew, West 69th Street, an Italian mission was given by the Rev. Fathers Biasotti and Greco. This was a splendid success, a real awakening of the Italian colony in this part of the city. . . . Given an Italian Church with services in the Italian language, our people would not be so negligent in the observance of their religious duties. They are for the most part very poor and felt ashamed to attend the American Church, which they cannot even understand and which does not appeal to them in any way, and seems altogether a different thing from the Church so highly revered and respected in their own country.[53]

Of course, when the Italian immigrants petitioned a bishop to establish a church, they did not automatically invoke lay patronage. Also, when a bishop acceded to a petition to form a parish, he did not automatically accept patronage. However, successful written petitions from lay confraternities, which often included a list of signatures from the community, became evidence of their role in the foundation of the church and could later be leveraged in patronage claims.

Petitions from Italian immigrants reached bishops even in the following decade. This is an excerpt from a petition written by Italian immigrants in the Society of St. John the Baptist of Fort Lee, New Jersey, that was sent to the Bishop of Newark in 1924:

> The entire Italian colony in Fort Lee, N.J., beg Your Excellency for what we desire. We hope you will concern yourself with this as you did for the other villages. A list of names is enclosed, names of families. It is not necessary for us to send all the names, between three and four hundred families. We all desire to have an Italian Catholic Church. If it cannot be large, even small as in all other villages, because we want to save the Italian religion and we have no other possible means and thus we beg you first. All we Italian will contribute what we can but with your coopera-

53. AANY, [folder reference is missing in the quotation], Mario Terenzio to John Farley, November 30, 1915, quoted in Tomasi, *Piety and Power*, 119.

> tion. Here in Fort Lee we have a Society of St. John the Baptist, founded in 1916. Its feast is celebrated every June 24 and have no pleasure without our Italian Church. We beg, therefore, Your Excellency, to take care of this as in all other villages. We await your answer.[54]

One case study relating to the Italian immigrants of Our Lady of Good Counsel in Philadelphia shows another set of strategies that Italian immigrants used to build claims of patronage over churches. In 1907, the Augustinian parish priest James McGowan bought a building on Broad St. to expand the parish of St. Rita. The intention of the priest, in agreement with the archbishop, was to be able to serve a greater number of believers of different nationalities, including some African American Catholics. On the opening day, in September 1908, about 10,000 Italians marched in procession from the church of Our Lady of Good Counsel, intending to assert control over the new church. As Richard Juliani noted, regardless of the official church status, the Italians achieved part of their goal. The newspapers on the following day described St. Rita as an Italian church, although it was territorial.[55]

The active participation in founding churches was one of the main ways through which Italian immigrants justified their claims of patronage rights. Once the churches were established, Italian immigrants found themselves advocating or defending their claims in front of the local clergy and the bishops.[56] They often acted as a unique local body under the name of the lay committees and confraternities. In New York, in the 1880s, Italian parishioners of Our Lady of Mount Carmel in East Harlem contested Michael Carmody, a Pallottine priest. They considered him to be too aligned with the interests of Irish parishioners. A prominent Italian parishioner, Antonio

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54. Archives of the Archdiocese of Newark, [folder reference is missing in the quotation], Vincenzo Fazzarri *et alia* to the bishop of Newark, Fort Lee, January 23, 1924, quoted in Tomasi, *Piety and Power,* 120.

55. Juliani, *Priest, Parish, and People*, 238–39. "Territorial parishes" were, and still are, those parishes that take care of all Catholics domiciled in their geographical areas. "National parishes," or "ethnic parishes" were those parishes meant exclusively for Catholics of a certain nationality. In this case, those churches were meant for Italian immigrants and usually administered by Italian priests. They officially arose after the Propaganda Fide license of 1887. National parishes operated in the same diocesan territory as territorial parishes, but within a different jurisdiction (national).

56. "Many of the emigrants have some reason for indifference or rancor, hatred or contempt for the Catholic Church or for some of its representatives; sometimes it is the advanced or socialist or anarchic philosophies whose memory survives after they have heard them from some agitator or which are more or less practiced in their homeland; at other times it is a reaction inspired by the conditions of the Catholic Church in America[period? ellipsis plus period?]" Amy A. Bernardy, *Italia randagia attraverso gli Stati Uniti* (Turin, 1913), 38 [original text in Italian].

Petrucci, spread rumors about Carmody's presumed abuses of the Pallottine nuns who worked in the parish school, and who Carmody had fired for other reasons. Petrucci sent petitions to Propaganda Fide and to Archbishop Michael Corrigan appealing for Carmody's removal. After various attempts at conciliation, and after Archbishop Corrigan's request that Carmody re-hire the Pallottini nuns, Carmody was discharged.[57] In November 1899, the president of the previously mentioned Società San Marco of Boston, affiliated with the Sacred Heart church, asked the lay council to "not interfere again with spiritual issues, leaving such work to our zealous priests" and proposed to send a letter to priest Giacomo Gambera to apologize for an unknown injustice made against him by some parishioners.[58]

In some cases, Italian immigrants clashed with American bishops because they supported priests who they believed to be attuned to their interests. This was the case in New York in 1860, when the Italian parishioners of St. Anthony of Padua came to the defense of the priest Antonio Sanguinetti.[59] This was also the case in 1899, when the Italian parishioners of the church of Most Precious Blood in New York rioted against the removal of priest Bonaventura Piscopo from office.[60] A similar event happened in Brooklyn, two years later, and involved the founder of the church of St. Michael Archangel, Father Serafino De Santi. The incident has been described by Giovanni Pizzorusso:

> In 1893, the Italian colony in Brooklyn addressed a petition to Pope Leo XIII in defense of Serafino De Santi, a priest coming from Atena Lucana (Salerno), substituted by bishop Charles McDonnell with another Italian, Father Garofalo, whom immigrants did not like. Propaganda [Fide] requested information from the bishop, which proved De Santi's illicit

57. Stephen M. Di Giovanni, *Michael Augustine Corrigan and the Italian Immigrants: the Relationship between the Church and the Italians in the Archdiocese of New York, 1885-1902* (Rome, 1983), 277–80. See also the published version of his work: Stephen Michael DiGiovanni, *Archbishop Corrigan and the Italian immigrants* (Huntington, IN, 1994).

58. Archives of the Center for Migrations Studies, 062, box 3, "Records of the Society of San Marco," *Minutes book of San Marco Society, Nov. 15, 1899–Nov. 2, 1914,* f. 1. In the records, the president appears with the name of G. Ferretti. He is probably Giacomo Ferretti, one of the founders of the San Marco Society.

59. Matteo Sanfilippo, "Breve storia del cattolicesimo degli emigranti," in *Cristiani d'Italia* (Rome, 2011), 990.

60. In a letter dated May 31, 1899 to Archbishop Michael Corrigan, the Franciscan superior of St. Bonaventure monastery in Allegany, NY hoped for a peaceful outcome and an end to the riots. He defined the Italian parishioners' conduct as "uncatholic" and "rebellious." AANY, 011.001, box 5, fold. 18, Most Precious Blood, Anselmus Mueller to Michael Corrigan, Allegany, NY, May 31, 1899.

> activities: for example, he had solicited popular petitions in his favor, and he had also dishonestly managed to gain the support of Francesco Satolli, Apostolic delegate in the United States.[61]

Again in New York, at the beginning of the twentieth century, a portion of the Italian immigrant population from the parish of St. Joachim in Manhattan made the appointment of Ludovico Martinelli, a priest to their liking, the condition for paying the debts of the church, exercising *de facto* patronage rights.[62]

In the case studies examined, including those discussed in the previous paragraph, the typology of patronage claimed by Italian immigrants is that of extended community patronage, as has been previously introduced. In Italy, in the cases relating to extended community patronage, the election of the rector was carried out by a popular assembly in the church. This included all the heads of the households and, in some cases, also the delegates of minors, if they were heads of the household.[63] Historically, such patronage has represented for the Church one of the most problematic juridical institutions, so problematic that ordinaries tried to declare them illegitimate and to revoke them:

> The centuries-old matter of lay patronages appeared as a crucial issue within the fight carried out by forces of the Roman Curia and of the episcopal hierarchy in order to "normalize" an institutional situation of local churches which was felt as always fragile: the danger of a disconnection between ecclesiastical hierarchy and common people was tightly bound to the weakness of the jurisdictional authority of the diocesan ordinaries, to the width of exempt minor jurisdictions, to the power and substantial autonomy of lay components (not only patronages, but also confraternities and other pious places).[64]

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61. Giovanni Pizzorusso and Matteo Sanfilippo, *Dagli indiani agli emigranti. L'attenzione della Chiesa romana al Nuovo Mondo, 1492–1908* (Viterbo, Italy, 2005), 188–89. See APF, Nuova Serie (1893), vol. 2, ff. 668–75, dossier "De Santi Serafino."

62. Di Gioacchino, *La "Questione Religiosa negli Stati Uniti,"* 292.

63. Especially in this kind of patronage, which was not held by canonical juridical persons but by a general collective body, ownership of church property was not operative.

64. Greco, "I giuspatronati laicali nell'età moderna," 562. "This sector of community patronages has always been the weakest area among lay patronages and not only because of the rowdy conflicts which accompanied the assemblies to elect the rectors. . . : too many appetites could be triggered by the benefices which had not a particular, identifiable 'owner.' Diocesan ordinaries tried to expropriate communists and parishioners leveraging the frequent lack of a clear and solid documentation of their patronage rights. . . ." Greco, "I giuspatronati laicali nell'età moderna," 542. In his essay, Gaetano Greco uses the Italian term *comunisti* (members of a community) to refer to the holders of communitarian lay patronage.

Lay patronage in Italy had two features which also existed within the Italian communities in the United States: firstly, its popular and assembly-based character; and secondly, its endemic problems of conflict. In spite of such similarities, the lay patronage among Italian immigrants in the United States had some substantial differences which are worth highlighting.

First, in the United States, the lay patronage of Italian immigrants had an accentuated "popular" character, which may be defined as "democratic" in a wider sense. While the lay patronage in Italy represented the particular interests of single patrons, or, in the case of extended community patronage, the interests of a local community within a diocese, lay patronage in the United States sought to represent "the Italians"—that is, all of the believers who shared an ethnic bond.[65] This often conflicted with the American clergy, and the bishops in particular, who Italian immigrants did not believe represented their own interests. Therefore, among Italian immigrants, lay patronage had subtle, yet precise, political connotations which were not present in the Italian context.

Second, in the United States, the conflictual character of lay patronage manifested itself mostly in the conflicts between lay people and the clergy and was resolved in some cases in the U.S. civil courts. In Italy, the conflictual character of lay patronage manifested itself mainly in conflicts between groups of lay people who wanted to control a benefice, and these were resolved in ecclesiastical tribunals.

Third, as already noted, patronage rights claimed by Italian immigrants in the United States did not involve benefices in a strict sense; rather, they related to the control of churches. As a consequence, in the United States, lay patronage was not claimed as a right after the concession of an ecclesiastical benefice but after the establishment of a church—Italians immigrants claimed their patronage rights as owners, holders, or simply promoters.

Later, the 1917 CIC confirmed the legislation produced by the American bishops throughout the nineteenth century regarding patronage rights and rights of the upkeep of the church.[66] Chapter four of the third book of

65. Please note, in the documents produced by Italian committees and confraternities, recurring expressions such as, "The Italian people of. . . ," "The entire colony of," "The Italian congregation of," "We the petitioners, Italian Catholics of. . . ," "The Italians living in. . . ." Di Gioacchino, *La "Questione Religiosa negli Stati Uniti,"* 153–54, 158–61, 168–69.

66. As Beal noted, "The 1917 code enacted the first universal laws governing the composition and operation of the consilia fabricae ecclesiae of which the boards of trustees were the American embodiment. These norms confirmed and, in a few cases, supplemented, but

the CIC defined patronage rights as follows: "The right of patronage is the sum of privileges along with certain duties that, by concession of the Church, are enjoyed by founders of Catholic churches, chapels, or benefices, or also by those who have a right from these" (Can. 1448). It then listed those privileges: "presenting a cleric to a vacant church; . . . if there is a surplus of goods obtained from equity or from the assets of the church . . . to receive a payment; having, if there is a legitimate custom in the place, the clan or family coat in the church of patronage and of taking precedence before other laity in processions and similar functions and of occupying the more dignified seat in the church, but outside the sanctuary and without baldachin" (Can. 1455).

The 1917 CIC also stated, "No right of patronage by any title can be validly constituted in the future" (Can. 1450, 1). It allowed elections or suggestions made by lay people, but only when they were based on the choices made by the ordinary: "Popular elections and presentations, even to parochial benefices wherever they are in force, can be tolerated only if the people elect a cleric from among three designated by the local Ordinary" (Can. 1452).

While the 1917 CIC refers to an election from a short list of three candidates selected by the ordinary, in the elections and presentations here examined, candidates were proposed by Italian immigrants themselves. Thus, it is evident that, while the elections described in the CIC were supposed to be a participatory instrument granted to the laity under the ordinary's authority ("no patron can exclude those already presented," Can. 1460;[67] "the Ordinary is not bound to his reasons to the patron as to why a presented cannot be admitted," Can. 1464) and according to precise doc-

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did not supplant the norms governing trustees [and thus lay patronage] in the United States enacted by the councils of Baltimore." Beal, "It's Deja Vu All Over Again: Lay Trusteeism Rides Again," 552–53. In this regard, confront the 1917 CIC with both the norms of the American councils (*Supra,* 12) and with some of the most important nineteenth-century Vatican dispositions. See Congregation Propaganda Fide, instruction *Quanta iam fuit,* July 27, 1822, in Donald C. Shearer, *Pontificia Americana: A Documentary History of the Catholic Church in the United States (1784–1884),* Studies in American Church History 15 (Washington, DC, 1933), 81–84; Litt. ap. *Non sine magno,* Aug. 24, 1822, in *Codicis luris Canonici Fontes cura Ei Petri Card. Gasparri editi,* 9 vols. (Rome, 1923–39), n. 480; Litt. ap., *Quo longius,* August 16, 1828, *Bullarium Pontificium Sacrae Congregationis de Propaganda Fide,* 8 vols. (Rome, 1839–1858), V, 42-43 (the last two sources are cited in Sigur, "Lay Cooperation in the Administration of Church Property," 183–84).

67. In this case, the author preferred to use his own translation of the 1917 CIC from the Italian version: Vincenzo La Puma, *Sommario del codice di diritto canonico* (Turin, 1940), 254.

umented privileges ("No right of patronage is admitted unless it is evident by authentic documents or other legitimate evidence," Can. 1454), in the United States they were an instrument of protest against the clerical management of the parish. In 1917, the CIC prohibited the establishment of new patronages (Can. 1450), and patrons were invited to renounce their rights in exchange for spiritual pardons and sacred offices (Can. 1451).

D. Conclusions

It would be interesting to explore a supposed historical transition from the model of the Italian *consigli di fabbrica* to the American board of trustees. The problem, though, is that such a transition never really happened. American church ordinaries fought hard to prevent European customs from taking root in North America, and even when similar practices and claims arose, they lacked any canonical basis to be officially justified. One could rather refer to a "cultural juxtaposition" of the two different systems, through which Italian immigrants, as other European communities in the United States did before them, could make sense of and justify the civil basis for the administration of church property in the new country. In other words, the evolution occurred in the actual practices of the lay communities, but they did not reflect an equivalent evolution of their juridical basis.

It is even difficult to trace a precise and exhaustive model in the ecclesial practices described in this article. As is true for the same two institutions in Italy in earlier times, the variety and complexity of cases also characterize the United States. In the United States, the absence of any concordat between the States and the Catholic Church has frequently made the ecclesiastical arrangement irrelevant at the legal level. The fact that, according to American civil law, the administration of the churches, including the nomination of the rectors, was the right of the owners and their representatives, created much confusion between the patronage rights and the rights of the upkeep of the church.

This article already referenced that lay patronage and the councils of the upkeep of the church experienced a growing crisis in Italy during the nineteenth and early twentieth century. On the one hand, the laity lost interest in the institutions because it saw new ways of participating in society outside the strict territorial dynamics of local ecclesiastical communities. On the other hand, these institutions faced the increased opposition of the Holy See, which feared the penetration of liberal practices and ideas from the outside world. The conservative turn promoted by Pius IX, and supported by Leo XIII, discouraged such ancient models of lay participa-

tion and based the Church on ecclesiastical practices that were dominated by clear clericalisms.

Both institutions also continued to lose their social relevance in Italy in the second half of the nineteenth century. Book Five of the 1983 CIC ("De Bonis Ecclesiae Temporalibus") abolished all the parts regarding ecclesiastical benefice, thus suppressing, according to Gaetano Greco, any possible claim of patronage rights and the concept of ecclesiastical benefice itself.[68] The 1983 CIC also did not make any reference to the councils of the upkeep of the church. In this case, according to Paolo Moneta, the legislator did not want to exclude these institutions from the ecclesiastical realms but rather to leave its management to the individual bishops and episcopal conferences.[69]

Nonetheless, in the United States, the civil incorporation of church property has continued to perpetuate a civil form of patronage that is based on the bylaws of the parish corporations and not on canon law. This was the case in the dispute between the archbishop of Saint Louis and the trustees of Saint Stanislaus Polish Catholic Church in 2005.[70] Such incidents have caused certain historians and canonists, like John Beal, to consider the institution of patronage still alive,[71] even though the latest Code no longer recognizes those rights and, not surprisingly, in disputes like the one in Saint Louis, lay trustees no longer invoke canon law.[72]

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68. Gaetano Greco, "I giuspatronati laicali nell'età moderna," 571–72.

69. Paolo Moneta, *Le fabbricerie nella teoria degli enti ecclesiastici*, Giornata di studio: la natura giuridica delle fabbricerie, Pisa, May 4, 2004, Opera Primaziale Pisana, accessible at: <https://archivio.olir.it/areetematiche/news/documents/news_2628_la_natura_giuridica_delle_fabbricerie.pdf>

70. Beal, "It's Deja Vu All Over Again: Lay Trusteeism Rides Again," 497–568, especially 497–99 and 559–68.

71. "Absent from the revised code are any norms governing *consilia fabricate ecclesiae* or their equivalents. The code's silence, however, should be seen not as an abrogation of this traditional canonical institute but a recognition that, where they still exist, they are best regulated by particular laws that coordinate them with the prevailing secular laws." Beal, "It's Deja Vu All Over Again: Lay Trusteeism Rides Again," 557.

72. "In the nineteenth century disputes, canon law was as likely to be invoked by parishioners and their trustees as by bishops; in the recent dispute in Saint Louis, however, invocations of canon law came mostly from the Archbishop and his supporters." Beal, "It's Deja Vu All Over Again: Lay Trusteeism Rides Again," 498.

Book Reviews

Renaissance

Invisibile come Dio: La vita e l'opera di Gabriele Biondo. By Michele Lodone. [Studi, 42] (Pisa: Edizioni della Normale, 2020. Pp. 367. € 28.00. ISBN 978-88-7642-671-1.)

This is the first comprehensive study of the life and thought of the enigmatic figure Gabriele Biondo (ca. 1445–1511), the youngest of the famous humanist Flavio Biondo's five sons. It is enriched with a detailed survey of his surviving manuscripts and a transcription / critical edition of his three most importatnt treatises: the *De meditatione et deceptionibus* (1492); fragments from the *Ricordo* (1498) and its complete Latin translation the *Commentarius* (1503); and the *De amore proprio* (1502–06). This monograph is an expansion of Lodone's 2012 thesis on the latter treatise at the Scuola Normale Pisa under Franco Bacchelli who encouraged him to expand on earlier studies of Gabriele conducted by Augusto Campana (on Gabriele's humanism and his roots in the Romagna), Carlo Dionisotti (on his poetry and letters), and Delio Cantimori (on the religious context in which he worked). This volume admirably succeeds in this task. The scholarship is based on extensive archival research, careful reconstructions using documentary evidence, cautious judgments, and an empathy for his subject.

Information on Gabiele's early life is limited. He apparenly grew up in Rome where his father Flavio (1392–1463) held the posts of apostolic secretary and notary of the Camera. He was trained in the humanities. By 1468 he was a noted Roman poet, had apparently acquired a doctoral degree in both laws, and was made a count of the Lateran Palace. Unlike his brothers, Gabriele did not pursue a career in the Roman Curia, although he is isted in 1470 as an apostolic notary. Lodone suspects that in the late 1460s, Gabriele underwent a conversion experience influenced by the writngs of Pietro di Giovanni Olivi and Angelo Clareno. His father was a supporter of the Observant movement in the Franciscan Order and his sister Eugenia joined the Clarissa convent of Corpus Christi in Ferrara. While espousing the Franciscan emphasis on poverty, Gabriele was very critical of the friars who claimed to practice it. He never joined the Franciscans, but instead became a secular priest. When and where is not clear.

Also a mystery is how and why he assumed by 1470 the post of prior of the pieve of San Stefano in Modigliana—was it a collegiate church whose prior was elected, did soneone with patronage rights over it nominate him, did Bishop Bartolomeo Gandolfi of Faenza appoint him, or did the Roman curia intervene? Gabriele had an maternal uncle Matteo Maldenti living in the area. Did he leave Rome where he saw false prophets and the anti-Christ and flee to this mountainous area based on the exhortation of Matt 24: 16? Once there he gathered around himself a group of disciples, a kind of confraternity (the Friends of Truth), whose members lived there, in Florence, and elsewhere, reaching to Bologna and Venice.

The spirituality he dispensed called for the annihilation of self, direct contact with God, a downplaying of the role a priest as mediator and of the rituals and sacraments as vehicles of grace. He propagated these views in his letters and treatises. His *De mediatione et deceptionibus* aimed at teaching beginners how to pray: realize one's unworthiness and complete dependence on divine grace, gaze affectionately on Christ crucified, resign one's self to God's will, abandon all forms of self-love, and receive the gift of divine light. The treasise *De amore proprio* was in the form of a letter to Sister Alessandra degli Ariosti of the Clarissa Corpus Christi convent in Bologna. It warned against self love that seeks earthly things, instead abandon oneself to God's will, be passive, and let God infuse His grace and act in us. The *Ricordo,* a collection of his teachings with a final section denouncing Savonarola as a false prophet, became the target of an Venetian inquisitorial process in Padua in 1501–02, with the imprisonment of his disciple Giovanni Maria Capucci, a defense of hm by Antonio Trombetta, OFM, an absolution by Cardinal Bernardino López de Carvajal, and an order of release from Julius II. Gabriele's ideas were considered brash, but not heretical.

Lodone provides a critcal edition of these three treatises based principally on manuscripts in Florence (*Ricordo*) and in London (*De meditatione et deceptionibus, Ricordo,* and *De amore proprio*). Gabiele's forty-four surviving letters are scattered in archives stretching from Seville to Forlì and will be the subject of a promised subsequent critical edition.

As a result of his reseach the enigmatc figure of Gabriele Biondo is less obscure and one can understand why he gathered around himself a group of disciple seeking a deeper experience of God, while remaining within the institutional Church. For this impressive service to scholarship, we are all indeted to Michele Lodone.

The Caholic University of America Nelson H. Minnich

LATE MODERN

Reading and Rebellion in Catholic Germany, 1770–1914. By Jeffrey T. Zalar. (Cambridge: Cambridge University Press, 2019. Pp. xiii + 386. $29.95 paper. ISBN 978-1-108-47290-6.)

This book offers an insightful and eminently readable account of the reading habits of German Catholics between the Enlightenment and the First World War, as well as the ill-fated attempts of church officials to control those habits. Growing out of the author's award-winning 2002 dissertation, the book was many years in the making. It was well worth the wait.

Zalar's main argument is that existing historiography has failed to accurately portray the lived experiences of German Catholics due to an excessive focus on the theoretical construct of the Catholic "milieu." The milieu paradigm, according to Zalar, has portrayed Catholics as largely passive members of a hermetically sealed subculture within German society, bracketed off from other social groupings and policed by an authoritarian clergy who succeeded in keeping the Catholic flock remarkably subservient and obedient to priestly control well into the twentieth century. In examining the failure of clerical attempts to regulate Catholic reading practices, Zalar posits that German Catholics exerted much more independent agency than previously recognized, guiding their own steps in a gradual process of inculturation into the mainstream of German national life. Vehement pastoral injunctions against illicit reading, which have often been cited as evidence of the strength of clerical domination, are for Zalar signs of "panic" (p. 361) at the recognition that lay Catholic reading practices remained irretrievably "out of control" (p. 70, pp. 172–73). Zalar is to be lauded for drawing on innovations in the field of book history and for engaging eagerly with theology, rather than relegating it to the margins of scholarly inquiry.

The book focuses geographically on the western German territories of the Rhineland and Westphalia, both predominantly Catholic, and is organized thematically along a trajectory that proceeds more or less chronologically. The opening chapters examine Protestant and Catholic responses to the "reading revolution" of the late eighteenth century, with German Protestants claiming a monopoly on cultural taste and dismissing Catholics as dull and benighted. Catholic leaders, for their part, took an approach to reading discernment that was both paternalistic and alimentary, portraying reading material as either unhealthy ("gall") or beneficial ("honey"), with the clergy acting as authoritative judges between the two. When the Rhineland and Westphalia fell under the control of Protestant

Prussia after 1815, on the heels of the widespread secularization of monasteries and their libraries, Catholic readers were increasingly forced to rely on local priests and the books in their rectories (p. 122). The attempt to guide Catholic reading practices reached a new organizational level in 1845 with the foundation of the *Borromäusverein*, named for the sixteenth-century Archbishop of Milan St. Charles Borromeo. The organization proceeded over the next several decades to combat "book mischief" (p. 144) by supplying the faithful with wholesome reading material, most notably through the founding of parish libraries. By the 1880s, however, the Borromäusverein was clearly floundering, with lay Catholics choosing increasingly to patronize better-equipped secular public libraries.

Attempts to reinvigorate the Borromäusverein coincided with broader debates about the need to overcome perceived Catholic intellectual inferiority. Catholics were unquestionably underrepresented in academic and professional fields, and the scaling back of the persecutory measures of the Kulturkampf made it more difficult to blame that underrepresentation entirely on anti-Catholic bias. The Borromäusverein complemented other efforts at Catholic popular education in Germany, and membership grew by some 147% in the decade before the First World War (p. 271). This growth was due in large part to the leadership of Hermann Herz who, as a 29-year-old priest with considerable energy, took over as head of the organization in 1903. Herz maintained the confessional exclusivity of the Borromäusverein, while also advocating the relocation of parish libraries from rectories to more neutral spaces, to avoid perceptions of clerical control that might discourage new membership. The organization's activities were also increasingly professionalized and placed in the hands of lay members—including some women volunteers—although this development was likely due primarily to clergy being too overworked to engage in the vigorous activity expected by Herz. Zalar's final chapter deals with private reading in the home in the early twentieth century, detailing the difficulty of taming the reading interests of Catholic mothers and girls (increasingly drawn to fashion and romance), as well as fathers and sons (drawn to penny dreadfuls and adventure tales). The closing Epilogue argues that the church's canceling of the Index of Forbidden Books in 1966 in the aftermath of the Second Vatican Council, which was championed most notably by the Archbishop of Cologne Josef Frings, should not be seen as an abrupt caesura, but rather as the culmination of the inexorable trend toward reading independence traced in the preceding chapters.

The book is, of course, open to criticism on certain fronts. Zalar overstates the restrictive aspects of the Catholic "milieu" paradigm and pays

little attention to the realm of political reading and writing (the perceived dangers posed by Marxist and Social Democratic works are barely mentioned). The book also suffers from the lack of a bibliography of secondary works. But these faults are minor. *Reading and Rebellion* is a subtle and sophisticated work of major significance, and as such is deserving of the widest possible readership.

Oakland University DEREK HASTINGS

AMERICAN

Catholic Confederates: Faith and Duty in the Civil War South. By Gracjan Kraszewski. (Kent, Ohio: Kent State University Press. 2020. Pp. 312. $45.00. ISBN 978-160-635-3950.)

Catholic Confederates, by college instructor and novelist Gracian Kraszewski, is the second entry in Kent State University's *The Civil War in the South* series. It has a select bibliography, extensive endnotes, index, and an appendix of biographical sketches. It also includes a centerpiece of contemporary illustrations, mostly portrait photographs, of notable Catholics from the short-lived Confederacy. Kraszewski's examination of the Catholic commitment to the Confederacy is based upon his thesis of 'Confederatization.' This was a process of replacing old ethnic identities with a new Confederate one while not negating Catholic faith. This conflicts with the widely held concept of Americanization within Catholic historiography, which states that Catholics could not assimilate into the broader American society until after both world wars in the twentieth century and the election of Catholic John F. Kennedy as president in 1960.

Kraszewski argues that even though they constituted only ten percent of the Confederate population the importance of the Civil War South is underestimated and gets lost within the larger story of Catholics in America. This was due to the blending of Southern conservatism with Catholic traditionalism, as both opposed progressive causes and touted bygone ages. Southerners viewed their nascent nation as the true heir to the Constitutional principles of 1776 while Southern Catholics saw the South as the most Catholic part of America, as opposed to the godless materialism in the North. The first and fourth chapters investigate Southern bishops, primarily William Elder of Natchez, Patrick Lynch of Charleston, and Augustin Verot of Savannah. The second and third chapters focus on chaplains John Bannon, James Sheerin, and Lewis Hopolyt-Gache, as well as laymen, John Dooley, Felix Poche, and Henri Garidel. The final chapter

on Confederate diplomacy features the aforementioned Lynch and Bannon, two of the Catholic diplomats who dealt with Pope Pius IX at the Vatican. The more apolitical sister-nurses, mostly from the Daughters of Charity, are studied in the fifth chapter.

The Confederatization thesis is the most provocative element of the book. It challenges common misconceptions that the Civil War was largely a domestic event only and that women such as the sister-nurses were absent from battlefields. Catholic loyalty to the Confederacy was often impressively demonstrated, most notably by Bishop Elder as he refused Union military commands to perform a pro-Lincoln prayer from the altar. As a result, he suffered imprisonment and became a political martyr (p. 72). Kraszewski argues that such dedication should prompt reconsideration about nineteenth-century Catholicism and the place of Southern Catholics within the respective fields of Civil War religion and American Catholicism.

Beyond the men mentioned above, *Catholic Confederates* unfortunately overlooks too many other notable figures, such as Secretary of the Navy Stephen Mallory, General P.G.T. Beauregard, Admiral Ralph Semmes, and Father Abram J. Ryan, renowned as the "Poet of the Confederacy." The chapter on sister nurses is too brief. Individual sister biographies are lacking, nor is there any mention of Southern Catholic laywomen, Additionally, the Catholicity of the Lincoln Conspirators, especially Mary Surrat, is completely ignored. Despite these limitations, I recommend *Catholic Confederates* as a worthy addition to the growing body of scholarly studies on the role of Catholics in this critical period of American history. I would also suggest *Excommunicated from the Union: How the Civil War Created a Separate Catholic America* (2016) by William Kurtz and *Solders of the Cross, the Authoritative Text: The Heroism of Catholic Chaplains and Sisters in the American Civil War.* (2019) by David P. Conyngham, and edited by David Endres and William Kurtz.

The Catholic University of America William John Shepherd

Notes and Comments

Association News

In light of the continuing public health crisis, the American Catholic Historical Association has regretfully cancelled the in-person annual conference originally scheduled for Seattle, January 2021. The ACHA earlier cancelled its Spring Meeting at the University of Scranton, originally scheduled for April 17–18, 2020. The public health emergency presented by COVID-19 closed the University of Scranton campus until at least April 12 and made holding any gathering impractical and inadvisable. As an alternative to the Annual Meeting, the Program Committee and Executive Council have planned a series of four webinars drawn from accepted panels for the Annual Meeting. The ACHA Annual Business Meeting will take place virtually after the January webinar. See the ACHA website for further details.

Annual elections of ACHA leadership have been suspended for one year and the new President and Executive Council will be inaugurated in New Orleans in January 2022. Given limited opportunities to meet this year, and the cancellation of the annual meeting, the Executive Council seeks additional time to manage our delayed and/or cancelled ACHA activities.

The ACHA'S Executive Council has approved the following statement on Racism and Complicity:

"As a scholarly association dedicated to promoting a deep and widespread knowledge of the history of the Catholic Church broadly considered, the American Catholic Historical Association reaffirms our condemnation of racism, and acknowledges the Catholic Church's troubled history of complicity in white supremacy as a participant in imperial projects in the Americas, and the United States specifically. We recognize Catholic pasts of slave holding, segregation, and policing, among other parts of this history. The ACHA further recognizes the importance of non-violent protest to a democratic society and the long history of Catholic participation in it, and celebrates the centrality of witness to the Catholic tradition. While each of these has been the subject of crucial study by scholars of Catholicism, we recognize that the work of history is ongoing, and calls us to reflect, to engage in work of companionship, solidarity, and discernment, and to seek

wisdom in how to talk with one another about difficult issues tearing at our nation. We honor knowledge produced within the Black community and other marginalized communities, and seek to center it across this work.

"Our corollary mission is the advancement of historical scholarship through the support of our diverse membership. This means providing the resources that we need to learn, educate, and reflect on the past in service of the present and the future. To that end, we invite all ACHA members who are able and interested to share resources that illuminate racial violence and expropriation from the perspective of Catholic history, along with the voices and experiences of Black Catholics that have often been omitted from narratives of the Catholic past.

"The Executive Committee therefore solicits the membership to think about recommended books or articles, primary source documents or texts from your research, or links to a recorded talk or oral history. Please share those resources and your reflections on them with us via social media with the hashtag #achahistory and tag @achahistory, e-mail them to us at acha@achahistory.org, or send them to us using the form below. We will repost them for the education and edification of our membership on our social media and here on achahistory.org."

In partnership with the University of Notre Dame's Cushwa Center for the Study of American Catholicism, the American Catholic Historical Association will launch the Cyprian Davis, O.S.B., Prize. It celebrates the life and legacy of Father Cyprian Davis, O.S.B. (1930–2015), a Benedictine monk of Saint Meinrad Archabbey in Indiana, respected academic, and beloved teacher and lecturer who pioneered the study of the history of Black Catholic in America. The prize recognizes outstanding research on the Black Catholic experience. Please submit an application form with the following documents attached: current curriculum vitae; 1,000-word project description, including plans for publication. Applications must be submitted with required materials by December 31, 2020. Applicants will be notified by early March and will be invited to the annual meeting of the American Catholic Historical Association taking place the following January. For the application form, please visit https://cushwa.nd.edu/grant-opportunities/davis/

The Executive Council of the ACHA has approved a campaign to create the Christopher J. Kauffman Prize in U.S. Catholic History to be awarded to the author of a monograph that provides new and/or challenging insight to the study of U.S. Catholic history. Dr. Kauffman (d. 2018) was a gifted scholar, a tireless advocate for the field of U.S. Catholic history and promoter of those who studied it. Over the course of his long and dis-

tinguished career, he authored 10 books and over 100 articles, served as general editor for the *Makers of the Catholic Community: Historical Studies of the Catholic People in America, 1789–1989* and *American Catholic Identities: A Documentary History* series, and was editor of the highly influential scholarly journal, *U.S. Catholic Historian*. The prize has been established to honor his memory and continue his legacy. A gift in support of the prize can be made online at achahistory.org or sent to the ACHA (memo line: Christopher J. Kauffman Book Prize, Mount St. Mary's University, 16300 Old Emmitsburg Rd., Emmitsburg, MD 21727.

CAUSES OF SAINTS

On October 10, 2020, Carlo Acutis (3 May 1991–12 October 2006) of the archdiocese of Milan but buried in the Santuario della Spogliazione in Assisi was beatified in a ceremony near his tomb. He was best known for documenting Eucharistic miracles around the world and cataloging them all onto a website that he himself created in the months before his death from leukemia.

ARCHIVES

Special Collections at The Catholic University of America is pleased to announce the completion of a finding aid or guide to the personal papers Father Cyprian Davis, O.S.B., which are available online at https://libraries.catholic.edu/special-collections/archives/collections/finding-aids/finding-aids.html?file=davis

Davis, born Clarence John Davis (1930–2015), was an historian and archivist. He began his academic career in 1948, studying at The Catholic University of America, and ultimately received a Licentiate of Sacred Theology in 1957. Davis then studied church history abroad at The Catholic University of Louvain, Belgium, where he obtained a licentiate in 1963. He taught church history at St. Meinrad, of the Swiss-American Benedictine Congregation, before returning to Louvain to obtain his doctorate degree in 1977. Among the several monographs he either authored or edited are, *History of Black Catholics in the United States* (1990) and *Stamped With the Image of God: African Americans As God's Image in Black* (2004). Davis's papers also include many unpublished manuscripts on Black history and Black Catholic history. In addition, he was an archivist for Saint Meinrad Archabbey and the National Black Catholic Clergy Conference, as well as authoring two Pastoral letters. The first, written in 1979, was The US Catholic Bishops' Pastoral Letter on Racism, titled Brothers and Sisters to Us. The second, written in 1984, was titled What We Have Seen

and Heard and was on behalf of the Black Catholic Bishops of the United States. The Davis Papers include correspondence, academic papers, printed material, audiovisual records, ephemera, awards, and honors.

The Davis Papers finding aid joins those of other collections which document the Black Catholic experience, including the Catholic Interracial Council of New York, Paul Phillips Cooke, and Euphemia Lofton Haynes. Cooke and Haynes were both Catholic University alums as well as D.C. residents, educators, and activists. There are also numerous files relating to African-Americans within the records of the General Secretary of the United States Conference of Catholic Bishops (USCCB). These finding aids and others are searchable online at https://libraries.catholic.edu/special-collections/archives/collections/finding-aid.html

Posts from our Archivist's Nook blog promoting the Davis Papers and other Black Catholic collections include:

Saving Black Catholic History—Father Cyprian Davis, O.S.B. Papers at https://www.lib.cua.edu/wordpress/newsevents/13164/

African American History? You're Standing on It at https://www.lib.cua.edu/wordpress/newsevents/7329/

Father John La Farge and the Catholic Interracial Council of New York at https://www.lib.cua.edu/wordpress/newsevents/12935/

Inquiries for access should be directed to University Archivist and Head of Special Collections, William J. Shepherd, at lib-archives@cua.edu. For those wishing to visit and examine the collections on site, please review our procedures at https://libraries.catholic.edu/special-collections/archives/about/visit/index.html

Additionally, we have two sets of online educational resources related to the Black Catholic experiences:

Thomas Wyatt Turner and the Federated Colored Catholics: https://cuomeka.wrlc.org/exhibits/show/fcc

The Catholic Church, the U.S. Bishops, and Race in the Mid-Twentieth Century: https://cuomeka.wrlc.org/exhibits/show/the-catholic-church-bishops-

We also can provide PDF copies of select file folders, which are limited to up to five folders per quarter. In time we plan on having portions of these collections digitized and available online.

The Catholic University of America William John Shepherd

INSTRUCTIONAL TOOL

The Newberry Library for Renaissance Studies in Chicago has announced a new item in its Newberry Digital Collections for the Classroom: "The Making of the Bible, 400–1700." This resource will be useful for students and instructors studying the intellectual, religious, and technological cultures from the Middle Ages through the early modern period. "The Making of the Bible, 400-1700" explores the story of how the Christian Bible was made from a "library" of related but distinct religious texts into a single "book." Through images from the Newberry's rich collection of pre-1800 Bibles, background essays, and discussion questions, this collection reflects important turning points in this long transformation, and provide a snapshot of how major cultural developments in religion, politics, technology, and society changed the ways in which people thought about and used a religious text as a material object. If you have any questions about the resource or how to use it in courses, please send an email to renaissance@newberry.org. For more information on the Newberry's Digital Collections for the Classroom, please send an email to teacherprograms@newberry.org.

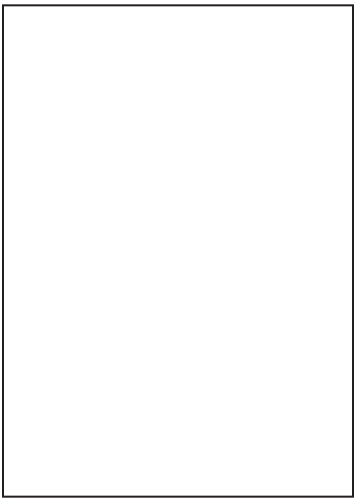
HISTORIC CHURCHES

The British government's Culture Recovery Fund for Heritage has granted £ 3 million to The Catholic Trust for England and Wales to repair, maintain, and upkeep important historic buildings across England.

The Church of St. James the Greater on Catholic Hill, formerly known as Thompson's Crossroads, outside Walterboro, South Carolina, is the home of a vibrant Catholic Black community that traces it roots to an earlier church built there in 1832, but destroyed by fire in 1856. In the 1890s a community of former slaves, led by lay persons, built a new church and school on the site. A documentary film focusing on religion in South Carolina treats this Black Catholic community. The film features interviews with Drs. Alison McLetchie and Diane Batts Morrow. For more information, please see: https://millhillmissionaries.com/usa-mill-hill-missionary-link-to-st-james-the-greater-catholic-church-walterboro-south-carolina/?fbclid=IwAR2jj8P9XPcYOttCyPYakt4sVUUD14cBcyNGdR_8RlRATD1dKefM2jEDd2A

Obituaries

Sister Mary Christine Athans, B.V.M. (1932–2019)



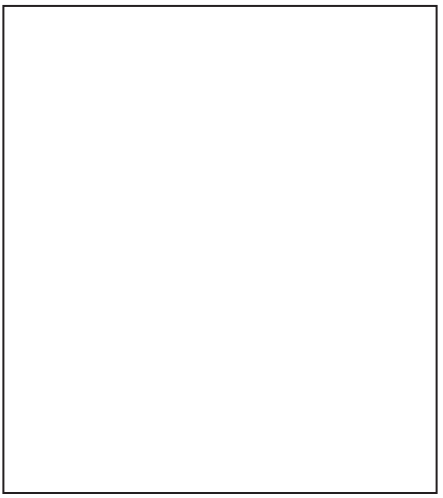
Sister Mary Christine Athans, B.V.M., a long-time member of the American Catholic Historical Association, passed away at eighty-seven years old on December 7, 2019. From Phoenix, Arizona, she was born on April 7, 1932, and entered religious life in 1955. She received her M.A. in theology from the University of San Francisco, a licentiate from the Jesuit School of Theology, Berkeley, and in 1982 her Ph.D. from the Graduate Theological Union, Berkeley. An accomplished teacher at multiple levels, Sr. Christine at one time taught at the University of San Francisco, the Claremont School of Theology, and was Assistant Professor of Religious Studies at the University of Illinois Champaign. From 1984 to 2002 she taught historical theology, church history, and spirituality at St. Paul Seminary, University of St. Thomas, moving from Assistant to Full Professor. Relocating to Chicago in her later years, she continued to teach at Loyola University Chicago's Institute of Pastoral Studies and at the Catholic Theological Union. Sr. Christine published widely in articles and books in the fields of ecumenism, American Catholic history, seminary education, and Catholic-Jewish relationships. Her M.A. thesis under Fr. Avery Dulles at the University of San Francisco was titled, "Two Covenants or One? The Relationship of Judaism to Christianity within the Ecumenical Movement Today." Her doctoral dissertation, published by Peter Lang in 1991, plumbed the story of Catholic anti-Semitism in

the United States by focusing on the life of Father Charles Coughlin and his relationship with Father Dennis Fahey, C.S.Sp., the Irish priest whose two anti-Semitic and vitriolic works blatantly juxtaposed the truth of Catholicism and the falsity of Judaism: *The Coughlin-Fahey Connection: Father Charles E. Coughlin, Father Dennis Fahey, C.S.Sp., and Religious Anti-Semitism in the United States, 1938–1954.* Sr. Christine was commissioned to write the history of St. Paul Seminary, in which she combined exacting archival work with oral history, *To Work for the Whole People: John Ireland's Seminary in St. Paul* (New York: Paulist Press, 2002). Her last work, into which she poured the heart and soul of her vision of life and her deep sense of spirituality, appeared in 2013: *In Quest of the Jewish Mary: The Mother of Jesus in History, Theology, and Spiritual*ity (Orbis Books). In a testament to her lasting commitment to Catholic-Jewish relationships, and her practiced commitment to Ignatian meditation, she lectured on this work in numerous places, concluding always with a moving oral reading of her own prayerful contemplation combined with the Jewish prayers of Mary as she gave birth to her son in this world. This last work was commended by no less than Susannah Heschel.

My first doctoral student, Sr. Christine gregariously entered into my office in the Fall of 1976, and thereafter we formed a friendship that lasted throughout her life. A pioneer ecumenist, immediately after the Council she helped establish the North Phoenix Corporate Ministry. Serving as its executive director from 1970 to 1976, this interfaith venture of one Catholic parish, five Protestant congregations, and two Jewish synagogues creatively integrated prayer, education, communication, and social justice outreach in the city. The records of this pioneering ecumenical work are now housed in the archives of the Flora Lamson Hewlett Library, Graduate Theological Union, and await an enterprising researcher following in Sr. Christine's footsteps. Gifted with a superior mind, a compassionate heart, and a sensitivity to suffering, Sr. Christine befriended innumerable people, and remained faithful to all. She was an exemplary religious. Her educational and scholarly work came directly from her heart, reaching out to embrace people of all faiths and none. An expert at networking people, her historical work bridged divisions and opened up new horizons for the appreciation of God's work in the world. She is sorely missed. May she rest in peace.

Franciscan School of Theology at the University of San Diego JOSEPH P. CHINNICI, O.F.M.

Harold David Langley
(1925–2020)



Naval, Diplomatic, and Church Historian

Professor Harold D. Langley died peacefully after an extended illness at the age of 95 in Alexandria, Virginia, on 29 July 2020. Born on 15 February 1925 and raised in Amsterdam, New York, he was drafted into the Army at the age of eighteen in 1943, having just finished high school. Demobilized after serving in the Pacific Theater, he began his undergraduate studies at the Catholic University of America in 1946 and graduated with a Bachelor of Arts degree in 1950. Going on directly to graduate study in history at the University of Pennsylvania, he earned his master's degree in history in 1951.

While starting his doctoral work at Penn, Harry took his first professional position as a manuscripts assistant at the Library of Congress in 1951–52. He then returned to Philadelphia to work as a manuscripts specialist in the University's rare book collection in 1952–54, before going back to the Manuscripts Department at the Library for Congress for the following year. In 1955, Marywood College, now the Catholic Liberal Arts University in Scranton, Pennsylvania, appointed him an assistant professor of history. He taught there for two years until the Historical Office of the State Department hired him in 1957. Over seven years at the State Department, he co-edited volumes of official diplomatic documents relating to Germany, Disarmament, and Outer Space. During this same

period, he completed his Ph.D. at Penn in 1960 with a thesis entitled "The Humanitarians and the United States Navy, 1798–1862."

In 1964, Harry's *alma mater*, the Catholic University of America (CUA), hired him as an assistant professor. The followed year, he married Patricia Ann Piccola (d. 2013). They settled in Arlington, Virginia, where they raised a son and a daughter. The University of Illinois Press published the revised version of his doctoral thesis in 1967 as *Social Reform in the United States Navy, 1798–1862*. The following year, he published the centennial history of *St. Stephen Martyr Roman Catholic Church and Community, 1867–1967,* in Washington, D.C. With two historical studies and three volumes of edited documents to his credit, CUA promoted him to associate professor in 1968.

Among these works, Langley's volume on social reform in the U.S. Navy was a genuinely remarkable and pioneering contribution to American naval history. Before Langley's book, biographies of naval heroes, ship histories, and battle narratives dominated the field. His work paralleled the innovative work just beginning among British maritime historians on social history. Still, Langley's work was distinctive in its focus on humanitarian inspired social reform within an armed service. Harry's work retained its value and has become a classic of its kind in examining the origins of naval social reform from the Enlightenment and through the influence of religion and the temperance movement. The U.S. Naval Institute republished the book in paperback and as an e-book in 2015.

Langley remained at CUA as a regular faculty member until 1971, when the Smithsonian Institution appointed him associate curator of naval history in the National Museum of American History. At that point, he transitioned to the adjunct faculty at CUA as a full professor. He remained to teach in that capacity until 2001, completing 37 years of service at CUA.

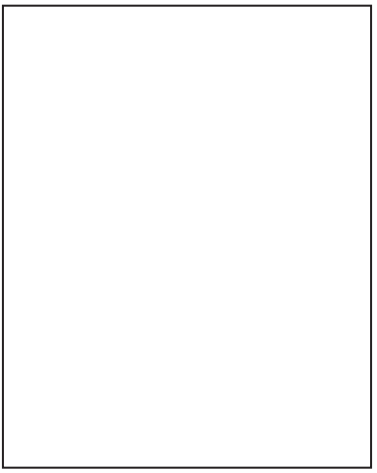
At the Smithsonian, Harry became involved in a variety of activities, several of them stretching beyond the range of naval history. With the empathy that a former soldier can bring to the task, he ably edited a series of perceptive reports on the American West by an intelligent and learned young recruit, who had previously been a journalist, serving in the Sixth Dragoons during the Mormon War of 1858–59. The University of Utah published *To Utah with the Dragoons* in 1974. Significantly, he co-edited with Francis Loewenheim, a colleague from 1957–58, when they had worked together at the State Department, *Roosevelt and Churchill: Their Secret Wartime Correspondence* in 1975. Additionally, he wrote a book for the Smithsonian on the history of the American Flag in 1981. His research

in naval history culminated in 1995 with another groundbreaking work, *A History of Medicine in the Early Navy*, published by the Johns Hopkins University Press. The first detailed study of medical treatment in the early U.S. Navy examined both the failures of the Federal government and the gradual administrative changes that eventually served to improve the health of seamen. The North American Society of Ocean History (NASOH) awarded the volume its John Lyman Book Prize for the best book in maritime science and technology in 1996.

The USS Constitution Museum in Boston recognized Harry Langley's distinguished original contributions to naval history with its Samuel Eliot Morison Award in 2001. Later, the Naval Historical Foundation' in Washington awarded him its Dudley W. Knox Award for Lifetime Achievement in Naval History in 2014. Moreover, in 2000 NASOH awarded him its highest distinction, the K. Jack Bauer Award. This award honored not only Harry's lifetime contributions to maritime history but also his wry-avuncular advice that enlivened any gathering that he attended and had unmeasurable influence.

U.S. Naval War College JOHN B. HATTENDORF

Philip H. Rousseau
1939–2020



Photograph courtesy of Patrick Ryan

Philip Henry Rousseau died on September 3, 2020, the feast of St. Gregory the Great, in Washington, D.C.

He was born in Devonport, England on November 3, 1939, the son of Harry Stephen Rousseau, an officer in the Royal Naval Reserve (O.B.E., 1946), and Patricia Mary Rousseau (Cummins). His father's posting to Washington, D.C. in December, 1941 brought him to North America as a child and foreshadowed a lifetime of peregrination across the continents.

Philip joined the Society of Jesus in 1957, and earned a Licentiate in Philosophy at Heythrop College, London in 1962, and a B.A. in Modern History at Campion Hall, Oxford in 1965. He then left for Zambia where he taught history as a lay missionary at St. Joseph's Secondary School for Girls in Chivuna, founded in 1960 by the Religious Sisters of Charity. There he met a fellow teacher, Thérèse Healy, of County Clare, Ireland, and the two were married in 1967. The following year he began his doctoral studies in the Oxford Faculty of Modern History. As a Graduate Student at Campion Hall (1968-69) and Graduate Scholar at Wolfson College (1969-1972), he completed his D.Phil. on "Monks and bishops: Studies in the background, development and influence of ascetic literature, and the concept of spiritual authority, from Jerome to Cassian" under the supervision of Peter Brown. Submitted in lightly revised form to the Oxford University Press, the thesis was published in 1978 in the series Oxford Historical Monographs. From 1972 to 1998 he taught history at the University of Auckland, New Zealand. rising to the rank of Associate Professor.

In Fall 1998 Dr. Rousseau came to Catholic University on a three-year appointment as Visiting Distinguished Professor of Early Christian Studies. In 2000 the position was made permanent with his appointment as Andrew W. Mellon Distinguished Professor of Early Christian Studies. In addition to delivering an annual Mellon Lecture, directing dissertations, mentoring students, teaching graduate seminars, and (although it was not required by the terms of his appointment) undergraduate courses as well, he served for 14 years as Director of the Center for the Study of Early Christianity. In that capacity, he organized conferences, workshops, and study days, assembled national and international networks of affiliation, and founded the series Studies in Early Christianity, published by the Catholic University of America Press. Upon his retirement in 2019, he was appointed Professor Emeritus of Early Christian Studies.

Professor Rousseau's scholarship focused on the religious history of late antiquity, and in particular ascetic thought and culture. In addition to his monograph on Jerome and Cassian, published in a second edition with a new introduction (*Ascetics, Authority, and the Church in the Age of Jerome*

and Cassian, University of Notre Dame Press, 2010), his books include studies of the Egyptian monastic founder Pachomius (Pachomius: *The Making of a Community in Fourth-Century Egypt*, University of California Press, 1985; paperback edition with a new preface, 1999) and the Cappadocian bishop Basil of Caesarea (*Basil of Caesarea*, University of California Press, 1994). His survey of early church history, *The Early Christian Centuries*, was published by Longman in 2002 and reprinted by Routledge in 2013. He was also the editor of the prize-winning *Companion to Late Antiquity* (Wiley-Blackwell, 2009) and co-editor of three volumes of collected essays: *Greek Biography and Panegyric in Late Antiquity*, edited with Tomas Hägg (University of California Press, 2000), *Transformations of Late Antiquity: Essays for Peter Brown*, edited with Manolis Papoutsakis (Ashgate, 2009), and *The Christian Moses: From Philo to the Qur'an*, edited with Janet Timbie (Catholic University of America Press, 2019). His book chapters, journal articles, and book reviews number over 100. In 2013 he was presented with a Festschrift entitled *Ascetic Culture: Essays in Honor of Philip Rousseau*, edited by Blake Leyerle and Robin Darling Young (University of Notre Dame Press).

Appointed a Fellow of the Royal Historical Society in 1981, Prof. Rousseau held visiting fellowships and scholarships at Dumbarton Oaks (1981–82), the University of Exeter (1990), the Institute for Advanced Study, Princeton (1990), Wolfson College (1976, 1993, 1995), Robinson College, Cambridge (1996), the Center for Advanced Studies, Norwegian Academy of Science and Letters, Oslo (2003), and the Center for Medieval and Renaissance Studies at UCLA (2010). In 1985 he served as Visiting Professor at the University of California, Berkeley, and from 2013 to 2016 as Honorary Professor at the Centre for Early Christian Studies, Australian Catholic University.

It is significant that both Philip Rousseau's first book and his last article (co-authored with Albrecht Diem) begin with a reversal of time: in the first instance, with a declaration that the book was "in some ways written backwards," and in the second, with the plan to investigate "a history created backwards."[1] Philip was fascinated with this feature of historiography, and he frequently used it, particularly in his conversation and teaching, to consider not only the past itself, but also the present from which the past was interpreted. As he repeatedly revised his proseminar "Intro-

1. *Ascetics, Authority, and the Church in the Age of Jerome and Cassian* (Oxford, 1978), 1; "Monastic Rules (Fourth to Ninth Century)," in: *Cambridge History of Medieval Monasticism in the Latin West*, eds. Alison I. Beach and Isabelle Cochelin (Cambridge, 2020), 162.

duction to Early Christian Studies" over the twenty years of his Mellon professorship, this once traditional course shifted its focus from the early Christian centuries themselves to their reception in the early modern period and up to the present day. This perspective, he believed, was critical not only for an accurate understanding of Christian antiquity, but also for a critical exploration of its use and misuse over the centuries. The legacy he leaves in his writings and in the work of his students will be productive in many ways, but not least in the example he set of posing and grappling with the difficult questions that the present asks and expects the early Christian past to answer.

Catholic University of America WILLIAM E. KLINGSHIRN

R. Stafford Poole, C.M. (1930–2020)

Born March 6, 1930 in Oxnard, California, to Joseph and Beatrice (Smith) Poole, Richard Stafford, who went by his middle name, grew up in North Hollywood where he attended Rio Vista Elementary School before transfer to St. Charles Borromeo parish school for Junior High. In 1942, he entered Los Angeles College, preparatory seminary of the archdiocese conducted by priests of the Congregation of the Mission of St. Vincent de Paul, better known as Vincentian Fathers. In October 1947, Stafford entered the Vincentian novitiate at St. Mary of the Barrens Seminary in Perryville, Missouri, where he studied philosophy as an undergraduate and theology as a graduate student. He was ordained a priest on May 27, 1956. Stafford continued studies at St. Louis University where he earned a Master of Arts with major in Spanish Literature and a Doctorate of Philosophy (Ph.D.) in American history.

Stafford intended to do his dissertation on Catholic slaveholding in Missouri, but his scholarly career took a sudden shift in direction. Father Jack Bannon, S.J., a Borderlands historian who chaired the history department, had just come into possession of the documents of the Third Mexican Council of 1585. Bannon thought Stafford should do his dissertation on that. "I got working on it and became fascinated with the whole thing," he recalled. "But actually I had had only one graduate course in Latin American history, and that was a survey. Other than that, I was self-taught."

This twist of fate led to an impressive body of work on sixteenth-century New Spain which included translation of *In Defense of the Indians; The Defense of the Most Reverend Lord, Don Fray Bartolome de Las Casas, of the Order of Preachers, Last Bishop of Chiapa* (1974,1992) as well as the studies *Pedro Moya de Contreras: Catholic Reform and Royal Power in New Spain, 1571–1591* (1987, 2011); *Juan de Ovando: Governing the Spanish Empire in the Reign of Philip II* (2004); *Our Lady of Gudalupe: The Origins and Sources of a Mexican National Symbol, 1531–1797* (1995); and *The Guadalupan Controversies in Mexico* (2006). In addition, he contributed twenty-three publications to anthologies and encyclopedias, and wrote sixty-two journal articles.

Stafford's two carefully researched, closely argued scholarly works on the Guadalupe Legend convinced him and others that it was just that: myth. Juan Diego was a cultural fabrication. When the Vatican was considering his canonization, Stafford sought to forestall another St. Christopher by supplying evidence and argument against the existence of Juan Diego, let alone his sainthood, but to no avail.

Stafford's teaching career included Cardinal Glennon College in St. Louis, where he also served as dean of student; his alma mater St. Mary of the Barrens Seminary in Perryville, Missouri; and St. John's Seminary College in Camarillo, California, where he was rector from 1980–84. His short stint in that office was a trial because Stafford hated administration, even though he had a gift for it. He much preferred scholarship and the classroom.

Stafford was a founding member of the Vincentian Studies Institute established in 1979 to promote scholarly work on the history, spirit, and works of the Congregation of the Mission. The institute publishes *Vincentian Studies* and produced the companion volumes *The American Vincentians: A Popular History of the Congregation of the Mission in the United States, 1815–1987* (1988, for which Stafford wrote two chapters and contributed on another) and *Daughters of the Church: A Popular History of the Daughters*

of Charity in the United States, 1808–1987 (1989). Stafford's interest in Vincentian history offered opportunity to return to his original dissertation topic. Together with former student and colleague Professor Douglas Slawson, he co-authored *Church and Slave in Perry County Missouri: 1818–1865* (1986).

Stafford was a lover of classical music, especially opera. He was an autodidact clock-maker, who built, repaired, and collected pendulum clocks which hung on the walls of his study. On the hour, there was a riot of sound. In retirement, he learned Nahuatl under Professor James Lockhart so he could study the Guadalupe myth in the original language. Together with Lockhart and Lisa Sousa, he edited and translated *The Story of Guadalupe: Luis Laso de la Vega's* Huei tlamahuiçoltica *of 1649* (1998).

Father Stafford Poole passed away gently at St. Mary of the Barrens on All Saints Day 2020 at age ninety after a long decline in health. He is buried in the Vincentian cemetery on the grounds.

National University, San Diego, Emeritus DOUGLAS SLAWSON