## MAX-PLANCK-INSTITUT FÜR EUROPÄISCHE RECHTSGESCHICHTE MAX PLANCK INSTITUTE FOR EUROPEAN LEGAL HISTORY



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Seminar of the MP Forschungsgruppe III with Dr. Francesco Russo (PhD - University of Roma Tor Vergata)

## Center and Periphery. Connections and Ties between the Order of the Hospital of Saint John of Jerusalem and the Roman Curia in the Sixteenth and Seventeenth Century

On the 2<sup>nd</sup> of December the Max Planck Forschungsgruppe III had the opportunity to meet Dr. Francesco Russo from the University of Roma Tor Vergata. Francesco Russo studied history at the Roma Tre University and he defended his PhD thesis at the University of Roma Tor Vergata. During the same period he obtained his diploma as an archivist from the State Archive of Rome. From April 2013 he worked as external researcher in Dr. Benedetta Albani's project entitled "Reorganization of the archive of the Congregation of the Council (Vatican Secret Archives)". During his studies, Francesco Russo had the opportunity to examine in depth the history of the Order of the Hospital of St. John of Jerusalem and its relations with the Roman Curia during the sixteenth and seventeenth centuries.

Francesco Russo started the seminar introducing the concept of military monastic order and explaining how this concept finds its *raison d'être* in the provision of assistance to and protection of the pilgrims who came to visit the Holy Sepulcher after the conquest by the crusaders. The Order of the Hospital of St. John is of particular importance since it represents one of the few examples of military monastic orders which have survived until today. This Order was founded as a charitable institution and assumed its military aspect during the twelfth century. During the time

spent in the Holy Land, the Order started to define its structure including Knights, who were professed monks; Chaplains, who were in charge of the liturgical service; and the Sergeants-at-arm, who were in charge of the humblest duties inside the order.

After the fall of Jerusalem (1187) and Acre (1291), the Order of the Hospital of St. John from the 1310 found a new location in Rhodes. The Order stayed on that island until the conquest by the Ottomans in the 1523. During that period the Order developed a particular structure based on the Tongue (Langue), or national groups characterized by the language spoken by their members. At the same time it is possible to observe the division of power among different political institutions: the administrative and the juridical powers were assigned to the Holy or Venerable Council; whereas the legislative power was assigned to the General Chapter. The Order was led by the Grand Master, who could be assimilated to an abbot elected for the rest of his life following a procedure similar to a conclave. Francesco Russo highlighted that, as a regular institution, the Order acknowledged the Roman Pontiff as supreme head, who had the faculty to interfere directly in the life of the Order contributing sometimes to the creation and the solution of many conflicts. As far as its foreign policy was concerned, the Order started its diplomatic relations with the other political entities in the rest of Europe in the same period, as one can - for example infer from the presence of a procurator who represented the Order in Rome, even if he officially acted as religious emissary.

The next location of the Order was the island of Malta, given by the Emperor Charles V and accepted by the Knights in the 1530. In Malta the Order started to consider itself more and more as sovereign entity and consequently the Grand Master started to be considered as an absolute prince. It is possible to follow the creation of a clear hierarchy of rules for the regulation of the life inside the Order. The first place was covered by the Rule, which represented the "charisma" of the Hospital. This text, written by Raymond du Puy, was a mix of Benedictine and Augustinian principles. Secondly there were the Statues issued by the Grand Master whenever it was necessary to adapt the rule to new contingencies. Then, there were the esgarts, which were a collection of judgments upon the members of the Order. The customs recovered a role in the Order only in the beginning and started to lose their relevance

with the first written collection of statutes. Finally, it is always necessary to remember that the pope conserved the power to intervene in the inner life of the Order due to his quality of supreme head of the Order. The pope represented the ultimate resort for the solution of the conflicts inside the Order and for the protection of the privileges of the Knights.

After this first part of the presentation on the origin of the Order of the Hospital of St. John, Francesco Russo opened the main part of his presentation dedicated to the relationship between the Order and the Roman Curia. He did this by defining Malta as "a sort of periphery of the Christian world", where, if it is true that on one side it was strictly connected with the spiritual center of Rome, on the other side, it represented the center of many different administrative system spread all over Europe, and for that reason it developed many relationships with local realities.

After the Council of Trent, the Order was able to boast a particular ecclesiastical dimension frequently criticized by the bishops. In particular the bishops claimed greater control over the peripheral components of the Order, especially over the care of the souls that in many commanderies was exercised by the Chaplains. It's interesting to see, explained Francesco Russo, how the pope on the one hand granted to the bishops the right of carrying out pastoral visits in the Hospitaller churches as apostolic delegates, and on the other hand he assured the survival of the Order confirming all the exemptions enjoyed by the Knights. Francesco Russo illustrated how this compromise was justified by the necessity of homogenization and uniformity prescribed by the Council of Trent, and at the same time it permitted to the pope to maintain control over this particular institution. The privileges of the Order were usually confirmed each time a new pope was elected and in some cases multiple confirmations took place during the same pontificate. These confirmations always presented an occasion for the bishops to oppose the independence and the privileges of the Order.

The necessity to maintain control over the Order of the Hospital pushed the Pope to send a General Inquisitor on the island in 1574. This inquisitor was officially appointed for the repression of heresy and sorcery, but really acted as an apostolic nuncio. The presence of the General Inquisitor on the island was always felt by the

Order as an improper intrusion in its political and administrative freedom. For its part, the Order was represented in Rome by an ambassador and by a cardinal protector who had the duty to defend the interests of the Order thanks to his position in Rome, which permitted an easier and more direct relationship with the Pontiff.

During the sixteenth and the seventeenth centuries it is possible to see a larger interference in the life of Order exercised by the Pope and culminating in the reformation of the procedure for the election of the Grand Master by Urban VIII, who even thought to summon a General Chapter in Rome for improve his control over the activities of the Knights. The Order tried to oppose these intrusions with a sort of "passive resistance" as far as it was possible. In accord with the policy of the other courts in Europe, even the Hospitaller court started to resist to the interferences of the popes more and more in the temporal sphere. Often the General Inquisitor was strongly pushed by the Pope to remove the obstacles in the application of the guidelines sent from Rome, but it was not always possible due to the harder resistance of the Grand Master.

Francesco Russo explained how during the early modern period it is possible to observe a dense network of relationships between the Order and the Roman Curia, in particular with the Roman Rota, the Congregation of the Council, the Congregation of the Bishops, the *Signatura Gratiae*, the *Signatura Iustitiae* and, starting from the seventeenth century, a *congregatio particularis* that was created for solve the questions related to the Order. For the solution of its questions the Order always tried to choose the institution which was supposed to be the best forum for the satisfaction of its requests thanks to the connections of the Knights with the cardinals and prelates in Rome.

The system created by the Order of the Hospital based on conventual dignities, priories, wealthy commanderies, political relationships, military exigencies, charitable purposes and religious aims, collapsed with the French Revolution, but the Order survived thanks to all the connections that it was able to create and maintain during all its existence.

After the presentation the Max-Planck Forschungsgruppe III had the opportunity to ask some questions to Francesco Russo. During the discussion the participants

showed a particular interest for this institution and its relationships with the Roman Curia and with the other entities in Europe during the Early Modern Period. Some questions concerned the role of the bishops, their attitudes towards the Order and the collaboration or conflict in specific cases. Other questions were about the organization and the governance of the Order with a specific interest for the juridical system in force and the relationships between the different sources of law. Francesco Russo's presentation gave the Max-Planck Forschungsgruppe III a great example to see how it could be possible to write the history of a particular institution and its relationships with the Roman Curia using the Vatican sources and with an archival approach.

## **Essential biography**

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