

CATHOLIC CLERGY, ABUSE OF POWER AND SEXUAL ABUSES
CASE STUDIES AND TOOLS FOR HISTORICAL INVESTIGATION
(16TH-EARLY 20TH CENTURY)

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SACRAMENTAL POTENCY
AND ECCLESIASTICAL POWER

*Putting Power and Sexual Abuses
in the Catholic Church into Context*

Introduction

In the following pages¹ we will share the results of a collective work on the sexual abuses by members on the Catholic clergy, conducted by a group of historians who have been questioning the very notion of abuse, the duty to denounce, the various forms of silence, the reactions of ecclesiastical authorities at the Roman level and that of the male religious orders, as well as the literary narrating of abuse by priests. We aimed to present case studies, but also to propose different working methods, with multiple epistemological references, in order to contribute to a collective thinking about these objects of enquiry. The case studies selected – cases of paedophilia, but also abuse of women and men – cover an extended period, from the sixteenth century to the long nineteenth century, including a contribution that analyses the Holy See's position in the forties of the twentieth century. This chronology is born of the conviction that, as far as the Catholic Church is concerned, there is a coherent approach to modernity and contemporary issues from the Council of Trent (1545-1563) to the Second Vatican Council (1962-1965)².

This introduction is composed of two parts. Before presenting the different contributions, I felt it was important to draw attention to a fundamental element, which is too often passed over in silence as if it were self-evident. This is the figure of the priest as it was outlined in the decrees of the Council of Trent, and as it was presented to the faithful.

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¹ I would like to thank UCLouvain and particularly RSCS (Institut de Recherche Religions Spiritualités Cultures Sociétés), as well as IACCHOS (Institut d'Analyse du Changement dans l'Histoire et les Sociétés Contemporaines) and LaRHIS (Laboratoire de Recherches Historiques), for their financial and logistical support for this initiative, both at the time of the international seminar in March 2022, and for this publication.

² Paolo Prodi, *Il paradigma tridentino. Un'epoca della storia della Chiesa*. Morcelliana, Brescia 2010, p. 15.

In his intense and still relevant *Apologie pour l'histoire* (1949), Marc Bloch devoted the first chapter to the constant relations between past and present, at the heart of the historian's task. The latter, Bloch argued, must inhabit his/her present in order to be able to ask questions pertinent to the past, thus appropriating the fundamental 'relations of intelligibility' that occur between these two temporal dimensions³. It is clear that it is not by chance that the question of abuse of power and sexual abuse by priests in the Catholic Church is currently being studied in depth. A sociologist currently engaged in a 'sociology of scandal' in the contemporary Catholic Church, Céline Béraud, closed the research seminar that prepared this monographic issue a few months ago⁴. She took the occasion to underline the advantages of taking a long-term perspective in studying sexual abuse by members of the clergy. Among other things, doing so complexifies the issue in challenging certain explanations which would see these abuses as the consequence of the contemporary loss of clear moral reference points. That loss would be the result of secularisation and contemporary moral and ethical relativism, which is alleged to have ended up affecting clergy members too. This is the thesis formulated, for example, by Pope emeritus Benedict xvi in 2019⁵. For a historian, the fact that priests, like any other human beings, are the children of their time is obvious. But the explanation given remains flattened on contemporaneity and reinforces the magic circle that part of the Church has drawn between itself and modernity, pointed to as the source of all disorder, without also questioning which elements in its own ways of operating and how it discourses about itself *have* left room for dysfunction and abuse of power, resulting in cases of spiritual and/or sexual abuse in the contemporary period, but also in earlier periods. One need only read the childhood memoirs of a brilliant Irishman born in Dublin in 1958, the journalist Fintan O'Toole, to appreciate the persistence of a very specific relationship between the ordained clergy and the laity – especially the more vulnerable categories such as women and children. In his eyes of a child, his parish priest was «a man who, for me, embodied God on earth»⁶. This observation, formulated with disarming simplicity, recalls the priest's both symbolic and immanent power in the Catholic ecclesiological economy, reshaped and forcefully affirmed at the Council of Trent. It also helps us to understand the *raison d'être* of some of the recommendations made in France in the autumn of 2021 by the CIASE – Commission indépendante sur les abus sexuels dans l'Église –, at the conclusion of its interdisciplinary work, based in particular on listening

³ Marc Bloch, *Apologie pour l'histoire ou métier d'historien*, 2^{ème} édition, Librairie Armand Colin, Paris 1952, I, vi-vii.

⁴ Céline Béraud, *Le Catholicisme français à l'épreuve des scandales sexuels*, Seuil, Paris 2021.

⁵ Pope Benedict xvi, *The Church and the Crisis of Sexual Abuse*, Translated into English on April 10, 2019. <https://www.catholicnewsagency.com/news/41013/full-text-of-benedict-xvi-essay-the-church-and-the-scandal-of-sexual-abuse>, accessed December 15th, 2022.

⁶ Fintan O'Toole, *We Don't Know Ourselves. A Personal History of Ireland*, Head of Zeus, London 2021, p. 164.

to victims. Indeed, the commission began by explaining the link between the celibacy of priests and its powerful consequences at the level of the heroisation of priests in representations – taken on board by both the faithful and priests too, I would add –, in pointing out the «position of domination» resulting from it⁷. Further on, with regard to the hierarchical constitution of the Church and the exercise of spiritual power and governance by the clergy, the commission invites to question the consequences of the confusion between the potency of the sacraments and the power of the priest⁸. If we add to these observations the request to recognise the «institutional failures» at the root of the «Church’s systemic responsibility» in the face of sexual abuses⁹, we realise the close links between the Catholic priesthood, the primacy of the sacraments as privileged moments of encounter between God and the faithful, and the power games that this relationship engenders. We have therefore decided to analyse these phenomena from a long-term perspective.

At the crossroads between the priesthood, sacraments and the duty of obedience of the faithful in early modernity. The Council of Trent, its decrees, its catechisms

Between the spring and autumn of 1614, the inquisition of Siena took an interest in the case of the guardian father of the convent of St. Francis, Master Francesco Penna of Avezzano, who was accused of sodomy by several novices, with the support of experienced friars, including the novice master.¹⁰ In June, the latter had been alerted by one of the youths about the guardian father and Ippolito, who was serving morning Mass: «they did dirty things» – «hanno fatto le porcharie» – in the sacristy. The 12-year-old “fratino” – little friar – Ippolito Brizi was one of the youngest novices, but showed a rather impressive level of resolve. Summoned, he repeated his testimony to the novice master, and then to the local inquisitors, signing his statements with his own hand. He was warned that he would be flogged if he lied but he, even if he was «terrified» – «atterrito» –, stuck to his version: «I didn’t want

⁷ Recommendation n° 4, p. 53, in *Rapport de la Commission indépendante sur les abus sexuels dans l’Église, Octobre 2021. Les violences sexuelles dans l’Église catholique. France, 1950-2020*, available on <https://www.ciase.fr/rapport-final/>, accessed January 2nd, 2023.

⁸ *Ibi*, Recommendation n° 34, p. 62.

⁹ *Ibi*, Recommendation n° 24, p. 60.

¹⁰ Rome, Archivio del Dicastero per la Congregazione della Dottrina della Fede (ADCDF), ADCDF, St. St., Processi Processi, vol 25, 37, *Contro il P. Francesco Penna d’Avezzano guardiano del convento di S. Francesco di Siena*, 1614, cc. 495-529 [from now on: *Processo*]. See at least Vincenzo Lagioia, *Qualifier et poursuivre la pédocriminalité des clercs dans l’Italie des XVI^e et XVII^e siècles*, in «Clio. Femmes, Genre, Histoire» 2(2020) (52, *Abuser/Forcer/Violenter*), pp. 69-92; Michele Mancino - Giovanni Romeo, *Clero criminale. L’onore della Chiesa e i delitti degli ecclesiastici nell’Italia della Controriforma*, Laterza, Bari-Roma 2013; Marina Baldassari, *Bande giovanili e “vizio nefando”*. *Violenza e sessualità nella Roma barocca*, Viella, Roma 2005.

to do those things with the Guardian [...] he tried to sodomise me and because I didn't keep still ... while trying to put it in me; he corrupted himself out»¹¹.

During the local phase of the trial, which preceded sending the case to the Holy Office in Rome, Master Francesco d'Avezzano was arrested and, «in the torture chamber», was read the charges retained against him. Besides sodomy, the sacramental context of the abuse was the real issue:

«that he kissed friar Ippolito in the sacristy dressed in priestly vestments to go and say mass and, moreover, pulled his member out while touching said friar Ippolito and visibly soiled himself. Thereafter, without washing his hands and without confessing, he went incontinently to celebrate the sacrifice of the mass, which friar Ippolito served. And after he had said the same and returned to the sacristy, and having stripped himself of his priestly vestments, he incontinently and immediately led friar Ippolito into the room [...], attempting to sodomise him, at which point he was unable to perform the act inside fratino's vase because the latter had not helped him. [...] And what is more, there is evidence that another morning, dressed in the same priestly vestments, he also kissed Friar Curtio in the sacristy»¹².

Testimony after testimony, the inquisitors' questions are aimed at determining what actions the respondent took while dressed in liturgical vestments. Even the recourse or non-recourse to water to wash his hands is taken very severely in determining the seriousness of the abuses vis-à-vis the sacrament of the Eucharist, which he is said to have celebrated without washing his hands, after having ejaculated. Those familiar with canonical logic and casuistry will find this quite normal – and we will return to it in several of the contributions that follow –: neither Ippolito nor the other abused novices are the main issue in the procedure. It is only by distancing himself from the inquisitorial logic that the historian can question the double action that is played out in the sacristy space and that determines the superposition of several forms of oppression: of the adult over the child, of the superior over his subject, of the priest and the institution he represents over the lay person. Ippolito defends himself and escapes the physical violence in part, but the symbolic violence remains intact: in the immediacy, he saw no other possibility than continuing to serve his superior, even in the moments following the attempted penetration. Only after an older novice, who had experienced the guardian's violence and seen him leave a small room adjacent to the sac-

¹¹ «Non volevo fare queste cose col Guardiano [...] cercò di sodomizzarmi e perché non stavo fermo nel cercar di mettermelo dentro, si corruppe di fuore», *Processo*, Ippolito's testimony at the local inquest, cc. 499r-500v; here c. 500r.

¹² «Che ha baciato frate Ippolito in sacrestia vestito di paramenti sacerdotali per andar a dir messa, e di più ha cavato il suo membro toccando detto frate Ippolito et s'è corrotto visibilmente. Etiam poi, senza lavarsi le mani et senza confessarsi si è ito incontinentemente a celebrare il sacrificio della messa, la quale li serviva detto frate Ippolito. Et dopo che hebbe detto la stessa e tornato in sacrestia, et spogliatosi i paramenti sacerdotali, incontinentemente et di subito condusse detto frate Ippolito nella stanza [...] tentò di sodomizzarlo at non poté consumare l'atto dentro al vaso // del fratino perchè egli se n'aiutava. [...] Et di più consta che altra mattina, parato de' medesimi habiti sacerdotali, in sacrestia parimente habbia baciato fra Curtio», *ibi*, c. 505r.

risty with Ippolito and questions him, does Ippolito break his silence: «He led me thither, and kissed me; he ripped the string off my pants and made me dirty things»¹³.

In recent years, some studies have contextualised sexual abuses by priests and their inclusion in the normative evolution that characterised Catholicism from the Counter-Reformation onwards, during which time an ecclesial and theological system built around the ordained priest's centrality as an indispensable mediating figure between God and the faithful was imposed. In particular, in order to preserve the dignity of the sacrament of Holy Orders, from the mid-sixteenth century onwards in Spain, and subsequently throughout Catholicism, popes spoke out against the various cases of perversion of the sacrament – especially confession – for personal gain. The spiritual crime of *sollicitatio ad turpia* was elaborated in this context, while normative spheres progressively linked that generic solicitation to sodomy, considered particularly serious when it involved ordained men¹⁴. Moreover, until the end of the eighteenth century, civil society and the Church shared their indifference towards the age of the person solicited, even if we will see in the articles gathered here that some moralists were well aware of the problem and that the choice not to write about it was often a consequence of wanting to avoid scandal¹⁵.

Among the elements that deserve to be explored in depth in order to understand the long-term institutional and doctrinal issues surrounding the inseparable question of abuse of power and sexual abuse in the Church, there is the vision of the ordained priest. For this reason, before presenting the contributions of this monographic issue, it is important to briefly recall some elements of the Tridentine discourse on the priesthood based on the Council's decrees, as well as on other texts that 'translated' those decrees for a wider audience, shaping shared representations of the priest and the extent of his authority towards other baptized persons. These discourses also shaped relational practices in the context of parish life or in other spaces of interaction – think of schools – without forgetting relationships directly related to the administration of the sacraments – especially confession – or spiritual direction.

¹³ «m'ha menato là et m'ha baciato ; m'ha strappato la stringa de' calzoni per forza e m'ha fatto le porcarie», *ibi*, Testimony of Brother Ippolito, c. 501.

¹⁴ Marie-Jo Thiel's synthesis is particularly complete and well documented, *L'Église catholique face aux abus sexuels sur mineurs*, Bayard, Paris 2019; in part. *Des éléments d'histoire*, pp. 25-84; see also Thomas P. Doyle - A.W. Richard Sipe - Patrick J. Wall, *Sex, Priest and Secret Codes: The Catholic Church's Two Thousand Year Paper Trail of Sexual Abuse*, Bonus Books, Los Angeles 2006; Claude Langlois, *On savait mais quoi? La pédophilie dans l'Église de la Révolution à nos jours*, Seuil, Paris 2020; Francesco Benigno - Vincenzo Lavenia, *Peccato o crimine. La Chiesa di fronte alla pedofilia*, Laterza, Roma-Bari 2021; in part. *Sessualità, clero e minori: una storia*, pp. 95-231; Lucetta Scaraffia, *A confronto con il male. Per una storia degli abusi nella Chiesa*, in Lucetta Scaraffia - Anna Foa - Franca Giansoldati (eds.), *Agnus Dei. Gli abusi sessuali del clero in Italia*, Solferino, Milano 2022, in part. pp. 9-87.

¹⁵ See in particular the contributions of Fernanda Alfieri and Jean-Pascal Gay.

At the crossroads between the priesthood, the sacraments and the faithful's duty of obedience in early modernity. The Council of Trent, its decrees and catechisms

Those who have studied the catechisms of the Early Modern era are familiar with the arguments around the fourth commandment, «Honour thy father and thy mother». In those texts, the biological bond is only the first rung in a hierarchy that integrates the spiritual sphere, with the authority of ordained priests, exercising a form of spiritual fatherhood. This injunction to «honour» is to be manifested above all in reverence and obedience. With regard to the fourth commandment, the post-Tridentine Catechism, first published in 1566 under the pontificate of Pius v and intended to be the basis for Catholic education until at least the Second Vatican Council, insisted above all that the reference to father and mother should be understood «latissime», that is, in the widest sense, which included those «qui patres appellantur», i.e., first of all, the spiritual authorities of bishops and priests, followed by civil authorities¹⁶. Moreover, it is interesting to note that, while for parents there is a paragraph that specifies the cases in which one is not obliged to obey them – *Parentibus quando non obediendum* –, there is no equivalent paragraph for other authorities, and notably not for priests. The Catechism of Pius v was only the first of a real literary genre, created in response to protestant catechisms and intended to reach the various groups of faithful¹⁷. I will only mention here the catechism by images perfected by the Jesuit Peter Canisius and aimed at the illiterates. This text met a real need and hence would become very successful. In the 1589 Antwerp edition, the image chosen to illustrate the fourth commandment was that of Noah falling asleep drunk and naked after celebrating the end of the flood, and the different attitudes of his sons: while Cam rushes to reveal his father's shame, the other

¹⁶ Pars tertia, caput primum, *de Dei praeceptis in Decalogo contentis*, p 435 ss; In part. Caput quintum, *De quarto praecepto*, p 500-514, in *Catechismus ex decreto Concilii Tridentini ad Parochos, Pii v Pont. Max. Primum, nunc sanctissimi Domini nostri Clementis XIII jussu editus*. Luxemburgi, Typis heredum Andreae Chevalier, 1763; in part. *Quaestio VII. Quo pacto parentes officio, praesertim Episcopi & Sacerdotes sunt honorandi?*, pp 508-509.

¹⁷ Marco Cavarzere, *Aux origines des catéchismes catholiques de l'époque moderne. Le catéchisme du concile de Trente et l'Italie au XVI^e siècle*, in Mariella Colin (ed.), *Les catéchismes et les littératures chrétiennes pour l'enfance en Europe*, Presses Universitaires de Bordeaux, Bordeaux 2014, pp. 55-69; Peter van Dael, *Two Illustrated Catechisms from Antwerp by Petrus Canisius*, in Koen Goudriaan - Jaap van Moolenbroek - Ad Tervoort, *Education and Learning in the Netherlands, 1400-1600. Essays in Honour of Hilde de Ridder-Symoens*, Brill, Leiden 2004, pp. 277–296; Simon Ditchfield, *De-centering the Catholic Reformation: papacy and peoples in the early modern world*, in «Archiv für Reformationsgeschichte-Archiv for reformation history» 101(2010), pp. 186-208, in part. p. 205; Denis R. Janz, 'Catechisms', in *The Oxford Encyclopedia of the Reformation*, 4 vols., Oxford-New York, 1996, vol. 1, pp. 275-280; Marc Venard - Bernard Vogler, *Les formes collectives de la vie religieuse*, in Jean-Marie Mayeur & others (eds.), *Histoire du christianisme des origines à nos jours*. 8, Marc Venard (ed.) *Le temps des confessions (1530-1620/30)*, Desclée, Paris 1992, pp. 923-990 (in part. *L'encadrement des fidèles*, pp. 957-963).

two brothers cover their father's nakedness with Noah's cloak, entering his tent backwards to safeguard his honour¹⁸. An honour that must be protected at all costs, even if it prevents them from watching and understanding what is happening. Indeed, this emphasis on the honour of the *pater familias* – and of all those who perform a similar role – is hardly surprising in the European society of the *Ancien Régime*, with its clannish vision of the family, and with the hegemony of honour percolating from the hierarchy of aristocratic values onto the whole society. Alongside the catechisms, in the same years, many devotional books flourished which made obedience and submission the keystone on a sure path to spiritual perfection. I will mention here only the *Pratica Spirituale* probably written by another Jesuit, Antonio Possevino, which was published in several editions in Italian and French. If God is indicated as the first of the superiors, «the second superiors are all those who govern me in this world by the will & ordination of the Lord, as are Fathers & Mothers, both spiritual & carnal». They must be assured respect and obedience as «Christ's vicars on earth», by obeying «simply, without retort or apology, blindly»¹⁹.

In the Early Modern era, the profound alterity of the ordained priest, making him – at least in the popular vulgate – not only the one who acts as Christ's vicar, but who ends up being perceived as the incarnation of God on earth, will be conveyed by a whole range of militant literature combining written texts and images to tell the story of the martyrdom of Catholics by Protestants in the context of the wars of religion. This is the case of the work of the English Catholic refugee Richard Verstegan, an agent of Philip II linked to the Jesuit anti-Protestant network in Northern Europe, author of the famous *Theatre des Cruautés des Hérétiques de nostre temps*, published in Antwerp in Latin and soon translated into French (1587-1588)²⁰. In that pamphlet, alternating texts and images, and denouncing the persecutions of Catholics in England, Scotland, the Netherlands, and France, reference to the sacrifice of the cross, with its consequences for mankind's salvation, is used to recall the link between Christ and priests. Indeed, Verstegan's engravings display an iconoclastic fury that would not even stop at representations of the crucified Christ and that, in some cases, made of the priest, wearing his liturgical paraments, a kind of *alter Christus*. That is what is said involving

¹⁸ Cf. Gen., IX, 21-27: Petrus Canisius, *Institutiones Christianae, seu Parvus Catechismus catholicorum*. Antuerpiae, excudebat Christophorus Plantinus, 1589, s.p.

¹⁹ «Il secondo superiore sono tutti coloro i quali in questo mondo mi governano per volontà & per ordinatione del Signore, come sono Padri e Madri, tanto spirituali, come carnali [...] [...obbedire] semplicemente, senza replicare o scusarmi, alla cieca». *Prattica spirituale di una serva di Dio, al cui esempio puo' qualsivoglia monaca o persona spirituale essercitarsi*, Macerata 1576.

²⁰ Richard Verstegan, *Théâtre des Cruautés des hérétiques de notre temps*, by Frank Lestringant, Editions Chandeigne, Paris 1995; Paul Arblaster, *Antwerp & the World: Richard Verstegan and the International Culture of Catholic Reformation*, Leuven University Press, Leuven 2004; Frank Lestringant, *Lumière des martyrs. Essai sur le martyre au siècle des Réformes*, Honoré Champion, Paris 2004.

the village of Houdan, in the diocese of Chartres, where a priest was forced to celebrate mass while his tormentors beat him. Bloodied and disfigured, he was tied to the church's central crucifix and shot with an arquebus: his superimposition on the image of the crucified Christ being thus accomplished physically and symbolically²¹. The effectiveness of internalized representations in creating references shared by human communities is an element that cultural history has taught us not to underestimate. In the case we are dealing with here, these representations by text and images constructed and disseminated a precise hierarchy between ordained priests and the rest of the Catholics, and that hierarchy was translated into a necessarily unbalanced relational framework, around the duty of obeying and safeguarding the honour of both the priest and the Church.

If, with this kind of observation in mind, we look at the Council of Trent's decrees concerning the ordained clergy, we will see that a great deal of space is devoted to the concrete forms in which what might be defined as their ontological difference from all the other baptized is manifested. That alterity is linked to the conciliar doctrine of Revelation, which distances itself from protestant «novelties», in reaffirming the indispensable mediatory role of priests between the faithful and God, especially in administering the sacraments. In this regard, in the 21st session, devoted to Eucharistic doctrine and communion under the two species, the decree insists on the fact that this must be reserved to ordained priests on pain of excommunication: «lay people and clerics who do not celebrate are not bound by divine right to communion under the two species». The rationale for this difference becomes much more evident in the 23rd session devoted to the sacrament of Holy Orders: the question addressed is that of the *potestas spiritualis* of the ordained, resulting in his power to consecrate bread and wine, but also in his power to «remit» or «maintain» sins. All of this, the conciliar decree specifies, is a consequence of the «character», of the mark imprinted in the flesh and spirit of the ordained by the Holy Spirit: he is no longer the same person. This definitive change of being/nature – in body and in spirit –, establishes a precise hierarchy among the baptized and constitutes one of the beliefs with the heaviest consequences on relations between ordained priests and faithful in the Catholic Church.

Before and after Trent, canon law worked with the notion of *potestas spiritualis*, in defining the characteristics and practical spheres of exercise of this «spiritual jurisdiction», also called «ecclesiastical jurisdiction». It may be exercised by those who have received the sacrament of Holy Orders by virtue of priestly ordination, and acts on both the external and internal forum, by sacramental or extra-sacramental means. It is the «full public power to govern the faithful in view of eternal life»²². It is obviously in virtue of this

²¹ R. Verstegan, *Théâtre des Cruautés*, p. 79 and 101; David El Kenz, *La victime catholique aux temps des guerres de religion. La sacralisation du prêtre*, in Benoît Garnot, *Les victimes, des oubliés de l'histoire?*, Presses Universitaires de Rennes, Rennes 2000, pp. 191-199.

²² Pier Giorgio Marcuzzi, *Potestà di giurisdizione*, in *Potestà*, in *Dizionario degli Istituti*

metaphysical perspective – salvation and eternal life – that this power and those having the right to exercise it, create a deeply rooted hierarchy in Roman Catholicism. Pius v's Catechism explains this very clearly: all the other sacraments depend on the sacrament of Orders, which assures salvation, and for this reason the priest is defined as «*interpres et mediator Dei*» – God's interpreter and mediator²³. In virtue of ordination, the Catechism further states, every priest will exercise the double *potestas ecclesiastica*, which is expressed in the power to consecrate the Eucharist by making Christ present. Furthermore, «*ad eam [potestatem] enim spectat Christianum populum gubernare & moderari & ad aeternam caelestemque beatitudinem dirigere*»²⁴. This power is exercised for the salvation of souls and, century after century, will often be extended to representatives of male religious orders, but always in virtue of sharing the sacrament of Orders.

It has been possible to study the consequences of the exercise of the priest's *potestas spiritualis* in relation to other categories of the faithful in times of crisis and change, particularly in the nineteenth century, when a large number of new female religious congregations sought approval from Rome for their institutes, which should have allowed them a life of active apostolate, under the coordination of a lifetime superior general who would have acted according to the model of some male congregations, including the Society of Jesus. The difficulties encountered by those women in dealing with the Roman authorities in order to appropriate their life project were essentially related to an implicit discussion of the *potestas spiritualis*, which could only be exercised by ordained clerics²⁵.

In the light shed on this canonical and pastoral framework, we turn again to the fundamental relationship of spiritual direction and spiritual fatherhood, whether in the context of confession or in other forms. The rationale for this emphasis on spiritual fatherhood in the context of early modernity has been studied quite convincingly. Among other things, it was the Catholic response to the emphasis on the father/pastor model of the protestant churches, which

di Perfezione VII (1983), coll. 143-189, in part. 150-167. Citation, p. 147. This *potestas* is quite different from the much more limited «*potestas dominativa*», which every superior (man or woman) exercises over the members of his or her community, as a consequence of vows of obedience taken.

²³ *Caput septimum, De ordinis sacramento, Quaestio XXI, Quae est dignitas & amplitudo sacerdotii?*, pp. 402-403, in *Catechismus ex decreto Concilii Tridentini ad Parochos, Pii v Pont. Max. Primum, nunc sanctissimi Domini nostri Clementis XIII jussu editus*, Typis heredum Andreae Chevalier, Luxemburgi 1763.

²⁴ «*for it is up to this [power] to govern and control the Christian people and direct them to eternal and heavenly happiness*»; *Duplex potestas ecclesiastica, Ordinis et jurisdictionis*, in *De ordinationis sacramento*, in *Catechismus concilii Tridentini Pii v Pont. Max. Iussu promulgatus. Editio novissima*, apud Balth. Ad Egmond, Coloniae 1689, paragraphe X, p. 220.

²⁵ Silvia Mostaccio, *Donne, clero e modello ignaziano. Riletture di genere delle pratiche di governo gesuite tra Rivoluzione e Restaurazioni*, in Pierre Antoine Fabre - Patrick Goujon - Martín Morales (eds.), *La Compagnie de Jésus des Anciens Régimes au Monde Contemporain (XVIII^e-XX^e siècles)*, Institutum Historicum Societatis Iesu- École française de Rome, Rome 2020, pp. 215-232.

became a recognised model of authority, as well as both physical and spiritual fecundity. Faced with that successful image, the Catholic priest – and notably the missionary –, had to demonstrate his fecundity as well, and this through his ability to generate new Christians – on missions – or to generate Catholics in heaven who were perfected by a life of devotion through the exercise of his «spiritual paternity» in spiritual direction²⁶.

If, therefore, we bring together the various elements we have just mentioned, it is clear that throughout the Early Modern era and at least until the Second Vatican Council, the figure of the Catholic priest has been at the centre of a double movement which rests both on his profound alterity – allowing him to exercise over the faithful the jurisdictional and spiritual *potestas* mentioned above – and on the obedience which is his due in the name of his alterity. Beyond theological subtleties, catechesis was characterised by the vulgarisation of these beliefs, echoes of which can be found in catechisms and devotional manuals. It is quite logical that these simplified versions had a great influence in fashioning the priest's identity, as well as the attitude of Catholics towards him. Fintan O'Toole's earlier comment – «a man who, for me, embodied God on earth» – is a good example and just one among many others.

The last element I would like to recall before moving on to presenting the contributions is linked to the centrality of bodies and their performativity in the different spaces of interaction between priests and faithful. Recently, in his *Prière de ne pas abuser*, Patrick Goujon made an important observation: «on a trop oublié que la religion est affaire d'âme et de corps»²⁷. This reminder of the centrality of the body in the religious sphere, and in particular in cases of abuse, is much less banal than one might imagine and is not reduced solely to the body of the victim, whose physical integrity has not been respected. In recent years, gender studies have clearly shown the fundamental role played by performativity in creating the identity of individuals, but also in the creation of a collective identity through relationships, performed by words and gestures in the non-verbal. This is also true in the religious sphere, which is concretised in gestures, attitudes and discourses that make sense to all the actors concerned. Thus I believe that in order to understand the sexual abuse committed by members of the clergy, questioning the masculinity of the priest is indispensable, with the spiritual, emotional and physical injunctions that have shaped it at different times and that have had consequences on ways of entering into relations with the faithful²⁸.

²⁶ Ulrike Strasser, *The First Form of Grace. Ignatius of Loyola and the Reformation of Masculinity*, in S.H. Hendrix - S. C. Karant-Nunn (eds.), *Masculinity in the Reformation Era*, Truman State University Press, Kirksville, Mo. 2008, pp. 54-70; *La paternité spirituelle. Entretien avec Patrick C. Goujon et Jean-Pierre Winter*, in «Études», Octobre 2022.

²⁷ Patrick Goujon, *Prière de ne pas abuser*, Seuil, Paris 2021, p. 84.

²⁸ Jean-Pascal Gay - Silvia Mostaccio - Josselin Tricou (eds.), *Masculinités Sacerdotales*, Brepols, Turnhout 2022, in part. S. Mostaccio, *Pour une vision relationnelle et performative des masculinités sacerdotales. Prologue*, pp. 11-20. See also Josselin Tricou, *Des soutanes et des hommes. Enquête sur la masculinité des prêtres catholiques*, PUF, Paris 2021.

The contributions in this issue

A fine connoisseur of early modern Catholic productions of moral theology, whose achievements remained valid at least until the second half of the twentieth century, Fernanda Alfieri opens this collection by explaining the theoretical framework of discourse and silences on sexuality and its legitimate practices or sources of sin – *Rules of use and impunity of abuse: Marriage, sacerdotal celibacy, and the sexually illicit between the sixteenth and seventeenth centuries*. She does so in dialogue with the most recent historiographical productions on the argument and with particular attention to words and their contextualisation. That attention allows a double erasure to emerge: that of the relational dimension of *all* sexual relationships and that of the victims of abuse. The initial observation is the absence of ecclesiastical norms on the clergy's sexuality, which is quite another thing from the centuries-old literature on the priest's corporeality, which must be preserved chaste in order to be offered in sacrifice. In moral reflection, the other – and in particular the woman – is perceived as a danger from which one must protect oneself, while an active sexual life remains in the realm of the unthinkable. In fact, the only context in which we find reference to the term abuse – *abusus* –, in connection with sexual activity, is that of marriage. In this regard, Alfieri recalls that the *usus matrimonii* consists in the exchange of the right to use the spouse's body – conjugal debt –, with the double aim of symbolically representing the union between Christ and the Church and of allowing procreation. It is only within this contractual framework that there can be *abusus*. Moreover, at the same time that moralists are endeavouring to define the doctrinal framework between *usus* and *abusus* in the sacrament of marriage, they are defining the framework of the *sollicitatio ad turpia*, that is, the crime against the faith, committed by a confessor who diverts the sacrament of confession, pushing the penitent – the only case mentioned in the treatises – to morally disordered and, therefore, shameful acts – *turpia*. In both cases, the sacraments are at the centre of the reflection and, in fact, *abuse* is above all *abuse* of the sacrament and not of another human being. In this logic, individuals disappear in favour of a «chain of sovra-individual priorities» and if a body is abused, it is above all the Church's, with its hierarchies, which must be protected from the dishonour and scandal that follow.

In her *Silence, Complicity, and Accountability: Understanding Clerical Sexual Violence in Early Modern France*, Mita Choudury proposes a methodological reflection on the silences and the writing of the history of sexual violence by Catholic priests of the Ancien Régime, based on the case of Suzanne Abrie, victim of the curé Antoine de Donadieu, in a village in Languedoc (south-western France) in the late 17th century. The context is that of a provincial male sociability the priests are part of, all the while claiming by facts their membership in a second order and, hence, their alterity. There is no spiritual or pastoral link between Suzanne and Antoine. A member of the extended family, with the authority and impunity of a priest, Donadieu, aged

26, had been welcomed by Suzanne's father into the family home on several occasions. During his visits, he raped Suzanne from the age of fourteen on, until she became pregnant. On that occasion he kidnapped her, with the complicity of other members of his family, and hid her in his native village, before returning her to her father. The latter lodged a complaint with the ecclesiastical court of Vabre and, dissatisfied with the complicit attitude of the clergymen, he then went to the Parliament of Toulouse, which recognised Donadieu's crime. Choudury has worked in comparing the documentation of the officiality of Vabre with the secular tribunal's and throughout her article points out elements of reflection in relation to the actors involved and their attitudes, while examining the dynamics of silences and complicities – individual, family and institutional – which emerged around Suzanne's case. The first silences come back to Suzanne, who did not scream when Donadieu raped her on her maiden bed, and who is told repeatedly that she has no right to accuse a priest: inexorably, 'a web of gendered silence' is woven around the young woman, caught between a sense of family honour and the shame of rape. The historian, Choudury warns, must be aware of the contexts those silences were established in, as well as the silences imposed by the archives. In this regard, one must learn from the epistemological shift in the history of subalterns in a colonial context to modern times, where historians interrogate archives (colonial or ecclesiastical) to tell stories other than those intended by the institutions that created the archives.

With his *Grammars of silence. Confession of the victim and denunciation of the abuser. Concerning a case of solicitation from 1751 in the Sorbonne theologians' consultations*, Jean-Pascal Gay returns to the fundamental question of silence, but from its opposite, i.e. the duty to denounce and, particularly, of denouncing a priest who abuses the sacramental framework in being guilty of *sollicitatio ad turpia*. From a heuristic point of view, in a concern for enlargement beyond judicial sources, Gay shows the relevance of theological discourse and specifically of moral theology and casuistry. He examines the consultations addressed to theologians of the Sorbonne throughout the 17th century concerning cases of *sollicitatio*, and proposes an itinerary that begins with the printed consultations and continues with the opinions that remained in manuscript. Finally, in the last part of his contribution, he sketches a comparative overview of *sollicitatio* in French, Italian and Spanish manuals on cases of conscience. As far as the published consultations are concerned, not that many cases of *sollicitatio* appear. Particular attention is paid to cases where the game of seduction and abuse between a confessor and his penitent is partially mastered, suggesting the well-known practice of distance-taking: the two «must cease all contact because of the impending occasion of sin for the confessor». As formulated, this statement captures the priority attributed to the confessor over his victim, as well as the fundamental goal of not making the sacraments odious to the faithful. The centrality of the sacrament as a space of abuse, where sacramental gestuality is «abused» by the priest who unceasingly exercises his power over the vic-

tim by performing the gestures of confession, while radically changing their signification, is at the centre of an unprecedented case of abuse of a young man by his confessor. In particular, the confessor postpones the moment of absolution in order to maintain control over his victim, by imposing on him interactions that are always biased by the sacramental reality (confession and mass). Gay helps us in examining the victim's dumbfoundedness, as well as the young man's new confessor's speaking out, resolved to question the theologians of the Sorbonne about the victim's duty to denounce. The response, with its many limitations to the theoretical duty of denunciation, allows us to measure the gap between it and the imperative recourse to civil authorities theorised by Thomas Aquinas in his *Secunda Secundae*. That gap corresponds to the progressive entrenchment of a very long-lasting culture of silence, which will end up vanifying pontifical pronouncements of the modern era against *sollicitatio*.

In recent years Vincenzo Lavenia has taken great interest in cases of paedophilia in the Church, notably in his book mentioned above and discussed in this issue by Marina Caffiero. In his *Truth and polemic in the novel. On the literature and history of the clerical abuse of minors*, he proposes an essay on the historical sociology of the literary, sharing his reflections on the chronology of the literary discourse liberated during very specific socio-political conjunctures. Through a comparison of the French and Italian cases, and an evocation of the Spanish context, he demonstrates how the recounting of abuse of minors by members of the Catholic clergy often took shape during more general questioning of the Church's role in society. This was particularly the case between the 1880s and 1910: a very specific moment, characterised by violent conflicts between anti-clerical secular parties and conservative Catholics, supported by Rome. This was the same period, moreover, that realised the vulnerability of children and theorised the crime of paedophilia, while at the same time drafting the first child protection laws, thus awakening social consciousness on these issues. It is well known that one of the areas of struggle between secularism and Catholicism was that of education. In this context, Lavenia recalls, accusations that members of religious teaching congregations corrupted youth, particularly through sexual abuse, were quite frequent, supported by press involvement and literary activity. In France, novels like Octave Mirbeau's *Sébastien Roch* (1890) and Emile Zola's *Vérité* (1903) denounced the Church's culture of secrecy, its desire to avoid scandal at all costs, in the face of the sexual and criminal deviance provoked by the feeling of impunity of a hegemonic group, obliged to celibacy. Moreover, the silences that quickly reappeared testify to the fragility of a change of perspective that was not capable of becoming systemic: the more or less effective revolt of some did not become the revolution of a majority. And this at a time when new political alliances between Catholics and liberals were being formed on the eve of World War One, showing the need for a Church alongside the combatants in the madness of the trenches of all the belligerents.

With his *Caught in a crossfire. The Salesian Society facing the Varazze Affair (1907) between accusatory campaigns and internal dangers*, Alessandro Serra returns to one of the cases mentioned by Lavenia and offers an extremely interesting insight into the reactions of the Salesian Congregation founded by Don Bosco (+ 1888), which in 1907, in the small Italian town of Varazze, was confronted with serious accusations of sexual abuse of young people at the local college. The police investigation, as well as the Congregation's internal investigation, showed the falsity of the accusations, while revealing suspicious cases from previous years. In any case, the Salesian authorities took the matter very seriously and Don Michele Rua, Don Bosco's first successor at the head of the Congregation, reacted with a plan of reform that included a general inspection of their 341 houses – boarding schools and colleges – spread over forty countries. Cross-analysis of the correspondence sent by the motherhouse in Turin, as well as that of the visitors' reports and a *Vademecum*, produced to help Salesians in their relations with young people, enabled Serra to reconstruct the phases and priorities of this institutional reaction, as well as to show how the accusations of sexual abuse profoundly challenged a Congregation that was going through the very delicate phase of institutionalization after the death of its founder. In fact, the Salesian option of taking charge of the education of young boys from the working classes had taken concrete form in Don Bosco's elaboration of an innovative educational model that rejected the «repressive system» of the time – including corporal punishment – in favour of a «preventive system», the effectiveness of which was based on the ability to «win the hearts of young people». If that is well known, Serra highlights the consequences in terms of identity and Salesian practices. Faced with young people from modest backgrounds, often confronted with violence and born into homes hardened by poverty, the familial model of lovingkindness – *amorevolezza* – proposed by Don Bosco, was both effective and dangerous: the Salesians had to be capable of being emotionally close to the young people, without ever going beyond the limits of abusive intrusion. It was not easy to play the role of a surrogate father without ever hugging or caressing a child, to avoid any «tripping up». But every Salesian had to be aware of the risks. Chastity – a term which, not by chance, etymologically refers to its opposite *in-castus/incestus* –, was presented as the founding virtue of the Salesian by Don Bosco, with his emotional intelligence. He was convinced that one unchaste person could cause the ruin of the entire congregation. Between the fear of scandal, the desire to protect young people and to consolidate the Salesian experience, the article allows us to follow a journey that was not easy institutionally and humanly.

Tommaso Dell'Era's contribution – *The revision process in 1943 of the 1922 Instruction, De modo procedendi in causis sollicitationis: an analysis* – brings the focus back to Rome, where, at a dramatic moment in world history (late 1943-early 1944), a special commission of the Holy Office – the Roman tribunal in charge of crimes and sins against the faith and, therefore, the sacraments –, proposed modifications to the procedure for the causes

of *sollicitatio ad turpia*, in force since 1922. In this way, the Holy Office expressed the will to oblige the local curias and bishops, who were responsible for receiving the denunciations from the faithful and for instructing the local informative process before sending the dossier to Rome, to proceed «seriously». This seriousness would have allowed the Holy Office to proceed more efficiently in managing the many cases it had to decide on. The dossier analysed by Dell’Era allows us to follow the various Roman actors who gave their opinion on the question between 1943 and 1944, giving a rather revealing insight into the issues related to *sollicitatio* as they were perceived by the ecclesiastical authorities. Nothing has really changed since the canonical and moral reflections presented by Fernanda Alfieri and Jean-Pascal Gay for the first modernity. In the mid-twentieth century, the crime of *sollicitatio* remained a crime against the sacrament of confession and not against a person. The last paragraphs of the Instruction mention other cases of crimes *de pessimo* – foulest crime –, committed outside of confession, but in a pastoral context. Homosexual practices, as well as acts perpetrated against pre-adolescent children of either sex, or with animals (zoophilia), are listed jointly. In this respect, we notice a kind of progressive disconnection between civil society, with criminal law and child protection acts, and the moral and canonical reflection within the Church. This disconnection becomes even more evident when one realises that the only penalties foreseen for this kind of case are those of a more or less long suspension from exercising the role of confessor and/or spiritual director. In no case is denunciation to the lay judicial authorities envisaged: the safeguarding of the «buon nome del clero» and of the sacredness of the sacraments was the basis of the absolute secrecy required for any case of *sollicitatio*. Finally, the victim is still considered to be the co-author with the abuser: she/he must confess to another confessor and is obliged to denounce the solicitor on pain of excommunication. This denunciation should not be addressed to anyone other than the local bishop.

Karlijn Demasure is professor of the Faculty of Canon Law and director of the Centre for Safeguarding Minors and Vulnerable Persons at Saint Paul University, Ottawa. It is important to conclude this monographic issue with a perspective other than that of the historical discipline: disciplinary shifts often allow us to ask different questions. Moreover, as mentioned at the beginning of this article, links of intelligibility can be woven at the juncture of past and present. In her *Child sexual abuse in the Catholic Church: The evolution in the discourses on sin and forgiveness in official hierarchal documents and interventions (1922-2022)*, Demasure offers an analysis of dominant discourses from the Roman papacy, focusing on the use and contextualisation of two theological concepts: sin and forgiveness. This excursus begins with the 1922 Instruction *Crimen sollicitationis*, whose proposals for adjournment were the subject of Dell’Era’s contribution, and continues through to the pronouncements of Pope Francis in July 2022. Several of the elements raised by Demasure echo the previous contributions on the long modern period at the centre of this collection. First and foremost is the question of silence, which

in papal documents takes the form of a secret to be kept, even within the Catholic hierarchy. In this respect, Demasure recalls the low circulation of important texts such as the Instruction of 1922, which remained the reference until 1962: even at the time of the Second Vatican Council, very few copies were circulated and it was not published in the *Acta Apostolicae Sedis*, leaving bishops at local levels room for manoeuvre. Unlike the Code of Canon Law of 1917 and 1983 – the basis for episcopal action – which considered the abuse of minors as a sin against the sixth commandment (you shall not commit adultery), the Instruction of 1922 presented the abuse of minors as a sin, but also as a crime. In both cases, the superimposition of sin and crime favoured a form of denial that was above all a denial of the victim. Even when, based on the *Motu proprio Sacramentorum Sanctitatis tutela* (2001), John Paul II explicitly evoked the rights of victims, the discourse ended up evoking them alongside the abusers, towards whom compassion should be exercised. This confusion is also found at the heart of the notion of forgiveness, where a sort of dialogue between the deaf seems to be taking place between popes – in particular John Paul II and above all Benedict XVI – who have in mind the sacramental forgiveness of confession, and a secular society for which there can be no forgiveness without reparation. To conclude, Demasure evokes the long road that has led to sovereign pontiffs verbalising a request for pardon in a personal capacity, as the individual heads of the Church and in the name of the entire institution: this was the case of Pope Francis in April 2018, following the cases of abuse in Chile.

ABSTRACT

Before presenting the contributions to this monographic issue, this text points a fundamental element, which is too often passed over in silence as if it were self-evident: the status and role of the ordained priest, both according to the decrees of the Council of Trent and according to the catechisms of the (early) modern period. It is fundamental to analyse the overlaps of the priesthood, the sacraments administered to the faithful, and the duty of obedience that shapes the relationship between priest and faithful. Only by analysing this power interaction we could understand the very abuses of power, of which sexual abuse is a crucial manifestation.

KEYWORDS

Priesthood; Council of Trent decrees; Sacraments; Catechisms; Obedience

PAROLE CHIAVE

Sacerdozio; Decreti del Concilio di Trento; Sacramenti; Catechismi; Obbedienza