

HENRY C. LEA

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P R E F A C E.

THE first of the following essays has already appeared, in a less extended form, in the *North American Review*. It records the establishment of principles of which the subsequent developments are traced in the two succeeding essays. Throughout the whole I have sought rather to present facts than to draw inferences, and I have endeavored to confine myself to points which illustrate the temporal aspect of ecclesiastical history, showing how the church, in meeting the successive crises of its career, succeeded in establishing the absolute theocratic despotism which appeared to so strangely from its spiritual functions.

If in this I have appeared to dwell too exclusively on the faults and wrong-doing of the church, it has arisen from no lack of appreciation of the services rendered to humanity by the organization which in all ages has assumed for itself the monopoly of the heritage of Christ. Yet if we ask what would have been the condition of the world if this organization had not succeeded in bearing the ark of Christianity through the wilderness of the first fifteen centuries, in summing up the benefits which man has derived through the church, we may also not unreasonably imagine how much greater would have been our advance in all that renders us worthy of the precepts of the Gospel had that church always been true to its momentous trust.

Lutetia, rejoicing over the conversion of Constantine, in-

Judges in glowing anticipations of the approaching regeneration of mankind, when the false gods shall all be overthrown, and he alone be worshipped whose temples are not of clay or of stone, but are more fashioned in the image of their Creator: "If God alone were worshipped, there would war and dissension be no more; for men would know that they are all children of the same Divine Father. Bound together in the sacred and inviolable bands of heavenly truth, they would no more plot a secret against each other, when they would know the punishments prepared for the slayers of souls by an omniscient God, to whom all hidden evil and the inexpressible secrets of their hearts are revealed. Fraud and rapine would be no more, for men would have learned of God to be content with what they have, and to seek for the lasting gifts of heaven rather than for the perishable things of earth. Adultery and prostitution would cease when they were taught that God had forbidden disorderly appetites; nor would woman be forced to sell her virtue for a wretched subsistence, when men would control their passions, and charity would minister to all the wants of the poor. These evils would vanish from the earth if all were brought unto the law of God, and all should do what now our people alone are found to do. How blessed would be that golden age among men if throughout the world were love and kindness and peace and innocence and justice and temperance and faith! There would then be no need of many and subtle laws, where innocence would need only the one law of God. Neither prisons nor the sword of the judge would be wanted, when the hearts of men, glowing with the divine precepts, would of themselves seek for ways of justice. If in your evil days, it is through ignorance of right and truth."¹⁴

¹⁴ *True Religion*, Divine Justice, Lib. 2, cap. 23.

Read after the lapse of fifteen centuries, crowded with pain and misery, these glowing day-dreams of a Christian who looked for their speedy realization may excite the anger of the eyes of the saint of the unbeliever; but no one who feels the sublime beauty and truth of the precepts of Christ can fail to mark with sorrow the immeasurable distance which has ever separated Christendom from the ideal of its aspirations. That our imperfect nature should be able to attain this ideal is of course impossible, but that we should drift in our hopeless infirmity it may not unreasonably be attributed to that organization which assumed to be gifted with supernatural powers as the direct representative of Christ, and in His name sought and obtained complete authority over the souls and consciences of men. Had it been true to the law which it professed to administer, and had it spurned the vulgar conditions of power and wealth, and had it taught by precept and example the evangel of love, Christendom would not now, in the nineteenth century after the birth of the Reformation, be groping as blindly as ever over the yet insolvable problems of existence.

PHILADELPHIA, November, 1868.

—————

In reprinting this volume occasional additions have been made which serve to illustrate still further the statements in the text. I have also appended a short essay on the relations of the early church towards slavery, a sphere of action in which it was more nearly true to its principles than in those discussed in the earlier sections of the volume.

MARSH, 1883.

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and officials, its internal policy and its external privileges, was all subjected to the supremacy of the imperial power. Even when it gathered together in its most magnificent and illustrious assembly, the presence and inspiration of the Holy Ghost afforded it no exemption from this domination. The confirmation of the sovereign was requisite to confer validity on the actions of general councils, nor was that consent by any means given as a matter of course. Thus we find Constantine vetoing a portion of the canons of the synod of Rimini in 380,¹ and the acknowledgment of this subordination was expressed at the council of Tyre, during the last of the Arian controversies, in 335, when the Catholic bishops appealed to Constantine, the imperial monarch, asking him to reserve the questions discussed for the decision of Constantinople, whose prerogative it was to legislate for the church and its members.² How complete was the control thus centred in the person of the emperor is manifest in the rescript of Theodosius II. and Valentinian III. respecting the disgraceful scenes which marked the opening of the council of Ephesus in 449, under the lead of St. Cyril. The marvellous conduct of the holy fathers is rebuked, and the intention is expressed of sending an officer of the palace to reclaim the proceedings, and to see aside what may prove to be dangerous, while some of the bold ones are to leave Ephesus, either for the purpose of remaining home or of visiting the court, under pain of the imperial displeasure.³ In fact, the business of general councils was regulated by imperial commissioners, who were huzars, and when the council of Chalcedon, in 451, had run from the 8th to the 28th of October, we find these officials informing the assembled prelates that the work in hand must be hurried to completion, as grave affairs of state required their presence elsewhere, and they could not devote more time to the council.⁴ Of course, under these conditions, all general synods were con-

¹ *Epist. Const.* ad Theod. *Tit.* c. 1. 25.

² *Concil. Tyren.* c. 13 (*Orig. de. concil.* t. 1. p. 148).

³ *Concil. Ephesin.* c. 1. (*Her. lib.* t. 2. p. 11.).

⁴ *Conc. Chalced.* c. 1. (*Her. lib.* t. 2. p. 139).

done by his authority and in the name of the sovereign, and the possession of the Roman see to ensure authority in controlling and enforcing over these bodies was too late in their origin, and too fractional in their power to merit extended recognition. The last canon of Nicaea—'non debent praeferentiam Romani Episcopi concilio generali'—might be alleged on the authority of evidence to be drawn from the *False Decretals*, but no contemporary proof could be adduced in its support.* Ultramarine writers, in fact, are fond of quoting from Sozomenus and Sozomenus statements that, in 511, Julius I. angrily told the synod at Arles that no council was lawful to which the Roman bishop had not been invited, nor its decrees valid without his confirmation, and others have endeavored to explain the removal of that canon as anomalous, in the absence of such evidence, by suggesting that two synods were held at Arles in that year, one orthodox and the other Arian. The Greek historians, however, were disposed to give to the action of the Roman bishop as strong a character as possible. It was in the height of the Arabian invasions, and the text of the letter of Julius shows that he contemplated simply the proceedings as irregular since the matter concerned the church at large, involving the *hairesis Apostolicae*, and therefore the judgment of the whole church should have been taken on it. He did not demand that they should have written to him for the sake, so that a just decision should be rendered by all.† Even these moderate pretensions, however,

* For the proof of this, with respect to the first four general councils—Nicaea, Constantinople, Ephesus, and Chalcedon—see Hefele, *l. c.*, T. I., pp. 345, 367, 334; T. II., p. 51.

† See also the Canon of Chalcedon, *l. c.*; *Constitutiones Episcopales*, 4, cap. 2.—See also *Historia Conciliorum*, lib. vi., cap. 38.

† The argument in favour of this suggestion may be found fully stated in *Constitutiones Conciliorum*, lib. vi., cap. 38.

§ See also H. 2, 75.—See also H. 2, 10, 11.

§ See also H. 2, 75.—See also H. 2, 10, 11.

Afterword

by

Peter Dinzelbacher ¹

¹ Peter Dinzelbacher, Dr. phil. habil., Honorarprofessor für Sozial- und Mentalitätsgeschichte an der Universität Wien.

INTRODUCTION

My initial acquaintance with Henry Charles Lea's book on the history of the Church in the Middle Ages took place in that labyrinthine structure which is known as the Princeton University Library. There, for the first time, I could read some paragraphs of these fascinating analyses of the temporal power the late antique and medieval clergy so successfully strove to gain in the feudal world. I had been already familiar with this title since two or three older Anglophone works on similar subjects had quoted it, but subsequently it had always turned out impossible to find a copy of this publication, as there seem to exist only a very few public libraries on the European continent which are in possession of the second edition of Lea's studies, and none of them (the British ones included) would lend it via interlibrary loan. Back to Europe I literally searched for many years for a second-hand copy until I could order one at a reasonable price and with the help of a colleague teaching in the United States². It must be underlined that only the second edition of these Studies should be used today, as Lea had reprinted them including several new additions illustrating his statements. Also, and even more importantly, he added a chapter on a further subject less studied, viz. the Early Church and slavery.

The very rarity of this scholarly publication by the famous historian of the Inquisition would have been reason enough to pave the way for a reprint which, according to my opinion, certainly will not be chiefly to the advance of historians of historiography; instead, Lea's concise and thoroughly source-based expositions are of such a high quality that they

2 Professor Albrecht Classen, University of Arizona, Tucson, who also was kind enough to go over the English of this article.

still should be consulted by the present-day medievalists who have for too long ignored this excellent book mostly due to its absence in the libraries of historical institutes and seminars until now.

H. C. LEA

Some information on the man and his work might be appropriate. Henry Charles Lea (September 19, 1825 - October 24, 1909) was not an academic historian and never taught at a university. Originally, his main interest had rested in the natural sciences, specializing in photographic chemistry. He originated from a very well-to-do Philadelphia family, his parents being the owners of one of the more important publishing houses in the United States, founded in 1784. Having received an excellent private education, Lea seemed at first to be bound to follow in the footsteps of his father, writing, for example, several papers on descriptive conchology.

In 1847, however, during a long illness, he began to read French memoirs of the late Middle Ages, and from that time onwards the study of the religious history of that epoch had become a never ceasing passion for him. He could, however, not dedicate too much time to this most serious hobby, as his main occupation was the work for the family's publishing house, which, from 1865, he had to manage as the firm's boss, a job he fulfilled with much success. At the same time, Lea was actively involved in the political scene of his native community and beyond, promoting especially educational and humanitarian enterprises — a tradition to remain, as his family endowed teaching chairs to commemorate Lea's name at three elite universities.

The economic boom of the firm "Henry C. Lea's" (later "H. C. L. Son & Co.") led to the accumulation of a financial

fortune which allowed Lea to buy in Europe manuscripts, incunabula, and other books in such large numbers that his library was soon considered the foremost one on medieval history in nineteenth-century America (most of these treasures survive in the University of Pennsylvania Library³). Also, he employed a group of copyists, indispensable before the time of the copy-machine. Of greatest importance were his very numerous contacts with European scholars who helped him by providing sources for his historical studies, i. e. unpublished documents in Latin and in the various vernaculars, stored in archives and libraries. Remarkably, he did not utilize ghost-writes, whom some would have considered to be an absolute necessity in light of such numerous and huge volumes produced by a very agile businessman.

Lea's method was to reconstruct history by allowing the documentary evidence to speak for itself. As he explains in his address to the readers in one of his first books in which he deals with superstition and force:

„The aim of the following essays is simply to group together facts so that, with a slender thread of commentary, they may present certain phases of human society and progress which are not without interest for the student of history and of man. The authorities for all statements have been scrupulously cited, and it will be seen that, for the most part, they are drawn from the original sources. The conclusions the reader can verify for himself.“⁴

Each topic discussed is embedded in general information on the relevant periods showing that Lea disposed of a good general background in European history (shaped especially, as it seems, by William Lecky's works, whose verbose style, however, Lea, luckily, did not imitate). Superfluous to note that Lea's books, as all other scholarly writings on history, also contain a number of errors, misinterpretations, and misprints, but these are by no means worse than those found in

3 <http://www.library.upenn.edu/collections/rbm/mss/lea/lea.html>.

4 Lea, *Superstition and Force*, Philadelphia 1870, iii.

MAJOR WORKS BY HENRY CHARLES LEA

Superstition and Force (Philadelphia, 1866, new ed. 1870, 1892)

Historical Sketch of Sacerdotal Celibacy (Philadelphia, 1867, new ed. 1907)

History of the Inquisition of the Middle Ages (New York, 1888, translations into the major European languages; the German one, edited by Joseph Hansen, *Geschichte der Inquisition im Mittelalter*, 3 vols., Bonn, 1905/1909/1913, and several later printings, is to be recommended because of the many additions by this specialist in the field)

Chapters from the religious history of Spain connected with the Inquisition (Philadelphia, 1890)

History of Auricular Confession and Indulgences in the Latin Church (3 vols., London, 1896)

The Moriscos of Spain (Philadelphia, 1901)

History of the Inquisition of Spain (4 vols., New York and London, 1906-1907)

The Inquisition in the Spanish Dependencies: Sicily--Naples--Sardinia--Milan--the Canaries--Mexico--Peru--New Granada (New York, 1908)

Materials Toward a History of Witchcraft (3 vols., Philadelphia, 1939 [posthumous])

[Most of these titles have already been reprinted in the United States; there exist also some unreliable shortened versions. Full texts of some of Lea's books can be found in the web, see the links in: http://en.wikipedia.org/wiki/Henry_Charles_Lea. Useless to say that some longer quotations taken out of Lea's works and circulating on unexpected sites in the web are of no help for the specialist (as, e. g., http://www.pinn.net/~sunshine/book-sum/lea_stud.html).

STUDIES ON HENRY CHARLES LEA

Baumgarten, Paul Maria, *Die Werke von Henry Charles Lea und verwandte Bücher* (Münster 1908 [an extensive Catholic critique of Lea and Hansen, 190 pp., containing, however, some minor corrections and supplements to Lea's main works. Baumgarten did not deal with the *Studies in Church History*])

Bradley, Edward Sculley, *Henry Charles Lea. A Biography*. Philadelphia 1931

O'Brien, John M., „Henry Charles Lea: The Historian as Reformer.“ *American Quarterly* 19, 1967, 104-113

Peters, Edward, „Henry Charles Lea (1825-1904).“ In: *Medieval Scholarship, Biographical Studies on the Formation of a Discipline I*, edited by Helen Damico and Joseph B. Zavadil, New York 1995, 89-99

Tollebeek, Jo, *Writing the Inquisition in Europe and America. The correspondence between Henry Charles Lea and Paul Fredericq* (Bruxelles 2004 [contains an extensive and magisterial introduction based on unpublished material])

[*Cf. also: Penn Special Collections-Lea Biography: <http://www.library.penn.edu/collections/rbm/mss/lea/leabio.html>*]