

REVIEWS

**ORDO FRATERNITATIS, by G. G. Meersseman. Herder (Rome). 1977
pp. xxiii 3 1401. Lire 78,000.**

This massive three-volume study of medieval pious confraternities and lay piety (as the subtitle designates the scope of the book) is largely based on previous publications, such as the articles on Dominican confraternities published in AFP. Here they are conveniently assembled and, in some cases, improved and expanded. Meersseman admits that the result is still far from being a complete account of medieval confraternities, and there is really hardly enough on lay piety in general to justify the book's subtitle. But no one can doubt that we have been given a very important working tool in these three volumes. For one thing, they contain critical editions of a lot of important texts, many of them hard or impossible to find elsewhere.

The study itself has both the advantages and the disadvantages of a collection of originally separate papers. The disadvantages are that the exposition is not continuous and it is sometimes difficult for the reader to hold together the information given on the same topic in widely separated parts of the book; and many subjects are left untreated or treated only from the point of view of a very particular detail. (For instance the chapter entitled *Spirituale Romani e Caterina da Siena* deals almost exclusively with one early exchange of pamphlets at the beginning of the 14th century schism, and tells us almost nothing about the spirituality of Catherine's followers, and is only peripherally related to the main subject of the book). On the other hand, in our present state of knowledge, there is a need for precise, careful study of particular texts and particular historical situations, and most of the material collected here is of that kind, and is of a very high quality.

The bulk of the book is concerned

with the Dominican confraternities, and in this field Meersseman is an acknowledged authority. The first volume gives interesting material on the medieval order of penance, but is not intended to supersede Meersseman's 1961 *Dossier*. Only the most essential texts are reprinted here. Also there are interesting studies of earlier confraternities of various kinds, and also particular essays on the concept of *Ordo Laicorum* from Tertullian onwards, and on eremitism and itinerant preaching (this last being a field still very inadequately explored, especially in the matter of "unauthorized" lay preaching; Meersseman's study is only a beginning, and he has not developed it since it was first published in 1965). Finally, there is a brief study of lay preaching in the confraternities (on which more work remains to be done), and a study of the concept of *lege mere poenales*.

On this last point, Meersseman shows that the famous principle of laws not binding in conscience, but only *ad poenam*, which is traditionally linked with Dominican legislation, is in fact to be found before the Dominicans formulated it. But he does not raise the question where the Dominicans got it from. It would seem to be worth considering the possibility that they actually got it from the thought-world of pious confraternities. Meersseman assumes that the early 13th century *Memoriale* of the Order of Penance got it from the Dominicans, but there is no other evidence of Dominican influence on the text, and it is possible that the relationship is rather the other way round. There is certainly some reason to believe that the Dominicans were influenced by the kind of grass-roots religious movements which abounded in this period and which are important for the development of relig-

ious orders as well as lay confraternities (witness St Norbert, St Stephen Muretus and St Francis himself). It is possible also that the term *magister* for the head of the Dominican Order has a similar background. (This whole question of less institutional forms of monasticism still needs much more work on it. Again, Meersseman's researches are useful, but suggestive rather than exhaustive).

Meersseman shows convincingly that the insistence on *leges mere poenales* is typically Dominican, wherever it came from; the Franciscan-inspired statutes merely declare that they do not bind on pain of mortal sin. Where this latter appears in essentially Dominican texts, Meersseman may well be right to conjecture the influence of Observant Dominicans. However, I am not convinced that Meersseman is right to analyse the texts into only two categories. When a Dominican confraternity rule in 1244 declares that it is binding neither *ad culpam* nor *ad poenam*, Meersseman glosses this to mean no more than *ad culpam*. The reference to *poena* would then only indicate that the penalties imposed in the rule are merely bodily penances, nothing to do with penance for sin (nothing to do, therefore, with a risk of purgatory). But in fact the 1244 statutes, and several others, do not impose any penalty at all for breaking the rules, and they seem concerned to stress the purely voluntary nature of obedience. It is likely then that we have to distinguish more possibilities than Meersseman does: rules may bind *ad culpam mortalem* (the view of strict Franciscans), *ad culpam venialem* (the case with Franciscan lay confraternities), *ad penam* (in the sense of penalties prescribed in the law, which is the case in the Dominican constitutions and some Dominican confraternities), or they may not strictly bind even *ad penam*, in which case there may be no penalties at all, or there may be an obligation to confess transgressions of the rule to the head of the confraternity, to receive absolution and "something to do" *quasi penitentialiter*. The last three are all represented in the laws of different Dominican sodalities.

Meersseman has unfortunately not traced the evolution of 13th century confraternities or the Order of Penance into

the later Third Orders; but his researches nevertheless do much to clarify the respective roles of St Francis and St Dominic and their orders. Neither of the great founders can be regarded as having founded a Third Order. The initial influence of the Franciscans is perhaps the greater, but nevertheless it was the Dominicans who first established, in 1285, a lay order which was canonically part of their Order, subject to their jurisdiction. Also it was St Peter Martyr who created a new type of confraternity of our Lady. The myth that St Dominic founded either the confraternity of crusading assistants of the Inquisition, or a military order for the same purpose, is healthily exploded. On the other hand, the authentic role of the Dominicans in the evolution of the Marian psalter into the modern rosary is demonstrated (it is interesting to notice the crucial role played by Sprenger, of Malleus Maleficarum fame).

In his comments on the Rule drawn up for the newly founded Dominican Order of Penance, Meersseman suggests that one of the reasons why the Rule did not at first win many adherents was that it required a vow of obedience to the Dominican Master General. It is true that Dominican penitents were subject to the jurisdiction of the Master General, but it is not in fact correct to say that they took a vow of obedience to him. They took a vow to live according to the penitents' rule, *coram magistro*; this is not a vow of obedience to the Master, and in any case the reference is not to the Master General, but to the friar who was master of the local penitents.

Meersseman also says that the Dominican rule "suppressed" the public charitable works of the penitents, substituting spiritual for corporal works of mercy (a view accepted by Vicaire). This is grossly to overstate the difference between Munio's Rule and the *Memoriale* or Caro's Rule. It is true that Munio's Rule does not specify any particular charitable works for the penitents to undertake; but Caro's Rule is hardly more specific. In fact one important spiritual work mentioned in the older texts is "suppressed" by Munio: the obligation to bring your children up properly in the faith. And it is simply not true to say that Munio's

Rule specifies any spiritual works of mercy either. The Dominican penitents are told to be zealous for the faith, as good children of St Dominic, but that hardly amounts to "spiritual works of mercy". Caro expects his penitents too to be zealous for the faith, though he puts it specifically in terms of handing people over to the inquisition. Surely the truth of the matter is that both Caro and Munio intended their rules to cover a lot of different situations, and so took it for granted that their penitents would perform charitable works, at least by providing financial aid to the poor, and did not consider it appropriate in a general rule to be more specific than that..

An interesting point that emerges from a comparison of the two texts is that the Dominicans do not impose a full year's noviciate on their penitents before profession. Meersseman does not comment on this, but it is surely valuable evidence for our assessment of the significance of the long battle slightly earlier on in the century between the Order and the Holy See about precisely the issue of whether or not people might be admitted to vows (either general vows of religion or specific vows to the Order) without first doing a year of probation.

One small point on which I would take issue with Meersseman is that on p. 283 he asserts that voluntary penitents were obliged to wear distinctive dress, "easily recognized (*notabilis*)". So far as I know, in ecclesiastical documents *notabilis*, in connexion with dress, is always pejorative, and the text quoted by Meersseman seems in fact to be no exception, if the sentence is construed in the most obvious way.

There will no doubt, be many points of detail which scholars will want to take up and quarrel about; but in general this is a publication warmly to be welcomed. Even if much of the material is not completely new, it is presented here in a convenient form, which will be of value for many years to come. It leaves a lot of problems unsolved, some of them almost completely untouched, and it leaves a lot of texts still to be edited critically and made available in printed editions. But the material assembled here represents an important advance in our knowledge of medieval religious practice, and particularly highlights some of the ways in which lay people responded to the example and inspiration of the Dominicans and other friars.

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BISHOPS AND WRITERS: ASPECTS OF THE EVOLUTION OF MODERN ENGLISH CATHOLICISM. Edited by Adrian Hastings. Anthony Clarke 1977 pp. 263 £3.00

John Bossy's masterly work, *The English Catholic Community*, stopped with the year 1850 on the grounds that from then on Roman centralisation ('Ultramonotanism') put paid to any serious hopes of a truly independent national church. Though you wouldn't think so from its unarresting title, *Bishops and Writers* takes the story on from 1850 to the present. By what it has to record, it largely supports a pessimistic view of the last hundred years; but by its very existence it shows that a critical approach to the past is possible and therefore that a new phase can begin.

It is a collective work but it is animated by a common spirit. It is at the same time a *Festschrift* (the editors omit the capital letter) designed to honour Mgr

Garrett Sweeney, for twelve years Master of St Edmund's House, Cambridge, and now a parish priest in the diocese of Nottingham. Four of his own essays are included. His gently acerbic style is perhaps best conveyed in the chapter on St Edmund's House. Well aware that after *Humanae Vitae* Cambridge had been described by a well-known archbishop as 'the theological dustbin', he counters this with the remark that 'universities have at least the virtue of providing somewhere where fools can be suffered gladly'.

Of course they are much more than that, and this volume proves that St Edmund's House had come of age and can make an important contribution towards our self-understanding. The conflicts of