

# *Beyond Sarpi: Reading Prohibited Books about the Council of Trent in Early Modern Italy*

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*This article argues that we must look beyond Paolo Sarpi's infamous history of the Council of Trent to understand the culture of reading about the council in early modern Italy. We unearth prohibited works that garnered more attention from Rome than Sarpi's, and we show that these were widely read in multiple formats across Italy from the late sixteenth through the eighteenth century. By recovering this history, we can see Sarpi's magnum opus in a new light: as one of many works that sought to make sense of the council, working within and around serious constraints.*

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Paolo Sarpi's 1619 *History* was the first published account of the Council of Trent.<sup>1</sup> Famously, the Venetian's book was also illicit. It was published in London, under a penname ('Pietro Soave Polano'),

AAV = Archivio Apostolico Vaticano, Vatican City; ADDF = Archivio del Dicastero per la Dottrina della Fede, Vatican City; BA = Biblioteca Ambrosiana, Milan; BAV = Biblioteca Apostolica Vaticana, Vatican City.

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<sup>1</sup> Paolo Sarpi, *Historia del concilio tridentino*, London 1619. The literature on Paolo Sarpi is extensive. For the modern edition of his history see Paolo Sarpi, *Istoria del concilio tridentino*, ed. Corrado Vivanti, Turin 2011. On Sarpi more generally see, among others, Pacifico M. Branchesi, Tiziana Agostini and Corrado Pin (eds), *Ripensando Paolo Sarpi: atti del convegno internazionale di studi nei 4500 anniversario della nascita di Paolo Sarpi*, Venice 2006; Corrado Pin, *Paolo Sarpi*, Rome 2022; Gaetano Cozzi, *Paolo Sarpi tra*

and in circumstances that played to the ecclesiastical geopolitics of England as much as those of Venice.<sup>2</sup> Sarpi's anti-papal bias and account of intra-Catholic bickering at Trent made the book appealing to Protestants, especially King James VI & I, who sought to convene his own ecumenical council. Despite its political bent, this was a book that would necessarily have been banned. Writing about the council and its decrees had long been prohibited. This prohibition both informed the circumstances of the text's publication and explains why, more than half a century since the council's final session, no Catholic history of the meeting had yet been published.

When the Council of Trent's decrees were confirmed, they were subject immediately to restrictions. These included prohibitions on commentaries about the decrees and limited access to the archival documentation of the council itself. Indeed, interpretation of the Tridentine decrees was forbidden in the same moment the canons were codified, in Pius IV's bull approving the council.<sup>3</sup> Sarpi referred to this decision briefly, drawing on the language of the bull:

To avoid confusion, [the pope] prohibited all people, both clergy and lay, from making commentaries, glosses, annotations, notes, or any kind of interpretation, or to make any kind of statute, even under pretext of greater corroboration or execution of the decrees. Instead, if there was any need for interpreting an obscure passage or decision, they should go to the Apostolic See, because he reserved to himself the settling of difficulties or controversies, as the Synod also had already decreed.<sup>4</sup>

*Venezia e l'Europa*, Turin 1978; and Corrado Vivanti, *Quattro lezioni su Paolo Sarpi*, Naples 2005.

<sup>2</sup> Frances A. Yates, 'Paolo Sarpi's "History of the Council of Trent"', *Journal of the Warburg and Courtauld Institutes* vii/1 (1944), 123–43; Eloise Davies, 'Reformed but not converted: Paolo Sarpi, the English mission in Venice and conceptions of religious change', *Historical Research* xcvi/269 (2022), 334–47; Stefano Villani, introduction and 'Paolo Sarpi, William Bedell, and the first Italian translation of the Book of Common Prayer', in his *Making Italy Anglican: why the Book of Common Prayer was translated into Italian*, Oxford 2022, 1–20, 21–48.

<sup>3</sup> There was precedent (or at least a parallel) for this in Justinian's ban on commentaries on the Digest in the sixth century, which would have been known to early modern canon lawyers. On Justinian's ban see Adolf Berger, 'The Emperor Justinian's ban upon commentaries to the Digest', *Bulletin of the Polish Institute of Arts and Sciences in America* iii/3–4 (1945), 655–96.

<sup>4</sup> 'per fuggir la confusione, prohibi ad ogni conditione di persone, cosi Chierici, come Laici, il fargli sopra commentarij, glose, annotationi, ò scolij, ne intrepretatione di qual si voglia sorte, ne meno far statuto di sorte alcuna, ancora sotto pretesto di maggior corroboratione ò esecuzione de Decreti; ma essendovi bisogno d'interpretatione d'alcun luogo oscuro, o di qualche decisione, andassero alla sede Apostolica, perche egli si riservava il decchiare le difficultà, ò controversie, come anco la Sinodo haveva già decretato': [Paolo Sarpi], *Historia del concilio tridentino*, London 1619, 797–9 at p. 799.

Sarpi argued that reserving interpretation to Rome made confirmation of the decrees more enticing to Pius. This aligned with his overall view of the papacy's role in controlling the council. However, a prohibition on interpretation did not mean that the post-Tridentine Church expected the decrees to speak for themselves. Instead, the Congregation of the Council of Trent was created.<sup>5</sup> This group of eight (and later, more) cardinals had the sole right to provide interpretation on the decrees when their application to specific cases was unclear.

Paolo Sarpi's *History* brought to light exactly the type of behind-the-scenes information about the creation of the decrees that the prohibition on commentary and restriction of the conciliar archive had aimed to prevent. The book's publication in 1619, first in Italian and then swiftly in Latin and English translations, provoked immense interest in England and France. Surprisingly, its reception in seventeenth-century Italy has been comparatively less well studied, though it was both known and expressly prohibited.<sup>6</sup> The Catholic Church's response to Sarpi's work reveals much about how it was understood by church officials, but its prohibition needs to be further contextualised. For Sarpi's was only one book among several published at roughly the same moment to discuss the Council of Trent, only to be prohibited. A close examination of requests for licences to read prohibited books reveals many other authors whose works about the council were prohibited to some degree. These books were legal commentaries rather than historical interpretations like Sarpi's, though given the timing and the content, they seem to have been part of a larger, still prohibited, conversation about the interpretation of Trent in the long wake of the council.

The prohibition on Tridentine interpretation has led scholars to view the council's decrees as isolated from the context that histories or legal commentaries provide. Further, recent scholarship has suggested that the study and production of canon law more broadly was hindered by the prohibition, leading to the 'ossification of canon law' in this period.<sup>7</sup> Yet, work

<sup>5</sup> John O'Malley, *Trent: what happened at the council*, Cambridge, MA 2013, 267–8.

<sup>6</sup> Francesco Sforza Pallavicino's *Istoria del Concilio di Trento*, Rome 1656, comprised one official response to Sarpi: Stefan Bauer, 'Writing the history of the Council of Trent', in *Sforza Pallavicino: a Jesuit life in baroque Rome*, Leiden 2022, 275–87. In Venice, the rabbi Leon Modena excerpted passages from Sarpi's Tridentine history into his notebooks: Yaacob Dweck, *The scandal of Kabbalah: Leon Modena, Jewish mysticism, early modern Venice*, Princeton 2011, 36. On later editions of Sarpi's history, including those published in Italy (and some which pretended to be) see Mario Infelise, 'Ricerche sulla fortuna editoriale di Paolo Sarpi (1619–799)', in Branchesi, Agostini and Pin, *Ripensando Paolo Sarpi*, 519–46.

<sup>7</sup> Simon Ditchfield, discussing Prodi, in 'Tridentine Catholicism', in *Ashgate research companion to the Counter-Reformation*, Farnham 2013, 24; Paolo Prodi, 'Note sulla genesi del diritto nella Chiesa post-tridentina', repr. in *Homo europaeus*, Bologna 2015, 69–104. Prodi believed that copies of the Congregation's interpretations were beyond the reach

on ecclesiastical law did continue, including different ways of commenting on the Tridentine decrees. The inner workings of interpretative bodies like the Congregation of the Council were not completely opaque. Interpretations of Trent did circulate, in manuscript and in print. Even when printed books were placed on the Index, readers readily and legally obtained access to copies. Lorenzo Sinisi has charted this vast and treacherous terrain better than anyone in a series of recent articles on the print and manuscript traditions of the Congregation of the Council's *declarationes*, or issued pronouncements.<sup>8</sup> At the same time, new work has brought attention to the question of how the Council of Trent circulated in news reports as well as in the 'plain text and uncluttered *mise en page*' of Paolo Manuzio's official edition of the decrees.<sup>9</sup> More generally, recent work has reemphasised the (often immense) divide between the aims of the Council of Trent and the actual implementation of its reforms.<sup>10</sup> The Congregation of the Council has also received renewed interest.<sup>11</sup> This article builds on this work by looking at the reading of prohibited works about Trent. What could be read – and how?

of even elite ecclesiastics, and that collections of congregational decisions were only printed in the eighteenth century (pp. 86–7).

<sup>8</sup> Lorenzo Sinisi, "'Pro tota iuris decretalium ulteriore evolutione': le *declarationes* della Congregazione del Concilio e le loro raccolte dei secoli XVI e XVII fra divieti e diffusione', *Historia et Ius* xviii (2020), 1–40; 'The commentaries on the Tridentine decrees in the sixteenth and seventeenth centuries: the first remarks on a category of "prohibited" works', *Bulletin of Medieval Canon Law* xxxiii/1 (2016), 209–28; and 'Le "impudenze" di un grande canonista della prima metà del Seicento: Agostinho Barbosa e la Congregazione dell'Indice', in *Itinerari in comune: ricerche di storia del diritto per Vito Piervigiani*, Milan 2011, 307–86. An early article by Sebastian Tromp focused on manuscripts held at the Archivio della Pontificia Università Gregoriana with reference to other copies elsewhere: 'De manuscriptis acta et *declarationes antiquas* S. Congregationis Conc. Trid. continentibus', *Gregorianum* xxxviii/3 (1957), 481–502.

<sup>9</sup> Paolo Sachet, 'Privilege of Rome: the Catholic Church's attempt to control the printed legacy of the Council of Trent', in Wim François and Violet Soen (eds), *The Council of Trent: reform and controversy in Europe and beyond (1545–1700)*, xxxv, Göttingen 2018, 341–79, quotation at p. 357. On news see Simon Ditchfield, 'Trent revisited', in Guido Dall'Olio, Adelisa Malena and Pierroberto Scaramella (eds), *La fede degli italiani: per Adriano Prosperi*, i, Pisa 2011, 365, and Diego Pirillo, *The refugee-diplomat: Venice, England, and the Reformation*, Ithaca, NY 2018, 56–76.

<sup>10</sup> Elena Bonora, 'Il ritorno della Controriforma (e la Vergine del Rosario di Guápulo)', *Studi Storici* lvii/2 (2016), 267–95; Eleonora Belligni, *Voci di Riforma: rinnovatio e concilio prima e dopo il Tridentino*, Milan 2018; Massimo Firpo, *Riforma cattolica e concilio di Trento: storia o mito storiografico?*, Rome 2022.

<sup>11</sup> On the Congregation of the Council see John B. Tomaro, 'The papacy and the implementation of the Council of Trent: 1564–1588', unpubl. PhD diss. North Carolina 1973; *La sacra congregazione del concilio: quarto centenario della fondazione, 1564–1964: studi e ricerche*, Vatican City 1964; and new work published and forthcoming by the Max Planck research group on the Congregation run by Benedetta Albani:

Examining requests for reading licences as well as manuscript and printed copies of interpretive works allows us to recover both the debates and the practices surrounding Tridentine interpretation in seventeenth-century Italy. This article brings to light those who trespassed, as Sarpi had done, into territory meant to be the sole preserve of the Congregation of the Council. The article traces some of these licence requests to readers, to show how clerics, lawyers, bishops and others grappled with a set of books about the Council of Trent in the direct aftermath of Sarpi's publication. By placing seventeenth-century discussions about the prohibition of Sarpi's history and of these legal books side by side, we show that these bans took place amid a broader conversation about Trent-related books. We must look beyond Sarpi to understand the moment at which his work was published and prohibited. By doing so, we unearth a complex episode in the simultaneous reception and making of the Catholic Reformation.

## II

Despite Pius IV's initial prohibition, there were licit ways to publicise and comment on the Tridentine decrees. In the Milanese archdiocese, for instance, a conscientious priest in Turate made a meticulous record of the Tridentine marriages he oversaw, noting 'I publicised the Council of Trent regarding marriages' to parishioners at mass.<sup>12</sup> Printed books of episcopal legislation offered another type of publicity and commentary. Simon Ditchfield vividly described Carlo Borromeo's *Acta ecclesiae Mediolanensis* as putting 'pastoral flesh on the legalistic bones of the Tridentine reform agenda'. Gabriele Paleotti's *Archiepiscopale Bononiense* gave an overview of episcopal functions that the title page advertised as 'from the decrees of the Council of Trent'.<sup>13</sup> Yet, beyond examples pertinent to the running of the post-Tridentine Church, the prohibition on interpretation largely held. Disputes concerning the interpretation or implementation of the decrees of the Council of Trent were directed to the Congregation of the Council to be decided in consultation with the pope, who held ultimate authority. As prefect to the Congregation of the Council, Cardinal Antonio Carafa spent years preparing a book on the legal interpretations of the

*Governance of the universal Church after the Council of Trent*, at <<https://www.lhlt.mpg.de/research-group/governance-of-the-universal-church-after-the-council-of-trent>>, accessed 15 August 2023.

<sup>12</sup> Giovanni Battista Caimo, 'Ho pubblicato il Concilio di Trento, circa li Matrimonii', Archivio Storico Diocesano di Milano X Pieve d'Appiano, vol. iii, quire 14.

<sup>13</sup> Simon Ditchfield, 'Carlo Borromeo in the construction of Roman Catholicism as a world religion', *Studia Borromaeica: saggi e documenti di storia religiosa e civile della prima età moderna* xxv (2011), 13; Gabriele Paleotti, *Archiepiscopale Bononiense ... ex Sacri Tridentini Concilij decretis*, Rome 1594.

council to be used as a reference by members of the Congregation, although he died before he could see it into print.<sup>14</sup>

The Congregation's interpretations did ultimately circulate in manuscript. It wrote letters, usually in response to bishops' queries about the decrees of Trent, that eventually came to follow a set formula: the letter summarised the inquiry and relevant Tridentine canons before issuing a ruling.<sup>15</sup> Manuscript collections of these letters circulated widely, together with summaries of the decisions made on individual cases. One such book was inscribed with the ownership mark of Cosimo Bracciolini, a sixteenth-century cathedral canon in Pistoia.<sup>16</sup> Bracciolini's copy of the Congregation's decisions indicates that there was a real demand for further information about the conciliar decrees' full import. Bracciolini annotated the text, often calling attention to passages of interest and writing 'eps' (bishop) next to decisions relevant for bishops (and therefore relevant for a cathedral canon like Bracciolini, who needed to understand the bishop's playbook, as canons and bishops often butted heads over procedure and jurisdiction).<sup>17</sup> Bracciolini's manuscript was divided in two; these corresponded to the two types of manuscript identified by Lorenzo Sinisi: the *Elucidationes* which contain numbered summarised decisions (see Figure 1) and, as in some other copies, the addition of decisions identified by diocese (see Figure 2).<sup>18</sup> The first part contained summaries of 514 of the Congregation's letters with the relevant Tridentine decree cited in the margin. The second part recorded these decisions roughly by session and chapter. It also noted the diocese to which the decisions were addressed, which allowed the reader to geographically locate the impact of the Congregation's interpretation of Trent.<sup>19</sup>

<sup>14</sup> BAV, Vat. lat. 6326 at <[https://digi.vatlib.it/view/MSS\\_Vat.lat.6326](https://digi.vatlib.it/view/MSS_Vat.lat.6326)>. On this manuscript see Filip Malešević, *Inventing the council inside the Apostolic Library: the organization of curial erudition in late cinquecento Rome*, Berlin–Boston 2021, 183–4, and Sinisi, 'The commentaries on the Tridentine decrees'.

<sup>15</sup> Tomaro, 'The papacy and the implementation of the Council of Trent', 154.

<sup>16</sup> 'Cosmj Bracciolini', MS Beinecke 366, Beinecke Rare Books and Manuscript Library, New Haven, CT, fo. 1r. This was once a single volume with MS Beinecke 366A: Beinecke Rare Book and Manuscript Library, *Catalogue of medieval and renaissance manuscripts in the Beinecke Rare Book and Manuscript Library, Yale University*, Binghamton, NY 1984, MS 366, at <<https://pre1600ms.beinecke.library.yale.edu/docs/pre1600.ms366.HTM>>; and <<https://pre1600ms.beinecke.library.yale.edu/docs/pre1600.ms366a.HTM>>. Bracciolini was the author of a treatise on a local image of the Madonna: *Trattato de' miracoli della sacra immagine della gloriosa Vergine Santa Maria dell'Humiltà di Pistoia*, Florence 1580. This identifies him as a cathedral canon there and helps to date him.

<sup>17</sup> MS Beinecke 366, fo. 19r.

<sup>18</sup> Sinisi, 'Pro tota iuris decretalium ulteriore evolutione', 18, 21.

<sup>19</sup> The shorter portion, MS Beinecke 366A, is not complete (not all of the sessions or decrees are addressed). A similarly organised manuscript, BA, G. 107 suss., which covers sessions 5–25, shares some text with MS Beinecke 366A; even though the text diverges, these can be considered the same type of manuscript.

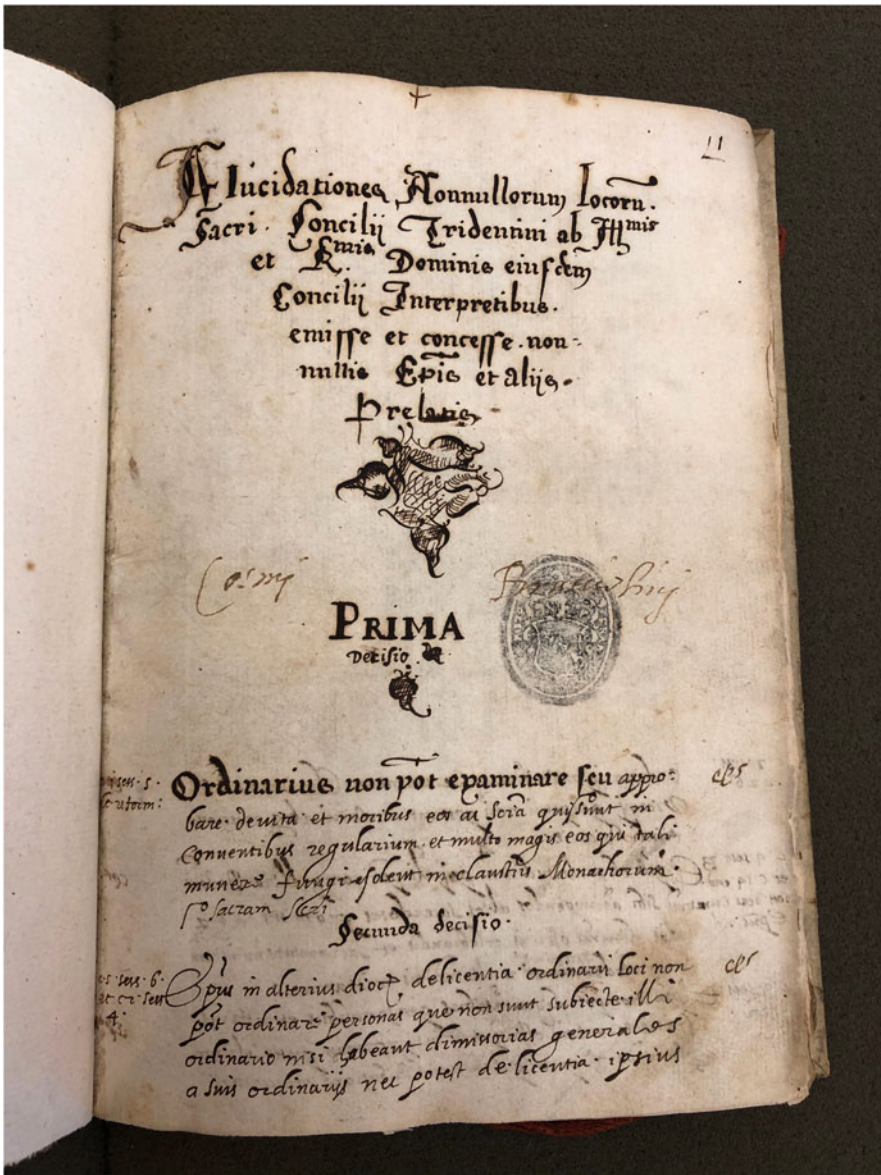


Figure 1. *Elucidationes nonnullorum locorum*, MS Beinecke 366, fo. 1r, Beinecke Rare Book & Manuscript Library, Yale University, New Haven, Ct. Manuscript owned by Cosimo Bracciolini.

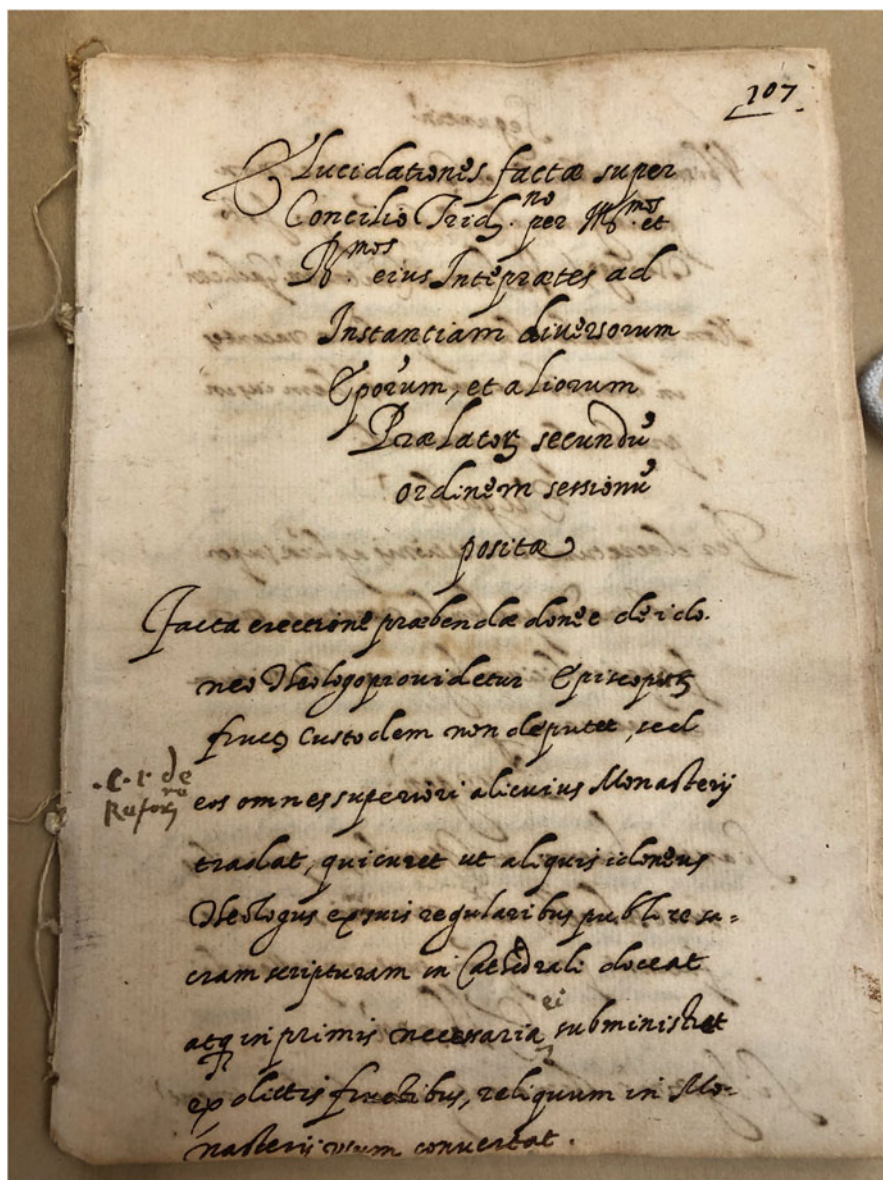


Figure 2. Second part of Bracciolini's manuscript copy, MS Beinecke 366A, fo. 107r, Beinecke Rare Book & Manuscript Library, Yale University, New Haven, Ct.

Other types of manuscripts recording the Congregation's decisions also proliferated. One of the more common was typically titled the *Declarationes* of the Congregation.<sup>20</sup> One copy, formerly owned by the Milanese monastery of SS Cosma e Damiano, contains commentary on different textual passages from the Tridentine decrees.<sup>21</sup> Following these roughly 400 folio pages, an 'addition' lists judgments by the Congregation in chronological order, from 21 March 1591 to 10 January 1604, with the diocese to which they were responding noted in the margin.<sup>22</sup> As Sinisi has suggested on the basis of a Neapolitan manuscript, it seems that the *Declarationes*' base text was anonymously assembled around 1589 and that the early versions contain 'additions' of congregational decisions that were later incorporated.<sup>23</sup> However, other manuscript *Declarationes* suggest different dates of creation. The first part of the copy from the monastery of SS Cosma e Damiano is mostly similar to a copy now held at the Biblioteca Ambrosiana in Milan (BA, 1 C. 11 suss.) in that it contains commentary on bits of the Tridentine decrees arranged from the same sessions. Yet a mock title page created for the work, which features a cut-out print, advertises the manuscript as *Declarationes* of the Congregation of the Council from 1591 to 1601, and suggests that a second volume would have followed with the 'decisions and decrees of the Congregation of Bishops' (see Figure 3).<sup>24</sup> In an era of increasing Catholic bureaucracy, the Congregation of Bishops was another important post-Tridentine congregation: its rulings on bishops' practical issues were often relevant to the Tridentine decrees.<sup>25</sup> The title page tells us that this

<sup>20</sup> Sinisi, 'Pro tota iuris decretalium ulteriore evolutione', 23–4.

<sup>21</sup> BA, F. 8 suss., fos 1r–398v. This draws in particular from sessions 4–25. The reason we refer to this text as that of the *declarationes* is because of its similarity to the printed *Declarationes* (edited by Gallemart) (see nn. 35, 36 below). A note on the inside cover gives the book's provenance: 'Est Conventus SS. Cosmae et Diamiani Mediolani FF. Eremitarum Discalceatorum. Ordinis S. P. Augustini'.

<sup>22</sup> BA, F. 8 suss., fos 401r–460r. The text of this addition to BA, F. 8 suss. is the same as the entire text of BA, H 84 inf., 'Additio ad Declarationes et Decisiones Sacri Concilii Tridentini', which also runs from 21 March 1591 to 10 January 1604.

<sup>23</sup> Sinisi, 'Pro tota iuris decretalium ulteriore evolutione', 23.

<sup>24</sup> BA, C. 11 suss., fo. [1r].

<sup>25</sup> Tomaro, 'The papacy and the implementation of the Council of Trent', 251–373; Simone Maghenzani, 'Hypocrisy, "prudence", "conscience" in administration: the Congregation of Bishops and Regulars in seventeenth-century Italy', in Catherine Cubitt, Charlotte Methuen and Andrew Spicer (eds), *The Church, hypocrisy and dissimulation* (Studies in Church History lx, 2024), 216–37; Antonio Menniti Ippolito, 'Sacra Congregazione dei Vescovi e Regolari', at <<https://www.storiadellachiesa.it/glossary/congregazione-dei-vescovi-e-regolari-e-la-chiesa-in-italia/>>; Giovanni Romeo, 'La Congregazione dei Vescovi e Regolari e i visitatori apostolici nell'Italia post-tridentina: un primo bilancio', in Maurizio Sangalli (ed.), *Per il cinquecento religioso italiano*, Rome 2003, 607–14. There would have been overlap in membership between the Congregations: Simon Ditchfield, 'Papal prince or papal pastor? Beyond the Prodi paradigm', *Archivum Historiae Pontificiae* li (2013), 130–1.



Figure 3. Title page of a *Declarationes* manuscript, with a printed image pasted in, Biblioteca Ambrosiana, Milan, ms. C. 11 suss. fo. 1r. ©Veneranda Biblioteca Ambrosiana.

manuscript was created by a scribe in Rome in 1611.<sup>26</sup> His effort to make a title-page, complete with a pasted-in engraving, suggests an attempt to make the experience of reading this manuscript more like that of reading a printed work. This copy in particular was used repeatedly. In addition to occasional textual corrections in the manuscript, a slightly later hand added a densely written index on the final folio in order to aid further consultation.<sup>27</sup>

Sometimes, despite the shared title of *Declarationes*, the base text of manuscript copies diverged substantially from the usual commentary. Biblioteca Ambrosiana, D. 37 suss., for instance, is still organised by session, and covers sessions 4 to 25, but each of the *declarationes* lists the addressee of the Congregation's decision and includes a citation to a folio of another book of *declarationes* (occasionally with the date of the decision as well). The commentary that follows then resembles the more familiar text of the *declarationes*.<sup>28</sup> Another Biblioteca Ambrosiana *declarationes* (BA, D. 3 suss.) contains additional material related to the administration of Spanish dioceses, especially Ávila, in the form of letters from the diocese to the Congregation, and back.<sup>29</sup> Yet another, still bearing the ubiquitous title *Declarationes* (BA, F. 9 suss.), presents a wholly different text, beginning with commentary on the bull calling the council. This manuscript provided elucidations of even the title of the bull, and for the first session, it commented on the use of the word 'session', citing past church councils as the precedent for dividing Trent into sessions.<sup>30</sup> This unusual attention to detail is sustained throughout 463 folios, from the initial bull through to the final session. In fact, this particular manuscript varies so widely from the standard form of manuscript *declarationes* that it even confused an eighteenth-century reader or cataloguer, who noted that it was not possible to determine the author or origin of the manuscript, but suggested that it offered 'a continuous commentary of the Council of Trent'.<sup>31</sup>

<sup>26</sup> BA, C. 11 suss., recto of first unnumbered folio.

<sup>27</sup> Ibid. fo. 352r-v.

<sup>28</sup> BA, D. 37 suss. For instance see fo. 2r: 'Sessio Quarta cap. pr. Cartusien. Fres Cartusien sunt obligati uti vulgata editione sacrae scripturae, secundum usum Sanctae Rom. Ecc. a lib. declarat. Fo: 890; In verbo = et si Regulares fuerint = Congregatio censuit idem in concionibus observandum etiam si concionatores ab ord.o fuissent approbati; Ibi = Qui autem scripto eos communicant, vel evulgant = Congregatio censuit intelligi debere etiam quoad Lectiones, anotationes, disputationes, conciones, et alia similia, nec non quoad tractatur pertinentes, tum ad devotionem, tum ad quietationem conscientiarum fratrum stimulatorum et caetera huiusmodi, quae sibi invicem fratres communicant.'

<sup>29</sup> BA, D. 3 suss. See fos 21v, 247-248v, 262v (from Sigüenza), 264v-266r, 332v-333v. These letters are included under the decree to which they pertain.

<sup>30</sup> BA, F. 9 suss., fos 1r (on the bull), 9v (on the first session).

<sup>31</sup> 'Declarationes huiusmodi aliud plane non sunt quam perpetuus Concil. Tridentini Commentarius. Quis auctor sit, neque ex commentario ipso palam sit, neque aliunde hactenus colligere licuit': BA, F. 9 suss., recto of unnumbered first leaf. Another manuscript copy of this type, with slight textual variations, is BA, H. 39

The firm prohibition on interpreting the Council of Trent helped generate this entire ecosystem of manuscript copies of congregational decisions and other commentaries.

### III

What the Pistoian canon Bracciolini read in manuscript, with pen in hand, adding manicules and notes to himself, many other readers sought in print. From 1566 on, printed glosses on the Tridentine decrees by Jean Soteaulx and Orazio Luzi were popular. But the interpretations by the Congregation of the Council only found their way into print in the early seventeenth century. Manuscript decisions of the Congregation started to appear in print with Prospero Farinacci's 1608 collection of decisions of the 'Roman Rota' 'with *declarationes* of the Tridentine council'. In fact, however, the text summarised and numbered decisions by the Congregation of the Council issued between 1591 and 1601, with indications of the relevant diocese if known. In other words, the book probably followed one of the many manuscripts that circulated with congregational decisions. The book even advertised its connections to the manuscript tradition: as the title page made clear, the text was 'from the manuscript library' of Farinacci.<sup>32</sup> The text was prohibited in 1609, though it continued to be printed and reprinted in northern Europe.<sup>33</sup> Prohibitions on authors could tarnish their reputation, but Farinacci does not seem to have suffered from his brush with the Index. Indeed, his 1615 Roman edition of the decrees of the Roman Rota was paid for by Alfonso Chacón, one of the most prominent early seventeenth-century theologians and a well-known consultant for the Congregation of the Index.

Next, in 1613, the Spanish Benedictine Pedro Vicente Marzilla's *Decreta sacrosancti Concilii Tridentini*, 'with declarations in the fourth volume of new decisions of the Roman Rota', was published in Salamanca by the widow Ramirez. Marzilla addressed the prohibition on commentary about Trent head-on in his note to the reader, stressing that he sought to address the doubts that had arisen in 'the words of the sacred Council, and which the Interpreters of the same Council, worthily appointed by the Apostolic See, handed down to us'. He assured readers that he had

suss., which contains commentary from the *bullā indictionis* through session 6, ch. v. BA, H. 39 suss. was formerly owned by the oblates of San Sepolcro (as a library stamp on fo. 1r indicates). At various points, an early modern hand (different from the main text of the copy) has gone through and entered marginal glosses, for example at BA, H. 39 suss., fos 1r–v, 46v.

<sup>32</sup> Prospero Farinacci, *Decisiones variae Rotae Romanae ... cum declarationibus Concilii Tridentini e' Bibliotheca manuscripta Dn. Prosperi Farinacii*, Lyon 1615.

<sup>33</sup> Sinisi, 'Le "impudenze" di un grande canonista', 339.

accessed these interpretations from ‘the fourth volume of new decisions of the Roman Rota’.<sup>34</sup> As in the case of Farinacci, this referred to decisions not by the Rota but by the Congregation of the Council. Marzilla added his own glosses to these from other, more traditional, sources.

That same year, Jean Gallemart, a Belgian professor of theology, first published his own work on the decisions of the ‘cardinal interpreters of the Council of Trent’ and the Roman Rota.<sup>35</sup> Like Farinacci’s and Marzilla’s editions, Gallemart’s was a printed version of one of the manuscript *declarationes* of the Congregation of the Council. Unlike these other works, Gallemart’s proceeded from a manuscript that commented on the decrees from sessions 4 to 25 of the Council of Trent, perhaps one much like BA, C. 11 suss. or BA, F. 8 suss. Gallemart’s work was reissued in 1615 by the same Douai printer, ‘according to the correction made by Pedro de Marzilla’.<sup>36</sup> Although the term ‘correction’ is confusing, the 1615 edition was essentially a hybrid text. It merged Gallemart’s *Decisiones* with Marzilla’s more piecemeal 1613 work.<sup>37</sup>

The next, and perhaps most important Tridentine commentary to be printed, was Agostinho Barbosa’s *Remissiones*. Barbosa was an important Catholic legal scholar who, over the course of his life, found himself on both sides of the Catholic censorship apparatus – both censor and censored. Born in Guimarães and educated at the University of Coimbra, Barbosa arrived in Rome in 1620 to further his studies.<sup>38</sup> In 1618, with the permission of the Portuguese Inquisition, Barbosa published his *Remissiones* (cross-references) on the Tridentine decrees.<sup>39</sup> In the 1620 (and subsequent) editions of the book *Declarationes Concilii Tridentini*, the Cologne printer Anton Hierat added Barbosa’s *Remissiones* to existing

<sup>34</sup> ‘quaesivique iudicii veritatem circa nonnulla dubia, quae hactenus suborta sunt in verbis sacri Concilii, & quae eiusdem sacrosancti Concilii meritissime Interpretes a Sede Apostolica constituti nobis tradidere, quaeque in quarto volumine decisionum novissimarum Rotae Romanae hac de re habentur, in medium viceglossae propono’: ‘ad Lectorem’, Pedro Vincente Marzilla, *Decreta sacrosancti Concilii Tridentini*, 2.

<sup>35</sup> Jean Gallemart, *Decisiones et declarationes illustriss. cardinalium sa[n]cti Concilii Tridentini interpretum quae inter decisiones Rotae Romanae habentur*, Douai 1613.

<sup>36</sup> Idem, *Decisiones et declarationes illustrissimorum cardinalium sacri Concilii Tridentini interpretum... ad diversa exemplaria ab infinitis mendis repurgata, praesertim secundum correctionem factam per ... Petrum de Marzilla*, Douai 1615.

<sup>37</sup> Marie Viallon and Bernard Dompnier, ‘Écrire l’histoire du concile de Trente: du président de Thou (Paris–Genève, 1604–1620) à Paolo Sarpi (Londres, 1619)’, *Revue d’histoire ecclésiastique* cxv/1–2 (2020), 158.

<sup>38</sup> Paola Nestola, ‘“Nemine discrepant”: Agostinho Barbosa (1590–1649), estudante da Universidade de Coimbra, erudite lexicógrafo, canonista difamado?’, *Biblos* v (2019), 173–95.

<sup>39</sup> Agostinho Barbosa, *Remissiones doctorum, qui varia loca Concilii Tridentini incidenter tractarunt*, Lisbon 1618.

(also prohibited) commentaries on the Tridentine decrees (see Figure 4).<sup>40</sup> Barbosa's name would become the stand-in for this composite text that brought together the works of Marzilla, Gallemart and others, even though Barbosa's *remissiones* diverged substantially from the manuscript tradition from which the other works emerged.

Printed works started to build on and refer to each other, creating a print tradition of interpretive commentaries. While these occasionally faced some backlash, print's increasing role in this system of Tridentine commentary did not receive much attention from Catholic authorities until after the publication of Sarpi's book.

#### IV

In a 1610 letter to the French jurist Jacques Leschassier, Paolo Sarpi expressed his frustration with the interpretation and implementation of the Tridentine decrees:

The pope has prohibited to everyone the interpretation of the Council and reserved it to the Roman Congregation, under such a pretext he has pulled all governance to Rome; and not only from Italy but from Spain, where it will surprise you that a bishop cannot admit even one nun to make her profession without licence from Rome.<sup>41</sup>

The large, diverse tradition of manuscript *declarationes* clearly documents this back and forth between bishops and the Roman Congregation of the Council, though it also reveals the Congregation to have been a less meticulous overseer than Sarpi imagined. However, the existence and work of the Roman Congregations would circumscribe Sarpi's own ability to write and publish his *Historia*. Information about the council was primarily in manuscript, and it was difficult to obtain. Sarpi's own sources combined oral informants along with Venetian *relazioni* and select caches of documents,

<sup>40</sup> *Sacros Concilii Tridentini canones et decreta, item Declarationes cardinalium concilii interpretum, ex ultima recognitione Ioan. Gallemart ... cum citationibus Joannis Sotealli theol. & Horatii Lucii ... nec non Remissionibus P. Augustini Barbosa*, Cologne 1620.

<sup>41</sup> 'I vostri vescovi i quali sostengono il Concilio Tridentino, perchè dà molti ai vescovi, che cosa si cerchino non sanno. Così pare a chi legge; ma non a chi abbia veduto in fatti in qual modo la cosa si metta in pratica. Ora, in Italia, i vescovi sono costretti di rapportarsi per tutte le cose a Roma, e attendere di là la decisione e le sentenze. Laonde, avendo il papa proibito a tutti la interpretazione del Concilio e serbatala alla Congregazione romana, questa con tal pretesto ha tirato a Roma tutto quanto il regimento; e ciò non solo dall'Italia, ma dalla Spagna, dove le recherà maraviglia che un vescovo non possa ammettere nemmeno una monca a far professione senza licenza di Roma': Paolo Sarpi to Jacques Leschassier, in *Lettere di fra Paolo Sarpi*, ed. Filippo Luigi Polidori, Florence 1863, 19–20.

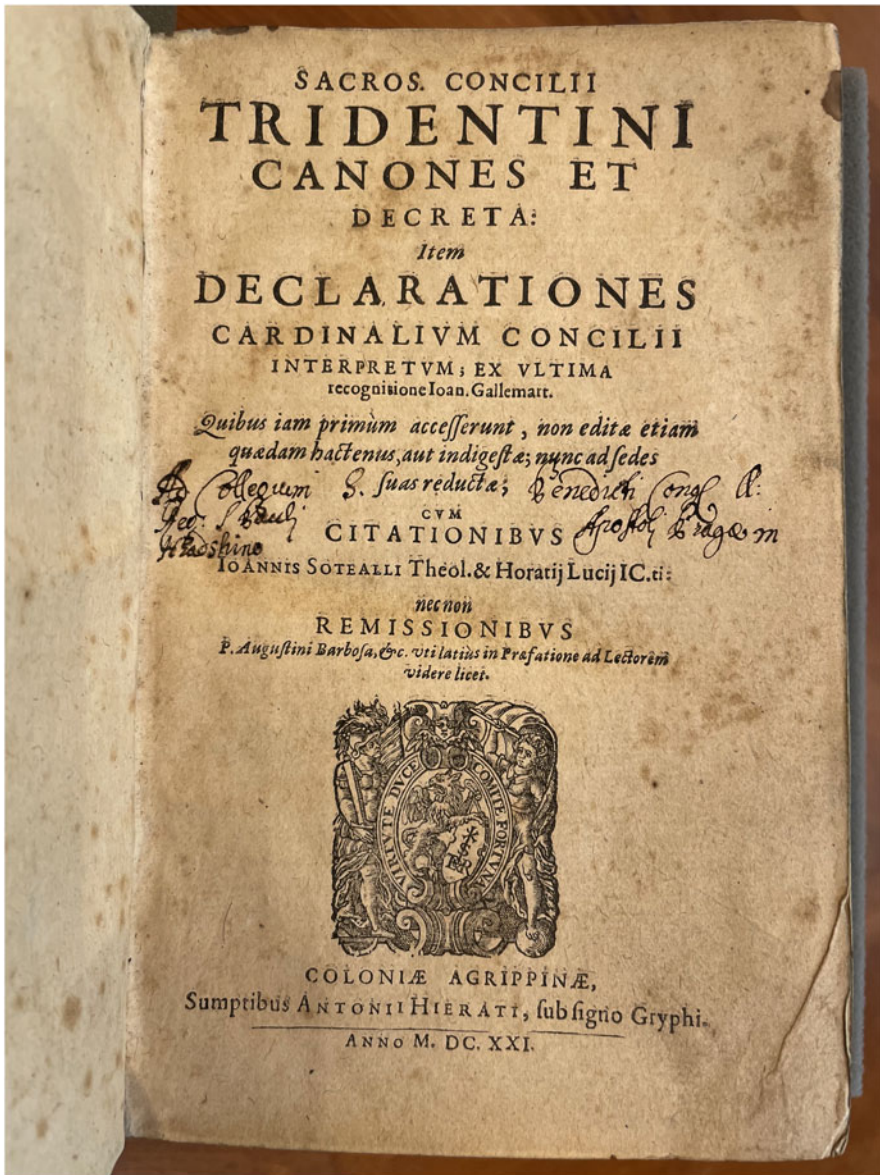


Figure 4. Title page of the *Declarationes cum remissionibus*, 1621 edition, Houghton Library, Harvard University, Cambridge, MA.

like letters.<sup>42</sup> Beyond limiting the Servite friar's sources, the decrees prohibiting interpretation of Trent also meant that his history of the council was itself forbidden, though that task ultimately fell to the Congregation of the Index of Prohibited Books.

Records of the Congregation of the Index from 1619 show church officials' immediate reaction to Sarpi's book (see Figure 5). Even before identifying the real author or examining a copy of the text, Cardinal Giangarzia Millini urged that the book should be prohibited. As the minutes of the Congregation of the Index read:

Cardinal Millini proposed a certain book be prohibited in the first class, which [Marco Antonio de Dominis, the archbishop of] Split had newly printed, by a certain 'Petrus Polanus', the title of which is *History of the Council of Trent, in which it is discovered all the artifices of the Roman Curia to impede both the truth of doctrines, and reform of the papacy and of the church, by Pietro Soave Polano*.

The title alone was enough to condemn the text, but the Congregation was only getting started on its judgement:

The book's dedicatory letter to the King of England is by the archbishop of Split, who has now decided to print the book, which he confessed to have received from said 'Pietro' himself, and to dedicate it to the King of England. Wherefore, the illustrious doctors, following Millini's opinion, ordered that the said book be prohibited even though hitherto there was no printed copy of it to be had. Indeed, as soon as possible, an edict prohibiting it should be published.<sup>43</sup>

The members of the Congregation of the Index knew that they would need to do more research with the book in hand, but between the title, pseudonymous author, dedication to a heretical king and dodgy path to publication, they were certain that the Catholic world should be warned about the dangers of the text by publishing an official edict. It is likely that Millini and the congregation, who openly admitted to not actually having the book yet,

<sup>42</sup> Vivanti, introduction to Sarpi, *Istoria*, pp. lxxii–lxxxii. On Sarpi's information network more broadly see Filippo de Vivo, 'Paolo Sarpi and the uses of information in seventeenth-century Venice', *Media History* xi/1–2 (2005), 37–51.

<sup>43</sup> 'Item Ill.mus et R.mus Dominus Cardinalis Millinus proposuit prohibendum de ordine primi librum quemdam quem spatensis de novo imprimere statuit cuiusdam Petri Polani, cui titulus Historia del Concilio Tridentino, nella quale si scuoprono tutti gl'artificij della Corte di Roma, per impedire che ne la verità de dogmi si paletasse, ne la riforma del Papato et della Chiesa si trattasse di Pietro Soave Polano, cuius iam libri epistola tantum dedicatoria Regi Angliae ipsius spatensis, qui huiusmodi librum dicti Petri quem ab ipso habuisse fatetur imprimere nunc statuit, illumque Angliae Regi dicare. Unde Ill.mi DD iuxta mentem S.ri iam dictum librum prohiberi mandarunt etiam quod adhuc impressum eius aliquod exemplar habitum non fuerit. Imo ut quam primum etiam permeter ob id atque imprimetur unum edictum in quo talis eius prohibitio approvatae et publicetur': ADDF, index i. diarii, ii. 178–9, 18 Nov. 1619.

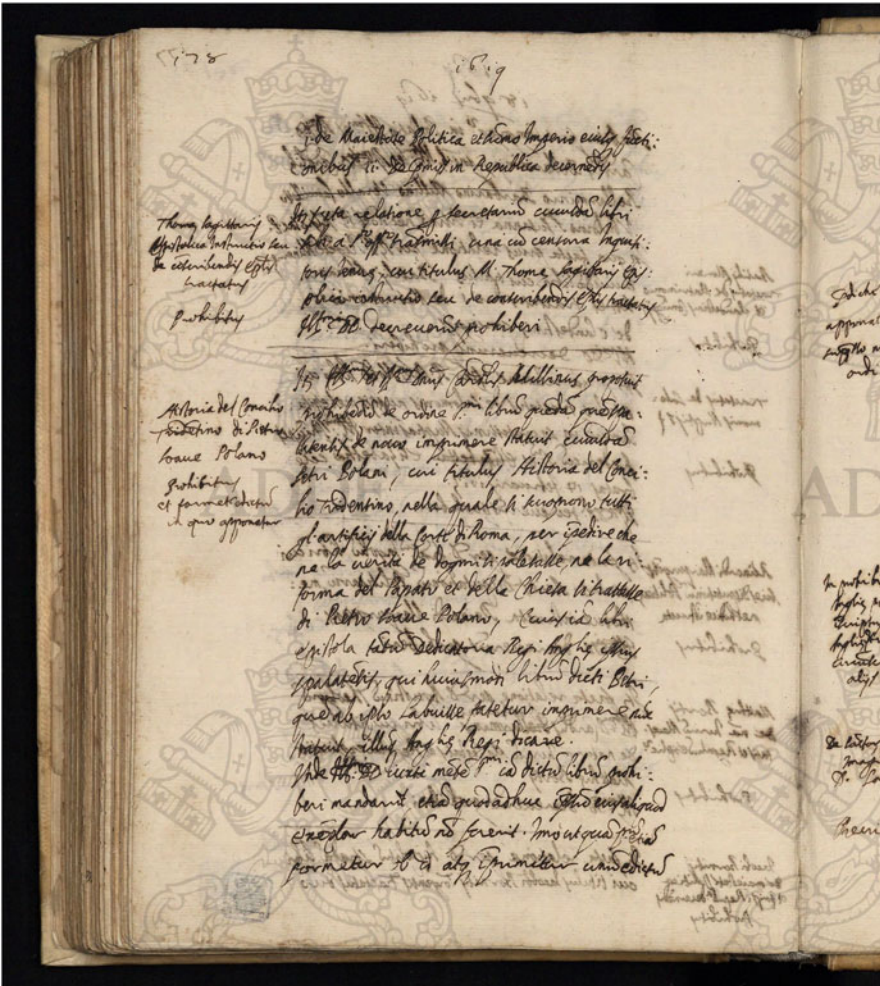


Figure 5. Beginning of the 1619 condemnation of Sarpi's *Historia* by the Congregation of the Index, Archivio del Dicastero per la Dottrina della Fede, Vatican City, Index I, Diarii, ii, 178.

were working on a tip-off from diplomatic reports or correspondence.<sup>44</sup> It is not clear that Rome even knew that Sarpi was the author, but the

<sup>44</sup> For more on information between England and Italy in this period see Diego Pirillo, *The refugee-diplomat: Venice, England, and the Reformation*, Ithaca, NY 2018. On Millini's interest in managing anti-Catholic print, even from abroad, see Simone Maghenzani and Massimo Firpo, 'Antonio degli Albizzi and Lutheran propaganda in early seventeenth-century Italy', this JOURNAL lxxiii/2 (2022), 275–7.

prohibition of his work seems to have had a ripple effect. Texts about Trent that had previously been published with the permission of church officials were suddenly called into question and prohibited.

Within two years, on 21 April 1621, the body tasked with interpreting the Tridentine decrees, the Congregation of the Council, met to discuss the fate of a popular legal text, the *Declarationes Concili Tridentini* and *Remissiones* of Agostinho Barbosa.<sup>45</sup> This book was not yet prohibited, nor was the Congregation of the Council the office typically charged with book censorship, but within the past year the Holy Office of the Inquisition had already fielded a request to use this book from Antonio de Ricci, the bishop of Arezzo, who clearly thought that the text was prohibited.<sup>46</sup> The book that Ricci sought, and that many congregations in Rome were discussing, had its roots in the manuscript tradition of congregational *declarationes*. And though Ricci only named the Portuguese jurist Barbosa in his request, a number of authors or editors were associated with the text in its printed tradition, as we have seen.

At the meeting of the Congregation of the Council, the cardinals were torn about the extent to which Barbosa's text violated the prohibition against conciliar commentary. They discussed the nature of the text itself before deciding that it should be prohibited. Records of their deliberations state:

The Congregation of the Council examined what to do about the *Remissiones*, which Agostinho Barbosa put out in print about the universal decrees of the Council of Trent. Strictly speaking those *remissiones* (cross-references) do not interpret the Council, but simply refer in each passage to authors who interpreted single decrees. Nevertheless, since he does refer to them, and it cannot be denied that this is an implicit interpretation – both the opinions of others and a certain type of annotation on the decrees of the Council, the Holy Congregation [of the Council] ... decreed that the *Remissiones* are to be added to the Index of Prohibited Books.<sup>47</sup>

<sup>45</sup> *Sacrosancti Concilii Tridentini canones et decreta item declarationes cardinalium Concilii interpretum ex ultima recognitione Iohannis Gallemart ... cum citationibus ... necnon Remissionibus P. Augustini Barbosa* [sic], Cologne 1620.

<sup>46</sup> The first request is on 8 October 1620, in ADDF, S.O. st. st. Q 1 c, fo. 68r, where the 1620 Cologne imprint of *Declarationes* is requested with Barbosa's *remissiones* 'inserted'. It was not out of the ordinary for requests to anticipate actual prohibitions.

<sup>47</sup> 'Cum in Sacra Congregatione Concilij examinatu[m] esset quid agendum de Remissionibus, quas typis impressas edidit Augustinus Barbosa ad universa Decreta Concilij Tridentini, quam vis propriè remissiones illae Concilium non interpretentur, sed simpliciter referant suo quemque loco Autores, qui singula Decreta interpretati sunt: t[ame]n cum relatum sit in referente, et negari non possit, quin haec sit implicita interpretatio et aliorum sententia, et species quaedam annotationum ad Concilij Decreta: S. Congregatio die 21 Aprilis 1621 de mandato Gregorij Decimi quinti decrevit Remissiones Indici librorum prohibitorum esse adiiciendas, prout fuerunt adiectae':

The cardinals had to decide whether cross-references constituted commentary. Within the manuscript tradition, pre-Sarpi, the answer had been ‘no’. But times had changed.

The Congregation’s ultimate decision, that ‘it cannot be denied that this is an implicit interpretation’, had far-reaching consequences. Later that week, on 27 April 1621, they officially decreed that ‘all and whatever printed collections of declarations or interpretations of the Congregation of the Council’ be added to the Index of Prohibited Books, with special reference to the *Declarationes Concilii Tridentini*, the anthology of texts interpreting the council that included Barbosa’s *Remissiones*. The occasion that the Congregation of the Council gave for this prohibition was both noticing ‘some volumes of *declarationes*’ in circulation and since, admittedly, ‘confusion and perversion of the edition’ of the Council of Trent could ‘easily arise’. They invoked Pius IV’s bull of confirmation forbidding interpretation.<sup>48</sup>

One month later, on 22 May 1621, seven members of the Congregation of the Index and the Master of the Sacred Palace gathered in the house of Cardinal Bevilacqua for the first time since March. They addressed a number of issues that day: sending copies of books to consultants to be reviewed, dealing with the latest round of petitions from the imprisoned Tommaso Campanella about prohibitions on his own works, and eventually relating the recent resolutions of the Congregation of the Council.<sup>49</sup> On 27 April the secretary of the Index reported prohibitions by the Congregation of the Council and noted that the prohibited works included those by Pietro Vincenzo Marzilla, Jean Gallemart, Prospero Farinacci, Jean Solteaux, Orazio Luzi and, of course, Agostinho Barbosa. The Congregation of the Index, which had serenely prohibited Sarpi’s *History of the Council* on title alone two years earlier, now had qualms about this new far-reaching conclusion from the Congregation of the Council. It would be difficult to enforce since it involved many authors, and the works were important texts. The Index concluded that the solution to this problem would be through granting reading licences to all those who applied to the Master of the Sacred Palace to read these works.<sup>50</sup> In practice, the Master of the Sacred Palace handled requests from the city of Rome while the rest of the Italian requests, like Bishop Ricci’s, were processed through the Congregation of the Index or through the Holy Office of the Inquisition.

BAV, Vat.lat.7247, fo. 390r. This important manuscript has not previously been included in the literature on Barbosa.

<sup>48</sup> Sinisi, ‘Le “impudenze” di un grande canonista’, appendix, document 1, pp. 381–2, AAV, Congr. Concilio, positiones, 10, cc. 1r.

<sup>49</sup> ADDE, index 1, diarii, vol. iii, fo. 55v.

<sup>50</sup> Ibid. fo. 56r.

Meanwhile, Agostinho Barbosa responded swiftly to Roman rumours of the Congregation of the Council's decision. He petitioned the prefect of the Congregation, Cardinal Ubaldini, drawing attention away from his own work, which had been the focus of their decree. 'Recently however, in a general prohibition of *all* books which contain decisions of the [Congregation of the Council], the aforesaid *Remissiones*, which only have the naked pronouncements of legal experts, are publicly said to be included', wrote Barbosa.<sup>51</sup> He asked Ubaldini to have the congregation examine the book again, more closely, and hear him present on the work before the prohibition be made public.<sup>52</sup> But his campaign for the restoration of his work had to continue. In 1626, Barbosa implicitly referenced the many readers (and licence requests) for his work in a letter to Pope Urban VIII. He pleaded, 'Before and after the prohibition, [the book] was reprinted in many places, and was sought out by many.'<sup>53</sup> Barbosa now sought permission to reprint the work in Rome, but 'corrected according to the intention of the said prohibition'.<sup>54</sup> Urban would go on to grant Barbosa a privilege to print his own works for twenty years, recognising the value of Barbosa's written work as a whole.

The 1620 combined edition of *Declarationes* and *Remissiones* that readers so avidly sought out offered two distinct approaches to understanding the decrees of the Council of Trent. First, a reader would encounter each Tridentine decree, followed by the original *Declarationes* commentary and then Barbosa's learned cross-references. If a reader wanted to know more about Tridentine decrees on marriage, for example, they would find the entire decree, *Tametsi*, reprinted and densely populated with inserted Greek letters that could help them navigate Barbosa's subsequent commentary. Barbosa's comments were then coded to phrases of the

<sup>51</sup> 'Novissime tamen in generali prohibitione omnium librorum, qui Illustrissimorum Cardinalium Sacri Concilii Tridentini Interpretum decisiones continent, praedictas Doctorum Remissiones, quae tantum nudas iurisperitorum allegationes habent, includi vulgo dicitur'. Undated. Emphasis ours: Sinisi, 'Le "impudenze" di un grande canonista', appendix 2: 'Supplica del "lizenziato" Agostino Barbosa al cardinale Ubaldini', AAV, Congr. Concilio, positiones, 10, cc. 3r, 16v.

<sup>52</sup> 'Quapropter illustrissimae Dominationi vestrae humiliter supplicat ut visis de novo praedictis Remissionibus, lecto prologo apologetico, auditoque Auctore in hac Curia praesente coram deputatis doctoribus vel magistris in Theologia, virisque religionis super dictis Remissionibus iterum attentius pronuntietur prout ius postulaverit, antequam dicta prohibitio publicetur': *ibid.*

<sup>53</sup> 'e perché le dette Remissione primo et doppo la detta prohibitione forano restampate in diversi luoci, et sono resercate da molti': Sinisi, 'Le "impudenze" di un grande canonista', appendix 3: 'Supplica del "dottor" Agostino Barbosa al Sommo Pontefice Urbano VIII', 7 Apr. 1626, AAV, Congr. Concilio, positiones, 10, fo. 9r.

<sup>54</sup> 'Supplica la Santità Vostra a farle gratia di concedere licenza di poterle restampare qui in Roma correte però secondo la mente di detta prohibitione': Sinisi, 'Le "impudenze" di un grande canonista', appendix 3.

decree and included the ‘cross-references’ for which his book was named. Barbosa also asked questions and answered them with more citations. He wondered, ‘Is it a mortal sin to consummate marriage before’ the church ceremony? Then he listed authors who denied it was, concluding, ‘therefore it should be debated’, followed, of course, by more citations.<sup>55</sup> Asking questions and answering with highly abbreviated citations had long been a key component of European legal writing. Barbosa’s approach to commentary is also reminiscent of how an anonymous annotator compiled questions on the decrees at the back of a copy now held at the Newberry Library, often beginning with ‘*An*’ (whether). Both those annotations and Barbosa’s commentary reveal demand for expansive commentary on the Tridentine decrees.

By contrast, the *declarationes* that preceded Barbosa’s *remissiones* were based primarily on Gallemart and the manuscript(s) he had accessed, and these fell into the category of case-law commentaries, which recorded how the Congregation of the Council had responded to particular queries related to the decree.<sup>56</sup> For example, an eleven-year-old girl married following the pre-Tridentine ‘old style’ ceremony – that is, with a present-tense statement without witnesses – in 1566. Subsequently the couple lived together for many years. Had this become a valid marriage according to Tridentine law? The Congregation ruled it had not; the couple needed to appear before a parish priest to marry properly. They reckoned it probable that more than the stipulated thirty days had passed after the new decree had been publicised in the couple’s parish (after which all marriages had to meet the new standards) before the couple could possibly consummate the marriage.<sup>57</sup> When the *declarationes* asked questions, the answer began with ‘The Holy Congregation responded’.<sup>58</sup> In other words, this commentary put in print the kind of resource that the manuscript copies of Congregation of Council decisions had long provided. Combined with the commentary of Barbosa, the *Declarationes Concilii Tridentini* joint edition was a powerful tool for interested lawyers, clerics and other readers. We turn now to these very readers and the licences through which they sought to access these important prohibited texts which could provide clarification on both legal and theological administration.

<sup>55</sup> Agostinho Barbosa, *Remissiones*, Lyons 1619, fo. 90v, note 62 on session 24, chapter i (*Tametsi*). See also Newberry Library, Chicago, case wing BX830 1545, A2 1563, no 1–6.

<sup>56</sup> As with other legal question-and-answer textual traditions in the early modern era, the decisions of the Congregation of the Council straddled print and manuscript: Tamara Morsel-Eisenberg, ‘Anxieties of transmission: rabbinic responsa and early modern “print culture”’, *Journal of the History of Ideas* lxxii/3 (2021), 377–404.

<sup>57</sup> *Declarationes*, Cologne 1621, 369.

<sup>58</sup> ‘Ad primum Sacra Congregatio respondit, Anno 1588’: *ibid.* 368.

## V

Recent research on censorship in Italy has demonstrated that despite ecclesiastical prohibitions, many books listed on the Indexes of Prohibited Books continued to circulate widely through licences granted to individual readers.<sup>59</sup> This new understanding of the circulation of prohibited texts in Italy is especially true of commentaries on the Council of Trent, which were some of the most widely requested texts in the seventeenth century. The licence requests for commentaries on the decrees of the Council of Trent are chronologically bounded on one end by the spate of prohibitions in the late 1610s and early 1620s, and on the other end by a change in the nature of the archival records, which stop systematically listing titles and authors in the mid-1630s. However, in this twenty-year period alone there were at least 521 requests for licences to read prohibited books about the Council of Trent. Remarkably, more than 60 per cent (291/470) of the requests for reading licences that include a precise date were recorded between 1621 and 1624, when the prohibition of Barbosa's (composite) text was at the forefront of conversations in Rome about the council's interpretation. These licence requests are scattered across several series in the Archivio del Dicastero per la Dottrina della Fede, and this sample focuses on the archival records that allow us to see both the names of readers and the lists of books they requested.<sup>60</sup>

Requests for prohibited commentaries on the Council of Trent came from a range of ecclesiastical authorities and legal scholars. Bishops were notably frequent requesters of Tridentine commentaries. At least twenty-nine bishops specifically requested permission to read commentaries on Trent between 1620 and 1635: this despite the fact that bishops otherwise typically requested general licences that allowed them to read prohibited books not dealing with religion, but without specifying the title or subject.<sup>61</sup> Licences requested by bishops were almost always granted – even to the extent that the bishop of Ascoli Piceno, Sigismondo Donati, requested and received licences to read a long list of works that included

<sup>59</sup> Hannah Marcus, *Forbidden knowledge: medicine, science, and censorship in early modern Italy*, Chicago 2020, 131–66. See also Giorgio Caravale, *Libri pericolosi: censura e cultura italiana in età moderna*, Rome 2022, 357–65.

<sup>60</sup> On the different archival series for the study of reading licences see Hannah Marcus, 'Bibliography and book bureaucracy: reading licenses and the circulation of prohibited books in Counter-Reformation Italy', *Papers of the Bibliographical Society of America* cx/4 (2016), 443–7.

<sup>61</sup> See, for example, the licence granted to Vincenzo Bonardo, bishop of Gerace, who was granted a licence to read 'omnes sunt Bibliothecae libros Romae apud D. Jacobum Pechium': ADDE, index 1, diarii, vol. iii, fo. 271, dated 28 Sept. 1596. As further examples, see those granted in 1616 to the archbishop of Amalfi and in 1617 to the bishop of Melfi, ADDE, S.O. st. st. Q 1 b, 83v.

Machiavelli's *Prince*, which was rarely licensed to readers.<sup>62</sup> Yet bishops did request (and receive) permission to read the commentary of Barbosa and others in particular. Indeed, when they specified books, they almost always requested texts at the intersection of legal scholarship and ecclesiastical governance. In the year 1621, six bishops – those of Policastro, Imola, Sulmona-Valva, Faenza, Troia and Bari – asked to read prohibited commentaries.<sup>63</sup> Their requests were granted, and joined in the following year by seven similar requests from the bishops of Messina, Avellino-Frigento, Belcastro, Manfredonia, Ruvo and Sant'Agata de' Goti.<sup>64</sup> The bishop of Mileto-Nicotera, Maurizio Centini, requested a licence in May 1636 not only to read Agostinho Barbosa's commentaries on the council, but in particular to cite him and include aspects of his material in his own writings. The next year Centini would publish his *De incarnatione dominica disputationes theologicae*, which cited Barbosa explicitly.<sup>65</sup> In 1621, the archbishop of Salerno, Lucio Sanseverino, sought permission specifically to read Giacomo Antonio Marta's *On jurisdiction* and also 'Barbosa's on the Declarations and Remissions of the Sacred Council and the Declarations of the Sacred Council written and printed by various suspended authors who were not in the first class and who dealt with canonical and legal issues'.<sup>66</sup> The bishop of Imola, Ferdinando Millini, took pains to indicate in his request for a licence to read Barbosa that he was applying for permission that included his vicar as another reader.<sup>67</sup> These were almost universally granted. By contrast, the licence granted to the bishop of San Severo, Francesco Venturi, is one of only a few licences from among the collection of nearly 6,000 analysed that specifically denied the petitioner the right to read a legal commentary on the Council of Trent.<sup>68</sup>

In addition to bishops, cardinals and their household members, hundreds of other men petitioned to read prohibited commentaries on Trent. Those who provided identifying information about their qualifications were abbots (13), vicars (21), priests (39), monks (61), lawyers (60), canons (39) and many (29) men who identified themselves as doctors without further specification, though based on the fact that most of these requests included requests to read legal texts in addition to material about Trent, these men probably sat at the professional intersection

<sup>62</sup> ADDF, S.O. st. st. Q 1 d, 128v.

<sup>63</sup> These bishops' requests are listed in chronological order. They can be found in the following corresponding archival locations: ADDF, S.O. st. st. Q 1 c, 91r, 95v, 101r, 103r, 112r.

<sup>64</sup> ADDF, S.O. st. st. Q 1 c, 118v, 119r, 122r, 123r, 126r, 134v, 140v.

<sup>65</sup> Maurizio Centini, *F. Mauritij Centini ... De incarnatione dominica disputationes theologicae*, Messina 1637. See, for example, the *Autorum in hoc opere citatorum index*, at fo. [7]v.

<sup>66</sup> ADDF, S.O. st. st. Q 1 c, fo. 91r.

<sup>67</sup> Ibid. fo. 95v.

<sup>68</sup> This licence request is undated: ADDF, index ix, fo. 203r. Venturi was bishop of San Severo from 1625 to 1629.

between law and the church. There was also a painter, Pietro Paolo Bonzi, who in addition to Barbosa's commentary on the decrees on the council, also requested Zerola's *Praxis episcopalis*, classical texts with commentaries by Casaubon, historical and political books, and Leonhart Fuch's *History of plants*, the only text that corresponded directly to his professional work as a prolific producer of still life paintings.<sup>69</sup>

One clear pattern that emerges from reading licence requests is that readers began to request permission to read *declarationes* in manuscript. The manuscript collections that had circulated from the late sixteenth century were only the subject of formal requests after the prohibition of Barbosa's work. This abrupt change suggests that the printed *declarationes* led early modern readers to believe they needed permission for the manuscript copies of the Congregation of the Council's decisions, too. It became quite common for would-be readers to request access to the *declarationes* 'tam impressas, quam manuscriptas' (both printed and manuscript).<sup>70</sup> On 22 March 1623, for instance, an Olivetan abbot and Mario Filonardi, who would be appointed archbishop of Avignon one year later, were both granted permission to read manuscript and printed *declarationes*. Their requests stipulated that the licence was 'for keeping and reading *declarationes* of the holy Council of Trent, in manuscript, and printed with the *remissiones*, annotations and citations of' Barbosa, Sotealli, Luzi and Marzilla.<sup>71</sup> Such readers understood the essential connection between the printed and manuscript *declarationes*, although only the prohibition of the printed composite edition with Barbosa seemed to draw requests for keeping and reading manuscript versions out of the woodwork.

The case of Federico Borromeo, cardinal and archbishop of Milan, is illuminating. Borromeo founded the Biblioteca Ambrosiana with a mission to gather Catholic knowledge, and he sought and received many reading licences to do so.<sup>72</sup> His case helps demonstrate that owning

<sup>69</sup> ADDF, S.O. st. st. Q 1 c, fo. 181v.

<sup>70</sup> 'Declarat.es Sac. Concilij Trid.ni tam impressas, quam manuscriptas cum additionibus Augustini Barbosa': ADDF, S.O. st. st. Q 1 e, fo. 16v.

<sup>71</sup> 'Ill.mi concesserunt licentiam Dom: Angelo de Perutio Abbati Olivetano tenendi, et legen' declarat.nes sac. Conc: Trid: manuscriptas, et impressas cum remissionibus, annotationibus, et citationibus Augustini Barbosa Joannis Sotealli Horatij Lucij et Jo: Vincentij de Marzilla. Marius Philonardus ... Fuit concessa licentia legen' et tenen' Declarationes sa: Concilij Trid.ni tam impressas quam manuscriptes': ADDF, S.O. st. st. Q 1 c, fo. 157v.

<sup>72</sup> On Borromeo and the Ambrosiana see Pamela M. Jones, *Federico Borromeo and the Ambrosiana: art, patronage, and reform in seventeenth-century Milan*, Cambridge 1993, and Marie Lezowski, *L'Abrégé du monde: une histoire sociale de la bibliothèque Ambrosienne (v. 1590–v. 1660)*, Paris 2015. On reading licences and the Ambrosiana see Marcus, *Forbidden knowledge*, 203–9.

printed *Declarationes* with Barbosa's *remissiones* was useful even to those who had manuscript copies of the Congregation's *declarationes* at hand. His manuscript copy of the *Declarationes* was a fairly abbreviated text compared to the printed *declarationes*, with some spaces left on the pages, perhaps for further commentary. Antonio Olgiati, one of the archbishop's bookmen (and the future first prefect of the Biblioteca Ambrosiana), wrote on the title-page of this manuscript that he viewed it under the 'happy auspices' of Federico in 1603.<sup>73</sup> And yet, on 13 April 1622, Federico Borromeo submitted a request for a reading licence of a particular kind to the Congregation of the Index. He asked to keep at the Biblioteca Ambrosiana, in his lifetime, a number of books, including the *Declarationes, decisiones seu interpretationes Conc. Triden. cum remissionibus Barbosa*.<sup>74</sup> His request was granted, so long as he ensured the books 'do not come into the hands of others'.<sup>75</sup> While Federico Borromeo's printed copy no longer survives, it would have served the archbishop in addition to the manuscript text he already owned.

Borromeo's case also helps underscore the important fact that reading licences were granted for these works without requiring expurgation. Indeed, in the licence request for Federico Borromeo and the Ambrosiana, a line added about expurgation was crossed out.<sup>76</sup> Unlike many other prohibited works accessible through the licensing system, these were available without the need to cross out, paste over or remove any material.<sup>77</sup> The act of censorship lay in controlling readership rather than trying to control the physical form of the text.

## VI

The impact of prohibiting the printed *declarationes* is visible not only in the hundreds of reading licence requests for these books, but also in printed pamphlets issued by the Congregation of the Council. It seems the Congregation recognised readers' eagerness for their interpretations, as after 1619 – and especially during the prefecture of Cardinal Cosimo de Torres, 1623–6 – the Congregation began to publish short pamphlets of

<sup>73</sup> 'Felicibus auspicijs Ill.mi Card. Federici Borromaei Olgiatus vidit anno 1603': BA, G 35 inf., fo. 11r. This manuscript contains *declarationes*, with slight variations and sometimes less commentary than the printed *declarationes*, from the fourth through the twenty-fifth sessions.

<sup>74</sup> 'eius vita durante tantum per licentiam tenendi et conservandi in Bibliotheca Ambrosiana': ADDF, S.O. st. st. Q 1 c, fo. 125v. 13 Apr. 1622.

<sup>75</sup> 'ea conditione ut ita conserventur ne ad aliorum manus perveniant': *ibid.*

<sup>76</sup> '~~et corrigantur ea, quorum extat correctio in Indice expurgatorio edito Roma Anno 1607~~': *ibid.* fo. 125r.

<sup>77</sup> Marcus, *Forbidden knowledge*, 167–98.

their rulings.<sup>78</sup> These short printed texts addressed specific topics, such as the problem of fugitive monks, or questions about the celebration of the mass (see, for example, Figure 6).<sup>79</sup> Many of these pamphlets took the title *Declarationes aliquot S. Congregationis Concilii* (some *declarationes* of the Congregation of the Council).<sup>80</sup> The pamphlets with the title *Declarationes* took the format of numbered questions (beginning *an?* or *whether*) followed by the congregation's numbered answers. These commented on papal constitutions as well as on topics within the purview of the Tridentine decrees. The fact that these pamphlets increased substantially in the 1620s, at the same time as longer printed commentaries on the council were forbidden and requests for reading licences subsequently exploded, is suggestive. It is possible that the Congregation viewed these short texts as one way to satisfy readers' demands for Tridentine interpretation, alerting readers to their generic similarities with the existing manuscript and print tradition through the title *Declarationes*.

The corpus of Tridentine commentary garnered new readership in the eighteenth century, when *Settecento* ecclesiastics found new meaning in the legacy of Trent.<sup>81</sup> Manuscripts, new printed editions and annotations demonstrate renewed interest in the story of the early seventeenth-century print and manuscript traditions of *declarationes*. In one seventeenth-century manuscript copy of the Congregation of the Council's decisions, now in the Biblioteca Ambrosiana, the printed volume's long-lasting impact is clear. This manuscript (BA, F. 8 suss.) was once the property of the monastery of SS Cosma e Damiano in Milan and reproduces the *declarationes* by decree, as well as a chronological account of the decisions from 1591

<sup>78</sup> Newberry Library, Chicago, case 6A 265. The materials in this folder pertaining to the Congregation of the Council range from 1619 (item 1, a printed copy of the letter sent from an unspecified Congregation to the bishop of Camerino) to 1654 (item 25, *Decreta Sacrae Congregationis super statu Regularium*). In part 1 of Biblioteca Braidense, Milan, G.XIII.14, there are printed *Declarationes* of the Congregation of the Council from 1623 to 1704. There is also a printed pamphlet, *Declarationes aliquot S. Congregationis Concilii ... De celebratione Missarum*, Rome–Milan 1626, in Biblioteca Braidense, H.XIV.72, item 1. Biblioteca Casanatense, Rome, PER.EST.18.3, item 225, *Decretum sacrae Congregationis ... Tridentini concilii*, Rome 1602, addressing Trent 25 c. 12, is the earliest printed decision of the Congregation that we have yet seen (and an outlier chronologically from the other examples). For other printed decisions of the Congregation in the Casanatense see Biblioteca Casanatense, PER.EST.18.4, items 441 (1617), 512 (1620).

<sup>79</sup> *Decreta Sacrae Congreg. Concilii ... De regularibus apostatis, & eiectis*, Rome: Camera Apostolica 1624; item 21: *Decreta S. Congregationis Concilii ... de celebratione Missarum*, Rome 1625; Newberry Library, case 6A 265, item 13.

<sup>80</sup> Item 8: *Declarationes aliquot sacrae congregationis concilii*, Rome 1623; item 24: *Declarationes aliquot S. Congregationis Concilii*, Rome 1626, Newberry Library, case 6A.

<sup>81</sup> Marco Cavarzere, *Historical culture and political reform in the Italian Enlightenment*, Liverpool 2020; Ulrich L. Lehner and Michael Printy (eds), *A companion to the Catholic enlightenment in Europe*, Leiden 2010.

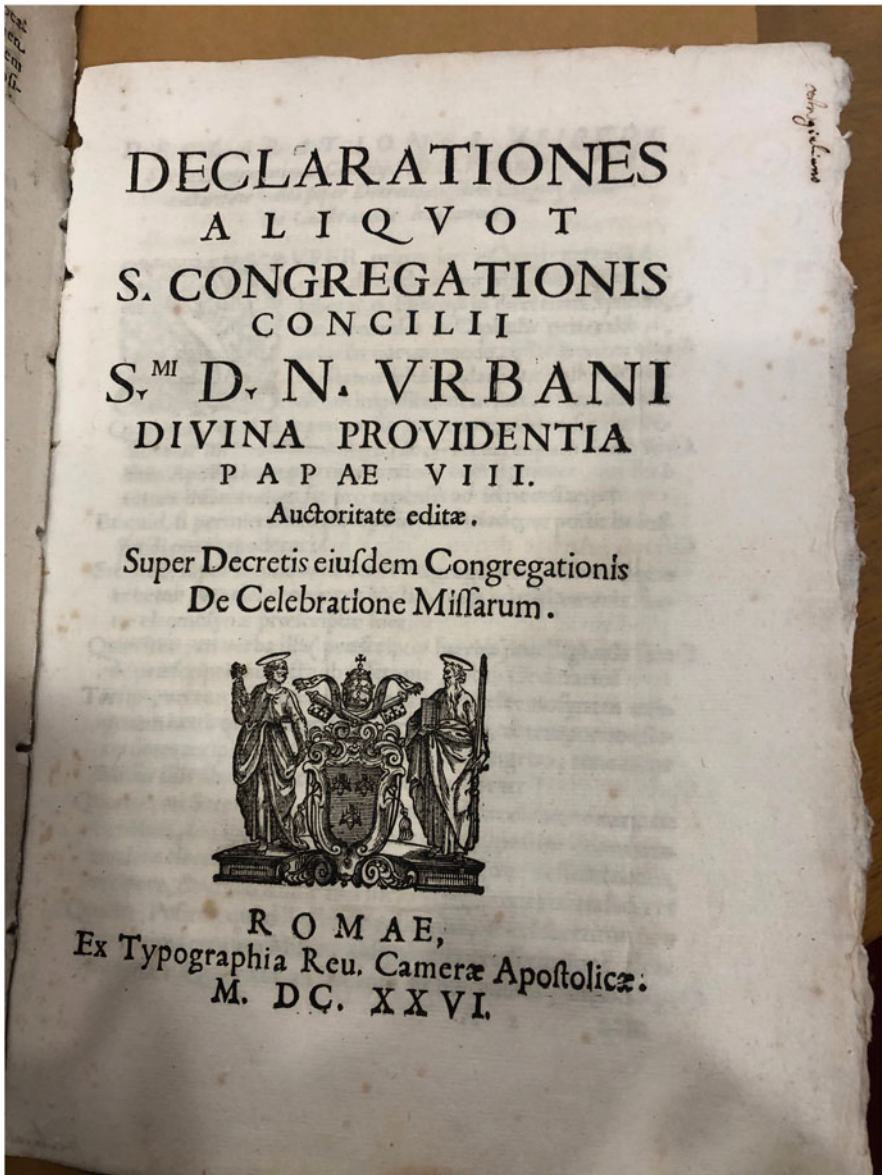


Figure 6. *Declarationes aliquot S. Congregationis Concilii ...* (1626), item 24, case 6A 265, Newberry Library, Chicago.

to 1604.<sup>82</sup> On the inside front cover of the manuscript, an eighteenth-century hand glossed this manuscript as:

Declarations and decisions contained in this volume were printed at Cologne in 1620, from the last revision of Jean Gallemart, together with citations of Jean Soteaulx theologian and Orazio Luzi J.C. and also the *Remissiones* of Agostinho Barbosa. The *Declarationes* were looked over by Gallemart, brought to completion in a praised edition, and organised according to the order of the sessions and chapters of the Tridentine Council. In this manuscript volume the chronological order was preserved. In both places however the additions begin from 21 March 1591. Moreover, the work of Jean Gallemart and also whatever other collections of *declarationes* of the Council of Trent are prohibited in the Index, pag. 124, Roman edition 1744.<sup>83</sup>

The author of this neat textual history in fact mischaracterised the manuscript. It is definitively not the text of the commentary produced by Gallemart, Barbosa and others. When confronted with the messy manuscript tradition of commentaries on Trent, this eighteenth-century writer turned to a seventeenth-century printed book.<sup>84</sup> The printed tradition had become the comparandum with which to understand the manuscript tradition. This reader made sense of the order of the Ambrosiana manuscript and its contents against the *Declarationes*, even while noting the prohibition on all books like it. In the 1744 *Index of prohibited books* issued by Pope Benedict XIV, this specific text was indeed listed, with Gallemart, Soteaulx and Barbosa as contributors. Further down the page, ‘all and any collections of *declarationes* of the Council of Trent were forbidden’, just as the reader paraphrased in the note.<sup>85</sup> However, as any eighteenth-

<sup>82</sup> BA, F. 8 suss. A note on the inside cover gives the book’s provenance: ‘Est Conventus SS. Cosmae ed Diamiani Mediolani FF. Eremitarum Discalceatorum. Ordinis S. P. Augustini’. Folios 11–398v contain *declarationes* on chapters of the Tridentine decrees from sessions 4–25; fos 401r–460r contain chronological records, noted in the margin, of decisions given to specific dioceses.

<sup>83</sup> ‘Declarationes, et decisiones hoc volumine comprehensae habentur impressae Coloniae Agrippinae an. 1620 ex ultima recognitione Joannis. Gallemart, una cum Citationibus Joannis Sotealli Inpol. et Horatii Lucii J.C. nec non Remissionibus Augustini Barbosa. Declarationes a Gallemart praetermissae, suppletus ad calcem libri in editione laudata, et iuxta ordinem sessionum, et Cap. Concilij Tridentini digeruntur. In hoc tamen m.s. volumine ordo. chronologicus servatus est. Utrobique autem additiones incipiunt a die 21 Ma[r]tij an. 1591. Caeterum opus Joannis Gallemart, quemadmodum et aliae quaecumque declarationum Concil. Trident. collectiones prohibentur in Indice pag. 124. Edit Rom. an. 1744’: inside front cover, BA, F. 8 suss.

<sup>84</sup> This gave this reader more purchase on this manuscript than (presumably) he had on another owned by the same monastery (BA, F. 9 suss.), where in his note he said he could not determine the origin of that manuscript’s commentary.

<sup>85</sup> ‘Declarationes eorundem Cardinalium ex ultima recognitione Jo: Gallemart, cum citationibus Jo: Sotealli, & remissionibus Augustini Barbosa. vid. etiam Conc. Trid. Decisiones.’ and ‘Declarationum Concilii Trid. Collectiones omnes, & quaecumque’:

century reader also knew, one could always apply for a reading licence, and the many eighteenth-century editions of the *declarationes* suggest that these books continued to be read.<sup>86</sup> What is more, beginning in 1741, the *Thesaurus resolutionum* for the first time made available to readers the official contemporary decisions of the Congregation of the Council.<sup>87</sup>

## VII

Both the relative ease of accessing Tridentine commentary and the need, none the less, to apply for a licence are exemplified through the case of one particular reader. In March 1633, Agostinho Barbosa submitted his own request to read prohibited books (see Figures 7a, 7b). His list of books spanned two and a half pages and included legal works on the power of bishops and popes, civil and ecclesiastical jurisdiction, and, of course, the Council of Trent. He even filed a request to read his own work: 'Barbosa, Marzilla, et declarationes ex bibliotheca sacram. in Conc. Trid.'. Just a few lines later, he also asked for the 'Historia Concilii Trid.', or the Latin edition of Sarpi's work.<sup>88</sup> Sarpi's book was crossed off the list he submitted, however; Barbosa was unsuccessful in obtaining a licence to read the *History*. The fact that these two books were brought together in Barbosa's request reinforces the fact that these texts were indeed connected and confirms that Barbosa's book was easier to obtain than Sarpi's. The multifaceted *Declarationes* was one of the more accessible prohibited books about the Council of Trent for many readers, Barbosa included.

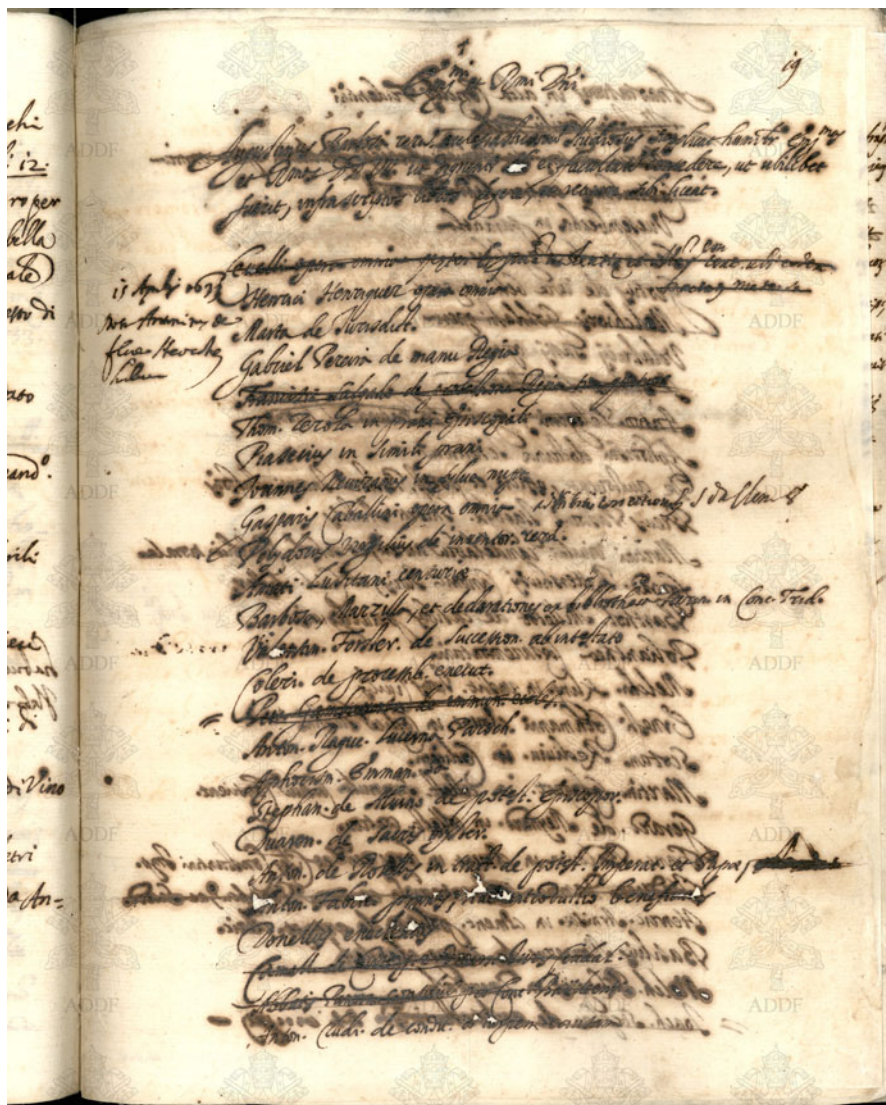
Paolo Sarpi has rightly loomed large in our understanding of the reception and political meaning of the Council of Trent in the seventeenth century. But his book contributed to and was part of a larger conversation about prohibited books about Trent. Both historical and legal texts should be considered as part of a larger culture of commentary on the council, which was sometimes licit and sometimes not. Both history and legal

*Index librorum prohibitorum ... regnante Benedicto XIV*, Rome 1744, 124. Sarpi's history was forbidden in both the French and the Italian translations in the same index.

<sup>86</sup> *Sacrosanctum Concilium Tridentinum additis declarationibus cardinalium Concilii interpretum, ex ultima recognitione Joannis Gallemart, et citationibus Joannis Sotealli ... & Horatii Lucii ... nec non Remissionibus D. Augustini Barbosae*, Cologne 1712; *Sacrosanctum Concilium Tridentinum, additis declarationibus ... ex ultima recognitione Joannis Gallemart ... et citationibus Joannis Sotealli ... et Horatii Lucii nec non Remissionibus D. Augustini Barbosae ... cum decisionibus ... e Bibliotheca D. Prosperi Farinacii*, Augsburg 1757.

<sup>87</sup> Federica Meloni, 'Le Rôle de la Sacrée Congrégation du Concile dans l'interprétation de la réforme tridentine', in François and Soen, *The Council of Trent*, i. 380.

<sup>88</sup> ADDE, S.O. st. st. Q 1 e, fos 19r–20v, quotations at fo. 19r–v. The request was heard on 15 April 1633, while the date on fo. 20v suggests that it was filed on 16 March.



Figures 7a, 7b. Barbosa's request for books, Archivio del Dicastero per la Dottrina della Fede, Vatican City, S.O. st. st. Q 1 e, fo. 19r-v.



commentary contextualised the decrees in different ways. While Sarpi's *History* is more well-known now than Barbosa's *Remissiones* or the manuscript tradition of *declarationes*, these legal commentaries found wide readership across Italy into the eighteenth century. Ultimately, this, too, was the history that Italian readers were seeking: how had the decrees of the council impacted real places, over the past half-century and more? Reconstructing those readers' needs and desires, and opening their legal tomes, brings a lost world of learning to life, in which the legal ramifications of the Council of Trent were understood as ongoing – a history which extended into the present.